



City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: September 9, 2019

Application:	<u>RZ19-0014:</u> Rezoning from R-1, RP-1, RP-4, and CTY A to R-2 District and preliminary site development plan for Prairie Canyon
Location:	Southwest of the intersection of College Boulevard and K-7
Owner:	Trust of Sandra G. Mitchell; West Olathe, LLC
Applicant:	Frank Dean, Prime Land Development Company
Engineer:	David Rinne, PS; Schlagel & Associates, P.A.
Staff Contact:	Sean Pendley, Senior Planner

Site Area:	<u>18.20± acres</u>	Proposed Use:	<u>Single and Two-Family Residential</u>
Units:	<u>56</u>	Plat:	<u>Unplatted</u>
Density:	<u>3.08 units per acre</u>	Proposed Zoning:	<u>R-2</u>
Tracts:	<u>4</u>	Current Zoning:	<u>R-1, RP-4, CTY A</u>

	Plan Olathe Land Use Category	Existing Use	Current Zoning	Site Design Category	Building Design Category
Site	Urban Mixed Use Center	Vacant	R-1, RP-4, CTY A	2	B
North	Urban Mixed Use Center	Vacant	RP-3	-	-
South	Urban Mixed Use Center	Vacant	R-1, RP-3	-	-
East	Urban Mixed Use Center	Vacant	RP-4	-	-
West	Primary Greenway	Proposed Single Family	R-1, CTY A	-	-

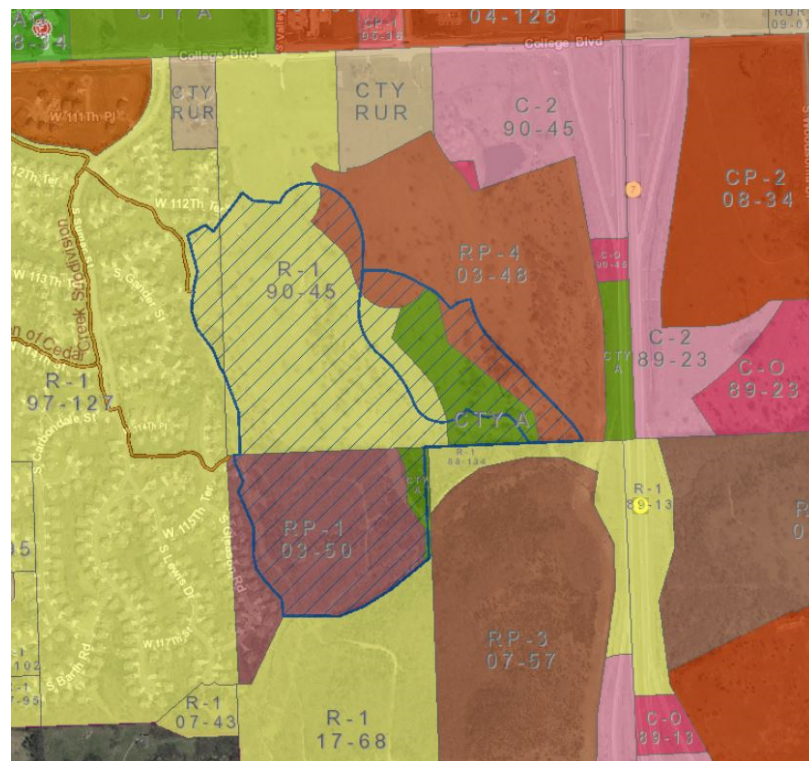
1. Proposal:

The applicant is requesting a rezoning from R-1, RP-4, and CTY A to R-2 (Residential Two Family) District and a related preliminary site development plan for Prairie Canyon. The subject property is located south and west of the intersection College Boulevard and K-7 Highway. The proposed rezoning to R-2 is required to allow the subdivision of land into lots for single-family homes and attached villa units on the subject property. The estimated value for the new twin villas is estimated to be in the range of \$400,000 to \$450,000 per unit.

The proposed development consists of a subdivision with 56 dwelling units and 4 common tracts. There is a related rezoning application for R-1 District (RZ19-0012) and preliminary plat for single family lots in Prairie Canyon immediately west of the subject property.

2. History:

The subject property is currently zoned under three different zoning categories: the western portion of the property is currently zoned R-1, the center portion of the property is zoned CTY A, and the northern and eastern portions of the property are currently zoned RP-4. The portion of the property that is zoned R-1 was rezoned in 1990 (RZ-08-90) and showed a conceptual plan with single-family homes in this area. The portion of the property that is zoned CTY A was previously proposed to be rezoned to the R-3 District in 1990, to allow for an apartment development at a density of 12.4 units per acre. Lastly, the portion of the property that is zoned RP-4 was included as part of the College West Apartments rezoning in 2003, which included a preliminary site development plan which showed mostly open space in this area.



Current Zoning Map

3. Existing Conditions/ Site Photos:

The site is currently undeveloped and there is native vegetation along the western slope of the property.



