



City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: October 28, 2019

Application:	<u>RZ19-0022:</u> Rezoning from R-1 and RP-1 to the R-1 District and preliminary plat for Stonebridge Village
Location:	In the vicinity of 165 th Street and Lindenwood Road
Owner:	Brian Rodrock; Stonebridge Land & Cattle
Applicant/Engineer:	Harold A. Phelps, P.E.; Phelps Engineering, Inc.
Staff Contact:	Zachary Moore, Planner II

Site Area:	<u>57.54± acres</u>	Proposed Use:	<u>Single-Family Residential</u>
Lots:	<u>168</u>	Plat:	<u>Unplatted</u>
Density:	<u>2.92 units per acre</u>	Proposed Zoning:	<u>R-1</u>
Tracts:	<u>10</u>	Current Zoning:	<u>R-1, RP-1</u>

	Plan Olathe Land Use Category	Existing Use	Current Zoning	Site Design Category	Building Design Category
Site	Conventional Neighborhood/ Secondary Greenway	Vacant	R-1, RP-1	1	N/A
North	Secondary Greenway	City Park (Arbor Landing)	R-1	-	-
South	Conventional Neighborhood	Middle School (Woodland Spring)	R-1	-	-
East	Conventional Neighborhood/ Secondary Greenway	Single-Family Residential	R-1	-	-
West	Conventional Neighborhood/ Secondary Greenway	Single Family Residential	R-1	-	-

1. Proposal:

The applicant is requesting a rezoning from R-1 and RP-1 to the R-1 (Residential Single Family) District and a preliminary plat for Stonebridge Village. The subject property is located east of the future Lindenwood Road, between 163rd Street and 167th Street. The proposed rezoning to the R-1 district will combine two residential zoning districts that were never developed into one district with a new preliminary plat. The proposed development consists of a single-family residential subdivision on 168 lots with 10 common tracts.

This change of zoning is being requested to allow for the entire development to fall under a single, R-1 district zoning ordinance. Previous stipulations have been reviewed and are not necessary for carry-over as they were written from now outdated plans or have already been accomplished by the developer.

2. History:

The subject property and surrounding area were annexed and rezoned to the RP-1 and R-1 Districts in 2005 (ANX-05-008, RZ-05-046, and RZ-05-047). A preliminary plat was approved with the associated rezoning cases that included a mix of housing types and lot sizes, including single-family, two-family, and townhome units. The single-family lots included on the previously approved preliminary plat include lots ranging from 5,000 square feet to approximately 10,000 square feet. Development and platting to the east of the subject site has occurred since 2005 (see image on the next page). Additionally, the Spring Hill School District has a middle school immediately south of the subject property, and an elementary school to the southeast of the subject property, across W. 165th Street. The elementary school to the southeast was included with the original preliminary plat, and the middle school site was previously proposed to be developed as a small-lot single-family residential subdivision.

3. Existing Conditions/ Site Photos:

The site is currently undeveloped and has been since its annexation into the City in 2005.



Aerial view of subject property

4. Neighborhood Meeting/Public Notice:

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.

In addition, the applicant held a neighborhood meeting on October 7, 2019 in which eight (8) residents attended. Main topics of discussion included street connections, estimated home values, drainage, and tree preservation. The neighborhood meeting minutes are included in the Planning Commission packet.

Staff has since received several phone calls and a letter, which is included in this packet, from the Spring Hill School District regarding concerns with stormwater management on site and a missing sidewalk link along the north side of W. 165th Street. From the onset of this application review, staff requested the sidewalk connection be provided with construction of the first phase of development. The image on the next page shows where there are existing sidewalks in the right-of-way (green) compared to the missing sidewalk

link (red). The missing link in the sidewalk is approximately 430 feet in length and would connect the existing sidewalk that terminates at the school's property line along 165th Street to the west side of Britton Street. On the east side of Britton Street, there is a sidewalk that extends north to 164th Street, and east to Mur-Len Road. The school district was advised that the City would be recommending this sidewalk connection through Tract F of the preliminary plat to provide improved pedestrian access.

