



MINUTES

Planning Commission Meeting: December 22, 2025

Application:	<u>RZ25-0016:</u> A rezoning from the C-2 (Commercial Center) District to the R-4 (Residential Medium-Density Multifamily) District and a preliminary site development plan for Stellar Apartments, located southeast of W. 133rd Street and S. Blackfoot Drive.
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Emily Carrillo, Senior Planner, presented the request for rezoning and a preliminary site development plan for the Stellar Apartments. She explained that the nearly 15-acre site near 135th Street and Black Bob Road proposed eight multifamily buildings totaling 280 residential units. The property had been zoned C-2 since 1988 for a retail center that was never developed, and the Applicant was now seeking rezoning to the R-4 district.

Ms. Carrillo stated that the proposal was consistent with the *PlanOlathe* Comprehensive Plan, which designated the area for Corridor Commercial and Mixed-Density residential uses. She described the site plan, noting a mix of three-story and split three- and four-story buildings that complied with height standards, along with surface parking, garages, and carports. She added access would be provided from 133rd Street and Blackfoot Drive, with internal connectivity to nearby roadways.

She summarized that the project included (2) detention basins, more than (8) acres of common open space, including (2) acres of active open space with amenities such as a clubhouse with outdoor pool, dog park, walking trails, picnic and seating areas. She continued that approximately 35% of existing tree stands would be preserved, exceeding minimum requirements, and all landscaping and screening would meet UDO standards. She said one waiver was requested to reduce portions of the Type 5B landscape buffer from 75 feet to 28 feet (southern property line) and 35 feet (eastern property line), which staff supported. Ms. Carrillo briefly reviewed architectural elements, noting the use of Class I materials, articulated building designs, and patios or decks on all units, with no architectural waivers requested.

Ms. Carrillo confirmed that public notice requirements were met, no residents attended the neighborhood meeting, and no public comments were received. She concluded that the request met rezoning criteria and that staff recommended approval. She noted that the Applicant was available for questions.

Chair Janner confirmed there was not a prepared presentation from the Applicant and then opened the floor for questions.

Commissioner Chapman asked about any planned traffic control at the intersection of 133rd Street and Black Bob Road, noting current congestion.

Chet Belcher, Chief Community Development Officer explained that traffic volumes were monitored annually and that nearby development had already prompted evaluation of the intersection. He stated that traffic control would be implemented once thresholds were met and noted that improvements to 133rd Street were included in the City's five-year capital improvement program.

Chair Janner added that a stoplight at the intersection had been included in prior approvals for a Prieb development east of Black Bob Road, though construction had not yet begun.

Mr. Belcher confirmed this and added the City could also undertake the traffic control project on their own.

Commissioner Bergida asked Ms. Carrillo to clarify the total number of units. He noted a discrepancy between the stated 280 units and the density calculation shown in some of the materials appeared slightly understated.

Ms. Carrillo, confirmed that the total unit count was 280 units.

Commissioner Bergida asked about public notification requirements, specifically why certified notice was sent within 200 feet rather than 500 feet.

Ms. Carrillo explained that State statute required certified mail notification within 200 feet for rezoning public hearings, while the 500-foot radius was used for neighborhood meeting notifications. She confirmed that the neighborhood meeting notice had been sent within 500 feet and the certified notice for the public hearing within 200 feet.

Commissioner Bergida restated and confirmed understanding. He then asked whether there were specific R-4 site standards that would limit future increases in units per acre, and whether an increase in density could occur without returning to the Commission.

Ms. Carrillo responded that changes to density or dimensional standards would require the Applicant to return for review if they shifted from the applicable zoning's Site Dimensional Standards. She answered she believed they were under Site 1 standards, but could confirm, if needed.

Commissioner Bergida commented that this would limit approval to a similar number of units and asked whether the property's current C-2 zoning would allow mixed-use development.

Ms. Carrillo responded that vertical mixed-use development would be permitted under C-2 zoning.

Chair Janner called for any additional questions.

Commissioner Terrones requested a visual explanation of the proposed landscape buffer reduction, asking staff to show on the screen where the reduction from 75 feet to 28 or 35 feet would occur. He asked whether the areas being discussed were those highlighted in green.

Ms. Carrillo explained that the green areas represented existing tree stands that would be preserved. She described the dotted line on the exhibit as the original 75-foot buffer and demonstrated where the buffer would be reduced adjacent to parking areas. She stated that staff believed the preserved trees would continue to provide adequate screening despite the reduction. Along the southern property line, she explained that the buffer reduction would align with parking areas, with some remaining tree preservation and an addition of double row evergreen trees being added to enhance screening for future development to the south.

Chair Janner asked whether there were any additional questions from Commissioners. Hearing none, he explained the public hearing process.

Chair Janner then opened the public hearing and noted that one person had signed up to speak. However, that speaker, Paul Stell, then waived his turn.

There were no other speakers for the public hearing.

Commissioner Corcoran moved to close the public hearing, and **Commissioner Brown** seconded the motion. The motion to close the public hearing passed unanimously, 8–0.

Chair Janner declared the public hearing officially closed and called for a motion on RZ25-0016.

Before a motion was made, **Commissioner Bergida** raised a point of inquiry to Counsel regarding how to craft a motion to ensure this development remained subject to Site 1 standards, limited to 18 units per acre (263 units by his calculation).

Ms. Carrillo interrupted to clarify that she had confirmed the project fell under Site 2 dimensional standards within the R-4 district, allowing a higher density.

Commissioner Bergida acknowledged the clarification and withdrew the question.

Chair Janner asked if there were any further questions. Hearing none, he entertained a motion.

A motion to approve RZ25-0016 as stipulated by staff was made by **Commissioner Chapman** and seconded by **Commissioner Lynn**. The motion passed with a vote of 8 to 0 as follows:

- A. Staff recommended approval of RZ25-0016, Stellar Apartments, for the following reasons:
 - 1. The proposed development complies with the policies and goals of the PlanOlathe Comprehensive Plan.
 - 2. The requested zoning meets the Unified Development Ordinance criteria for considering zoning applications.
- B. Staff recommended approval of the rezoning to the R-4 District with no stipulations.
- C. Staff recommended approval of the preliminary site development plan with the following stipulations:
 - 1. A waiver is granted from UDO 18.30.130. to reduce the required Type 5B landscape buffer from 75 feet to 28 feet along the southern property line, and to 35 feet along the east property line with plantings and tree preservation as shown on approved plans.
 - 2. The existing shared access easement located at the southern portion of the property shall be vacated prior to recording of the final plat.
 - 3. 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.