View of site looking west from K-7 Highway



Aerial view of subject property

4. Neighborhood Meeting/Public Notice:

The applicant held a neighborhood meeting on July 30, 2019 (see attached minutes) and twenty-seven (27) residents attended. Main topics of discussion included proposed greenspaces and trails, street connectivity, project timeline, and future uses along College Boulevard. The neighborhood meeting minutes are included in the Planning Commission packet.

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. Since the application was continued from the August 26th Planning Commission meeting at the applicant's request, new signs have been posted on the site and letters notifying citizens within 200 feet of the new Planning Commission meeting date have been mailed, per UDO requirements.

5. Zoning Requirements:

- a. **Lot Dimensions** – The minimum lot width for the R-2 district is 40 feet and minimum lot area is 2,500 square feet. All lots in the proposed development meet or exceed the minimum 40-foot lot width requirement, and the smallest lot in the proposed R-2 development is 6,769 square feet. The average lot size in this proposed subdivision is 8,500 square feet.
- b. **Building Height** – The maximum building height for residential buildings in R-2 districts are 2 ½ stories or 35 feet.
- c. **Setbacks** – Setbacks in the R-2 District are as follows: Front Yard – 20 feet, Side Yards – 7 feet, and Rear Yards – 15 feet. The proposed development complies with the minimum yard setbacks for R-2 districts.

6. Streets/Right-of-way:

All lots within the proposed subdivision will have access from new local streets. The road network for the proposed subdivision will have access to the west from a proposed extension of Valley Parkway to the west, as it extends south from College Boulevard to the north.

A future collector roadway will be required to be constructed to the east of the subdivision for this twin villa subdivision. An agreement for construction of this roadway must be in place with a copy provided to the City prior to recording the plat for any land adjacent to the collector roadway. Each cul-de-sac in the proposed subdivision will have a landscape tract in it that will have a street easement over it. The proposed development meets UDO requirements for public right-of-way and cul-de-sac size.

7. Sidewalks/Trails:

The preliminary plat show sidewalks on one side of the streets which is typical for single family residential development. Sidewalks are required on both sides of streets in R-2 developments per UDO requirements. Since some of the lots have rear yards facing local streets, sidewalks should only be required on both sides of the cul-de-sacs where there are front yards on both sides of the streets.

The City of Olathe also has plans for a future public trail in the stream corridor along the south plat boundary. The final plat will include a Public Recreation Easement (PR/E) to allow construction of the future public trail. The exact location of the trail and specific easements will be determined at the time of construction for the trail.

8. Landscaping:

The applicant has provided a preliminary landscape plan depicting the location of street trees along Tallgrass Drive. A 15-foot landscape buffer is provided along the northern property line, adjacent to the right-of-way for W. 124th Street, as required for residential properties adjacent to collector street right-of-way. This landscape buffer will be provided in common tracts so as to not interfere with individual lots.

A landscape buffer is not required adjacent to the existing residential properties, however, staff recommends that the required interior lot trees for the proposed single family lots be located in the rear yard to provide some landscaping in the rear where there are some existing trees and overgrown native vegetation that will be removed during grading and the installation of utilities.

9. Building Design Standards:

The single family homes below 7,200 square feet in area and the two-family homes in the R-2 district are subject to **Building Design Category A** according to UDO 18.15.025.

The villas consist of two building types and both designs have front and side facing garages. The primary building materials consist of stucco, stone and glass on the primary facades and a combination of stucco and “Smart Panel” composite siding and glass on the secondary facades.

The following is an analysis of the building design Category A requirements and proposed design.

<i>Composite Building Design (Category A)</i>	Proposed Design
<i>Front-Facing Entry on Primary Facade</i>	The single family and two-family homes include front porches or stoops with gable roofs.
<i>Garages Subordinate to Primary Facade</i>	The attached villas include front and side facing garages. The garages are also less than 50% of the width of individual units.
<i>Building Materials on Primary Facades</i> <i>Minimum Category 1 (70%)</i> <i>Maximum Category 2 (30%)</i>	<u>Proposed Material % Primary Façades</u> Category 1 (95%) – stone, stucco, glass Category 2 (5%) – wood panels

Front Entry Element – The buildings include porches on the first floor and covered entries. Additional architectural details are provided including dormer windows, shutters, standing seam metal roofs and decorative wood brackets.

Building Materials – The applicant provided building material percentages for the primary facades (front elevations) as required for Category A Building Design standards. The primary facades exceed the required percentage of Category 1 building materials.

10. Zoning/ Land Use Analysis:

The future land use map of the *Comprehensive Plan* identifies the subject property as “Primary Greenway” and “Urban Mixed Use Center”. The intent for the Urban Mixed Use Center is to allow a variety of residential and non-residential development in areas close to regional traffic networks. The proposed R-2 zoning and single-family and two-family residential development is appropriate for this area adjacent to surrounding residential neighborhoods and close proximity to multi-family and commercial zoning along College Boulevard and K-7 Highway. The R-2 zoning will provide a transition from existing and proposed single-family development to the west and higher density residential zoning to the east.

