



STAFF REPORT

Planning Commission Meeting: July 22, 2024

Application:	PR24-0007: Preliminary site development plan for Destiny Senior Living
Location:	25370 W. 143 rd Street
Owner:	Destiny Home Health, LLC
Applicant/Engineer:	Tim Tucker; Phelps Engineering Inc.
Staff Contact:	Andrea Fair, AICP; Planner II

Site Area:	<u>0.71 ± acres</u>	Current Use:	<u>Vacant</u>
Zoning:	<u>R-1 (Single-Family Residential)</u>	Proposed Use:	<u>Assisted Living, Skilled Nursing, Continuing Care Retirement Facilities</u>
Proposed Building Area:	<u>6,024 sq.ft.</u>	Plat:	<u>Inspired, Lot 1</u>

1. Introduction

The applicant is requesting approval of a preliminary site development plan for Destiny Senior Living, located at 25370 W. 143rd Street. The proposal consists of one (1) 6,024 square foot building for the proposed 'Assisted Living, Skilled Nursing, Continuing Care Retirement Facility', which will be operated as a Home Plus facility licensed by the State of Kansas.

The facility has 12 bedrooms for 12 adults and includes a kitchen, laundry, shared common spaces, and office space for on-site staff providing personalized care for each resident. Two caregivers and a facility operator are on-site at all times. Destiny Senior Living's daily operations include caregiving services, meals and nutrition, housekeeping, maintenance, social activities, and safety and security for residents. The building is designed in the style of a tradition single-family home to provide a residential aesthetic, and to blend with surrounding neighborhoods.

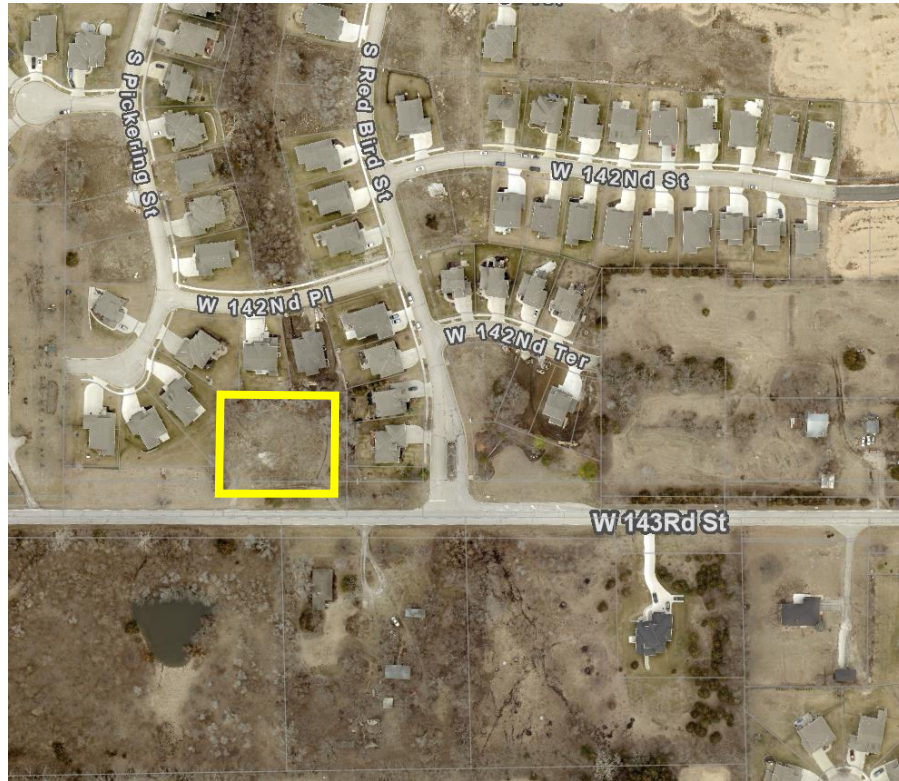
2. History

In March 2009, the subject property was annexed (ANX08-0002) into the City of Olathe (Ord. 09-07) and retained its County Rural District (CTY RUR) zoning. According to historic aerial photographs, a single-family home existed on this site since the 1980s and was demolished

in 2020. The subject property was zoned to the R-1 District (RZ21-0011, Ord.21-55) and platted (FP21-0040) in November 2021.

