



PLANNING COMMISSION MEETING
February 21, 2018
Meeting Action Summary

February 21, 2018 – 6:30 p.m.

Commissioners present: Carpenter, Culver, Kelly, Paden, Sands, Sinclair, Struckhoff, Weaver, Willey

Staff present: McCullough, Stogsdill, Day, Ewert, Larkin, M. Miller, Weik

GENERAL BUSINESS

PLANNING COMMISSION ACTION SUMMARY MINUTES

Receive and amend or approve the action summary (minutes) from the Planning Commission meeting of January 24, 2018.

Motioned by Commissioner Sands, seconded by Commissioner Culver, to approve the January 24, 2018 Planning Commission action summary minutes.

Unanimously approved 8-0-1, with Commissioner Kelly abstaining.

COMMITTEE REPORTS

No reports from any committees that met over the past month.

COMMUNICATIONS

Mr. McCullough said there had been a request from the public to consider moving Items 3A-3B to the beginning of the meeting.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Ex parte:
Commissioner Sands said he spoke with Mr. Matt Gough, Barber Emerson, regarding Item 2. He said they talked about stormwater, noise study, greenspace, and neighborhood outreach.
- No Abstentions.

PC Minutes 2/21/18

ITEM NO. 3A REZONING FROM UR TO RM12-PD; 5275 W 6th St (KEW)

Z-17-00471: Consider a request to rezone approximately 2.5 acres from UR (Urban Reserve) District to RM12-PD (Multi-Dwelling Residential-Planned Development Overlay) District, located at 5275 W 6th St. Submitted by Grob Engineering Services, LLC, on behalf of Beckmeisters LLC, property owner of record. *Deferred by Planning Commission on 11/15/17.*

ITEM NO. 3B PRELIMINARY DEVELOPMENT PLAN; 5275 W 6TH ST (KEW)

PDP-17-00695: Consider a Preliminary Development Plan for a multi-family residential development located at 5275 W 6th St. Submitted by Grob Engineering Services LLC on behalf of Beckmeisters LLC, property owner of record.

STAFF PRESENTATION

Ms. Katherine Weik presented items 3A & 3B together.

APPLICANT PRESENTATION

Mr. Robert Wilson, Beckmeisters LLC, showed conceptual elevations on the overhead. He said the development would be geared toward senior citizens being able to age in place. He said from the street level the development would be one story but would have a walk-out basement. He said the center area of the development would be a garden area instead of a clubhouse. He stated there would also be a playground in the southeast corner for kids/grandkids.

Mr. Grob Engineering, Grob Engineering Services, said the density would be less than 5 units per acre and not the typical RM12 development. He said the development would be similar to the PUD south of this location. He said the utilities would not disturb the perimeter landscaping. He said the trash collection would be polycarts and would require normal storage in the garage and only be out at the curb on trash day. He said the proposed plan for lighting was on the buildings and maybe in the center of the development or wayfinding accent lighting. He said the parking lot would mostly be on the inside of the development so the surrounding neighbors would not have to look at it. He said there was no plan to install a fence on the south or east. He said there could be a decorative type landscaping fencing around the site. He said the units would be townhomes with covenants and restrictions.

PUBLIC HEARING

Ms. Judy Dreiling asked why there wouldn't be a 35' setback line like their PRD was required to have. She expressed concern about one entrance/exit to the development. She also expressed concern for decreased property value. She said the applicant was not restricting the development to senior citizens and could possibly be younger residents. She wondered if the property would be owner occupied or rented.

Mr. Tom Carlson expressed concern about the lack of details to unanswered questions. The idea of senior residents versus any other younger residents. He expressed concern about the value of his property decreasing. He felt the property was out of character of the neighborhood.

Mr. Michael Dreiling asked for the plat to be displayed on the screen. He expressed concern regarding his view with the close setback. He suggested moving the project 25' north. He felt the project would decrease his property value.

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Ms. Michelle Leeson wondered about a planned overlay for this project.

Mr. McCullough said the initial application was a straight rezoning. He said Planning Commission compelled the applicant at the last meeting to pursue a planned overlay. He said the neighborhood would receive notice of the final development plan that would show more details. He said this was the time when Planning Commission could address and condition height requirements or setback requirements.

