



STAFF REPORT

Planning Commission Meeting: April 27, 2026

Application:	RZ26-0004: Request for approval of a Rezoning and Preliminary Site Development Plan for Forest View Townhomes
Location:	Southwest of K-7 Highway and W. 119 th Street
Owner/Applicant:	Brian Rodrock; Rodrock Development
Engineer:	Judd Claussen; Phelps Engineering, Inc.
Staff Contact:	Emily Carrillo; Senior Planner

Site Area:	<u>12.57 ± acres</u>	Proposed Use:	<u>Residence, Multifamily, 5 or more units</u>
Existing Use:	<u>Undeveloped</u>	Plat:	<u>Unplatted</u>
Existing Zoning:	<u>CTY-RUR (County Rural)</u>	Proposed Zoning:	<u>R-3 (Residential Low-Density Multifamily)</u>
Lots:	<u>14</u>	Tracts:	<u>5</u>

Plan Olathe Land Use Category		Existing Use	Existing Zoning
Site	Urban Mixed-Use Center and Primary Greenways	Undeveloped	CTY-RUR
North	Conventional Neighborhood	Residence, Single-Family Detached	R-1
South	Primary Greenway	Residence, Single-Family Detached	RP-1
East	Urban Mixed-Use Center	Undeveloped	CTY-RUR
West	Primary Greenways	Residence, Single-Family Detached	RP-1

1. Introduction

The applicant is requesting a rezoning to the R-3 (Residential Low-Density Multifamily) District, along with a preliminary site development plan and preliminary plat for the Forest View Townhomes development, located southwest of K-7 Highway and W. 119th Street. The subject property consists of approximately 12.57 acres.

The preliminary development plan proposes 14 multifamily townhome buildings containing a total of 72 two-story dwelling units. Associated site amenities include a covered picnic area, walking trails with seating areas, and recreational sports stations. The plan also incorporates approximately seven (7) acres of open space, including more than three (3) acres of preserved natural areas and tree canopy. These areas are intended to serve as a natural amenity and support the preservation of existing environmental features on the site.

2. History

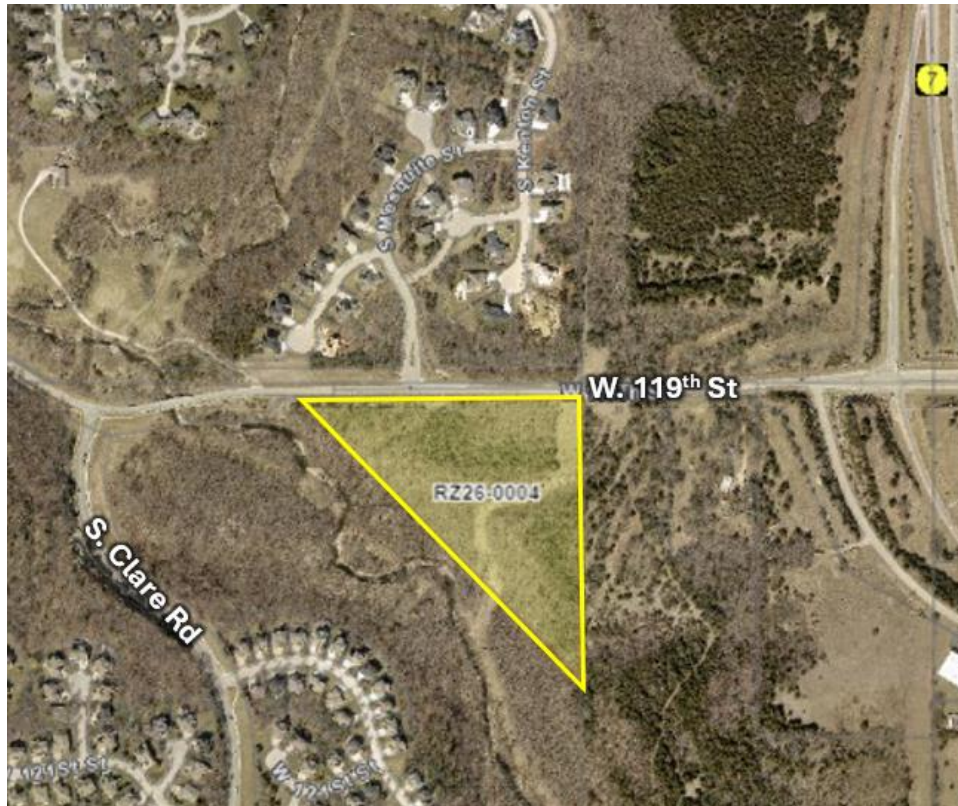
The property was annexed into the City of Olathe in September 1998 (ANX-05-98) and has historically remained undeveloped, consisting of natural trees and vegetation. No other zoning or development applications have been submitted or approved for the site.

