City of Olathe

Legislation Details (With Text)

File #:	G19-834		
Type:	New Business-Public Works	**Status:**	Agenda Ready
File created:	5/23/2019	**In control:**	City Council
On agenda:	6/4/2019	**Final action:**	6/4/2019
Title:	Consideration of Ordinance No. 19-23, RZ19-0005: Request approval for a rezoning from R-1 District to R-3 District and Preliminary Plan for Legacy Senior Residences II on 5.39± acres; located in the vicinity of the southwest corner of W. Harold Street and N. Parker Street. Planning Commission recommends approval 7 to 0.		
Sponsors:	Aimee Nassif, Daniel Fernandez		
Indexes:			
Code sections:			
Attachments:	1. A. Planning Commission Packet, 2. B. Planning Commission Minutes, 3. C. Ordinance No. 19-23		

Date	Ver.	Action By	Action	Result
6/4/2019	1	City Council	approved	Pass

DEPARTMENT: Public Works, Planning Division
STAFF CONTACT: Dan Fernandez, Planner II
SUBJECT: RZ19-0005 Rezoning from R-1 to R-3 Applicant: Bobbi Jo Lucas; Cornerstone Associates

ITEM DESCRIPTION:
Consideration of Ordinance No. 19-23, RZ19-0005: Request approval for a rezoning from R-1 District to R-3 District and Preliminary Plan for **Legacy Senior Residences II** on 5.39± acres; located in the vicinity of the southwest corner of W. Harold Street and N. Parker Street. Planning Commission recommends approval 7 to 0

SUMMARY:
The applicant is requesting a rezoning from R-1 (Single-family residential) to R-3 district (Residential Low-Density Multi-Family) and a preliminary site development plan for Legacy Senior Residences II. The subject property is located at the southwest corner of Harold Street and Parker Street. The proposed development includes a 2-story senior apartment building with 48 independent living units. The applicants have built and currently operate a similar senior living apartment complex near 119th Street and Sunset Drive.

The subject property was rezoned (RZ-11-83) to RP-5 and C-O in June 1983 with the preliminary site development plan showing apartments and a medical office building but neither of these projects were constructed. The property was then rezoned (RZ-30-00) to R-1 in January 2001 and the preliminary site development plan included Phase I of Trinity Fellowship Church which consisted of a 9,440 square foot building. The church was never developed and there have been no other proposals for this property until the current request for senior housing.

The Comprehensive Plan identifies the subject property as Neighborhood Commercial Center and Conventional Neighborhood. These land use designations call for small commercial developments

and single-family homes respectively. However, a low-density senior housing development is compatible, and the project does meet other goals of the Comprehensive Plan such as encouraging infill development, providing housing choices for the aging population.

Materials for the building consist of stone, glass and fiber cement siding and architectural features such as wall offsets, covered entries and covered seating areas have been included in the design that exceeds the Unified Development Ordinance (UDO) building design standards. During the review process staff requested improvements for the proposed roof design and the applicant added larger roof pitches for additional vertical articulation. The two-story building will have elevators to assist with accessibility for all units.

The project meets the required active open space requirements by incorporating in walking paths, sitting and garden areas and a dog park. The development also meets the goals of the City's Communities for All Ages initiative by providing additional internal amenities such as a gathering and social area, an exercise room and recreation room to provide social interaction and encourage healthy lifestyles for its residents.

Additional information such as public notification, neighborhood meeting, zoning and design requirements and waiver requests are included in the staff report which is included in the Planning Commission packet. The applicant requested waivers for the minimum glass requirement on the building and reduced landscape buffer on the property line adjacent to the R-1 property, which is currently undeveloped. Staff supported the requested waivers due to the development exceeding all other design requirements and the applicant provided tree preservation areas on the property. Staff has not received any correspondence for or against the rezoning request.

On May 13, 2019, the Planning Commission held a public hearing for the proposed rezoning. Nobody spoke at the public hearing and the Planning Commission voted 7-0 to recommend approval of RZ19-0005 with stipulations as shown in the meeting minutes.

FINANCIAL IMPACT:

None.

ACTION NEEDED:

1. Approve Ordinance No. 19-23 for a rezoning from R-1 to R-3 District as recommended by the Planning Commission.

2. Deny Ordinance No. 19-23 for a rezoning from R-1 to R-3 District.

3. Return the rezoning application to the Planning Commission for further consideration with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

ATTACHMENT(S):

A. Planning Commission Packet
B. Planning Commission Minutes
C. Ordinance No. 19-23