

ITEM NO. 2A PRELIMINARY PLAT FOR FOUR SEASONS PUMP STATION; 30.894 ACRES; SE OF W 27TH ST & CROSSGATE DR (MKM)

PP-1-1-10: Consider a 2 lot Preliminary Plat for Four Seasons Pump Station, containing approximately 30.894 acres, located southeast of W 27th St. & Crossgate Dr. Request for variance from Section 20-810(b) to permit the creation of a lot without road frontage and Variance from Section 20-801(c) to permit the platting of a lot without requiring the platting of all contiguously owned lands that are not platted. Submitted by Bartlett & West for the City of Lawrence, property owner of record.

ITEM NO. 2B PUD TO OS; 8.18 ACRES; SE OF W 27TH ST & CROSSGATE DR (MKM)

Z-1-2-10: Consider a request to rezone approximately 8.18 acres from PUD (Planned Unit Development) to OS (Open Space), located southeast of W 27th St. & Crossgate Dr. Submitted by the City of Lawrence, property owner of record.

ITEM NO. 2C SPECIAL USE PERMIT FOR LAWRENCE PUMP STATION 09; SE OF W 27TH ST & CROSSGATE DR (MKM)

SUP-1-2-10: Consider a Special Use Permit for the City of Lawrence Pump Station 09 Wet Weather Storage Expansion, a minor utility, on approximately 8.18 acres, located southeast of W 27th St. & Crossgate Dr. Submitted by the City of Lawrence, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented items 2A-2C together.

Mr. Philip Ciesielski, Assistant Utilities Director, was present for questioning.

Commissioner Rasmussen inquired about the undeveloped portion north of this site.

Ms. Miller said there is an area in the Four Seasons Development Plan that was platted and they do have lots but it is not part of this development. At some point it was divided into lots which are mostly within the floodway and building on that would not be possible. She stated back when they did that those were allowed to be platted lots.

Commissioner Rasmussen asked if there was no hope for that chunk to be developed at any point.

Ms. Miller said there are variances for the floodway but they are stringent and may not meet the requirements.

Commissioner Rasmussen asked how they would get access to that area.

Ms. Miller said if something was developed there it would have to find access and perhaps that could be done by purchasing some of the land and extending the road. She said that is a piece of land that would be difficult to develop.

Commissioner Rasmussen asked if there have been any complaints about odor from the retention basin.

Ms. Miller said no, but the Utilities Department said with the additional detention it would possibly improve any odors that were present and that they did not expect them to increase.

PUBLIC HEARING

No public comment.

ACTION TAKEN ON ITEM 2B

Motioned by Commissioner Finkeldei, seconded by Commissioner Singleton, to approve the rezoning request for approximately 8.18 acres from PUD (Planned Unit Development) District to OS (Open Space) District 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 7-0. Commissioner Dominguez was not present for the vote.

Motioned by Commissioner Finkeldei, seconded by Commissioner Singleton, to initiate the rezoning of the remainder of the property, approximately 22.63 acres (Lot 1 on the Four Seasons Pump Station Addition), from PUD (Planned Unit Development) to OS (Open Space) District.

Unanimously approved 7-0. Commissioner Dominguez was not present for the vote.

6:50pm - Commissioner Dominguez arrived at the meeting.

ACTION TAKEN ON ITEM 2A

Motioned by Commissioner Finkeldei, seconded by Commissioner Hird, to approve the variance requested from Section 20-810(b) to permit the creation of 2 lots without street frontage subject to the condition that any development proposal on Lot 1 would require the variance be re-evaluated and re-enacted by the Planning Commission. Approval of the variance requested from Section 20-801(c) to permit the platting of the subject property without the platting of all contiguous property under the same ownership. Approval of the Preliminary Plat of the Four Seasons Pump Station Subdivision and referring it to the City Commission for consideration of dedication of easements subject to the following conditions of approval:

- 1) The preliminary plat shall be revised with the following changes:
 - a. A detail shall be included which illustrates how the facility is accessed and the easements which are utilized (both on- and off-site) shall be noted.
 - b. The on-site easement used to access to the facility shall be renamed a 'municipal access and utility' easement to clarify its purpose.
 - c. The floodplain note will be revised to reference the Base Flood Elevation, rather than the 'surface elevation'.
 - d. If the Planning Commission votes to grant the variances requested, the plat shall be revised to reference the variances identified in this staff report and note the date the Planning Commission granted them.
 - i. The note for the variance from the requirement that each lot shall have street frontage shall include the following condition: *"The variance for Lot 1 shall be re-evaluated and re-enacted by the Planning Commission prior to approval of any development proposal on Lot 1."*

Motion carried 7-0-1, with Commissioner Dominguez abstaining.

ACTION TAKEN ON ITEM 2C

Moved by Commissioner Finkeldei, seconded by Commissioner Hird, to approve Special Use Permit, SUP-1-2-10, for a wet weather storage expansion for Pump Station 09, a minor utility, based upon the findings presented in the body of the staff report and subject to the following conditions:

1. Publication of an ordinance per Section 20-1306(j).
2. Approval of a Floodplain Development Permit required prior to release of Special Use Permit for building permits.
3. Approval and recordation of a Final Plat required prior to release of Special Use Permit for building permit.
4. Applicant shall provide a revised site plan with the following changes:
 - a. Label the 30 ft easement along the east side of the property which provides access to the facility as a 'municipal access and utility easement'.
 - b. Note dimensions of holding tank—diameter.
 - c. Note the Base Flood Elevation on the plan.

- d. Note the type and maximum wattage of the new lighting.
- e. Label the width of the access drive.
- f. Add the following notes:
 - Current zoning PUD
 - Proposed zoning OS;
 - Current Use: Pump station and wet weather detention;
 - Proposed Use: Additional wet weather detention for pump station
- g. Add City of Lawrence as property owner:
 - City of Lawrence, KS*
 - PO Box 708*
 - Lawrence, Kansas 66044*
 - 785.832.3000*

Motion carried 7-0-1, with Commissioner Dominguez abstaining.