



## STAFF REPORT

Planning Commission Meeting: March 25, 2024

<b>Application:</b>	<b>FP24-0003: Final Plat for Enclave at Boulder Creek</b>
<b>Location:</b>	Southwest of W. 167 <sup>th</sup> Street and S. Mur-Len Road
<b>Owner:</b>	Travis Shram, Day3 Development
<b>Engineer/Applicant:</b>	Mark Breuer; Schlagel & Associates
<b>Staff Contact:</b>	Andrea Fair, AICP; Planner II

<b>Site Area:</b>	<u>8.42 ± acres</u>	<b>Proposed Use:</b>	<u>Detached Single-Family Residence</u>
<b>Lots:</b>	<u>40</u>	<b>Existing Zoning:</b>	<u>R-2 (Two-Family Residential) and</u> <u>RP-3 (Planned Low-Density</u> <u>Multifamily)</u>
<b>Tracts:</b>	<u>0</u>	<b>Plat:</b>	<u>Boulder Creek Villas, First and</u> <u>Second Plat</u>

### 1. Introduction

The following application is a request for a final plat for Enclave at Boulder Creek which will establish lot lines and dedicate public easements for 40 detached single-family lots within the Boulder Creek Subdivision. This application will replat part of Boulder Creek Villas, First Plat (FP17-0071) and all of Boulder Creek Villas, Second Plat (FP18-0042), and will convert 20 duplex lots into 40 detached single-family lots.

The subject property was rezoned from County Rural Residential (CTY-RUR) to the RP-3 (Planned Low-Density Multifamily) District on May 30, 2005 (RZ05-0019). Subsequently, the southeast portion of the subject property was rezoned to the R-2 (Two-Family Residential) District with an associated preliminary development plan for Boulder Creek Villas on November 13, 2017 (RZ17-0013). The preliminary development plan and Boulder Creek Villas, Second Plat originally included 90 duplexes on 45 lots, and currently 44 duplex units have been constructed.

Both the R-2 and RP-3 Districts permit single-family residential by right. The RP-3 District regulates single-family residences under Chapter 18.20, from a previous version of the UDO (Ord. No. 11-53), which requires that single-family residences meet R-1 District dimensional standards. The applicant is proposing 40 single-family residential lots and is requesting one

waiver and one modification request to the dimensional standards to align with the approved preliminary plan and existing two-family residential lots.

## 2. Coffee Creek Master Plan

Adopted in 2005, The Coffee Creek Master Plan provides a guide for future development generally located between 159<sup>th</sup> Street in the north and 175<sup>th</sup> Street in the south, and between Ridgeview Road in the west and Pflumm Road in the east. The Coffee Creek Master Plan designates this property for Neighborhood Residential land uses. New development within this study area should be high-quality and offer a range of housing options with amenities, which this proposal provides. The proposed addresses several goals from the plan including promoting quality of life through walkable and pedestrian-friendly development with sidewalks and dedicated open space. As such, the proposed plan aligns with the Coffee Creek Master Plan.

## 3. Plat Review

- a. **Lots/Tracts** – The final plat will reestablish lot lines for 40 single-family residential lots and no tracts. Lots 1-34 are subject to the R-2 District standards of UDO 18.20.080 and Lots 35-40 are subject to the RP-3 District standards of UDO 18.20 (see zoning map below). Table 1 below provides the dimensional standards for all lots. The lots range in size from 6,300 square feet to 13,000 square feet with an average size of 7,514 square feet. All lots have an existing 20-foot platted front yard build line, which is being maintained with this plat. Waivers are requested to side yard setbacks and lot frontage on certain lots, as noted below and detailed in Section 3.

<b><i>Table 1: Minimum Dimensional Standards</i></b>	<b><i>R-2 District Standards</i></b>	<b><i>RP-3 District Standards</i></b>
<i>Lot Size</i>	4,750 square feet	7,200 square feet
<i>Lot Width</i>	60 feet*	60 feet
<i>Front Yard</i>	20 feet	30 feet
<i>Side Yard</i>	7 feet*	7 feet
<i>Rear Yard</i>	25 feet	75 feet**
<i>Corner Lot Side Yard</i>	20 feet	20 feet

*\*Waiver requested, see Section 5 below.*

*\*\*Modification requested, see Section 6 below.*

- b. **Streets/Right-of-Way** – The development has two existing access points along W. 169<sup>th</sup> Place/S. Britton Street extending north into the development. The internal road network is a loop. All roadways within the development have already been dedicated for public use. No new right-of-way is being dedicated with this plat.
- c. **Public Utilities** – The subject property is located in the WaterOne service area and Johnson County Wastewater service area. Utility and sanitary sewer easements (U/E & S/E) are being dedicated with this plat.

