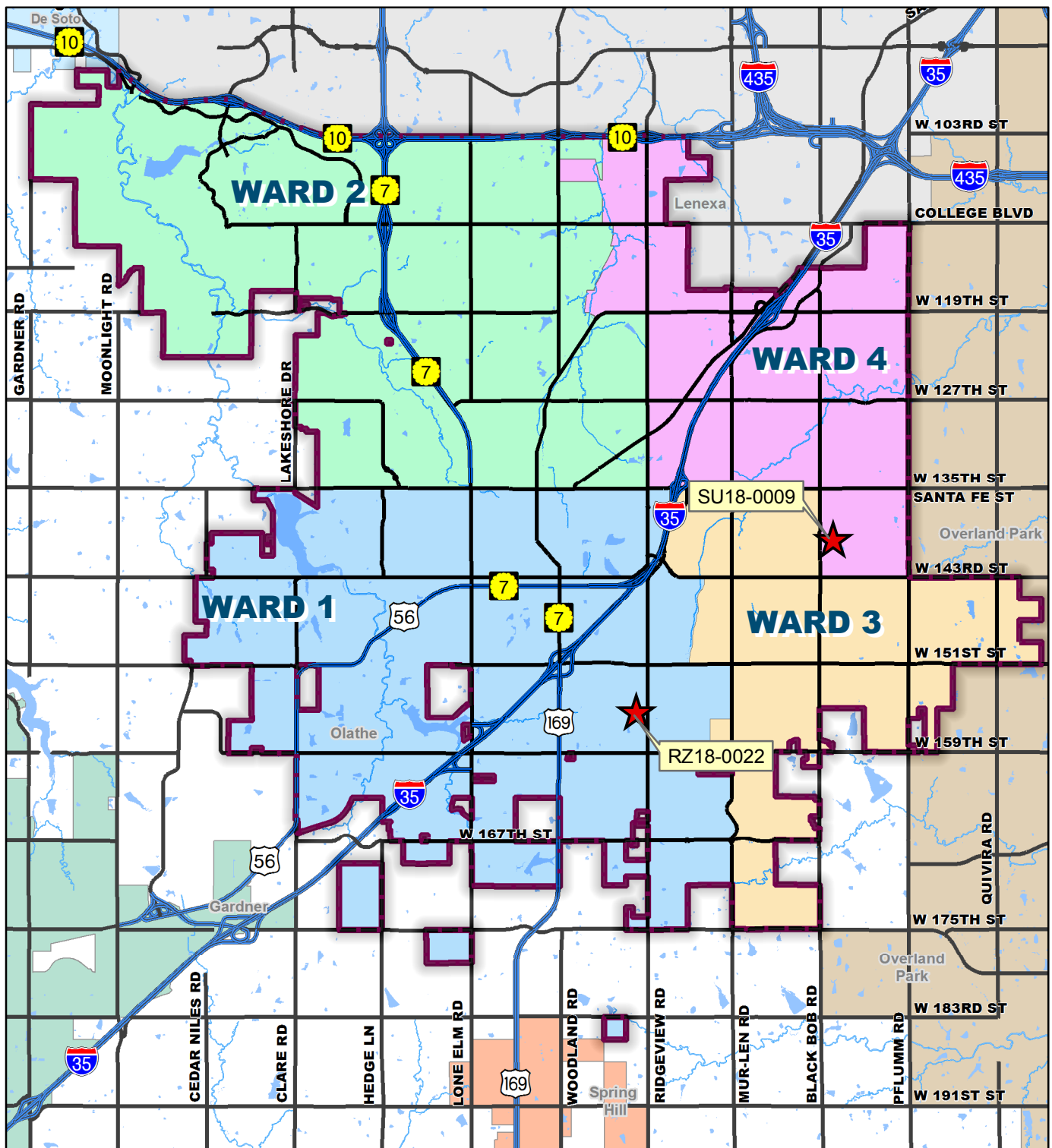


FEBRUARY 11, 2019

OLATHE PLANNING COMMISSION

CASE LOCATIONS



User: jaredmd
Date: 02/05/2019





CALL TO ORDER

PLEDGE OF ALLEGIANCE

QUORUM ACKNOWLEDGEMENT

CONSENT AGENDA

- A. MN19-0128:** Standing approval of the minutes as written from the January 28, 2019 Planning Commission meeting.

REGULAR AGENDA-NEW BUSINESS

A. PUBLIC HEARING

RZ18-0022: Request approval for a rezoning from CTY RUR District to R-3 District and a preliminary site development plan for **Brentwood Senior Housing**, on 4.23± acres; located in the vicinity of 155th Street and Brentwood.

Owner: Olathe Community of Christ

Applicant: Kim Lingle, MBL Development Co

Engineer: Mike Osbourne, Kaw Valley Engineering

B. PUBLIC HEARING

SU18-0009: Request approval for a special use permit to allow Funeral Home in the AG District; Oak Lawn Memorial Cemetery, located at 13901 S. Black Bob Road.

Applicant has requested a continuance to a future Planning Commission meeting.

Owner/Applicant: Patrick McGilley, D.W. Newcomer's & Sons

Engineer: Jeff Skidmore, Schlaegel & Associates

- C.** Discussion of Unified Development Ordinance amendments, specifically pertaining to Chapter 18.15, Composite Design Standards

Aimee Nassif and Zach Moore

ANNOUNCEMENTS

ADJOURNMENT



City of Olathe

City Planning Division

MINUTES – Opening Remarks

Planning Commission Meeting: January 28, 2019

The Planning Commission convened at 7:00 p.m. to meet in regular session with Chairman Dean Vakas presiding. Commissioners Michael Rinke, Barry Sutherland, Jeremy Fry, Jose Munoz, Jr. and Chip Corcoran were present. Commissioners Ryan Nelson and Ryan Freeman were absent.

Recited Pledge of Allegiance.

The Chair made introductory comments. Regarding *ex parte* communication, the Chair asked that if a commissioner had something to report, that they specify the nature of the *ex parte* communication as that item is reached in the agenda.

A motion to approve MN19-0114, the meeting minutes from January 14, 2019, was made by Comm. Sutherland and seconded by Comm. Fry and passed with a vote of 6-0.



City of Olathe

City Planning Division

MINUTES

Planning Commission Meeting: January 28, 2019

Application:	<u>MP18-0015:</u> Southview Properties, 6th Plat
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A motion to approve MP18-0015 on the Consent Agenda was made by Comm. Sutherland and seconded by Comm. Fry and passed with a vote of 6-0, with the following staff stipulations:

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the City Planning Division.



City of Olathe

City Planning Division

MINUTES

Planning Commission Meeting: January 28, 2019

Application:	PR18-0054: Revised Preliminary Site Development Plan for Riverview Stone
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A motion to approve PR18-0054 on the Consent Agenda was made by Comm. Sutherland and seconded by Comm. Fry and passed with a vote of 6-0, with the following staff stipulations:

- A. A final site development plan shall be submitted and approved prior to issuance of building permits.
- B. As required by the *UDO*, all exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, shall be screened from public view with landscaping or an architectural treatment compatible with the building architecture.
- C. All new on-site wiring and cables shall be placed underground.



City of Olathe

City Planning Division

MINUTES

Planning Commission Meeting: January 28, 2019

Application:	<u>PR18-0057:</u> Revised preliminary site development plan for Olathe Station
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This item was pulled from the Consent Agenda in order for Commissioner Corcoran to be able to recuse himself.

Comm. Corcoran recused himself from discussion and left the chamber.

A motion to approve PR18-0057 was made by Comm. Rinke and seconded by Comm. Fry and passed with a vote of 5-0, with the following staff stipulations:

- a. Final site development plans shall be approved prior to issuance of building permits.
- b. The development is subject to the City's public art ordinance (No. 17-16). The final site development plans shall identify details for the type and location of art to be installed within Olathe Station.
- c. The final site development plans shall comply with the development agreement for Olathe Station.
- d. Parking lot lighting plans, in accordance with *UDO* requirements, shall be submitted and approved with the final site development plans.
- e. The final site development plans shall include ornamental trees along Strang Line Road and Strang Line Court per *UDO 18.30.130*.
- f. The final landscape plans shall include trees and appropriate ground cover in all landscape areas per *UDO* requirements.
- g. The final site development plans shall include notes for all exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, to be screened from public view with landscaping or an architectural treatment compatible with the building architecture per *UDO 18.30.130*.



City of Olathe

City Planning Division

MINUTES

Planning Commission Meeting: January 28, 2019

Application:	<u>RZ18-0022:</u> Rezoning 4.23± acres from CTY Rural to R-3 and preliminary site development plan for senior apartments
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Dan Fernandez, Planner II, appeared before the Planning Commission, and stated that the application was being continued so the applicants could address comments made by staff and make necessary revisions. Applications are permitted 1 continuance by right and that this is the first continuance request.

A Motion to continue RZ18-0022 to February 11, 2019 was made by Comm. Rinke, seconded by Comm. Sutherland and was passed with a vote of 6-0.

