



STAFF REPORT

Planning Commission Meeting: December 11, 2023

Application	<u>RZ23-0010: Request for a zoning amendment to Ordinance 20-44, for a Planned District (PD) and revised preliminary site development plan for Bach Homes Montage Apartments</u>		
Location	Southwest of W. 127 th Street and S. Mur-Len Road		
Owner	Brandon Ames, Bach Homes		
Applicant	Shaun Athey, Bach Land and Development		
Engineer	Ben Ellis, Olsson		
Staff Contact	Kim Hollingsworth, AICP, Planning & Development Manager		

Site Area:	<u>17.31 acres</u>	Plat:	<u>Bach Homes First Plat</u>
Commercial Building Area:	<u>27,897 sq. ft.</u>	Proposed Use:	<u>Multifamily Residences & General Commercial</u>
Dwelling Units:	<u>404 units</u>	Density:	<u>27.98 units/acre</u>

	Plan Olathe Land Use Category	Existing Use	Existing Zoning
Site	Community Commercial Center	Undeveloped	PD (Planned District)
North	Mixed Density Residential	Multifamily Residences	RP-5 (Planned High Density Multifamily)
South	Community Commercial Center	Office / Vacant	C-2 (Community Center)
East	Community Commercial Center	Commercial / Personal Services / Gas Station	C-2 (Community Center)
West	Community Commercial Center	Motor Vehicle Sales	C-3 (Regional Center)

1. Introduction

The applicant is requesting a zoning amendment to Ordinance 20-44 for the Bach Homes Montage Apartments Planned District and a revised preliminary site development plan. The revised preliminary plan includes 404 dwelling units within five apartment buildings, 12 townhome buildings and a clubhouse with upper-story apartment units. Additionally, the

proposal contains 27,897 square feet of commercial space along Mur-Len Road within the two mixed-use buildings, a general commercial building, and a convenience store with a gas station.

The applicant is requesting a zoning amendment to accommodate the following primary revisions from the requirements of the established Planned District that was last revised in 2020. All other elements from the plan approved in 2020 will be retained, including the layout of the internal street network and the phasing of the development.

- Increase in the residential density of 5.5%, from 26.5 units per acre (383 units) to 28 units per acre (404 units).
- Conversion of the 3 larger apartment buildings to 5 smaller buildings and a reduction of the number of townhome buildings from 15 to 12 buildings.
- Revised architectural design of the mixed-use, apartment and townhome buildings.
- Conversion of the underground detention basin to an aboveground dry detention basin.

The proposed revisions to the Planned District requires Planning Commission consideration and City Council approval as the approved zoning ordinance for the property (Ordinance 20-44) stipulated that the development would be built in accordance with the attached preliminary site development plan approved in 2020. Staff is recommending approval of the proposed development plan revisions along with amendments to the approved zoning stipulations for this development that provide greater flexibility for any minor revisions should they be requested by the applicant in the future. All stipulations from the 2020 approval remain the same with the exception of zoning stipulations No. 2 and 5 which have been amended as provided in staff's recommendation.

2. History

The subject property was annexed in 1968. In 2018, the undeveloped site was rezoned to the Planned District (PD) in 2018 by Ordinance 18-39 (RZ18-0012) with a preliminary development plan for 27,897 sq. ft. of commercial building area and 294 dwelling units (20.1 units per acre). This included 8 apartment buildings, a clubhouse, 8 townhome buildings, 12 single-family homes, 2 mixed-use buildings, and 2 commercial buildings intended for a pharmacy and a convenience store with a gas station.

In 2020, a zoning amendment was approved by Ordinance 20-44 (RZ20-0001) with a revised preliminary development plan. The revised plan added 89 dwelling units for a total of 383 units (26.5 units per acre). In addition, the revisions also increased the quality of architectural design and building materials, consolidated multiple apartment buildings as one, removed the single-family homes, added townhomes, and reoriented a commercial building closer to the 127th Street and Mur-Len Road intersection.

In 2021, the final plat of Bach Homes First Plat (FP20-0025) was recorded and the final site development plan (PAR21-0015) was approved. However, the applicant never initiated construction of this development.



Aerial photo with subject site outlined in yellow.

3. Existing Conditions

The subject property has formerly been used for agricultural purposes and remains undeveloped. The land slopes toward the southwest portion of the site with limited coverage of significant trees throughout. The site abuts two major arterial roads to the north and east, 127th Street and Mur-Len Road, and 129th Street and Moore Avenue to the south and west. Overhead power lines exist along 127th Street and Mur-Len Road, a public sanitary sewer main is located southwest of the site, and public water lines bound all four sides of the property.

4. District Requirements

Planned Districts are intended to encourage innovative land planning and design in a way that is not possible under the conventional zoning districts. It allows the applicant the ability to *promote quality and environmentally sensitive development by allowing property owners to take advantage of special site characteristics, locations and land uses, and allowing deviations from certain zoning standards that would otherwise apply in conventional districts.*

The Bach Homes Montage Apartments Planned District was established as a cohesive development with harmonious theming throughout the property. The following standards are established at the time of zoning for a Planned District and modifications to a few of these items have prompted the need for this zoning amendment request.

- a. **Land Use** – A use list was established for the development by the zoning action taken in 2018 and the applicant is not requesting any changes to the approved use list. The already approved use list has been retained as Exhibit A in the meeting packet for reference.
- b. **Density** – In comparison to the revisions approved in 2020, the applicant is requesting to increase the residential density of the overall development by 5.5%, from 26.5 to 28 units per acre. Staff is recommending establishing a minimum density of 22 units per acre and a maximum density 29 units per acre for the overall development to provide greater flexibility. These recommended densities correspond with the density permitted for 4-story buildings within the R-4 (Residential Medium-Density Multifamily) District.
- c. **Building Height** – The applicant is not requesting to alter the maximum building height established in 2020, which is 65-feet for the apartment buildings, 35-feet for the townhouses, and 55-feet for the commercial and mixed-use buildings.
- d. **Setbacks** – In 2020, a 20-foot minimum building setback from existing street right-of-way was established by Ordinance 20-44. The applicant is proposing to reduce this setback to 15 feet exclusively for the townhome buildings along Moore Avenue and 129th Street, while maintaining a 20-foot setback along the 127th Street excluding the right-turn lane dedicated by this development. All other buildings will maintain the approved 20-foot minimum building setback from existing right-of-way. This modification to the setback for the townhome buildings accommodates the structural supports and architectural elements needed to ground the buildings from the upper-story overhangs.

There are no changes proposed for the parking and paving setbacks previously established in 2020, which requires a 15-foot minimum setback from all street right-of-way with the allowance for a 10-foot paving setback along Mur-Len Road for the gas station property.

- e. **Street Frontage Buildout** – The proposal maintains the street frontage buildout approved in 2020 by retaining buildings fronting the street, the majority of which are within 30-feet of a public street. Staff is recommending a stipulation to more clearly capture that a minimum street frontage buildout requirement will be maintained within the development. The proposal will maintain a minimum street frontage buildout of 30% along Mur-Len Road for Lots 1, 4 and 5 and 50% buildout along all other streets for Lot 2.
- f. **Open Space** – The proposal increases the overall amount of open space provided from 21% (3.1 acres) to 26% (4.5 acres) and maintains active open space areas internal to the development. The proposal includes a centralized active outdoor amenity with an outdoor pool, hot tub, fire pit, barbecue grill, and picnic areas, as well as a dog park in the southern portion of the development.

5. Development Standards

- a. **Phasing** – The proposed phasing plan matches the approved plan from 2020. Phase 1A includes all residential and mixed-use buildings and Phase 1B includes the gas station. The developer intends to move forward with Phases 1A and 1B in 2024, which includes the construction of all public and internal street improvements. Phase 2 will be developed at a future date when an end user is identified.

- b. **Access/Streets** – The access points have not changed from the 2020 plan approval. The development will have seven (7) access points from adjacent city streets including the primary entrance from Mur-Len Road and additional entrances from 127th Street, 129th Street and Moore Avenue. A revised Traffic Impact Study (TIS) was prepared by Olsson to account for the additional residential uses. Additional traffic improvements or alterations to access points are not required based on the revised TIS.

In 2020, City staff recommended traffic signals at the intersections of 129th Street and Mur-Len, and at 127th Street and Moore Avenue and this recommendation remains. This stipulation will be retained as part of the ordinance amendment and preliminary site development plan recommendation.

- c. **Parking** – A total of 780 parking spaces are provided for the overall development including 471 surface parking spaces and 159 garage spaces within the residential portion of the development. The plan reduces the amount of residential parking from the 686 stalls approved in 2020 to the proposed 630 stalls. Staff is supportive of this reduction as the proposal still provides 1.6 stalls per unit, exceeding the minimum requirement of 1.5 stalls per dwelling unit. The amount of commercial parking approved in 2020 is retained by this proposal. Additionally, the integrated development provides for shared parking between uses including the opportunity for offset parking demands between the residential and commercial uses.
- d. **Landscape/Screening** – The landscape plan identifies perimeter landscaping, parking lot island landscaping, interior landscaping and foundation landscaping. Parking/paving screening will be provided along paved areas that abut exterior roadways to provide screening of any parking areas from adjacent properties. This development is not subject to tree preservation requirements as all trees found on site are either not significant or a prohibited type of tree, such as Ash trees.
- e. **Stormwater/Detention** – This proposal reduces the amount of underground basin capacity approved in 2020 and adds an aboveground dry detention basin in replacement. Stormwater runoff created by the entire development will be captured and diverted into these basins in accordance with the stormwater quality and quantity requirements of Title 17.
- f. **Public Utilities** – This property is in the City of Olathe water and sanitary sewer service areas. An existing sanitary sewer main is located in the southwest corner of the site and existing water mains are located along all four boundaries of this property. The applicant will install all water and sewer extensions needed to serve the development.
- g. **Signs** – Sign standards will be established with final site development plans and are expected to have cohesive and harmonious theming throughout the development.

6. Site Design Standards

The proposal maintains the Site Design standards applicable to this Planned District (PD) as established by Ordinance 20-44. The apartments, townhouses, and mixed-use buildings are subject to the Site Design Standard 3 (UDO 18.15.115) and the commercial buildings are subject to the Site Design Standard 4 (UDO 18.15.120). The following is a summary of the applicable site design requirements.

- a. **Outdoor Amenity** – The plan retains the outdoor pool area with amenities as originally approved in 2020. In addition, staff supports the proposal to add a dog park on the south portion of this development along with common green areas as they will provide an additional amenity for the residents.

- b. **Parking Pod Size** – All parking area comply with the maximum of 40 and 80 stalls per pod for the Site Design Standards 3 and 4 areas respectively. Additional landscape islands will be added to comply with the parking pod requirement between Apartments D and E with the final site development plan.
- c. **Pedestrian Connectivity** – Pedestrian connections are provided between buildings and across the development at the same level as previously approved in 2020. Additionally, all crosswalks and landscaped pedestrian gateways were retained.
- d. **Drainage Feature** – The new dry detention basin proposed by this application will be extensively landscaped with native tallgrasses with some additional landscaping provided around the basin as required.
- e. **Street Frontage & Frontage Area (Site Design 3)** – The mixed-use buildings are setback and occupy the same frontage area along Mur-Len Road as originally approved in 2020. In addition, the commercial building in the northeast corner of the site maintains these same standards.
- f. **Landscape Options (Site Design 3)** – Similar to the plans approved in 2020, landscaped buffer areas are proposed along Mur-Len Road and 127th Street where the street frontage area is not occupied by building area.

7. Building Design Standards

The building design requirements are also established as part of the rezoning process. The buildings will have a cohesive design and architectural features to create a harmonious look throughout the development.

The buildings will consist of primarily masonry materials including genuine stucco, glass and stone veneer. Fiber cement board is used as an accent material to provide varied textures and color tones throughout each building. Cohesive color tones, rooflines, awnings and similar architectural features will be carried throughout the development. A variety of articulation tools are utilized to add variety to the apartment, mixed-use and townhome buildings. Ground floor pedestrian interest features will be utilized including clear glass, landscape planters and changes in materials.

A design for the commercial building on Lot 1 has not been developed as a tenant for the building has not been identified. Staff has advised the applicant that a revised preliminary site development plan reviewed by the Planning Commission will be required prior to submitting for a final site development plan for this lot.

8. Public Notification and Neighborhood Meeting

The applicant mailed the required public notification letters to surrounding property owners within 200 feet and posted a sign on the subject property per UDO requirements. Staff has not received any correspondence regarding this application.

The applicant held a neighborhood meeting on October 16, 2023 in accordance with the UDO and the minutes of this meeting are included in the agenda packet. Eight residents attended this meeting and asked several questions including questions about stormwater, traffic, and the business operations of the development.

9. UDO Rezoning Criteria

The future land use map of the PlanOlathe Comprehensive Plan identifies the subject property as Community Commercial along with the majority of surrounding properties. Community Commercial Centers are located at prominent intersections and have a mixture of tenants. They are pedestrian-scaled and multi-story buildings are encouraged.

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 uses still align with the Community Commercial land use designation as a mixture of residential uses are permitted that work congruently with the commercial uses through appropriate pedestrian and street connections. The development meets several policies of PlanOlathe including Land Use and Community Character goals of providing mixed-use neighborhoods and targeting infill development (LUCC 4.1 and 6.7). Also Housing and Neighborhoods goals stress mixed-use neighborhoods and high-quality development (HN 3.1 and 5.1). The Olathe 2040 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 and development of existing residential real estate to attract people to work and live in Olathe

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 surrounding neighborhood has a variety of land uses including multi-family residential, commercial retail, restaurant and personal service uses. The buildings in the vicinity are typically one to two stories in height; however, the planned development places the taller buildings towards the center to provide opportunities for transitions between buildings of different massing, scale and height. The architectural style will be cohesive throughout the development and provide modern design elements to enhance the existing distinct streetscape elements along 127th Street.

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 zoning and uses of the surrounding properties consist of commercial and multi-family residential zoning. This mixture of uses is included in the proposed development and continues to be appropriate for this property. The highly traveled intersection of 127th Street and Mur-Len Road supports the proposed uses and amendments for increased residential density.

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

The property is still suitable for the uses it is restricted to under the existing Planned District zoning designation. The combination of multi-family and commercial uses are appropriate for the property due to the proximity of similar uses in the surrounding vicinity and the efforts to provide a mixture of uses that complement each other.

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

The property has only been vacant for five years under the current PD District zoning designation. However, the property has remained vacant since it was used for agricultural purposes in approximately the 1980s, while other properties have developed in the surrounding vicinity.

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

The proposed zoning amendment will not detrimentally affect nearby properties as the general allocation of land uses are the same as 2020 and are similar to uses on nearby properties. The proposed increase in residential units has been evaluated through a revised traffic study and the revised residential buildings are located primarily near the interior of the property.

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

The district as proposed provides uses and design standards that are not anticipated to have any detrimental impact on 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 uses have been evaluated through a revised Traffic Impact Study to account for the increase in residential units. With the recommended improvements from the study and additional recommendations by staff, the road network will support the proposed development. The proposed amount of parking complies with the City's minimum standards and the mixture of uses also creates opportunity for shared parking among uses that have differing hours of operation and varying peak travel times.

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.

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

The proposed development is expected to have a significant impact on Olathe's economy by adding 404 residential units and several commercial uses. The added residents will frequent existing commercial developments and the new commercial businesses will generate additional sales tax revenue for the City.

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. If the application were denied, the existing zoning district would remain, and the landowner would be permitted to develop the property as previously approved in 2020.

10. Staff Recommendation

A. Staff recommends approval of the zoning amendment and revised preliminary site development plan (RZ23-0010) for the following reasons:

1. The proposed development complies with the policies and goals of the Comprehensive Plan.
2. The requested zoning amendment meets the Unified Development Ordinance (UDO) criteria for considering zoning applications.

B. Staff recommends approval of the zoning amendment with the following stipulations:

1. The prohibited uses are established within the attached Use List (Exhibit A). Any modifications to the uses must be requested through the zoning amendment process.
2. The development must provide the general allocation of land uses established on the preliminary site development plan (Exhibit B) dated November 27, 2023 and comply with the following standards:
 - a. The residential density must maintain a minimum of 20 dwelling units per acre and a maximum of 29 dwelling units per acre.
 - b. A minimum commercial floor area of 27,000 square feet must be provided.
 - c. A minimum of 20% open space must be maintained and high-quality outdoor residential amenities provided.
 - d. All setbacks are as established on the preliminary site development plan dated November 27, 2023.
 - e. A minimum street frontage buildout of 30% is required along S. Mur-Len Road for Lots 1, 4 and 5 and a minimum 50% buildout along all other streets for Lot 2.
 - f. The development is subject to the development standards of UDO 18.30 and the supplemental standards of UDO 18.50.
3. The maximum building height is established as follows: 65' multi-family residential, 35' townhouses and 55' commercial/mixed use.
4. The multi-family residential, townhouses and mixed-use buildings are subject to Site Design Category 3, and the commercial buildings are subject to Site Design Category 4 per UDO 18.15.
5. The building design is subject to UDO 18.15.020 for the commercial and mixed-use buildings. All other buildings must be comprised of primarily masonry materials with fiber cement siding as an accent only. The architectural design will be cohesive and harmonious throughout the development.

