

STAFF REPORT

Planning Commission Meeting: September 9, 2019

Application: RZ19-0014: Rezoning from R-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: 18.20± acres Proposed Use: Single and Two-Family

Residential

Units: 56 Plat: Unplatted

Density: 3.08 units per acre **Proposed Zoning:** R-2

Tracts: 4 Current Zoning: R-1, RP-4, CTY A

	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	В
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:

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. <u>Lot Dimensions</u> 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. **<u>Building Height</u>** The maximum building height for residential buildings in R-2 districts are 2 ½ stories or 35 feet.
- c. <u>Setbacks</u> 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.

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

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<u>Front Entry Element</u> – 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.

<u>Building Materials</u> – 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.

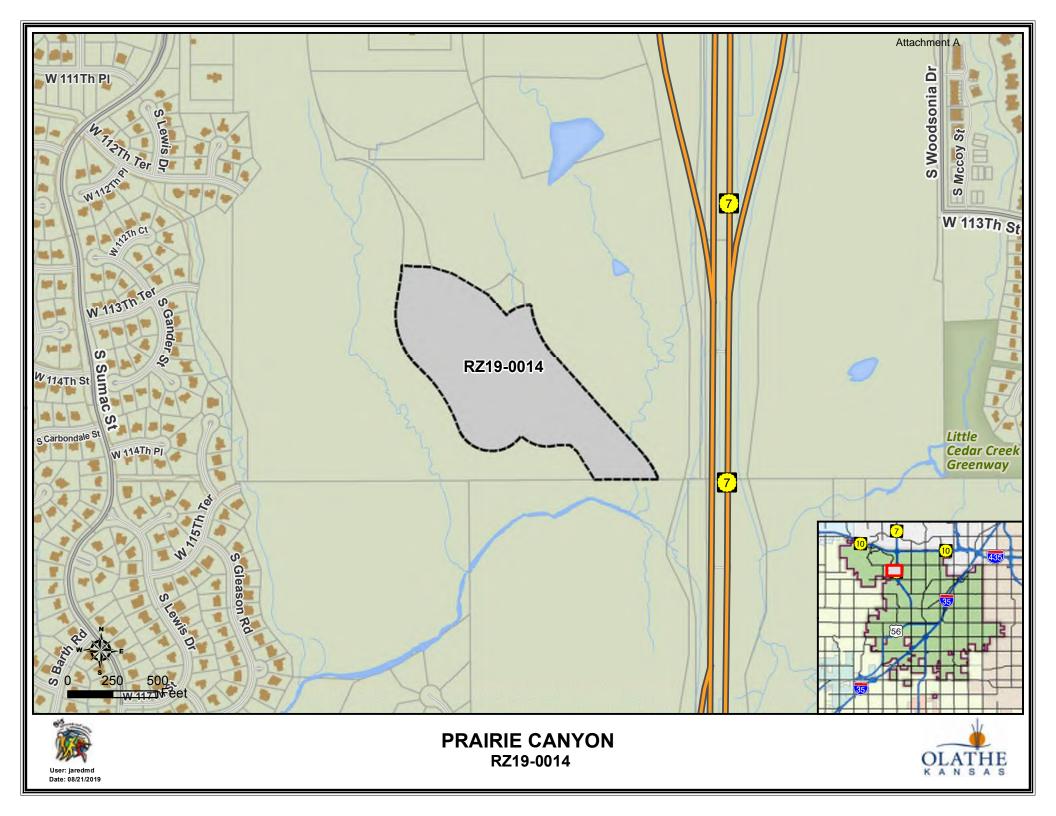
The proposed rezoning to R-2 does not pose a threat to the public health, safety and welfare. There have been previous proposals for single-family residential and multifamily residential development on the subject property, but no proposals have been received for non-residential development. Denial of 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:
 - 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.

