



STAFF REPORT

Planning Commission Meeting: January 8, 2024

Application:	<u>RZ23-0012</u>: Rezoning from the CTY RUR (County Rural) District to the R-1 (Residential Single-Family) District, Preliminary Plat and Preliminary Site Development Plan for Heritage Ranch
Location:	Southwest of 159 th Street and Black Bob Road (Lackman Road)
Owner:	John H. and Susan Wilson
Applicant/Engineer:	Tim Tucker; Phelps Engineering Inc.
Staff Contact:	Taylor Vande Velde; Planner II

Site Area:	<u>128.98 acres</u>	Proposed Use: <u>Residence, Single-Family Detached</u>
Proposed Density:	<u>2.4 units/acre</u>	Plat: <u>Unplatted</u>
Existing Zoning:	<u>CTY-RUR (County Rural)</u>	Proposed Zoning: <u>R-1 (Single-Family Residential)</u>
Lots:	<u>305</u>	Tracts: <u>12</u>

	Plan Olathe Land Use Category	Existing Use	Existing Zoning
Site	Conventional Neighborhood	Single-Family Residence/AG	CTY-RUR (County Rural)
North	Conventional Neighborhood / Secondary Greenway	Single-Family Residential	R-1 (Single-Family Residential)
South	Conventional Neighborhood / Secondary Greenway	Single-Family Residential	R-1 (Single-Family Residential)
East	Primary Greenway	Heritage Park	CTY RUR / RN-1
West	Conventional Neighborhood / Secondary Greenway	Single-Family Residential	R-1 (Single-Family Residential)

1. Introduction

The applicant is requesting a rezoning from the CTY RUR (County Rural) District to the R-1 (Residential Single-Family) District for the Heritage Ranch subdivision. The property is located at the southwest corner of 159th Street and Black Bob Road. The proposed rezoning to the

R-1 District is required to allow the development of a single-family home subdivision. A preliminary plat and site development plan with 305 single-family lots and 12 common tracts accompany this rezoning request.

The 128.98-acre site will be constructed in four (4) phases with a clubhouse, play area, and pickleball courts located in the center of the subdivision with a fishing pond in Tract B. The first phase on the east will provide two primary access points for the neighborhood, one from 159th Street and the other from Black Bob Road. The development also includes an eight-foot-wide asphalt trail extending from Black Bob Road along the length of the southern property line.

2. History

The 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 the unincorporated Johnson County.



Site Location Map

3. Existing Conditions

The existing site is primarily farmland and includes a single-family home that was constructed in 1983 in the center of the property with several small outbuildings and a large barn. Most of the existing tree canopy is located along the perimeter of the property where tree preservation is planned. The existing single-family home is proposed to remain and will be platted as an individual lot in the subdivision.



View of the subject property from W. 159th Street, Looking Southwest

4. Zoning Standards Land Use

- a. **Land Use** – The applicant is seeking a change of zoning to allow for the construction of single-family homes within the R-1 District. Permitted uses in the R-1 District include uses such as, but not limited to, single-family homes, assisted living facilities, schools, and religious facilities. The site is designated as Conventional Neighborhood, and Primary and Secondary Greenways on the PlanOlathe Future Land Use Map. The requested R-1 District directly aligns with this future land use designation.
- b. **Lot Standards** – The preliminary plat includes 305 single-family residential lots. Of those lots, 28 have a minimum lot width of 50 feet, while the other 277 lots exceed the minimum requirements as permitted by Unified Development Ordinance (UDO) 18.20.070. Table 1 below provides the dimensional standards for all lots. The lots range in size from 6,500 square feet to 33,890 square feet with an average size of 11,646 square feet. Waivers are requested to side yard setbacks, as noted below, and detailed in Section 10.

<i>Table 1: Minimum Dimensional Standards</i>	<i>Min. 50-Foot-Wide Lots</i>
<i>Lot Size</i>	5,000 square feet
<i>Lot Width</i>	50 feet
<i>Front Yard</i>	25 feet
<i>Side Yard</i>	7 feet*
<i>Rear Yard</i>	15 feet
<i>Corner Lot Side Yard</i>	20 feet**
<i>Common Open Space</i>	15% of site area, 50% of which must be active open space

* A waiver is requested to reduce the 7-foot side yard setback to 5 feet for all lots that are 50 feet in width.

** A waiver is requested to reduce the corner side yard setback for select lots from 20 feet to 15 feet.

- c. **Building Height** – Building heights within the R-1 District are limited to 2 ½ stories and 35 feet for residential homes and 75 feet for nonresidential buildings. The proposed single-family homes will comply with this requirement.
- d. **Setbacks** – The UDO allows flexibility for a variety of setbacks and lot standards in exchange for the provision of common open space (see Table 1 above). A waiver is being requested to the minimum side yard setback of 7 feet and corner side yard setback of 20 feet for those 28 lots which are 50 feet wide, as detailed in Section 10 of this report.
- e. **Open Space** – The open space requirement for the development is 19.35 acres and the applicant is providing 24.48 acres, which is 19% of the overall site, exceeding the 15% required by UDO 18.20.070.B. Of this required open space, 50% is required to be active; the clubhouse, play area, trail, and fishing pond are 18.74 acres, exceeding the 50% active open space requirement of 9.68 acres.

