



PLANNING COMMISSION MEETING

June 22, 2015

Meeting Minutes

June 22, 2015 – 6:30 p.m.

Commissioners present: Butler, Britton, Denney, Graham, Kelly, Struckhoff, von Achen

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

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of May 18, 2015.

Motioned by Commissioner Struckhoff, seconded by Commissioner von Achen, to approve the May 18, 2015 Planning Commission minutes.

Motion carried 7-0.

COMMITTEE REPORTS

Receive reports from any committees that met over the past month.

Commissioner Denney said the Metropolitan Planning Organization met last week and a majority of the meeting was a presentation by the Kansas Department of Transportation (KDOT) on the expansion of the west leg of K-10/South Lawrence Trafficway to four lanes. He said it could have a broad ranging effect on planning for the future.

Commissioner Britton provided a Horizon 2020 steering committee update. He said they were getting closer to the final issues action report that would recommend items of concern and priority for an updated comprehensive plan.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Ex parte:
Commissioner Kelly said he received a call from former Planning Commissioner, Bryan Culver, who talked to Mr. Duane Schwada about Item 2 and concerns regarding the fall zone of the proposed cellular tower.
- No abstentions.

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ITEM NO. 1 CONDITIONAL USE PERMIT FOR FLORY DAIRY EQUIPMENT; 702 E 1747 RD (MKM)

CUP-15-00113: Consider a Conditional Use Permit for Flory Dairy Equipment at Vinland School, located on approximately 3.9 acres at 702 E 1747 Rd, Baldwin City. Submitted by Flory Dairy Equipment, Inc, contract purchaser of the property, for Rural High School District No. 1/Unified School District No. 348, property owner of record. *Joint meeting with Baldwin City Planning Commission.*

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Flory Dairy was present and said they agreed with the staff report.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Kelly, seconded by Commissioner Graham, to approve the Conditional Use Permit for Flory Dairy Equipment, classified as *Office and Research Facility and Farm Implement Repair Service*, and forwarding it to the Board of County Commissioners with a recommendation for approval based upon the findings of fact in the body of the staff report and subject to the following conditions:

1. The following actions shall occur prior to the release of the permit for the Conditional Use:
 - a. Applicant shall obtain an easement from the property owners for the long-term use of the off-site lagoon.
 - b. Applicant shall obtain a permit or easement from Douglas County for the pipe under E 1750 Road which accesses the lagoon prior to the release of the permit for the Conditional Use.
 - c. Applicant shall dedicate an access easement providing access for the residence at 701 E 1747 Road to connect to E 1747 Road.
 - d. A revised CUP plan must be provided to the Planning Office with the following changes:
 - a. Recording information for the easement for the lagoon noted on the plan.
 - b. The ADA parking space identified on the plan.
 - c. Total building area noted on the plan with the following note: *"The addition of a new use into the unused portion of the building will require CUP approval."*
 - d. Label the portions of the building that are to be used for office, repair/storage, and warehouse.
2. The following actions shall occur prior to the release of a Certificate of Occupancy:
 - a. Repair of the lagoon fencing which include the patching of a hole in the north side of the fence and reattachment of the gate to the posts per the County Health Official's approval.
 - b. Improvements made to the access drives on E 1750 Road per the County Engineer's approval.
 - c. Installation of signage noting the access restrictions for the E 1747 Road access points on N 700 and E 1750 Roads.
 - d. Applicant shall construct a privacy fence along the access easement to screen the business from the residence at 701 E 1747 Road.

Unanimously approved 7-0.

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ITEM NO. 2 SPECIAL USE PERMIT FOR VERIZON WIRELESS; 2001 MOODIE RD (SLD)

SUP-15-00185: Consider a Special Use Permit for Verizon Wireless LLC to construct a new communication tower, located at 2001 Moodie Rd. Submitted by PAMCORP on behalf of Verizon Wireless LLC for Ottawa Cooperative Association, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Curtis Holland, Polsinelli Law Office, representing Verizon Wireless. He said this was a compromise to the last application that was denied by City Commission. He said the site was needed to improve coverage and phone calling capacity. He said the tower was moved to where the City Commission directed that it be moved for it not to be an issue. He said the zoning and adjoining land uses were almost all industrial. He stated the adjoining property owner to the north was Duane and Steve Schwada. He said he mistakenly reached out to Free State Bottling thinking that they owned the property when it was really owned by the Schwada's. He said the Schwada's concern was about the fall zone and that it could fall over onto their property. He said there wasn't really any flexibility in moving the tower because of the overhead Westar power lines and the location of Ottawa Cooperative Association deliveries. He said the tower was put in the best spot in terms of where the property owner wanted it and where the power lines were located. He said with respect to concerns about a cell tower falling over, they were built not to fall over. He said cell towers were designed to fail at the top and the pole will crimp. He stated they were not designed to fall over at the base. He said the project met the Code. He showed pictures of other cell towers in Lawrence that were close to buildings and had not had any issues.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Denney asked if the tower was capable of housing other co-locations.

