



Planning Division

STAFF REPORT

Planning Commission Meeting: February 24, 2020

Application:	<u>RZ19-0024</u>: Rezoning from R-1 (Residential Single Family) District to R-3 (Residential Low-Density Multifamily) District and a preliminary site development plan for Stonebridge Courts
Location:	South of 167 th Street, west of future Brougham Drive
Owner/Applicant:	Stonebridge Land and Cattle, LLC
Engineer:	Harold Phelps, P.E.; Phelps Engineering, Inc.
Staff Contact:	Zachary Moore, Planner II

Site Area:	<u>27.65± acres</u>	Proposed Use:	<u>Multifamily Residential</u>
Units:	<u>126 (122 multifamily)</u> <u>(4 two-family)</u>	Plat:	<u>Unplatted</u>
Density:	<u>4.56 units/acre</u>	Proposed Zoning:	<u>R-3 (Residential Low-Density Multifamily)</u>
Existing Zoning:	<u>R-1 (Residential Single Family)</u>		

	Plan Olathe Land Use Category	Existing Use	Current Zoning	Site Design Category	Building Design Category
Site	Mixed Density Residential Neighborhood	Vacant	R-1	3	Horizontally Attached Residential
North	Secondary Greenway / Conventional Neighborhood	Single-Family Residential	C-2 / AG	-	-
South	Mixed Density Residential Neighborhood	Vacant	BP	-	-
East	Conventional Neighborhood	Vacant	AG	-	-
West	Community Commercial Center	Multifamily Residential (Townhomes at Fairfield Village)	R-1	-	-

1. Proposal:

The applicant is requesting a rezoning from the R-1 (Residential Single Family) District to the R-3 (Residential Low-Density Multifamily) District and approval of an associated preliminary site development plan for Stonebridge Courts. The subject property is located along the south side of W. 167th Street and west of the future Brougham Drive. The proposed rezoning to the R-3 District is necessary to allow development of a townhome community on the subject property.

2. History:

The subject property was annexed into the City in 2005 and later rezoned to the R-1 (Residential Single-Family) District in 2006 (RZ-06-017). A related preliminary plat was included with the rezoning in 2006 for a single-family residential development. No final plats were filed following the preliminary plat and no other development proposals have been submitted on the subject property since 2006. The site has since remained vacant.

3. Existing Conditions / Site Photos:

The site is currently vacant and has never been developed. There is existing native vegetation along the western and eastern perimeters of the subject property.



Aerial view of subject property outlined in red



View of subject property looking south from W. 167th Street

4. Neighborhood Meeting and Public Notice:

A joint neighborhood meeting for this rezoning, preliminary site development plan, and plat for the property to the southwest, was held on January 29, 2020. Twenty-seven (27) residents attended and topics discussed included traffic on 169th Place, proposed greenspace and amenities, road network extensions, phasing, pricing, and stormwater. The applicant answered all questions asked by the residents and addressed each of their concerns at the meeting. Additional details were provided on the preliminary site development plan following the meeting regarding the amenities to be provided on site. Minutes from the neighborhood meeting are included in this packet.

The applicant mailed the required public notification letters to surrounding property owners within 200 feet and posted signs on the subject property, per UDO requirements.

Staff has not received any phone calls or other correspondence from members of the general public regarding this rezoning and preliminary site development plan.

5. Zoning Requirements:

- a. **Density** – The maximum density allowed in the R-3 District is 17 units per acre. With 126 proposed dwelling units on 27.65 acres, the density of the proposed development is 4.56 units per acre, therefore compliant with the UDO requirement.
- b. **Building Height** – The maximum building height in the R-3 District is 3 stories or 40 feet. The proposed townhomes will have a maximum height of approximately 30 feet, compliant with the UDO requirement.
- c. **Common and Active Open Space** – Developments in the R-3 District are required to provide a minimum of five (5) percent open space within the development, 50

percent of which is required to be active or civic open space. The applicant is providing 12.4 acres of open space, which is in excess of the minimum 1.38 acres of open space required. A total of 1.40 acres of active or civic open space is being provided within the proposed townhome development, exceeding the minimum 0.69 acres required, and is being provided with a pickleball court, a gazebo, benches, and walking paths.

d. **Setbacks** – Each building included on the preliminary site development plan complies with the setback requirements of the R-3 District. Setbacks in the R-3 District are as follows:

- i. **Front Yard (minimum)** – N/A.
- ii. **Front Yard (maximum)** – 15 feet.
- iii. **Side Yard** – N/A
- iv. **Rear Yard** – 5 feet.

6. **Site Design Standards:** Development proposed in the Mixed Density Residential Neighborhood future land use map designation is subject to Site Design Category 3. The following is a summary of the applicable standards of Site Design Category 3.