Ms. Leeson requested a fence along the east to separate the property.

APPLICANT CLOSING COMMENTS

Mr. Wilson said the price point of the units would be \$300,000-\$350,000 which would likely be higher than the neighborhood property values. He said the units would be ADA compliant and geared toward seniors but he would not discriminate against younger people.

Mr. Grob said the access location was the result of restricted access when the intersection was built. He said the only option was to line the entrance up with the entrance to the new Cooperative Village development. He said he concentrated landscaping as a buffer. He said the setback on the south met Code requirements. He said 6th Street had a 50' setback so moving the project north was not an option.

COMMISSION DISCUSSION

Commissioner Willey asked staff about different setbacks in different settings.

Ms. Weik said the RM12 zoning district required an internal side yard setback of 5' and this proposal development exceeded that with a 10' side yard setback. She said the development met the rear and front setbacks of 25'.

Commissioner Willey asked for clarification on the back of the south building being considered the side yard.

Ms. Weik said the development was on one single lot. She stated the front yard setback would be off Branchwood, the rear yard setback would be to the east and the side yards were to the north and south.

Mr. McCullough said it was not atypical to have different setbacks. He said the placement of the drive was due to the closeness of the intersection.

Commissioner Kelly inquired about the setback of the existing white outbuilding.

Mr. Grob said the building was within 5' of the property line but he did not know the exact distance.

Ms. Weik said that building was very near the property line, within 5'.

Commissioner Sands asked the applicant about owner occupied units.

Mr. Wilson said the development would be marketed in different ways but the primary intent was owner occupied. He said the homeowner association would be tight and he did not envision parked cars on the street or driveway at night.

Commissioner Sands said the development was platted as one property. He asked staff for an example of other similar developments in town.

Mr. McCullough said there were examples throughout the city. He said through the townhouse act one lot could be platted with condominiums owned individually. He said ownership was not regulated by the City. He provided the examples of the Cottages at Deerfield and the Villas at Alvamar.

Commissioner Sands said the design suggested a flat roof.

Mr. Wilson said the roof appeared flat but it had a hidden pitch.

Commissioner Willey asked staff if the Final Development Plan would be administrative.

Ms. Weik said yes, it would be administrative.

Mr. McCullough said the RM12 zoning district height requirement of 35' was the same as all RS districts and was compatible with other uses in the area.

Commissioner Sands asked if the homeowner association covenants and restrictions would be recorded with the Douglas County Register of Deeds.

Mr. McCullough said yes, a homeowner association could create a civil document managed by the HOA. He said the City only enforces the City Code.

Commissioner Kelly asked Mr. Dreiling if he had something further to comment on. *(Mr. Dreiling indicated he had more to say after the applicant spoke.)*

Mr. Dreiling said the white outbuilding mentioned earlier was built prior to the city expanding. He said the apartments west of 6th Street and Folks did not have 50' setback. He wanted this development moved further north toward 6th Street.

Commissioner Kelly said the applicant designed setbacks within the requirements of the Code.

Commissioner Sands said there were restrictions on the north due to required 6th Street setback. He said this was a better layout than the concept plan that Planning Commission previously saw. He felt the applicant had done everything in his power to minimize the footprint.

Commissioner Willey said the project had come a long way from when they first looked at it. She felt this was a much better. She said the road access was not negotiable due to restrictions. She stated the development fell within the setback Code requirements and that they could not demand additional setbacks.

Mr. Wilson said one building and the two-story clubhouse were eliminated. He said the center area could possibly be reduced slightly but that a fire truck needed to be able to gain access.

Mr. McCullough said the one building shown on the south property line with a 10' setback. He said if the setback were 15' the building design would need to change.

Mr. Wilson said it would cost more money to redesign but that he would see what could be done to capture a few additional feet.

Commissioner Carpenter inquired about fencing on east side.

Mr. Wilson said he thought the entire east side had a fence but he would be willing to fill in gaps in the fence.

Commissioner Willey said the proposed 12 units were good and the applicant was giving quite a bit to the character of the neighborhood.

Commissioner Sands wondered if they needed to add a condition or just ask the applicant to change the setback.