Mr. Holland said yes, it would hold at least two other users.

Commissioner Struckhoff asked about some of the technical challenges of a stealth tower.

Mr. Holland said the biggest issue with a stealth designed tower was that it was hard to use as a co-location for other carriers. He said if a carrier was restricted to a stealth pole they would end up having to stack the technology into a canister type tower that could potentially take up 30' of space. He said it was harder to co-locate on those types of structures. He said that would mean more short and small towers versus a single taller tower that could accommodate other users.

Commissioner von Achen said a previous application talked about five carriers.

Ms. Day said that was a tower out in the county that was a little taller.

Commissioner von Achen said future carriers would need to negotiate with the land owner to build pad sites. She wondered if that would be an issue in the future.

Mr. Holland said there was ground space but the land owner wanted to control the ground leases and the location of them.

Commissioner von Achen asked if the fall zone was the length of the tower.

Mr. Holland said that was what Mr. Schwada thought. He said the fall zone was the zone of where it would fall if there was a failure. He said the failure point was designed at the upper portion of the tower so it would fall into itself. He said tower setbacks had little to do with a tower falling over and hitting property. He said it was more for aesthetic reasons. He stated skyscrapers did not just fall over and there weren't fall zones for skyscrapers. He said it was the same for monopoles. They were designed and engineered not to fall over.

Commissioner von Achen inquired about different setbacks for different zonings.

Commissioner Kelly said the applicant was saying not to worry about the fall zone.

Ms. Day said tower regulations were adopted in the mid 1990's. She said the Code gave the option for a tower to be setback a certain distance with an established fall zone. She said the applicant had to provide statements of special inspection and engineer reports about the structure so that there was a high level of confidence.

Commissioner Kelly asked if there was no ability to move the tower. He asked if the engineering documents could support the safety of it.

Ms. Day said the tower had been closer to the property and the street. She said staff encouraged the applicant talk to the adjacent property owner. She said the tower moved a little bit in the same general location.

Commissioner Britton asked how high the grain elevator was.

Mr. Holland said it was roughly 130-140'.

Ms. Day said the grain elevator was taller than the tower.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Denney, to approve the Special Use Permit for a communication tower located at 2001 Moodie Road and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions:

1. Applicant shall submit a revised site plan to show five (5) additional street trees along the north 200 feet of Moodie Road to mitigate the proposed use from the residential use to the south.
2. Prior to release of the site plan for issuance of a building permit, the applicant shall provide the following changes and documentation:
 - a. Submission of documentation to demonstrate the tower fall zone will be maintained within the parent parcel.

Commissioner Kelly said Planning Commission received communications regarding requests for mitigation and that it was beyond the scope of Planning Commission.

Commissioner Britton said cell towers were always difficult because people want the technology but without seeing it or being near their property. He said he appreciated hearing from the public but

that Planning Commission had a narrow focus and the applicant did a good job of finding a compromised location.

Unanimously approved 7-0.

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ITEM NO. 3A RSO TO CN2; 10 ACRES; 4300 W 24TH PLACE (SLD)

Z-15-00198: Consider a request to rezone approximately 10 acres from RSO (Single-Dwelling Residential-Office) District to CN2 (Neighborhood Shopping Center) District, located at 4300 W 24th Place. Submitted by Paul Werner Architects, on behalf of RPI LLC, property owner of record.

