



PLANNING COMMISSION MEETING
November 16, 2016
Meeting Action Summary

November 16, 2016 – 6:30 p.m.

Commissioners present: Britton, Butler, Carpenter, Culver, Kelly, Sands, Struckhoff, Willey

Staff present: McCullough, Stogsdill, Crick, Day, Larkin, Pepper, Ewert

GENERAL BUSINESS

PLANNING COMMISSION ACTION SUMMARY MINUTES

Receive and amend or approve the action summary (minutes) from the Planning Commission meeting of October 24, 2016.

Motioned by Commissioner Culver, seconded by Commissioner Struckhoff, to approve the October 24, 2016 Planning Commission action summary minutes.

Unanimously approved 8-0.

COMMITTEE REPORTS

No reports from any committees that met over the past month.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Ex parte:
Commissioner Kelly said his dental hygienist was one of the owners of the Gwaltney Addition, Items 2A-2C, and that she talked to him about it. He said that no details were shared with him that were not included in the packet.
- No abstentions.

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ITEM NO. 1 CONDITIONAL USE PERMIT; JELLYSTONE; 1473 HWY 40 (SLD)

CUP-16-00425: Consider a Conditional Use Permit for a motor home storage facility at Jellystone, located at 1473 Hwy 40. Submitted by Allen Belot, for Ralph E. and Kimberly K. Newell, property owners of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Allen Belot, Allen Belot Architect, agreed with the staff report and was present for questioning.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Culver said there appeared to be no utilities to the site.

Ms. Day said that was correct.

Commissioner Carpenter asked what would prohibit covered parking or covered structures.

Ms. Day said if the applicant wanted to provide covered structures it would be a revision to the site plan and would go to City Commission. She said Planning Commission could put a condition on it limiting it to only open storage.

Mr. Belot said there were no plans for covered parking. He said if a future owner wanted that it would require further review by the City.

Commissioner Kelly asked if Mr. Belot would you be opposed to that condition being added.

Mr. Belot said no because there were no plans for covered parking.

Commissioner Carpenter said he wanted to be sure open parking was explicit and that it would be reviewed if any shelters were put in.

Commissioner Willey asked if it was usual to allow for parking on turf in the county.

Ms. Day said in many instances it could be. She said it was use specific.

Commissioner Culver inquired about a storm shelter.

Mr. Belot said there were no plans for a storm shelter because nobody would be staying there, only dropping off and picking up their recreational vehicle.

ACTION TAKEN

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

Motioned by Commissioner Struckhoff, seconded by Commissioner Britton, to approve the Conditional Use Permit, CUP-16-00425, for Jellystone Campground *Mini-or Self Storage Facility*, 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 subject to the following conditions:

1. Provision of a light fixture detail to show the amount and direction of illumination and show what measures will be used to screen lighting and prevent glare; and
2. That the use shall be restricted to open storage only.

Unanimously approved 8-0.

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ITEM NO. 2A COMPREHENSIVE PLAN AMENDMENT TO H2020; FARMLAND INDUSTRIES REDEVELOPMENT PLAN (JSC)

CPA-16-00443: Consider a Comprehensive Plan Amendment to Chapter 14 of *Horizon 2020*, "Specific Plans" to amend the Farmland Industries Redevelopment Plan to amend the Future Land Use Section. Submitted by Bartlett & West.

ITEM NO. 2B PRELIMINARY PLAT FOR GWALTNEY ADDITION; 2176 E 23RD ST (BJP)

PP-16-00392: Consider a Preliminary Plat for Gwaltney Addition, located at 2176 E 23rd St, 2200 E 23rd St, & 2200 Street FF. Submitted by Bartlett & West Inc on behalf of Cave Inn LLC, City of Lawrence, and Gwaltney Properties LLC, property owners of record.

ITEM NO. 2C IM TO CS; 1.45 ACRES; 2200 STREET FF (BJP)

Z-16-00396: Consider a request to rezone approximately 1.45 acres from IM (Medium Industrial) District to CS (Commercial Strip) District, located at 2200 Street FF. Submitted by Bartlett & West Inc on behalf of City of Lawrence, property owner of record.

STAFF PRESENTATION

Mr. Jeff Crick presented Item 2A.

Ms. Becky Pepper presented Items 2B and 2C.