Mr. McCullough said adding a condition to the Preliminary Development Plan was preferred. He suggested language to mitigate the impact of the side yard to rear yard nature of the project to the property on the south, with the setback increased to 15' instead of the 10' Code requirement.

Commissioner Sands was in favor of the project.

ACTION TAKEN on 3A

Motioned by Commissioner Sands, seconded by Commissioner Paden, to approve the rezoning request from UR (Urban Reserve) District to RM12-PD (Multi-Dwelling Residential) with Planned Development Overlay District, located at 5275 W 6th St, 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.

Commissioner Carpenter said this was a good example of the side yard really being the rear yard setback in Code language. He stated this was low density development for what was permitted in the zoning district. He felt the Code language could create quirks for future infill development.

Commissioner Struckhoff felt this version of the proposal was better than last time and he would support the rezoning.

Commissioner Kelly thanked the applicant for reworking the design to address concerns and spending the money. He said he would support the motion.

Unanimously approved 9-0.

ACTION TAKEN on 3B

Motioned by Commissioner Sands, seconded by Commissioner Sinclair, to approve the Preliminary Development Plan with the addition of condition 5 to increase the southern setback to 15' to mitigate concerns by existing neighbors, and forward to City Commission with a recommendation of approval.

Commissioner Willey said she was in favor of looking at loopholes for a how side yard becomes a backyard. She said she had a hard time requiring the developer to increase the setback and would prefer to ask the developer.

Mr. Grob said the plan already provided 5' extra than required and he would prefer not to add more.

Commissioner Willey asked to hear from the neighbors.

Mr. Carlson expressed concern that windows would look directly into his home. He felt 5' extra setback would help but he wanted extra screening to block the view.

Commissioner Willey said screening may be more helpful than extra setback footage.

Mr. Carlson said a larger setback would be needed for screening.

Commissioner Paden said she was inclined to not require the additional setback.

Commissioner Weaver did not feel it was fair to require the developer to exceed the Code setback.

Commissioner Sands amended the motion, seconded by Commissioner Weaver, to approve the Preliminary Development Plan based upon the findings of fact and forwarding to the City Commission for approval subject to the following conditions:

1. Provision of a revised Preliminary Development Plan to include the following changes:
 - A sidewalk connection from the south units across to the sidewalk that leads to Branchwood Drive.
 - Dedication of 10' Right-of-Way along the remainder of Branchwood Drive.
 - Dedication of an access easement for sanitation services.
 - Updated landscape notes and common/recreational open space total locations.
 - Note regarding ownership and maintenance of Common Open Space and Non-encroachable areas.
2. Vacation of permanent easement along 6th Street. Reimbursement for permanent easement is to be remitted to the City.
3. Submittal of Public Improvement Plans for utility/infrastructure extensions prior to Final Development Plan submission.
4. Subject to City Commission Approval of rezoning request from UR to RM12-PD.

Commissioner Kelly said he would vote for the motion because it met the Code and Planning Commission's responsibility was toward land use. He said the neighbors would have another opportunity to voice their concerns at City Commission. He said the developer was developing per the Code and it would be pulling the rug out from him if it was changed.

Unanimously approved 9-0.

PC Minutes 2/21/18

ITEM NO. 1 REZONING FROM IBP TO IL; 1300 RESEARCH PARK DR (SLD)

Z-17-00689: Consider a request to rezone approximately 1.685 acres from IBP (Industrial/Business Park) District to IL (Limited Industrial) District, located at 1300 Research Park Dr. Submitted by Landplan Engineering PA on behalf of Wakarusa Plaza LC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Brian Sturm, Landplan Engineering, said Professional Moving & Storage wanted a West Lawrence location to provide a storage building. He said industrially zoned land in West Lawrence was not common.

PUBLIC HEARING

Mr. Tiraz Birdie, Lawrence Montessori, felt the project would devalue the neighborhood and thought it would be more appropriate for industrial areas. He did not want the area to look like an industrial facility. He wanted to minimize impact of the use to his property. He wondered what legal authority Planning Commission had to rezone the property.

Commissioner Struckhoff asked staff what opportunity Mr. Birdie would have to make further comments on the project.

