City of Olathe
Planning Division

Staff Report

Planning Commission Meeting: July 22, 2019

Application:	**UDO19-0001: Unified Development Ordinance Amendments**
Applicant:	City of Olathe, Public Works – Planning Division
Staff Contact:	Aimee Nassif, Chief Planning and Development Officer Zachary Moore, Planner II

Overview:

Presented this evening are updates to the *Unified Development Ordinance* (UDO), specifically to Section 18.15, the Composite Design Standards. The Composite Design standards in today's UDO comprise two sections; the Building Design Standards and Site Design Standards. Major updates are proposed for the Building Design Standards within this section, and minor changes are being made to the Site Design Standards within this section.

The goals of this proposed update are to improve the readability and clarity of the regulations that are included in this Chapter, ensuring that the 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 of Olathe. This report will explain the community engagement that occurred throughout the evolution of this proposal, and how the 3 main goals of this update are being achieved.

Building Design Standards

1. Community Engagement

a. Stakeholder Workshop

Staff engaged the services of Christopher Shires with Confluence who has many years of experience drafting code, specifically also on architecture codes. Once a working draft was in hand, staff held a workshop on February 13, 2019 to share feedback and collaborate on the draft language. Over 80 local architects, developers, and other members of the local development community were invited to attend.

A total of 16 members of the development community were in attendance and engaged in discussion and collaboration during the 4-hour workshop. Some significant areas of conversation and collaboration included the updated building materials table, how to process and review additions to existing buildings, and updating building design standards so they are to be determined by building type.

b. Planning Commission Workshops

After the February stakeholder workshop, staff continued working on the draft, incorporated several ideas and vetted additional research. As we continued to research the topics that were discussed and gather input from the development community, the draft has continued to evolve.

On April 8, 2019, a workshop was held with the Olathe Planning Commission, where a draft of this proposed update was presented to them for the first time. With the Planning Commission, staff discussed in depth what would be updated with this proposal, and what would remain the same, with major focus being placed on the building materials table, development standards for building additions, and the change from buildings being reviewed under the scope of building categories which are based on the Comprehensive Plan, as compared to buildings being reviewed based on the type of building being constructed.

Based on the amount of discussion and great collaboration that occurred at the April 8 workshop, an additional workshop was held with the Planning Commission on April 22, where emphasis was placed on the building materials table and the specific design standards of each building type.

2. Improving Readability and Transparency of the Regulations of this Chapter

In the current edition of the Building Design standards of today's UDO, each building design category provides a table, such as the one shown to the right, which lists minimum required standards for any building that is subject to that particular category's building design standards. While this table provides some of the minimum standards that are required by each of these building design categories, the table omits several requirements. One of the key opportunity areas we want to improve with this update is readability. To accomplish this, confusing tables have been removed and replaced with lists that provide clearly stated requirements. This update will direct the readers' attention to one continuous location within the UDO, rather than flipping through pages or scrolling back and forth on the digital pages of the Code.

Façade Expression		
A	Horizontal and Vertical Articulation of Primary Façade	Required - See menu options
B	Focal Point Elements on Primary Façade	Required - See menu options
C	Additional Primary Façade Expression	Required - See menu options
D	Transparent glass on Primary Façades (min. %)	20%[1]
Pedestrian Orientation		
E	Ground Floor Pedestrian Interest	Required – See menu options
F	Front facing Entry Element on Primary Façade	Required – See menu options
Exterior Building Materials		
G	Building Materials on Primary Façades (min. % Materials Category 1 / max. % Materials Category 2)	70% / 30%[2]
H	Building Materials on Secondary Façades (min. % Materials Category 1 / max. % Materials Category 2)	60% / 40%
I	Mix of Building Materials on Primary Façades	Required – See menu options
Transition Standards		
J	Transition to R-1 and R-2 Districts	Required - See text
Overhead Doors		
K	Location of Overhead Doors for Vehicular Access	May not be located on

Other tables which provide conflicting information have also been removed so that all standards for a building type will be easy to find and located in a single area.

3. Update Building Materials Table

The Building Materials Table has been one of the most highly discussed areas of this proposed update. This table is very important when it comes to development within the City because it sorts building materials into four different classifications, which dictates how much of a certain type of material can be used on a building.

The current building materials table identifies 3 building material categories. Building materials categories 1, 2, and 3 generally correlate to high-quality materials, medium-quality materials, and low-quality materials, respectively. The proposed update will introduce another building materials classification, which will break the high-quality materials category into very-high quality materials and high-quality materials (separating the current Category 1 materials into Class 1 and Class 2 materials). The proposed building materials table gives more credit to the highest-quality of masonry materials, such as genuine stucco, thick stone veneer, full brick veneer, clear glass, and the highest-quality architectural metals, which are all classified as Class 1 materials in the proposed update.