- a. **Outdoor Amenity Space** – Development subject to Site Design Category 3 that is greater than 4 acres in size must provide Outdoor Amenity Space on a minimum of 10% of the total site area. A total of 2.76 acres of outdoor amenity space must be provided based on a total of 27.65 acres of total site area. The applicant is providing 1.40 acres of outdoor active amenity space, and an additional 1.3 acres of natural features are provided on site to meet the outdoor amenity space requirement.
- b. **Pedestrian Connectivity** – Development in Site Design Category 3 must provide enhanced pedestrian connections to encourage pedestrian use, integrate with surrounding land uses or connect to regional paths and trails. Cross-property connections and connections to adjacent developments are proposed to comply with UDO requirements.

7. **Building Design Standards:**

Townhome buildings are subject to the “Horizontally Attached Residential” design standards and two-family residential units are subject to the “Two-Family Residential” design standards of the UDO. Table 1, on the next page, lists the architectural requirements of the UDO, and the elements of the proposed plan which are used to meet or exceed these requirements.

Table 1: Building Design Standards	UDO Requirement (Horizontally Attached Residential) Proposed Design
<i>Building Entryway</i>	<p><i>Each unit must have its own front porch or recessed front entryway along one (1) primary façade. Each front porch or recessed entry must be a minimum 4 feet in depth and minimum 6 feet in width.</i></p> <p>Each unit will provide its own front porch on all proposed townhome units meeting the minimum dimensions required.</p>
<i>Garages</i>	<p><i>All street-facing garages must be recessed a minimum of two (2) feet from the front primary façade building line.</i></p> <p>Each street facing façade will be set back a minimum of two (2) feet from the primary building façade line.</p>
<i>Windows</i>	<p><i>Each dwelling unit must provide no less than two (2) separate windows no less than six (6) square feet in size along all primary façades.</i></p> <p>Each individual dwelling unit will provide at least two (2) windows a minimum of six (6) square feet in size.</p>
<i>Vertical Articulation</i>	<p><i>Each individual dwelling unit must provide at least one (1) vertical articulation tool to differentiate individual units along all primary façades along all primary façades.</i></p> <p>The roofline varies between each individual dwelling unit provided on the site development plan.</p>
<i>Horizontal Articulation</i>	<p><i>Each individual dwelling unit must provide at least one (1) horizontal articulation tool to differentiate individual units along all primary façades.</i></p> <p>Each individual dwelling unit will provide a horizontal articulation tool to meet the horizontal articulation requirement.</p>
<i>Exterior Building Materials – Primary Façades</i>	<p><i>Minimum 2 materials from Class 1 or a combination of materials from Classes 1 and 2 required on a minimum of 70% of primary façades.</i></p> <p>Each primary façade on the townhome units and the two-family dwelling units will provide a minimum of three Class 1 building material (stucco, synthetic stone, and clear glass) on greater than 70% of the primary façades.</p>
<i>Exterior Building Materials – Secondary Façades</i>	<p><i>Minimum 2 materials from Class 1 or a combination of materials from Classes 1 and 2 required on a minimum of 50% of secondary façades.</i></p> <p>Each secondary façade provides at least two (2) building materials from Class 1 (stucco, synthetic stone, and glass) on greater than 50%.</p>

8. Streets/Right-of-way:

A collector street is proposed along the southern portion of the proposed development to ultimately connect S. Mur-Len Road to the future Brougham Drive. From this collector street, one cul-de-sac with 25 units on it is proposed on the western side of the development. Another cul-de-sac is provided on the south side of the collector street, to the east, which contains 27 proposed townhome units. North of this cul-de-sac, a local street will loop to the north which individual units will take access from, as well as common drives providing access to between six (6) and nine (9) units. All but two of the proposed common drives provide access to six (6) units, with the two common drives exceeding six (6) units being at the northwest and northeast corners of the loop road, providing seven (7) and nine (9) units each. Each townhome unit in this proposal will either take access from a private drive or a local street. All access drives must be constructed with concrete pavement a minimum of 22 feet wide and with a maximum length of 150 feet.

9. Landscaping:

The applicant has provided a master landscape and screening plan, as well as a preliminary landscape plan depicting the location of street trees along all local streets and the proposed collector street. A 25-foot landscape buffer is provided along the 167th Street right-of-way, as required for residentially zoned properties adjacent to arterial streets. Fifteen (15) foot wide landscape easements are provided along the eastern property line, adjacent to the Brougham Drive right-of-way, as well as along the future collector street through the property. Interior lot trees will be provided at a rate of one (1) tree per each multifamily dwelling unit, and four (4) trees per each two-family dwelling unit.

