



City of Olathe

Legislation Details (With Text)

File #: G18-475

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

File created: 12/11/2018 **In control:** City Council

On agenda: 1/8/2019 **Final action:** 1/8/2019

Title: Consideration of Ordinance No. 19-01, RZ18-0016, requesting approval for a rezoning from R-1 to C-3 and R-4 Districts for Stag's Ridge on 23.77± acres; located northwest of the K-7 and Spruce Street intersection. Planning Commission recommended approval 7-0.

Sponsors: Aimee Nassif, Daniel Fernandez

Indexes:

Code sections:

Attachments: 1. Attachment A Planning Commission Packet.pdf, 2. Attachment A Planning Commission Minutes, 3. Attachment C Ordinance 19-01.pdf

Date	Ver.	Action By	Action	Result
1/8/2019	1	City Council	approved	Pass

DEPARTMENT: Public Works, Planning Division

STAFF CONTACT: Dan Fernandez, Planner II

SUBJECT: RZ18-0016: Rezoning from R-1 to C-3 and R-4 Applicant: Kevin Tubbesing,

ITEM DESCRIPTION:

Consideration of Ordinance No. 19-01, RZ18-0016, requesting approval for a rezoning from R-1 to C-3 and R-4 Districts for Stag's Ridge on 23.77± acres; located northwest of the K-7 and Spruce Street intersection. Planning Commission recommended approval 7-0.

SUMMARY:

The applicant is requesting a rezoning from R-1, Single-family Residential District to C-3, Regional Center District and R-4, Medium-Density Multifamily District and a preliminary site development plan for a Stag's Ridge development located to the northwest of the K-7 Highway and Spruce Street intersection. The proposed project consists of 3 commercial buildings, 1 climate-controlled storage building and 1 senior housing apartment building. The 3 commercial buildings are located on the east side of the property backing up to K-7 and contains a total area of approximately 44,870 square feet. The climate-controlled storage is proposed to be a 3-story, 104,250 square foot building and the senior housing facility is proposed to be 4 stories for 159,200 square feet and have 100 units. Of the 23.77 acres, approximately 12 acres are being rezoned to R-4 with the remaining area being rezoned to C-3. The senior housing facility is a permitted use in the R-4 District and the 3 commercial buildings and climate-controlled storage are permitted uses within the C-3 District.

The proposed development will construct a new City street connecting to the existing access drive around the West Village Shopping Center and the existing connections to K-7 and to Santa Fe. This will be the only access into the site. A portion of the private access drive will be converted to a public street. The segment from Spruce Street north to the new development will be a public street. The remainder of the access drive through West Village will remain a private street.

The applicant completed a traffic impact study for the proposed development with a grocery store, apartments and two retail/commercial buildings. Based on the projected traffic from the study, the proposed site plan was revised from 244 dwelling units of apartments to 100 dwelling units for senior living and self-storage facility. For self-storage facilities and senior living apartments, peak traffic hours don't coincide with traditional commuter peak hours. The goal for the change in land use is to mitigate the congestion along the access drive and at the intersection with Spruce Street.

Additional information such as public notification, zoning requirements, design requirements and waiver requests are included in the staff report which is included in the Planning Commission packet.

On December 10, 2018, the Planning Commission voted 7-0 to recommend approval of RZ18-0017 with stipulations as show in the meeting minutes. No one spoke for or against the proposed rezoning, however, Ernie Miller Park and Nature Center submitted a letter with some concerns about the proposed development. Concerns included stormwater, an increased landscape buffer along the north property line as well as fencing along the north property line. These concerns are listed in the letter included in the Planning Commission packet. The development includes detention basins for stormwater and as the uses along the north property line are conceptual, staff will look at any possibility of increasing the landscape buffer and adding fencing with the revised preliminary site development plans.

FINANCIAL IMPACT:

None

ACTION NEEDED:

1. Approve Ordinance No. 19-01 for a rezoning from R-1 to C-3 and R-4 Districts as recommended by the Planning Commission and as stipulated in the ordinance.
2. Deny Ordinance No. 19-01 for a rezoning from R-1 to C-3 and R-4 Districts.
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. 19-01