Ms. Day said the applicant submitted a site plan and would be subject to the Industrial Design Guidelines. She said any public comments about the project would be submitted to her. She said staff works with the applicant to insure compliance with the Code and Industrial Design Guidelines. She said staff also works with the applicant regarding neighborhood concerns. She said the site plan process provides notice to property owners within 400' and that there was also an appeal process.

APPLICANT CLOSING COMMENTS

Mr. Sturm said he looks forward to engage in the site plan review and meet City expectations.

COMMISSION DISCUSSION

Commissioner Culver asked if the only additional use with this request was the storage use.

Ms. Day said yes.

Commissioner Sands asked if it would be easier to add the use through a Special Use Permit.

Mr. McCullough said the alternative would be to do a Text Amendment to add the use to the IBP zoning district.

Commissioner Culver said conditional zoning in this regard made sense.

Commissioner Carpenter asked why the storage use was excluded from the IBP zoning district when it was created.

Ms. Day said it had to do with how the districts transferred from the old Code to the new Code. She said it was not a deliberate exclusion.

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Mr. McCullough said when the IM district was built there was an extensive analysis of all the districts to look at distinctions and similarities. He said staff encouraged the applicant to do conditional zoning versus changing the Code.

Commissioner Willey said she did not have a problem with the use at the location and would hate to lose industrially zoned property. She said she would be in favor of the rezoning.

Commissioner Sinclair asked Commissioner Carpenter why he didn't like conditional zoning.

Commissioner Carpenter said they were changing the Code for one applicant. He said they were being asked to add one use to the zoning category. He felt there was a fine line between conditional zoning and spot zoning. He said there was no Kansas law for guidance and he worried about what they were setting up for the future. He expressed concern about striking all retail uses for the property.

ACTION TAKEN

Motioned by Commissioner Willey, seconded by Commissioner Culver, to approve the request to rezone approximately 1.685 acres from IBP (Industrial/Business Park) District to IL (Limited Industrial) District, with use restrictions, 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: Permitted uses are limited to those listed below:

- a. College/University*
- b. Day Care Center*
- c. Event Center, Small*
- d. Event Center, Large*
- e. Postal & Parcel Service*
- f. Public Safety*
- g. Active Funeral and Interment*
- h. Temporary Shelter (Special Use only)*
- i. Social Service Agency*
- j. Community Meal Program (Special Use only)*
- k. Utilities, Minor (Special Use only)*
- l. Utilities and Service, major (Special Use only)*
- m. Health Care Office, Health Care Clinic*
- n. Active Recreation*
- o. Participant Sports & Recreation, Indoor*
- p. Participant Sports & Recreation, Outdoor*
- q. Passive Recreation*
- r. Nature Preserve/Undeveloped*
- s. Veterinary*
- t. Accessory Bar (Accessory Use only)*
- u. Restaurant, Quality*
- v. Administrative and Professional (Office)*
- w. Financial, Insurance & Real Estate (Office)*
- x. Payday Advance, Car Title Loan Business*
- y. Office, Other*
- z. Parking Facility, Commercial*

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- aa. Business Equipment*
- bb. Business Support*
- cc. Maker Space, Limited*
- dd. Maker Space, Intensive*
- ee. Manufacturing & Production, Ltd.*
- ff. Manufacturing & Production, Tech.*
- gg. Research Service*
- hh. Exterior Storage (Accessory Use only)*
- ii. Wholesale Storage & Distribution, Light*
- jj. Mini-warehouse*
- kk. Agriculture, Crop*
- ll. Agricultural, small animal (Accessory Use Only)*
- mm. Farmer's Market*
- nn. On-site agricultural sales (Accessory Use only)*
- oo. Amateur & Receive-Only Antennas (Accessory Use Only)*
- pp. Broadcasting Tower*
- qq. Communications Service Establishment*
- rr. Wireless Facility - Antenna (Accessory Use only)*
- ss. Wireless Support Structure (Special Use only)*
- tt. Satellite dish (Accessory Use only)*
- uu. Recycling Facilities, Small Collection*

Motion carried 7-2, with Commissioners Carpenter and Paden voting in opposition.

