



AMENDED MINUTES

Planning Commission Meeting: July 13, 2026

Application:	<u>RZ26-0005:</u> A rezoning from the AG (Agricultural) District to PD (Planned) District and a preliminary site development plan for 133rd and Black Bob Mixed Use (The Row at Uptown) on approximately 4.99 acres, located southeast of W. 133rd Street and Black Bob Road.
--------------	--

Mr. Nathan Jurey, Senior Planner, presented RZ26-0005, the request to rezone an approximately five-acre property from the Agricultural (AG) District to the Planned District (PD) and approve a preliminary site development plan for a mixed-use development, The Row at Uptown. He noted the site's location, with an existing single-family home, southeast of 133rd Street and Black Bob Road. He described surrounding land uses, noting that commercial uses were located to the south and west, residential uses to the north, and an Evergy substation to the east.

Mr. Jurey explained that Planned District zoning was requested because conventional zoning did not allow the proposed combination of townhomes and commercial uses on the same zoned property. He summarized the proposed Zoning and Design Standards, which establish permitted uses, setbacks, site design, and architectural requirements specific to the development.

Mr. Jurey stated that the proposal would create a walkable mixed-use development with two commercial buildings totaling just over 5,000 square feet, five three- and four-story townhome buildings containing 44 dwelling units, two access drives from 133rd Street, and three active open space areas. He noted that the development would allow land uses of the R-3 and C-1 Districts, except drive-through uses and animal care facilities with outdoor kennels. Mr. Jurey continued that the proposed development would include architectural and site design standards exceeding the City's typical requirements, including French Renaissance architecture, all Class I building materials, enhanced façade treatments, and upgraded open space amenities.

Mr. Jurey stated that the proposal was consistent with the Elevate Olathe Comprehensive Plan by supporting mixed-use development and providing "missing middle" housing in a transitional area between existing commercial and future residential development. He reported that all public notice requirements had been met, no public comments had been received. He concluded the request satisfied the applicable Golden Criteria and as such,

staff recommended approval of the rezoning subject to compliance with the proposed Planned District standards.

Mr. Jurey also explained that staff had revised one stipulation for the preliminary development plan to clarify project phasing, requiring a building permit for at least one commercial building before a certificate of occupancy could be issued for the final residential building. He noted that the applicant agreed with the revision.

After confirming that no Applicant presentation would be made, **Chair Janner** opened the floor for questions from the Commission.

Commissioner Terrones asked for clarification regarding the Commission's action, specifically whether the Commission was approving both the rezoning and the preliminary development plan.

Mr. Jurey explained that the Commission was making a recommendation to the City Council, which had final approval authority. Mr. Jurey clarified that the preliminary site development plan was contingent upon approval of the rezoning request.

Commissioner Chapman inquired about the limited-access driveway onto 133rd Street and whether motorists exiting the development would need to make a U-turn to reach Black Bob Road.

Mr. Jurey explained that the western driveway would be right-in/right-out only and that motorists could instead use the future cul-de-sac at the east end of 133rd Street to turn around or use the site's full-access eastern driveway to travel west toward Black Bob Road.

Commissioner Chapman also asked whether the development provided sufficient parking for visitors, noting the limited amount of on-street parking shown on the plan.

Mr. Jurey responded that each townhome would provide a two-car garage plus two additional driveway parking places, exceeding the City's minimum residential parking requirements. He continued that the commercial portion also exceeded parking standards. He added that the developer could address any internal private parking management questions, but the overall development provided adequate parking per UDO standards.

Commissioner Chapman then asked about future traffic control at the intersection of 133rd Street and Black Bob Road as additional development occurred in the area, understanding that 133rd Street would be connected in the future.

Mr. Jurey stated that he believed a future traffic signal was planned.

Chair Janner commented that a signal had previously been discussed as part of a larger residential development to the north and asked whether its installation would depend on that project and timing thereof.

Chet Belcher, Chief Community Development Officer, confirmed that no traffic signal was currently included in the City's CIP plan and explained that the proposed 44-unit development would not generate enough traffic to warrant one. He stated that the previously approved development to the north, consisting of approximately 600 units, would be the triggering event for a future traffic signal.

With no further discussion raised, **Chair Janner** opened the public hearing and invited the first and only speaker to address the Commission.

Speaker #1, Charles Morris, Olathe Resident, stated that he lived in the Yorkshire subdivision for nearly 40 years and had experienced ongoing difficulty accessing Black Bob Road due to traffic. He recalled previous discussions indicating that a traffic signal at 133rd Street and Black Bob Road would be installed as development occurred. He expressed concern that the proposed street alignment, including the jog around the townhomes, could complicate future construction of the signal. Mr. Morris also noted that the development appeared to include portions of four separate parcels and questioned whether they were under common ownership. He further referenced an earlier residential proposal for the site discussed approximately one year earlier and asked what had become of that plan.

With no additional speakers, **Chair Janner** entertained a motion to close the public hearing.

Commissioner Seeling moved to close the public hearing, and **Commissioner Breen** seconded the motion. The motion passed with a vote of 6 to 0.

Following the close of the public hearing, **Chair Janner** asked whether any additional discussion was needed. Hearing none, the Chair called for a motion on R26-0005.

Commissioner Seeling moved to recommend approval of the request as presented by staff. **Commissioner Breen** seconded the motion, with the clarification that the revised stipulation discussed by staff would be included. Staff and Commissioners indicated no objection to that clarification.

A roll call vote was taken.

Prior to casting his vote, **Chair Janner** commented that future development, particularly the larger project to the north, would increase traffic in the area and encouraged the City Council to carefully consider future traffic patterns and needed improvements. The Chair also expressed support for the proposed development, noting that it represented a

significant improvement over a previous proposal for the property and stating appreciation for the revised plan.

The motion for approval passed with a vote of 6 to 0 as follows:

- A. Staff recommends approval of RZ26-0005, 133rd and Black Bob Mixed Use (The Row at Uptown) for the following reasons:
 1. The proposed development complies with the policies and goals of the Elevate Olathe 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 PD District with the following stipulations:
 1. This property is subject to the regulations set forth in the attached 'Zoning and Design Standards' document.
- C. Staff recommends approval of the preliminary site development plan request with the following stipulation:
 1. A building permit must be issued for at least one commercial building prior to certificate of occupancy for the last residential building.