6. Sign standards will be determined with final site development plans or through a comprehensive sign package.
 7. All street improvements shall be in accordance with the traffic impact study and as required by the City Engineer. A revised traffic study or report shall be submitted if there is a change in land use, as required by the City Engineer.
 8. All access drives and internal streets will be constructed with the first phase of development.
- C. Staff recommends approval of the revised preliminary site development plan with the following stipulations:
1. Final site development plans must be approved prior to issuance of building permits for respective buildings.
 2. A replat must be approved and recorded prior to the submittal of building permits.
 3. Prior to certificate of occupancy for the apartments and townhomes, traffic signals must be constructed at the intersections of 129th Street and Mur-Len, and at 127th Street and Moore Avenue.
 4. This site is subject to all City of Olathe Title 17 requirements for stormwater detention and stormwater quality. Stormwater management facilities must be adequate for each phase.
 5. The following site details will be reviewed during the final site development plan review and adhere to the following sections of the UDO:
 - a. Parking lot screening details per UDO 18.30.130.
 - b. Details for trash enclosures or compactors will comply with UDO 18.30.130.
 - c. Photometric plans for parking lot lighting will comply with UDO 18.30.135.
 - d. All rooftop mechanical equipment shall be screened from public view. All exterior ground or building mounted equipment, including but not limited to mechanical equipment and utility meter banks shall be screened from public view with landscaping or an architectural treatment compatible with the building architecture in compliance with UDO 18.30.130.

EXHIBIT A



Use list for Bach Homes Development, 127th Street and Mur-Len Road

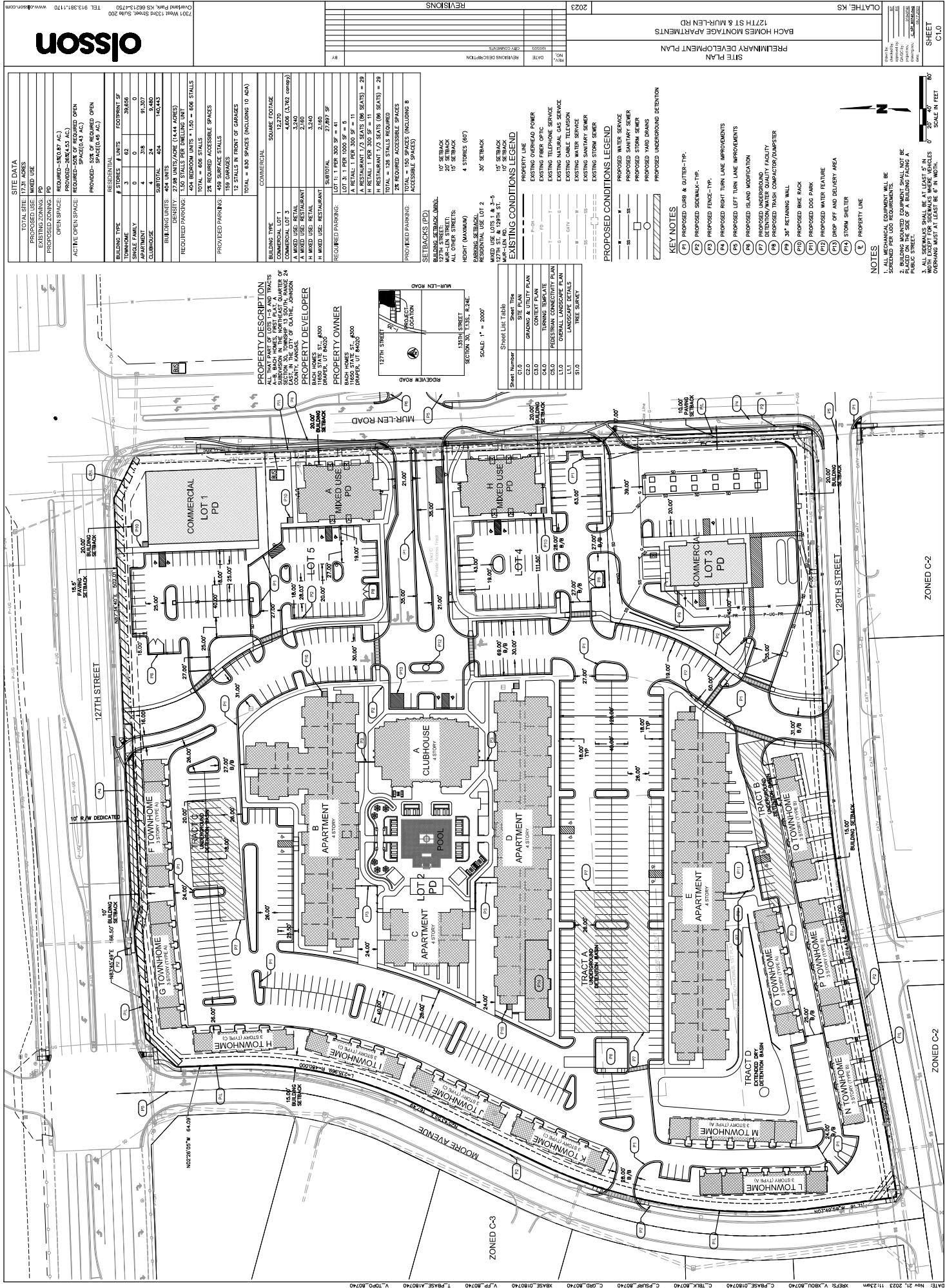
The following uses are specifically prohibited. All other uses found in the *Unified Development Ordinance (UDO), Section 18.20.500*, are permitted in this development.

1. All uses found only in the AG, M-1, M-2 and M-3 Districts of the UDO
2. All uses specifically prohibited for the PD as referenced in UDO 18.20.500
3. Pawnshops
4. Payday Loan Business or Title Loan Business
5. Tattoo Parlor/Tattoo Studio and/or Body Piercing
6. Vehicle Painting and Body Shops
7. Cemetery
8. Hospitals
9. Any use category which allows for the renting, leasing, sales, repair or work of any kind for motor vehicles including but not limited to automobiles, boats, RVs, trailers, motorcycles, etc.
10. Wood working shops
11. Laboratories- research and testing
12. Fast food restaurants with drive throughs
13. Entertainment establishment

Statement for 127th and Mur-Len Rezone

This project is going to consist of a well-balanced mix of apartments and commercial uses. We will be focusing on a design that will cater to retail uses that will contribute to the community inside of our project as well as the community surrounding our project. The design also focuses on the accessibility of the commercial uses by the people living in the community. We are excited to bring a project and product that the City of Olathe has yet to see. In order to move forward with a revised plan to develop this project, we are requesting a revision to the previous zoning amendment approved in 2020.

Bach Homes was founded in 1976 and has been building apartments and single-family homes in several states including: Utah, Idaho, Kansas City, Washington, Montana as well as other locations. Bach Homes has built and still maintains ownership of approximately 4,000 units in the United States. Bach's business model has been to build quality projects that will be owned and managed by Bach for many years to come. Bach homes has interest in building in Olathe as we feel that it is a community that will be served well by our product and is a community that we are confident will bring success to the project. We have just completed a 300+ apartment community in Kansas City, Missouri and are eager to expand in the area.



olsson

BACH HOMES MONTAGE APARTMENTS

PRELIMINARY DEVELOPMENT PLAN

12TH ST & MURLEEN RD

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REVISIONS

2023

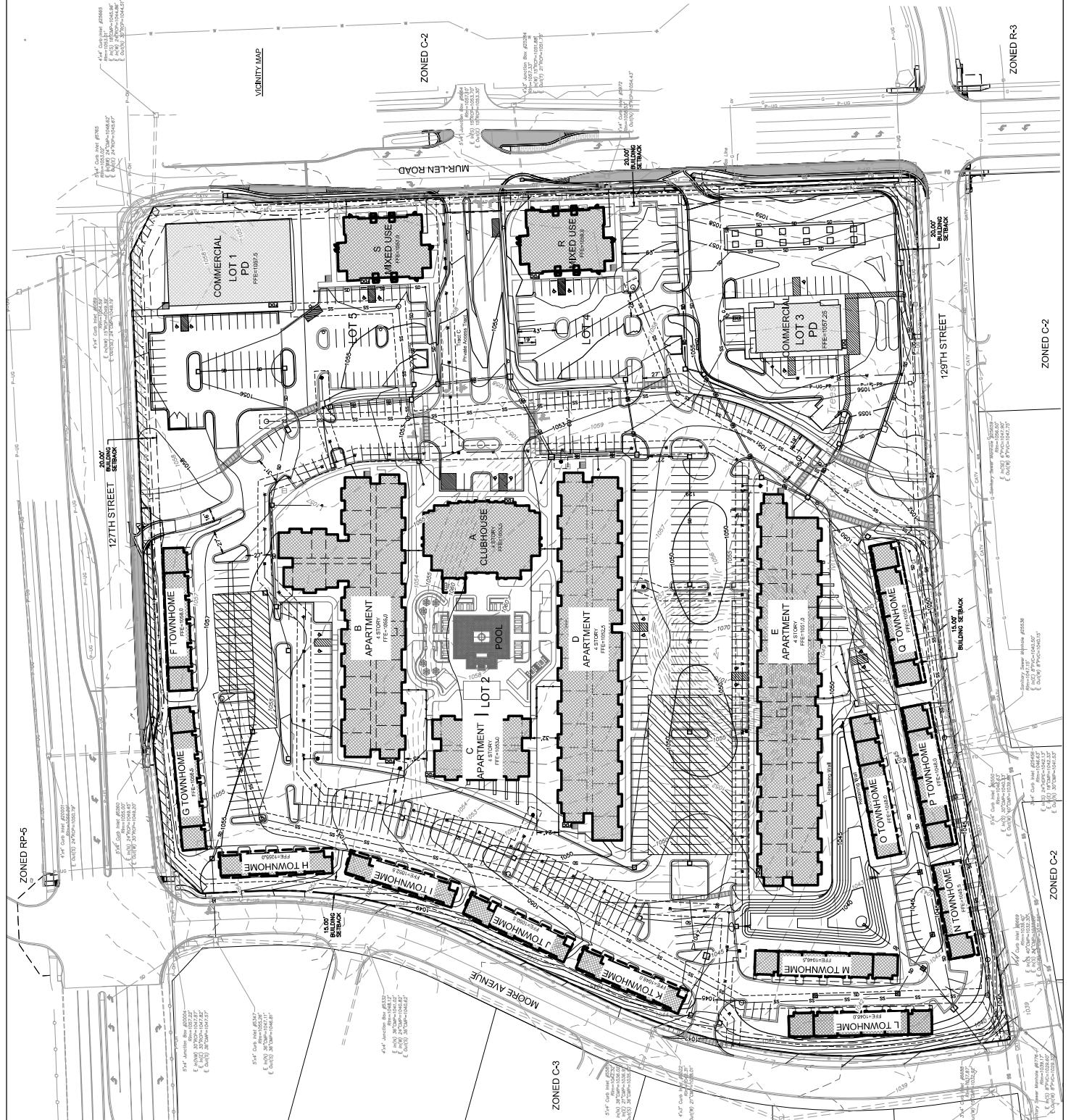
EXISTING CONDITIONS LEGEND

PROPERTY LINE	P-DN	EXISTING OVERHEAD POWER
	T	EXISTING FIBER OPTIC
	G	EXISTING TELEPHONE SERVICE
	O	EXISTING NATURAL GAS
	CANV	EXISTING CABLE TELEVISION
	N	EXISTING WATER SERVICE
	S	EXISTING SANITARY SEWER
	SS	EXISTING STORM SEWER
	SO	PROPOSED STORM SEWER
	SC	PROPOSED SANITARY SEWER
	SCW	PROPOSED CABLE TELEVISION
	GW	PROPOSED WATER SERVICE
	FW	PROPOSED FIRE HYDRANT
	SW	PROPOSED SANITARY SEWER
	SWW	PROPOSED STORM SEWER
	CC	PROPOSED CONTOURS
	CCW	PROPOSED UNDERGROUND STORM CHAMBERS (WATER QUALITY)

PROPOSED CONDITIONS LEGEND

PROPOSED WATER SERVICE	P-W
PROPOSED FIRE HYDRANT	F-H
PROPOSED SANITARY SEWER	P-S
PROPOSED STORM SEWER	P-STW
PROPOSED CABLE TELEVISION	P-CATV

MINUTY MAP



OLATHE KS
12TH ST & MURLEEN RD

207' 0"

80'

6'

6'

SCALE IN FEET

207' 0"

80'

6'

6'

207' 0"

80'

6'

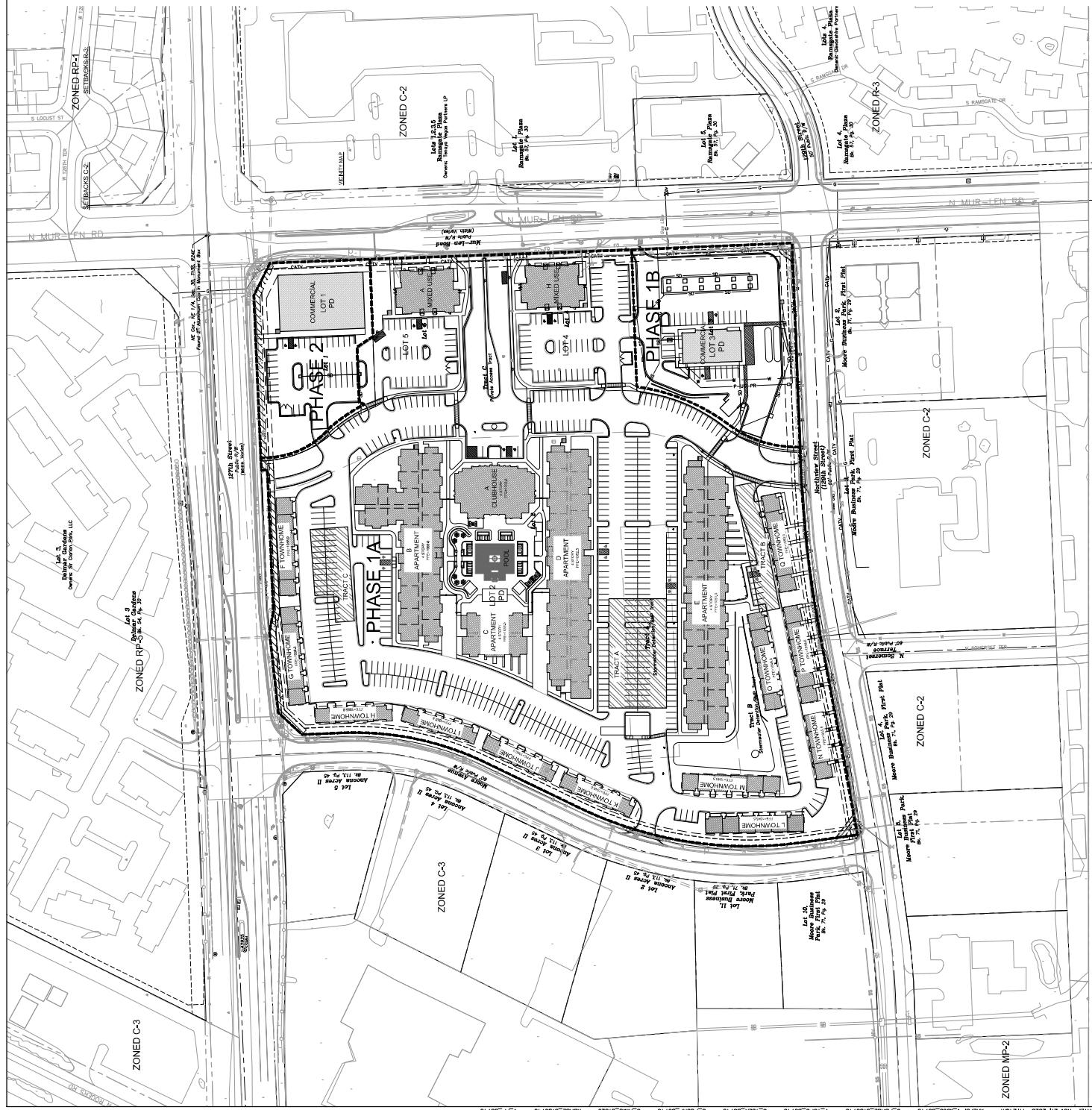
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BACH HOMES MONTAGE APARTMENTS
127TH ST & MURLEN RD

