

ITEM NO. 4 RS7 TO RMO; 140,090 SQUARE FEET; 2141 MAPLE LANE (JCR)

Z-11-20-08: Consider a request to rezone 140,090 square feet located at 2141 Maple Lane from RS7 (Single-Dwelling Residential) to RMO (Multi-Dwelling Residential Office). Submitted by Grob Engineering for Kansas Family & Children Foundation, Inc., property owner of record.

STAFF PRESENTATION

Mr. Joe Rexwinkle presented the item.

Commissioner Harris asked for staff's response to the League of Women Voters letter.

Mr. Rexwinkle said the League's three comments were related to the ability or inability to place more than one principal building on a lot, a lot having direct access to a street, and maintenance of any shared facilities. The maintenance responsibility would fall on each private property owner, not the public. Since it is one platted lot it does already meet the frontage requirement and the definition of a lot applies to platted lots, not ownership parcels.

Commissioner Harris asked if not allowing more than one building on the property unless it is accessory was applicable in this case.

Mr. Rexwinkle said no, it only applies in residential dwellings and this is not a residential dwelling.

Commissioner Moore asked if there was a reason the site plan was not included.

Mr. Rexwinkle said no there was no reason it was not included, but that it could be provided.

APPLICANT PRESENTATION

Mr. Dean Grob, Grob Engineering, said he agreed with the staff recommendations. He said the owner was present to provide more details. He said they sent out a little less than 300 invitations in November to neighborhoods and others, and nobody from the public attended.

Mr. Rexwinkle displayed the site plan on the overhead and Mr. Grob pointed out the details the commissioners.

Mr. Brenden Long, general council for the property owner, said the primary service of the site would be to provide child welfare services. He explained all the services of the Kansas Family & Children Foundation. He stated they currently have an office on 24th Street in a converted apartment building and it provides a safe secure environment for custodial exchanges. He said this new facility would be used for the same type of services and that there would be about 11 employees working at the site

PUBLIC HEARING

Mr. Paul South, lives Elmwood that is adjacent to this property. He said the property is only accessible two ways. He expressed concern about increased traffic for the children who live in the area and those that visit the nearby public swimming pool there. He said traffic is heavy already and reduced to one lane.

Commissioner Dominguez asked what Mr. South meant by a one lane street.

Mr. South said during heavy traffic a vehicle must wait behind parked cars to let oncoming traffic through.

Commissioner Dominguez asked Mr. South why he thought there had not been any public comments about the rezoning.

Mr. South said there are a lot of transient people and renters in the area and are probably not aware of what is going on.

COMMISSION DISCUSSION

Commissioner Carter asked staff their thoughts on the traffic flow.

Mr. Rexwinkle said there would be an increase in traffic and the applicant did submit a traffic impact study. He stated the staff report also eluded to the additional number of trips the office use would add to it. In the purpose statement for the RMO zoning district it does state the primary access should generally be to an arterial or collector street and this site is not an arterial or collector street, but it is not a mandatory statement, just something to consider.

Commissioner Dominguez asked about the situation of the street being one lane.

Mr. Rexwinkle said he did not know the details.

Commissioner Singleton said the street is not wide enough and if there are cars parked on both sides of the street there is not enough room for two cars to drive at the same time. She said she visits that pool often and there are a lot of children who go to that pool as well.

Commissioner Dominguez inquired about the traffic study.

Mr. Grob said he did not bring the traffic impact study with him but there were no comments on the traffic study. He said there will only be 11 employees and would not produce the traffic that a traditional office would. He said there should probably be 'no parking' signs near the intersection of the streets.

Commissioner Dominguez asked if there will be 11 more cars for the 11 employees that will be employed there.

Mr. South said there are currently 7 full time employees and the other 4 employees will be there at other times, such as the weekends.

Dominguez asked if the people who represent the child would be at the facility too or just the 7 employees.

Mr. South said he would expect it to just be the 7 employees but if they receive better funding the employee size could increase. Employees will not be parking on the street because a parking lot will be provided.

Mr. Rexwinkle displayed the traffic impact study on the overhead.

Commissioner Singleton said as a family law attorney she is familiar with the process of child welfare programs. One parent drops the child off and then leaves and the other parent comes and picks the child up, so there is not a ton of traffic produced by it. She felt this is a good location for this type of service and would be extremely beneficial to the community.

Commissioner Moore asked about the City Code on street width.

Ms. Stogsdill said 27'.

Commissioner Harris was concerned about RMO zoning which might allow other uses in the future and the Code says this type of zoning should be on a collector street.

Mr. McCullough said issues along the street exist today and wondered if the neighborhood had ever brought concerns to the Traffic Safety Commission that looks at these types of issues. He said staff can go back to the City Traffic Engineer to look at the site plan.

Commissioner Finkeldei disclosed that it did not cause a conflict but that he represented the Montessori School when they sold this property to the Kansas Family & Children Foundation so he learned more about the organization at the time and felt it was a good program. He said he realizes there are concerns that the site could become something else in the future but said he would support the rezoning because the use is needed in the community.

ACTION TAKEN

Motioned by Commissioner Singleton, seconded by Commissioner Hird, to approve the request to rezone approximately 140,090 square feet at 2141 Maple Lane from RS7 (Single-Dwelling Residential) to RMO (Multi-Dwelling Residential Office) based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Unanimously approved 9-0.