3. Existing Conditions

The site is characterized by heavily wooded conditions and steep topography, sloping to the south and west toward Little Cedar Creek and the adjacent floodway located along the southwestern property line.



View of subject property looking south and east from intersection of Mesquite and 119th St.



Aerial view of the subject property outlined in yellow.

4. Zoning Standards

- a. **Land Use** – The proposal was submitted and reviewed prior to the adoption of the updated Comprehensive Plan (Elevate Olathe) on April 21, 2026. The site is designated as *Urban Mixed Use Center* and *Primary Greenway* on the PlanOlathe Comprehensive Plan Future Land Use Map and *Mixed-Use* within the *K-7 Subarea* on the recently adopted Elevate Olathe Future Land Use Map. The applicant is requesting to rezone this site to the R-3 District which aligns with the property’s designation as *Urban Mixed Use Center* and *Primary Greenways* on the PlanOlathe Future Land Use Map. The site is also within the K-7 Corridor Study area and is designated for several different uses, including Parks and Open space, Low-Density Residential, and Commercial. The Low-Density Residential category is intended to provide single-unit detached homes as well as low-density attached housing.

The R-3 District is intended to accommodate well-designed multifamily residential developments that emphasize open space and provide a range of housing types in proximity to services. In this case, the subject property’s location near the 119th Street and K-7 Highway intersection supports mixed residential development, providing a blend of housing types as part of a transition to planned commercial uses along the K-7 corridor.

Land uses permitted in the R-3 District align with the future land use designation. The dimensional standards referenced below are based on Column-2 of the R-3 District Dimensional Standards within the Unified Development Ordinance (UDO):

- b. **Density** – The development has a density of 5.73 dwelling units per net acre, which is less than the maximum density of 15 units per acre allowed by the R-3 District.
- c. **Building Height** – Building heights within the R-3 District are limited to three (3) stories and a height of 40 feet. The proposed 2-story buildings are 27 feet tall, measured to the average roof height in accordance with UDO 18.30.110, meeting UDO requirements.
- d. **Setbacks** – The R-3 District requires a minimum front yard setback of five (5) feet, a corner side yard setback of 20 feet, and a rear yard setback of 15 feet. The preliminary development plan complies with all applicable dimensional standards of the R-3 District, with the exception of select buildings for which the applicant is requesting a waiver to reduce the required corner side yard setback, as described in Section 10 of this report.
- e. **Open Space** – The R-3 District requires a minimum of 15% of the site (1.64 acres) to be provided as common open space, with at least 50% (0.82 acres) of the required open space designated as active space. The applicant proposes 7.20 acres of common open space, including 0.82 acres of active open space consisting of a recreational path with exercise stations, a covered picnic area and open playing fields. As proposed, the development meets the UDO requirements.

5. K-7 Corridor Design Guidelines

The subject property is located within the K-7 Corridor Area, which is governed by design guidelines intended to ensure high-quality development within the corridor. These guidelines emphasize the incorporation of pedestrian amenities, including areas of interest and interaction, as well as publicly accessible pedestrian connections between public and private spaces, and encourage consistent architectural styles and cohesive design themes. The proposed development is consistent with the K-7 Corridor Design Guidelines, as it incorporates a connected pedestrian network and amenity areas, and exceeds Class 1 material requirements on all building facades.

6. Development Standards

- a. **Phasing** – The development is proposed to be constructed in two (2) phases in accordance with the Phasing Plan dated March 30, 2026, and included in this meeting packet. Phase 1 includes Buildings 1–9 and Tracts A, B, and D, which provide required detention facilities as well as the picnic area, walking trail and recreational amenities. Phase 2 includes Buildings 10–14 and common Tracts C and E. In accordance with UDO Section 18.30.120.E, Phase 1 amenities must be installed, or a financial guarantee provided, prior to recording the plat for Phase 2.
- b. **Access/Streets** – The development will be accessed at the intersection of W. 119th Street and Mesquite Street. Mesquite Street will be constructed and, as it curves eastward, transitions into 119th Terrace, which will intersect with Kenton Street. In Phase 2, Kenton Street will extend south and east to the property line, where it will connect to a future collector street identified off-site. Each townhome unit will be served by individual driveway access from the proposed local street network.