2023

REVISIONS

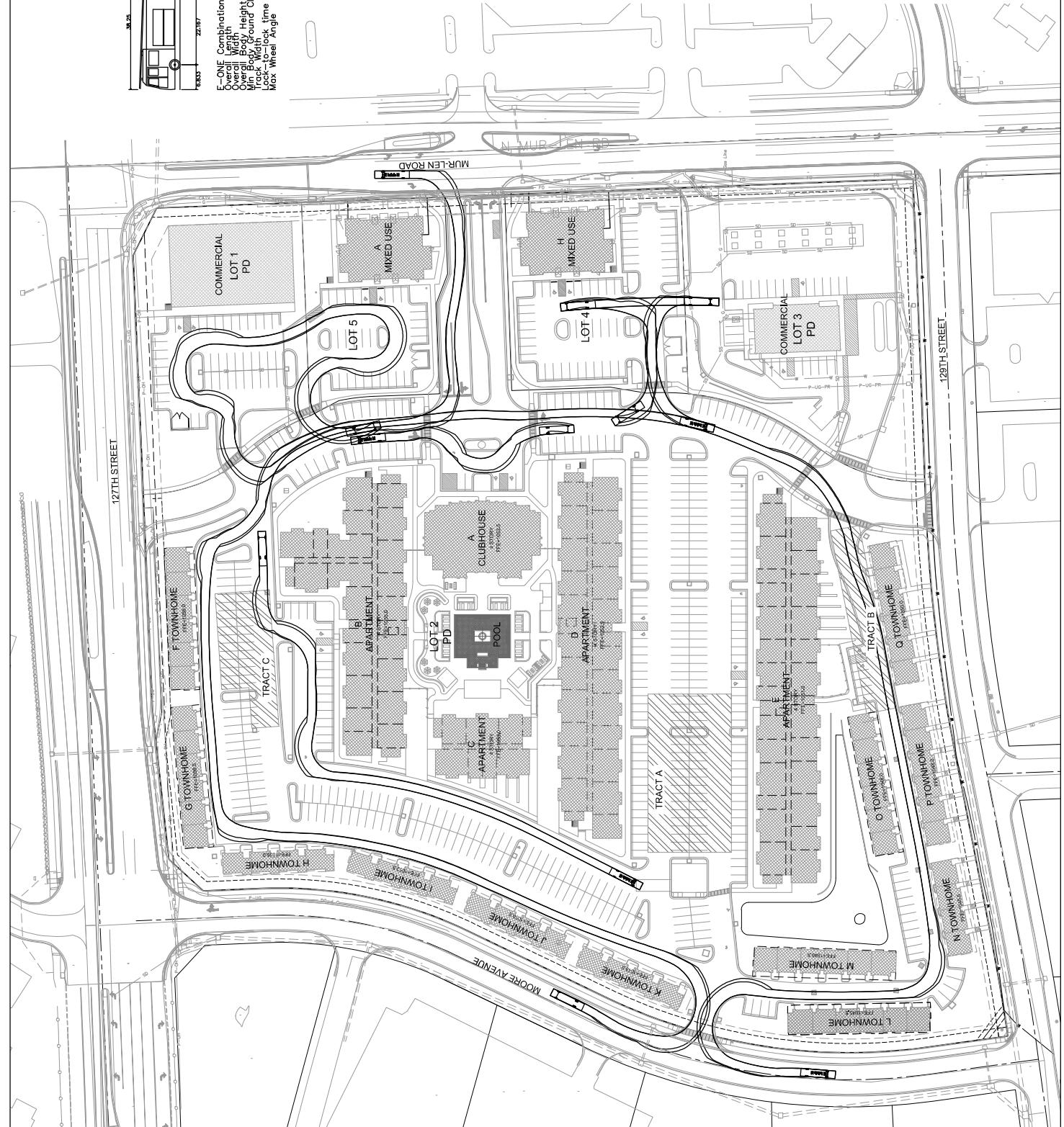
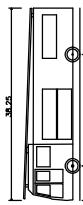


0' 30' 60' 120'
SCALE IN FEET

SHEET
C3.0

38.250ft
8.333ft
1.333ft
8.333ft
6.0ft.
45.00

E ONE Combination Unit
Overall Length
Overall Width
Overall Height
Front to Ground Clearance
Front to Wheel
Lock-to-Lock time
Max Wheel Angle



20' 40' 60'
SCALE IN FEET

Olosson

PEDESTRIAN CONNECTIVITY PLAN
PRELIMINARY DEVELOPMENT PLAN
BACH HOMES MURLEN RD APARTMENTS

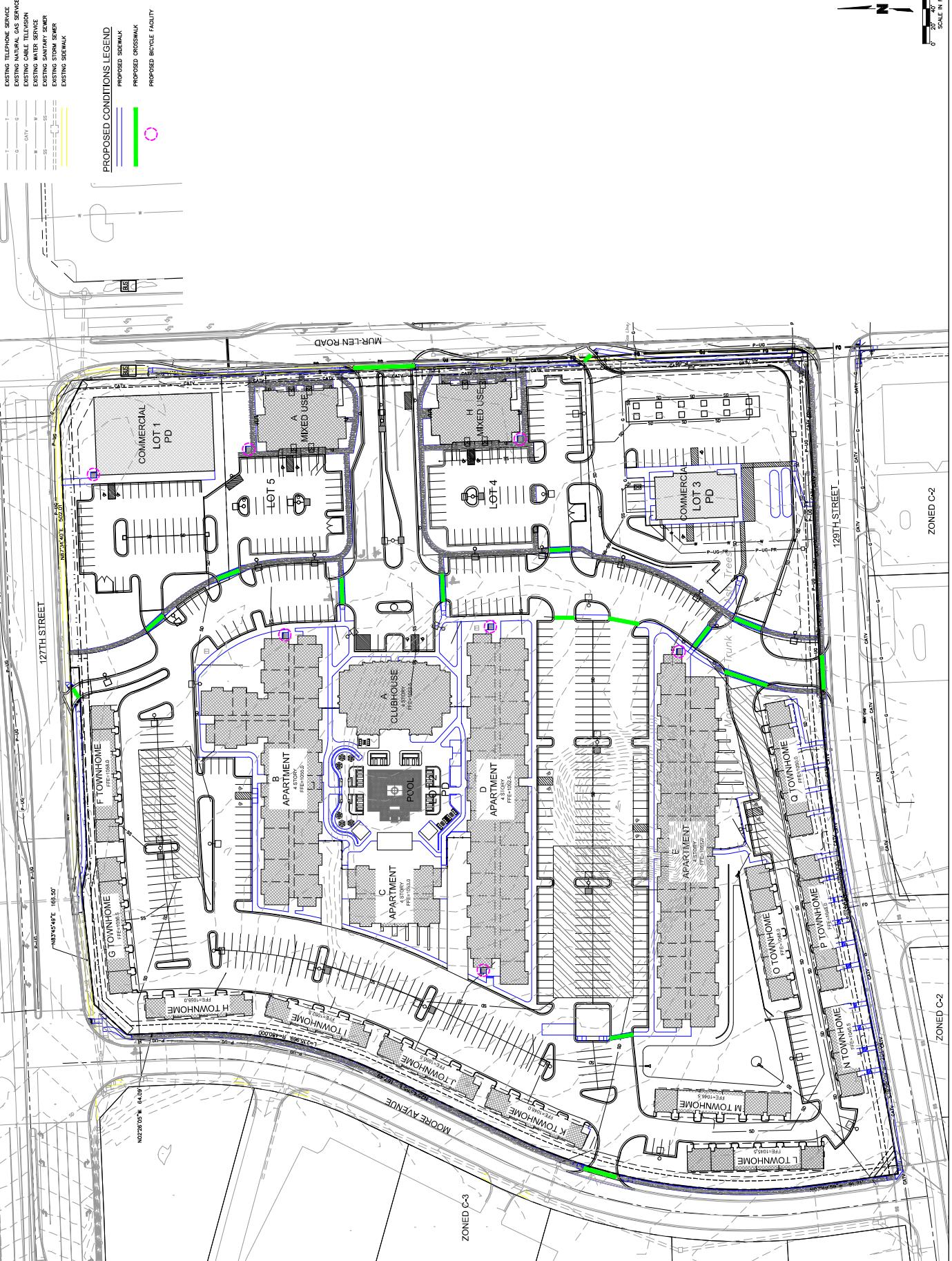
OLATEKS

SHEET C5.0

SCALE IN FEET 80'

7201 W 66TH ST, SUITE 200 KS 66212-5750 TEL 913.381.1170 FAX 913.381.0110 www.olsoss.com

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 DRAWN : NOV 2, 2007 BY ELLIOTT J. HARRIS
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 APPROVED : NOV 2, 2007 BY [Signature]



EXISTING CONDITIONS LEGEND

PROPERTY LINE	EXISTING GROUNDBREAK POWER
P-CO.	EXISTING FIBER OPTIC
T-G	EXISTING TELEPHONE SERVICE
G-CITY	EXISTING NATURAL GAS SERVICE
N-W	EXISTING CABLE TELEVISION
S-S	EXISTING WATER SERVICE
E-E	EXISTING SANITARY SEWER
M-M	EXISTING SIDEWALK

PROPOSED CONDITIONS LEGEND

PROPOSED SIDEWALK
PROPOSED CROSSWALK
PROPOSED CYCLE FACILITY

REVISONS

2023

127TH ST & MURLEN RD

BAJH HOMES MURLEN RD APARTMENTS

PEDESTRIAN CONNECTIVITY PLAN

PRELIMINARY DEVELOPMENT PLAN

BACH HOMES MURLEN RD APARTMENTS

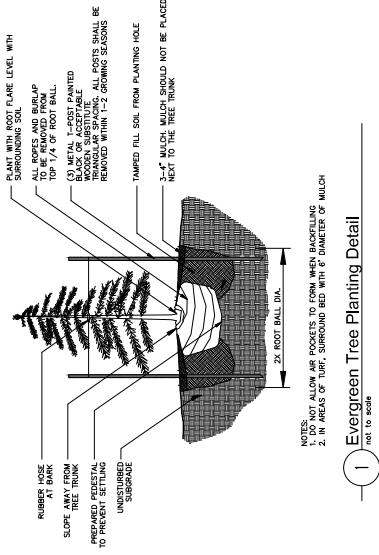
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2003 EDITION						TP-SM10-A180740 C-PS-SC-0108740 TP-PASE-A180740 C-PLK-B70740 V-LP-01-A0740

FALLING NOTES

- ALL WORK SHALL BE COORDINATED WITH THE WORK OF OTHER TRADES.
- COMMUNICATE AND COORDINATE ANY CONSTRUCTION ACTIVITIES PRIOR TO ANY CONSTRUCTION ACTIVITIES. ANY DAMAGE TO BIRCH SHALL BE REPAID BY THE CONTRACTOR AT NO EXPENSE TO THE CONTRACTOR.
- POLE AND STAKE SUPPORTS AND GUARD RAILS SHALL BE MAINTAINED UNTIL APPROVED BY THE CITY OF Olathe, KS. ALL LANDSCAPE FEATURES, PLANTINGS, AND STRUCTURES MUST BE APPROVED BY THE CITY OF Olathe, KS.
- PLAN IS SUBJECT TO CHANGES BASED ON PLANT SITE AND MATERIAL AVAILABILITY. ALL SPACED CUPPED MEASUREMENT FOR TREES SHALL BE REJECTED.
- ALL PLANT MATERIAL SHALL BE NURSERY STOCK ESTABLISHED IN THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION STANDARD "Nursery Stock Quality Guidelines" AS APPROVED BY THE CITY OF Olathe, KS. ALL PLANT MATERIAL LOCATED PRIOR TO PLANTING SHALL BE PLANTED WITHIN ONE DAY OF ARRIVAL. PLANT MATERIAL SHALL BE PLANTED WITHIN 12 HOURS OF RECEIPT.
- ALL TREES SHALL BE CAUPPED AND ANY UNDESERED TREES SHALL BE REJECTED.
- SPACED CUPPED MEASUREMENT FOR TREES SHALL BE MEASURED AT 12' ABOVE THE PLANTING LINE.
- PALMING OF TREES, SHRUBS, SHRUBS, AND OTHER THERAPEUTIC MATERIAL SHALL BE CONDUCTED IN PLANTING PHASE (MARCH 15-NAVE 15) OR FALL (SEPTEMBER 15-OCTOBER 15).
- CONTRACTOR SHALL STAKE OR MARK ALL PLANT MATERIAL LOCATING PRIOR TO PLANTING. PLANT MATERIAL SHALL BE PLANTED IN THE AREA MARKED FOR PLANTING. CONTRACTOR MAY PLANT SOIL AND TOPSOIL PARTS CLEAN LOAM TOPSOIL.
- ALL LANDSCAPE FEATURES, PLANTINGS, AND STRUCTURES SHALL BE MAINTAINED WITH A MINIMUM OF 3'-4' SWEEDED MULCH UNLESS OTHERWISE NOTED ON PLANS.
- VARIOUS LANDSCAPE EDGING IS TO BE USED ON ALL LANDSCAPE BEDS ABUTTING IRIGATION SYSTEM.
- LANDSCAPE AREAS SHALL BE EQUIPPED WITH AN IN-EFFICIENT AUTOMATIC IRRIGATION SYSTEM SHALL BE DESIGNED TO MEET ALL LANDSCAPE AREAS.
- LANDSCAPE CONTRACTORS IS TO BE RESPONSIBLE FOR WATERING ALL PLANT MATERIAL PRIOR TO PLANTING. CONTRACTOR MAY PLANT SOIL AND TOPSOIL OR ACCEPTANCE OF THE PROJECT HAS TAKEN PLACE. MATERIAL WHICH DIES OR DEFOLIATES PRIOR TO PLANTING INTO THE WORK SHALL BE PRONCTLY REMOVED AND REPLANTED.
- REPLACEMENT OF MULCH OR FILL MATERIAL GUARANTEES ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE. CONTRACTOR WILL MAKE ALL REPLACEMENTS PROMPTLY (AS PER DIRECTION OF OWNER).

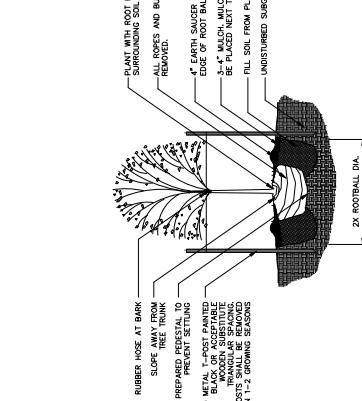
SCODDING NOTES

- ALL SCODDING AREAS SHALL BE SCODDED WITH TURF-TYPE TALL FESU SOD WITH A MINIMUM OF 1/2-INCH THICKNESS.
- MULCH AREAS SHALL RECEIVE A MINIMUM 6-INCH DEPTH OF TOPSOIL COMPACTED TO 85% MAXIMUM DENSITY AT OPTIMUM MOISTURE CONTENT.
- THE ENTIRE SURFACE TO BE SCODDED SHALL BE REASONABLY SMOOTH AND FREE FROM STONES, ROOTS, OR OTHER DEBRIS.
- SOIL SHALL BE MOHNE STRIPPED AT A UNIFORM SOIL THICKNESS OF APPROXIMATELY 1/2-INCH. SOIL SHOULD NOT BE MOHNE STRIPPED IN EXCESS OF 1/2-INCH, AS IT MAY DAMAGE PLANTS AND MAY CAUSE THE SOIL TO BE WEAKED AND ERODE.
- CUTTING FIELD, FIELD FERTILIZERS SHALL BE MOHNE STRIPPED IN EXCESS OF 1/2-INCH, AS IT MAY DAMAGE PLANTS AND MAY CAUSE THE SOIL TO BE WEAKED AND ERODE.
- HANDLING OF SOIL SHOULD BE DONE IN A MANNER THAT WILL PREVENT TEARING, BREAKING, DRIVING AND OTHER DAMAGE. PROJECT DUSTED ROOTS FROM DEFORMATION, DO NOT DRY OUT THE SOIL.
- ANY SCODDING SURFACE SHALL BE MOHNE STRIPPED AS NECESSARY, AS NEEDED, AND THE ALUMINUM SURFACE SHALL BE MOHNE STRIPPED AS NECESSARY.
- A TWO-TO THREE-INCH DEEP ROW OF TOPSOIL SHALL BE MOHNE STRIPPED IN THE TOP 1/2-INCHES OF TOPSOIL, AT A UNIFORM RATE OF ONE POUND PER SQUARE FEET.
- AS A TWO-TO THREE-INCH DEEP ROW SHALL BE MOHNE STRIPPED TOGETHER WITH THE SEAMS STAGGERED ON EACH ROW.
- FERTILIZER SHALL BE 20-10-5 COMMERCIAL FERTILIZER OF THE GRADE, TYPE, AND FORM INDICATED ON THE CONTRACT SHEET. FERTILIZER MUST BE APPLIED TO THE SOIL IN ACCORDANCE WITH THE INSTRUCTIONS PROVIDED ON THE PRODUCT.
- HANDING OF SOIL SHOULD BE DONE IN A MANNER THAT WILL PREVENT TEARING, BREAKING, DRIVING AND OTHER DAMAGE. PROJECT DUSTED ROOTS FROM DEFORMATION, DO NOT DRY OUT THE SOIL.
- ALL SOIL ON SURFACES GREATER THAN 5' AND WIDHT DETENTION AREAS SHALL BE MOHNE STRIPPED.
- SATURATE SOIL WITH FRESH WATER SEVEN DAYS PRIOR TO PLANTING. DURING FIRST MOIST SOIL TO A MINIMUM DEPTH OF FOUR INCHES BELOW SOIL SURFACE.
- CONTRACTOR SHALL PROVIDE FULL MAINTENANCE FOR SCODDED TURF GRASS FOR A PERIOD OF 30 DAYS AFTER THE DATE OF PLANTING. AT THE END OF THE 30-DAY PERIOD, THE TURF GRASS MUST BE ESTABLISHED. THE TURF GRASS SHALL BE TEE OF WEEDS, OPEN JOINTS, BARE AREAS, AND SURFACE IRREGULARITIES.



