



Planning Division

## MINUTES

### Planning Commission Meeting: March 8, 2021

<b>Application:</b>	<b><u>RZ21-0001</u>:</b> Request approval for rezoning from CTY-RUR (County Rural) District to R-1 (Residential Single-Family) District and a preliminary plat for Woodland Hills North on approximately 177.32 acres; located at the southeast corner of College Boulevard and Woodland Road.
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**Commissioner Youker** returned to the meeting.

**Commissioner Breen** recused himself from consideration and voting on this item.

**Ms. Hollingsworth** presented RZ21-0001, a request for rezoning from CTY-RUR (County Rural) District to R-1 (Residential Single-Family) District and a preliminary plat for Woodland Hills North. The property is located at the southeast corner of College Boulevard and Woodland Road and has retained the County Rural Residential zoning since it was annexed. The property is located in the Woodland Road corridor area. The majority of the properties designated for single-family residential at a maximum density of three 3 units per acre and portions of the property will be retained for open space and recreational areas as called for in the plan.

**Ms. Hollingsworth** noted that the applicant submitted a preliminary plat as part of the rezoning consideration with a total of 423 lots on 177 acres. The proposed density of 2.5 dwelling units per acre is below the 3 dwellings per unit acre maximum that is permitted for the property by the Woodland Plan. Proposed lots range in size with the largest lots being the estate lots, which are about 10,000 to 21,000 square feet in size. The areas outlined in orange include lots ranging from 8,400 to 21,000 square feet in size. The first tier of lots adjacent to Woodland within this area are larger and meet the traditional lot policy of the Woodland Plan as those lots range from 15,000 to 21,000 square feet in size. The area located east of Walker Street, includes lots ranging from 7,200 square feet to 15,000 square feet. Those lots are set back over 55 feet from the BNSF Railroad property as called for in the Woodland Plan. An amenity area is proposed at the intersection of Woodland and 113th Terrace with a clubhouse, pool and play area that will be set back significantly, and additional landscaping and screening will be added as stipulated for the plat. Walking trails are included around the detention areas and these trails will connect to sidewalks along College Boulevard that connect to the Gary Howard Trail that is adjacent to the Mill Creek Stream Corridor. The landscape plan illustrates the distribution of new landscaping, including a 25-foot width landscaping area adjacent to Woodland and College Boulevard to meet the master landscaping requirements, and the mature trees within the northwest corner of the property will be preserved, as it is adjacent to the stream corridor alongside the BNSF Railroad property.

**Ms. Hollingsworth** noted that street trees will be planted along both sides of all internal streets. The applicant provided a tree preservation plan that depicts the contiguous wooded areas that would be preserved throughout the property and the northwest portion of the property along the stream corridor and in the southeast along the BNSF Railroad tracks. The proposed plan shows areas of new landscaping along street right-of-way and open space that will be preserved. A total of 20.4 acres of existing trees will be preserved, which is 45 percent of the existing tree canopy area exceeding UDO requirements.

**Ms. Hollingsworth** noted that two neighborhood meetings were held. One meeting was on February 8, 2021, and another on February 9, 2021 with a total of 13 in attendance. Staff also received nine letters in opposition, an online petition and one letter in support prior to the meeting packet materials being published. Feedback received was primarily regarding the density of the subdivision, the size of the lots particularly along Woodland Road and the increased traffic and number of access points.

**Ms. Hollingsworth** explained that the subdivision will be developed in 15 phases. These phases include the road and access improvements, which will be developed as the adjacent phases are constructed

**Cheryl Lambrecht Senior Traffic Engineer**, explained that the new subdivision includes a new collector that runs north and south through the subdivision, connecting 115th Terrace with College Boulevard, and 113th Terrace is extended to the east to provide east/west connectivity through the subdivision. The applicant will be building turn lanes at College Boulevard and Walker and eastbound, a right-turn lane, and a left bound turn lane will be constructed at 113th and Terrace and Woodland. The applicant has agreed to construct left-turn lanes northbound and southbound, and a northbound right-turn lane. The southern access into the site is provided through 115th Terrace and Woodland. Street improvements were provided when Woodland Elementary School was built, and that intersection has north and southbound left-turn lanes and a northbound right-turn lane. 113th Terrace will look very similar to 115th Terrace. All of these road improvements are required by the Access Management Plan, and they are interim improvements to accommodate the additional turning traffic into the subdivision.