Each building type that is listed in the proposed update requires an amount of Class 1 building materials on primary and secondary façades. For example, Commercial/Retail buildings require a minimum of three different Class 1 or 2 building materials to make up a minimum of 80% of each primary façade (up from 70% Category 1 building materials as currently required).

The proposed building materials table includes more specific details when it comes to each material. Definitions for each material are provided to help clarify distinctions between different types of similar materials. In the current code, there is no difference stated between full brick veneer or thin brick veneer, while the proposed code classifies full brick veneer as a Class 1 material and thin brick veneer as a Class 2 material. This is because full brick veneer appears more authentic as a building material while thin brick veneer appears lighter and generally less authentic when applied on a building façade.

The table that is provided on the following page lists each building material and how it is categorized in today's Code (left-hand column) compared to how it is considered in the proposed update (right-hand column).

Table 3.1: Building Materials Table Comparison

Old Building Material Category	Building Material	New Building Material Class
3 categories	**MASONRY AND STONE (NON-LOAD BEARING)**	**4 classes**
1	Brick Veneer, fired clay	1
2	Brick Veneer (thin), fired clay	2
2	Brick Paneling, fired clay	3
2	Brick veneer, synthetic	2
3	Brick paneling, synthetic	3
1	Stone veneer, natural	1
1	Stone veneer, synthetic	2
Not previously specified	Stone paneling, synthetic	3
1	Stucco, genuine	1
	CONCRETE MASONRY UNITS	
1	Burnished/ground-faced block	2
2	Patterned or shaped block	2
2	Split-faced block	3
3	Plain, flat-faced block	4
	CONCRETE	
1	Architectural quality precast concrete panels	1
2	Cast-in-place concrete, board former or decorative form liner	2
2	Cast-in-place concrete, plain	3
2	Site cast and precast concrete panels	3
	METALS	
2	Architectural quality, composite metal wall panel systems	1
2	Architectural metal wall panel systems, concealed fastening	3
2	Architectural quality metal wall panel systems, exposed fastening	3
3	Metal (panels, siding, trim)	4
	GLASS	
1	Clear glass (windows, curtain walls, paneling systems)	1
2	Glass blocks	3
1	Mirrored glass	4
1	Opaque or tinted glass (including color applied)	3
1	Spandrel glass	2
	OTHER MATERIALS	
2	Wood (panels and siding)	3
2	Cement fiber board (panels and siding)	3
3	Exterior Insulation and Finish System (EIFS)	3
2	Composite wood (panels, siding, and trim)	4
3	Vinyl and PVC (panels, siding, and trim)	4
Not previously specified	Ceramic	3
Not previously specified	Translucent wall panels	3
Not previously specified	Fabric	Not permitted

A. Classification of EIFS

The most discussed building material classification with this proposed update, is where the building material EIFS (Exterior Insulation Finishing System) should be classified. EIFS is a form of synthetic stucco, with several layers that make up the material as a whole, including; a polystyrene foam insulation board, a layer (in some cases two) of reinforcing mesh, base coating, primer, and finally a finish coat.

Staff and our consultant discussed this material with several planners and architects in the region to receive their input and opinions on EIFS. Staff met with representatives from the EIFS distribution industry and listened to their issues and requests that EIFS should be classified as a Class 1 material.

While EIFS has made improvements as a building material over time, staff still has concerns based on the durability, flammability, and appearance of the material. Based on these concerns, staff is of the opinion that EIFS should be classified as a Class 3 material. There is an additional clause in the proposed update which prohibits the use of EIFS within 10 feet of the ground level on a façade. This has been added based on concern of the material being able to be punctured or damaged, risk of the foam base of the material catching fire from cigarette butts disposed by patrons or employees, and appearance of the material in the primary viewshed.

The current UDO allows EIFS as a Category 3 material and as a Category 2 material when used as a detail or accent. After detailed review, meetings, and research staff is recommending that EIFS be allowed as a Class 3 material is consistent with other synthetic materials listed in the building materials table. This new Class 3 allowance is an increase from what is allowed today and is consistent with requests and waivers for the use of EIFS that we have seen over the last 5 years.

4. Continuing to Promote High-Quality Development Throughout the City

The most important goal of this update is to continue to promote the high-quality development. The increase in quality will be realized through increases in very-high quality materials that are required on primary and secondary façades, increases in the amounts of glass required on both primary and secondary façades, architectural features that provide a high level of attention to details on buildings, and a higher emphasis placed on residential amenities for multi-family developments.

a. *Glass Requirements*

One of the two major areas that the quality of development will be increased is the amount of glass that is required on primary façades for each building type. The table provided on the next page provides a comparison of the amount of transparent glass required on primary façades for each building type.