ITEM NO. 3B PRELIMINARY PLAT FOR 24TH PLACE ADDITION; 4300 W 24TH PLACE (SLD)

PP-15-00196: Consider a Preliminary Plat for 24th Place Addition, containing one 7-acre lot for proposed neighborhood commercial development and 14 residential lots for duplex development, located at 4300 W 24th Place. Submitted by BG Consultants, Inc., on behalf of RPI LLC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented items 3A and 3B together.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, said this was a reasonable solution to a tough site. He said the RSO zoning would provide a buffer from Remington Square Apartments and provided the developer a project to get started with right away. He said the CN2 zoning followed the Inverness Park District Plan that was adopted by Planning Commission and City Commission. He said he held a neighborhood meeting on May 11th and that twelve or so people showed up and provided good feedback. He said one of the comments was about limiting large traffic generators such as a McDonald's fast food restaurant. He said a McDonald's would not locate at the site because it wasn't a busy enough area for them. He said another comment he received was flipping the duplex location with the commercial location. He said he did not like that idea because there is a reason that commercial wants to be on a corner with a light. He also did not like having residential fences back up to a busy street. He felt this was a better plan. He said a site plan should go before City Commission for public hearing. He stated that all drive-thrus would have to go through the Special Use Permit process. He said he offered to expand the notification area. He said the alternative to this plan would be the entire site being duplexes. He said this plan fit the neighborhood plan. He said he agreed with the staff report conditions on both items.

PUBLIC HEARING

Mr. Larry Grecian, 4417 W 25th Place, said he spoke in opposition of the previously proposed project, Family Fun Center, in March of 2014. He felt duplexes and greenspace were positive but he was fearful of the CN2 zoning. He wondered what would keep the domino effect from allowing a potentially harmful Special Use Permit. He felt a guarantee should be put in writing that certain uses should not be allowed. He said the neighborhood wanted to protect their homes and children.

APPLICANT CLOSING COMMENTS

Mr. Werner said the idea of guaranteeing certain businesses was not feasible. He said he had a good feel for what the neighborhood would want, such as a local coffee shop.

COMMISSION DISCUSSION

Commissioner von Achen asked staff about the green buffer zone.

Ms. Day said that staff's recommendation was that the Preliminary Plat would show 65' buffer for the south 350'. She said the total length of the property along Inverness was 431'. She said it would

extend the bufferyard to the backyards of the row of residences on the north end. She said the intent was to establish a bufferyard and allow for things such as benches and pedestrian amenities. She said it would prohibit buildings, parking lots, and high use areas that were commercially oriented with the building.

Commissioner von Achen said the goals of Inverness Park District plan encouraged the development of a strong park trail system. She asked if that was being incorporated into this.

Ms. Day said at this point, no. She said the topography of this specific property does not lend itself to having direct pedestrian connection. She said the only way to achieve that was along the public sidewalks. She said the language was focused on greenspace that separates the multi-family on the south side of 24th Place with the residential subdivision farther to the south. She said there was a wide green strip with floodplain and natural drainage area identified as a future park with trails. She said the very south end of the planning area may be more conducive to providing pedestrian connection than this corner because of the steep slope.

Commissioner Britton said the duplexes conformed with the current zoning but not the neighborhood plan, which was an interesting aspect to the proposal. He said he was fine with the proposal and that the previous proposal was more of a regional use instead of a neighborhood commercial use. He felt the conditions were good and he liked the fact that there would be a public process for whatever would go there. He inquired about the notification process for a site plan.

Ms. Day said the notice boundary would be 200' and public notice signs would be posted at the site.

Commissioner Britton said it would make him feel better about this if good notice could be provided.

Mr. McCullough said it could be added as a condition to the ordinance.

Commissioner Denney agreed with Commissioner Britton. He expressed concern about the potential effect that the expansion of the west trafficway could have. He said the nature of that intersection may change dramatically if the only access off of K-10 was on Inverness. He felt they should carefully watch what happens at this location in light of that potential.

Commissioner Struckhoff said these were uses that were more suitable to the commercial neighborhood designation than the previous application. He felt they should encourage the development of things that people can walk to from their front door. He said he was inclined to support the proposal.

ACTION TAKEN on Item 3A

Motioned by Commissioner Kelly, seconded by Commissioner Britton, to approve the rezoning request for approximately 10 acres from Single-Dwelling Residential-Office (RSO) to Neighborhood Shopping Center (CN2) 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 conditions:

1. The City Commission shall review and approve any site plan application prior to issuance of a building permit on the subject property.
2. As part of any proposed development, the extraordinary buffer yard along Inverness Drive shall be limited to open space, landscape, and park-type amenities.
3. The following uses shall be prohibited:
 - a. Household living (all residential uses)

4. Provide notice to owners within 1,000 feet for any future site plan on the CN2 zoning.

Commissioner Kelly appreciated what Commissioner Denney said. He said it was tough to know the future of this property forever. He felt this was a great example of planning because it conformed with the neighborhood plan. He said there was a little bit of loss on both sides for the applicant and neighborhood. He encouraged the public to never stop being civically engaged.