This connection is important to provide a safe route for residents and children to feel comfortable walking to and from the schools without crossing the street mid-block. Providing this connection also aligns with Policy M-3.8 of PlanOlathe, the City's Comprehensive Plan, which states, "Pedestrian and bikeway paths should provide connections between residential and employment areas, commercial centers, recreational and open space areas, parks and educational facilities." Staff has had several discussions with the applicant regarding this sidewalk connection and has made them aware of this stipulation, however the applicant is not amenable constructing this connection at this time. Additional information on this is provided later in this report.



View of subject property, existing sidewalks (green) and the missing sidewalk link (red)

The School District has also expressed concern with the potential of stormwater impacts of the proposed development on the Spring Hill Middle School site. At the time that the middle school was constructed, there was not an agreement in place between the School District and the applicant for stormwater improvements to be shared, therefore all stormwater improvements for the school were constructed on the school property, rather than along the property line. Staff has discussed these concerns with the applicant, who has agreed to a stipulation that addresses the School District's concerns regarding stormwater. Additional information on this item is provided later in this report.



View of terminus of existing sidewalk along W. 165th Street

5. Zoning Requirements:

- a. **Lot Dimensions** – The minimum lot width in the R-1 district is 60 feet, and the minimum lot size is 7,200 square feet. All lots in the proposed development meet or exceed the minimum 60-foot lot width requirement, and the smallest lot in the proposed development is 8,227 square feet. The average lot size in this proposed subdivision is 11,692 square feet. The proposed lots also comply with the transitional lot standards, by including parcel size matching, per UDO requirements.
- b. **Building Height** – The maximum building height for residential buildings in R-1 districts are 2 ½ stories or 35 feet.

- c. **Setbacks** – Setbacks in the R-1 District are as follows: Front Yard – 30 feet, Side Yards – 7 feet, and Rear Yards – 25 feet.

6. Common Tracts:

All common tracts included on the preliminary plat are to be owned and maintained by the Homes Association.

7. Transitional Lot Standards:

Transitional Lot Standards apply to subdivisions in the R-1 districts that adjoin existing residential lots. This is applicable in this case as the proposed subdivision is adjacent to an existing R-1 subdivision at the northeast of the subject property (Coffee Creek Meadows, 1st Plat). The lots in the proposed subdivision comply with the City's Transitional Lot Standards by providing parcel size matching in this area, which means that lots along the perimeter of this request match the size or are greater in size, than those existing, adjacent residential lots.

8. Streets/Right-of-way:

All lots within the proposed subdivision will have access from new local streets. The road network for the will have six (6) connections from existing roads: 162nd Street and 165th Street to the future Lindenwood Drive to the west, and 162nd Street, 163rd Terrace, 164th Terrace, and 164th Street to existing local streets to the east. The proposed streets meet UDO requirements for public right-of-way and cul-de-sac size.

9. Sidewalks/Trails:

The preliminary plat identifies sidewalks on one side of all local streets, and along the east side of S. Lindenwood Drive. A note has been added to the preliminary plat stating that sidewalks in cul-de-sacs will terminate at a driveway. The applicant has also provided a sidewalk connection to an existing City park to the north of the proposed development. As stated previously, staff is recommending that the applicant construct a 5-foot wide concrete sidewalk connection within Tract F of the preliminary plat with the first phase of development. This sidewalk connection would complete a missing link between the middle school property and S. Britton Street which ensures safe pedestrian connectivity, follows policies of PlanOlathe, promotes policies of Safe Routes to Schools, and aligns with healthy communities and activity for residents.