5. Coffee Creek Master Plan

Adopted in 2005, The Coffee Creek Master Plan provides a guide for future development generally located between 159th Street in the north and 175th Street in the south, and between Ridgeview Road in the west and Pflumm Road in the east. The Coffee Creek Master Plan designates this property for Neighborhood Residential land uses with a density between 2-4 dwelling units per acre. New development within this study area should be high-quality and offer a range of housing options with amenities, which this proposal provides. The proposed subdivision provides 2.4 dwelling units per acre and addresses several goals from the plan including promoting quality of life through walkable and pedestrian-friendly development with sidewalks and trails. As such, the proposed plan meets the requirements for the Coffee Creek Master Plan.

6. Development Standards

- a. **Access/Streets** – The proposed layout of streets and access points into the subdivision were reviewed against, and are compliant with, the City's Access Management Plan and requirements of the UDO. Two (2) new street connections will be provided to arterial streets; one (1) to 159th Street to the north and one (1) to Black Bob Road to the east. The subdivision's Black Bob Road entrance will also align with the future Johnson County Heritage Park entrance across the street, which will move approximately 500 feet south of its current location in 2024. While the arterial streets will provide new connections to the public street network, no residential lot will have direct access to an arterial street.

The proposed street layout will connect to five (5) existing stub streets abutting the Heritage Ranch property to the west and south. Additionally, a permanent turn around will be constructed at the 163rd Terrace stub street located in the Stonebridge Park 1st Plat to the south. The subdivision will connect to an existing collector street to the west, 161st Terrace, which will extend to Black Bob Road.

The existing single-family residence will be occupied and have temporary roadway access throughout the construction of Phase 1. The unplatted parcel directly south of Legacy Christian Church (Parcel ID 6F241417-3005) does not currently have access to a public street. To ensure future roadway access, Tract L and adjacent right-of-way to the south will be platted to provide access if the property is not sold to an adjacent property owner with roadway access in the future. Additionally, the number of access points provided for the subdivision provides adequate access for life and safety requirements of the Olathe Fire Department.

- b. **Landscaping/Screening** – Master Landscaping is provided along both 159th Street and Black Bob Road within areas at least 25 feet in width as required by UDO Section 18.30.130.H. Street trees will also be provided along all streets within the development.
- c. **Amenities** – The applicant is proposing a clubhouse, pickleball courts, and outdoor play area amenity centrally located within the subdivision in Tract D near the existing home. The existing barn will be converted and used as the clubhouse. In accordance with the phasing plan, the amenities will be completed with the second phase of development and additional details will be provided with the final development plan.

The development will provide an 8-foot wide recreational trail through Tract J, Tract H and G along the southern portion of the property along with a Tree Preservation Easement. This trail will connect to future trails planned for the Arbor Creek neighborhood to the west, further connecting to existing parks including Arbor Creek Park and Heritage Park. Several accessways to this public trail are provided from four (4) locations within the development, meeting trail access requirements for single-family neighborhoods. Additionally, the trail leads to a fishing area in the existing pond located in Tract B.

- d. **Tree Preservation** – The property includes approximately 19.52 acres of woodland area. The UDO requires that at least 20% of the woodland area be preserved, or approximately 3.9 acres for this property. The applicant has provided a tree preservation plan, included in this packet, depicting 3.95 (20.2%) acres of woodland area to be preserved on site. These areas are located along the southern and western property lines. Areas of existing trees internal to the site will be removed for stormwater detention.
- e. **Stormwater/Detention** – The property is located within the Coffee Creek Watershed and requires on-site stormwater detention and treatment. The applicant will provide three (3) stormwater BMPs on site, and the site will comply with all stormwater requirements of Title 17.
- f. **Public Utilities** – The property is located in the WaterOne and Johnson County Wastewater (JCW) service areas. Utilities will be extended to serve each portion of the development. There are several existing utilities on the site including easements for, Evergy, Water District No. 1, Rural Water District No. 5, Union Gas System, Inc., and Consolidated Main Sewer District of Johnson County.

7. Site Design Standards

The property is subject to Site Design Category 1 (UDO 18.15.105) based on the Conventional Neighborhood designation of the PlanOlathe Future Land Use Map. The following is a summary of the applicable site design requirements:

a. **Street & Pedestrian Connectivity**

Sidewalks will be provided on one side of all internal local streets as required by the UDO with connections to pedestrian ways along arterial street rights-of-way provided. 161st Terrace is classified as a collector street and includes sidewalks on both sides as required by the UDO. Public sidewalks will also be constructed by the developer along the perimeter of 159th Street adjacent to this development. The City will be constructing sidewalks along Black Bob Road as part of a 2024 Capital Improvement Project.

The proposed street and pedestrian layout provide a total of 35 links and 27 nodes for an internal connectivity ratio of 1.3, exceeding the minimum required ratio of 1.2 for R-1 Districts.