Table 4.1: Glass Required on Primary Façades

Current Requirement for Glass on Primary Façades	New Building Use Type Category	Proposed Requirement for Glass on Primary Façades
0%	Agricultural	0%
0%	Single-Family Residential	0%
0-25%	Two-Family Residential	0%
25%	Horizontally Attached Residential	0%
25%	Vertically Attached Residential	20%
30%	Non-Residential Building in a Residential Zoning District	20%
20% (entire façade)	Commercial/Retail Building	25% (first floor) 30% (upper floors)
20%	Office Building	25%
30% (entire façade)	Mixed-Use Building	35% (first floor) 20% (upper floors)
0%	Industrial Building	15%

Requirements for glass on primary façades for horizontally attached residential units (triplexes, fourplexes, townhomes, etc.) have been changed from requiring a percentage of glass to requiring a minimum of two transparent windows for these dwelling types. This update alleviates developers of the burden of providing a minimum requirement per façade, which for this type of development can be difficult to achieve. The requirement for two windows would reduce clear glass that may be placed in undesirable locations within a house, like storage areas, bathrooms, and closets, while maintaining a high level of quality of development by requiring two separate windows to be provided on primary façades.

There are multiple building types where the minimum requirement for transparent glass has been decreased, as can be seen in the table provided above. In recent years, staff has commonly seen waiver requests to reduce glass requirements on multifamily residential buildings and residential buildings in non-residential zoning districts. Due to the amount of waiver requests received, staff conducted an audit of the UDO to determine if the regulations in the existing UDO were appropriate.

Based on the findings of the research that staff conducted in its audit, staff found that a reduction in the glass requirements for certain building types, such as multifamily residential and nonresidential buildings in residential zoning districts (i.e. schools and churches) was appropriate. This is based on the higher frequency of areas where windows would be inappropriate, such as bathrooms, closets, and storage areas in multifamily buildings and auditoriums and gymnasiums in schools and churches.

Staff has received waiver several waiver requests over the years for reductions in these glass requirements, and after working with applicants on ensuring high-quality design on the buildings overall, staff has been supportive of these waivers. Some features that staff has used to ensure high quality design on buildings to mitigate the glass reduction have been added to the proposed update, ensuring that those high-quality design elements are still being met with the reduction in glass.

b. Building Materials Requirements

The second major area that the quality of development will be increased is the amount of high-quality building materials required on primary façades for each building type. The table provided below provides a comparison of the amount of Category/Class 1 building materials required on primary façades for each building type between the proposed update and the current UDO.

Table 4.2: Building Materials Required by Building Type

Category 1 Materials Required (Previous)	New Building Use Type Category	Proposed Requirement for Class 1 Building Materials
N/A	Agricultural	0%
0% / 70%	Single-Family Residential	0% / 70%
70%	Two-Family Residential	70%
70%	Horizontally Attached Residential	70%
70%	Vertically Attached Residential	70%
80%	Non-Residential Building in a Residential Zoning District	75%
70%	Commercial/Retail Building	80% Class 1 or 2
70%	Office Building	70% Class 1 or 2
80%	Mixed-Use Building	80% Class 1 or 2
20%	Industrial Building	75% Class 1, 2, or 3

The building materials requirements that are proposed with this update will increase the quality of development that is seen throughout the City. When viewing the table provided above, it is important to remember that the classification of materials that was previously considered Category 1 materials has since been broken into Class 1 and Class 2 (very-high quality and high-quality materials).

Residential building types maintain high amounts of solely Class 1 materials, as these materials provide sound architectural design and further the mission of the City by ensuring that the highest level of design is provided in our multi-family developments. While non-residential building types in this Code update incorporate Class 2 (and in cases of Industrial buildings, Class 3 materials), the quality of development is being increased by the higher amounts of transparent glass that is required on each building type's primary façades.

Also, with the current UDO's building materials Category 1 being divided into two separate materials classifications with the proposed update, staff finds that allowing a mixture of building materials from Classes 1 and 2 is important. This will help to ensure that the City will avoid a monotonous appearance of new developments by allowing a mix of building materials allowed on primary façades.

5. Benefit to Development Community

In addition to providing benefits to the City with the updates to this draft, staff was seeking an opportunity to make the development standards easier to understand, make the development process more streamlined, and to reduce the amount of waivers that would be requested, while increasing the quality of development found in the City. In this proposal, staff identified two major updates that will help to achieve those goals, these include:

a. Changing the definition of primary façade to mean any street-facing façade or any façade which includes a primary customer building entrance.

b. Changing applicable building design standards from being determined by the Land Use designation on the Comprehensive Plan to being determined by building type.