**Ms. Lambrecht** referred to the Access Management Plan. The arterials streets are for longer trips, which are supposed to carry higher traffic volumes. The collector streets collect traffic from the local streets to distribute to College Boulevard and Woodland and distribute that traffic within the subdivision. By having that mix of arterials, collectors and local streets, they have a vibrant transportation system. She noted there was a lot of concern about the capacity of Woodland Road and how it handles the traffic. The City reviewed its system traffic counts on Woodland and also proposed counts within the development. Currently, Woodland Road carries about 2,600 cars a day. Comparing Woodland Road to College Boulevard, it has about twice as much traffic. The Transportation Engineer's Trip Generation Manual was used to estimate future traffic in the new subdivision. Based on that information, there will be 2,200 trips per day entering the subdivision and exiting the subdivision, which is the total counts for College Boulevard and Woodland Road. Considering the trip generated for Woodland Road would depend on how trip distribution is calculated and how they anticipate which routes drivers will use. Since there will be 423 households in that area, staff had to make some assumptions about which roads they would use.

**Ms. Lambrecht** stated assuming 75 percent of the households would use Woodland Road to leave and return home. Staff felt Woodland Road, as a two-lane street with a turn lane, could handle that amount of traffic. Staff anticipates the character of Woodland Road will change and look and feel different since the subdivision will have more traffic on it in the near future than it

does today. However, it will take time to build 423 homes and have families move into the area, and for the development to come to full capacity. Staff will have time to monitor traffic and make other additional improvements to Woodland as necessary. Woodland Road has not yet been included into the next update, but it is on the list for future consideration.

**Ms. Hollingsworth** stated the request directly aligns with the PlanOlathe Future Land Use Map. Residential has been expected in this area for some time, and it is designated as a Conventional Neighborhood intended for single-family homes. The primary greenways are intended to protect the natural areas with that vision. The request also aligns with several policies of PlanOlathe, including compliance with the Woodland Road Corridor Plan and the vision of PlanOlathe for single-family residentially development. The rezoning also meets policies for the preservation of open space and the incorporation of private trails into the subdivision with connections with larger regional trails. Staff recommends approval of rezoning as it is consistent with the policies and goals of PlanOlathe that support single-family residential. The land uses, density and transitional lots are consistent with the Woodland Plan. The applicant also meets all UDO Golden Criteria for considering rezoning applications. Staff also recommends approval of the preliminary plat as stipulated.

**Commissioner Corcoran** referred to the Woodland Road Corridor Plan and asked when that plan was first developed.

**Ms. Hollingsworth** stated the first iteration of the plan was in 1996, amended in 1998 and the current version is from 2004.

**Commissioner Corcoran** asked if the requested rezoning complies with that plan.

**Ms. Hollingsworth** stated it has been upheld several times.

**Commissioner Nelson** talked about the Woodland Plan and asked if there had been any definitive positions made that say why they should be large lots that supersede the findings of less than 3 units per acre.

**Ms. Hollingsworth** noted that the 3-dwelling units per acre maximum for the subject property has existed since the inception of the Woodland Plan in 1996 and was reaffirmed in 2004. There are no other land use plans here.

**Mr. Nelson** referred to the staff report which includes a list of all the signatures, but there was no information saying what the statement was they were signing onto.

**Mr. Hollingsworth** stated the information came from the Change.org website.

**Chair Vakas** opened the public hearing for comment.

**Mr. Pete Heaven** 6201 College Boulevard, Overland Park, appeared on behalf of the applicant of the requested rezoning.