Aye: Sutherland, Rinke, Fry, Munoz, Corcoran, Vakas (6)

No: (0)



City of Olathe

City Planning Division

MINUTES

Planning Commission Meeting: January 28, 2019

Application:	<u>SU18-0008</u> A special use permit for more than 4 animals (dogs)
Location:	813 E. Wabash Street
Owner/Applicant:	David and Cynthia Czernik
Staff Contact:	Dan Fernandez, Planner II

Dan Fernandez, Planner II, appeared before the Planning Commission, summarizing the request, which is for a special use permit allowing more than four dogs at 813 East Wabash Street. He noted on the aerial phot the location of the residence situated on an approximately 7700-square foot lot. Open space to the south is zoned R-4. He noted that per the UDO, up to four domestic pets may be kept on property less than three acres by right and a special use permit is required to have more than that.

Mr. Fernandez reported that the applicant has eight dogs and would like to have up to 10 dogs so they can house two foster dogs. Currently, six dogs are licensed; the other two are not. The foster dogs typically stay a couple days at the property while shelters are found to house them. The applicant submitted a summary of how the animals are cared for. Each applicant reports having over 1,000 hours of volunteer service at various agencies, helping dogs. Staff received an email verification from the head of one of these agencies verifying hours served.

Mr. Fernandez stated that as part of this special use permit application, the applicant has agreed to build a privacy fence around the back yard, replacing a four-foot chain link fence. The privacy fence will provide more screening and help contain the dogs in the back yard. Mr. Fernandez said all public notice requirements have been met. Staff received one call from a resident who was concerned about the dogs barking, the dogs getting out, and the number of dogs being requested. Mr. Fernandez said Animal Control has been contacted and learned that an animal control officer has visited and inspected the site, finding no violations. Animal Control noted that the property and the dogs are both well maintained.

Mr. Fernandez stated that due to the number of dogs being requested, staff recommends six permanent dogs for this site, which is the number of licensed dogs the applicant currently has. Staff also recommends the applicant be allowed to foster up to four additional dogs because they are only there on a temporary basis. Staff is also recommending a two-year time limit on the special use permit because it will give the applicant an opportunity to show that they can meet the stipulations and municipal code requirements.

Mr. Fernandez concluded by saying that staff is recommending approval of the special use permit.

Comm. Fry asked Mr. Fernandez to review the current special use permit. **Mr. Fernandez** responded that this is the first special use permit and not a renewal. Comm. Fry asked how six dogs get licensed in a situation where the UDO only allows four. Mr. Fernandez responded that in this situation, three dogs were licensed by different people, so it may have been overlooked. Staff is recommending approval of six dogs because that is what is currently licensed for the property.

Chair Vakas opened the public hearing and asked the applicants to come forward. **David and Cynthia Czernik**, 813 East Wabash Street, approached the podium. Mrs. Czernik said they are requesting up to 10 dogs because they regularly foster dogs. She said only six dogs have been licensed because at the time those were licensed, the other two dogs were under six months old. She said they are new to this process. The applicants provided the Planning Commission a short PowerPoint showing who they are. She said she takes neighbors' concerns very seriously. They are passionate about fostering for dogs, especially those with special needs. The PowerPoint outlined their qualifications for caring for a number of animals. They also presented a slide noting that there are 24 dogs on their street, not including theirs, meaning that barking dogs come from many different places. Mrs. Czernik said that there is less than a 50 percent chance that their dogs are the source of the barking. She added that their dogs are walked two to three times a day and they often take the dogs to the dog park. She said their back yard is undergoing improvements, including a biodegradable waste system.

Mrs. Czernik said they are asking to keep nine dogs, not 10, because they want to keep their family together. She said they believe they do what's best for the dogs and their neighbors. She said they have re-homed dogs in the past. One was when a neighbor complained about excessive barking, and in order to keep peace in the neighborhood, Mr. and Mrs. Czernik re-homed that dog.

Comm. Rinke asked for clarification on the number of dogs the applicants own at this time. **Mrs. Czernik** said that right now, they have nine dogs in their house. They have twin dogs that are nine months old, which they have tried to re-home but have been unsuccessful. They are asking permission to keep those two dogs, as well. Therefore, they are asking for a special use permit to keep nine dogs, but they would no longer foster other dogs. **Mr. Czernik** noted that their home is large and they have room for all the dogs. **Comm. Fry** wants to be sure that the right precedent is being set and asked the applicant what sets them apart from others applying for the same type of special use permit. Mrs. Czernik noted that most people do not have the extensive and rigorous training they do. She believes they understand the dogs' behavioral and health needs. Mrs. Czernik has also taken veterinarian training classes on line and is working towards her veterinarian technician certification. Comm. Fry believes the idea of fostering dogs is a fantastic service to the city, as well as the dogs, and questions why they would give that up. He notes that staff recommends allowing six dogs and four more foster dogs, which he believes is a more ideal for approval. **Mrs. Czernik** said that was their initial plan, but they have grown attached to their two foster dogs and they are having difficulty rehoming them. The foster dogs have had difficulty adjusting to a permanent situation and have been returned to the Czerniks. She wants what is best for the animals, above all. Comm. Fry asked what the applicants would do if the application was approved as written, with six licensed dogs and four foster dogs. Mrs. Czernik said she didn't know, but she would have to weigh out what is best for the dogs and what might happen medically with them, as well as what other potential owners could handle in terms of health issues.

Aimee Nassif, Chief Planning and Development Officer, added that when formulating original recommendations, staff was not aware of the medical conditions of the dogs, as well as other factors. Therefore, staff is not opposed to changing the number, but keeping the same time period in case there are issues.

Comm. Rinke asked if nine were approved, if the number would decrease as the dogs pass away. **Mrs. Czernik** said yes, that the dogs would not be replaced with more dogs. **Chair Vakas** said he would be more comfortable knowing that the end result would be to bring the number down to four pets. Mrs. Czernik agreed. **Mr. Czernik** added that when they rescued the dogs, they were not aware of the health conditions.

James Brackett, Animal Control Officer, City of Olathe, approached the podium. He said he comes across many people who are over the limit on pets, and there are very few cases where there isn't some sort of concern about the welfare of the animal. He said in this case, he was called to make a welfare check because someone was concerned about the large number of dogs. He said when he visited the residence, he noted that the yard was clean, which is rare given the number of

dogs. He said all the dogs were in good health and were licensed. He had no concerns about the number of dogs in the house and told the applicants that as long as there were no complaints, he would not cite them for being over the limit. A few months later, he received a call from a neighbor who said that the Czerniks were not picking up animal waste when walking their dogs. He said that complaint proved to be unfounded. However, at that time, he did issue a citation for over the limit, and then, explained how to get a special use permit.

Chair Vakas asked if anyone in the audience wished to speak about this application. There being none, he called for a motion to close the public hearing.

Motion by Vice Chair Rinke, seconded by Comm. Munoz, to close the public hearing.

Motion passed 6-0.

Comm. Munoz noted that it would be difficult to approve such a dramatic increase, from four to nine dogs. He is hoping in the next two years, they will be able to re-home some of the dogs. He questioned what would happen if the special use permit is permitted but there are issues. **Mr. Fernandez** responded that any special use permit can be brought back by the planning official for revocation if there are complaints. Therefore, the same could happen here any time within the two-year timeframe of the permit. Comm. Munoz asked if the applicants' goal was to ultimately end up with four dogs or six dogs. Mr. Fernandez responded that the City's goal would be four dogs. **Chair Vakas** commented that even if the number was brought down to four, the applicants would still want to foster. Therefore, he believes they would seek to renew the special use permit in order to foster additional dogs. **Comm. Rinke** commended the applicants for the great care they are providing to these dogs. He appreciates that Officer Brackett has observed the property and had nothing negative to report. He is in support of the special use permit.

Motion by Vice Chairman Rinke, seconded by Comm. Sutherland, to recommend approval of SU18-0008, for the following reasons:

- (1) The proposal conforms to the Goals, Objectives and Policies of the *Comprehensive Plan*.
- (2) The proposal complies with the *Unified Development Ordinance (UDO)* criteria for considering special use permit requests.

Vice Chair Rinke's motion included recommending that the following stipulations be included in the ordinance, as amended:

- (1) The Special Use Permit is valid for a period of 2 years following Governing Body approval, with an expiration date of February 19, 2020.
- (2) The property shall be subject to all requirements of *Title 8 (Animals)* of the *Olathe Municipal Code*.
- (3) A maximum of 10 dogs, one (1) of which may be a foster dog, may be kept on the property at one time.
- (4) A 6-foot privacy fence shall be constructed around the backyard prior to April 1, 2019. Failure to do so may result in revocation of this SUP.

Prior to the vote, **Comm. Munoz** noted that the applicant stated earlier that she was only going to keep nine dogs licensed and she was not taking on any more foster dogs. Now, the motion is to

approve 10 dogs, not 9. **Chair Vakas** asked if another motion should be entertained. He stated that the motion on the floor needs to be voted on first; City counsel agreed.