The developer is responsible for constructing a 10-foot sidewalk along the south side of W. 119th Street and an eastbound right-turn lane on W. 119th Street to accommodate the proposed development. No additional roadway improvements are required, as determined

by the Traffic Impact Study submitted by the applicant and reviewed by the City of Olathe Traffic Division.

- c. **Parking** – The proposal provides 2 parking stalls per unit, including a single-car garage for each townhome, thereby exceeding the minimum requirement of 1.5 parking stalls per multifamily dwelling unit.
- d. **Landscaping/Screening** – A 25-foot master landscaping tract is provided along the south side of W. 119th Street, consistent with UDO Section 18.30.130.H. Street trees are provided along both sides of all internal local streets. Existing natural vegetation and tree canopy along the south and west portions of the site contribute toward the required Type 3 buffer requirements in these areas. Multifamily districts requires a minimum of one (1) tree per dwelling unit, exclusive of street trees and buffer plantings. The proposal includes 20 newly planted trees, and at least 52 existing trees remain within eligible non-buffer areas, satisfying the minimum tree requirement. Utility screening will be further refined with the final site development plan application.
- e. **Tree Preservation** – The project preserves approximately 28% of the existing contiguous tree canopy and understory, exceeding the minimum 20% requirement per the UDO. The existing tree canopy located in the southern portion of the site will be preserved, with tree removal limited to that necessary to accommodate grading and stormwater detention requirements. Based on neighborhood feedback, the applicant is collaborating with staff on identifying opportunities for additional tree preservation along 119th Street which is a characteristic of this corridor to provide significant natural preserved areas.
- f. **Stormwater/Detention** – The property is subject to all Title 17 requirements of the Municipal Code. One (1) dry detention basin is proposed along the southern portion of the property and located within common Tract D to be owned and maintained by the property owner and/or homeowner association.
- g. **Public Utilities** – The property is located within both the WaterOne and City of Olathe sewer service areas. A water main is located along 119th Street and a public main extension will serve the property. A sewer main is located along the eastern side of the property and will serve the site.

7. Site Design Standards

The site is designated as *Urban Mixed Use Center* and *Primary Greenway* on the PlanOlathe Future Land Use Map and *Mixed-Use* within the *K-7 Subarea* on the recently adopted Elevate Olathe Future Plan Use Map. The proposal was submitted and reviewed prior to the adoption of the updated Comprehensive Plan (Elevate Olathe).

The property is subject to Site Design Category 3 based on the Urban Mixed-Use Center and Primary Greenway designations in the PlanOlathe Future Land Use Map. The following is a summary of the applicable site design requirements:

- a. **Landscape Options** – The development provides a 25-foot master landscape area along 119th Street, exceeding the requirement to provide at least a 20-foot landscape area.
- b. **Outdoor Amenity Space Options** – The development dedicates 65% of the site as outdoor amenity space, exceeding the requirement that 10% of the site area uses one

of the prescribed outdoor amenity space options. The development preserves existing trees and the stream corridor to meet the natural feature option and provides a winding recreational path throughout the site, a shared picnic area with shelter, and open play areas to meet the common area and plaza/courtyard options.

- c. **Pedestrian Connectivity** – The proposal provides direct pedestrian connections between all buildings, amenities, and the public sidewalk. All pedestrian pathways are either separated from or clearly differentiated from vehicular use areas. In addition, the development includes two (2) pedestrian gateways and cross-property connection options, providing multiple pedestrian routes throughout the site and exceeding the requirements of Site Design Category 3.
- d. **Drainage Feature** – The development includes a dry bottom basin designed with shallow slopes and a natural curvilinear appearance. The basin is integrated into the site design to preserve natural drainage patterns, including existing trees and vegetation, and meets applicable code requirements.

8. Building Design Standards

The proposed townhome buildings are subject to the Horizontally Attached Residential category as established in UDO 18.15.020.G.4. The proposed development includes 14 townhome buildings, and elevations are included in this meeting packet. Townhomes are 2-story with walk-out back patio and attached single car garage and covered front entries.