**Chair Vakas** understood the project would occur over 15 phases, and he asked if the project was a 5- to 10-year buildout.

**Mr. Heaven** stated the applicant is anticipating a 10- to 12-year buildout of the project.

**Chair Vakas** asked if there would be sufficient time to assess the site, including the traffic as the phases are built out.

**Mr. Heaven** agreed, stating there would be sufficient time to make that assessment.

**Chair Vakas** felt there would be a good diverse mix of quality housing. He referred to the large parcel of land and felt there was a lot of opportunity to do things with the curved linear streets and the tree preservation, which he felt was important. He also appreciated the tree preservation.

**Mr. Heaven** stated they are calling the project Woodland Hills North, because the Woodland Hills subdivision is already being built. When they came through with their rezoning request, which is 3 units per acre, there were only 79 homes, and they heard no public opposition at all. He understood the scale of the project appears to be very large, but it is actually has a very small and long absorption that will take a long time to develop, but will be a beautiful subdivision when complete.

**Mr. Tom Roskop**, 19950 West 114th Terrace lives directly on Woodland, and he noted the statement made that the project would not affect the quality of life, he felt was misplaced. He understood development of land is favorable as long as it does not negatively impact his life and other residents. He had previously sent in a letter with questions, and there were letters from a couple of others where it suggested they may want seek waivers for certain requirements in the UDO. He is concerned about items such as density, traffic, quality of life, and sidewalks.

**Ms. Nassif** referred to the waivers, stating when the applicant initially made their application, they thought they would be asking for some waivers. However, through staff review and collaboration, they have met all code requirements. Regarding the transitional lot policy, the applicant is meeting all requirements.

**Lisa Salmen**, 19930 West 117th Terrace, stated she lived on the corner of 117th Terrace and Woodland. She provided concerns such as density, traffic, transition of the lots, parking at Woodland Elementary and access points for the streets.

**Mr. Paul Bliss**, 11790 Cherry Lane, providing comments regarding the transition of lots, and traffic on Woodland Road and College Boulevard. He requested the proposed rezoning be denied.

**Mr. Terrence McIlff**, 12070 South Iowa Street, provided concerns related the volume of traffic, proposed density and the transitional lots across Woodland Road.

**Mr. Nelson** asked about the transitional lot policy.

**Ms. Nassif** stated the transitional lot policy is identified in the UDO, and the UDO transitional lot policy does not apply to arterials, however the Woodland Corridor Plan does. speaks to arterials and is how they are applied. She provided that the plan meets the transitional lot policy requirements and she also noted that staff reviewed the density and calculated it by net acreage, not gross acreage.

**Ms. Susan DeGroot**, 11235 South Woodland Street, referred to the history of her property and provided an acknowledgment to the original owners, the Shawnee Indian Tribe, as well as share support of the Woodland Hills North development plan.

**Chair Vakas** thanked Ms. DeGroot for the history of the land she provided.

**Mr. Bryan Elrichs**, 20045 West 113th Terrace, expressed concerns about traffic regarding the project and expressed interest in a round-a-bout at Woodland and 113<sup>th</sup> Terrace.

**Mr. Jerry Mortick**, 20295 West 119th Street, stated he has lived in the neighborhood for 38 years and provided concerns related to traffic and mentioned the future plan for 119th Street.

**Ms. Lexi Selvig**, 19951 West 112th Terrace, stated she was also concerned about traffic and provided commentary on the existing and proposed turn lanes.

**Mr. Jim Selvig** added concerns related to traffic and the location of the access points for the subdivision.

**Chair Vakas** referred to the sidewalks and streets in reference to Woodland, and he asked what the plan was for Woodland Road south of College Boulevard.

**Ms. Hollingsworth** stated that Woodland, south of College Boulevard, is on a future list for improvements as all those things are studied through the City's Transportation Master Plan.