Aye: Rinke (1)

No: Sutherland, Fry, Munoz, Corcoran, Vakas (5)

Motion failed 1-5.

Chair Vakas called for a second motion.

Motion by Comm. Munoz, seconded by Comm. Corcoran, to recommend approval of SU18-0008, for the following reasons:

- (1) The proposal conforms to the Goals, Objectives and Policies of the *Comprehensive Plan*.
- (2) The proposal complies with the *Unified Development Ordinance (UDO)* criteria for considering special use permit requests.

Comm. Munoz's motion included recommending that the following stipulations be included in the ordinance, as amended.

- (1) The Special Use Permit is valid for a period of 2 years following Governing Body approval, with an expiration date of February 19, 2020.
- (2) The property shall be subject to all requirements of *Title 8 (Animals)* of the *Olathe Municipal Code*.
- (3) A maximum of nine (9) dogs may be kept on the property at one time.
- (4) A 6-foot privacy fence shall be constructed around the backyard prior to April 1, 2019. Failure to do so may result in revocation of this SUP.

Aye: Sutherland, Rinke, Munoz, Corcoran, Vakas (5)

No: Fry

Motion was approved 5-1.



City of Olathe
City Planning Division

MINUTES – Other Matters

Planning Commission Meeting: January 28, 2019

Chair Vakas noted that the next Planning Commission meeting is scheduled for Monday, February 11, 2019, at 7:00 p.m.

There were no other announcements.

Meeting adjourned.



City of Olathe
City Planning Division

STAFF REPORT

Planning Commission Meeting: February 11, 2019

Application:	<u>RZ18-0022</u> Rezoning from CTY RUR to R-3 district and preliminary site development plan for Brentwood Senior Apartments
Location:	In the vicinity of 155 th Street and Brentwood Street
Owner	Ken Conklin, Grata, L.L.C.
Applicant:	D. Kim Lingle, MBL Development Co.
Engineer:	Mike Osbourne, Kaw Valley Engineering
Staff Contact:	Dan Fernandez, Planner II

Site Area:	<u>4.23 ± acres</u>	Proposed Use:	<u>Senior Housing</u>
Current Zoning:	<u>CTY RUR</u>	Proposed Zoning:	<u>R-3</u>
Units:	<u>48 (1 building)</u>	Plat:	<u>Unplatted</u>

	Plan Olathe Land Use Category	Existing Use	Current Zoning	Site Design Category	Building Design Category
Site	Conventional Neighborhood	Vacant	CTY RUR	3	B
North	Conventional Neighborhood	Single-family homes	R-1	-	-
South	Mixed Density Residential	4-plexes	RP-3	-	-
East	Conventional Neighborhood	Church	R-1	-	-
West	Mixed Density Residential	Vacant	RP-3	-	-

1. Comments:

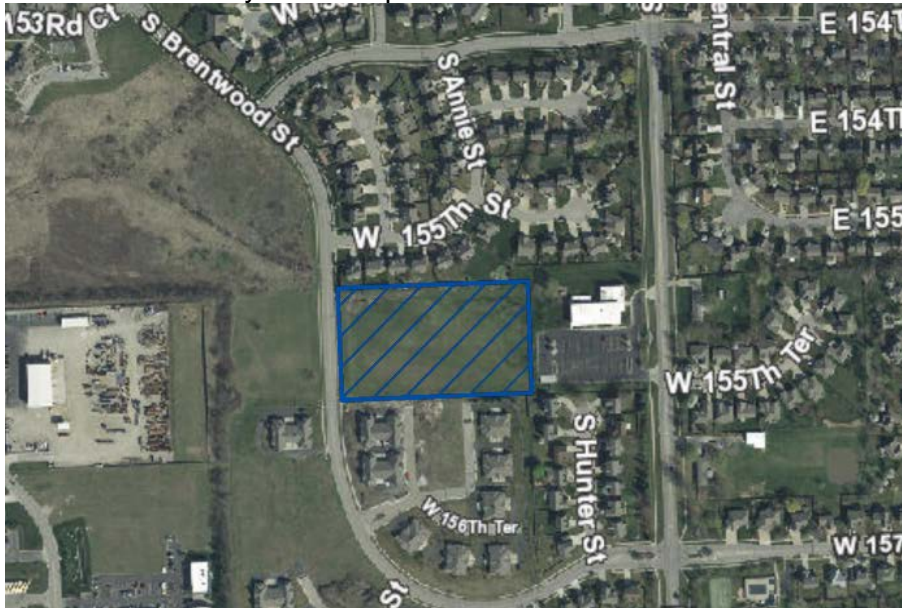
The applicant is requesting a rezoning from County Rural to R-3 (Residential Low-Density Multi-family) District and a preliminary site development plan for Brentwood Senior

Apartments. The subject property is located in the vicinity of 155th Street and Brentwood Street. The preliminary site development plan includes a 2-story senior living apartment building comprising of 48 units.

The subject property currently has a County zoning designation and a rezoning to a City zoning designation is required prior to development of this request and land use taking place on the site.

2. Existing Conditions/ Site Photos:

The site is currently undeveloped.



Site Aerial



View looking east from Brentwood St.

3. Public Notice/ Neighborhood Information:

The applicant mailed the required public notification letters to surrounding properties within 200 feet and posted signs on the subject property per *Unified Development Ordinance (UDO)* requirements.

A neighborhood meeting was also held in accordance with the *UDO* on December 30, 2018 with approximately 31 attendees. Issues discussed included building height, landscape buffers, stormwater, wildlife, lighting and other developments by the applicant. The minutes from this meeting and the sign-in sheet has been included in the Planning Commission packet. Staff also received two letters from residents listing concerns about the development including landscaping, stormwater and utility box screening. These letters have also been included in your packet.

4. Zoning Requirements:

- a. **Setbacks** – The development plans exceed the minimum building setbacks for projects in the R-3 District subject to Site 3 and Building B Design Categories. These include a 15-foot front yard setback, 15-foot side yard setbacks and a 5-foot rear yard setback. The proposed setbacks are 20 feet from adjacent residential property lines.
- b. **Building Height** – The maximum building height for projects subject to Site 3 and Building B Design Categories in the R-3 District is 3 stories or 40 feet from finished grade. The proposed building is 2 stories and 32 feet in height.
- c. **Common/Active Open Space** – The proposed development includes 33% open space which is well above the 5% requirement for this district. For active open space, the project is showing a walking trail, sitting and picnic areas and areas to the east of the building for a dog park, bocce ball and croquet. The active open space to the east of the building shall be shown in detail with the final site development plan.
- d. **Use** – The proposed use is permitted in R-3 Districts, so a rezoning application is required as the property has a County zoning designation. R-3 Districts permit multi-family developments up to 17 units/acre. The proposed development has a density of 11.34 units/acre.

5. Development Requirements:

- a. **Access/Streets** – The subject site will have one access drive onto Brentwood Street. There are no proposed changes to the right-of-way with this development.

Parking – For independent senior housing, the *UDO* requires 1 parking space per unit so the proposed facility would require 48 parking spaces. The plans submitted by the applicant show 54 parking spaces. Although the number of provided spaces exceeds the ordinance requirement, staff is stipulating that deferred parking be provided with the final site development plan to ensure that future parking is available should it be needed. The deferred parking can be installed if the provided parking spaces aren't enough to serve the residents, employees and visitors. The applicant believes that the 54 spaces provided is sufficient as many residents do not drive, however with visitors, holidays, and on-site staff, the City believes deferred parking is appropriate here.

- b. **Landscaping/Buffers** – The submitted landscape plan includes landscaping throughout the site including in landscape islands and along the building foundation on the primary elevations (west and north).

Per *UDO* requirements, a Type 3 Buffer is required between R-3 and R-1 zoned districts. A Type 3 Buffer is 20 feet in width with a mixture of deciduous, ornamental and evergreen trees as well as shrubs. This buffer also requires a 6-foot high wall or berm. The landscape plan also shows the Type 3 Buffer on the north and east sides of the property which are adjacent to R-1 zoning. The north buffer includes a new 6-foot high fence and the east property line includes a 6-foot high landscape buffer.

The southern portion of this property is zoned R-3, which is the same zoning of the adjacent land. While landscape buffers are not required between properties with the same zoning per the *UDO*, the applicant has provided a 20-foot buffer along the south property line with deciduous and evergreen trees. Since a landscape buffer is being provided, staff is stipulating that additional trees be added within it.

- c. **Public Utilities** – The subject property is located within the WaterOne and City of Olathe sewer service areas. The applicant will need to coordinate with the respective utility providers for service.
- d. **Stormwater** - The development is providing stormwater detention along with stormwater quality and the applicant has submitted a conceptual stormwater plan with the application. A preliminary stormwater plan is required with the final site development plan submittal and a final stormwater plan is required with building permit submittal. Drainage easements and maintenance language will be included with the final plat.
- e. **Mechanical Equipment/Dumpster Enclosure** – The applicant has provided a note on the site plan stating that all mechanical equipment will be screened per *UDO* requirements. Also, the proposed location of the dumpster enclosure is to the north of the building, adjacent to single-family homes. Staff has suggested that the applicant find an alternate location for the enclosure away from any existing residential buildings. The applicant has agreed to relocate the enclosure with the final site development plan.

