

ITEM NO. 5A OS-FP TO RM12-FP; .06 ACRE; 3309 W 31ST ST (MKM)

Z-13-00199: Consider a request to rezone approximately .06 acre from OS-FP (Open Space with Floodplain Management Regulations Overlay) District to RM12-FP (Multi-Dwelling Residential with Floodplain Management Regulations Overlay) District, located at 3309 W 31st St. Submitted by Grob Engineering Services, for Kansas District of the Wesleyan Church, property owner of record.

ITEM NO. 5B RM12 TO RM12; 16.06 ACRES; 3309 W 31ST ST (MKM)

Z-13-00249: Consider a request to rezone approximately 16.06 acres located at 3309 W 31st St from RM12 (Multi-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District to revise the condition which limits maximum density to 6 dwelling units per acre to 9 dwelling units per acre. Submitted by Grob Engineering Services, for Kansas District of the Wesleyan Church, property owner of record.

ITEM NO. 5C RM12-FP TO RM12-FP; 6.39 ACRES; 3309 W 31ST ST (MKM)

Z-13-00250: Consider a request to rezone approximately 6.39 acres located at 3309 W 31st St from RM12-FP (Multi-Dwelling Residential with Floodplain Management Regulations Overlay) District to RM12-FP (Multi-Dwelling Residential with Floodplain Management Regulations Overlay) District to revise the condition which limits maximum density to 6 dwelling units per acre to 9 dwelling units per acre. Submitted by Grob Engineering Services, for Kansas District of the Wesleyan Church, property owner of record.

ITEM NO. 5D PRELIMINARY PLAT FOR YANKEE TANK ESTATES; 3309 W 31ST ST (MKM)

PP-13-00195: Consider a Preliminary Plat for Yankee Tank Estates, approximately 35.76 acres located at 3309 W 31st St and associated variance from right-of-way width requirement. Submitted by Grob Engineering Services, for Kansas District of the Wesleyan Church, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented items 5A-5D together.

APPLICANT PRESENTATION

Mr. Dean Grob, Grob Engineering Services, was present for questioning. He stated the density calculations included a large open space. He said the church dedicated additional right-of-way to the City at no cost.

Commissioner Josserand asked if the church owned the three lots to the north of the duplex development.

Mr. Grob said no. He stated the one lot property directly east of the church was in the residential area. He pointed on the overhead to the property the church owned.

Commissioner Josserand asked if the church intended to develop the property.

Mr. Grob said there was a contract purchaser of the property.

Commissioner Josserand inquired about the density.

Mr. Grob said in developing the area with the original annexation they tried to keep it at 6 units per acre to optimize the residential development while still maintaining the green open space. He said the church wanted to maximize the site for present and future development.

Commissioner Josserand asked if these would be 2-story duplexes.

Mr. Grob said yes.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Britton inquired about the open space area on the southwestern portion.

Ms. Miller said it was not currently developable because it would be placed in a tract which could only be developed with certain uses, such as a gazebo.

Commissioner Britton said he wanted to be sure the open space was kept in perpetuity. He inquired about the density calculation based on developable area.

Ms. Miller said the open space was included for the overall density.

Mr. McCullough said RM12 allowed more density. He said at the time staff did this the plat application had not been submitted so it was unknown how it would be used.

Commissioner Josserand asked if the zoning would be RM12 for lot 1 east of the church lot.

Mr. McCullough said yes.

Commissioner Josserand asked what could be built on it.

Mr. McCullough said it could have a small apartment complex. He said it would be restricted to the size of the lot.

Mr. Grob said the lot was included in the 9 du/acre figure.

Mr. McCullough said it was not in addition to.

ACTION TAKEN on 5A

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the rezoning request for approximately .06 acres OS-FP District to RM12-FP 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:

Maximum density is restricted to no more than 9 dwelling units per acre.

Unanimously approved 6-0.

ACTION TAKEN on 5B

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the rezoning request for approximately 13.06 acres from the RM12 District to the RM12 District with revised condition 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 revised condition:

Maximum density is restricted to no more than 9 dwelling units per acre.

Unanimously approved 6-0.

ACTION TAKEN on 5C

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the rezoning request for approximately 6.39 acres from the RM12-FP District to the RM12-FP District with revised condition 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 revised condition:

Maximum density is restricted to no more than 9 dwelling units per acre

Unanimously approved 6-0.

ACTION TAKEN on 5D

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the variance requested from Section 20-810(e)(5) to allow the right-of-way for W 31st Street to remain at its current width in this location, and to approve the Yankee Tank Estates Addition Preliminary Plat subject to the following conditions:

1. Provision of a revised plat with the following notes added:
 - a) "The property owner shall install a 5 ft wide sidewalk along the improved portion of E 1200 Road with the site-planning/development of the church property."
 - b) "MEBOs are to be determined with the drainage study and shall be noted on the plat."
2. Approval of the preliminary plat is contingent upon approval of the rezoning requests Z-13-00199 (OS-FP to RM12-FP) and Z-13-00249 (RM12 to RM12 with revised condition) and Z-13-00250 (RM12-FP to RM12-FP with revised condition).
3. A dedicated westbound left-turn lane with 50 ft of storage on W 31st Street at the Atchison Avenue intersection shall be provided as part of the public improvements.

Unanimously approved 6-0.