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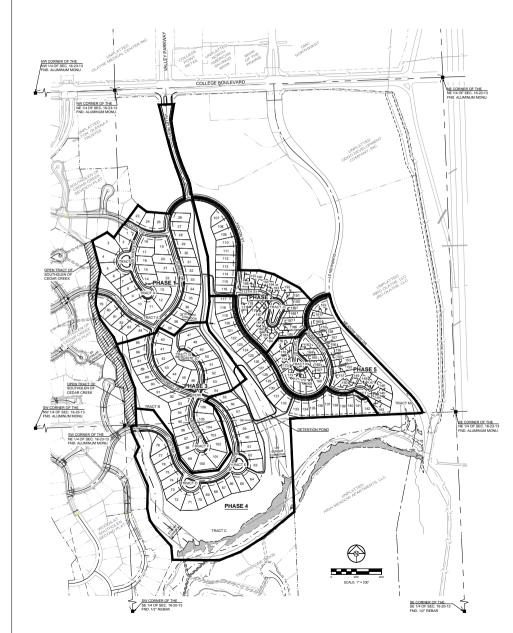
- 3. The final plat must include a Limits of No Access on the rear yards of lots 163-177 and lots 179-190.
- 4. Sidewalks are required on both sides of streets with front yards, including 113th Street, 114th Street and 114th Place, per *Unified Development Ordinance (UDO 18.30.180)*.
- 5. The final plat 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.



SHEET

PRELIMINARY PLAT PRAIRIE CANYON

IN THE CITY OF OLATHE JOHNSON COUNTY, KS



SITE DATA:

- SAME AND A STATE OF THE STATE O

CONCEPTUAL SETBACKS:

FRONT 20'

REAR 20' (15' ADJACENT TO OPEN SPACE TRACTS)

SIDE 7'

CORNER 20'

BUILDING TYPES:

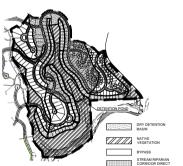
TYPE 2: SHARED DRIVE BETWEEN BUILDINGS COMPINATION FRONT AND SIDE ENTRY GARAGE VARIED STREET SCENE

VB or B2B		BACK TO BACK
OW or R/W	١.	RIGHT-OF-WAY
w		SIDEWALK
SAN _x	-	SANITARY SEWER MAIN - EXIS
STO _x	-	STORM SEWER - EXISTING
- W _x	-	WATERLINE - EXISTING
0		MANHOLE - EXISTING
F		FIBER OPTIC STRUCTURE
P		POWER PEDESTAL
Α		FIRE HYDRANT
0		IRRIGATION VALVE

WATER VALVE
SANITARY SEWER MAIN
WATERLINE
SANITARY MANHOLE
TREE PROTECTION EASEMENT
PUBLIC EASEMENT TO CITY OF OLATHE
UTILITY EASEMENT
ACCESS EASEMENT



SECTION 16-23-13





OWNER/DEVELOPER:

CLAY BLAIR SERVICES CORPORATION CLAY BLAIR BL PRESIDENT 14619 W. 95TH ST. LENEXA, KS 68215 P 913-931-3398 5913-931-3398 CLAY OF PRIMELANDOO, COM