6. Site Design Standards:

The proposed development is subject to composite design standards are **Site Design Category 3** (*UDO 18.15.115*). The following is staff's analysis of the composite site design requirements.

<i>Composite Site Design (Category 3)</i>	Proposed Design Includes
<i>Outdoor Amenity Space</i>	Walking trail, sitting/picnic areas, dog park and game court areas
<i>Parking Pod Size</i>	The parking pod sizes are below the maximum 40 parking spaces per pod
<i>Pedestrian Connectivity</i>	Interior sidewalks will connect to an existing sidewalk

	along Brentwood Street and to the walking path
<i>Detention and Drainage Features as Amenities</i>	Landscaping for screening has been provided around the proposed detention basin although staff is stipulating that additional shrubs be added to the west of the large detention basin for screening

7. Building Design Standards:

The proposed development is subject to **Building Design Category B** (*UDO 18.15.030*). The following is an analysis of the proposed twin villas and required composite design standards.

Composite Building Design (Category B) Standards	Proposed Design Includes
<i>Horizontal Articulation</i>	Horizontal articulation tools used a minimum of every 50 feet; wall offsets shall be at least 4 feet deep
<i>Vertical Articulation</i>	Vertical articulation tools used a minimum of every 50 feet
<i>Transparent Glass on Primary Façade</i>	Minimum 25% on primary facades
<i>Ground floor pedestrian interest/entry elements</i>	Architectural features such as roofed front porches, awnings and canopies shall be used on primary elevations
<i>Garages on Primary Facades</i>	Garages shall be designed to limit the impact of vehicular use areas
<i>Building Materials</i>	Primary facades (min. 70% Category 1; remainder from Category 2) Secondary facades (min. 50% Category 1)
<i>Transition standards for projects adjacent to single-family neighborhoods</i>	A building or portion of a building located within 100 feet of an R-1 or R-2 District shall be no more than 35 feet or 2 stories in height

- a. **Horizontal Articulation** – Wall offsets are located every 50 feet as required by this building design category. However, the offsets are shown at approximately 3 feet deep on the submitted plans. The offsets shall be at least 4 feet on the primary elevations with the final site development plan application.
- b. **Vertical Articulation** – The building includes a variation in roof form and heights on all elevations. At the request of staff, the applicant added larger roof pitches and dormers on the primary elevations for additional vertical articulation. The dormers shall be in proportion and match the roof pitch of the building with a full appearance of being functional and operational. A perspective drawing of the building has been included in the packet for your review.

- c. **Transparent Glass** – Category B design standards require a minimum of 25% transparent glass on primary facades which for this project are the west and north elevations. These elevations both have 16% glass, so the applicant is requesting a waiver to this requirement.
- d. **Ground floor pedestrian interest/entry elements** – The building includes transparent glass as well as a covered front porch entry.
- e. **Garages on Primary Facades** – The development does not include any garages.
- f. **Building Materials** – The building consists of brick, glass and cement fiber siding. The west and north elevations are considered primary.

Façade (Elevation)	UDO Requirement (Category1/2)	Proposed Category 1	Proposed Category 2
West (Primary)	80%/20% (minimum/maximum)	Brick/Glass (73%)	Cement Fiber Siding (27%)
North (Primary)	80%/20% (minimum/maximum)	74%	26%
South (Secondary)	60%/40% (minimum/maximum)	75%	25%
East (Secondary)	60%/40% (minimum/maximum)	75%	25%

- g. **Transition Standards for Projects Adjacent to Single-Family Neighborhoods** – The proposed building is within 100 feet of the R-1 District to the north; however, the building height is 2-stories and is less than 35 feet.

8. Waiver Requests:

The applicant is requesting two waiver requests which are for the reduction of the glass requirement on primary facades and another for the residential finished floor being 18 inches above the sidewalk. *Per Section 18.40.240* of the *UDO*, waivers can be granted if certain criteria are met. The applicant has submitted a waiver request which has been included in the Planning Commission packet.

The waiver for the glass requirement is to allow the percentage of glass to be 16% on the west and north elevations which are the 2 primary facades. Category B Design Guidelines require a minimum 25% glass on primary elevations.

The second waiver request is for the Site Design Category 3 requirement of the residential finished floor elevation having to be a minimum of 18 inches above the sidewalk.

In justification of their waiver request, the applicant states that they are providing a higher quality design by exceeding the Category 1 material requirements on all 4 elevations. Also, there will be no negative impacts and the public will suffer no loss or inconvenience should the waivers be granted.

Staff Analysis:

Staff is supportive of the waiver requests because the applicant has met the criteria for waivers found in *Section 18.40.240.E* of the *UDO* in addition to the following reasons:

For the glass requirement, the applicant is providing a high-quality design by exceeding the minimum requirement of Category 1 materials on all elevations and has provided additional architectural features to help break up the elevations. And the percentage of glass requested is similar to other multi-family developments that have been approved for glass reduction waivers.

The requirement of the finished floor elevation being at least 18 inches above the sidewalk is for multi-family developments with exterior entrances such as townhomes. This requirement encourages steps to front porches and stoops at the entrances which is not customarily found or accessible for residents senior living facilities.

9. Comprehensive Plan Analysis:

The future land use map of the *Comprehensive Plan* identifies the subject property as Conventional Neighborhood. Conventional Neighborhoods typically consists of single-family housing on individual lots.

The following are criteria for considering rezoning applications as listed in *Unified Development Ordinance (UDO) Section 18.40.090 G*.

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

The *Comprehensive Plan* identifies the subject property as Conventional Neighborhood. This land use designation typically consists of single-family homes. However, a low-density senior housing development is compatible, and the project does meet other goals of the *Comprehensive Plan*.

These goals include encouraging infill development (HN-1.8), providing a full range of housing choices (HN-2.1) and providing housing for the aging population (HN-2.5).

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 area consists of properties zoned single-family residential and multi-family residential. The existing uses are single-family homes, a church and low-density multi-family. The proposed building height is compatible with the surrounding properties and the development is providing adequate buffers between adjacent properties.

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

There are a variety of uses in the area, including low density multi-family residential. With the high quality the design and the provided buffers, the proposed use would be in harmony with the surrounding properties.

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

The current zoning of the property is County Rural which would permit single-family residences and agricultural uses only. However, a City zoning designation is required prior to any development taking place as the subject site is within Olathe City limits so the site is restricted under its current County zoning designation.

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

The property has never been developed.

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

The proposed development is not expected to detrimentally affect nearby properties as the development is a high-quality design by meeting the design requirements with the exception of 1 waiver for glass, and by providing adequate buffers to the adjacent properties.

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

Since the project is a high-quality development by exceeding design requirements, staff does not anticipate that the project would harm the value of any nearby 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.

Due to the low number of units, low use intensity and the existing public infrastructure, the proposed use would not adversely affect the road network.