10. Landscaping/Tree Preservation:

Street trees are required with an average spacing of 40 linear feet, with at least one tree per lot in residential districts and the applicant has provided a preliminary landscape plan depicting the location of street trees along the residential streets. This preliminary landscape plan does not include street trees on lots 57 or 58, as the right-of-way in front of these lots was included with a previously recorded plat (P-06-034). Therefore, to ensure a tree is planted on all new lots, a stipulation has been added to this effect.

The applicant is providing a 15-foot Tree Preservation Easement (TP/E) along the northern property line to preserve the existing tree line adjacent to Arbor Landing Park.

11. Zoning/ Land Use Analysis:

The future land use map of the Comprehensive Plan identifies the subject property as “Conventional Neighborhood” and “Secondary Greenway”. The proposed R-1 zoning and single-family residential development is appropriate for this area, as single-family residential neighborhoods align with the framework of Conventional Neighborhoods in the Comprehensive Plan.

The following section includes 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 future land use map designation of “Conventional Neighborhood” typically consists of single-family housing on individual building lots. PlanOlathe includes policies to maintain and promote the distinct character and identity of Olathe’s neighborhoods, and encourages neighborhoods that provide a variety of housing types and styles. Existing smaller lot single-family residential and two-family attached residential exists to the east of the proposed subdivision, therefore the large lot single-family subdivision will provide a variety of housing types in this area. Therefore, the proposed R-1 zoning and single-family home subdivision is appropriate for this area.

- **Principle HN-2.2:** *“Support housing development and redevelopment that includes a variety of housing types.”*
- **Principle LUCC-6: Discourage Sprawl.** *“Discourage “leap-frog” or sprawling land use patterns by encouraging growth in serviceable areas. Promote the infill of vacant parcels and reinvestment in buildable areas.”*

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 zoning of the surrounding properties is mostly single-family (R-1 and RP-1), with some smaller pockets of two-family zoning (RP-2) located east of the subject property. The character of the proposed development will be compatible with the existing development nearby as the proposed land use is consistent.

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 lower-density residential districts (R-1, RP-1, and RP-2). The proposed R-1 zoning district would be in harmony with the surrounding zoning districts and lower density residential uses found on nearby properties.

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

Both the RP-1 and R-1 Districts allow for single-family residential development, and the subject property is suitable for development in that manner, as it would be compatible with existing nearby land uses. Single-family residential development in this area is consistent with the framework of the future land use designation of Conventional Neighborhood.

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 and RP-1 Districts in 2005.

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

The subject property maintains R-1 and RP-1 zoning currently, which would allow for development of a single-family residential neighborhood. The proposed R-1 zoning district will not detrimentally affect nearby properties.

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

Development of the subject property under the R-1 District is will not substantially harm the value of nearby properties.

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

The proposed subdivision includes six (6) new public street connections to existing local or future collector roadways to the east, west, and north of the subject property. All single-family homes are required to have a minimum of two (2) parking spaces provided on-site. The development of a single-family residential neighborhood in this area will not have any adverse impacts on nearby portions of the road network, nor will present any parking problems in the vicinity of the property.

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

A stipulation has been added to the preliminary plat stating that the stormwater runoff rate directed to the adjacent school property must match the existing, undeveloped peak runoff rate after development. The proposed development should not create any air pollution, water pollution, noise pollution, or other environmental harm.

J. 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 being constructed.

K. 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-1 does not pose a threat to the public health, safety and welfare of the City. There was a previous proposal for single-family residential development on the subject property, but the property has never been developed. Denial of this application could be considered a hardship to the property owner.