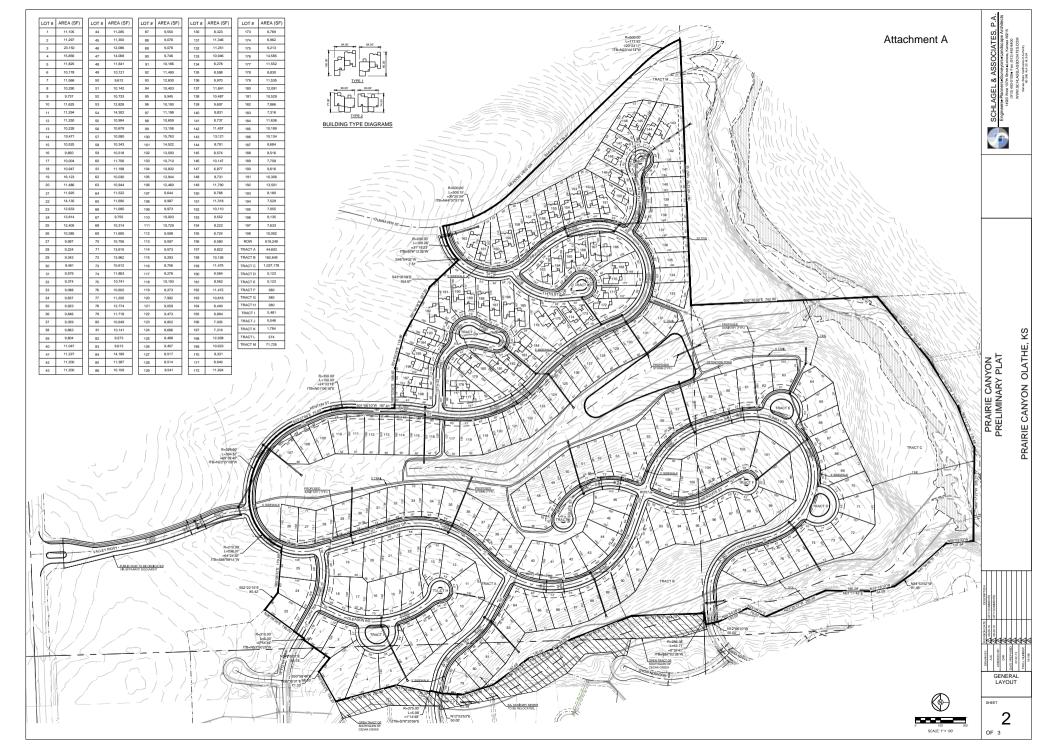
R-1 ZONING - DESCRIPTION:

Attachment A

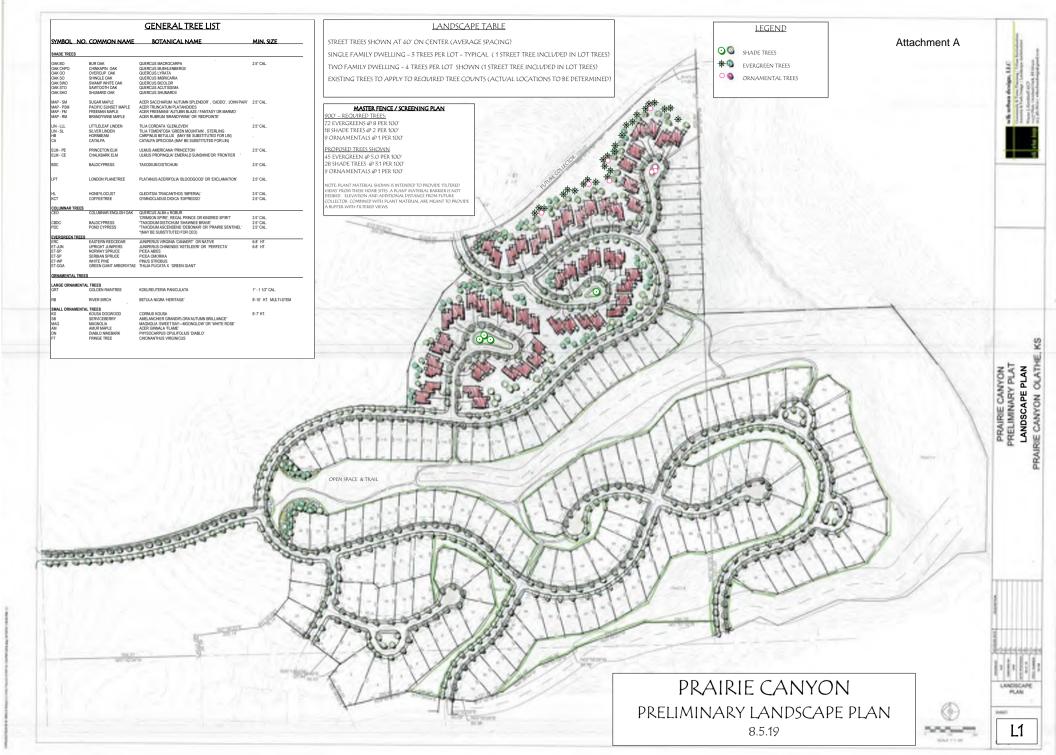
PRELIMINARY PLAT DESCRIPTION:

OVERALL DESCRIPTION:

R-2 ZONING - DESCRIPTION:



A2018/18-1895.3 0 Design'S, 0 DWG Plans/2.0 PDP/18-188-PDP-CEN dwg, 9/4/2019 929 39 AM 1.1



1 - 3/8" min. structural wood panel siding, "Smart Panel" Siding or equal. 1x4 Smart Trim at all corners and around windows.



LEFT SIDE ELEVATION

1 - 3/8" min. structural wood panel siding, "Smart Panel" Siding or equal. 1x4 Smart Trim at all corners and around windows.



Attachment A

PRAIRIE CANYON VILLAS







Artist renderings of floor plans and elevations are conceptual and may vary from actual construction plans.

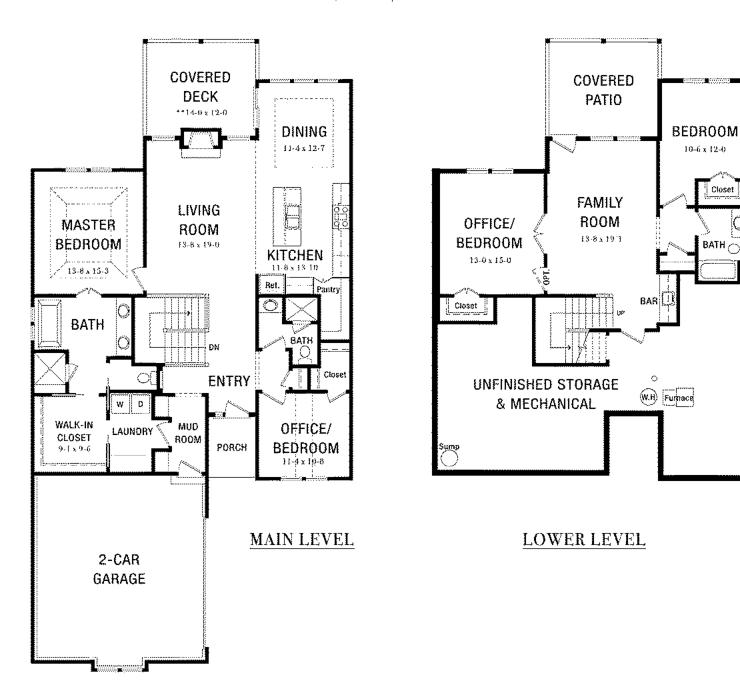
10-6 x 12-0

Closet

BATH

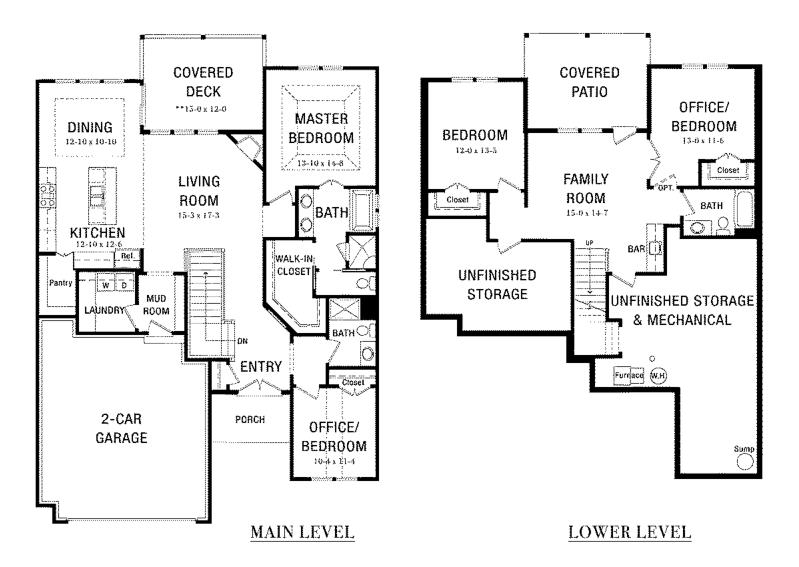
PRAIRIE CANYON VILLAS

4 BED - 3 BATH - 2,465 sF MAIN - 1,679 sf | LOWER - 786 sf



PRAIRIE CANYON VILLAS

4 BED - 3 BATH - 2,323 SF MAIN - 1,583 SF | LOWER - 740 SF



PRAIRIE CANYON VILLAS

3 BED - 2.5 BATH - 2,300 sF

MAIN - 1,454 sf | LOWER - 846 sf







.PRAIRIE CANYON

Project Description

Prairie Canyon is Prime Development's newest planned neighborhood, located on a 91-acre tract of land south of College Boulevard in the vicinity of Valley Parkway. It bordered by Southglen of Cedar Creek and the Woods at Southglen on the west, and land zoned for apartments on the east.

The terrain is marked by two distinct ridges. North portions are generally open grazing land. South portions are wooded, with steep slopes and rock bluffs adjacent to Little Cedar Creek and tributaries. A forested creek channel affords natural demarcation between Prairie Canyon and neighborhoods of Cedar Creek. Over 30% of the land will be preserved as natural open space.

Prairie Canyon is comprised of two distinct neighborhoods of maintenance-provided homes in a range of styles and sizes:

- The west ridge at Prairie Canyon, opposite Southglen, will be occupied by 106 single-family homes with three-car garages and approx. 3,000 SF of finished living area. Most will be "reverse 1.5-story" floor plans, valued from \$500,000 to \$600,000.
