

ITEM NO. 2A RS7 TO RM15-PD; 4.038 ACRES; 5325 W 6TH ST (BJP)

Z-15-00609: Consider a request to rezone approximately 4.038 acres from RS7 (Single-Dwelling Residential) District to RM15-PD (Multi-Dwelling Residential with Planned Development Overlay) District, located at 5325 W 6th St. Submitted by Landplan Engineering PA on behalf of Village Cooperative of Lawrence (contract purchaser). Kansas/Nebraska Association of Seventh Day Adventist Inc. is the property owner of record.

ITEM NO. 2B PRELIMINARY DEVELOPMENT PLAN FOR VILLAGE COOPERATIVE; 5325 W 6TH ST (BJP)

PDP-15-00610: Consider of Preliminary Development Plan for Village Cooperative of Lawrence, located at 5325 W 6th St. The plan proposes the construction of a 3-story structure containing 52 assisted living units, underground & surface parking and site improvements, including the construction of Branchwood Drive north to W. 6th Street. Submitted by Landplan Engineering PA on behalf of Village Cooperative of Lawrence (contract purchaser). Kansas/Nebraska Association of Seventh Day Adventist Inc. is the property owner of record.

STAFF PRESENTATION

Ms. Becky Pepper presented Items 2A and 2B together.

APPLICANT PRESENTATION

Mr. Shane Wright, Real Estate Equities Company, said he was shocked at the limited options for seniors in the area. He said the goal was to provide an ownership option for perspective buyers that got them excited. He said the site had a significant grade change and that they had been working with the City to follow the Code. He said he hosted a neighborhood meeting in July 2015 and that 10 members from the neighborhood attended. He said there would be more setback and greenspace than normal since it was a larger site than they usually develop. He said the cooperative would maintain inside and outside of buildings and property. He said they had not received any negative comments/communications to date. He stated there would be heated unground parking with the building on top.

PUBLIC HEARING

Mr. Mark Turner, 925 Stonecreek Drive, expressed concern about the size and scale of the project. He said Branchwood Drive would be open to 6th Street which would increase traffic. He compared this project with Alvadora and how all the promises made with that site were not met regarding buffering/landscaping and the emergency gate not being in place. He expressed concern about the elevation height in relation to the surrounding neighborhood.

APPLICANT CLOSING COMMENTS

Mr. Turner said there was a significant difference between this and the Alvadora apartment complex to the west. He said one of the differences was that the other complex was rental and that this project would be home owners.

COMMISSION DISCUSSION

Commissioner Liese said it looked like a clean project with regard to the Golden Factors. He said he was comfortable making a motion to approve it.

ACTION TAKEN on Item 2A

Motioned by Commissioner Liese, seconded by Commissioner Denney, to approve the request to rezone approximately 4.038 acres, from RS7 (Single-Dwelling Residential) District to RM15-PD (Multi-Dwelling Residential with Planned Development Overlay) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval subject to the approval of the associated Preliminary Development Plan (PDP-15-00610).

Commissioner von Achen asked staff to comment on concerns expressed regarding traffic.

Mr. McCullough said the road system could handle the added traffic. He said the plan was always to join 6th Street but that there was no need until now. He said he was unaware of the potential Alvarado violations and that Code Enforcement would look into it. He said the neighborhood wasn't completely developed so as development comes online the traffic would increase.

Commissioner Liese wondered about the percentage of people living at this project would be driving since it would be older adults.

Mr. McCullough said 6th Street had been designed as a limited roadway.

Commissioner Kelly said one word of caution was the Kansas Department of Transportation's plan for Queens Road. He stated Queens Road could be an access onto 6th Street. He said that was how development impacted the community. He said he supported the motion.

Commissioner Britton said he would support the motion. He said he liked that it was toward the outskirts of town but still infill.

Commissioner von Achen supported the motion and that she loved the idea of underground parking lot.

Commissioner Carpenter asked if there was an exit from the proposed structure directly onto Stonecreek Drive.

Ms. Pepper said the exit was to the east on Branchwood Drive. She showed the plan on the overhead.

Commissioner Carpenter said the turn lanes were already in place and ready for increased traffic. He said opening up the road and limiting parcel access only to Branchwood Drive would benefit the neighbors by having a secondary exit and entrance to the development. He said he would support the rezoning.

Unanimously approved 9-0.

ACTION TAKEN on Item 2B

Motioned by Commissioner Liese, seconded by Commissioner Sands, to approve the Village Cooperative of Lawrence Preliminary Development Plan based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Agreement not to protest the formation of a benefit district for future signal improvements at W 6th Street and Branchwood Drive must be executed by the applicant and provided to the Planning Office before recording of the Final Development Plan.
2. Provision of a revised Preliminary Development Plan with the following changes:
 - a. Add the following note, "We hereby dedicate to the City of Lawrence the right to regulate any construction over the area designated as Common Open Space, open air recreation area, and non-encroachable area and to prohibit any construction within said areas and spaces inconsistent with the approved use or enjoyment of residents, lessees, and owner of the Planned Development."

Commissioner Denney asked if the only access to the property would be from Branchwood Drive.

Mr. McCullough said there would be potential for revisions in the future but this would be the plan that would be approved with this rezoning.

Commissioner Denney said he would like to add amendment to the motion that this be approved contingent upon access only to Branchwood Drive and that if it changed it would come back to Planning Commission.

Mr. McCullough said it would add more public process.

Commissioner Liese was okay with Commissioner Denney's amendment.

Commissioner Sands seconded the amendment.

Unanimously approved 9-0.