1 not to scale

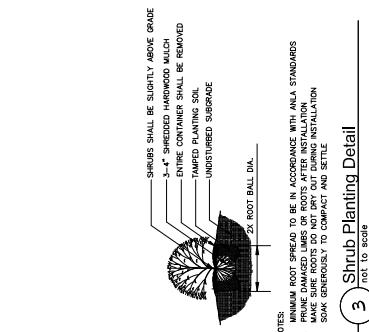
4 V-Trench Edging Detail
not to scale



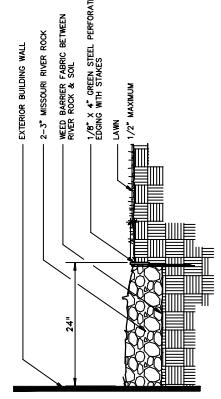
2 not to scale

2 Deciduous Tree Planting Detail
not to scale

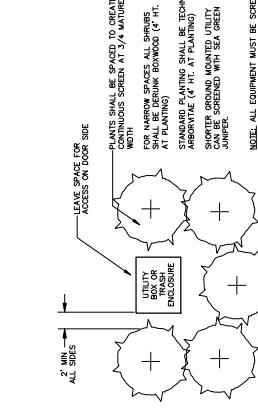
3 Shrub Planting Detail
not to scale



3 Shrub Planting Detail
not to scale



4 V-Trench Edging Detail
not to scale



5 Mow Strip Detail
not to scale

6 Ground Mounted Mechanical Equipment Screening Detail
not to scale

6

Olossen

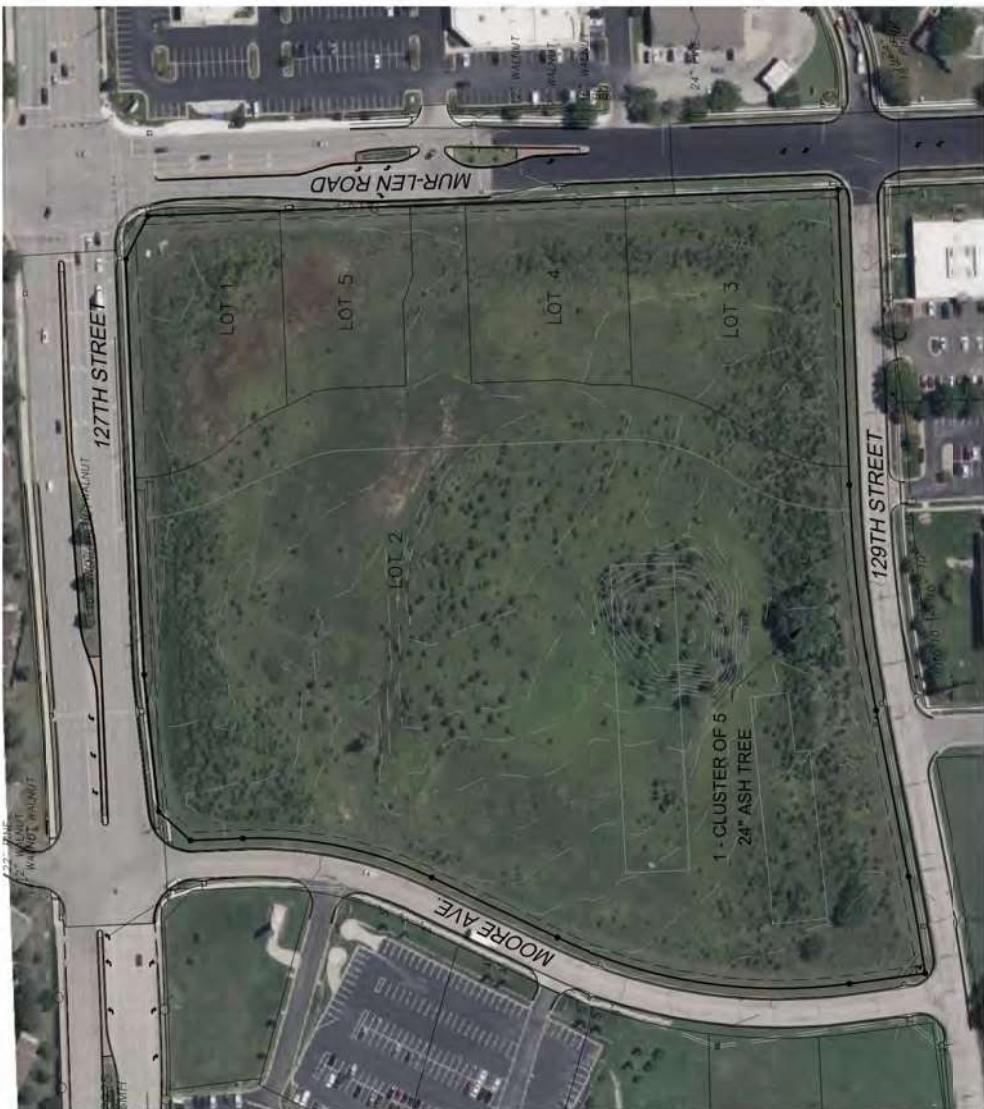
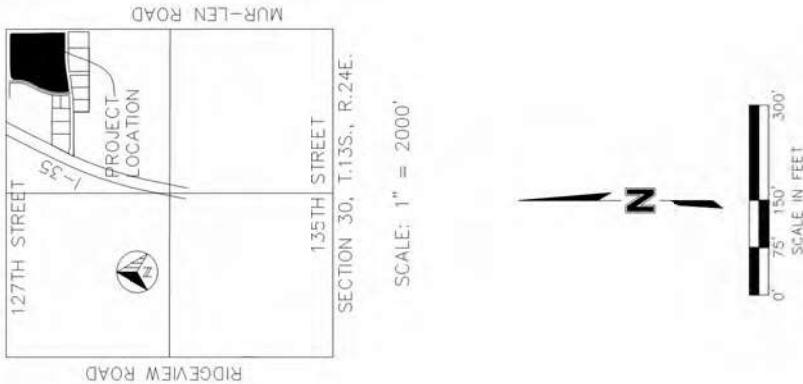
Quadrangle Park, KS 66213-1110 Tel: 913-381-1110 www.olossen.com
101 West 13th Street Suite 200 NPS 040-AutoCAD/Premier Plus Sheets/Outlines/Tree
DWG F:\2008\0501\1000\018-0740-Dwg\AutoCAD\Premier Plus\Sheets\Outline\Tree.dwg USEr: carolcho DATE: May 21, 2003 11:29am

REVISIONS	2023	REV. NO.	DATE	REVISIONS DESCRIPTION
-----------	------	----------	------	-----------------------

BACH HOMES OLATHE APARTMENTS

TREE SURVEY

SHEET S1.0




 BACH HOMES
 11630 South 3000 West
 Draper, UT 84020
 www.bachhomes.net
 (800) 555-1234
 info@bachhomes.net

 Client Address
 Architect
 Engineer
 General Contractor
 Subcontractor
 Supplier
 Other

Client Name

NOVEMBER 20, 2023

 ELEVATIONS
 CLUBHOUSE

PDP01

PDP SUBMITTAL

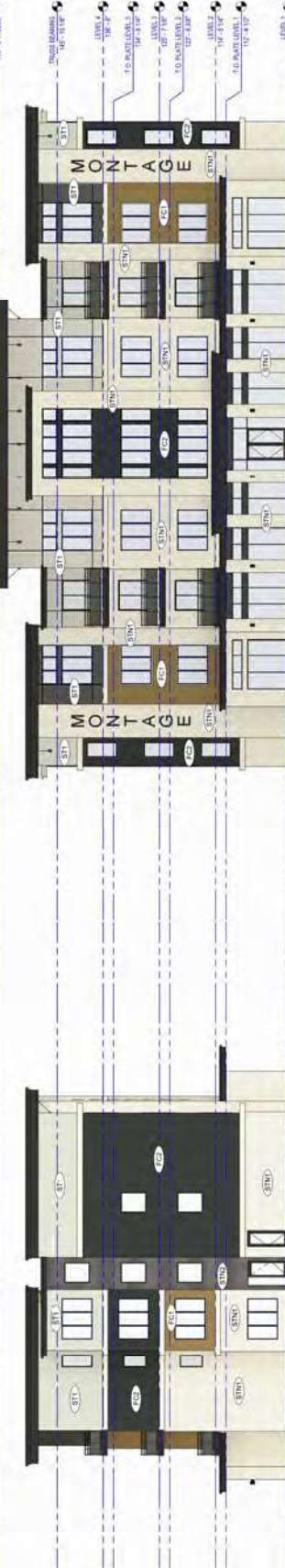
EXTERIOR MATERIAL PERCENTAGES						
	Primary (Front)	%	Secondary (Left)	%	Secondary (Back)	%
Class 1 Materials	SOFT	36%	SOFT	32%	SOFT	32%
Manufactured Stone Veneer	2,426	36%	935	32%	2,060	35%
Cinder Glass	1,995	30%	383	12%	1,791	30%
3 Coat Stucco	917	14%	522	18%	920	15%
Total Class 1 Materials	5,338	86%	1,812	62%	4,771	89%
Class 3 Materials						
Fiber Cement	1,324	20%	1,134	38%	1,216	20%
Doors	-	-	-	-	-	-
Total	6,662	100%	2,946	100%	5,987	100%
					2,046	100%



(5) Perspective


 (3) Back
 $3'22'' = 1'-4''$

 (4) Right
 $3'22'' = 1'-4''$

 (5) Roof
 $10'4'' - 3'11\frac{1}{2}''$

 (2) Left
 $3'22'' = 1'-4''$

 (1) Front
 $3'22'' = 1'-4''$

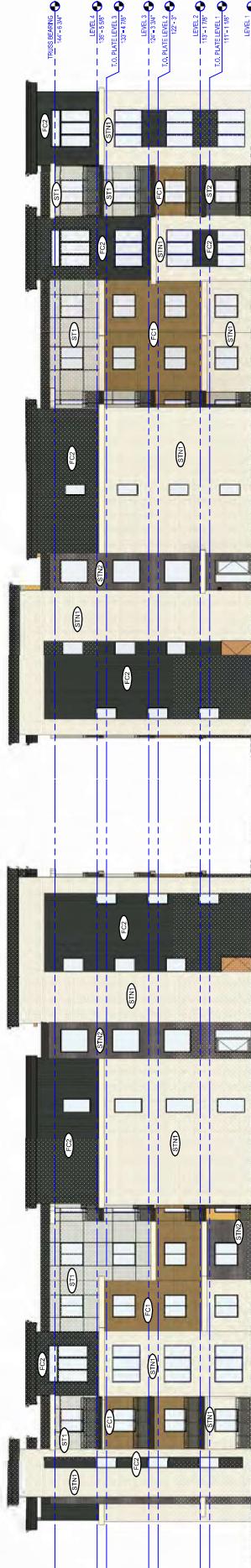


EXTERIOR MATERIAL PERCENTAGES

Class 1 Materials	Primary (Front)	Secondary (Left)	Secondary (Back)	Secondary (Right)
	SOFT	%	SOFT	%
Manufactured Stone Veneer	5,094	38%	2,866	44%
Clear Glass	2,929	22%	976	16%
3 Coat Stucco	1,464	11%	457	7%
Total Class 1 Materials	9,467	71%	4,099	67%
Class 3 Materials				
Fiber Cement	3,807	28%	2,079	38%
Doors	-	-	-	-
Total	13,294	100%	6,178	100%



⑤ Perspective

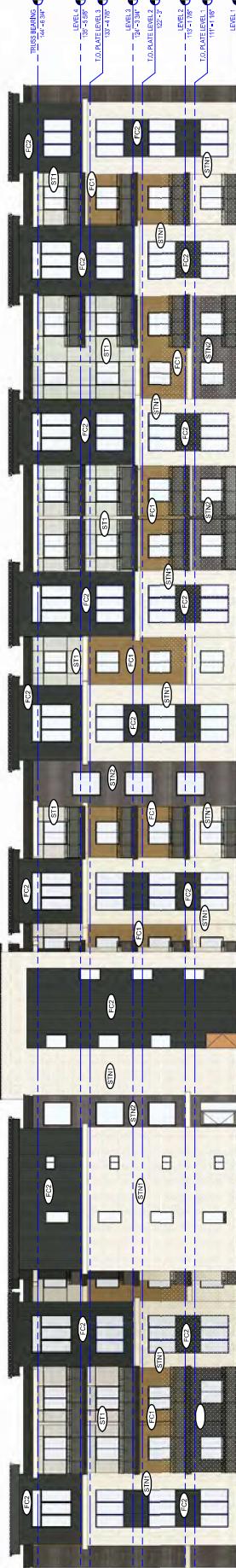


④ Left
3' 3 1/2" = 14'-0"

③ Right
3' 3 1/2" = 14'-0"



② Back
3' 3 1/2" = 14'-0"



① Front
3' 3 1/2" = 14'-0"



SOURCE AND DRAFT
Retained On Client's Side (NOT VISIBLE)

EXTERIOR MATERIAL PERCENTAGES (GROUND FLOOR)

	Primary (Front)	Secondary (Left)	Secondary (Back)	Secondary (Right)
	SQFT	%	SQFT	%
Class 1 Materials				
Manufactured Stone Veneer	726	50%	498	57%
Total	1,450	100%	870	100%
	1,450	100%	1,450	100%
	870	100%	870	100%

EXTERIOR MATERIAL PERCENTAGES (UPPER FLOORS)

	Primary (Front)	Secondary (Left)	Secondary (Back)	Secondary (Right)
	SQFT	%	SQFT	%
Class 1 Materials				
Manufactured Stone Veneer	641	27%	549	37%
Total	1,282	100%	1,090	100%
	1,282	100%	1,090	100%
	1,090	100%	1,090	100%
	641	27%	549	37%



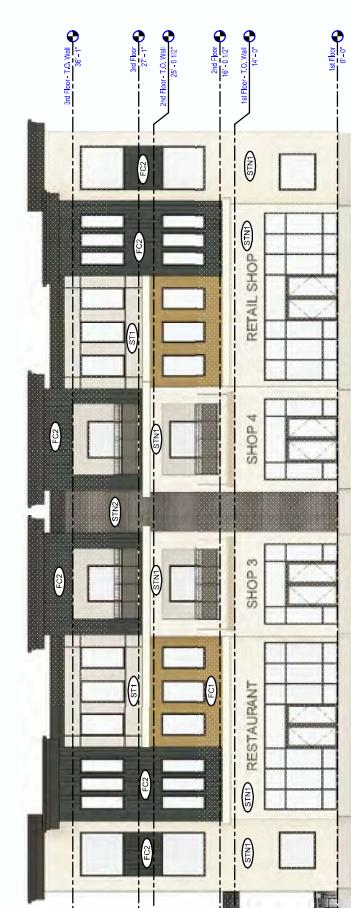
3D View 3



④ Right
18' = 140"



③ Left
18' = 140"



② Left
18' = 140"

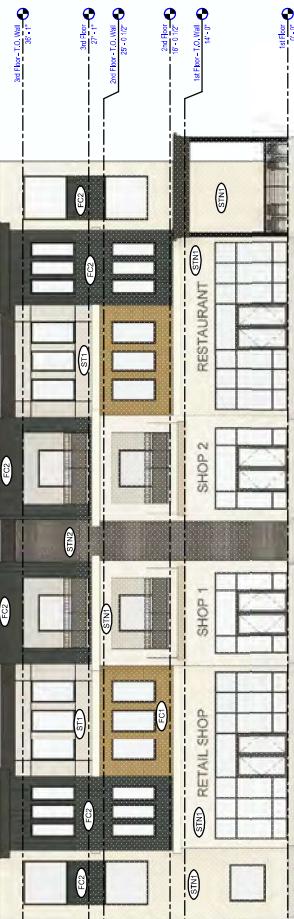


① Front
18' = 140"

NOVEMBER 20, 2023

PROJECT NUMBER:	21-B
SPANNING:	Asterisk
DRAWN BY:	[Signature]
CURRENT REVISION:	?