 - This part of Prairie Canyon was inspired by Prime Development's popular Canyon Creek Point neighborhood, located on Prairie Star Parkway, west of Canyon Creek Boulevard https://www.canyoncreekpointks.com/. Lots average over one-quarter acre in size (50% larger than the city minimum requirement for R-1 zoned lots). Most lots back to common areas and feature views of natural open space.
- The east ridge at Prairie Canyon will be occupied by 92 smaller villa-style homes with two-car garages and approximately 2,300-2,500 SF of living area, priced in the mid-upper \$400's. Most will be detached homes, others will be paired. Like larger homes to the west, most of these homes back to common area and feature views of open space.
 - Villa homes on the east ridge at Prairie Canyon will be similar to a previous Prime Development neighborhood, Prairie Brook Villas, located on the north side of College Boulevard, and Prime Development's new Crestwood Village development at 129th Terr. and Black Bob Road https://www.crestwoodvillageks.com/.

Prairie Canyon Neighborhood Meeting Minutes

City Case #: RZ19-00012 / RZ19-00014

Meeting Facilitator: Frank Dean

Meeting Date: Tuesday, July 30th, 2019 Meeting Start: 7:02pm Meeting Stop: 7:35

Frank – Provided project description/location in reference to communities, businesses, highways. After project description, opened the floor for questions.

Q. – Is whole project Maintenance Provided?

A. - Yes.

Q. – Will you preserve greenspace along adjoining Cedar Creek Property Line?

A. – Will do the best we can – Developer has guidelines for tree removal beyond initial development clearing. Typ. Development clearing consists of 90ft from back of curb (30ft front yard, 60ft typ. Building depth). There are built in buffers/greenspace along most of the adjoining property line.

Q. – Will the project have amenities? - Why Not?

A. – No amenities planned at this time. Possible discussion of clubhouse, but not immediate plans.

Projecting an older demographic buyer that does not want amenities found in younger demo.
 communities. – Similar anticipated buyer as Canyon Creek Point.