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

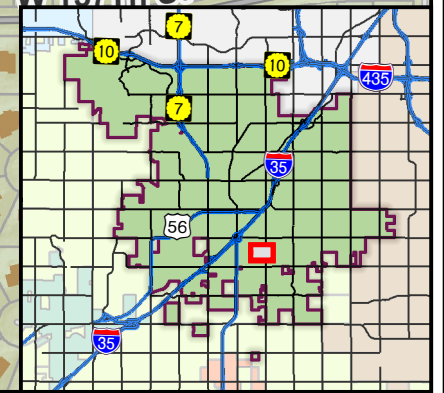
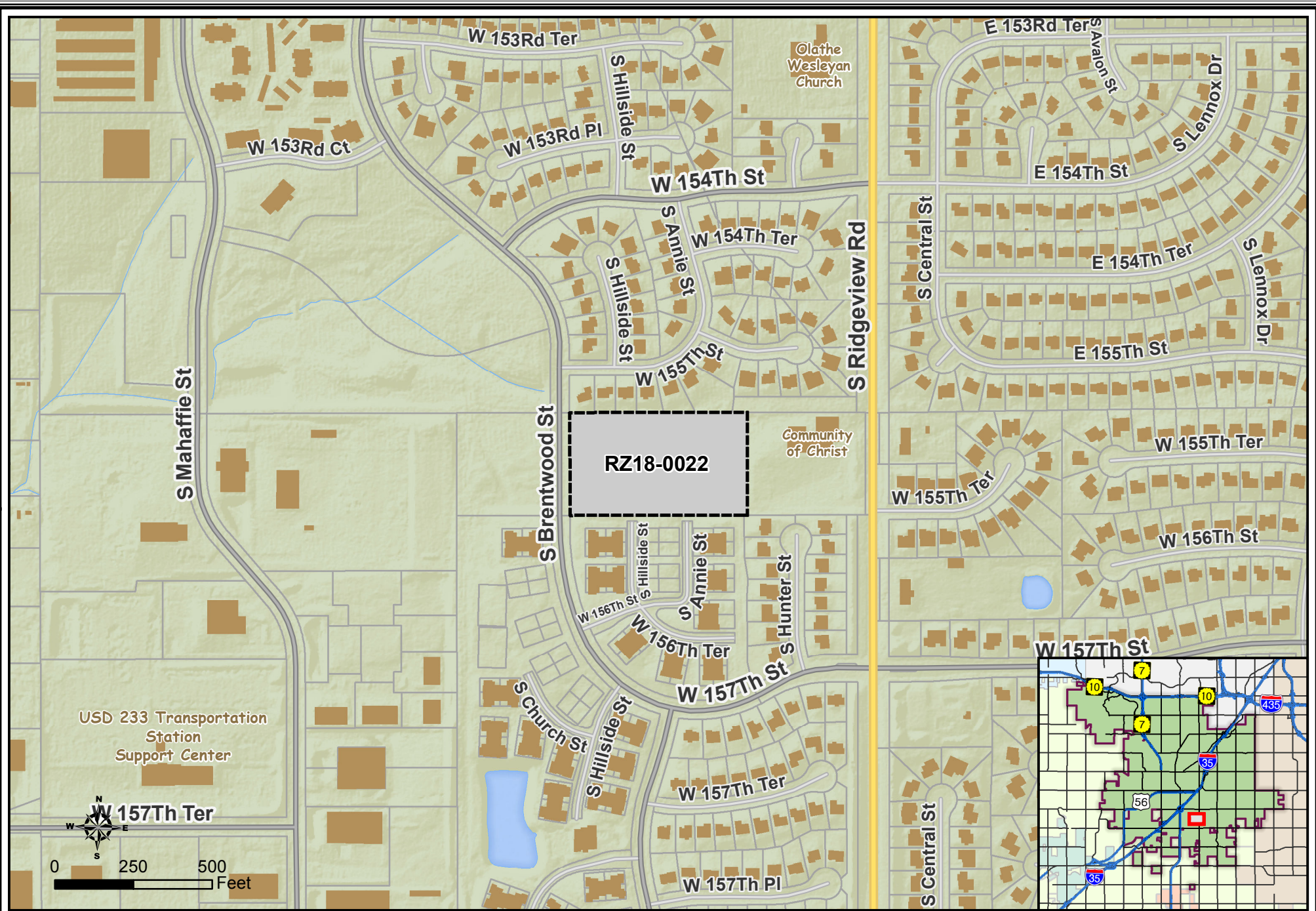
Staff is not aware of any potential for unlawful levels of air, water or noise pollution with the proposed development. The development is required to comply with the City's stormwater requirements and provide best management practices for water quality.

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

With 48 new living units proposed, the development would provide additional population for the City and generate new real estate taxes on land that is currently vacant.

10. Staff Recommendation:

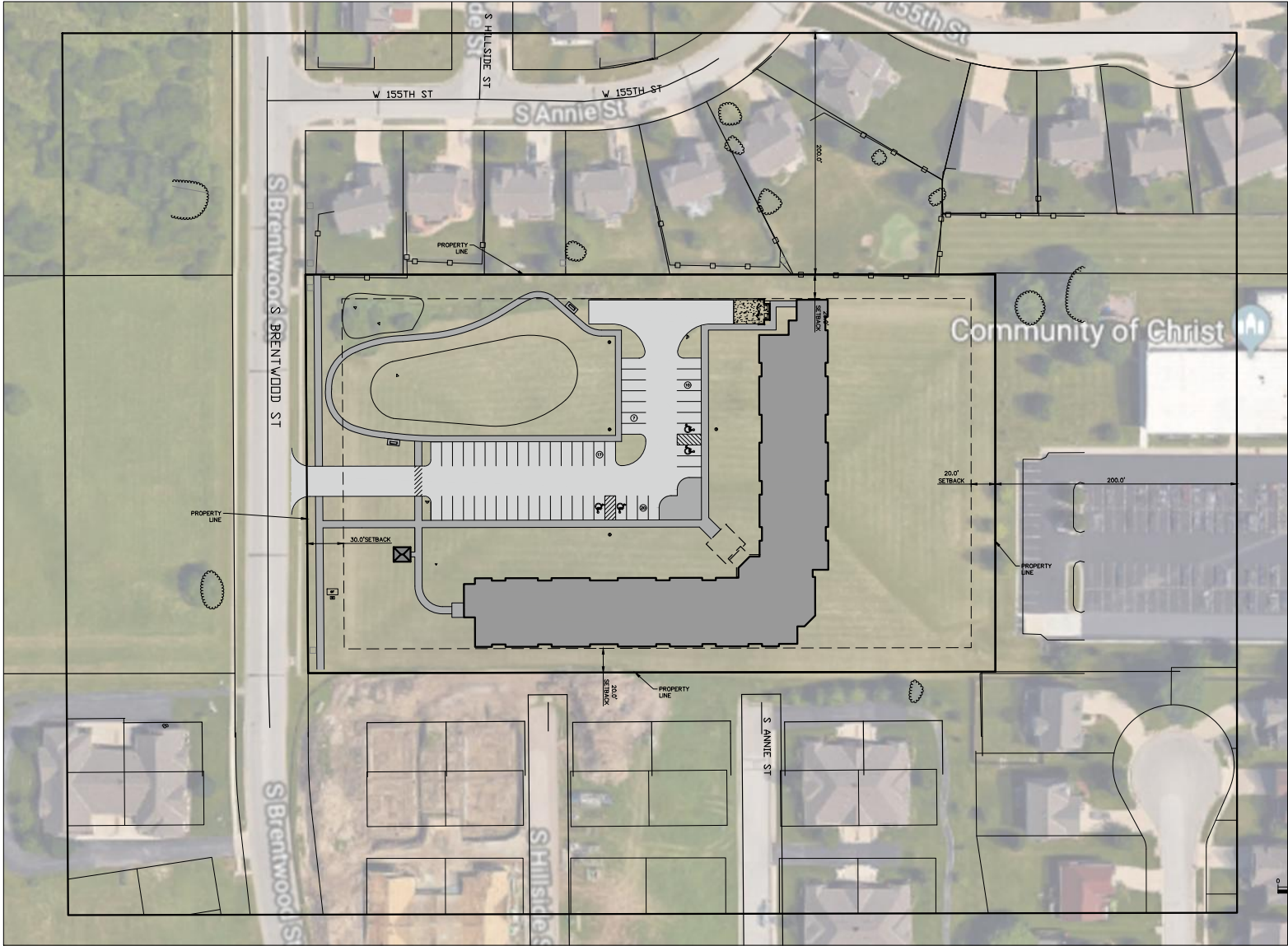
- A. Staff recommends approval of RZ18-0022 for the following reasons:
 - (1) The proposed development complies with the policies and goals of the *Comprehensive Plan* for Housing and Neighborhoods (Principle HN-1.8 HN-2.1 and HN-2.5).
 - (2) The requested rezoning to R-3 district meets the *Unified Development Ordinance (UDO)* criteria for considering zoning applications.
 - (3) The proposed development as stipulated meets composite design standards for **Site Design Category 3** (*UDO 18.15.115*) and **Building Design Category B** (*UDO 18.15.030*).
- B. Staff recommends approval of RZ18-0022 with the following stipulations to be included in the ordinance.
 - (1) A final plat shall be approved and recorded, and all excise fees paid prior to issuance of a building permit.
 - (2) A final site development plan shall be approved prior to submitting for building permit.
- C. Staff recommends approval of the preliminary site development plan with the following stipulations to be addressed with revised preliminary site development plans or final site development plans:
 - (1) A waiver shall be granted to permit a minimum of 16% glass on the primary elevations (west and north).
 - (2) A waiver shall be granted to permit the residential finished floor elevation to be less than 18 inches as required by Site Design Category 3.
 - (3) The dormers shall be in proportion and match the roof pitch of the building with a full appearance of being functional and operational.
 - (4) Additional evergreen trees shall be included along the south property line for additional screening with the final site development plan.
 - (5) Shrubs shall be added to the west side of the large detention basin with the final site development plan as required by the *UDO*.
 - (6) All mechanical equipment (building, ground or roof mounted) shall be screened per *UDO* requirements.



