

ITEM NO. 4 GPI TO IG; 503 ACRES; LAWRENCE MUNICIPAL AIRPORT (SLD)

Z-4-5-09: Consider a request to rezone the Lawrence Municipal Airport, containing approximately 503 acres, from GPI (General Public and Institutional) to IG (General Industrial). There is existing ASO (Airspace Overlay District) and FP (Floodplain Management Regulations Overlay District) zoning overlays on all or portions of the property being rezoned to the base IG district. Initiated by City Commission on 4/7/09 and re-initiated on 5/26/09 to include 503 acres.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

Commissioner Harris asked what staff meant by 'airport related development.'

Ms. Day said they would typically be businesses that need direct runway access, flight space, helicopter related type activities, mechanic type activities, or industrial development that has that kind of focus.

Commissioner Finkeldei asked how much developable land is on the airport site.

Ms. Day said the two pieces outlined represent about 77 acres. Of that, the floodprone area is about 18 acres. She said that including what is already there the acreage is approximately 60 acres.

Commissioner Moore asked if all the uses out there were currently in non-conformance with the zoning code.

Ms. Day replied yes.

Commissioner Harris inquired about soil conserving agri-industry businesses.

Mr. McCullough said when City Commission initiated the rezoning there was comment from the public on class 1 and 2 soils. He stated that staff wanted to highlight that the draft Chapter 7 has the site as a location for industrial development. The distinction between the municipal airport as a location and other property around the airport for industrial development and the draft Chapter 7 has in it that soil conserving industries are more directly related to the areas outside of the airport. The airport property, in terms of how Chapter 7 views it, encourages air related industry not soil conserving industry.

PUBLIC HEARING

Mr. Stanley Sneegas, secretary for the Lawrence Airport Aviation Advisory Board, stated that the board supports the rezoning request.

Commissioner Harris inquired about the boards discussion.

Mr. Sneegas said it was discussed at their May meeting and the board discussed economic development. They felt it would help improve the ability of the City to develop the airport.

Mr. Scott Swedlund, expressed concern about the runway being expanded and how it will effect his residential property. He stated the City already has an easement for the crash zone but he said if they expand the area then his bedroom will be in the crash zone.

Mr. McCullough said the airport master plan is not necessarily being looking at through this application. He stated there may be potential for development on the airport relative to whatever business may have a need for something, but usually that is taxi ways or hanger space, versus the infrastructure of the runway itself. He said he was not as familiar with the airport master plan. He said as far as he understood, the effort to rezone the property would not impact Mr. Swedlund's property.

Mr. Sneegas said in order to extend the runway Highway 24 would have to be moved and there are no plans to do that anytime soon.

Commissioner Hird asked Mr. Swedlund how long he has lived in his residence.

Mr. Swedlund said he moved there right before the 2006 rezoning.

Mr. McCullough said when the property was purchased there was M2 Industrial Zoning on the property. South of 24-40 and east of Mr. Swedlund's property there is a no build area. The rezoning would bring the current businesses out there into compliance and open the door for increased development at the site.

COMMISSION DISCUSSION

Commissioner Harris asked if a heavy manufacturer, that was not airport related, would have to be approved by Planning and City Commissions.

Mr. McCullough said the City is the property owner so any decisions to lease or sell property would be up to the governing body, which would be similar to a landlord/tenant relationship. The business may comply with the Development Code but whether the City wants to open the door to non-aviation related uses would be a decision of the governing body. He said it would go against the draft Chapter 7 that calls for that area to be reserved for aviation related industry but that technically the IG district allows those uses, but it would fall on the city, as the owner of the property, to allow that to happen.

ACTION TAKEN

Motioned by Commissioner Rasmussen, seconded by Commissioner Finkeldei, to approve the request to rezone approximately 502.62 Acres from GPI (General Public and Institutional) District to IG (Industrial General) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Commissioner Harris said she supports the idea of having airport related development near the airport but will vote against the rezoning because it would not guarantee that non-airport related development would be located there. She felt it left the door open for more intense development next to agricultural and residences to the south, and the Comprehensive Plan talks about how heavy industry zoning is not compatible with those uses.

Unanimously approved 6-2, with Commissioners Harris and Singleton voting in opposition.
Student Commissioner Shelton voting in favor.