8. Building Design Standards

Single-family homes constructed on lots less than 7,200 square feet in size are subject to the building design standards for single-family homes (UDO, 18.15.020.G.2). Requirements include the provision of high-quality materials, front facing entry elements, and garages that are subordinate to the primary façade. The applicant has provided example photos of what a home subject to these design requirements will look like and these have been included in the meeting packet. Technical elevations for individual homes in accordance with the UDO will be reviewed at the time of building permit to allow for increased flexibility of design features on each individual home.

9. Public Notification and Neighborhood Meeting

The applicant mailed the required certified public notification letters to surrounding properties within 200 feet and posted public notice signs on the property per UDO requirements.

A Neighborhood Meeting was also held in accordance with the UDO on December 14th, 2023 with approximately 35 attendees. All property owners and HOAs within 500 feet of the subject property were invited, as required by UDO, Section 18.40.030. Primary topics discussed at the Neighborhood Meeting included improvement of nearby roadways, regional detention in the area, and tree preservation easements along the southern property line. The applicant responded to each of the questions asked during the meeting and a copy of the meeting minutes is included within this packet. Staff has not received any additional correspondence regarding this application.

10. 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 15-31 and 34-44 and a reduction from 20 feet to 15 feet for side yards on corner Lots 15, 25, 26, 34, and 44. This request impacts 28 lots in the development.

Staff is supportive of the one (1) waiver request as the applicant has provided an alternative high-quality design throughout the development. The UDO provides flexibility for setbacks to ensure that a variety of housing styles are available throughout the City. As noted by the applicant, four different lot sizes are provided to appeal to different home buyers and accommodate different home sizes. The applicant is only requesting waivers for those lots which have narrower, 50 foot, widths. The lots that are less than 7,200 square feet in these areas will also be subject to the architectural building design standards outlined in the UDO, which require higher-quality building materials and architectural features. Additionally, common open space with amenities is provided to enhance the overall design and quality of the neighborhood.

11. UDO Rezoning Criteria

The proposed zoning request meets the following policy elements of the PlanOlathe Comprehensive Plan:

LUCC-1.1: Consistency with the Comprehensive Plan. Land use proposals should be consistent with the vision of the Comprehensive Plan, as well as applicable local ordinances and resolutions.

LUCC-3.3: Residential Zoning Standards. Ensure that zoning allows for a variety of home types and lot sizes.

PTR-2.4: Incorporate Trails in Development. Utilize the design review process for private development and public improvements to improve bicycle and pedestrian linkages to new development during the planning and design of all projects.

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 single-family use directly aligns with the PlanOlathe Comprehensive Plan Conventional Neighborhood and Primary Greenway future land use designations. The request also meets several policies of the Comprehensive Plan pertaining to Land Use and Community Character, Housing and Neighborhoods, and Parks, Trails, and Recreation. The proposed subdivision also aligns with the Coffee Creek Master Plan as previously identified.

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 character of the surrounding area is almost entirely residential and recreational in nature, with single-family detached homes to the north, south, and west, a religious institution to the northeast, a regional park located east of Black Bob Road. Residential densities and architectural style of the surrounding single-family developments are generally consistent with this development proposal.

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.

Surrounding properties are zoned to the R-1 (Residential Single-Family) and CTY RUR (County Rural) Districts. The rezoning as proposed is in harmony with these surrounding residential districts and existing land uses.

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

The property was recently annexed into the City and requires zoning to a City zoning designation to accommodate any future development. The property currently retains CTY RUR zoning, primarily for agricultural uses.

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

The property was annexed into the City in October 2023 and has retained the same agricultural uses and activities since.

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

The proposed rezoning will not have a detrimental effect on surrounding properties. The R-1 District promotes uses and activities that are already occurring on surrounding properties within the neighborhood. Additionally, tree preservation is proposed along the western and southern property boundaries, providing buffers from existing development.

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

The proposed rezoning will not substantially harm the value of nearby properties, which are zoned for similar uses.

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.

This zoning proposal will not cause any adverse effect on traffic and safety of the road network which complies with the City's Access Management Plan. The subject property is situated at the corner of two arterial streets (159th Street and Black Bob Road) and connects to an existing collector road (161st Terrace). The City is also widening Black Bob Road to a divided 4-lane road in 2024 which will accommodate additional vehicular capacity within the area.

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

Future development is not anticipated to create air pollution, water pollution, noise pollution, or other environmental harm. The proposed development will preserve trees per UDO requirements and will follow best management practices for stormwater and detention.

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

Future development would provide increased property tax revenue to benefit the Olathe community.

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.

The proposed rezoning does not negatively impact the public health, safety or welfare of the community as presented. If the application were denied, development of the property would be limited to low density rural residential and agricultural uses.