PC Minutes 2/21/18

ITEM NO. 2A REZONING FROM RS10 TO CS; 1105 E 23RD ST (MKM)

Z-17-00694: Consider a request to rezone approximately 1.768 acres from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) District, located at 1105 E 23rd St. Submitted by Grob Engineering Services LLC on behalf of Hedge Tree, LLC, property owner of record.

ITEM NO. 2B PRELIMINARY PLAT; 1105 E 23RD ST (MKM)

PP-17-00693: Consider a Preliminary Plat for 8N Business Center, a two-lot commercial subdivision on approximately 2.76 acres, located at 1105 E 23rd Street. Submitted by Grob Engineering Services LLC on behalf of Hedge Tree, LLC, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented items 2A & 2B together.

APPLICANT PRESENTATION

Mr. Dean Grob, Grob Engineering, was present for questioning.

PUBLIC HEARING

Mr. Kevin Stewart, 1060 Home Circle, concerned about the impact of development to his property. He expressed concern regarding privacy, noise, lighting, and traffic. He said Lawrence Kia had expanded in a massive way and had negatively impacted the area with increased traffic on E 24th Street.

COMMISSION DISCUSSION

Commissioner Willey asked about a traffic impact study.

Ms. Miller said the City Engineer indicated he would need a traffic impact study with any development in the future.

Commissioner Carpenter said the area was mixed use. He said the proposed draft plan used the detention pond as a buffer. He said he was in favor of the plat and rezoning. He expressed concern about increased traffic.

ACTION TAKEN on 2A

Motioned by Commissioner Carpenter, seconded by Commissioner Willey, to approve the rezoning request, Z-17-00694, for approximately 1.768 acres from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) District, located at 1105 E 23rd St, 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 2B

Motioned by Commissioner Carpenter, seconded by Commissioner Willey, to approve the Preliminary Plat for 8N Business Center, a two-lot commercial subdivision on approximately 2.76 acres located at 1105 E 23rd St.

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Unanimously approved 9-0.

PC Minutes 2/21/18

ITEM NO. 4A REZONING FROM CN2 & PCD TO CN2; 3900 W 6TH ST (MKM)

Z-17-00688: Consider a request to rezone approximately 1.33 acres located at 3900 W 6th St from CN2 (Neighborhood Commercial Center) District & PCD (Planned Commercial Development-Monterey Center) District to CN2 (Neighborhood Commercial Center) District. Submitted by Wild Pines Ventures LLC, for Lawrence Monterey Investors LLC, property owner of record.

ITEM NO. 4B SPECIAL USE PERMIT; 3900 W 6TH ST (MKM)

SUP-17-00690: Consider a Special Use Permit for Tommy's Car Wash, on approximately 1.33 acres located at 3900 W 6th St. Submitted by Wild Pines Ventures LLC, for Lawrence Monterey Investors LLC, property owner of record.

MISC NO. 1 VARIANCE; 3900 W 6TH ST (MKM)

Minor Subdivision/Replat, MS-17-00692, for Monterey No. 8 Addition, variance request per Section 20-808(c)(5) of the Subdivision Regulations to allow reduced right-of-way for 3900 W. 6th Street. Submitted by George Butler Associates, LLC, for Lawrence Monterey Investors, LLC, property owners of record.

STAFF PRESENTATION

Ms. Mary Miller presented items 4A, 4B & Misc 1 together.

APPLICANT PRESENTATION

Mr. Austin Davis, Wild Pine Ventures, was present for questions.

Mr. Matt Gough, Barber Emerson, said the applicant reached out to the Monterey Neighborhood Association President but he did not want to have a neighborhood meeting. Mr. Gough stated the request met all the Golden Factors.

PUBLIC HEARING

Mr. Roger Mason read a letter from Mr. Steve Choikhit, Commercial Ventures, who was unable to attend the meeting. The letter was in favor of the project. Mr. Choikhit felt the use would be a nice compliment to the rest of the center and would bring in additional business for the current tenants. Mr. Choikhit felt the southeast corner was segregated so that traffic patterns would not adversely affect other portions of the development or create problems for residential residents in the area.

COMMISSION DISCUSSION

Commissioner Carpenter asked about the hours of operation.

Mr. Davis said the franchise hours would be 7:00am-9:00pm with four employees.

