

PC Minutes 10/26/09

ITEM NO. 4A ANNEXATION; 34.38 ACRES; 31ST & KASOLD DR (MKM)

A-8-3-09: Annexation of approximately 34.38 acres and adjacent right-of-way for Wesleyan Church Development, located southeast of 31st and Kasold Drive. Submitted by Dean Grob, for Chester B. Spray Trust, property owner of record and Wesleyan Church, Contract Purchaser.

ITEM NO. 4B A TO RM12; 32.78 ACRES; 31ST & KASOLD DR (MKM)

Z-8-14-09: Consider a request to rezone approximately 32.78 acres from A (Agricultural) to RM12 (Multi-Dwelling Residential) for Wesleyan Church Development, located southeast of 31st and Kasold Drive. Submitted by Dean Grob, for Chester B. Spray Trust, property owner of record and Wesleyan Church, Contract Purchaser.

ITEM NO. 4C A & V-C TO OS; 4.36 ACRES; 31ST & KASOLD DR (MKM)

Z-8-15-09: Consider a request to rezone approximately 4.36 acres from A (Agricultural) and V-C (Valley Channel) to OS (Open Space) for Wesleyan Church Development, located southeast of 31st and Kasold Drive. Submitted by Dean Grob, for Chester B. Spray Trust, property owner of record and Wesleyan Church, Contract Purchaser.

ITEM NO. 4D RM12 & OS TO FLOODPLAIN OVERLAY; 11.35 ACRES; 31ST & KASOLD DR (MKM)

Z-8-16-09: Consider a request to rezone approximately 11.35 acres from RM12 (Multi-Dwelling Residential) and OS (Open Space) to the Floodplain Overlay District for Wesleyan Church Development, located southeast of 31st and Kasold Drive. Submitted by Dean Grob, for Chester B. Spray Trust, property owner of record and Wesleyan Church, Contract Purchaser.

STAFF PRESENTATION

Disclosure of ex parte: Commissioner Harris said she talked with a coworker of hers at Kansas University that is a traffic engineer and they discussed how access points are determined on a curve so that she could formulate questions for staff this evening.

Ms. Mary Miller presented items 4A-4D together.

Commissioner Harris asked if there were any City Codes or requirements to maintain private roads.

Ms. Miller said the City Development Code only permits private roads in a planned development and the maintenance responsibility would be noted on the planned development to be taken care of by the home owners association. The roads need to be built to city standard in case they are taken over by the city at some point.

Commissioner Harris inquired about the League of Women Voters letter (point 1) where they state *'We have several examples of serious problems that have developed for residents in years past who unwittingly purchased homes in large lot developments with no access except to private driveways built to driveway standards in place of public streets, and with no public maintenance.'*

Ms. Miller said she did not know if they were referring to something that was divided under the Townhouse Act which allows subdivision without coming to the Planning office. She said there is a provision under the Subdivision Regulations regarding a development that could be subdivided then

the owner responsible for maintenance of the common areas needs to be noted on the plat.

Commissioner Rasmussen asked if there was a general idea where there might be sidewalks. He expressed concern about sidewalks along 31st Street.

Ms. Miller said there will be sidewalks on 31st Street and on the minor arterial. She said sidewalks may not be added to E 1200 Road until it is actually improved. She said the road to the south would have to have sidewalks on both sides.

Commissioner Rasmussen asked if the sidewalk along 31st Street would be completed.

Mr. McCullough said the city project might do that.

Commissioner Harris inquired about traffic at the curve. She asked if a traffic study would not be triggered unless there were a certain number of trips from the development. She felt that there should still be some type of traffic analysis to make sure there is adequate site distance and proper access.

Mr. McCullough said it would happen at platting stage.

APPLICANT PRESENTATION

Mr. Dean Grob, Grob Engineering, said the Comprehensive Plan and Southern Plan requires annexation before development so that was dictated by the City not the applicant. He said the church is agreeable to restricted density.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Finkeldei said this is exactly the type of development anticipated for this area and the rezoning is consistent with the plan. He said he saw no reason to oppose it.

ACTION TAKEN ON ITEM 4A

Motioned by Commissioner Finkeldei, seconded by Commissioner Harris, to approve the requested annexation of approximately 34.38 acres and adjacent right-of-way on the southeast corner of W 31st Street and Kasold Drive.

Unanimously approved 9-0.

ACTION TAKEN ON ITEM 4B

Motioned by Commissioner Finkeldei, seconded by Commissioner Singleton, to approve the rezoning request for 32.78 acres from County A (Agricultural) District to RM12 (Multi-Dwelling Residential) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report subject to the following condition:

1. The maximum allowed residential density shall not exceed 6 Dwelling Units per acre.

Unanimously approved 9-0.

ACTION TAKEN ON ITEM 4C

Motioned by Commissioner Finkeldei, seconded by Commissioner Singleton, to approve the rezoning request for 4.24 4.36 acres from County A (Agricultural) and County V-C (Valley Channel) Districts to

OS (Open Space) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report.

Unanimously approved 9-0.

ACTION TAKEN ON ITEM 4D

Motioned by Commissioner Finkeldei, seconded by Commissioner Singleton, to approve the rezoning request for ~~10.24~~ 11.35 acres from RM12 (Multi-Dwelling Residential) and OS (Open Space) Districts to the RM12-FP and OS-FP (Floodplain Overlay District for a portion of the Multi-Dwelling and Open Space Districts) and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report.

Unanimously approved 9-0.