

Legislation Details (With Text)

File #: 2021-3942 **Name:**

Type: Public Hearing - Sworn **Status:** Agenda Ready

File created: 1/21/2021 **In control:** City Council - Regular Session

On agenda: 2/23/2021 **Final action:**

Title: Public Hearing: Application #PL2020-274 - Rezoning from R-1 to PMIX, PMIX to RP-4, R-1 to RP-4 and Preliminary Development Plan - Streets of West Pryor, Lot 7 and Tract C, 900 NW Black Twig Lane, 2100 NW Lowenstein Drive and 2200 NW Lowenstein Drive; Streets of West Pryor, LLC, applicant.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. Applicant's Presentation at Planning Commission, 2. Planning Commission Minutes, 3. Staff Letter, 4. Traffic Impact Analysis, 5. Traffic Memo from applicant, 6. Preliminary Development Plan, 7. Rezoning Exhibit, 8. Mine Mitigation Study, 9. Sanitary Sewer Study, 10. Storm Water Study, 11. Townhome Perspective, 12. Townhome Elevations, 13. Townhome Floor Plan, 14. Apartment Building and Townhome Sample Board, 15. Apartment building perspective, 16. Apartment Building 1 Elevations, 17. Apartment Building 2 Elevations, 18. Hotel Elevations, 19. Hotel Material Board, 20. Rezoning Criteria Response, 21. Modification Narrative, 22. Location Map, 23. Staff Presentation

Date	Ver.	Action By	Action	Result
1/28/2021	1	Planning Commission		

Public Hearing: Application #PL2020-274 - Rezoning from R-1 to PMIX, PMIX to RP-4, R-1 to RP-4 and Preliminary Development Plan - Streets of West Pryor, Lot 7 and Tract C, 900 NW Black Twig Lane, 2100 NW Lowenstein Drive and 2200 NW Lowenstein Drive; Streets of West Pryor, LLC, applicant.

Issue/Request:

The developer proposes to rezone a portion of the property from R-1 to RP-4 to allow for a townhome development. Also proposed is to rezone two small portions of the property from R-1 to PMIX and PMIX to RP-4, for purposes of cleaning up the zoning district boundary lines, which will align with the future lot layout and development limits of the preliminary development plan.

The applicant also requests approval of a preliminary development plan that includes a residential and commercial development component. The plan proposes a townhome product totaling 83 units; two 3-story apartment buildings with 184 total units; and a 3-story, 88-unit hotel, located generally at NW Lowenstein Dr. and NW Black Twig Ln.

A preliminary development plan for the subject property was approved in 2019 as part of the overall Streets of West Pryor development. The plan consisted of a 4-story senior living apartment building, a large parking lot with pickle-ball courts, and conceptual single-family residential uses. The applicant has since identified a need to modify the type of uses for this portion of the Streets of West Pryor project area. The portion previously conceptually approved for single-family is now the townhome development and the senior living building and pickle-ball court area is now the proposed apartment buildings and hotel.

The Unified Development Ordinance (UDO) does not authorize staff to administratively approve substantial

changes to previously approved preliminary development plans. The change in uses from the previously approved preliminary development plan reaches the threshold of a substantial change and requires approval of a new preliminary development plan.

Proposed City Council Motion:

I move for adoption of Application #PL2020-274 - Rezoning from R-1 to PMIX, PMIX to RP-4, R-1 to RP-4 and Preliminary Development Plan - Streets of West Pryor, Lot 7 and Tract C, 900 NW Black Twig Lane, 2100 NW Lowenstein Drive and 2200 NW Lowenstein Drive; Streets of West Pryor, LLC, applicant.

Other Information/Unique Characteristics:

Remediation of the undermined area is required prior to issuance of any site development or building permits.

David Olson, Streets of West Pryor, LLC
Josh Johnson, AICP, Asst. Director of Plan Services

With the conditions of approval below, the application meets the requirements of the UDO and Design and Construction Manual (DCM).

Recommended Conditions of Approval

Site Specific

1. A modification shall be granted to the required high impact buffer requirement, to allow a vegetated buffer along NW Lowenstein Dr., in accordance with the medium impact buffer requirements of the UDO.
2. The Developer shall execute a mutually satisfactory development agreement (or amend the original development agreement) with the City, which addresses, at a minimum, any remaining off-site transportation improvements associated with the Streets of West Pryor Development and improvements to Lowenstein Dr. to urban standards as addressed in the City Traffic Engineer's TIA dated December 18, 2020. No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office.
3. No building or site development permits shall be issued until (1) the Developer has entered into a redevelopment agreement with the City to address long-term management and liability issues associated with development over the undermined areas, (2) the final mine remediation plans and specifications have been approved pursuant to the terms and conditions of the redevelopment agreement, and (3) that the remediation work has been completed as designed and certified by an independent professional geotechnical engineer.
4. Additional architectural detail shall be required for the proposed hotel to include horizontal, vertical material breaks and additional articulation for the west elevation, which will be required at the time of final development plan submittal.

Planning Commission Recommendation: A motion was made by Board Member Sanning, seconded by Board member Kitchens, at Planning Commission on a date of January 28, 2021, that Application #PL2020-274 - Rezoning from R-1 to PMIX, PMIX to RP-4, R-1 to RP-4 and Preliminary Development Plan - Streets of West Pryor, Lot 7 and Tract C, 900 NW Black Twig Lane, 2100 NW Lowenstein Drive and 2200 NW Lowenstein Drive; Streets of West Pryor, LLC, applicant, be recommended for approval to the City Council - Regular Session, due

back on February 23, 2021. The motion was approved by 5 Aye's and 1 nay.