

3. UNIFIED DEVELOPMENT ORDINANCE AMENDMENT - Section 18.100.048  
Adoption by reference of Overland Park Mixed-Use Design Standards;  
Relationship to other provisions of the code

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1. APPLICANT: The City of Overland Park is the applicant for this request.
2. REQUESTED ACTION: The applicant is requesting approval of Mixed-Use Design Standards.
3. ANALYSIS: The applicant is requesting approval of the Overland Park Mixed Use Design Standards (MXD Standards). Staff has been working with 180 Urban Design Group over the past eight months to develop these standards. This is one of the first implementation steps of the Vision Metcalf Plan.

DEVELOPMENT OF MXD STANDARDS: The MXD Standards were created with the input of several different groups. A Steering Committee of approximately 20 professionals was created early in the process to help guide the development of the standards. This Steering Committee consisted of architects, attorneys, landscape architects, land planners, engineers, and developers. Other public involvement included a three day charette conducted at the Matt Ross Community Center, where the draft guidelines were tested. The development community, as well as, neighborhood organizations, were invited to this charette. Finally, staff recently held another meeting with the development community and interested parties where the most recent draft was discussed. Questions at this meeting were raised about utilities, process, parking requirements, and other items. Staff did agree to work with the developers on mixed-use projects in relationship to utilities and did amend some of the standards to deal with process and parking.

MXD LOCATION: The MXD Standards are proposed to be utilized in the Vision Metcalf nodes until such time as a Form Based Code is written for each node. The Vision Metcalf nodes are as follows:

Downtown  
95<sup>th</sup> Street and Metcalf Avenue  
103<sup>rd</sup> Street and Metcalf Avenue  
119<sup>th</sup> Street and Metcalf Avenue  
Sub nodes (95<sup>th</sup> Street and Antioch Road and 95<sup>th</sup> Street and Nall Avenue)

These standards may also be utilized anywhere in the city where a property is zoned MXD. The city is in the process of hiring a consultant

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for the development of the Form Based Code, but it could be between one to two years before the Form Based Code is completed.

For those properties currently zoned MXD, only if there are revisions which require public notification would they have to meet these new design standards. This provision will be written into the UDO once the mixed-use UDO amendments are adopted.

MXD PURPOSE: The purpose of these new standards is to create a walkable mixed-use environment, which provides for a variety of housing choices and creates usable public spaces. Other objectives include pedestrian and vehicular connectivity and locating buildings close to the street to provide a more comfortable pedestrian and built environment. Finally, the MXD Standards were developed to expedite the development process.

MXD STANDARDS: The MXD Standards provide for three different development types. The Mixed-Use Corridor Development Type is for properties up to 10 acres in size and located within a Vision Metcalf Node or abutting a thoroughfare, super-collector, or collector. The Mixed-Use Center Development Type is between 10 to 40 acres in size with the same locational criteria as a Corridor Development Type. Finally, the Mixed-Use Neighborhood Development Type is all projects above 40 acres in area and these developments may be located anywhere in the city.

Based upon the development type, a project is required to provide a certain number of sub-zones. The Corridor Development type is required to provide two sub-zones, three for the Center and four for the Neighborhood. Sub-zones are classified from most intensive to least intensive defined as follows:

Core - most dense area with primarily taller, mixed-use buildings

Center - similar to a main street area with mixed-use buildings

General - primarily residential urban fabric

Edge - similar in density to conventional residential areas

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Civic - consists of civic buildings, parks, plazas, and open spaces

Additional standards are provided in the Mixed-Use Design Standards for block size, lot size, building envelopes, building height, street trees and parking counts.

**MXD SUBMITTAL REQUIREMENTS:** All projects that will be rezoned to the MXD district will require the submittal of several plans. These include a regulating plan, building type plan, street type plan, utility strategy plan, project design manual, and any additional plans or studies required by the city.

A regulating plan will identify the project blocks and what type of sub-zone will be used in each block. The building type plan will identify the types of buildings proposed on each block based upon the building types found in the Mixed-Use Design Standards. Each different type of street will be classified on the street type plan. A detailed description of typical streets is provided in the standards and has been reviewed by Public Works and the Fire Department. All mixed-use developments will be required to provide a utility strategy plan, which will provide information on where utilities are proposed to be located and handled through the development. A project design manual will be submitted at the time of rezoning to identify proposed building materials, signage, landscaping, art work, plaza areas, lighting, and other information for the development.

Finally, additional studies might be required, such as a traffic study, but this will be determined based upon the preapplication meeting between the city and the developer. All required stormwater studies are discussed in other sections of the UDO and will be required to be submitted at the time of application for the MXD rezoning. All rezonings to the Mixed-Use District would require the Planning Commission and City Council to approve all of the above mentioned plans.

A rezoning to the Mixed-Use District requires substantially more information and documentation than a typical zoning request. All existing standard rezoning requests (CP-O, CP-1, CP-2, etc.) would require a proposed site plan, typical building elevations, landscaping information and stormwater information. Similar to the proposal for MXD rezoning requests, additional studies could be required by the city for typical standard rezoning requests.

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MXD PROCESS: After rezoning to the MXD District is approved, staff is proposing to simplify the approval process for revised preliminary plans and final development plans.

Once approved, the internal sub-zones identified on the regulating plan may be administratively changed with staff approval if no internal properties have been sold. If any internal properties within the MXD development have been sold, a revised preliminary plan with notification of everyone owning property inside the MXD development and within 200 feet of the boundary of the project would be required to be notified.

For sub-zones that are within 200 feet of the MXD perimeter boundary, the sub-zones may be changed with staff approval (administratively) if the proposed sub-zone is less intensive than what was approved at the time of rezoning. The classifications of the sub-zones and the intensity designations were listed above under the MXD Standard section. If the sub-zone would be changed from Edge to General (more intensive) then a revised preliminary plan would be required to be submitted with notification of property owners within 200 feet of the MXD boundary. This notification would occur from the initial rezoning boundary and all required plans would have to be resubmitted for approval by the Planning Commission and City Council.

All final development plan applications would be strictly staff approval. Staff would insure that all of the approved plans and design manual at the time of rezoning would be met by the final development plan. If the plans and design manual were met, staff would approve these final development plans and the applicant could submit for construction permits. However, if staff did not feel the final development plan met the approved plans or design manual, staff could deny the application. The applicant could then appeal the final development plan to the Planning Commission and ultimately the City Council, if needed, for approval.

UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS: The only UDO amendment, proposed at this time, is to include a reference to the MXD Standards in Chapter 18.100.048. This proposed change is also attached at the back of the attachments. Additional revision to the UDO will occur in the future once these standards are adopted to insure the two documents coordinate with one another.

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4. STAFF RECOMMENDATION: The staff recommends approval of Unified Development Ordinance Amendment, Section 18.100.048 Adoption by Reference of Overland Park Mixed-Use Design Standards; Relationship to other provisions of the code, as proposed.