APPLICANT PRESENTATION

Mr. Darron Amman, Bartlett & West, thanked staff for their work. He showed concept plans on the overhead of the proposed Country Inn & Suites.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Sands inquired about access.

Ms. Pepper said Lots 1 & 2 would have access from the frontage road and Lot 3 would have access from FF Street.

Commissioner Carpenter asked about the anticipated use of Lot 3.

Mr. McCullough said it would stay under City ownership and that it was still up in the air about if it will go toward this development. He said it would likely be in a holding pattern until an idea comes along for it.

Commissioner Struckhoff inquired about the orientation of the building.

Mr. Amman said the length would be north to south.

ACTION TAKEN on Item 2A

Motioned by Commissioner Sands, seconded by Commissioner Butler, to approve the Comprehensive Plan Amendment, CPA-16-00443, to *Horizon 2020*: Chapter 14: Specific Plans, revising the *Farmland Industries Redevelopment Plan* to include Commercial as a Future Land Use designation, to revise a portion of the Future Land Use map from Industrial to Commercial, and to incorporate general revisions and updates to the *Farmland Industries Redevelopment Plan* and forwarding to City Commission with a recommendation for approval.

Unanimously approved 8-0.

ACTION TAKEN on Item 2B

Motioned by Commissioner Sands, seconded by Commissioner Butler, to approve the Preliminary Plat, PP-16-00392, of Gwaltney Addition subject to the following condition:

1. Provide 10' perimeter utility easements along the west line of Lot 2 and the east line of Lot 1.

Unanimously approved 8-0.

ACTION TAKEN on Item 2C

Motioned by Commissioner Sands, seconded by Commissioner Butler, to approve rezoning, Z-16-00396, approximately 1.45 acres from IM (Medium Industrial) District to CS (Commercial Strip) District, and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in this staff report.

Unanimously approved 8-0.

PC Minutes 11/16/16

ITEM NO. 3 TEXT AMENDMENT TO DEVELOPMENT CODE; COLUMBARIUMS (BJP)

TA-16-00388: Consider a Text Amendment to the City of Lawrence Land Development Code, Articles 4, 5, & 17, regarding *Funeral and Interment Services as defined in Section 20-1729. The requested amendment would allow Columbariums as Accessory Uses to established Religious Assembly Institutions.* Submitted by Corpus Christi Catholic Church. *Initiated by City Commission on 9/20/16.*

STAFF PRESENTATION

Ms. Becky Pepper presented the item.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Carpenter asked what would happen to cremated ashes if a church disbanded.

Mr. McCullough said it would be a civil matter.

Ms. Courtney Shipley said she had done research on the topic and that a religious institute was not required in the state of Kansas to have a trust that protected things in the circumstance of a church disbanding. She said if it was a private for profit organization they would have to carry a certain amount of money in trust in case that happened.

Commissioner Sands said they could contact the archdiocese and ask.

Commissioner Britton said they could require a Special Use Permit in some instances.

Mr. McCullough asked if Planning Commissioners were concerned about the health impacts of cremated remains or if it was a moral issue that they were concerned about.

Commissioner Willey said churches not only disband but they move and grow out of spaces. She was concerned about what process should be in place to deal with ashes. She did not feel it would be out of line to have a plan or trust to take care of that portion of a property.

Commissioner Britton said his concern was marketability of a property and wanted to ensure that it would not be vacant for a long time.

Commissioner Sands said if the item was deferred they could get some best practices or case studies, if they exist, of what other cities have done in the past.

Commissioner Kelly suggested sending the item back to staff for additional information.

Commissioner Sands wondered if there was any kind of legal mechanism for states/cities to use when enforcing the maintenance of remains.

ACTION TAKEN

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Motioned by Commissioner Britton, seconded by Commissioner Struckhoff, to defer the item to allow staff time to look into the issue of a church disbanding and any applicable laws in dealing with human remains.

Motion carried 8-0.

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

2017 Calendar

Planning Commission decided to meet on December 18, 2017 and not December 20, 2017.

They also discussed keeping the deadline for communications to Monday at 10:00am.

Next Planning Commission meeting is Monday, December 12, 2016 and the next Mid-Month meeting is November 30, 2016.

ADJOURN 7:44pm