**Chair Vakas** understood there was an expectation in the future that Woodland Road would be expanded to four lanes.

**Ms. Hollingsworth** agreed the four-lane expansion would take place on Woodland Road.

**Chair Vakas** stated sidewalk traffic ability continues to be a topic of conversation in Olathe, noting there is a sidewalk on one side of Woodland Road but not on the other side. He asked if there was a policy staff follows in that regard.

**Ms. Hollingsworth** explained that sidewalks are constructed on both sides of arterials, and there should be sidewalks constructed on both sides of Woodland. There is an existing sidewalk on the west side of Woodland Road, which is a City requirement and something they do even with future road projects.

**Chair Vakas** made comments regarding the Woodland Plan, the railroad, and 119<sup>th</sup> street. He asked if there was anything in the Corridor Plan that talks about a need for large lots.

**Ms. Nassif** stated the Corridor Plan specifies there would be larger lots of a minimum lot size of two acres or more on the west side of Woodland Road. On the other side of Woodland where the subject property is located is a density requirement of 3 dwelling units per acre. Staff calculates density as a net acreage, not gross. The applicant here is less than the maximum allowed; being only 2.5 dwelling units per acre.

**Chair Vakas** understood the applicant was well within the Plan Olathe Comprehensive Plan, UDO and Woodland Corridor Study requirements in terms of the proposal for the land and what is being done.

**Ms. Nassif** agreed with Chair Vakas' comments.

**Chair Vakas** made statements regarding the Woodland Elementary parking. He also asked if a corridor study update was necessary.

**Ms. Nassif** stated an update was not necessary. In 2017 staff had discussions about this topic as it related to another zoning case. There were recommendations that a review of the plan be

conducted and update if necessary. The first step taken, as is done any time staff updates a plan, is to have discussions with the residents which was done in 2019. In 2019, residents had communication with staff, many of whom were on the original Woodland Corridor committee. They solidified that the plan while old, was still valid, and that is what their vision and desire was for the City to continue following. The items many individuals wanted to ensure was being reviewed was net density and tree preservation. Instead of a formal plan update, staff's procedures now reflect these efforts. Staff reviews density on all cases from a net density and net acres instead of gross acres. They also request additional areas for tree preservation, amenities, requirements for sidewalks.

**Chair Vakas** made follow up statements about the Plan and City's population growth.

**Mr. Nelson** asked about notification requirements.

**Ms. Nassif** stated there was not anything that suggests the notification policy was not met. In addition to the public notices that go out, there is a 500-foot radius requirement for the neighborhood meetings. There are also public hearing signs posted on the site in addition to the development being advertised in the newspaper.

**Chair Vakas** entertained a motion to close the public hearing.

A motion was made by **Commissioner Nelson** to close the public hearing. **Commissioner Fry** seconded the motion, which carried by a roll-call vote of 8 to 0.

## **MOTION**

A motion to approve RZ21-0001 was made by **Commissioner Sutherland** and seconded by **Commissioner Janner**. The motion passed with a roll-call vote of 8 to 0 subject to the following stipulations:

1. A final plat must be approved and recorded prior to issuance of building permits.
2. A master landscape and street tree plan in accordance with UDO Section 18.30.130 must be submitted with the relevant final plats.
3. The amenities will be setback from Woodland Road as shown in Tract T on the preliminary plat dated February 26, 2021. Additional screening will be provided with the final plat through a landscape berm along both 113th Terrace and Woodland Road for the length of Tract T or a 15-foot landscape buffer in addition to the landscape buffers required per UDO Section 18.30.130.
4. The fence located in Tract T will be provided as shown on the preliminary plat dated February 26, 2021 and will be constructed of a decorative material such as wrought iron.
5. A stormwater management report must be submitted with the final plat.
6. A stream corridor maintenance agreement and HOA maintenance agreement must be submitted prior to recording of final plats.