3. Existing Conditions

The existing site is vacant. The land slopes and drops off to the north. Remnants of a gravel circle driveway remain along W. 143rd Street and a significant number of trees exist along the north, east, and west property lines.



Subject Property outlined in yellow.



View of the subject property looking northeast.

4. Zoning Standards

- a. **Land Use** – The proposed use for ‘Assisted Living, Skilled Nursing, Continuing Care Retirement Facility’ as defined in Unified Development Ordinance (UDO) 18.20.500 is permitted in the existing R-1 District. HomePlus adult care homes are licensed and regulated by the Kansas Department of Aging and Disability Services (KDADS). The applicant is actively pursuing licensure for a HomePlus through the Kansas Department of Aging and Disability Services (KDADS).
- b. **Building Height** – The maximum building height permitted in the R-1 District is 35 feet. The proposed building is one-story and 27 feet tall at its highest point, which is consistent with the adjacent homes ranging from 20 to 30 feet in height.
- c. **Setbacks** – Setbacks in the R-1 District require a 30-foot front yard, 25-foot rear yard, and 10-foot side yards. The proposal is exceeding these requirements by providing a 31-foot front yard setback from W. 143rd Street, 24-foot side yard setback from the east property line, a 23-foot side yard setback from the west property line, and a 44-foot rear yard setback from the north property line.
- d. **Lot Area** – The 31,000 square foot lot significantly exceeds the minimum 7,200 square foot lot permitted within the R-1 District. The house structure occupies 19% of the lot which is less than approximately 25% for most adjacent homes.

5. Development Standards

- a. **Access/Streets** – The existing circle drive will be reduced to a single, 24-foot-wide driveway accessing W. 143rd Street to meet all City Access Management Plan and UDO requirements.
- b. **Parking** – The proposed development provides seven (7) parking spaces, with three (3) deferred parking spaces for a total of 10 spaces. Required parking is calculated at a rate of 1 space per 400 square feet for a minimum total of 15 parking spaces. A waiver request is outlined in Section 9 of this report for the requested reduction in parking. Traffic generated by the proposed use will be minimal, with three-four vehicles present at any given time, and an occasional visitor.
- c. **Landscaping/Screening** – The development meets all landscaping requirements established by the UDO. Shade trees will be planted along W. 143rd Street and foundation landscaping will be provided along the west and south façades as the primary entrances to the building. The parking area will be screened from view with shrubs along the west and south sides of the parking area. All disturbed lawn areas will be sodded, and all proposed utility equipment will be screened as required by the UDO.
- d. **Tree Preservation** – The subject property has a 15-foot Tree Preservation (TP/E) Easement along the north, east, and west property lines. No trees will be removed from the easement. Additionally, the applicant is proposing to add 36 Eastern Red Cedars to the Tree Preservation Easement in order to provide additional screening to the adjacent residential properties, significantly exceeding screening requirements.
- e. **Stormwater/Detention** – All Title 17 stormwater requirements are being met. The site will have on site underground detention that will capture all stormwater run-off.
- f. **Public Utilities** – The property is serviced by the City of Olathe water and sanitary sewer utilities. The developer is responsible for obtaining all private easements across adjacent property necessary to connect to the existing sanitary sewer and/or water infrastructure.

There is a 10-foot Public Utility (PUB/E) easement and a 10-foot Utility (U/E) easement along the south side of the property.

6. Site Design Standards

The subject property is designated as “Conventional Neighborhood” on the Future Land Use Map of Plan Olathe Comprehensive Plan and is therefore subject to **Site Design Category 1** (UDO 18.15.100). The development meets the requirements of the street facing yard option by providing at least a 20-foot-wide setback area along W. 143rd Street. This area is landscaped with street trees, lawn and foundation plantings typically of residential neighborhoods.