As stated in Section 4.a, on page 6 of this report, it was found that a high number of waivers were being requested to allow reductions in the percentage of glass on primary façades for multi-family residential, nonresidential buildings in residential zoning districts (churches and schools), and commercial/retail developments. Staff conducted research and audited the UDO to determine if the standards that were in place were appropriate. As stated on page 6, staff found that some of the regulations in the current UDO were not appropriate in some areas. Staff took this opportunity to propose changes to the UDO that will increase quality of development and reduce the amount of waivers that are sought.

As referenced in Section 5.b of this report, above, staff is proposing a change how applicable building design standards to individual buildings are determined. In the current UDO, building design standards are determined by the location of a property that a building is proposed on, and that property's designation on the Future Land Use Map of PlanOlathe (the Comprehensive Plan). Staff is proposing that building design standards should be determined by the type of a building, such as a commercial/retail building, or multi-family building. This will provide increased clarity to members of the development community as to which standards will apply for a project, and will help to reduce the amount of waivers that are requested.

In instances where the zoning of a property is not compatible with the PlanOlathe, the current UDO requires that the building follows standards determined by the land use designation, rather than following the functionality of the building that was proposed to be built. For example, if a property was located in a commercial future land use designation in the PlanOlathe, but was zoned industrial, the architectural standards in the current UDO would require that development to comply with commercial building design standards, which may be cost-prohibitive for the development or would not allow the building to be built in a way that would be functional for its user. With the proposed update, buildings which are intended to function as industrial buildings will be required to follow standards for industrial buildings, and commercial buildings will be subject to commercial building design standards, regardless of their future land use map designation.

Benefit to the Community

As stated previously, one of the three main goals of this proposed update to the UDO is to increase the quality of development that occurs in the City. While the City has seen an increase in the last several years, since the Composite Standards were introduced in 2014, the City saw opportunities to build from that update and to further increase the quality of development. This proposed update is meeting the call for higher quality development in the City in several ways, including:

- Placing greater emphasis and requiring high amounts of "very-high quality" Class 1 building materials on both primary and secondary façades, stressing the importance of four-sided architecture.
- Adding standards to the general requirements section addressing details such as trim, shutters, soffits, and cornices, that while seemingly minor in nature, make major impacts on the appearance of a development when built.
- Placing emphasis on the architectural standards of accessory buildings in multi-family residential developments.
- Adding a standard for residential amenities to be required on a building for each individual dwelling unit (such as a patio or balcony), or on the rooftop for multi-family residential developments.
- Increasing standards for multi-family residential, commercial/retail, two-family residential, mixed-use, and industrial developments.

Site Design Standards

Included with this amendment package are updates to the site design standards section of Chapter 18.15. With these updates, none of the standards are being changed, however, changes are proposed to improve the readability of the section and to increase the clarity of how the standards shall be applied.

The site design standards section of the UDO includes tables for each design category which lists the minimum standards for any site subject to that category's standards. These tables are similar to the building design standards table that is included within Section A.2 of this report, on page 2. While these tables provide some of the minimum standards that are required by each site design category, the tables omit several requirements. One of the key opportunity areas we want to improve with this update is readability of this Chapter. To accomplish this, confusing tables have been removed and replaced with lists that provide clearly stated requirements. This update will direct the readers' attention to one continuous location within the UDO, rather than flipping through pages or scrolling back and forth on the digital pages of the Code

Table 15.9 of the UDO is proposed to be modified with this proposed update, to remove the list of standards as mentioned in the paragraph above, and also to remove the line in the table that lists the "Typical Zoning District" for each category (see image below). Since the site design categories are determined by a property's location on the future land use map in PlanOlathe, having this line in the table was confusing to readers, as it was often the thought that the zoning district was the determining factor when site design standards were being applied.

Table 15-9. Summary of ~~Composite~~ Site Design Standards

	1	2	3	4	5	6
Future~~/Proposed~~ Land Use Map Category	*Conventional Neighborhood*	*Conservation/ Cluster Neighborhood*	*Neighborhood Center, Urban Center, TOD, Mixed Use Residential Neighborhood*	*Commercial Corridor, Regional or Community Commercial Center*	*Employment Area*	*Industrial Area*
~~*Typical Zoning District*~~	~~*R-1*~~	~~*R-1*~~	~~*N, C-1, D, R-2, R-3, R-4*~~	~~*C-2, C-3, C-4*~~	~~*O, BP, M-1*~~	~~*M-2, M-3*~~

Additionally, language was added to some standards within the site design category section to provide consistency with other sections throughout the Code.

Staff Recommendation:

Staff recommends approval of the proposed amendments to the Unified Development Ordinance (UDO), as detailed in the attached UDO Amendments Exhibit for Chapter 18.15.

It should be noted that a draft of supplemental edits to several Sections of the UDO will be forthcoming should these updates be adopted. The supplemental edits will make minor changes to text within other sections of the UDO to be consistent with changes that are included in this update.

Attached please find a copy of proposed draft of the new Building Design Standards section and the redline version of the Site Design Standards section.