MIXED USE
ELEVATIONS



1

Front
18' = 140"

Left
18' = 140"

PDP03

PP SUBMITTAL


 BACH HOMES
 1555 South 300 West
 Suite 300
 Draper, UT 84020
 www.bachhomes.net
 (435) 628-1234
 (435) 628-1235

Bach Homes

NOVEMBER 20, 2023

 TOWNHOME (A)
 FLOOR PLANS
 TYPICAL

PDP04

 PDP SUBMITTAL
 NOVEMBER 20, 2023

LEVEL 3 - TYPE A

 $\frac{1}{4}'' = 1'-0"$

LEVEL 2 - TYPE A

 $\frac{1}{4}'' = 1'-0"$

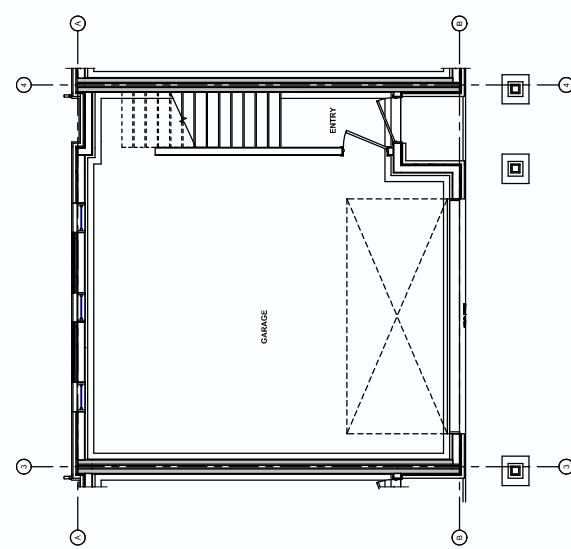
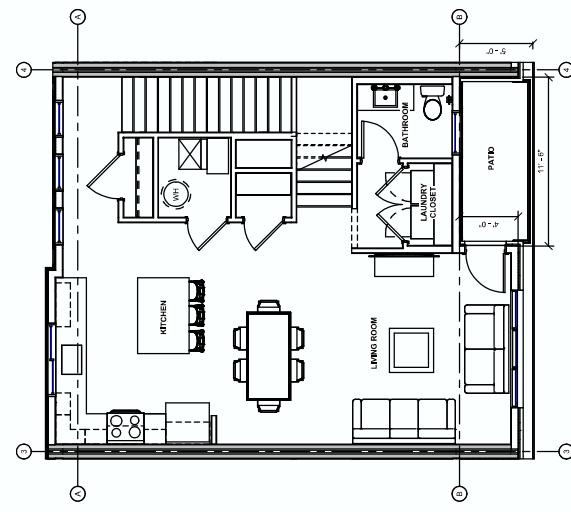
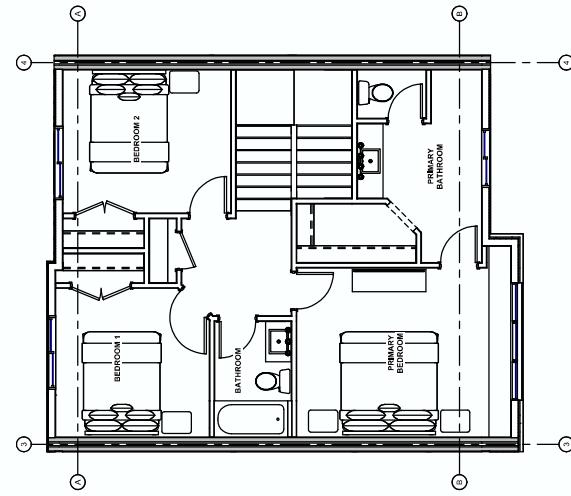
LEVEL 1 - TYPE A

 $\frac{1}{4}'' = 1'-0"$

EXTERIOR MATERIAL PERCENTAGES						
	Primary (Front)	Secondary (Left)	Secondary (Back)	Secondary (Right)	%	SQFT
Class 1 Materials	SQFT	%	SQFT	%	SQFT	%
Manufactured Stone Veneer	1,650	39%	306	34%	1,144	27%
Clear Glass	972	23%	75	8%	655	15%
3 Coat Stucco	474	11%	0	0%	288	6%
Total Class 1 Materials	3,096	73%	381	43%	2,087	48%
Class 3 Materials						
Fiber Cement	1,026	24%	517	57%	2,277	52%
Doors	126	3%	-	-	-	-
Total	4,248	100%	898	100%	4,384	100%
					798	100%



Perspective





1500 S. 100 E.
Logan, UT 84321
www.bachhomes.net

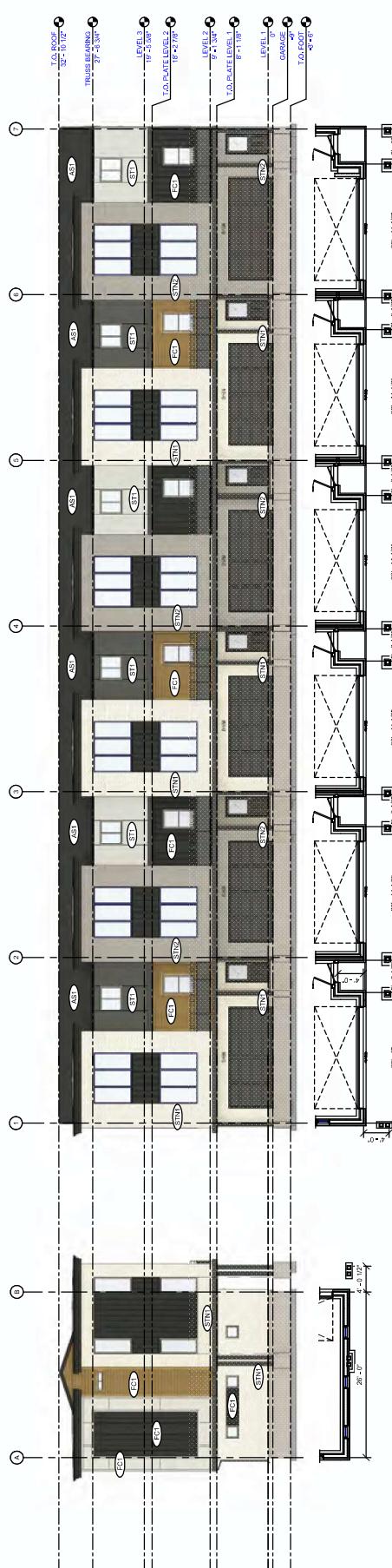
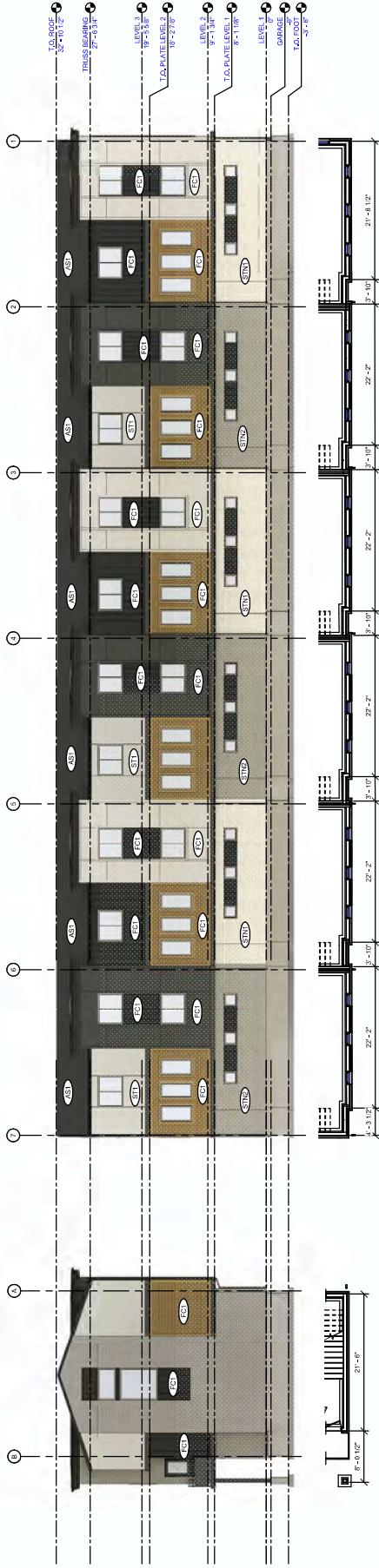
PROJECT ADDRESS
LEVELS: 3
BEDS: 4
BATHS: 3
TOTAL SQ FT: 3060
TRusses: 27'-0" x 47'-0"

MONTAGE OLAHTE
Bach Homes

TOWNHOME TYPICAL
(A)

PDP05

PP SUBMITTAL
NOVEMBER 20, 2023



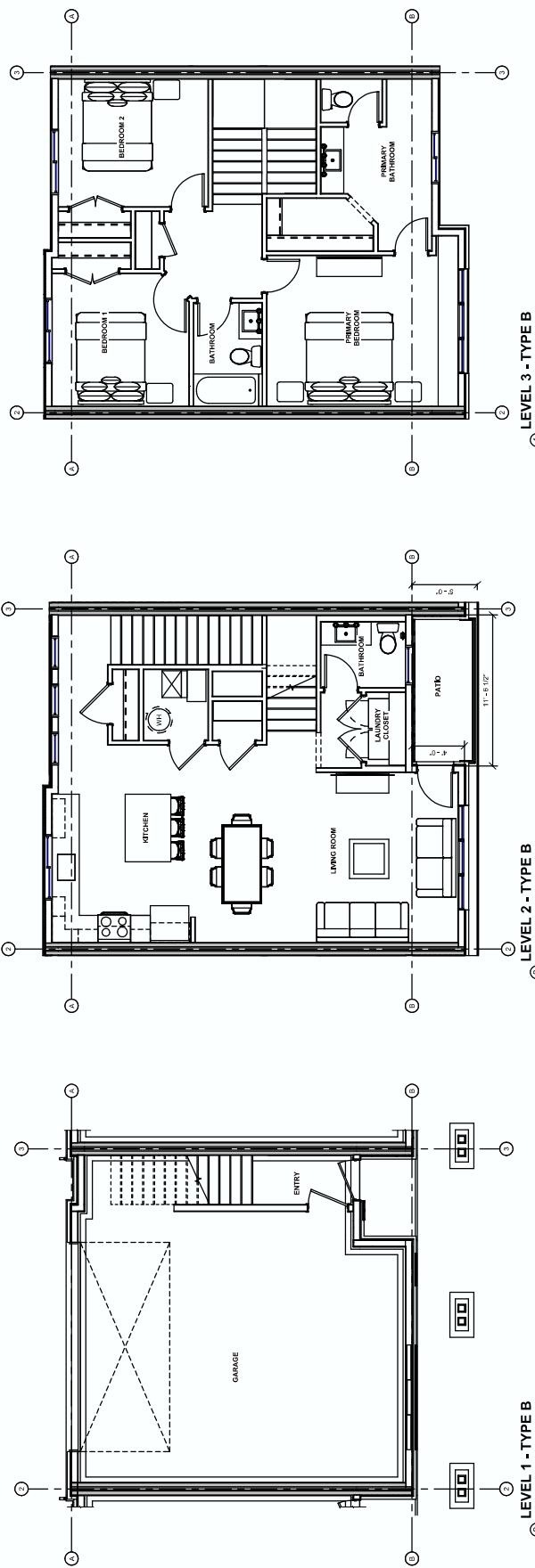


ARCHITECTURE
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info@bachhomes.net
(919) 571-1200
FAX: (919) 571-1201
E-mail: info@bachhomes.net
www.bachhomes.net

EXTERIOR MATERIAL PERCENTAGES						
	Primary (Front)	Secondary (Left)	Secondary (Back)	Secondary (Right)		
	SQFT	%	SQFT	%	SQFT	%
Class 1 Materials						
Manufactured Siding/Veneer	1,100	39%	306	34%	426	17%
Clear Glass	648	23%	75	8%	389	13%
3 Coat Stucco	316	11%	-	-	192	6%
Total Class 1 Materials	2,064	73%	381	43%	1,009	36%
Class 3 Materials						
Fiber Cement	684	24%	517	57%	1,454	49%
Doors	84	3%	-	-	448	15%
Total	2,432	100%	898	100%	2,911	100%



Perspective





Architectural
Services
Solutions
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Build-up Services
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LEVEL 3
TO ROOF
TRUSS BEARING
27'-13 1/2"

LEVEL 2
PLATE, LEVEL 2
TO ROOF
16'-7 1/2"

LEVEL 1
PLATE, LEVEL 1
TO ROOF
9'-3 1/2"

LEVEL 0
PLATE, LEVEL 0
TO ROOF
9'-3 1/2"

MONTAGE OLA THE
Bach Homes

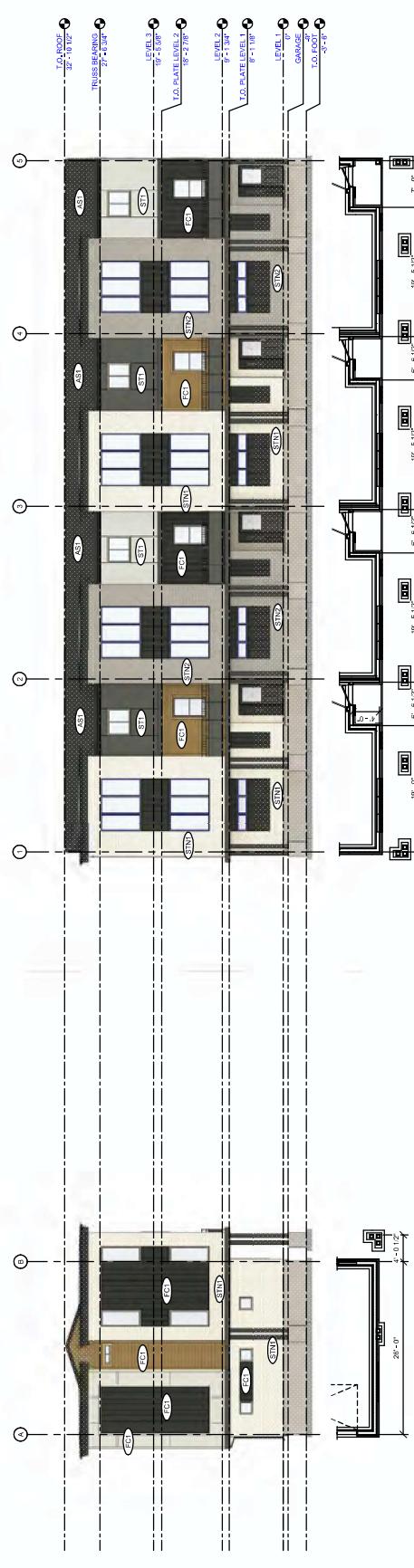
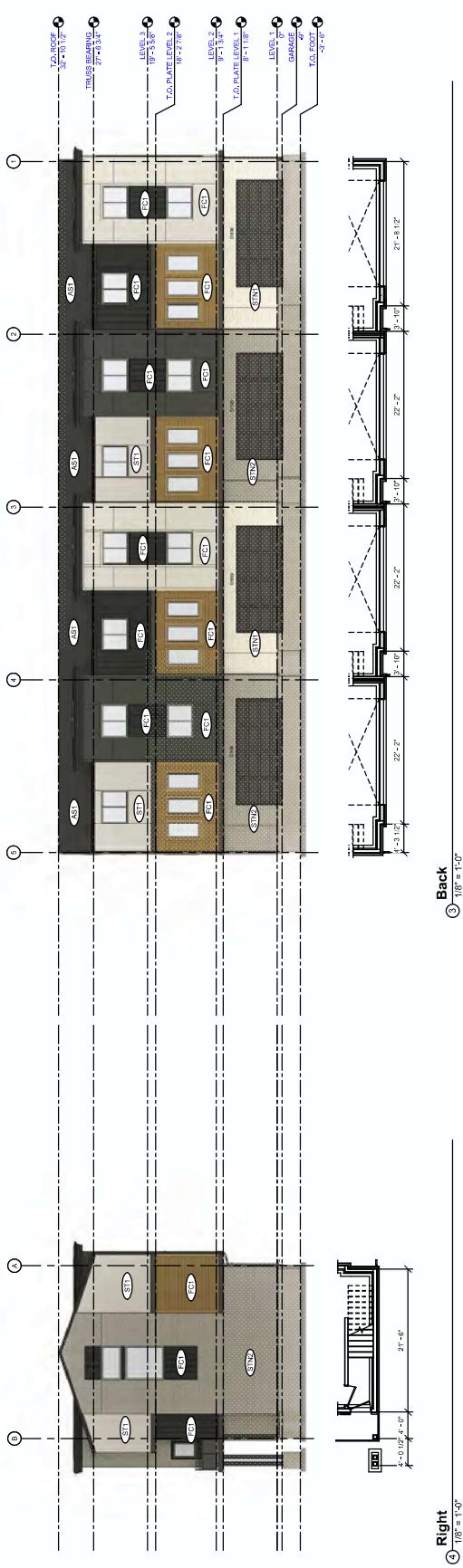
PROJECT ADDRESS
PROJECT NUMBER
DRAWN BY
DRAUGHTING DATE
REVISION SCHEDULE
DATE
REV. NO.

ELEVATIONS TYPICAL
TOWNSHOME (B)

PDP07

PP SUBMITTAL

NUMBER 20, 2023

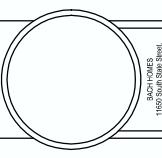


Front
① 18° = 15°

Left
② 18° = 15°

Right
③ 18° = 15°

Back
④ 18° = 15°



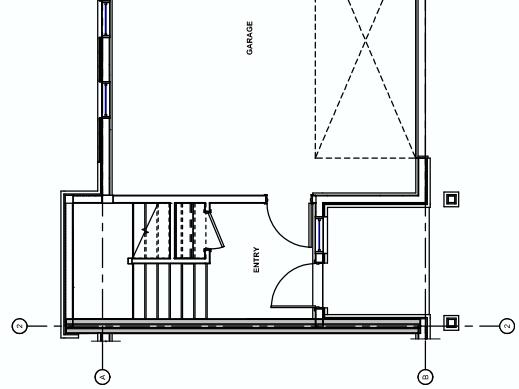
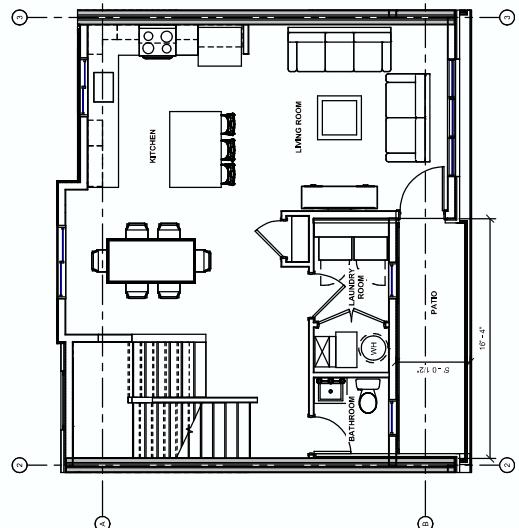
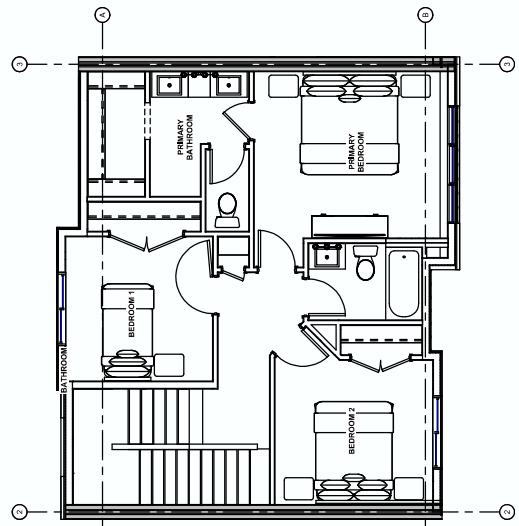
EXTERIOR MATERIAL PERCENTAGES						
	Primary (Front)	Secondary (Left)	Secondary (Back)	Secondary (Right)		
	SQFT	%	SQFT	%	SQFT	%
Class 1 Materials						
Manufactured Stone Veneer	1,084	31%	234	33%	1,276	35%
Clear Glass	484	15%	50	7%	533	15%
3 Coat Stucco	352	10%	100	14%	374	10%
Total Class 1 Materials	1,920	56%	384	54%	2,213	60%
Class 3 Materials						
Fiber Cement	1520	44%	324	46%	904	25%
Doors	-	-	-	-	528	15%
Total	3,440	100%	708	100%	3,845	100%

