

ITEM NO. 1 IG TO CS; 5,500 SF; 239 ELM ST & 311 N 3RD ST (SLD)

Z-15-00522: Consider a request to rezone approximately 5,500 SF from IG (General Industrial) District to CS (Strip Commercial) District, located at 239 Elm Street and 311 N 3rd Street. Submitted by Paul Werner Architects, for Lawrence Kansas Rentals, LLC and Jon Davis, property owners of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Ms. Joy Rhea, Paul Werner Architects, said the rezoning would include a café that would be an asset to the neighborhood. She said the café would offer refreshments and some lunch options. She said the parking needed to be addressed for the property and they were looking into several options. She said they did not intend to propose on-street parking to serve the café use. She said they were looking into shared parking agreements or different lots to use as parking. She agreed with the staff report.

PUBLIC HEARING

Mr. Tom Mersmann said he was in favor of the project. He felt it would be an asset to the neighborhood but expressed concern about traffic/parking. He wanted to be sure the alley would remain accessible for him to use his garage and that it wouldn't be blocked by cars parking there.

APPLICANT CLOSING COMMENTS

Ms. Rhea said regarding parking they were looking at a storage building directly north and an empty lot on Locust Street. She said a few other businesses may be able to provide shared parking. She said there was also the City lot that could possibly be used for parking. She said they were not planning on using the alley for parking.

COMMISSION DISCUSSION

Commissioner Denney asked if the alley had been vacated.

Ms. Day said no, she said it was still a functioning alley and would be maintained.

Commissioner Liese asked what it would take to designate an area as a tow zone.

Mr. McCullough said it was typically a request that would go through the Traffic Safety Commission and then City Commission.

Commissioner Liese said he would like to recommend City Commission create a tow zone so that a resident wouldn't be blocked in.

Mr. McCullough said the issue was getting the amount of Code required parking spaces on a private property site to accommodate the use. He said parking on the street was either permitted or not permitted with no parking signs and would affect all parkers, even residents and their guests. He said the nuisance issue of blocking an alley was a policing issue.

Commissioner Denney asked if a driveway was blocked the resident could have the car towed.

Mr. McCullough said as he understood it, yes.

Commissioner Kelly asked if any consideration was given to have the same rules apply as downtown parking, which do not require businesses to provide parking. He asked if this area would be considered an extension of downtown.

Mr. McCullough said no, it stopped with the CD district downtown.

ACTION TAKEN

Motioned by Commissioner Liese, seconded by Commissioner Culver, to approve the request to rezone approximately 5,500 SF, from IG (General Industrial) District to CS (Strip Commercial) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Unanimously approved 8-0.

DRAFT