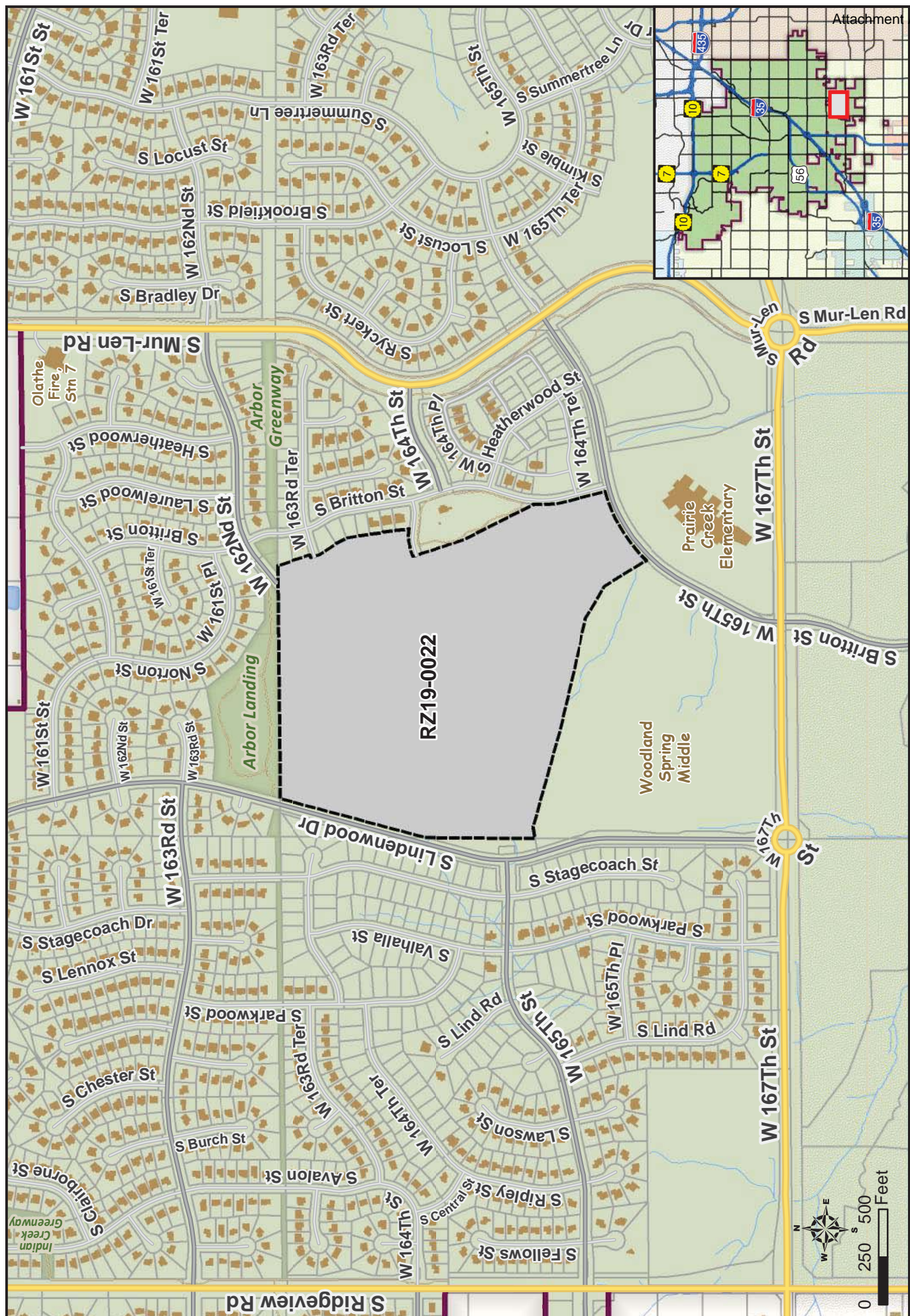
12. Staff Recommendation:

- A. Staff recommends approval of RZ19-0022, Stonebridge Village, for the following reasons:
 - 1. The proposed development complies with the policies and goals of the Comprehensive Plan for Housing and Land Use (Principles HN-2.2 and LUCC-6).
 - 2. The requested rezoning to 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 as presented, with no stipulations.
- C. The following stipulations apply to the preliminary plat for the R-1 district:
 - 1. A final plat must be approved and recorded prior to issuance of building permits.
 - 2. The stormwater runoff rate directed to the USD 230 property must match the existing, undeveloped peak runoff rate after the Stonebridge Property is developed. Detailed calculations will be required with the street and storm sewer public improvements.
 - 3. A 5-foot wide concrete sidewalk must be constructed with the first phase in Tract F, along the north side of W. 165th Street, tying into the sidewalk at the adjacent property line of Woodland Spring Middle School and extending northeasterly to S. Britton Street.
 - 4. Landscaping provided in each common tract will be identified on a landscape plan submitted with the final plat for each respective phase of development.
 - 5. Final plats must include a Tree Preservation Easement (TP/E) along the northern property line, as identified on the preliminary plat.
 - 6. As required by the *UDO*, all exterior mechanical equipment or utility cabinets located within front yards or corner lots must be screened from public view with landscaping.
 - 7. Prior to approval of a final plat for Phase 2, a revised street tree plan must be provided showing street trees in front of Lots 57 and 58.
 - 8. Street names must be finalized and provided prior to recording the final plat.



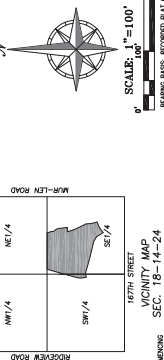
STONEBRIDGE VILLAGE
RZ19-0022

RZ19-0022



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OWNER/DEVELOPER:	ENGINEER/APPLICANT:
STONEBRIDGE LAND & CATTLE, LLC 1950 DICE LANE LENDIA, KS 66215 (913) 851-0347	PHELPS ENGINEERING, INC. 1270 N. WINCHESTER OLA, TE. KS. 66061 (913) 393-1155 (913) 393-1166 FAX



AREA (A)		AREA (A)		AREA (A)	
PANEL	AREA (A)	PANEL	AREA (A)	PANEL	AREA (A)
1	8272.56	5.089	92	8791.96	0.274
2	8974.96	5.078	93	8974.96	0.230
3	8950.88	5.136	94	8950.88	0.236
4	8950.88	5.136	95	8950.88	0.236
5	8950.88	5.136	96	8950.88	0.236
6	10760.42	5.123	97	10760.42	0.247
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8	12521.42	5.080	99	12521.42	0.263
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10	14641.14	5.095	101	14641.14	0.290
11	15098.63	5.048	102	15098.63	0.292
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PLANNING
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IMPLEMENTATION



CITY OF OLATHE

Property Owner Notification Letter

Case No. RZ19-0022

Dear Property Owner:

This is to notify you that a public hearing will be held at the Olathe City Hall Council Meeting room at 100 E. Santa Fe, Olathe, Kansas, to consider a **rezoning** request from RP-1 and R-1 (present zoning) to R-1 (proposed zoning) and **Preliminary Plat**, on the following described tract of land:

All that part of the Southeast Quarter and part of the Southwest Quarter of Section 18, Township 14 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 18; thence N 1°41'02" W, along the West line of the Southeast Quarter of said Section 18 and also along the Westerly plat line of WOODLAND SPRING MIDDLE SCHOOL, a platted subdivision of land in the City of Olathe, Johnson County, Kansas, a distance of 948.74 feet; thence Northwesterly, continuing along the Westerly plat line of said WOODLAND SPRING MIDDLE SCHOOL, on a curve to the left, said curve being tangent to the last described course and having a radius of 600.00 feet, an arc distance of 186.57 feet; thence N 19°30'00" W, continuing along the Westerly plat line of said WOODLAND SPRING MIDDLE SCHOOL, a distance of 187.38 feet to the Northwest plat corner of said WOODLAND SPRING MIDDLE SCHOOL, said point also being the Point of Beginning; thence continuing N 19°30'00" W, a distance of 4.03 feet; thence Northerly, on a curve to the right, said curve being tangent to the last described course and having a radius of 600.00 feet, an arc distance of 340.34 feet; thence N 13°00'00" E, a distance of 380.76 feet to a point on the West line of the Southeast Quarter of said Section 18; thence continuing N 13°00'00" E, a distance of 668.14 feet to a point on the North line of the Southeast Quarter of said Section 18, said point also being on the South plat line of ARBOR RIDGE, 3RD PLAT, a platted subdivision of land in the City of Olathe, Johnson County, Kansas; thence N 87°27'20" E, along the North line of Southeast Quarter of said Section 18 and along the South plat line of said ARBOR RIDGE, 3RD PLAT, a distance of 1,249.95 feet to the Northwest plat corner of COFFEE CREEK MEADOWS, 1ST PLAT, a platted subdivision of land in the City of Olathe, Johnson County, Kansas; thence along the Westerly plat line of said COFFEE CREEK MEADOWS, 1ST PLAT, for the following eleven (11) courses; thence S 20°15'00" E, a distance of 178.74 feet to a point on the Northerly right-of-way line of 163rd Terrace, as now established; thence S 69°48'00" W, along the Northerly right-of-way line of said 163rd Terrace, a distance of 14.38 feet; thence S 20°12'00" E, a distance of 50.00 feet to a point on the Southerly right-of-way line of said 163rd Terrace; thence S 36°00'00" E, a distance of 102.60 feet; thence S 30°00'00" E, a distance of 59.86 feet; thence S 13°20'00" E, a distance of 60.90 feet; thence S 10°06'00" E, a distance of 273.33 feet to a point on the Northerly right-of-way line of 164th street, as now established; thence along the Northerly right-of-way line of said 164th Street, for the following three (3) courses; thence N 84°00'00" W, a distance of 10.86 feet; thence Westerly on a curve to the left, said curve being tangent to the last described course and having a radius of 225.00 feet, an arc distance of 99.75 feet; thence S 70°38'00" W, a distance of 38.00 feet; thence S 19°24'00" E, a distance of 50.00 feet to a point on the Southerly right-of-way line of said 164th Street, said point also being the Northwest plat corner of COFFEE CREEK MEADOWS, 2ND PLAT, a platted subdivision of land in the City of Olathe, Johnson County, Kansas; thence along the Westerly plat line of said COFFEE CREEK MEADOWS, 2ND PLAT, for the following four (4) courses; thence S 20°15'00" E, a distance of 225.00 feet; thence S

[illegible][illegible]

PRELIMINARY PLAT
STONEBRIDGE VILLAGE
CITY OF OLATHE, JOHNSON COUNTY, KANSAS
167TH STREET AND LINDENWOOD DRIVE

PROJECT NO.	No.	Date	Revision	By	App
PROJECT NO. 190514					
DATE: 8-2-19					
DRAWN: DAC					
CHECKED BY: ABERNATHY					
DATE: 8-2-19					
BY: 1-38					
CHECKED BY: ABERNATHY					
DATE: 8-2-19					
BY: 1-38					

Meeting Minutes
Stonebridge Village
October 7, 2019

The Meeting started a 6:05 p.m.

A sign-up sheet was used to record those neighbors in attendance. See attached

Harold Phelps, P.E., Brian Rodrock and Jeff Gifford represented the applicant.

The initial presentation was presented by Harold Phelps.

Harold informed the neighbors that everyone within 500 feet of the property was invited to this neighborhood meeting. Others within 200 foot would receive an additional notice of the public hearing to be held at the planning commission on October 28th.

Harold presented the existing approved plan and indicated that the area consisted of 57 acres that is currently approved for 248 single family homes at a density of 4.31 units per acre. It was explained that Brian and Jeff had purchased the property from Darol Rodrock in December of 2018. Brian and Jeff has made a decision to move the proposed villa product from this location to a location south of 167th and east of Mur-Len and develop this property as "standard residential R-1". Single family residential would provide a more typical residential that would be more conducive to the location of the new Spring Hill middle and elementary schools. This product would provide for more of a school aged, family oriented, environment. The new layout would provide for better connectivity and not have the disconnected street pattern that exist on the approved plan. The revised plan consisted of 168 lots with a density of 2.9 lots per acre.

