



City of Olathe

Legislation Details (With Text)

File #: G20-1780

Type: New Business-Public Works **Status:** Agenda Ready

File created: 7/14/2020 **In control:** City Council

On agenda: 8/4/2020 **Final action:** 8/4/2020

Title: Consideration of Ordinance No. 20-26, RZ20-0005, requesting approval for a rezoning from the C-2 (Community Center) District to the CC (Cedar Creek) District for the Valley Parkway Parcel on approximately 16.31 acres; located in the vicinity of W. Valley Parkway and 100th Terrace. Planning Commission recommends approval 6-0.

Sponsors: Aimee Nassif, Kim Hollingsworth

Indexes:

Code sections:

Attachments: 1. A. Planning Commission Packet, 2. B. Planning Commission Minutes, 3. C. Ordinance No. 20-26

Date	Ver.	Action By	Action	Result
8/4/2020	1	City Council	approved	Pass

DEPARTMENT: Public Works, Planning Division

STAFF CONTACT: Kim Hollingsworth, Senior Planner

SUBJECT: RZ20-0005, Request approval for rezoning from C 2 (Community Center) District to CC (Cedar Creek) District for Cedar Creek Valley Parkway Parcel on approximately 16.31 acres; Applicant: John Duggan, CCV (Tract 2A), LLC & CCV (Tract 2C), LLC

ITEM DESCRIPTION:

Consideration of Ordinance No. 20-26, RZ20-0005, requesting approval for a rezoning from the C-2 (Community Center) District to the CC (Cedar Creek) District for the Valley Parkway Parcel on approximately 16.31 acres; located in the vicinity of W. Valley Parkway and 100th Terrace. Planning Commission recommends approval 6-0.

SUMMARY:

The applicant is requesting a rezoning from the C-2 (Community Center) District to the CC (Cedar Creek) District for the Valley Parkway Parcel located northeast of W. Valley Parkway and 100th Terrace.

The property is contained within the Cedar Creek Overlay District which was established in August 2012 through the Cedar Creek Area Plan (Green Book). Properties within this overlay may request a rezoning to the CC (Cedar Creek) District or one of the other zoning districts established in the Unified Development Ordinance. The Green Book states that the CC District is the preferred district in the overlay area as the development standards outlined in the Green Book are consistent with the unique character and vision for the Cedar Creek Community and its alignment with PlanOlathe.

The applicant held a neighborhood meeting with over 30 residents on June 22, 2020. The main discussion centered around the attendee’s interest in low-density residential uses instead of any multi-family apartments or commercial uses for this site. Additionally, staff received email correspondence

and phone calls from six residents interested in learning more about the uses permitted in the CC District prior to the Planning Commission meeting.

The Green Book permits a list of commercial and residential uses through a zoning to the CC District. However, through direct collaboration between staff, the applicant and feedback heard from residents, the request is for the CC District with a narrowed list of permitted uses to single-family residential, zero lot line homes and attached residential. Staff is supportive of this request based on the proximity of the property to single-family homes, the development constraints presented by the unique dimensions and topography of the property and feedback from many residents in the surrounding area.

Per the Green Book, a development plan is not required to accompany the rezoning request because the CC District was established as a streamlined process with predetermined development standards. After zoning is established, the applicant will proceed to development plan and plat review. All processes will be reviewed in accordance with the procedures and standards established in the Green Book including the architectural, site design, street access, landscaping and lot dimensional standards. The applicant is requesting one minor clarifier for the side yard setback which staff is supportive of and is listed as part of the stipulation in the Planning Commission meeting minutes.

During the Planning Commission meeting on July 13, 2020, one individual spoke during the public hearing mostly regarding interest in the building design complementing the nearby single-family homes, and the applicant provided additional feedback that the architecture will adhere to the high-quality standards outlined in the Green Book which are the same high level standards for existing homes in the area. The Planning Commission voted 6-0 to recommend approval of RZ20-0005 as presented with the stipulation listed in the meeting minutes.

FINANCIAL IMPACT:

None

ACTION NEEDED:

1. Approve Ordinance No. 20-26 for a rezoning from the C-2 District to the CC District as recommended by the Planning Commission.
2. Deny Ordinance No. 20-26 for a rezoning from the C-2 District to the CC 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. 20-26