Commissioner Britton thanked staff, the applicant, and the neighborhood for their involvement.

Commissioner von Achen thanked staff for their research and time on this project.

Motion carried 6-1, with Commissioner Butler voting in opposition.

ACTION TAKEN on Item 3B

Motioned by Commissioner Kelly, seconded by Commissioner Struckhoff, to approve the Preliminary Plat for 24th Place Addition subject to the following conditions:

1. Revise Preliminary Plat to show a minimum building and parking setback along Inverness Drive of at least 65' along the southern 350' of frontage to extend to the rear lot lines of the dwellings on the north side of Adams Avenue.
2. Provision of a note on the face of the plat that states the setback does not apply to accessory structures or pedestrian amenities.

Motion carried 6-1, with Commissioner Butler voting in opposition.

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**ITEM NO. 4 PRELIMINARY PLAT FOR DEERFIELD WOODS SUBDIVISION NO. 10;
3320 PETERSON RD (BJP)**

PP-15-00189: Consider a Preliminary Plat for Deerfield Woods Subdivision No. 10, a Commercial-Office subdivision containing 3 lots, located at 3320 Peterson Rd. Submitted by Landplan Engineering PA, on behalf of Cheer Pole Ltd, property owner of record.

STAFF PRESENTATION

Ms. Becky Pepper presented the item.

APPLICANT PRESENTATION

Mr. Brian Sturm, Landplan Engineering, said the property owner agreed with the staff report and conditions.

PUBLIC HEARING on Variance Only

No public comment.

COMMISSION DISCUSSION

Commissioner von Achen asked why they were voting on variances when they were approved in 2013.

Mr. McCullough said they needed to be reaffirmed since this application superseded the prior subdivision.

ACTION TAKEN

Motioned by Commissioner von Achen, seconded by Commissioner Denney, to

1. Approve the variance with regard to the minimum right-of-way width for Kasold Drive and Peterson Road from 150' to 100'.
2. Approve the variance to allow sidewalk on only one side of the street for Sherwood Drive and Sterling Drive, with the condition that sidewalks be installed on the entirety of both Sherwood Drive and Sterling Drive with either any new development on Lot 1 or major development on Lot 2 or Lot 3.

Approve the Preliminary Plat for Deerfield Woods Subdivision No. 10., subject to the following conditions:

1. The plat shall be revised to include the following notes:
 - a. *"On June 22, 2015, the Planning Commission approved a variance to forego the installation of sidewalks on Sherwood Drive and Sterling Drive, with the condition that sidewalks be installed on the entirety of both Sherwood Drive and Sterling Drive with either any new development on Lot 1 or any major development on Lot 2 or Lot 3."*
 - b. *"Only June 22, 2015, the Planning Commission approved a variance from right-of-way requirements in Section 20-810(e)(5) of the Subdivision Regulations to allow the replatting of this property with 100 feet of right-of-way currently provided for Kasold Drive and Peterson Road."*
 - c. *"Access to Peterson Road and Sterling Drive shall be limited to one curb cut each."*

Commissioner Britton agreed with the variances on sidewalks for now but that they should be on both sides of the street when developed.

Commissioner Kelly asked if development on lot 1 would trigger sidewalks all the way around or just on lot 1.

Mr. McCullough said it would trigger sidewalks all the way around.

Unanimously approved 7-0.

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**ITEM NO. 5 FINAL PLAT FOR BAUER FARM SEVENTH PLAT; 4700 OVERLAND DR
(MKM)**

PF-15-00094: Consider a Final Plat for Bauer Farm Seventh Plat, a 4 lot planned commercial, residential, and office subdivision containing approximately 14.569 acres, located at 4700 Overland Drive. Submitted by Treanor Architects, for Bauer Farms Residential LLC and Free State Holdings, Inc., property owners of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Mr. Micah Kimball, Treanor Architects, was present for questioning.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Britton, to approve the Final Plat for the Bauer Farm Seventh Plat Subdivision and forwarding it to the City Commission for acceptance of easements and rights-of-way, subject to the following conditions:

1. Provision of revised, executed Master Street Tree Plan for recording.
2. Pinning of lots in accordance with Section 20-811(k) of the Subdivision Regulations.
3. Provision of a revised Final Plat with the following change:
 - a. Endorsements revised to reflect that the Planning Commission approved the Final Plat.

