



MINUTES

Planning Commission Meeting: July 13, 2020

Application:	<u>RZ20-0005</u>: Rezoning from C-2 (Community Center) to CC (Cedar Creek) District for the Valley Parkway Parcel
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Kim Hollingsworth, Senior Planner, presented an application for rezoning from C-2 to CC District, for property located northwest of Valley Parkway and Cedar Creek Parkway, south of Highway K10. She noted that the property has unique site dimensions and several areas with sloping topography. This property was rezoned to C-2 in 1988, along with other properties near the intersection of Cedar Creek Parkway and Valley Parkway. Properties to the south are zoned R-1 and RP-1. Also, the property is located within the Cedar Creek overlay district, which was established in 2012 through the Cedar Creek area plan, also known as the Green Book. Properties in this overlay may request a rezoning to the Cedar Creek District or one of the other districts established in the Unified Development Ordinance. The Green Book states that the CC District is the preferred district because the standards are consistent with the unique character and vision of the City Creek community. Additionally, the property is located in the Mixed-Use Subdistrict.

The applicant held a neighborhood meeting attended by over 30 residents on June 22, 2020. Attendees expressed interest in seeing residential uses instead of apartment or commercial uses. They also had questions regarding the review process and site access. Staff was contacted by six residents who were interested in learning more about the proposed use of the property and uses permitted in the CC District.

This request is for the CC District with a narrowed list of permitted uses, including single-family residential, zero lot line homes, and attached residential. Staff supports this request based on the proximity of the property to single-family homes, the development constraints on the property, and feedback heard from residents in the area. Staff also supports the requested district due to its compatibility with PlanOlathe. A development plan is not required. Architectural, site design and landscaping requirements are outlined in the Green Book and will be reviewed during development plan and plat review.

In summary, staff recommends approval of this application and supports the request for the reasons identified in the staff report.

Chair Vakas opened the public hearing. **Frank Clark, Sarah Hill and Jeff Hill** all passed on their opportunity to speak. **Jim Brown, 26835 W. Shadow Circle, Olathe**, approached the podium. He attended the meeting with developers, which he felt was very productive. He noted that in addition to those attending in person tonight, there are a number of residents listening in from remote locations. He said they want a development that is complementary to The Villas of Shadow Glen, which they feel is a unique community within Cedar Creek with stucco and stone fronts, valued at a particular price point. They would like this new development to look as much a part of the neighborhood as possible, be a maintenance-provided community, that they have tile or slate roofs, and that there be screening. He also encouraged preservation of trees. He asked if this is a single-builder development.

John Duggan, Applicant, 9101 W. 110th Street, Overland Park, approached the podium. He said they have not decided yet if this will be a single-builder development. He referred to

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the high architectural standards set out in the Green Book, and this development has to meet those demands.

Chair Vakas thanked everyone who has an interest in this matter. He called for a motion to close the public hearing.

Motion by Comm. Sutherland, seconded by Comm. Nelson, to close the public hearing.

Motion was approved 6-0.

Motion by Comm. Sutherland, seconded by Comm. Breen, that RZ20-0005 be approved for the following reasons:

1. The proposed development complies with the policies and goals of the PlanOlathe Comprehensive Plan for Land Use (LUCC-6).
2. The requested rezoning to the CC District meets the Green Book criteria for considering zoning applications.

Comm. Sutherland's motion included approving RZ20-0005 subject to the following stipulation:

- 1) The Rezoning Area (defined above) are limited to only the following permitted uses found in Cedar Creek Area Plan Green Book ("Green Book") Section 18.51.060 for the Mixed-Use Subdistrict (1) Zero Lot Lines; (2) Village Single-Family; and (3) Attached Residential (6 Units Per Acre or Less). If the property is to be developed as Attached Residential, all parties agree that there will be no more than two (2) units per building, which is commonly known as an "Attached Villa" and the allowable side yard setback for an Attached Villa shall be 10 feet per side yard (20 feet between buildings).

Aye: Corcoran, Youker, Breen, Nelson, Sutherland, Vakas (6)

No: (0)

Motion was approved 6-0.