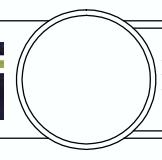

 Perspective
 ①

PROJECT NUMBER:	STREET NUMBER:
OWNER:	DRIVE-IN ADDRESS:
PHONE NUMBER:	DRIVE-IN NUMBER:
EMAIL:	DRIVE-IN REASON:
DATE:	RENTAL SCHEDULE:

 TOWNHOME (C)
 FLOOR PLANS
 TYPE C

PDP08

 PDP SUBMITTAL
 NOVEMBER 20, 2023




1913 - 1915
Redwood Park
Dugout Creek
Subdivision
Dover UT 84020
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www.yelp.com/bach-homes

Bach Homes

NOVEMBER 20, 2023

PP SUBMITTAL

PDP09

TOWNHOME TYPICAL

ELEVATION

(C)

PROJECT NUMBER

7408

DRAWING DATE:

11/20/23

DRAFTING SCHEMATIC

10:00 AM

SHEET NUMBER

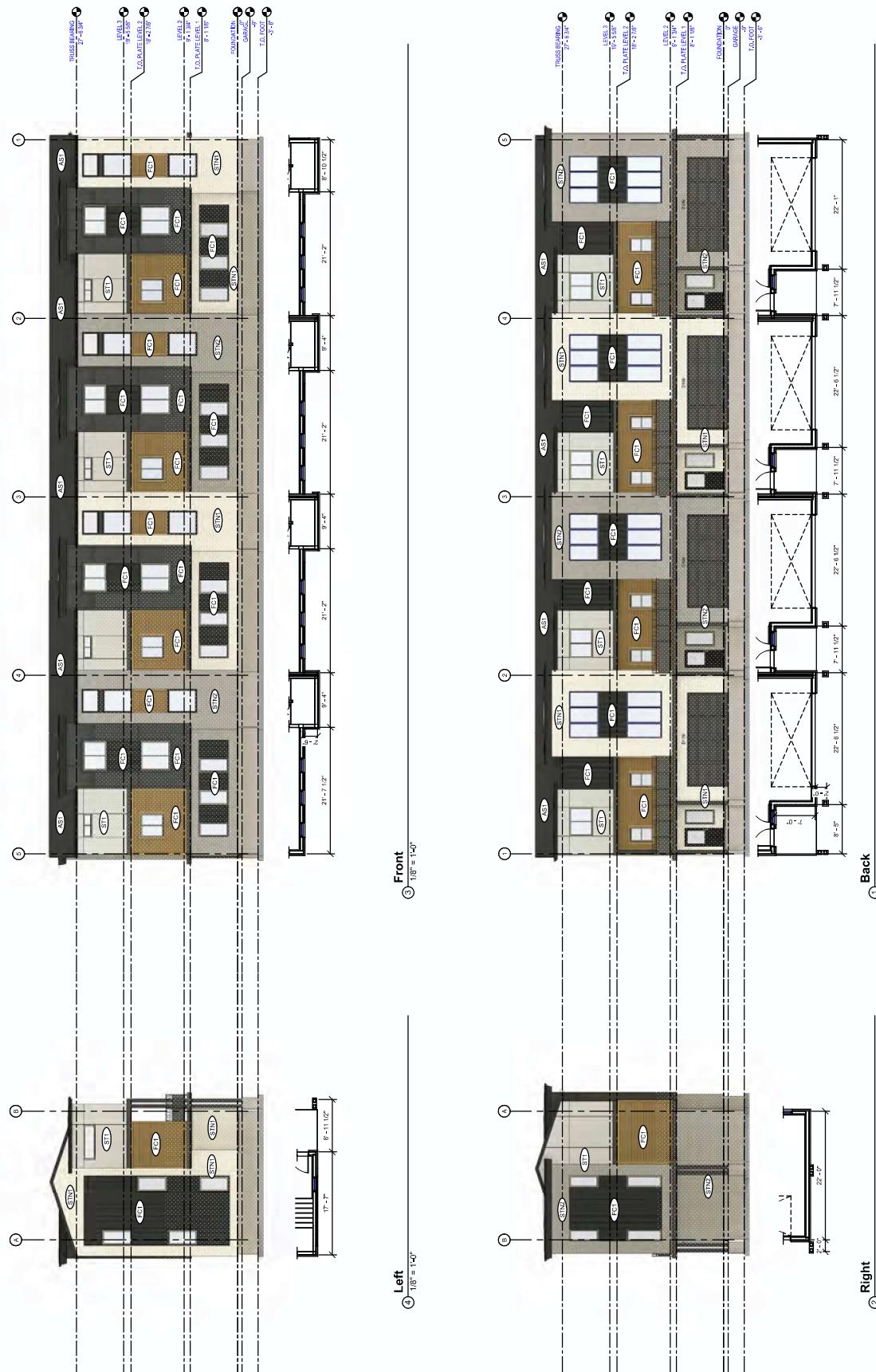
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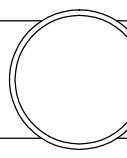
DATE

11/20/23

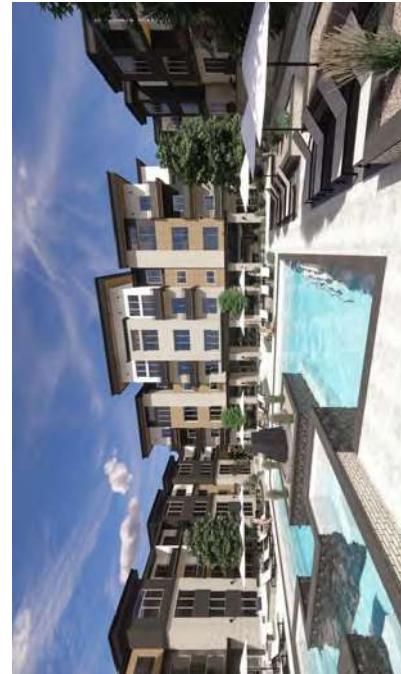
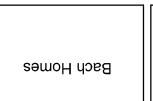
MONTEGE OLA THE

PROJECT ADDRESS





Architects
Saskia van den Berg
Diane Ut 4200
www.bachhomes.net
www.ut4200.com
www.saskiavandenbergs.com
www.bacharchitects.com



MIXED USE

MIXED USE / ENTRY TO SITE

AMENITY SPACE - POOL



CLUBHOUSE DAYTIME

CLUBHOUSE EVENING

CLUBHOUSE EVENING



Architects
Saskia van der Valk
Dodge, UT #420
www.bachhomes.net
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PROJECT NUMBER:	129th
DRAWN BY:	Audra
DRAWN DATE:	11/20/23
CURRENT Revision:	1



MOORE AVE TOWNHOMES
INTERIOR VIEW - DAY



CORNER OF 129TH AND MOORE
EXTERIOR - DUSK



129TH STREET EXTERIOR - DUSK



129TH ST. TOWNHOMES
INTERIOR VIEW - DUSK



CORNER OF 129TH AND MOORE
EXTERIOR - DAY



129TH STREET EXTERIOR - DAY



MOORE AVE TOWNHOMES
INTERIOR VIEW - DAY



MOORE AVE TOWNHOMES
INTERIOR VIEW - DUSK



Neighborhood Meeting Sign in Sheet

Meeting Location:

Olathe Community Center
1205 East Kansas City Rd
Olathe, KS 66061
Room A

Date and Time:

Monday October 16, 2023, at 6:00 PM

Project Explanation:

This meeting will be held to display the revised plan for the property at the southwest corner of 127th Street & Mur-Len Road. We will be focusing on a design that will cater to retail uses that contribute to the community inside of our project as well as the community surrounding our project. This plan consists of 5 apartments, 2 mixed use, 2 commercial, and 12 townhome buildings. This plan will not adjust the existing zoning classification but is part of the zoning amendment process to present a revised plan. A public hearing is tentatively scheduled for November 13th for this project.



MEETING MINUTES

Neighborhood Meeting

Date: October 16, 2023 at 6:00 PM

RE: Bach Homes, Montage Apartments
127th Street & Mur-Len Road

There were 12 attendees including the design team. The design team delivered a short 10-minute presentation showing the site plan and renderings. Following this presentation, the meeting was opened for public comment and questions. There were approximately 8 individuals who asked questions regarding the improvements. These questions and design team explanations are listed below.

Neighborhood Questions and Design Team Explanations:

1. Can you explain where the storm water features are?

The design team outlined the above ground and below ground detention areas shown within the Site Plan. We indicated we had provided a storm study to the city detailing the detention to maintain required release rates.

2. Can you explain what you are doing to help with the additional traffic?

The design team explained the location and plan for the proposed traffic improvements shown in the site plan and outlined within the approved traffic impact study.

3. What amenities are available, and will any of these be available to the public?

The design team listed some of the planned amenities including the dog park, pool and hot tub patio, covered picnic areas, fire pits, and barbecue grill areas. These private amenities were pointed out on the site plan for clarification. The design team also showed the renderings of the mixed-use buildings and public sidewalk connectivity available throughout the site.

4. What type of materials will be used for the buildings?

The design team plans to utilize class 1 materials like brick, stone, stucco, and glass and is working with city staff to meet required material percentages.

5. Will all these units be rentals, and what level of income is being targeted with this development?

The design team indicated all the units would be rental properties and a specific demographic or income target had not been set. The intention of Bach Homes is to provide high quality amenities and an aesthetic design that appeals to the community long-term since the owner intends to manage this development. Bach Homes explained their history of consistently holding their properties and being a part of the community.

6. How many garages are provided?

The design team showed the corresponding table from the site plan indicating the number of units and garages that would be provided.

7. What is the construction schedule?

It was conveyed that Bach Homes is ready to move forward and is just working with the city to complete the approval process. The target for construction currently is June 2024.

ORDINANCE NO. 20-44

AN ORDINANCE AMENDING SECTION TWO OF ORDINANCE 18-39 OF THE CITY OF OLATHE, KANSAS, PERTAINING TO A ZONING AMENDMENT REQUEST RZ20-0001.

WHEREAS, Rezoning Application No. RZ20-0001 requesting a zoning amendment to Ordinance No. 18-39 was filed with the City of Olathe, Kansas, on the 15th day of January 2020; and

WHEREAS, proper notice of such zoning amendment application was given pursuant to K.S.A. 12-757 and Chapter 18.40 of the Olathe Unified Development Ordinance; and

WHEREAS, a public hearing on such application was held before the Planning Commission of the City of Olathe, Kansas, on the 26th day of October 2020; and

WHEREAS, said Planning Commission has recommended that such zoning amendment application be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: Section Two of Ordinance 18-39 is hereby amended as follows:

- (1) The prohibited uses are established within the attached Use List (Exhibit A). Any modifications to the uses must be requested through the zoning amendment process.
- (2) The following are established on the preliminary site development plan (Exhibit B) dated October 2, 2020: the general allocation of uses, overall density, maximum square footage, lot size, phasing, open space, structure setbacks, parking and paving setbacks, parking distribution, landscaping, screening and buffering.
- (3) The maximum building height is established as follows: 65' multi-family residential, 35' townhouses and 55' commercial/mixed use.
- (4) The multi-family residential, townhouses and mixed-use buildings are subject to Site Design Category 3, and the commercial buildings are subject to Site Design Category 4 per UDO 18.15.
- (5) The building design is subject to UDO 18.15.020.
- (6) Sign standards will be determined with final site development plans or through a comprehensive sign package.
- (7) All street improvements shall be in accordance with the traffic impact study and as required by the City Engineer. A revised traffic study or report shall be submitted if there is a change in land use, as required by the City Engineer.

- (8) All access drives and internal streets will be constructed with the first phase of development.

SECTION TWO: Existing Section Two of Ordinance No. 18-39 is hereby repealed.

SECTION THREE: That this Ordinance shall take effect from and after its passage and publication as provided by law.

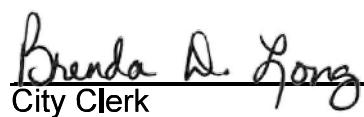
PASSED by the City Council this 15th day of December 2020.

SIGNED by the Mayor this 15th day of December 2020.



Mayor

ATTEST:


Brenda D. Long
City Clerk

(Seal)

APPROVED AS TO FORM:


Lee Shaver

City Attorney



EXHIBIT A



Use list for Bach Homes Development, 127th Street and Mur-Len Road

The following uses are specifically prohibited. All other uses found in the *Unified Development Ordinance (UDO), Section 18.20.500*, are permitted in this development.

1. All uses found only in the AG, M-1, M-2 and M-3 Districts of the UDO
2. All uses specifically prohibited for the PD as referenced in UDO 18.20.500
3. Pawnshops
4. Payday Loan Business or Title Loan Business
5. Tattoo Parlor/Tattoo Studio and/or Body Piercing
6. Vehicle Painting and Body Shops
7. Cemetery
8. Hospitals
9. Any use category which allows for the renting, leasing, sales, repair or work of any kind for motor vehicles including but not limited to automobiles, boats, RVs, trailers, motorcycles, etc.
10. Wood working shops
11. Laboratories- research and testing
12. Fast food restaurants with drive throughs
13. Entertainment establishment