- d. **Landscaping** – No changes are being made to the existing Access and Landscape easements (A/E & L/E) located on the southwest property line, along S. Britton Street. This landscaping fulfills the 15-foot master landscaping requirement of UDO 18.30.130.H. Street trees will be provided along all local streets per UDO requirements. This development is exempt from landscape buffer requirements per UDO 18.30.130.
- e. **Stormwater** – All Title 17 requirements are being met and no changes to the existing stormwater detention and treatment are being proposed. A 15-foot drainage easement is being dedicated between lot 26 and lot 27.



*Aerial view of subject property outlined in yellow.*

#### 4. Building Design Standards

All lots that are less than 7,200 square feet in these areas will also be subject to the architectural building design standards outlined in the UDO, which require higher-quality building materials and architectural features. Building design will be reviewed at the time of building permit. In addition to UDO requirements, the building elevations must meet all building material and architecture requirements of the Coffee Creek Master Plan.

#### 5. R-2 District 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 two (2) waivers/modifications which are attached to this report (see Attachment A).

1. A waiver is requested from R-2 District standards (UDO 18.20.080.b) allowing the side yard setback to be reduced from 7 feet to 5 feet and the minimum lot width to be reduced from 60 feet to 50 feet for lots 1 to 34.

Staff is supportive of the waivers which allow for consistency between two existing zoning districts, and due to the previously approved setbacks for the R-2 District and the high-quality design of this development. The approved Boulder Creek Villas development plan provided minimum setbacks as follows: Front Yard: 20 feet, Side Yard: 7 feet, Rear Yard: 20 feet (15 feet next to Open Space Tracts), and Corner Side Yard: 20 feet. The UDO provides flexibility for setbacks to ensure that a variety of housing styles are available throughout the City. The requested dimensional standard waivers will allow for a variety of housing types to be constructed within an existing development while maintaining uniformity with the existing dimensional standards.

## **6. RP-3 District Modification Request**

Section 18.20.050 of a previous version of the UDO (Ord. No. 11-53), provides that a modification can be requested if certain criteria are met. The applicant submitted a justification statement for one (1) modification which is attached to this report (see Attachment A).

2. A modification is requested from RP-3 District standards of previous UDO 18.20.030 allowing, the rear yard setback be reduced from 75 feet to 20 feet for lots 35 to 40.

Minimum rear yards adjacent to property lines zoned to the C-2 (Community Center) District, may be modified if the property owner can demonstrate that the adjacent nonresidential property is restricted to land uses that are low impact and scale, and the site is designed in manner so adjacent residential properties will not impacted by any reductions. Lots 35-40 are adjacent to an undeveloped property zoned to the C-2 District. The current property owner owns both properties and has an approved plan (RZ18-0011) in place which shows a 25-foot landscape buffer on the commercial property. There are stipulations on the approved plan that state a fence or berm will be required along all residential property lines and additional evergreen plantings are required along 168<sup>th</sup> Street. Staff is supportive of reducing the rear yard setback requirement to match the other lots in this development. The applicant will be able to construct single-family residences that match the rest of the development.

## **7. Staff Recommendation**

Staff recommends approval of the final plat (FP24-0003) with the following stipulations:

1. A waiver is granted from UDO 18.20.080.b to reduce the side yard setback from 7 feet to 5 feet and reduce the minimum lot width from 60 feet to 50 feet for lots 1 to 34, as shown on the final plat dated February 2, 2024.
2. A modification is granted to reduce, the rear yard setback 75 feet to 20 feet, for lots 35 to 40, as shown on the final plat dated February 2, 2024.
3. Homes constructed on lots less than 7,200 square feet in size are subject to the building design standards for single-family homes per UDO 18.15.020.G.2.