BRENTWOOD SENIOR HOUSING

RZ18-0022





CONCEPTUAL
NOT FOR CONSTRUCTION

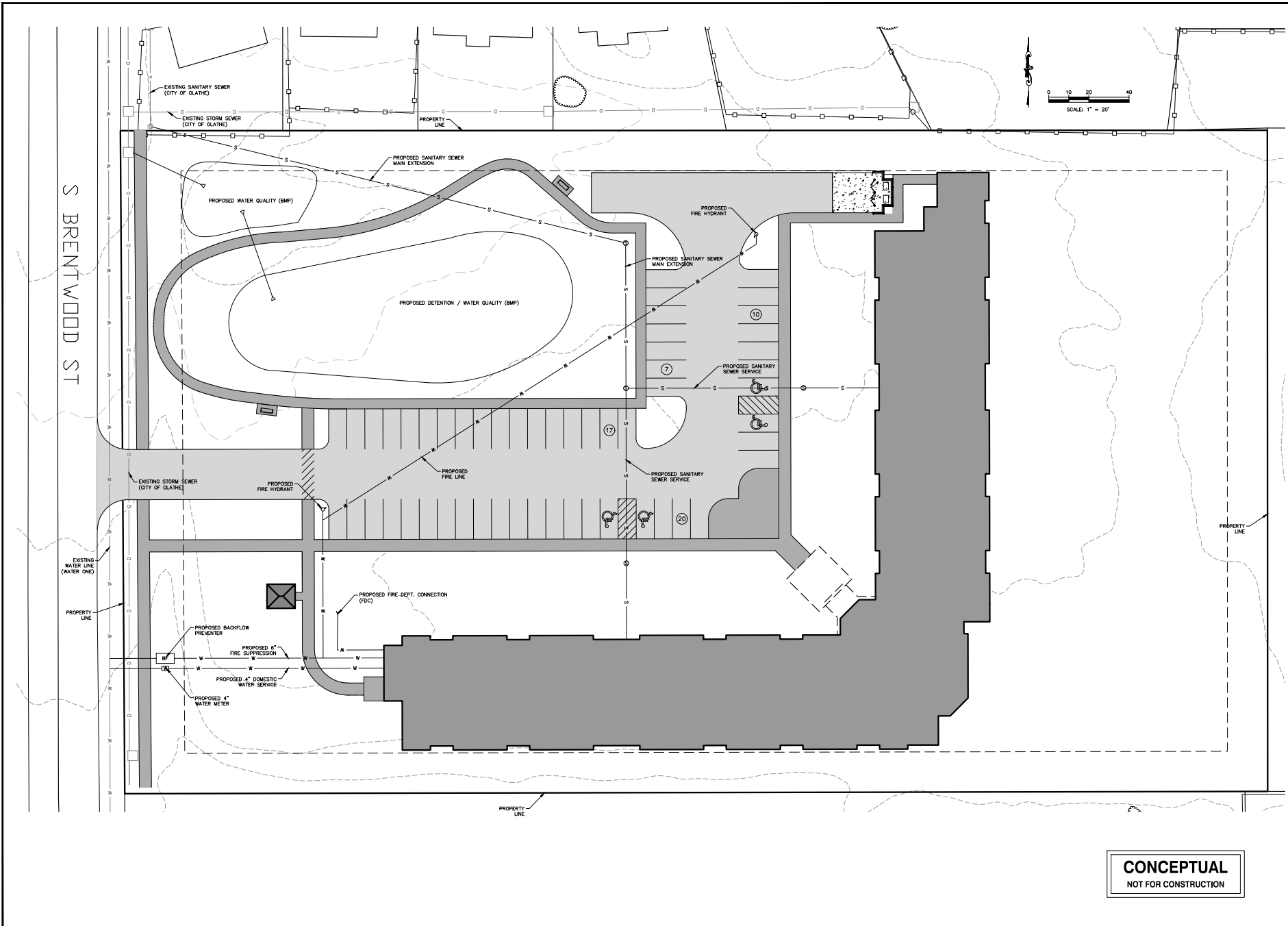
BRENTWOOD VILLAS
OLATHE, JOHNSON COUNTY, KANSAS
EXPANDED SITE PLAN

PROJ. NO.	C18D0085
DESIGNER	MRO
DRN BY	JBR
SHEET	0085SP
REV	
C101	B

KV KAW VALLEY ENGINEERING
14200 WEST 141st STREET
LEWIS & CLARK, KANSAS 66205
PH: (913) 947-4400 FAX: (913) 947-4477
www.kawvalley.com
KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER ENGINEERING SERVICES IN THE STATE OF KANSAS UNDER CERTIFICATE OF AUTHORIZATION # C-113, EXPIRES 12/31/18

REV	DATE	DESCRIPTION
B	1/16/19	PER CITY COMMENTS
	12/06/18	REZONING SET

KGK	JON	CHK
DSN	DWN	CHK



CONCEPTUAL
NOT FOR CONSTRUCTION

BRENTWOOD VILLAS OLATHE, JOHNSON COUNTY, KANSAS PRELIMINARY UTILITY PLAN		14200 WEST 141st STREET LENEXA, KANSAS 66045 PH: (913) 261-1000 WWW.KAVEE.COM	1/7/19/19 PER CITY COMMENTS A 12/06/18 REZONING SET	KGE JON DSN DWN CHK
PROJ. NO. C18D0085 DESIGNER MRC O/SN OORSUP_EXH SHEET	DRAWN BY JBR REV B	KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER ENGINEERING SERVICES IN THE STATE OF KANSAS UNDER CERTIFICATE OF AUTHORIZATION # C-113, EXPIRES 12/31/18	REV DATE DESCRIPTION	
C102	B			

BUILDING DESIGN COMPLIANCE
CATEGORY B

TABLE 15-4 GENERAL DESIGN STANDARDS

PRIMARY FACADES:	NORTH AND WEST
SECONDARY FACADES:	EAST AND SOUTH
HORIZONTAL ARTICULATION:	WALL PROJECTIONS: 4" DEEP EVERY 50 MAX. (COMPLIES WITH OPTION 1C)
VERTICAL ARTICULATION:	VARIATIONS IN ROOF FORM ACHIEVED WITH HIPS, GABLES, AND DORMERS (COMPLIES WITH OPTION 3B)
PEDESTRIAN INTEREST:	TRANSPARENT GLASS 17% PLANTERS 3% ENTRY CANOPY 10% TOTAL % GROUND FLOOR WALL AREA 30%
ENTRY ELEMENTS	ENTRY CANOPY PROVIDED 20'-0" X 28'-6" (COMPLIES WITH OPTION 1C)
NON-COMPLIANT	
PRIMARY FACADE: TRANSPARENT GLASS	REQUIREMENT OF 25%
RESIDENTIAL FINISHED FLOOR ELEVATION	18" MIN. ABOVE SIDEWALK

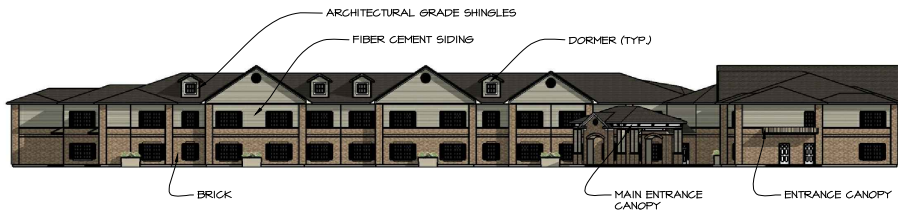
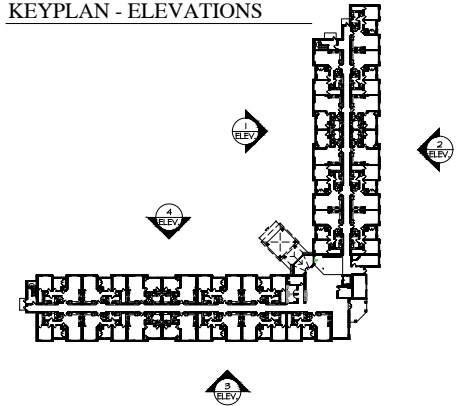
WEST ELEVATION MATERIALS

TOTAL SF	5593	%
Category 1 Material (Clear Glass)	870	16%
Category 1 Material (Brick)	3229	58%
Category 2 Material (Cement Fiber Siding)	1494	27%
TOTAL CATEGORY 1 MATERIAL (CLEAR GLASS + BRICK)	4099	73%
EAST ELEVATION MATERIALS		
TOTAL SF	5593	%
Category 1 Material (Clear Glass)	1080	19%
Category 1 Material (Brick)	3139	56%
Category 2 Material (Cement Fiber Siding)	1374	25%
TOTAL CATEGORY 1 MATERIAL (CLEAR GLASS + BRICK)	4219	75%

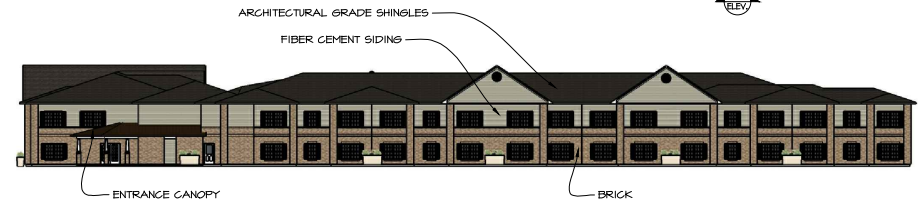
SOUTH ELEVATION MATERIALS

TOTAL SF	5884	%
Category 1 Material (Clear Glass)	990	17%
Category 1 Material (Brick)	3405	58%
Category 2 Material (Cement Fiber Siding)	1492	25%
TOTAL CATEGORY 1 MATERIAL (CLEAR GLASS + BRICK)	4395	75%
NORTH ELEVATION MATERIALS		
TOTAL SF	5896	%
Category 1 Material (Clear Glass)	993	16%
Category 1 Material (Brick)	3422	58%
Category 2 Material (Cement Fiber Siding)	1544	26%
TOTAL CATEGORY 1 MATERIAL (CLEAR GLASS + BRICK)	4415	75%

