

**ITEM NO. 5A ANNEXATION OF 14.53 ACRES; NW CORNER OF N 1300 RD/W 31<sup>ST</sup> ST & LOUISIANA ST (SLD)**

**A-13-00437:** Consider a request to annex approximately 14.53 acres, located at the NW corner of N 1300 Rd/W 31<sup>st</sup> St and Louisiana St. Submitted by Landplan Engineering PA on behalf of Savannah Holdings LC, property owner of record. *Initiated by City Commission on 11/5/13.*

**ITEM NO. 5B A TO RM12D & RM12D-FP; 14.53 ACRES; NW CORNER OF N 1300 RD/W 31<sup>ST</sup> ST & LOUISIANA ST (SLD)**

**Z-13-00438:** Consider a request to rezone approximately 14.53 acres from County A (Agricultural) District to RM12D (Multi-Dwelling Residential) District and portions to RM12D-FP (Multi-Dwelling Residential-Floodplain Overlay District) District, located at the NW corner of N 1300 Rd/W 31<sup>st</sup> St and Louisiana St. Submitted by Landplan Engineering PA on behalf of Savannah Holdings LC, property owner of record.

**STAFF PRESENTATION**

Ms. Sandra Day presented Items 5A and 5B together.

**APPLICANT PRESENTATION**

Mr. Brian Sturm, Landplan Engineering, agreed with the staff report.

**PUBLIC HEARING**

Ms. Cille King, League of Women Voters, recapped the letter sent regarding flooding issues and fill on the land.

**APPLICANT CLOSING COMMENTS**

Mr. Sturm said the homes on the south side of W 29<sup>th</sup> Terrace were built in the late 1950's and early 1960's so a lot had changed with this part of Lawrence in the 50 years since. He said there had been significant fill brought to this portion of the Snodgrass property in the last decade, primarily between the years 2000-2010. He said the fill was done under a permit from the State. He said Landplan Engineering conducted a topographic survey and estimated the grounds were stable and was well done. He said the rezoning request conformed with the recommendations of the revised Southern Development Plan. He said the area had been vetted by a lengthy community process and it made sense for medium-density residential housing. He said, in his opinion, it was completely in line with what the community envisioned for this part of Lawrence.

**COMMISSION DISCUSSION**

Commissioner Kelly asked if they were just looking at a rezoning. He asked if there was a development would they be looking at a drainage study that would involve the fill.

Ms. Day said Planning Commission's action tonight was looking at the rezoning and annexation. She said in light of the League of Women Voter's letter she contacted the City Stormwater Engineer and the Codes Enforcement Administrator. She read a statement from Mr. Barry Walthall, Codes Enforcement Administrator: *"Soil testing and evaluation by a licensed engineer would be required for construction projects on this property. The evaluation report would include instructions to correct any issues within sufficient compaction or improper fill. Final acceptance report would also be required from the engineer that would confirm those corrections were completed."* She said there were adequate reviews and processes in place to be sure those things were taken care of. She said regarding flooding there had been no repetitive loses in more than twelve years for those properties due to flooding reported. She said the South Lawrence Trafficway project would improve drainage in the area by changing the small culvert at 31<sup>st</sup> Street and Louisiana Street with a larger open span bridge to allow the flow to move more freely. She said there would still be ponding overall in the area.

Commissioner Denney said not too long ago Planning Commission approved items concerning a new detention pond in the area for Menards. He asked if that pond would drain into this system that goes through there. He wondered about any potential effect from that, positive or negative.

Ms. Day said that pond had been specifically reviewed in light of all of the improvements going on in the area.

**ACTION TAKEN on Item 5A**

Motioned by Commissioner Kelly, seconded by Commissioner von Achen, to approve the annexation, A-13-00437, of approximately 14.53 acres, located at the NW corner of N 1300 Rd/W 31<sup>st</sup> St and Louisiana Street, based on the findings in the body of the staff report and forwarding the request to the City Commission with a recommendation for approval.

Unanimously approved 8-0.

**ACTION TAKEN on Item 5B**

Motioned by Commissioner Kelly, seconded by Commissioner von Achen, to approve the request to rezone 14.53 acres from A (Agricultural) District and F-F (County-Floodway Fringe Overlay) to RM12D (Multi-Dwelling Residential District and RM12D-FP (Multi-Dwelling Residential and Floodplain Overlay) District located at the NW corner of N 1300 Rd/W 31<sup>st</sup> St. and Louisiana St. based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval subject to the following condition:

1. Maximum density shall be restricted to 8 dwelling units per acre or less.

Unanimously approved 8-0.