Commissioner Willey said that a new noise study was provided after letters were received from the public.

Mr. Davis said the newer equipment had a lower noise decimal.

Commissioner Willey asked if the neighbors were aware of the new noise study.

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Mr. Davis said yes, he provided the neighborhood association with the new information.

Commissioner Willey inquired about vacuum noise.

Mr. Chris Michael said the new plastic technology would reduce the noise.

Commissioner Sands asked why the area to the north was zoned CN2.

Ms. Miller said the current zoning was PCD. She said there was a thin strip zoned CN2 to allow commercial uses not allowed in PCD.

Mr. McCullough said the CN2 zoning was to allow the Little Caesars drive-thru window several years ago.

Commissioner Kelly asked about the recourse if the noise level was not what was promised.

Mr. McCullough said a Special Use Permit had more recourse with enforcement measures than a rezoning. He said there were several other new car washes in Lawrence near residential areas.

Commissioner Culver asked why the car wash required a Special Use Permit.

Mr. McCullough said a car wash use in the CN2 zoning district may or may not be compatible so it requires a Special Use Permit.

Commissioner Willey said they received a communication regarding sanitary sewer versus runoff.

A gentleman who did not state his name but identified himself as the project engineer said the downstream residents would see less impact because of the increased greenspace on the site. He said he worked with staff regarding the sanitary sewer calculations.

ACTION TAKEN on 4A

Motioned by Commissioner Sands, seconded by Commissioner Weaver, to approve the request to rezone, Z-17-00688, approximately 1.33 acres from CN2 and PCD-[Monterey Center] (Planned Commercial Development) District to CN2 (Neighborhood Commercial Center) District, located at 3900 W 6th St, 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 4B

Motioned by Commissioner Sands, seconded by Commissioner Willey, to approve the Special Use Permit, SUP-17-00690, for Tommy's Car Wash, a *Cleaning (Car Wash)* use, located at 3900 W 6th St, and forwarding the item to the City Commission with a recommendation of approval subject to the following conditions:

1. Provision of a site plan performance agreement.
2. Recording of a Minor Subdivision for Monterey No. 8 Addition with the Register of Deeds prior to release of SUP plans to Development Services for processing of building permits.

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3. Submittal of a revised Special Use site plan with the following changes:
 - a. Revise the street trees to match the Master Street Tree Plan, if necessary.
 - b. Add the following note: "*The Board of Zoning Appeals approved a variance from the 50 ft setback required in Section 20-814 of the Subdivision Regulations to allow a reduced setback of 40 ft from W 6th Street, contingent upon the approval of the Special Use Permit.*"
 - c. Revise the site summary and parking tables as noted in this staff report.
 - d. Revise all plan sheets with the relocated ADA accessible parking space.
 - e. Correct the Lot labels and legal description to reflect the updated Minor Subdivision.

Commissioner Kelly said he lived ½ mile from this location. He said he was not as concerned about the car wash blower as he was about the outside vacuums. He hoped he and his neighbors would not have to hear the outside vacuums.

Unanimously approved 9-0.

ACTION TAKEN on Misc 1

Motioned by Commissioner Sands, seconded by Commissioner Culver, to approve the variance requested for Minor Subdivision, MS-17-00692, to reduce the right-of-way width required in Section 20-810(a)(5) for W 6th Street, a Principal Arterial Street, from 150 ft to 100 ft; to allow the right-of-way width on the subject side of the centerline to remain at 50 ft rather than the 75 ft required by the Subdivision Design Standards.

Unanimously approved 9-0.

PC Minutes 2/21/18

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

MISC NO. 2 INITIATE TEXT AMENDMENT; GROUP HOMES IN GPI DISTRICT (SLD)

Initiate a Text Amendment to the City of Lawrence Land Development Code to permit *Group Homes* in the GPI (General Public and Institutional) District.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Willey, seconded by Commissioner Sands, to initiate a text amendment to the Land Development Code to create permit *Group Homes* as a permitted use in the GPI District.

Unanimously approved 9-0.

MISC NO. 3 INITIATE TEXT AMENDMENT; OUTDOOR LIGHTING STANDARDS (MKM)

Initiate a Text Amendment to the City of Lawrence Land Development Code, Articles 11 and 17, to update outdoor lighting standards to include standards for various types of light fixtures, such as LED.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Paden wondered how specific the terminology would be.