12. Staff Recommendation

- A. Staff recommends approval of RZ23-0012, Heritage Ranch, for the following reasons:
 - 1. The proposed development complies with the policies and goals of the Comprehensive Plan.
 - 2. The requested rezoning to the R-1 District meets the Unified Development Ordinance (UDO) criteria for considering zoning applications.
- B. Staff recommends approval of the rezoning to the R-1 District with no stipulations.
- C. Staff recommends approval of the preliminary plat and preliminary site development plan with the following stipulations:
 - 1. A waiver is granted from UDO 18.20.070.b allowing the side yard setback to be reduced from 7 feet to 5 feet and corner side yard from 20 feet to 15 feet for Lots 15-31 and 34-44, as shown on the preliminary plat dated January 2nd, 2024.
 - 2. Homes constructed on lots less than 7,200 square feet in size are subject to the building design standards for single-family homes as outlined in UDO, Section 18.15.020.G.2.
 - 3. Tract L and adjacent right-of-way to the south may be developed as a single-family lot at the time the unplatted ground to the east is sold to an adjacent property owner, or has access to Lackman Road.
 - 4. Prior to building permit issuance for Phase 1, two points of access from arterial roadways must be constructed as shown on the phasing plan dated December 22nd, 2023.
 - 5. The following criteria apply to the Amenity Tract (Tract D):
 - i. Locations of all structures must be shown with the final site development plan.
 - ii. Adequate parking must be provided for amenities.
 - iii. A final site development plan must be approved prior to issuance of building permits for amenities and structures located within the subdivision.
 - 6. All new on-site wiring and cables must be placed underground.
 - 7. All above ground electrical and/or telephone cabinets must be placed within the interior side or rear building setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials, subject to UDO 18.30.130.
 - 8. Tree protection fencing per UDO 18.30.240.E must be installed around all areas of tree preservation and is required to be maintained throughout construction activities. Grading is not permitted within areas designated for tree protection.

MEMORANDUM

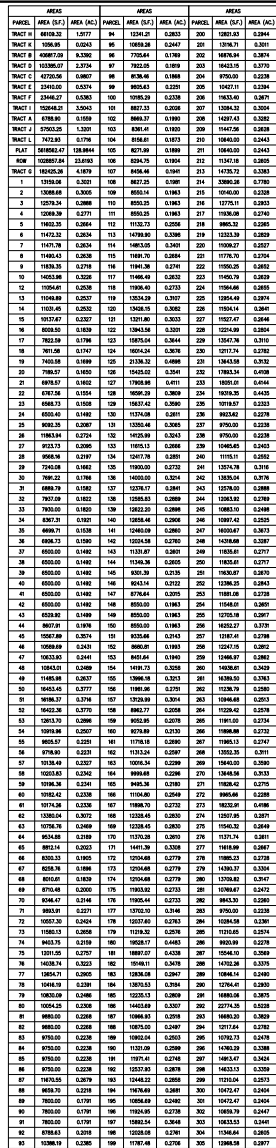
Date: November 9, 2023

To: Nathan Jurey
Olathe Planning Dept.

From: Tim Tucker, P.E.
Phelps Engineering, Inc.

Re: Purpose For Rezoning Request
Heritage Ranch (Rezoning and preliminary plat)
PEI #230732

The purpose for this rezoning request is to allow for single family residential lots to be constructed on this property. Currently the property is zoned RUR Rural District, which allows 1 dwelling unit per ten acres and does not allow for a R-1 Single Family density. The proposed zoning being requested is R-1, which would allow for single family residential lots. There is existing R-1 property zoning directly to the south, west, north, and northeast; and RN-1 Residential Neighborhood zoning on Heritage Park to the east.



THE INFORMATION SHOWN HEREON HAS BEEN TAKEN FROM RECORD 157 TITLE COMMITMENT FOR TITLE INSURANCE NO. KC-238890-07 AND WITH AN EFFECTIVE DATE OF 07/25/2023 AT 7:30 AM.

SITE DATA TABLE:

GROUP AREA	157M LAKES
EXISTING ZONING	RS
PROPOSED ZONING	R-1
PROPOSED NUMBER OF LOTS	300
SP * 4.137	28
SP * 4.137	40
SP * 4.137	10
EXISTING HOUSE	1

OPEN SPACE:

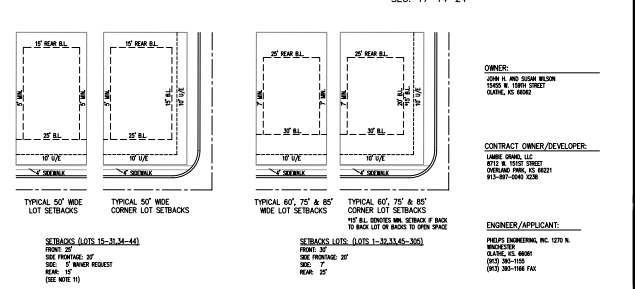
GROUP AREA	157M LAKES
OPEN SPACE PROVIDED	24.41 ACRES
PROPOSED OPEN SPACE 150'	16.40 ACRES
PROPOSED ACTIVE OPEN SPACE	16.40 ACRES
PROPOSED CLIMBERGUE, PLAY AREA, TRAIL, FISHING POND	16.70 ACRES

PROPOSED LAND USE CATEGORY:

SHRUB LAND RECREATION	2.41 LOTS FOR ACRES
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SETBACK:

ZONING REQUIREMENTS FOR UDO CHAPTER 18.02.010 R-1 SITE 1



PRELIMINARY PLAT
HERITAGE RANCH

 PART OF THE NORTHEAST QUARTER OF SECTION 14 SOUTH, RANGE 24 EAST
 JOHNSON COUNTY, KANSAS

 15455 W 159TH STREET, JOHNSON COUNTY KS 66062

PROJECT NO.	SHEET	DATE	BY	CHKD	REVISIONS
PROJ-2023-001	1	12/15/23	JM		
SHEET OF 2					

PREPARED BY: JAMES M. MOORE
 CHECKED BY: JAMES M. MOORE
 DATE: 12/15/23
 PROJECT NO.: PROJ-2023-001



OWNER:	CONTRACT OWNER/DEVELOPER:	ENGINEER/APPLICANT:
JOHN H. AND SUSAN WILSON 15400 N. 150TH STREET CLATINE, KS 66042	LAMBE GRAND, LLC 8712 N. 151ST STREET OVERLAND PARK, KS 66221 913-897-0040 X230	PHELPS ENGINEERING, INC. 1270 N. WINCHESTER CLATINE, KS 66081 (913) 383-1155 (913) 383-1966 FAX

House Renderings




PROJECT
Heritage Ranch
159th and Lackman
Road
Olathe KS



SCALE: 1"=120'

NORTH



0 120 240 360

Date: 1.3.2024
Project # 1056
Landscape Plan

L3



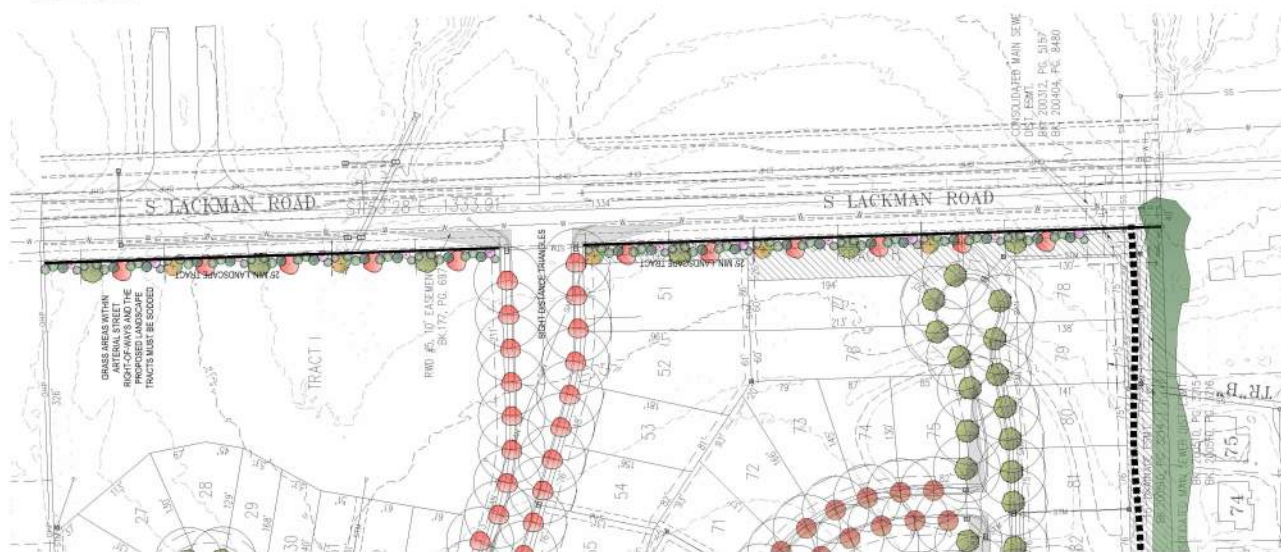
Landscape Schedule

Project Name		Project Dates	Contract Name	Site Name	Mc-Lane	Contract	Remarks
	101	1995-1996	Black River				100' W side, ground to rim
	102	1995-1996	Black River				100' W side, ground to rim
	103	1995-1996	Black River				100' W side, ground to rim
	104	1995-1996	Black River				100' W side, ground to rim
	105	1995-1996	Black River				100' W side, ground to rim
	106	1995-1996	Black River				100' W side, ground to rim
Contract 107-136							
	107	1995-1996	Black River				100' W side, ground to rim
	108	1995-1996	Black River				100' W side, ground to rim
	109	1995-1996	Black River				100' W side, ground to rim
	110	1995-1996	Black River				100' W side, ground to rim
	111	1995-1996	Black River				100' W side, ground to rim
	112	1995-1996	Black River				100' W side, ground to rim
	113	1995-1996	Black River				100' W side, ground to rim
	114	1995-1996	Black River				100' W side, ground to rim
	115	1995-1996	Black River				100' W side, ground to rim
	116	1995-1996	Black River				100' W side, ground to rim
	117	1995-1996	Black River				100' W side, ground to rim
	118	1995-1996	Black River				100' W side, ground to rim
	119	1995-1996	Black River				100' W side, ground to rim
	120	1995-1996	Black River				100' W side, ground to rim
	121	1995-1996	Black River				100' W side, ground to rim
	122	1995-1996	Black River				100' W side, ground to rim
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	125	1995-1996	Black River				100' W side, ground to rim
	126	1995-1996	Black River				100' W side, ground to rim
	127	1995-1996	Black River				100' W side, ground to rim
	128	1995-1996	Black River				100' W side, ground to rim
	129	1995-1996	Black River				100' W side, ground to rim
	130	1995-1996	Black River				100' W side, ground to rim
	131	1995-1996	Black River				100' W side, ground to rim
	132	1995-1996	Black River				100' W side, ground to rim
	133	1995-1996	Black River				100' W side, ground to rim
	134	1995-1996	Black River				100' W side, ground to rim
	135	1995-1996	Black River				100' W side, ground to rim
	136	1995-1996	Black River				100' W side, ground to rim