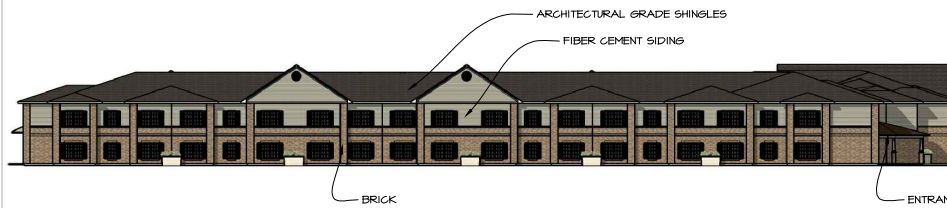
KEYPLAN - ELEVATIONS



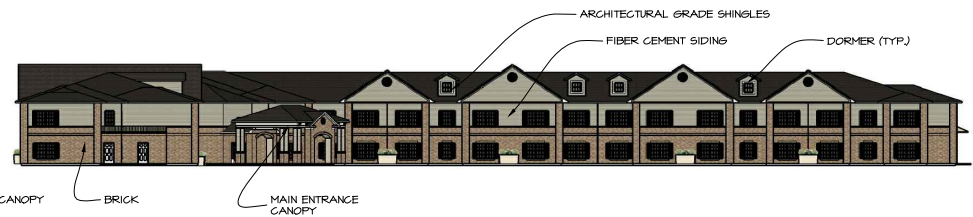
WEST BUILDING ELEVATION 1



EAST BUILDING ELEVATION 2



SOUTH BUILDING ELEVATION 3



NORTH BUILDING ELEVATION 4



BUILDING RENDERING

JANUARY 2019

Waivers:

We're respectfully requesting waivers for (2) items within the Olathe UDO:

- 1) Table 15-4, item B requires 25% transparent glass on the primary façade. Currently our primary facades (North and West) incorporate 16% transparent glass. The Department of Energy estimates heat gain/loss through windows account for 25%-30% of residential heating/cooling energy usage. Increasing the percentage of transparent glass will increase the financial burden on the residents and directly contradict the "affordable" mission of this development.

In an effort to offset the transparent glass deficiency, we've improved upon the required 70% usage of Category 1 materials on the Primary Facades and are proposing 73% and 74% Category 1 materials on the West and North Elevations. We're also greatly improving upon the required 50% usage of Category 1 materials on the Secondary Facades by proposing 75% Category 1 materials on the East and South Elevations.

In reference to the Olathe Ordinance 18.40.240, and as a result of this alternate higher quality development design, there will be no negative impacts to the residential property (18.40.240 D.a.) and the public will suffer no loss or inconvenience (18.40.240 D.e.(2)).

- 2) Table 15-4, item D requires residential finished floor elevations to be set a minimum of 18" above the sidewalk. If the requirement is for the finish floor to be 18" above the nearest public sidewalk, our current design appears to meet that requirement (final confirmation upon completion of Civil grading plan). However, if the requirement is for the finish floor to be 18" above the sidewalk adjacent to the building's entry then we cannot comply due to the Federal Fair Housing Act, Americans with Disabilities Act (ADA), and the Uniform Federal Accessibility Standards (UFAS) which are all applicable to this development. Essentially the referenced standards require an accessible route (no changes in level greater than 1/4" and strict limitation on slope) between the public way, accessible parking etc. and the building/unit entries.

In reference to the Olathe Ordinance 18.40.240, this item shows the public will suffer no loss or inconvenience (18.40.240 D.e.(2)).

Brentwood Villas Senior Apartments Olathe Neighborhood Meeting Minutes

Title	Brentwood Villas, Neighborhood Meeting
Date	Sunday, January 30, 2018
Location	Olathe Community of Christ sanctuary
Facilitator	D. Kim Lingle, MBL Development Co.
Participants	D. Kim Lingle (MBL Development), Michelle Jennings (MBL Development), Bob Billings (Community of Christ), Brad Johnson (Community of Christ)
City Case No.	RZ18-0022
Meeting Time	12:30 pm
Note Taker	Michelle Jennings, MBL Development Co.

AGENDA

12:30 Project Overview – D. Kim Lingle

12:40 Open Neighbor's Forum - Participants

Project Overview

- Thank you for coming to the meeting
- MBL Experience (30 years experience, over 27 completed successful projects, just finished development in Carthage, MO, most developments have waiting lists)
- Been talking with the church since June.
- Proposed senior housing – independent living with services and community area
- Going through the zoning process with the City of Olathe. It is currently zoned County Rural, and requesting R-3 zoning classification.
- Church congregation voted with 100% approval of the concept of entering into an option real estate contract with MBL Development.
- Mr. Lingle asked a show of hands from those who were from Asbury Park, the senior housing development to the south of Brentwood Villas. Most of those in attendance were from Asbury Villas. From observation and review of sign-in sheet, only 2 households were from the single family homes to the north of the development.
- The president of Asbury Villas Homes Association, Bill Seiler, sent an email with questions prior to the meeting. This letter (attached in this packet), was read and items answered in the meeting (see letter for details).
 1. Rezoning – plan to seek R-3 zoning
 2. Grading Plan – The plan is not to raise the level of the site – but will work with engineers to assure proper water drainage.

3. Drainage – MBL will work with engineers and the City of Olathe to ensure proper water drainage will all parties involved.
4. Setbacks – All areas adjacent to the site will have a 20 foot setback. The front of the site (on Brentwood) will have a 15 foot setback. Where the boundary meets single-family homes, there will be an additional 6 foot berm or fence.
5. Remaining Senior – MBL assured the meeting that this will stay senior for the life of the development.
6. Schedule – After the zoning process, financing requirements, engineering testing, construction can start, possibly fall 2019 or spring 2020.

Open Neighbor's Forum

1. Q: It appears most of your previous developments are one-story villas. Why is this a 2-story building?
A: The site is not large enough to build enough one-story villas to cover infrastructure costs.
2. Q: What is the height restriction for 2-story building?
A: The City of Olathe requires the building to be under 30 feet.
3. Q: What type of buffering will be present?
A: There will be different type of buffering depending on the boundary of the site. There will be a 20' wide setback with a 6' berm or fence where the site meets R-1 zoning. The remaining boundaries will be a 20 foot setback with landscaping in accordance with the City of Olathe
4. Q: Do you sell or rent?
A: Rent
5. Q: What are the rents going to be?
A: It is preliminary, but may range from \$550 - \$900.
6. Q: How old is your oldest property? And how is the maintenance?
A: Our oldest property is about 27 years old. All of our properties are well-maintained with high occupancy rates. Most of them consistently have a waiting list.
7. Q: What is the water plan because we already have water issues and our sump pump runs constantly?
A: We will work with our engineer and the City of Olathe to ensure the best water plan for both parties.
8. Q: Can you put in berms all around the development?
A: We will consider it. It will largely depend on the water run-off and water engineering plan, and City of Olathe code.
9. Q: Will there be issues with water fowl with the retention pond?
A: Per the engineering plan, it does not appear that there will actually be standing water in the retention pond, so it should not attract fowl.
10. Q: What about parking lot lighting?
A: There will not be street lights within the development, only 6 foot decorative pole lamps for lighting. It should not interfere with the neighbor's vision.
11. Q: Have you done any research regarding senior housing?
A: Yes, we have performed a market study as well as discussed the need for senior housing with the City of Olathe. Both resources indicate an acute need for elderly housing in the area.

12. Q: Will there be outdoor patios that will look directly into our patios?
A: There will be common ground for the residents to walk, picnic, or grill. However, there will not be individual patios. This should not affect the privacy of the units in Asbury Villas.
13. Q: Will there be garages?
A: No, there will be covered parking. It is typical to see less than half of the tenants in elderly housing that own or use a vehicle.
14. Q: Will the units have a fire safety system?
A: Yes, the building will include a sprinkler system.
15. Q: Are the rents income-based?
A: This is not Section-8 housing.
16. Q: What is the name of your development in Ankeny, Iowa?
A: Ankeny Plaza
17. Q: What kind of trees will be on the Asbury side?
A: A mix of hardwoods and pines. It will be in compliance with the City of Olathe ordinance.
18. Q: Is Brentwood Villas a partnership?
A: Yes, with MBL as the General Partner.
19. Q: Has the land actually been purchased from the church?
A: It is currently under an Option to Purchase the land, contingent on zoning, financing and environmental/soils.
20. Q: Will the landscaping be maintained?
A: Yes, landscaping will be maintained by the owner, not the individual tenants. All of our properties are very well maintained with premium landscaping a priority.
21. Q: Where are you in the zoning process?
A: We have been in meetings with the city since June. We are currently going through the zoning approval process, with a tentative date of presenting to the Planning and Zoning committee on February 11, 2019.
22. Q: What are your turnover rates of the other properties you have?
A: They are very, very low. Due to this being elderly housing, tenants tend to stay for a very long time.
23. Q: What is happening on February 11?
A: That is the date of the Planning and Zoning meeting with the City of Olathe. This committee meets twice a month. We are tentatively scheduled to present this to the committee on that date. The packet of information regarding the agenda and materials for the meeting will be available on the City of Olathe's website the Friday prior to the meeting date.
24. Q: What kind of amenities will be available?
A: Along with the physical amenities of the walking trail, picnic area, common rooms (kitchen/eating area, computer room, fitness facility), there will be services provided such as health screenings, financial/legal education, social events (potlucks, card nights, bingo nights, etc.).