Ms. Miller said staff would look at things such as glare and lighting colors.

Commissioner Struckhoff asked if the Code applied to street lights.

Mr. McCullough said no.

ACTION TAKEN

Motioned by Commissioner Kelly, seconded by Commissioner Struckhoff, to initiate a text amendment to Articles 11 and 17, Chapter 20 of the City of Lawrence Land Development Code to update the outdoor lighting standards to address new lighting technology. Staff will develop amendments that will be considered at a future Planning Commission hearing.

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Unanimously approved 9-0.

MISC NO. 4 INITIATE REZONING .46 ACRES; 912 N 3RD ST (MKM)

Initiate a rezoning for the eastern portion, approximately 0.46 acres, of 912 N 3rd Street from UR (Urban Reserve) District to CS (Commercial Strip) District.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Kelly, seconded by Commissioner Struckhoff, to initiate a rezoning of the eastern 0.46 acres, approximately, of the parcel addressed as 912 N 3rd Street from UR (Urban Reserve) District to CS (Commercial Strip) to complete the rezoning process.

Unanimously approved 9-0.

MISC NO. 5 INITIATE REZONING 1212 LOUISIANA ST (MKM)

Initiate a rezoning for 1212 Louisiana Street to correct a rezoning error made with Ordinance No. 4235 to rezone the property from RMO-UC (Multi-Dwelling Residential Office District with the Oread Neighborhood Urban Conservation Overlay District) to RM32-UC (Multi-Dwelling Residential District with the Oread Neighborhood Urban Conservation Overlay District).

STAFF PRESENTATION

Ms. Mary Miller presented the item.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Paden, seconded by Commissioner Struckhoff, to initiate a rezoning of 1212 Louisiana Street, approximately 5,851 sq ft, from RMO-UC to RM32-UC, to correct the rezoning error made with Rezoning Ordinance No. 4235.

Unanimously approved 9-0.

MISC NO. 6 APPROVE AMENDMENTS TO PLANNING COMMISSION BY-LAWS

Receive and approve Planning Commission By-Law amendments.

STAFF PRESENTATION

Mr. McCullough presented the item.

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PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Paden said the Transportation Commission had the same 3 and 5 minute public comment period. She wondered if Transportation Commission may need to update their bylaws too.

Mr. McCullough said there were inherent issues with distinguishing between individual and group testimony.

Mr. Larkin said the City Attorney's office was recommending not to distinguish between different speakers.

Commissioner Willey said there was an inherent benefit for the public to talk to each other and coordinate their efforts when providing their testimony. She said she would also be in favor of holding the applicant's response to 5 minutes.

Commissioner Sands said it wasn't a long leap for a group of folks to coordinate their efforts to speak. He wondered if there should be an exception to extend the time for groups such as the school board or hospital board.

Commissioner Culver said written communication was an option for lengthy details.

Mr. McCullough said Planning Commission could use their discretion with items that weren't quasi-judicial.

Commissioner Kelly suggested maybe restricting the number of speakers the applicant has.

Commissioner Culver felt it was necessary when different speakers for the applicant provide different expertise.

Mr. McCullough said it may be helpful for the Chair to provide time limit reminders throughout the meeting.

Commissioner Sands said he agreed with the time limits as amended.

Commissioner Sinclair asked if the attendance language pertained to Mid-Month meetings or regular Planning Commission meetings.

Mr. McCullough said the intent was regular Planning Commission meetings.

Commissioner Willey said the language in the bylaws should probably specify.

ACTION TAKEN

Motioned by Commissioner Kelly, seconded by Commissioner Sands, to approve the Planning Commission bylaw amendments with the addition of language to Article III, Section 6 Attendance, of regular business meetings, and forwarding to City Commission and the Board of County Commissioners for approval.

Complete audio & video from this meeting can be found online:

<https://lawrenceks.org/boards/lawrence-douglas-county-metropolitan-planning-commission/>

Unanimously approved 9-0.

GENERAL PUBLIC COMMENT

No general public comment.

ADJOURN 10:19pm