It was indicated that these lots would have access to the existing four community centers and that no new amenity facilities were planned for this area. It was noted that there is an existing clubhouse and swimming pool immediately adjacent to this proposed project.

The landscape plan was presented indicating street trees that meet the city requirements. Brian noted that we were requesting that the utilities on the north side of the project be allowed to be front yard services to save the trees along the existing Arbor Landing Park.

The five phases of the project were covered with an indication that the project timeline was projected to start in 2020 and be completed in about 5 years.

An explanation of the protest petition was provided. The neighbors were informed that a protest petition does not kill the project but rather requires the City Council to approve with a super majority rather than a simple majority.

Several Questions were asked:

How would the new streets connect to the existing streets? One of the property owners came to the board and Harold indicated the connection to the existing streets.

What will the price of the proposed houses be? Harold responded that we have indicated to the City that the price of the houses will be in \$390-430,000.

There was a specific question about how the drainage would be dealt with behind Lot 43 in Coffee Creek Meadows? Specifically, how would he be assured that they would not have a drainage problem in the future? Harold assured him that when the street and storm sewer plans were prepared that this area would be reviewed. It appears from the existing contour map that there is about a four-foot drop from his property to the undeveloped property. Harold indicated that it is most likely that a swale would be placed in the rear yards of the proposed lots and the that water in this area would actually be reduced by the construction of the proposed streets and stormwater improvements. Brian indicated that this is why an engineer is hired to prepare the plans and obtain approval from the City before construction.

There was also a question about the cottonwood trees that have grown in the existing ditch behind Lot 43 and whether or not they would be saved? It is unlikely that these voluntary trees will be saved as the lots and swales are graded for the proposed stormwater. The neighbor then asked about saving a Mulberry tree that is on the property line. Harold indicated that if it is on the property line it is most likely that it would be preserved. Jeff Gifford indicated that they try to save as many trees as possible.

The presentation ended at 6:40 p.m. and we left the clubhouse at 7:00 p.m.

**Stonebridge Village
Olathe, KS
Public Meeting
October 7, 2019 6:00 - 7:00 pm
SIGN-IN SHEET**

[illegible]



Spring Hill

SCHOOL DISTRICT

BOARD OF EDUCATION OFFICE

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Olathe Planning Department
Attention: Zach Moore
100 E Santa Fe St.
Olathe, KS 66061-3409

Re: Stonebridge Village Rezoning Request RZ19-0022

Dear Olathe Planning Staff and Planning Commission:

The Spring Hill School District has a few comments related to the rezoning request for Stonebridge Village. When the district designed Woodland Spring Middle School (located south of the proposed zoning changes), it was done based on the 2013 master plan for the area; this included a trail along our northern property line. Our plans included future connections to this trail from our site. The district does recognize that changes to design are sometimes required to meet the consumer needs and/or development changes. However, due to the fact that the trail is no longer part of the plan, the district is requesting that a safe pedestrian path be developed between Lindenwood and 165th Street, as well as within the proposed subdivision. The proposed path between the cul-de-sacs appear to address a portion of the need. However, we are requesting that a connection between 164th Terrace and 165th Street be identified. Additionally, we would like to ensure there is a plan to complete the sidewalk along 165th Street.

The other area of concern is the runoff water along Woodland Spring's northern boundary. During construction of Woodland Spring, the district had to adjust our design to address runoff water from the proposed rezoning area. The district is requesting there be a plan to address the runoff from this subdivision to ensure the amount of water flowing onto our property is maintained and/or reduced.

Thanks for your consideration and attention to these concerns.

Sincerely,

Phil Elliott & Tim Meek
Spring Hill USD230