Color elevations were provided with the preliminary site development plan showing the proposed building materials and architectural style. The following table lists the applicable design requirements and proposed design elements:

<i>Design Standard</i>	<i>UDO Requirement</i>
<i>Front 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> Each unit meets this requirement by providing a front porch or recessed entryway that is at least 4 feet deep and 9 feet wide, exceeding the requirement.
<i>Garages</i>	<i>All street-facing garages must be recessed a minimum of 2 feet from the front line of the building's primary facade.</i> All garages are recessed 4 feet from the front line of the building's primary façade, exceeding the requirement.
<i>Windows</i>	<i>Each unit must be provided at least 2 separate windows that are no less than 6 square feet in size along each primary façade.</i> Each unit provides at least 3 separate windows that range between no less than 9-36 square feet in size along each primary façade, exceeding the requirement.

<i>Horizontal Articulation</i>	<p><i>A horizontal articulation tool must be used to differentiate each individual dwelling unit on primary facades.</i></p> <p>Each dwelling unit utilizes a 4-foot wall offset to differentiate between units on primary façades.</p>
<i>Vertical Articulation</i>	<p><i>A vertical articulation tool must be used to differentiate each individual dwelling unit on primary facades.</i></p> <p>Each dwelling unit provides a change in roof form or pitch to differentiate between units on primary façades.</p>
<i>Roofing Materials</i>	<p><i>Must use Class 1 or 2 roofing materials.</i></p> <p>The buildings use a Class 2 laminated dimensional asphalt shingle.</p>

Across the development, a minimum of 75% Class 1 materials are utilized on all primary and secondary facades, exceeding material requirements. Each building incorporates a combination of Class 1 stone veneer, genuine stucco, and glass, with Class 3 fiber cement lap siding used as an accent material. The buildings are predominantly clad in contrasting light and dark stone veneer designed to resemble brick, complemented by stucco in light and dark neutral tones and lap siding accents in charcoal, bronze, and wood tones, utilizing a cohesive palette of light neutrals, steel, charcoal, bronze, tan, and wood tones.

9. Public Notification and Neighborhood Meeting

The applicant held the required neighborhood meeting on March 31, 2026, with 13 individuals in attendance. Questions were raised regarding traffic, pedestrian connectivity and safety, utilities, project ownership, parking, and preservation of existing trees along W. 119th Street. The applicant addressed these topics, including proposed traffic improvements, internal pedestrian connections, compliance with parking requirements, utility coordination, and will continue to explore additional preservation of the existing tree canopy along the corridor. Additionally, three (3) letters of public correspondence are included in the packet addressing similar feedback from the neighborhood meeting.

10. 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 has submitted a justification statement for the requested waiver, which is attached to this report. The applicant is requesting a waiver from UDO 18.20.090. B, which requires a minimum corner side yard setback of 20 feet. This standard applies to Buildings 3, 6, and 11 within the proposed development. The applicant is proposing to reduce the setback to 15 feet. Staff is supportive of the requested corner side yard setback reduction, as required street trees and enhanced foundation landscaping are provided. The affected side elevations are also consistent with adjacent building front yard setbacks of 15 feet, and all elevations exceed primary façade material requirements, enhancing the quality of visible facades. This also provides for some additional landscape area adjacent to 119th Street.

11. UDO Rezoning Criteria

The Future Land Use Map of the PlanOlathe Comprehensive Plan identifies the subject property as *Urban Mixed Use Center* and *Primary Greenway*. The site is also located within

the K-7 Corridor Study area and is designated for several different uses, including Parks and Open Space, Low-Density Residential, and Commercial. The proposed multifamily residential development is consistent with and supported by both future land use designations and the corridor study. The proposed land use is also supported by the Mixed Use designation of the Elevate Olathe Comprehensive Plan which provides the opportunity for a mixture of uses along this portion of the K-7 Corridor.

The Urban Mixed Use Center designation of PlanOlathe encourages a mixture of residential, employment, shopping and civic uses. The proposed low-density multifamily townhome development is located adjacent to existing residential uses and near the 119th Street and K-7 corridor, identified as an Urban Mixed Use Center in PlanOlathe. While the development provides a lower-intensity residential product, it contributes to the overall intent of the designation by introducing additional housing options in an area planned for future mixed-use and commercial growth.

The proposed zoning request meets the following policy elements of the PlanOlathe Comprehensive Plan:

LUC-1.1: Consistency with the Comprehensive Plan. *Land use proposals should be consistent with the vision of the Comprehensive Plan, as well as applicable local ordinances and resolutions.*

LUC-3.1: Encourage Housing Near Services. *Encourage higher density housing development near transit services, commercial centers, and planned transit nodes and corridors to create activity areas that add to the community's quality of life. .*

HN-2.1: Full Range of Housing Choices. *Encourage residential development that supports the full range of housing needs in the community by ensuring a variety of housing types, prices and styles are created and maintained in the community.*

HN-4.2: Move-Up and Executive Housing. *Encourage housing products that will meet the needs and preferences of residents at different stages of life.*

The application was reviewed against the UDO criteria for considering rezoning applications listed in UDO Section 18.40.090.G as detailed below.

