



STAFF REPORT

Planning Commission Meeting: July 22, 2024

Application:	FP24-0004: Final Plat for Heritage Ranch, First Plat
Location:	Southwest of W. 159 th Street and S. Black Bob Road
Owner:	Heritage Ranch Developers, LLC
Applicant:	Jim Lambie; Lambie Custom Homes
Engineer/Architect:	Tim Tucker; Phelps Engineering, Inc.
Staff Contact:	Taylor Vande Velde; Planner II

Site Area:	<u>35.00 ± acres</u>	Proposed Use:	<u>Detached Single-Family Residence</u>
Lots:	<u>99</u>	Existing Zoning:	<u>R-1 (Single-Family Residential)</u>
Tracts:	<u>5</u>	Density:	<u>2.4 units/acre</u>

1. Introduction

The following application is a final plat for Heritage Ranch, First Plat, which will establish lot lines, for 99 lots and five (5) tracts within the Heritage Ranch residential subdivision development.

The subject property was annexed into the City of Olathe in October 2023 (ANX23-0001) and has historically been used for a single-family home along with farming and agricultural operations. In January of 2024, the property was rezoned from CTY-RUR (County Rural) to the R-1 (Single-Family Residential) District with an approved preliminary plat (RZ23-0012) for Heritage Ranch. The overall development includes a 128.98-acre site that will be constructed in four (4) phases. This final plat is included in Phase I of the Heritage Ranch single-family subdivision.

This plat was previously approved by the Planning Commission on April 8, 2024, and dedicated public easements and right-of-way by the City Council on March 16, 2024. The plat is returning to the Planning Commission seeking approval of an additional setback waiver to select lots to accommodate a different housing model. This request is outlined in Section 3 of this report. As no new easements or right-of-way required dedication, the plat does not need to return to the City Council.

2. Plat Review

- a. **Lots/Tracts** – The final plat includes 99 single-family residential lots and five (5) common tracts. Common tracts are intended to be used for open space, homeowner amenities, landscaping, tree preservation, monuments, and trails. All tracts are intended to be owned

and maintained by the Heritage Ranch Homes Association. Consistent with the preliminary plat approval, select lots within this plat are smaller than 7,200 square feet and will be subject to additional architecture standards.

- b. **Streets/Right-of-Way** – Roadways within the subdivision are being dedicated with this plat. Access to the site will be provided from S. Black Bob Road to the east, and a future connection to W. 159th is planned for a separate, future phase. Turn lanes on Black Bob Road will be constructed in coordination with the City's public improvement project in this area which will also align with the future Johnson County Heritage Park entrance across the street. Right-of-way was previously accepted by the City at the March 16, 2024, City Council meeting.
- c. **Public Utilities** – The property is located in the WaterOne and Johnson County Wastewater (JCW) service areas. New utility (U/E), sanitary sewer (S/E), and drainage (D/E) easements were previously accepted by the City at the March 16, 2024 City Council meeting.
- d. **Tree Preservation** – A 30-foot tree preservation easement (TP/E) is dedicated along the southern property line and included in Tracts B and C.

3. 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 submitted a justification statement for one (1) waiver request identified below. This justification statement is included within this packet.

1. A waiver is requested from UDO 18.20.070.b allowing the side yard setback to be reduced from 7 feet to 5 feet for interior Lots 13-27 and 38-62, and a reduction from 20 feet to 15 feet for side yards on corner Lots 13, 25, 38, 43, 50 and 62. This request impacts 38 lots in the development.

Staff is supportive of the one (1) waiver request as the applicant has provided an alternative high-quality design. The applicant is only requesting waivers for lots sixty (60) feet wide or less which will also be subject to the architectural building design standards outlined in the UDO, which require higher-quality building materials and architectural features. The UDO provides flexibility for setbacks to ensure that a variety of housing styles are available throughout the City. This request is consistent with waivers previously approved by the Planning Commission on April 8, 2024, for other lots within this subdivision which are also less than 60-feet in width.



Aerial view of subject property outlined in yellow.

4. Staff Recommendation

- A. Staff recommends approval of FP24-0004, the final plat of Heritage Ranch, First Plat with the following stipulations:
1. A waiver is granted from UDO 18.18.20.070.b allowing the side yard setback to be reduced from 7 feet to 5 feet and the corner side yard from 20 feet to 15 feet for Lots 13-27 and 38-62.
 2. Prior to issuance of a land disturbance permit or building permit, standard orange barricade fencing must be installed around all tree preservation areas in accordance with UDO 18.30.
 3. Master landscaping required along the eastern property line may be deferred until the scheduled public improvement project along this portion of S. Black Bob Road has been completed. Landscaping will be installed according to the approved plans within 45 days of project completion, weather permitting.