Unanimously approved 7-0.

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**ITEM NO. 6 FINAL DEVELOPMENT PLAN FOR BAUER FARM; XPRESS WELLNESS
URGENT CARE; 4700 OVERLAND DR (MKM)**

FDP-15-00108: Consider a Final Development Plan for Bauer Farm, Xpress Wellness Urgent Care Walk-In Clinic, located on approximately 1.4 acres, located at the northwest corner of 6th St. and Folks Rd. Submitted by Kerr 3 Design Group, Inc., for Free State Holdings, Inc., property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Mr. Donald Rose was present for questioning.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Kelly asked staff to talk about traffic along Folks Road. He inquired about impacts that would be expected.

Ms. Miller said a revised traffic impact study was submitted to the City Engineer and the change in traffic was not found to be much more than the bank.

Commissioner Kelly expressed concern about traffic at that intersection. He thought Bauer Farm Drive may help traffic a little bit by providing another access point. He stated the amount of traffic that turns onto Folks Road from 6th Street was high at the beginning of the school day and also at the end of the school day.

Mr. Rose said the traffic impact study showed it would be far less traffic than the previously proposed bank.

Mr. McCullough said the acceptance of the traffic impact study showed the system could handle the traffic anticipated. He said further north at 6th Street and Folks was a bigger congestion point. He stated staff was working on a benefit district for a traffic signal at Champion and 6th Street.

Commissioner Struckhoff said now pedestrians could walk to the facility from Bauer Farm Drive or 6th Street without crossing the parking lot.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Denney, to approve the Final Development Plan based upon the findings of fact presented in the body of the Staff Report subject to the following conditions:

1. The final plat for the subject property, Bauer Farm Addition No 7, shall be recorded with the Register of Deeds, prior to the recording or release of the Final Development Plan.
2. Submission of revised Final Development Plan with the following change:
 - a. Addition of the following note to the Bufferyard Landscape Summary: *"The landscaping provided for the Type 1 Bufferyard required on the north side of the property (adjacent to PRD Zoning) as shown on the plan has been approved through Alternative Compliance,*

taking into account the width of the Bauer Farm Drive Right-of-way and the parking area to the north."

Unanimously approved 7-0.

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**ITEM NO. 7 FINAL DEVELOPMENT PLAN FOR BAUER FARM MULTI-FAMILY; 4700
OVERLAND DR (MKM)**

FDP-15-00066: Consider a Final Development Plan for Bauer Farm-Multi-Family, a 100 unit multi-dwelling residential development containing approximately 4.0 acres, located at 4700 Overland Drive. Submitted by Treanor Architects, for Bauer Farms Residential LLC, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Mr. Micah Kimball, Treanor Architects, was present for questioning.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner von Achen inquired about the number of stories.

Ms. Miller said 35' was the height limitation. She said if exceeded it would need setbacks or a variance.

Commissioner von Achen asked what 35' equaled.

Ms. Miller said three stories.

Commissioner Britton said this was an area of town where increased density could prevent the expansion of more apartments farther west.

Ms. Miller said parking was the main concern.

Commissioner Kelly said he was happy to see row house new urbanism design stay on the south side. He inquired about the choice to go with more traditional on the north side.

Mr. Kimball said it had a different mix of unit types. He said the patterning on the building was broken into vertical patterns with different materials.

Commissioner Britton asked about potential parking concerns with Theatre Lawrence.

Ms. Miller said Theatre Lawrence was concerned about parking and wanted to be sure the development could handle parking on its own site.

ACTION TAKEN

Motioned by Commissioner Kelly, seconded by Commissioner Struckhoff, to approve the Final Development Plan, FDP-15-00066, based upon the findings of fact presented in the body of the Staff Report subject to the following conditions:

1. A revised photometric plan shall be provided and approved prior to release of the plan for building permits.
2. The final plat for the subject property, Bauer Farm Seventh Plat, shall be recorded with the Register of Deeds, prior to the recordation or release of the Final Development Plan.