10. Comprehensive Plan Analysis:

The future land use map of the Comprehensive Plan identifies the subject property as "Mixed Density Residential Neighborhood." The intent for the Mixed Density Residential Neighborhood future land use map designation is intended to provide a mixture of housing styles, types, and densities, and for the mix of housing types to be oriented more toward attached multifamily units rather than detached single-family units.

The following are criteria for considering rezoning applications as listed in *Unified Development Ordinance (UDO) Section 18.40.090.G*.

A. The conformance of the proposed use to the Comprehensive Plan and other adopted planning policies.

The subject property is currently zoned R-1 (Residential Single-Family) and is proposed to be rezoned to R-3 (Residential Low-Density Multifamily). The proposed rezoning aligns with the future land use map designation of Mixed Density Residential Neighborhood. PlanOlathe includes policies to maintain the distinct character and identity of Olathe's neighborhoods and to promote density that can support existing or future commercial development. The proposed townhome development complies with other goals and principles of the PlanOlathe.

- **Principle LUCC-3:** *"Promote adequate residential densities to support existing and future commercial centers."*
- **Principle HN-1:** *"Maintain the character and identity of existing residential neighborhoods."*

B. The character of the neighborhood including but not limited to: land use, zoning, density (residential), architectural style, building materials, height, structural mass, siting, open space and floor-to-area ratio (commercial and industrial).

The Townhomes at Fairfield Village is located immediately west of the proposed townhome development and its final phases are currently under construction. The proposed townhome development has a similar density, architectural style, and site design as the Townhomes at Fairfield Village. The proposed development also uses similar building materials as the Townhomes at Fairfield Village, such as stucco and synthetic stone, and the proposed buildings have a similar mass and separation from other buildings as the Townhomes at Fairfield Village provides.

C. The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses.

The surrounding properties to both the south of the subject property and to the north, across 167th Street, are zoned R-1 and are either developed with or planned for single-family residential development. The property immediately to the west is currently zoned RP-3 (Planned Residential Low Density Multifamily) and is in the final phases of construction of a townhome development (The Townhomes at Fairfield Village). The proposed R-3 zoning and townhome development on the subject property would be harmonious with the existing zoning and uses in the surrounding area.

D. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.

The subject site is currently zoned R-1 District which allows for the development of single-family homes, group living facilities, and civic uses such as churches and schools. Development of a low-density townhome development on the subject property would provide an appropriate transition from the arterial street to the north (167th Street) to the future single-family development to the south in the existing R-1 zoning.

E. The length of time the property has been vacant as zoned.

The subject property was rezoned to the R-1 District in 2006 and has remained vacant since then. The rezoning in 2006 included a related preliminary plat for the area but no final plats have been submitted and no other developments have been proposed on the subject property.

F. The extent to which approval of the application would detrimentally affect nearby properties.

The proposed development will not have any detrimental effect on surrounding properties. The adjacent property to the west is developed in a similar pattern and the proposed development will provide an appropriate separation from the arterial street (167th Street) to the north and the future single-family residential development on the R-1 zoned property to the south.

G. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property.

The addition of the trips generated by the proposed townhome development should not adversely affect capacity or safety of the applicable road network. A collector roadway will be built through the southern portion of the townhome development, as well as on the east side to help traffic flow in the surrounding area. Each dwelling unit will provide parking for residents as required by UDO Section 18.30.160.

H. The extent to which the proposed use would create air pollution, water pollution, noise pollution or other environmental harm.

The proposed development will comply with the requirements of Title 17 of the Olathe Municipal Code, and will not create air pollution, water pollution, noise pollution, or other environmental harm.

I. The economic impact of the proposed use on the community.

Property taxes will be generated for each individual unit for sale in the proposed subdivision, and construction of the subdivision will provide additional housing opportunities for those relocating to Olathe for employment.

11. Staff Recommendation:

- A. Staff recommends approval of RZ19-0024, Stonebridge Courts for the following reasons:
 - 1. The proposed development complies with the policies and goals of the PlanOlathe for Land Use and Housing (Principle LUCC-3 and HN-1).
 - 2. The requested rezoning to the R-3 district meets the Unified Development Ordinance (UDO) criteria for considering zoning applications.
- B. Staff recommends approval of the rezoning to the R-3 district, as presented.
- C. The following stipulations apply to the preliminary site development plan:
 - 1. A final site development plan must be approved and a final plat recorded prior to issuance of building permits.
 - 2. The minimum driveway length to any single unit is 25 feet.
 - 3. Common drives must be constructed with concrete pavement with a maximum length of 150 feet and a minimum width of 22 feet. The common drives at the northeast and northwest corners of the proposed development may exceed 150 feet in length with turnarounds for the Fire Department provided.
 - 4. A tree survey must be submitted with submittal of the final site development plan.

5. The existing driveway on 167th Street at the northwest corner of the property must be closed prior to the issuance of building permits.