EXHIBIT B

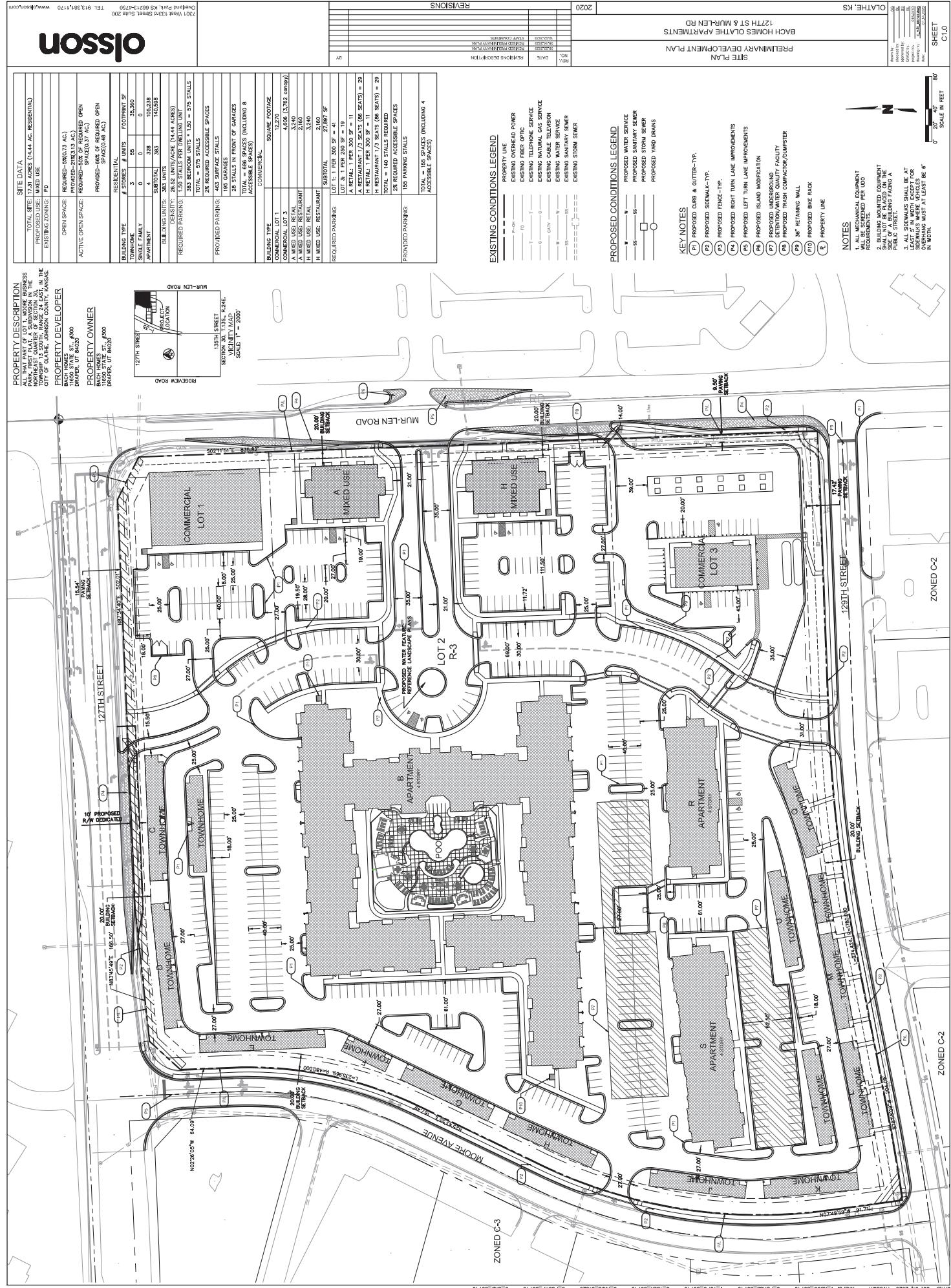


EXHIBIT B

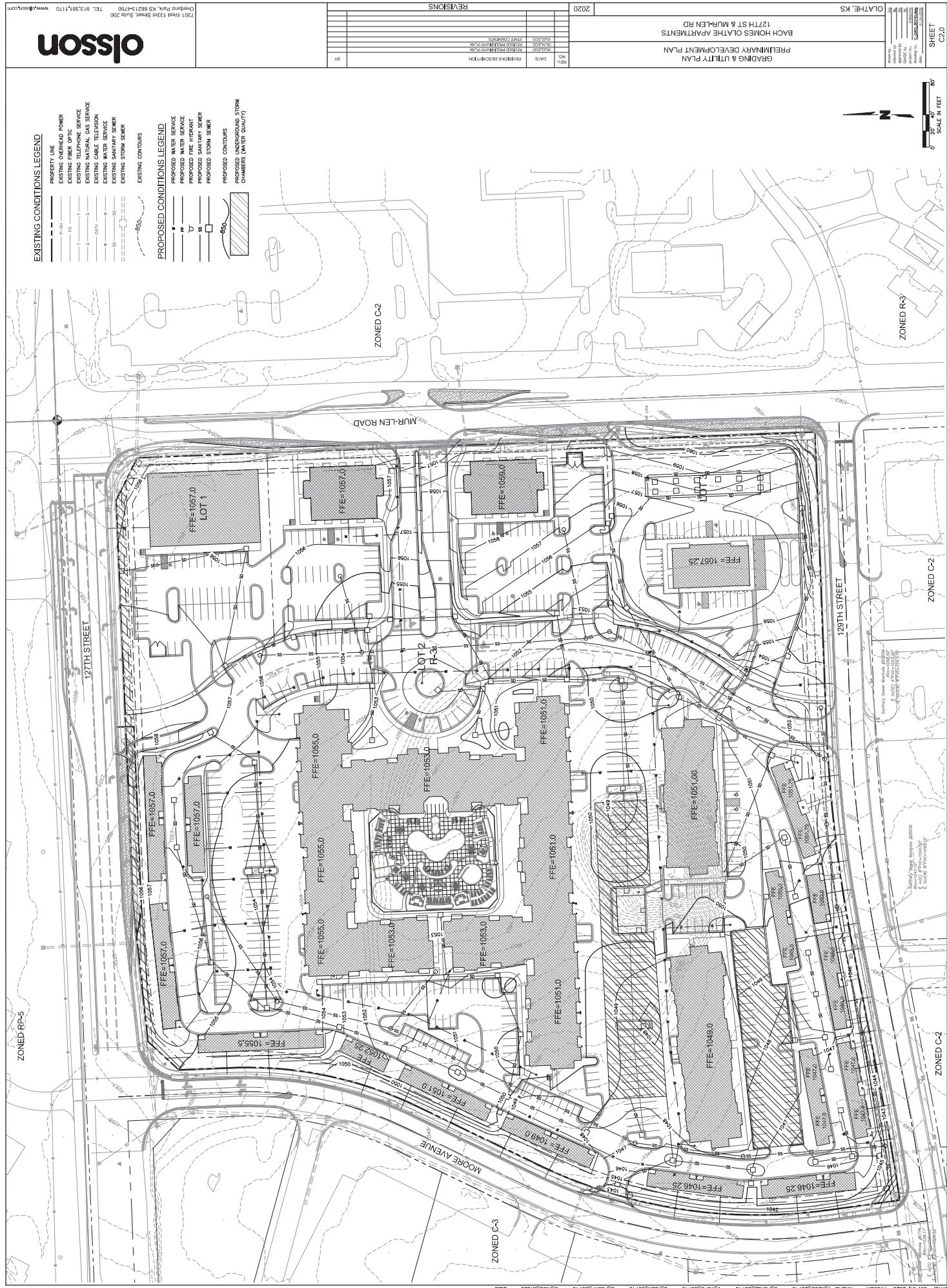


EXHIBIT B

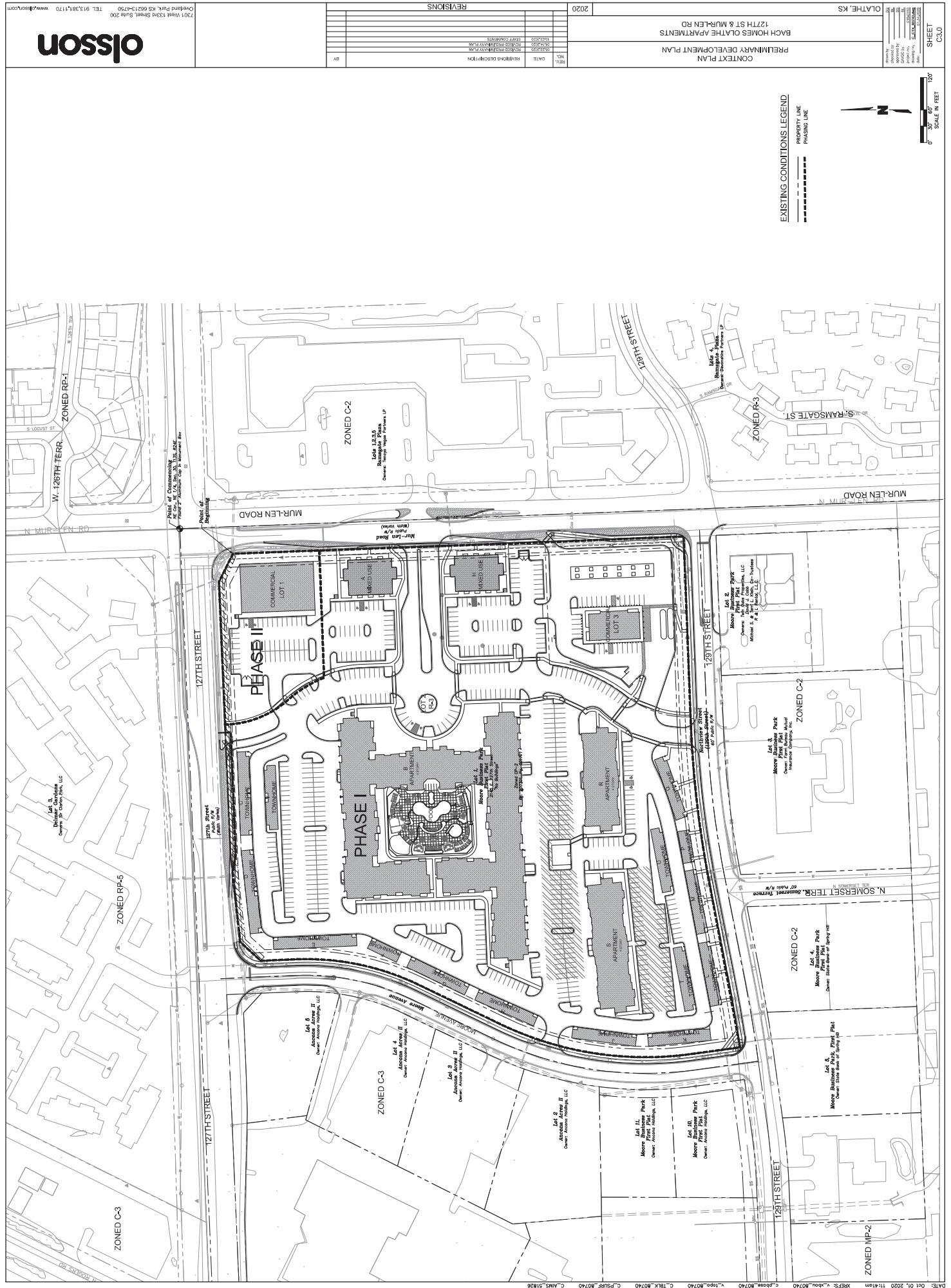


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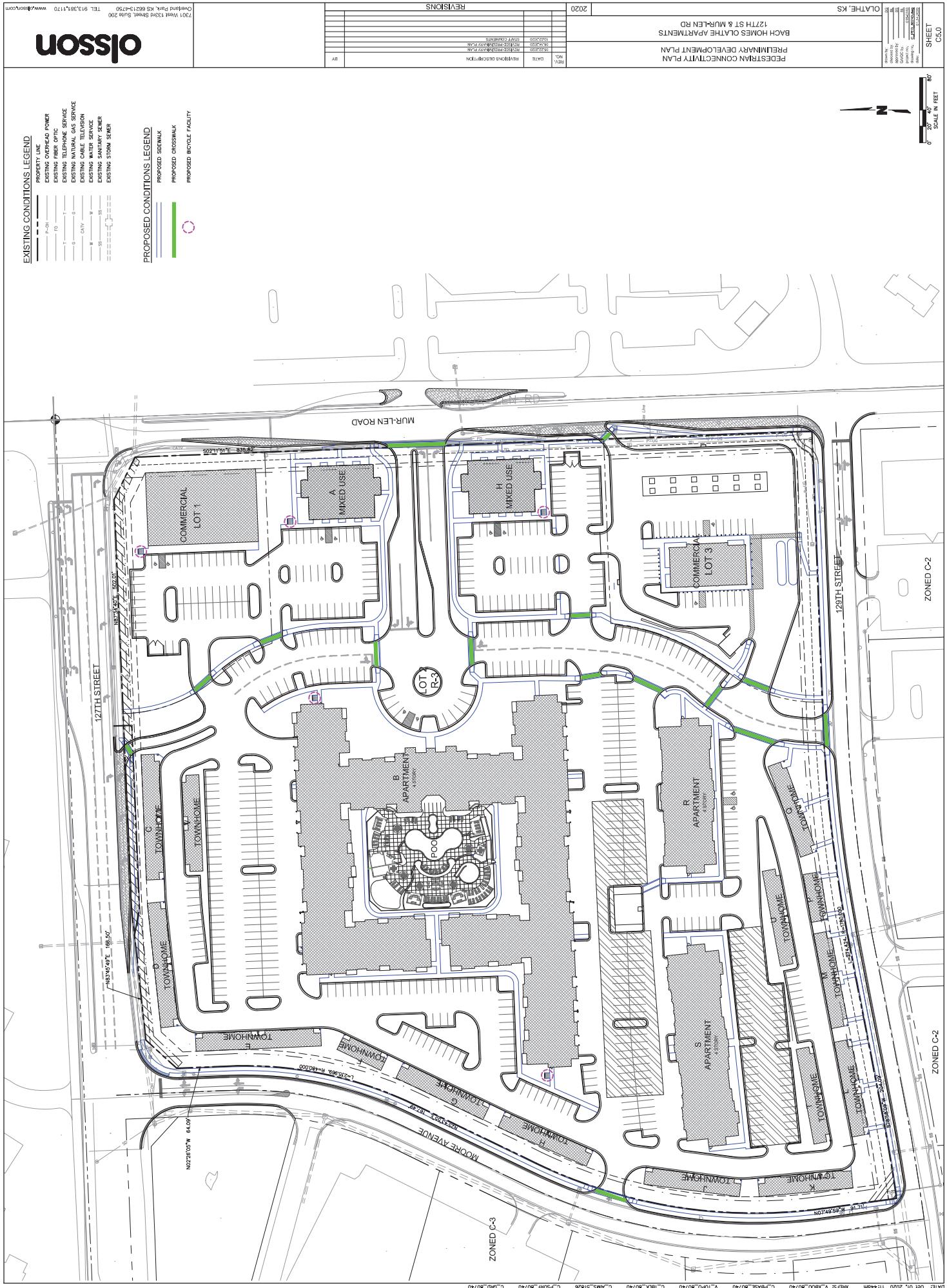
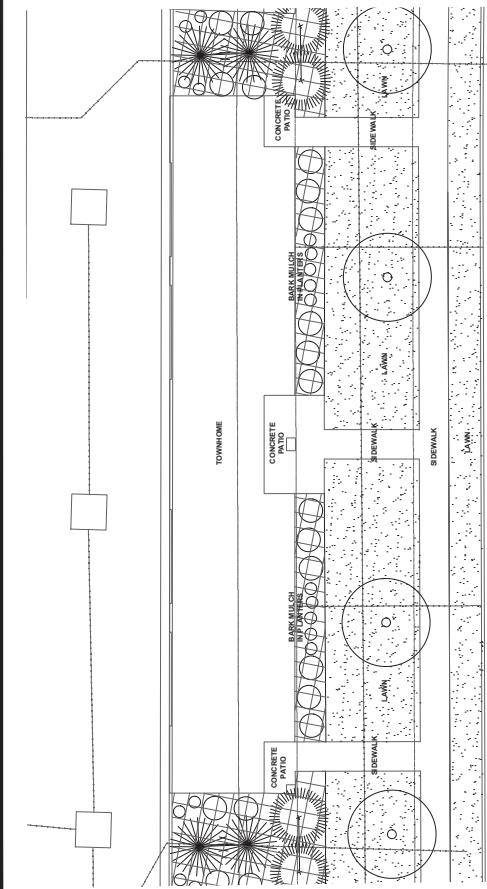
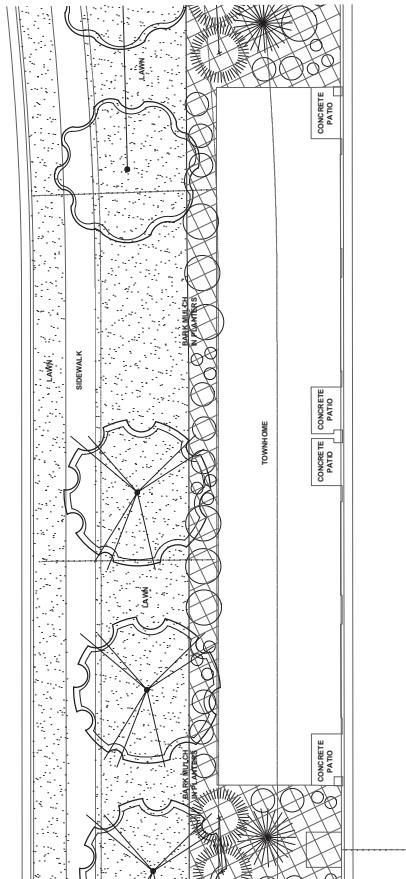