3. Provision of a revised Maintenance Agreement reflecting the revised development for recording with the Register of Deeds.
4. Provision of a revised plan with minor changes per Fire Code Officials approval.

Unanimously approved 7-0.

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**ITEM NO. 8 INITIATE TEXT AMENDMENT FOR FLOODPLAIN OVERLAY DISTRICT
MAPS (AAM)**

Consider initiation of Text Amendments to the Land Development Code, Chapter 20, Article 12 of the Code of The City of Lawrence, KS and to the Zoning Regulations, Chapter 12, Article 28 of the Code of the County of Douglas, Kansas to reference 2015 effective dates for new Floodplain Overlay District Maps and related regulation changes for discussion at a future public hearing.

STAFF PRESENTATION

Mr. McCullough presented the item.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Kelly, seconded by Commissioner Graham, to:

1. Initiate a text amendment to the Floodplain Regulations in the Land Development Code, Chapter 20, Article 12 of the Code of The City of Lawrence, KS to reference new FEMA FIRM effective dates and study potential changes to comply with the state model ordinance and the Community Rating System.
2. Initiate a text amendment to the Floodplain Regulations in the Zoning Regulations, Chapter 12, Section 12-328 of the Code of the County of Douglas, Kansas to reference new FEMA FIRM effective dates and study potential changes to comply with the state model ordinance and the Community Rating System.

Motion carried 7-0.

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ITEM NO. 9 VARIANCE REQUEST TO REDUCE RIGHT-OF-WAY; W OF 2112 BOB BILLINGS PKWY (SLD)

Minor Subdivision, MS-15-00213, variance request to reduce the right-of-way for a principal arterial street per section 20-813(g) of the Land Development Code for Rockledge Addition No. 2, located west of 2112 Bob Billings Parkway. Submitted by Landplan Engineering, for Robert W. Lichtwardt and Elizabeth T. Lichtwardt Revocable Trust, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. CL Maurer, Landplan Engineering, was present for questioning.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner von Achen, seconded by Commissioner Denney, to approve the variance requested for a Minor Subdivision, MS-15-00213, variance request to reduce the right-of-way from Section 20-810(a)(5) for a principal arterial street from 150' to 100' per section 20-813(g) of the Land Development Code for property located at 2100 Bob Billings Parkway.

Unanimously approved 7-0.

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MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

**MISC NO. 1 MINOR SUBDIVISION VARIANCE FOR WAKARUSA CORPORATE CENTRE
ADDITION NO. 3; 4900 BLOCK OF CORPORATE CENTRE DR (SLD)**

Minor Subdivision, MS-15-00265, variance request to reduce the right-of-way for a principal arterial street per section 20-813(g) of the Land Development Code for Wakarusa Corporate Centre Addition No. 3, located in the 4900 block of Corporate Centre Dr. Submitted by Phillip DiVilbiss on behalf of Bristol Partners XII LLC and BCL Alameda LLC, property owners of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

No applicant present.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Denney, seconded by Commissioner Graham, to approve a variance request to reduce the right-of-way from Section 20-810(a)(5) for a principal arterial street from 150' to 100' per section 20-813(g) of the Land Development Code for property located in the 4900 block of Wakarusa Drive.

Unanimously approved 7-0.

**MISC NO. 2 MINOR SUBDIVISION VARIANCE FOR PINCKNEY ADDITION; 810 W 6th ST
(BJP)**

Minor Subdivision, MS-15-00123, variance request from Section 20-810(e)(5) of the Land Development Code from the requirement to dedicate additional right-of-way for Pinckney Addition, located at 810 W. 6th Street. Submitted by Grob Engineering Services, LLC for Unified School District 497, property owner of record.

STAFF PRESENTATION

Ms. Becky Pepper presented the item.

APPLICANT PRESENTATION

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

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Butler, to approve a variance request from Section 20-810(e)(5) from the requirement to dedicate additional right-of-way for W. 6th Street, subject to the following condition:

The plat shall be revised to include the following note: *"On June 22, 2015, the Planning Commission approved a variance from right-of-way requirements in Section 20-810(e)(5) of the Subdivision Regulations to allow the replatting of this property with 100 ft. of right-of-way currently provided for W. 6th Street."*

Motion carried 6-1-0, with Commissioner Kelly abstaining.

ADJOURN 9:00pm

Complete audio from the meeting can be found online:

<http://www.lawrenceks.org/boards/planning-commission/agendas>