PROJECT
Heritage Ranch
159th and Lackman
Road
Olathe KS



LANDSCAPE PLAN (159TH STREET BUFFER ENLARGEMENT VIEW)

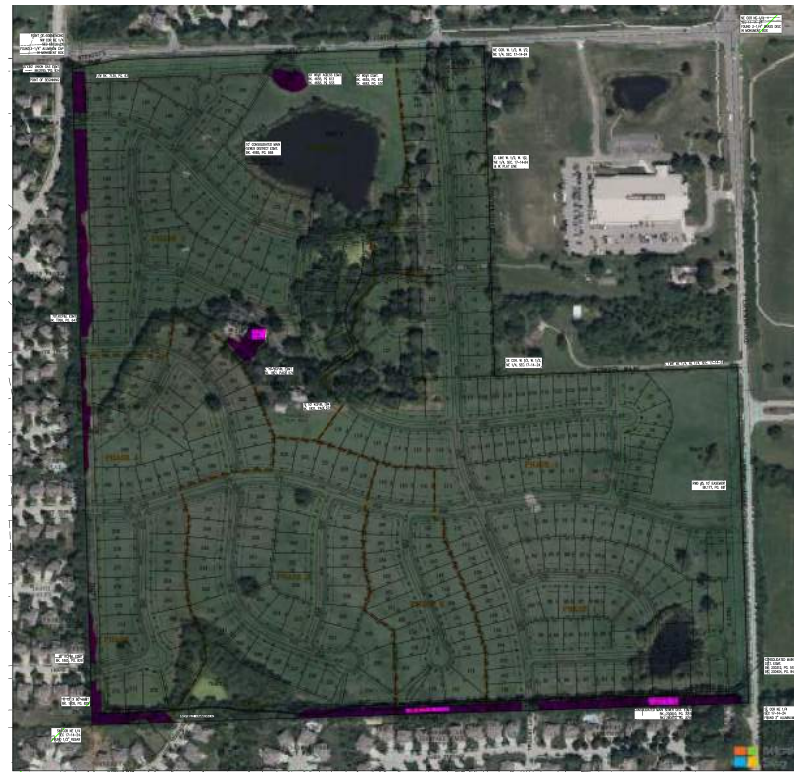


 1 LANDSCAPE PLAN (LACKMAN ROAD BUFFER ENLARGEMENT VIEW)

Age	Sex	Behavioral Signal	Common Name	Medical	Max Size (cm)	Max Age
POCIPHIDAE						
1	♂	None observed	Blue Shark	2.0"	6" min. obs., growth to 10"	
1	♂	100% white	Atlantic Pig Fish	2.0"	6" min. obs., growth to 10"	
1	♂	Darkish Unusually "High"	Wholehead Herringgout	1.0"	6" min. obs., growth to 10"	
1	♂	Reserve - variable	Redfin Flaw Ties	1.0"	6" min. obs., growth to 10"	
1	♂	Just a "bushy" headpiece	Pacific Trawl Maki	1.0"	6" min. obs., growth to 10"	
COGICHTHIDAE						
3	♂	Large, white, "bushy" Tailpiece	Indefinite Surge	6" N	approximate juvenile size	
3	♂	Orange "bushy"	Redfin Tail (2nd)	6" N	approximate juvenile size	
3	♂	Flow white	Heavy Spines	6" N	approximate juvenile size	
COGICHTHIDAE						
1	♂	Large, white, bushy	Scary Redfish	1.0"		
1	♂	Orange-brown "bushy"	Cloud & Bignetti	2"		
POCIPHIDAE						

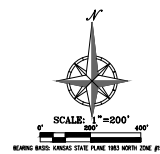
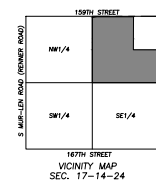


EXISTING TREE CANOPY AREA



PROPOSED TREE CANOPY AREAS TO BE PRESERVED

EXISTING TREE CANOPY AREA = 19.52 ACRES
REQUIRED TREE CANOPY TO BE PRESERVED 20% = 3.90 ACRES
PRESERVED TREE CANOPY AREA = 3.95 ACRES



LEGEND:

B.L.	DENOTES BUILDING LINE
U/E	DENOTES UTILITY EASEMENT
L/E	DENOTES LANDSCAPE EASEMENT
	DENOTES PROPOSED SIDEWALK

OWNER/DEVELOPER
JOHN H. AND SUSAN M.
15455 W. 150TH STREET
CLATCHE, KS 66002

ENGINEER/APPLICANT:
PHELPS ENGINEERING, INC. 127
 WINCHESTER
 OLATHE, KS. 66061
 (913) 393-1100
 (913) 393-1166 FAX

Meeting Date: December 14, 2023

Re: Neighborhood Meeting Questions & Responses
Heritage Ranch

A neighborhood meeting was held on December 14, 2023, at Heritage Christian Academy/Legacy Christian Church, located at 16000 South Black Bob, Olathe, Kansas. The proposed preliminary plat for Heritage Ranch was presented to the attending neighbors and the following question in black print were asked by those attending with answers provided below.