EXHIBIT B



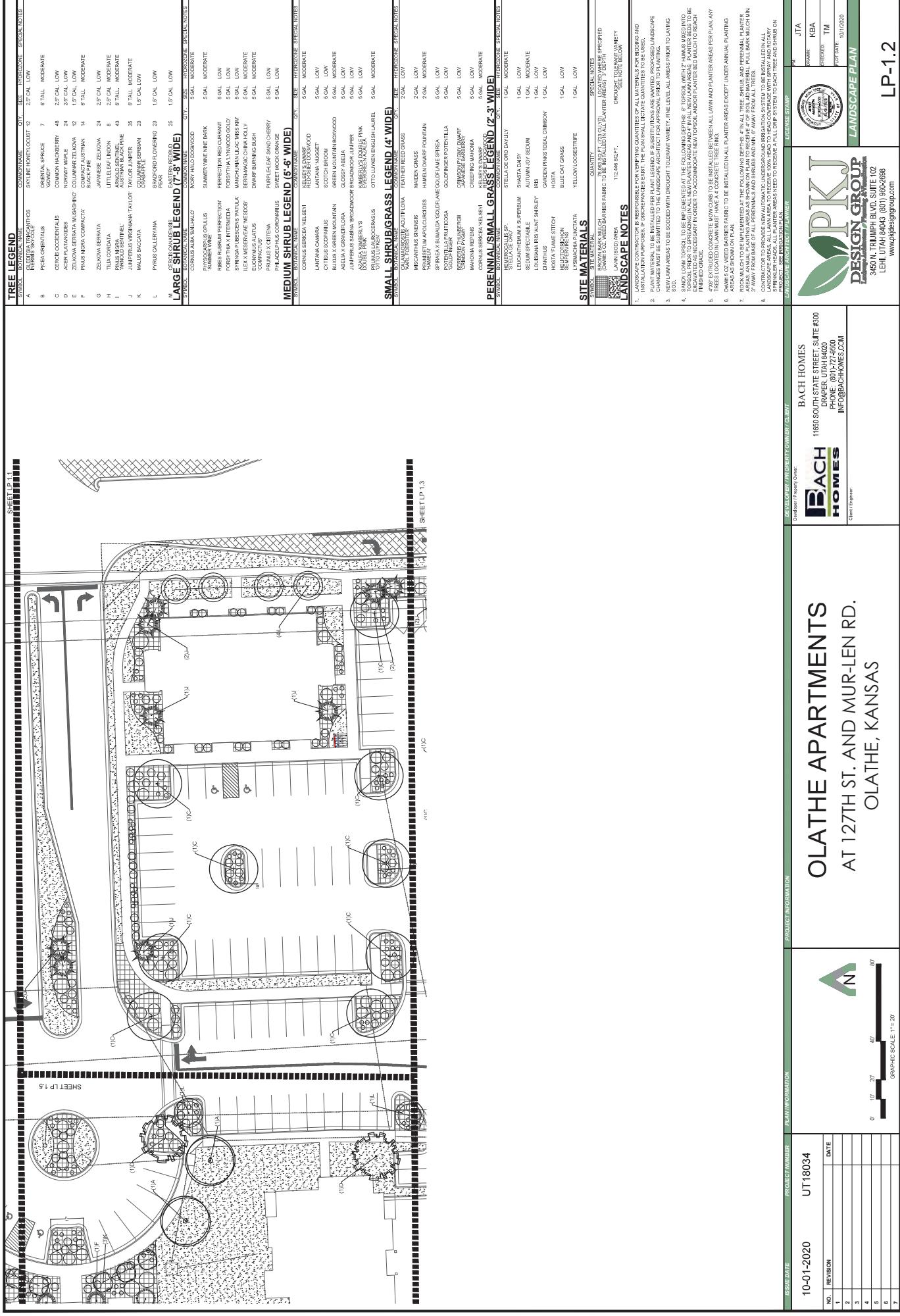
TYPICAL TOWNHOME WITH SIDEWALK



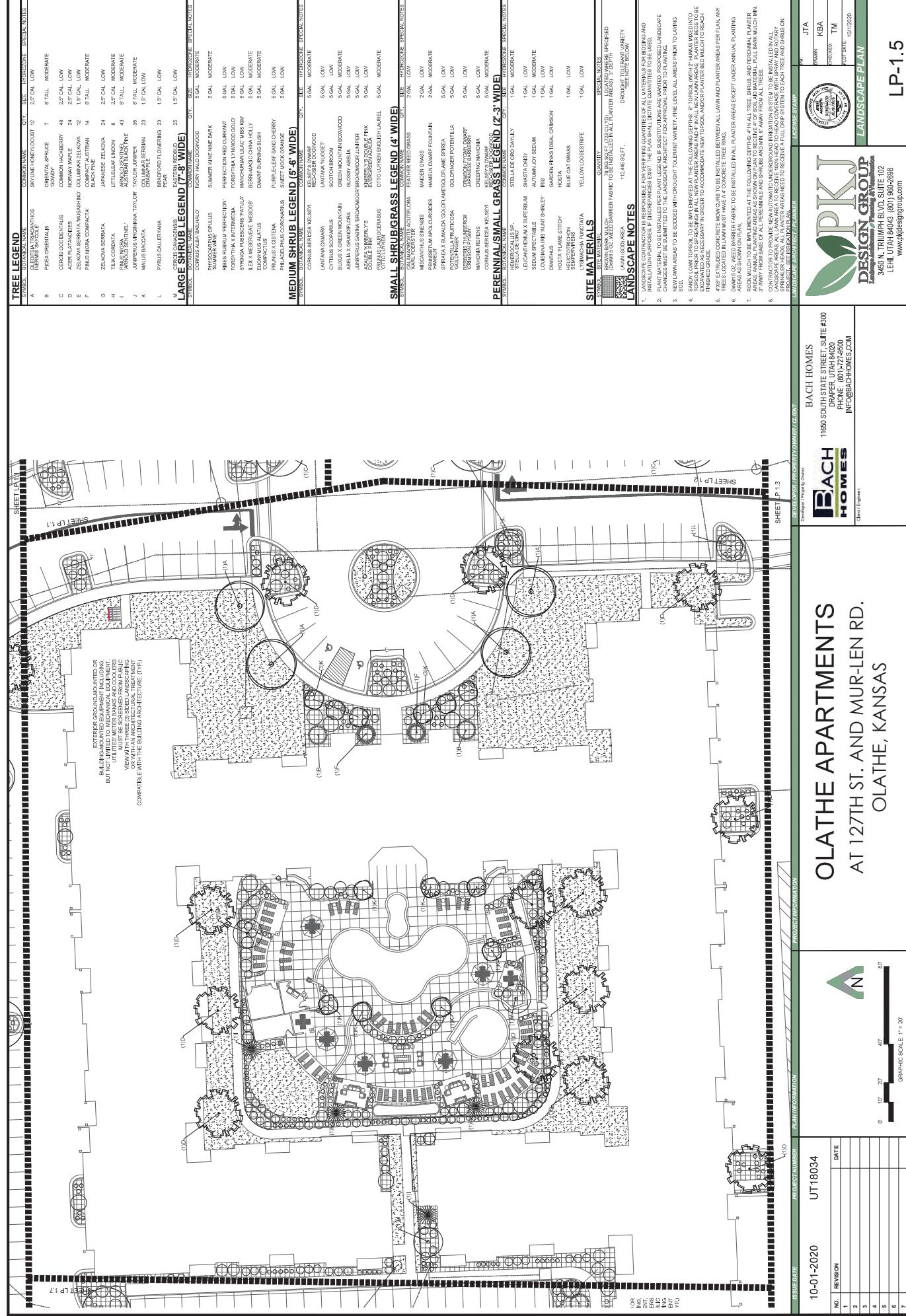
TYPICAL TOWNHOME WITHOUT SIDEWALK

TYPICAL TOWNHOME SITE PLAN			PRODUCT INFORMATION	
PROJECT NUMBER	PLANT INFORMATION	OWNER/PROPERTY OWNER/CLIENT	DATE ISSUED	EXPIRE DATE
10-01-2020	UT18034	BACH HOMES	10-01-2020	10-01-2020
NO.	REVISION	DATE		
1				
2				
3				
4				
5				
6				
7				

SHEET LP 1A



LP-1.2



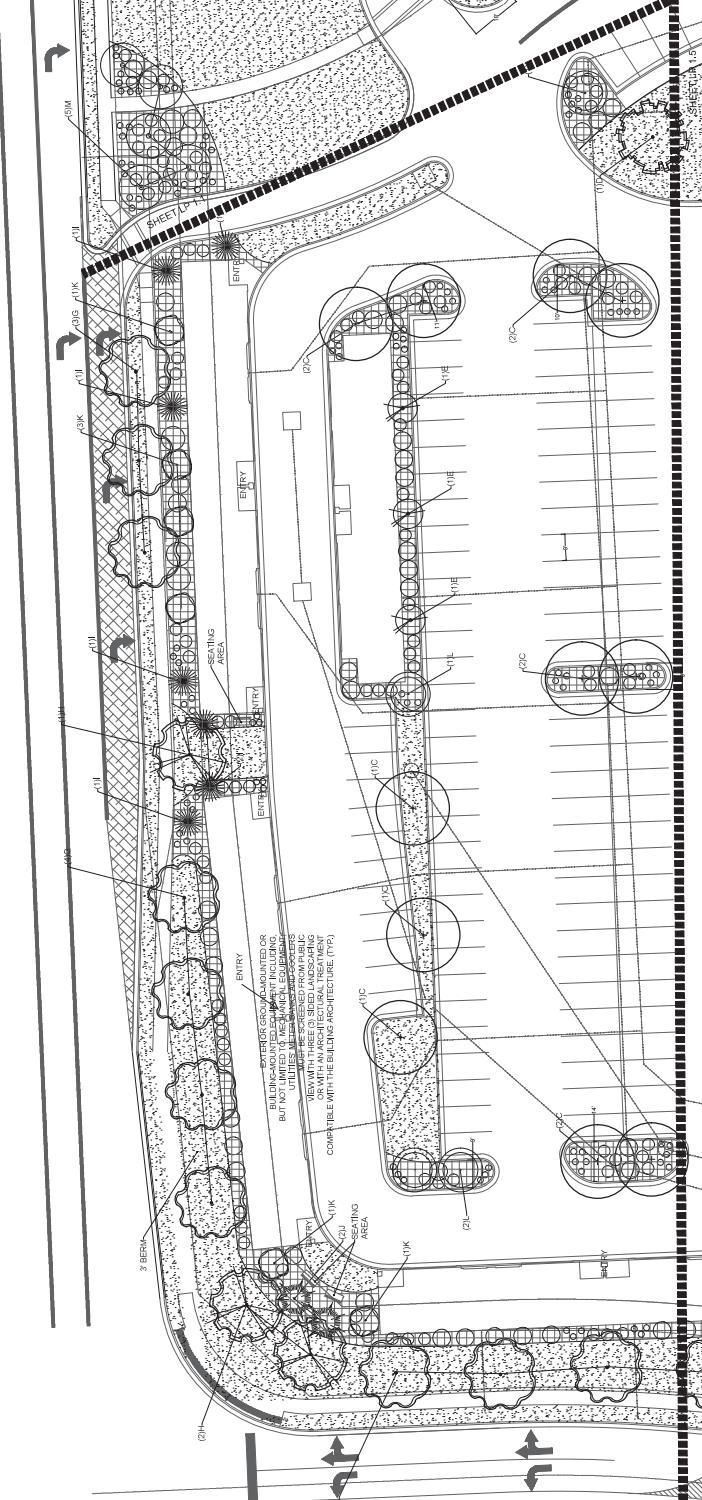
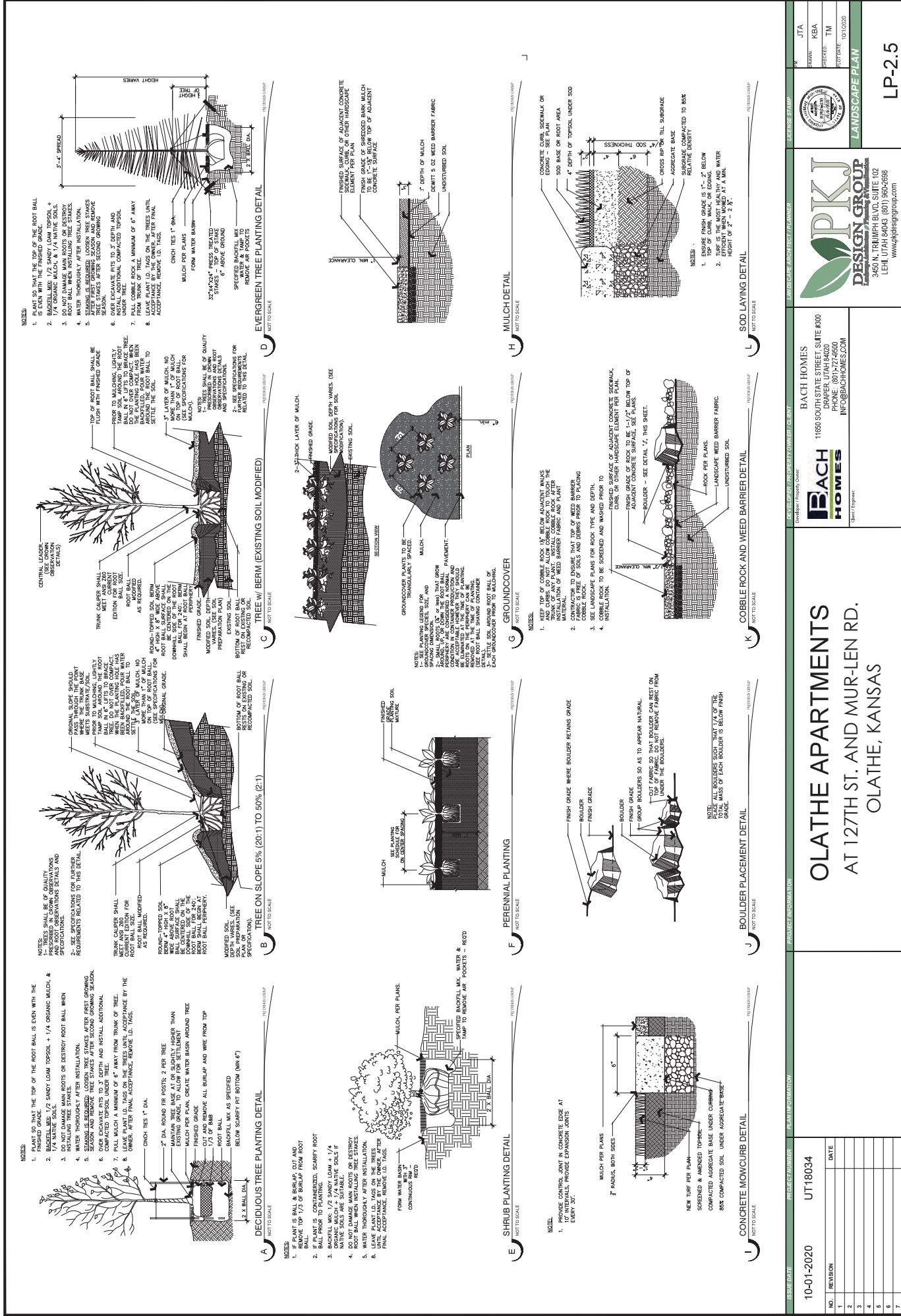
Landscape Plan for Olathe Apartments					
Project Information			Site Plan		
PROJECT NUMBER: UT18034 ISSUE DATE: 10-01-2020 NO. REVISION: 1 DATE: 10/01/2020 PROJECT NUMBER: 4 ISSUE DATE: 10-01-2020 NO. REVISION: 2 DATE: 10/01/2020 PROJECT NUMBER: 3 ISSUE DATE: 10-01-2020 NO. REVISION: 3 DATE: 10/01/2020 PROJECT NUMBER: 5 ISSUE DATE: 10-01-2020 NO. REVISION: 4 DATE: 10/01/2020 PROJECT NUMBER: 6 ISSUE DATE: 10-01-2020 NO. REVISION: 5 DATE: 10/01/2020 PROJECT NUMBER: 7 ISSUE DATE: 10-01-2020 NO. REVISION: 6 DATE: 10/01/2020			 <p>LANDSCAPE PLAN</p> <p>LANDSCAPE NOTES:</p> <ol style="list-style-type: none"> Landscaping contractor is responsible for verifying quantities of all materials for bidding and installation purposes if project manager exists. The plan shall locate materials wanted, proposed landscape changes and submitted to the landscape architect for approval to plantings. Plant material to be installed per plant legend. If substitutions are wanted, proposed landscape changes must be submitted to the landscape architect for approval to plantings. New areas to be sodded with through oleman variety. New level areas prior to laying sod, topsoil, topsoil to be spreaded to a new planter area in tall, new lawns will be laid onto 3" away from base of all perennials and shrubs and 6" away from all trees. Contractor to provide new automatic underground irrigation system to be installed tall shrubs and trees. All planter areas as required by owner to be irrigated by the system. Trees located in lawn must have a concrete tree ring. Drainage will be provided to installed in all planter areas except under annual planting areas as shown on plan. Rock walls to be implemented at the location of steps in the building area and personal property areas as shown on plan. A 4' wide rock wall will be used in all areas. Shrubs and trees to be planted in all planter areas as shown on plan. Topsoil, topsoil to be spreaded to a new planter area in tall, new lawns will be laid onto 3" away from base of all perennials and shrubs and 6" away from all trees. Contractor to provide new automatic underground irrigation system to be installed tall shrubs and trees. All planter areas as required by owner to be irrigated by the system. Landscaping plan to be revised to reflect final site conditions per description on project sheet. Site protection plan. <p>OWNER/PROPERTY OWNER/CONTRACTOR: Bach Homes</p> <p>ARCHITECT: JTA</p> <p>DESIGNER: PKJ Design Group</p> <p>PERMITTING: KBA</p> <p>DATE: TM</p> <p>PERIOD: 10/01/2020</p> <p>GRAPHIC SCALE: 1" = 20'</p> <p>LEHI, UTAH 84043 801.960.2698 www.pkjdesigngroup.com</p>		

EXHIBIT B

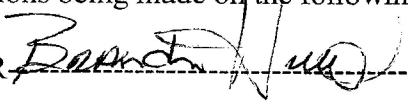


STATE OF KANSAS
JOHNSON COUNTY, SS

Brandon Humble, being first duly sworn, deposes and says: That he is the editor of **THE GARDNER NEWS** A weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas and that said newspaper is a bi-weekly published at least weekly, 52 times a year; has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office in Gardner, Kansas in said county as second class matter.

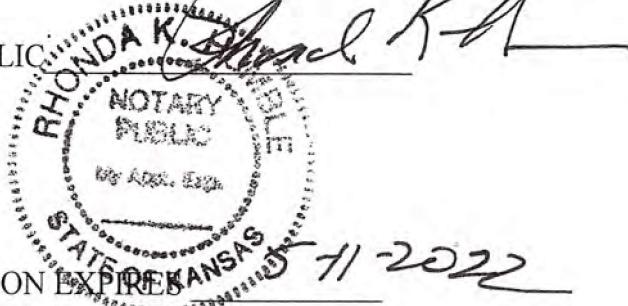
That the attached notice is a true copy there of and was published in the regular and entire issue of said newspaper for 1 consecutive weeks(s),

The first publication there of being made as aforesaid on Dec 23, 2020
Publications being made on the following:

EDITOR 

SUBSCRIBED AND SWORN TO ME THIS : DEC 23, 2020

NOTARY PUBLIC



COST-----

ADDITIONAL COPIES--

IN THE DISTRICT COU

The within Proof Of Publ

Public Notice

First published in *The Gardner News* Wednesday, Dec. 23, 2020

PUBLICATION SUMMARY OF ORDINANCE NO. 20-44, PASSED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS ON THE 15th DAY OF DECEMBER 2020.

SUMMARY

On December 15, 2020, the Governing Body of the City of Olathe, Kansas passed Ordinance No. 20-44, which amended the zoning map of the City of Olathe by approving Rezoning Application RZ20-0001. Such rezoning application requested a zoning amendment to Ordinance No. 18-39 for a Planned District (PD) on n 17.31 ± acres of Property located at the southwest corner of 127th Street and Mur-Len Road to establish 1) prohibited uses 2) maximum building

heights, 3) site design categories, 4) building design and sign standards. The complete text of this ordinance may be obtained or viewed free of charge at the office of the Olathe City Clerk, Olathe City Hall, 100 East Santa Fe Street, Olathe, Kansas, or on the City's official website address <http://www.olatheks.org/government/city-clerk/public-notices>, where a reproduction of the original ordinance will be available for a minimum of one week following this summary publication.

This summary is certified this 16th day of December 2020.

/s/ Rachelle R. Breckenridge
Rachelle R. Breckenridge
Assistant City Attorney