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

The proposed multifamily townhome development meets several policies of PlanOlathe by supporting a range of housing options in proximity to services and future commercial and corridor areas, while providing appropriate transitions to adjacent residential uses. The Olathe 2040 Future Ready Strategic Plan identifies strategies that align with the proposal to promote and encourage a mix of housing types and opportunities throughout the community and encourage new residential to attract people to work and live in Olathe. The development aligns with the PlanOlathe Future Land Use Map, which designates the property as both *Urban Mixed Use Center* and *Primary Greenways*.

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 character of the neighborhood reflects a transitional area influenced by both existing residential development and planned corridor growth. The surrounding neighborhood to the north includes compatible uses such as existing single-family homes, as well as approved plans for multifamily apartments and townhomes. Adjacent land to the south and west is designated as open space and parkland within a natural stream corridor and is also adjacent to traditional single-family residential uses. The character of these adjacent areas and the corridor is defined by high-quality design and materials that are integrated into the natural landscape and topography. The vacant land to the east is anticipated to develop in a manner consistent with future mixed-use and commercial growth along the corridor.

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

The proposed low density multifamily development serves as a compatible use to the existing residential districts in the vicinity and provides an appropriate transition to the mixed-use area identified at the K-7 Highway and 119th Street corridor.

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

The site is currently zoned County Rural which does not permit the development of multifamily housing. The entire site is proposed to be zoned to the R-3 District, which permits uses such as multifamily, senior housing, townhomes, and assisted living facilities.

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

The property has remained undeveloped since prior to being annexed into the City in 1998.

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

This development is not anticipated to negatively impact nearby properties. The proposed townhomes are located at the northeast corner of the site, in proximity to an arterial street. A greenway is located both west and south of the proposed buildings, creating separation from the single-family residential neighborhood located southwest. The development provides a transition of uses to future commercial development near the intersection of 119th Street and K-7 Highway.

G. The extent to which development under the proposed district would substantially harm the value of nearby properties.

Staff has not received any information indicating that the proposal would have a detrimental impact on the value of surrounding properties.

H. 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 proposed increase in residential density in this area has been evaluated through a traffic impact study, and acceptable traffic operations for the roadway networks

surrounding the project site can be expected. A right turn lane into the development on 119th Street is required. Within the development, driveways and garage spaces are provided in adequate quantities to support the housing units.

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

The development is not anticipated to create pollution or other environmental harm. The development will follow all regulations and requirements pertaining to stormwater, air quality, noise, and other related items. The development is maintaining existing tree stands and planting new vegetation in accordance with the UDO.

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

Development of the subject property as multifamily will generate property taxes, and sales taxes by residents frequenting nearby commercial developments.

K. The gain, if any, to the public health, safety and welfare due to denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

There is no gain or detriment to the public health, safety, or welfare if the application were denied. The proposed rezoning does not negatively impact public health, safety, or welfare as presented. If the rezoning were denied, the development could not be constructed as a City zoning district is required prior to development.

12. Staff Recommendation

Staff recommends approval the rezoning and preliminary site development plan (RZ26-0004) with the following stipulations:

- A. Staff recommends approval of RZ26-0004, Forest View Townhomes, for the following reasons:
 - 1. The proposed development complies with the policies and goals of the PlanOlathe Comprehensive Plan which this development was reviewed against.
 - 2. The requested zoning meets the Unified Development Ordinance criteria for considering zoning applications.
- B. Staff recommends approval of the rezoning to the R-3 District with no stipulations.
- C. Staff recommends approval of the preliminary site development plan with the following stipulations:
 - 1. A waiver is granted from UDO 18.20.090.B to reduce the minimum corner side yard setback from 20' to 15' feet.
 - 2. Genuine stucco must be used where stucco is identified on all primary facades to meet UDO requirements as a Class 1 material.
 - 3. Prior to issuance of any land disturbance permit, the applicant shall coordinate with staff to identify and document areas for additional tree preservation along the 119th

Street frontage, consistent with the corridor's established character of significant natural, preserved areas.

4. 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.