1. How wide is the Tree Preservation Easement?

A 30' TPE is provided along the south property line, and currently the entire tracts along west are defined as a TPE.

2. Where is trail going to go?

An 8' trail is proposed on the south property line from our southwest property corner to Black Bob Road along our south property line within the tract ground. The first 30' north of our south property line will be in a TPE and then a 20' wide section of tract will be provided for trail just north of the TPE. The intent is to preserve the south tree line.

3. How wide is 161st Terrace?

161st is a collector street and the R/W will be 60' wide with a 36' wide street measure from back of curb to back of curb.

4. Will 159th Street be improved?

No, the only improvements proposed on 159th Street is we will be providing right and left turn lanes at our entrance on 159th Street. The city will provide improvements on 159th Street at later date and improve the 2 lane sections to a 4 lane section with median. Arterial improvements are the responsibility of the city and excise tax is paid the city for these improvements. We are not aware if 159th Street is on the City's CIP and are unsure of the timing of future improvements.

5. Discussion regarding back up on 159th Street?

Explained that right and left lanes at our entrance should prevent any backups due to our development. The turn lanes should also improve current conditions for turning movement at the entrance median break for left turn movements going north at the median break. Council woman Felter added that a signal at 159th & Brougham was proposed to be installed by the city in 2027.

6. Construction traffic?

Public improvement construction access would be limited to 159th Street and Black Bob Road. Once the streets are accepted by the city and house construction begins the streets will be opened up and are public streets, construction at that time will be difficult to control. The development will request builders to utilize 159th & Black Bob but it will be difficult to control all the different vendors and sub-contracts involved in the house building.

7. Blasting Rock?

At this time we have no rock information or utility design on the project to determine the need for blasting. If blasting is required the contractor will be required to get a blasting permit from the city and meet city requirements.

8. What is going to happen with the existing house?

The existing house will be saved and remodeled. A lot has been laid out around the existing house.

9. Why are the stub streets being connected too?

The city has predetermined the street connectivity to Heritage Ranch with the approval of the surrounding subdivision approvals. The city has an access management plan they utilize to ensure that all properties have good cross traffic connectivity. The city wants multiple access points to aid in emergency service access, and improve the overall traffic flow by providing multiple alternate routes.

10. What is the depth of lots?

The typical lot depth is 135-feet, but some of the lots along the south property line will be shorter to allow for a 30' TPE and path along the south property line.

11. How is detention going to work?

Explained that the site runoff will not exceed the pre-existing runoff flow rate. Runoff will be routed into the ponds and the outflow will be choked down to meet pre-existing flow rates, and storage has been provided above the normal pool to store the detained water.

12. Will the north pond get larger?

The north pond will be slightly increased in size and the dam height will be raised.

13. Can the proposed east pond be moved further northeast along the property line?

No, the pond needs to be located at the natural low point to capture the maximum drainage area for detention. The location suggests northeast of the proposed location would not work because the drainage area to the basin would be too small and the only drainage to the pond would be a small area of offsite area, none of our development would drain the pond therefore not serve any detention purpose.

14. How wide is the Tree Preservation Easement?

The TPE is 30' wide along the south property except adjacent to the south pond where trees will need to be removed from the dam and the pond will need to be improved. The tracts along the west property line are currently proposed as TPE which the tracts are roughly 50' feet wide. I noted that the existing tree line is not 50' wide.

15. Water pressure concerns?

Question was asked by resident north of 159th Street and I explained 12" water main is provided on 159th Street that will be adequate to serve development on both sides of 159th Street and service to the south of 159th on Heritage Ranch should not affect pressure north of 159th.

After the meeting I looked into this question a little further and found the north side of 159th Street is served by a 12" City of Olathe water main that necks down to a 4" main in front of his residence. A 16" WaterOne water main is located on the south side of 159th Street which Heritage Ranch will be served from so the development of Heritage Ranch will have no impacts on the water pressure north of 159th Street. A 6" WaterOne main is on Black Bob which will be improved to a larger main in accordance with WaterOne requirements. Water pressure on the west and south property lines should be improved by being connected into the Heritage Ranch proposed water mains by providing additional water main loops. Adjacent property will no longer be on dead end lines.

16. What will the shape of the small pond be?

Pond will be improved and still be a wet pond with very similar shape as the existing pond.

17. How will sanitary sewers work?

Explained Johnson County Sanitary sewers have been extended to the property at the north, southwest, and southeast. The entire Heritage Ranch property will gravity sewer to the exist JCW mains.

18. Are there house plans?

Not at this point, but the 50' wide lots will require final development plans with house plans requiring additional architectural requirements like stone and stucco.