Meeting Adjourned: 1:32 p.m.

MBL DEVELOPMENT CO.
9237 Ward Parkway, Ste. 310
Kansas City, MO 64111

NEIGHBORHOOD MEETING SIGN-IN SHEET

PROJECT: Brentwood Villas

Meeting Date: December 30, 2018

FACILITATOR: MBL Development Co.-Kim Lingle

City Case No: RZ 18-0022

Name	Address	Phone/E-mail
Kurt Beck Hazen	15554 S. Hillside 3902	beckhazen@hotmail.com
BOB FENTON	15645 S. CITRUS ST. #2101	BFENTON03@comcast.net
MURLI HINDUJA	18624 W 158 th TER #3103 #4002	murlihinduja@gmail.com
Ron & Bonnie Vochatz	15557 S. Hillside St #2400	Ron.Vochatz@comcast.net
Bill & Ruben Davis	15695 S Hillside	brdavis0909.com
Tom Taylor		
George Drake	#3203 15775 S. Sunset	geordrake66@gmail.com
Virginia L. Peterson	15578 S. Hillside Unit 3802	gingerpete64@att.net
	Unit 3301	
John & Hilary Khensorge	15751 S. SUNSET DR #4100	Khensplhc@gmail.com
Cardis Duecker	15981 S. Hillside	dueckercd@gmail.com
Paul & Susan Flygord	Rath, Kc 66042 15578 S Hillside St	
Paul & Mueken	15780 S Sunset 601	p.mueken@yahoo.com
Bill Seile	15554 S. Hillside St, #3903	WHSJV99@gmail.com
RASHA RILEY	18565 W 158 th TER UNIT 201	RASHA9307@gmail.com

NEIGHBORHOOD MEETING SIGN-IN SHEET

Meeting Date: December 30, 2018

City Case No: RZ 18-0022

[illegible]

Name	Margaret Anderson
Address	15557 S Hillside St #4003 Olathe, KS 66062
Date	February 4, 2019
Name of Project	Brentwood Villas
City Case Number	RZ18-0022

My home is directly south of the proposed Brentwood Villas. At a minimum set back of 20 feet my living room windows will be approximately 40 feet from the South side of the structure. I have been told by the developer that the south side of the structure does not yet have a architect's drawing so I cannot yet get an idea of how many if any windows/doors will be directly across from my windows. Like any other homeowner, preserving the value of my home is important to me. I believe that the proposed apartment complex design of the Brentwood Villas will negatively affect the value of my property.

I have been asked how the two story structure of this proposal would be any different than having a two story single family home like the ones on the north side of the proposed Brentwood Villas. This is the difference as I see it. A two-story family home like those that now surround Asbury Villas would maintain the character, visual appeal, population density and value of the existing neighborhood which would be less likely to devalue my property.

Some MBL developments in other communities are one-story villas that are similar to the Asbury Villas and would blend into the neighborhood more readily than the proposed low income apartment complex. We were told at the neighborhood meeting that the size of the property is "not large enough to build enough one-story villas to cover infrastructure costs." I strongly request that efforts be made to correct this problem to preserve the character of the existing neighborhood.

As this project progresses I am asking the Planning Commission and City leaders to consider the following items:

- per UDO requirements, all exterior ground or building mounted equipment including but not limited to mechanical equipment, utility meter banks and coolers, shall be screened from public view with landscaping or an architectural treatment compatible with the building architecture

- all on-site wiring and cable be placed underground
- that MBL and their contractors be held responsible for any and all damages to adjacent properties negatively impacted by any water control/drainage work during or after construction
- all landscape choices for the buffer areas to the east and south of property be chosen for their ability to survive/thrive in the strong winds typical of this location. We currently experience very strong wind gusts from the northeast.
- that terracing be considered on the south side of the property to raise the planting area for proposed landscaping. There are varied drop offs from the Asbury property line to the Brentwood property—trees planted at the bottom of the existing drop-off would need to be quite tall before they would be effective screening/buffering material
- that the public patio (currently on the southeast corner of the plan) be screened from adjacent residential properties for privacy and noise abatement. (I asked at the neighborhood meeting in January if the patio could be moved to the side facing the church. This question was left out of the meeting notes. Mr. Lingle said that it would be possible to move the patio.)

TO: OLATHE PLANNING COMMISSION

RE: WRITTEN COMMENTS, CASE NO. RZ18-00022 (BRENTWOOD SENIOR LIVING)

SUBMITTED BY: William H. Seiler, Jr.

15554 South Hillside Street, Unit 3903
Olathe, KS 66062

DATE: February 5, 2019

These comments relate to the preliminary site development plan for the above project.

I own (through my trust) a one story property in The Villas of Asbury immediately adjacent south of the proposed Senior Living. My property is approximately forty feet "in" from the north property line of The Villas of Asbury. There are five other owned units to my east which also are approximately forty feet "in" from the north property line of The Villas of Asbury. The proposed two story building then is subject to a setback of twenty feet, making the two story building (approximately thirty or more feet), as presented in the preliminary site development plan, about sixty feet north of my and the adjacent units to the east.

The land slopes downward from the church on Ridgeview toward Brentwood so that there is an approximate three to four feet drop from The Villas of Asbury property to the present grade at the west end. The builder advises that although grading will be necessary on the property no major fill dirt will be added to the property.

To screen the properties, there is proposed a buffer of various trees in the twenty feet set back. for screening between the properties. Approval of the landscaping plan needs to account for the "drop" between the two properties on the south either through requiring larger trees or somehow elevating them in order to provide appropriate screening.

In addition, any drainage plan needs to take into account the difference, so that standing water does not collect in the setback between The Villas of Asbury property and the proposed building.

I request that these items be considered as conditions in the approval of the site development plan.

Finally, I would ask the Planning Commission to consider the points raised by my neighbor, Margaret Anderson, as to the appropriateness and consistency of R-3 Zoning for a 48 unit two story apartment complex on 4.2 acres in an area bordered by R-1 zoning (Saddlewood Downs and Asbury Estates) and the single story predominately owner occupied units in The Villas of Asbury RP-3 zoning.

William H. Seiler, Jr.



City of Olathe
City Planning Division

STAFF REPORT

Planning Commission Meeting: February 11, 2019

Application:	<u>SU18-0009</u> Special use permit for a funeral home (Oak Lawn Cemetery)
Location:	13901 S. Black Bob Road
Owner/Applicant:	Patrick McGilley, D.W. Newcomer's & Son's, Inc.
Engineer:	Jeffrey Skidmore, Schlagel & Associates, P.A.
Staff Contact:	Dan Fernandez, Planner II

Comments:

The Applicant is requesting a continuance to a future Planning Commission meeting. The applicant did not schedule the neighborhood meeting at least 20 days prior to the original Planning Commission date for this application so the case has to be continued to meet this requirement.

Applications are permitted one continuance per the *Unified Development Ordinance (UDO)* and any additional continuances are at the discretion of the Planning Commission. This is the first continuance request for this application. The applicant will send notification to surrounding property owners and updated signs will be placed on site when a date has been set.

The Applicant is available to answer any questions of the Planning Commission.

Staff Recommendation:

Staff recommends continuing this application to a future Planning Commission meeting.



City of Olathe
Planning Division

DISCUSSION

Planning Commission Meeting: February 11, 2019

Subject:	Discussion of Unified Development Ordinance Amendments
Applicant:	City of Olathe
Staff Contact:	Zachary Moore, Planner II

As you are aware, the City of Olathe is currently in the process of updating the City's Building Design Standards as set forth in Chapter 18.15 of the *Unified Development Ordinance (UDO)*. Goals of the proposed updates include improving the readability and clarity of regulations to this chapter, ensuring that building materials classifications are up to date and consistent with best practices and industry standards, and continuing to promote high-quality development throughout the City.

City staff is hosting a workshop with the development community on February 13th to collaborate with and gather feedback from local architects and developers on the proposed updates. Following this discussion, a workshop with the Planning Commission will be held on February 25th, where a draft of this new chapter will be presented.

This item is on this agenda to provide an update to the Planning Commission on progress made to date for informational purposes only. There is no action by the Commission needed at this time.