Q. – Does Clay Blair own ground to east of Prairie Canyon project?

A. – No, Oddo Development owns – Clay grazes cows across property.

Q. - Why does Prairie Canyon need to connect to Southglen Streets?

A. – City Requirement of interconnectivity – Secondary accesses/egress requ. for emergency vehicles.

Q. – Who pays for new roads?

A. – The Developer – no specials district.

Q. – What will be the impact to College Blvd.? Will there be additional stop lights installed?

A. – Hard to judge impact. Not our decision to change/alter/improve College Blvd. Have heard discussion of possible stop light install for east entrance stub where future collector street would tie into (Dunraven?)

Q. – What is planned for the east and west sides of Prairie Canyon entrance (South of College Blvd.)?

A. – Retail or Apartment Zoning. Most likely to consist of small retail (dry cleaners, professional offices, coffee shops, etc).

Q. – Will cows stay?

A. – They will be retiring this year.

Q. – Are there any rules/restrictions for removing trees along the hills and/or Property Line adjacent to the Woods of Southglenn?

A. – Typical clearing is 90ft from back of curb, then builder to determine if more clearing is necessary for home construction. Developer to review additional clearing requests, with typical restrictions of tree

calibers of 6" or larger needing approval prior to removal. Desire to save as many trees around perimeter and interior as possible – trees are marketable and increase lot/project value and beauty.

Q. – Plan says 30% of project is reserved for greenspace, so does that mean you will tear up/strip down 70% of the ground? We bought home (11485 S. Gleason Rd.) because of vacant ground and cows – was told no plans for future development. Why develop now?

A. – It was never intended for the ground to forever remain vacant. The market is good, and there is demand for this type of project/product. Yes, there will be substantial grading and earthwork on the site to make ready for new home construction. Goal is to leave as much undisturbed as possible – however development does require disturbing the ground to put in improvements.

Q. – When was this first presented to the City?

A. – This was presented to the City last month.

Q. – What is the HOA? Will it be part of Cedar Creek?

A. – No, Prairie Canyon's HOA will not be part of Cedar Creek. It will be it's own Association.

Q. – Is the project approved?

A. – No. Public hearing is scheduled for next month at Planning Commission. – Adjacent owners will be mailed a certified letter with details of upcoming hearing. If approved at Planning Commission, project will then be presented to City Council for approval.

Q. – When could this project realistically get started?

A. – If all processes/approvals move forward with minimal delays, we would be lucky to start sewers before the end of 2019. Most likely development would begin early 2020.

Q. – Owner at 23985 W. 112th Terr – Why is there no buffer between his home and Prairie Canyon project, like provided on other abutting properties? Concerns for losing trees/natural barrier. Are there req. for removing trees?

A. – Abutting lot is one of the largest/deepest lots in the development, and trees are marketable. Unlikely that builder would chose to remove, and nearby sewer work is not anticipated to disturb current trees/natural barrier. Trees larger than 6" caliber require developer approvals.

Q. – What is the typical size of proposed lots?

A. – Lots are anticipated to average around .25 acres (~70-75ft wide by ~125+ft depth).

Q. – What is the project timeline?

A. – It depends on the market, but anticipating breaking ground in 2020 if market remains. Plan to build in phases – possibly start phase in all 3 types of development (larger SF, detached villas, attached villas) – depends on market.

Q. – Will sewers all be put in at once?

A. – It depends on where the sewer is brought up from and if it makes sense to build out additional areas when bringing sewer to site.

Q. – Will walking trails connect?

A. – No walking trails will connect between Prairie Canyon and Southglen. Prairie Canyon trail is planned for interior corridor of project.

- Q. Will the walking trail above 113th Street stay?
- A. Yes, trail is not ours belongs to Cedar Creek Association and is in common area.
- Q. What is the plan for the east stub on College Blvd. and ground?
- A. Collector street is planned to connect from College Blvd. to 119th Street paralleling K-7. Controversial connection. Apartments are planned for the ground east/southeast of Prairie Canyon project.
- Q. Does Clay already own the ground where Prairie Canyon is being proposed?
- A. Yes, Clay and a Partner have owned the ground for the past 20 years.