



City of Olathe

Legislation Details (With Text)

File #: G21-2168
Type: New Business **Status:** Passed
File created: 12/9/2020 **In control:** City Council
On agenda: 3/16/2021 **Final action:** 3/16/2021
Title: Consideration of Ordinance No. 21-09, RZ20-0013, requesting approval of a rezoning from the AG (Agricultural) District to the R-3 (Residential Low-Density Multifamily) and R-4 (Residential Medium-Density Multifamily) Districts and preliminary site development plan for 133rd Street and Black Bob Multifamily on approximately 69.8 acres; located at the northeast corner of 133rd Street and Black Bob Road. Planning Commission recommends approval 7-0.
Sponsors: Aimee Nassif, Jessica Schuller

Indexes:

Code sections:

Attachments: 1. A. Planning Commission Packet, 2. B. Planning Commission Minutes, 3. C. Ordinance No. 21-09, 4. D. Additional Public Correspondence

Date	Ver.	Action By	Action	Result
3/16/2021	1	City Council	approved	Pass

FOCUS AREA: Economy, Planning Division

STAFF CONTACT: Jessica Schuller, Senior Planner

SUBJECT: RZ20-0013: Rezoning and Preliminary Site Development Plan for 133rd and Black Bob Multifamily, Applicant: Greg Prieb II, Prieb Homes

ITEM DESCRIPTION:

Consideration of Ordinance No. 21-09, RZ20-0013, requesting approval of a rezoning from the AG (Agricultural) District to the R-3 (Residential Low-Density Multifamily) and R-4 (Residential Medium-Density Multifamily) Districts and preliminary site development plan for 133rd Street and Black Bob Multifamily on approximately 69.8 acres; located at the northeast corner of 133rd Street and Black Bob Road. Planning Commission recommends approval 7-0.

SUMMARY:

The applicant is requesting a rezoning from the AG (Agricultural) District to the R-3 (Residential Low-Density Multifamily) and R-4 (Residential Medium-Density Multifamily) Districts and a Preliminary Site Development Plan for the 133rd and Black Bob Multifamily development, located east of Black Bob Road and north of 133rd Street.

The R-4 District is proposed on the western half of the site with 19 apartment buildings (591 units) and the R-3 District is proposed on the eastern half of the site with 40 townhome buildings (202 units). The development includes site amenities for all residents including walking trails, two dog parks, a play field, a pool and clubhouse, and pickleball courts.

Waivers are requested to architecture, side yard setbacks and landscaping within the R-3 District. Staff is supportive of the requested waivers, with the exception of the architecture of Building Type V,

for which staff has recommended denial and resubmittal meeting UDO requirements.

The Future Land Use Map of the Comprehensive Plan identifies the majority of the subject property as Mixed Density Residential, a neighborhood type which should feature an integrated mixture of housing types, styles, sizes and densities, in addition to highly-connected street systems and sidewalks. The proposed development aligns with the Comprehensive Plan and the standards of the Golden Criteria, by which rezoning applications are considered.

On February 22, 2021, the Planning Commission held a public hearing for the proposed request. Two neighboring property owners spoke at the public hearing with concerns primarily about traffic. After discussion with the traffic engineers and the applicant, the Planning Commission voted 7-0 to recommend approval of RZ20-0013 with the stipulations outlined in the Planning Commission minutes. Since the Planning Commission meeting, staff has received additional correspondence from one resident concerning affordable housing which is included in your packet.

FINANCIAL IMPACT:

None

ACTION NEEDED:

1. Approve Ordinance No. 21-09 for a rezoning from the AG (Agricultural) District to the R-3 (Residential Low-Density Multifamily) and R-4 (Residential Medium-Density Multifamily) Districts as recommended by the Planning Commission.
2. Deny Ordinance No. 21-09 for a rezoning from the AG (Agricultural) District to the R-3 (Residential Low-Density Multifamily) and R-4 (Residential Medium-Density Multifamily) 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. 21-09
- D. Additional Public Correspondence