19. House cost?

\$550,000 to over a million

20. Who will sell lot developer or developer?

Developer will realtor team selling lots

21. How many builders?

4 to 5 builders per lot size, so potentially 10 to 15 total builders

22. Who is the HOA?

The HOA management team has not been determined at this point

23. Separation between back of lots?

I explained that we have a tract a minimum of 40' feet wide on the south and west property line R-1 lots are required to a minimum of 25' rear yard setbacks so their will be a separation of at least 90'

Comments 24 to 37 were provided in writing from Michael Perdaris, located at 16090 Lackman Road but not discussed in the meeting discussion.

24. Why were we last to find out about this development?

Everyone within 500' feet of the property was notified at the same time with the neighborhood meeting notice sent out prior to December 8th per city requirements.

25. Why were we not approached about potentially selling our property to this development, especially given the required dead road for future neighborhood expansion on to or property?
Not discussed. Stub street is required by city to meet the City's Access Management Plan for connectivity.

26. How close are structures going to be to our property lines?

25-feet setback

27. Are the houses next to our lots going to be single story, or will they be taller?

Maximum height of 35 feet, could be 2-story

28. We do not want to see a neighborhood outside our front windows.

Not discussed in meeting

29. What is the plan to ensure proper screening immediately out our front windows?

Not discussed in Meeting. No screen required between single family developments, no screening proposed.

30. What is going to keep neighborhood residents out/off of our property? The main concern is children who may get injured while trespassing?

Not discussed in Meeting. Would be handled the same as every other a joining neighboring single family property in the city.

31. What survey information exists showing current property lines and fences?

Not discussed in Meeting. An ALTA survey has been prepared by Phelps Engineering, Inc. and fence on the south side of the Perdaris property is approximately 2 feet on the Heritage Ranch property and the fence on the west side of the Perdaris property is on the Perdaris property.

32. Our property is unincorporated county, and we are not intending to request annexation. We intend to continue using our property in the same ways we are currently, which includes farming, hunting, burning brush, etc.

Not discussed in Meeting.

33. What amenities does this development bring to us? Will there be high speed internet? Fiber? Will there be sewer to hook on?

Not discussed in Meeting. High speed internet will be provided to development, if available. JCW Waste Water will required this development to extend sanitary sewer main to the Perdaris property, but the development will not hook him up.

34. How will this development impact our property value?

Not discussed in Meeting.

35. How will this development impact or property tax?

Not discussed in Meeting.

36. What is the plan to ensure the continued natural drainage of water? With the addition of so many structures and so much pavement, natural water flow and drainage will be impacted.

The Heritage Ranch property is located downhill of the Perdaris property and storm sewer will be provided to receive their runoff and maintain the current drainage path. Stormwater detention is being provided to reduce the peak runoff from the development to pre-existing runoff levels.

37. What are the next steps/project timeline for the project?

The forgoing process was explained at the end of the meeting.

A public notice will be sent out to properties within 200-feet of the property prior to December 18th. Public Notification mailing has already been sent out and property owners should receive in the next couple of days.

A public hearing, Planning Commision, will be held on January 8th at the city hall for the Zoning and preliminary plat.

The zoning will proceed City Council for approval on February 6th at the city hall.

Heritage Ranch Waiver Request

The applicant, Heritage Ranch Developers, LLC is requesting a waiver from the City of Olathe's Unified Development Ordinance (UDO).

We are requesting a waiver from the side yard setback per UDO 18.20.070 B. requiring a seven (7) foot side yard setback on interior lot lines and (20) foot side yard on corner lots for lots less than 60 feet wide. The request is for a five (5) foot interior side yard on Lots 15-44 and a fifteen (15) foot side yard on corner lots 15, 25, 26, 34, and 44.

The Heritage Ranch preliminary plat indicates that Lots 15-31 and 34-41 will be a minimum of fifty (50) feet wide as allowed in Section 12.20.070 of the UDO. The reduced lot width is allowed by right subject to 1) the building design standards found in Section 18.15.020.G. are met and 2) a minimum common open space of 15% is provided within the subdivision of which 50% shall be active open space. The remaining Lots 1-14, 32,33, and 45-305 will exceed the minimum lot width of sixty (60) feet for R-1.

The intent of the additional building design and open space requirements for smaller lots are to ensure that the plan and layout will result in a "superior design". Following this criterion, the UDO allows for various waivers where the results meet the intent of the regulations and create a streamlined process where the applicant can seek exceptions and where the exceptions create a "superior design". The above requested **waivers would only apply to the fifty (50) foot lots**.

In an effort to provide a mix of product over this one-hundred and twenty-nine (129) acre tract of property the applicant is proposing a mix of lot sizes and four market points to provide for housing for young families and established families alike. The market value of the fifty (50) foot lot is expected to be in the five hundred-thousand-dollar range and the sixty to eighty-five (60-85) foot lots up to a million plus range. Developing a plan that combines superior architecture and open space throughout the entire development will enhance the overall design of the neighborhood.

The approval criteria for these waivers are met by:

- 1) Providing a higher quality development design with increased architectural standards and open space.
- 2) The proposed waivers are limited to the fifty (50) foot lots and these lots are designed to create their own unique neighborhoods, with in this overall planned development.
- 3) These waivers are in line with the reduction in lots sizes, that are allowed, and will not injure, endanger or create any inconvenience on the private rights of others.