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 property falls within the current *Plan Olathe* designation for Urban Mixed Use Center. The property is currently zoned R-1, RP-4, and CTY A and is proposed to be rezoned to R-2 (Two-Family Residential). The proposed single family and two-family residential development complies with goals and principles of the *Comprehensive Plan*.

- **Principle LUCC-3: Encourage Housing Near Services.** “Encourage higher density housing development near transit services, commercial centers and planned transit nodes and corridors to create activity areas that add to the community’s quality of life.”
- **Principle HN-2.1:** “Support housing development and redevelopment that includes a variety of housing types and opportunities to enable a wide range of economic levels, age groups and lifestyles to live within the community”.

The proposed R-2 development includes different housing types with densities that will help support existing commercial zoned properties along College Boulevard and are also located close to K-7 Highway.

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 properties adjacent to the west is developed with an existing single-family residential neighborhood (Southglen of Cedar Creek). The adjacent property to the

south was rezoned and platted in 2017 to allow single-family residential development. Staff finds the proposal for single family and two-family homes to be compatible with the surrounding neighborhoods.

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.

The zoning of surrounding properties includes a mix of several residential districts including R-1, RP-1, and RP-4. The proposed R-2 zoning and attached villas are compatible with adjacent zoning and residential uses.

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

The portion of the site that retains R-1 and RP-1 zoning would currently allow for the development of single-family homes and the RP-4 zoning would allow for multifamily or single family homes at a higher density than what is proposed with this rezoning. The applicant is proposing a development with 56 lots with attached and detached single family homes.

Development of single family and two-family homes on the subject property are appropriate uses for the subject property due to the location adjacent to existing RP-4 zoning and proposed single-family residential development. The general pattern of development in this area is conventional neighborhoods with single family homes. The location of the proposed two-family homes will provide a transition from the existing single family homes to the west and current RP-4 zoning east of the subject property.

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

The subject property has never been developed, despite part of the property being rezoned to the R-1 District in 1990 and parts being rezoned to RP-1 and RP-4 in 2003.

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

The proposed development of a two-family residential neighborhood will have no detrimental effect on surrounding properties.

G. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property.

The addition of the trips generated by the proposed twin villa development will not adversely affect capacity or safety of the applicable road network. A future collector roadway is also required on the east side of the R-2 property that will provide additional connectivity. Each dwelling unit will provide parking for residents as required by UDO Section 18.30.160.

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

The proposed development includes one tract to be used for stormwater management, which will include a stormwater management feature. The proposed development will comply with the requirements of Title 17 of the Olathe Municipal Code.

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

The proposed development would provide an increase in property tax revenues for the City as a result of new homes with high property values.

J. The gain, if any, to the public health, safety and welfare due to the 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 to R-2 does not pose a threat to the public health, safety and welfare. There have been previous proposals for single-family residential and multi-family residential development on the subject property, but no proposals have been received for non-residential development. Denial of this application could be considered a hardship to the property owner.

11. Staff Recommendation:

A. Staff recommends approval of RZ19-0014 for the following reasons:

1. The proposed development complies with the policies and goals of the *Comprehensive Plan* for Land Use and Housing (Principle LUCC-3 and HN-2.1).
2. The requested rezoning to the R-2 district meets the *Unified Development Ordinance (UDO)* criteria for considering zoning applications.
3. The proposed development, as stipulated, meets composite design standards for **Building Design Category A (UDO 18.15.025)**.

B. Staff recommends approval of the rezoning to the R-2 district with the following stipulations to be included in the zoning ordinance:

1. A street construction agreement for the future collector roadway to the east of the subdivision shall be signed and executed prior to issuance of building permits for phases adjacent to the collector roadway.
2. The single family homes on lots less than 7,200 square feet and two-family homes are subject to building design standards per UDO requirements.

C. The following stipulations apply to the preliminary site development plan:

1. A final site development plan and final plats will be approved prior to issuance of building permits.
2. The final plat(s) will include a note stating that single family homes on lots less than 7,200 square feet and two-family homes are subject to building design standards per UDO requirements.

3. The final plat must include a Limits of No Access on the rear yards of lots 163-177 and lots 179-190.
4. Sidewalks are required on both sides of streets with front yards, including 113th Street, 114th Street and 114th Place, per *Unified Development Ordinance (UDO 18.30.180)*.
5. The final plat with Tract M will include the following language: "A Public Recreation Easement (PR/E) will be dedicated in Tract M to allow a future public trail. The exact location of the public trail and PR/E will be determined at the time of the trail construction by the City of Olathe".
6. As required by the UDO, all exterior mechanical equipment or utility cabinets located within front yards or corner lots shall be screened from public view with landscaping.