

**ITEM NO. 5A RM12D TO RS5; 13.268 ACRES; 751 W 29<sup>TH</sup> TERR (SLD)**

**Z-16-00219:** Consider a request to rezone approximately 13.268 acres from RM12D (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District, located at 751 W 29<sup>th</sup> Terrace. Submitted by Landplan Engineering, for Savannah Holdings, LC, property owner of record.

**ITEM NO. 5B RM12D-FP TO RS5-FP; 1.262 ACRES; 751 W 29<sup>TH</sup> TERR (SLD)**

**Z-16-00220:** Consider a request to rezone approximately 1.262 acres from RM12D-FP (Multi-Dwelling Residential-Floodplain Overlay) District to RS5-FP (Single-Dwelling Residential-Floodplain Overlay) District, located at 751 W 29<sup>th</sup> Terrace. Submitted by Landplan Engineering, for Savannah Holdings, LC, property owner of record.

**ITEM NO. 5C PRELIMINARY PLAT FOR NAISMITH CREEK ADDITION; 751 W 29<sup>TH</sup> TERR (SLD)**

**PP-16-00221:** Consider a Preliminary Plat for Naismith Creek Addition, for 66 single-dwelling residential lots, located at 751 W 29<sup>th</sup> Terrace. The subdivision will take access from Alabama Street and W 29<sup>th</sup> Terrace east of Belle Haven Drive. Submitted by Landplan Engineering, for Savannah Holdings, LC, property owner of record.

**STAFF PRESENTATION**

Ms. Sandra Day presented items 5A-5C together.

**APPLICANT PRESENTATION**

Mr. Brian Sturm, Landplan Engineering, said he agreed with the staff recommendations and thanked staff for their work. He said there would be no negative impacts to the Naismith Creek floodplain by this subdivision. He said all buildable lots would be out of the floodplain. He said this property would be down zoned and would mean fewer units/lots. He said this subdivision had a pedestrian easement and the developers agreed to build the shared use path to the edge of City property.

**PUBLIC HEARING**

No public comment.

**COMMISSION DISCUSSION**

Commissioner Harrod inquired about the floodplain and what the elevation drop was for the creek.

Ms. Day said the bottom of the stream is at elevation 811. She displayed the elevation on the overhead. She said this project met the current design standard and staff felt there was adequate area to absorb the higher water.

Commissioner Harrod expressed concern about the potential for future flooding in the area.

Mr. McCullough said the pooling to the east was designed as a result.

Commissioner von Achen inquired about the floodplain overlay.

Ms. Day said those properties would have to get a floodplain development permit when built.

Commissioner Harrod asked about the bike path going around the perimeter of the subdivision.

Ms. Day said a path would encroach upon the floodplain if it didn't go around. She said going into the subdivision was not feasible in terms of where to connect the loop.

Commissioner Kelly inquired about easements and setbacks for the sanitary sewer.

Ms. Day said the placement of structure would be critical moving forward for construction. She said the north side was exclusively sanitary sewer easement and no other utilities could go into that easement.

Commissioner Sands said he liked this project because it was low-density and infill. He was confident there were sufficient controls in place to mitigate most heavy rains.

#### **ACTION TAKEN on 5A**

Motioned by Commissioner Sands, seconded by Commissioner Struckhoff, to approve the request to rezone, Z-16-00219, approximately 13.268 Acres, from RM12D (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Commissioner Harrod said he was not sure he could support this. He expressed concern about flooding and did not feel the study was extensive.

Commissioner Willey said Planning Commission may want to hear more about the floodplain during a monthly Mid-Month meeting. She understood the concerns about the floodplain but would support the motion based on the data they had.

Commissioner Carpenter expressed concern about this development being too close to the floodplain and the potential impact of pesticides, motor oil, and runoff.

Commissioner Butler asked the Planning Commission why there was apprehension of changing the zoning from multi-dwelling to single-family since it would reduce the number of homes.

Commissioner Willey said the preliminary plat would have impact to the land.

Commissioner Butler said the applicant could already build multi-dwelling there today.

Commissioner Kelly said he supported infill development and thanked staff and the applicant on making it look like a nice neighborhood.

Unanimously approved 10-0.

#### **ACTION TAKEN on 5B**

Motioned by Commissioner Sands, seconded by Commissioner Butler, to approve the request to rezone, Z-16-00220, approximately 1.262 Acres, from RM12D-FP to RS5-FP (Single-Dwelling Residential Floodplain Overlay) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Motion carried, 9-1, with Commissioner Harrod voting in opposition.

Commissioner Kelly thanked staff for looking at all the reports and he trusted staff when they said all the data met the Code.

#### **ACTION TAKEN on 5C**

*Complete audio & video from this meeting can be found online:*  
<http://www.lawrenceks.org/boards/planning-commission/agendas>

Motioned by Commissioner Sands, seconded by Commissioner Struckhoff, to approve the Preliminary Plat, PP-16-00221, for Naismith Creek Addition subject to the following conditions:

1. Provision of a revised Preliminary Plat with the following notes and changes:
  - a. Differentiate between existing and proposed contours lines (indicate where existing topography is changing) per the approval of the City Stormwater Engineer.
  - b. Show additional traffic calming per the City Traffic Engineer's approval.

Commissioner Willey asked if Planning Commission could recommend pulling some of the lots from the development due to the floodplain.

Mr. McCullough said Planning Commission was the double check that staff was doing their job in the technical reviews of looking at the studies, data, and Code. He said this type of project received a high level of review by the City stormwater engineer, traffic engineer, and utilities. He said Planning Commissions role was to make sure staff applied the existing Codes.

Commissioner Willey said she would vote in favor because she felt it met the Code.

Motion carried 9-1, with Commissioner Harrod voting in opposition.