7. Building Design Standards

The proposed building is subject to the Horizontally Attached Residential building design standards according to UDO Section 18.15.020.G.4 to ensure the building fits the character of the surrounding neighborhood. The following table lists the applicable building design standards and proposed design elements:

Building Design Standard	UDO Design Requirements Proposed Design
<i>Building Entryway</i>	<i>Each unit must have a front porch or recessed entryway on 1 primary façade that is at least 4 feet deep and 6 feet wide.</i> The building has a covered entryway that is 8 feet deep and 12 feet wide, meeting the requirements of the UDO.
<i>Vertical Articulation</i>	<i>A vertical articulation tool must be used to differentiate each individual dwelling unit on primary facades.</i> While there are no individual units in this building, variation in roof form is provided to create architectural interest and articulation similar to the surrounding residential homes, meeting the requirements of the UDO.
<i>Horizontal Articulation</i>	<i>A horizontal articulation tool must be used to differentiate each individual dwelling unit on primary facades.</i> The primary façade provides an offset of 2 feet, and another offset of 8 feet on each side of the main entry. Wall offsets are being provided on all other façades, meeting the articulation requirements of the UDO.
<i>Garages and Overhead Doors</i>	<i>Garages and overhead doors must not face a public street.</i> No garages or overhead doors are proposed.
<i>Roofing Materials</i>	<i>Must use Class 1 or 2 roofing materials.</i> Class 1 or Class 2 roofing materials will be determined at the time of final site development plan.

The building must provide a minimum of 70% Class 1 and Class 2 materials on the primary facades (west and south façade). Secondary faces (north and east facades) must provide no less than 50% of Class 1 and Class 2 materials.

The proposed building is predominantly comprised of genuine stucco (Class 1), a stone veneer (Class 1), clear glass (Class 1), and accented with lap siding (Class 3) with varying peaked elements and a pitched roof to match the surrounding residential homes. All façades significantly exceed high-quality building material requirements with a range of 77%-94% Class 1 & 2 materials. The building colors will vary between shades of white, light gray, and dark gray, through the use of stone and stucco.

8. Neighborhood Meeting/Correspondence

Neighborhood notification was provided to property owners within 500 feet of the subject property, as required by the UDO. A neighborhood meeting was held on June 26, 2024 with 9 residents in attendance. Questions posed by the residents included the intensity of the use, the number of parking spaces onsite, parking lot lighting, stormwater management, and landscaping. A summary of the neighborhood meeting is attached in the packet.

After the neighborhood meeting, the applicant revised the development plans to provide increased evergreen plantings along the north, west and east property boundaries to provide increased year-round screening. Additionally, the proposed house structure was relocated an additional 5 feet away from properties to the north for a total of 44 feet, significantly exceeding the 25 foot minimum UDO requirement.

Staff received several phone calls from residents with feedback regarding permitted uses in the R-1 District, the development review process, landscape buffers, and site design to which staff responded. Staff worked with the applicant to provide additional screening measures on the north, east and west property lines in response to resident concerns. Staff also received four (4) letters from residents addressing similar topics which are included in the meeting packet.

9. Waiver Request

Section 18.40.240 of the UDO provides a mechanism for waivers to be considered when unnecessary hardships can be demonstrated or where the exception would result in superior design. The applicant submitted a justification statement for one (1) waiver request for parking requirements identified below. This justification statement is included within this packet.

1. UDO 18.30.160.K.6, which requires *15 parking spaces to be provided*. The proposed development is providing 10 parking spaces for the development.

Staff is supportive of the requested waiver due to the significantly reduced parking needs for this development. The residents living in the home will not have vehicles and there will only be 2 to 4 staff members on site at one time. The remaining parking will be available for visitors. Should additional parking be needed in the future, adequate room for three deferred parking spaces is provided, which would be reviewed by staff in accordance with UDO requirements.

10. Staff Recommendation

Staff recommends approval of the preliminary site development plan (PR24-0007) with the following stipulations:

1. A waiver is granted from UDO 18.30.160.K.6 to reduce the minimum required parking from 15 parking spaces to 7 parking spaces, and three (3) deferred parking spaces.
2. All on-site stormwater will be captured and detained on site.
3. All landscaping will be installed per the landscape plan dated July 9th, 2024 prior to certificate of occupancy.