

ITEM NO. 2 REZONING .81 ACRES FROM RS7 TO RSO; 708 ELM ST (LRM)

Z-18-00255: Consider a request to rezone approximately .81 acres from RS7 (Single-Dwelling Residential) District to RSO (Single-Dwelling Residential-Office) District, located at 708 Elm St. Submitted by TreanorHL, for Elizabeth B. Ballard Community Center Inc., property owner of record.

STAFF PRESENTATION

Mr. Luke Mortensen presented the item.

APPLICANT PRESENTATION

Ms. Lauren Davis, TreanorHL, was present for questions.

PUBLIC COMMENT

Mr. Ted Boyle, North Lawrence Improvement Association, spoke in favor of the rezoning. He said the Ballard Community Center held a neighborhood question/answer meeting that had a good turnout. He said most of the questions were regarding parking and traffic. He said the neighborhood was in favor of the rezoning. He encouraged Planning Commission to forward the rezoning to City Commission with a recommendation of approval.

Mr. Shawn Teenor, 707 Elm, said the Ballard Community Center had not been a great neighbor to him. He said his biggest concern with the rezoning was the layout of the sheds on the site. He said the intersection of 7th Street and Elm Street was only a 2-way stop and was a huge hazard to the community and needed further evaluation. He said increased traffic in the area had caused increased traffic accidents. He said he was not able to attend the Ballard Community Center neighborhood meeting. He said Ballard employees had not been kind to his family and he has had issues with them.

APPLICANT CLOSING COMMENTS

Ms. Davis said the Ballard Center was currently under site plan review. She said this was the first time she had heard the concerns expressed by Mr. Teenor and that those concerns were worth looking at during the site plan review process.

COMMISSION DISCUSSION

Commissioner Carpenter asked Mr. Boyle to respond to comments regarding traffic.

Mr. Boyle said seven traffic calming devices were expected to be installed. He said funding was received for some of the devices from Community Development Block Grant (CDBG). He said some of the traffic calming devices were slated for Elm Street and Walnut Street. He said they were waiting for the City to install them. He said the 7th and Elm intersection was not a high accident intersection.

Commissioner Carpenter asked staff to comment about traffic at that intersection.

Mr. McCullough said this is the first that he had heard concerns about traffic. He said the City Engineer could look at the intersection. He said staff welcome comments and input from neighbors for consideration with the site planning process.

Commissioner Willey asked if Planning Commission would see the site plan.

Mr. McCullough said Planning Commission would not see the site plan, it would be an administrative review. He said the public could provide comments to the Planning office.

Mr. Teenor said he appreciated the offer to speak to staff. He felt the intersection was a huge hazard and deserved a 4-way intersection and a traffic control device well before 7th Street. He said the Ballard Center sheds block drivers view.

Commissioner Carpenter inquired about the anticipated use that triggered rezoning.

Ms. Becky Price, Ballard Center Director, said they were adding clothing for adults and basic household goods. She said it was hard to predict the number of clients but that they did not anticipate an increase in traffic.

Commissioner Carpenter asked about the sheds.

Ms. Davis said the sheds would be looked at with the site plan but that they were in the correct place according to Code. She said if City staff indicate the sheds are not in the correct place they would be moved.

Commissioner Carttar asked if the proposal was essentially to bring the pre-existing site into conformance.

Mr. Mortensen said that was correct.

Commissioner Sinclair asked why the North Lawrence Neighborhood Plan was not recognized in the Comprehensive Plan.

Mr. McCullough said he wasn't sure there was a neighborhood plan to recognize. He said the Comprehensive Plan only acknowledged more recent plans.

Commissioner Carpenter asked what was considered a recent plan.

Mr. McCullough said the 1990's was the cutoff. He said neighborhood plans were consulted for information but older ones did not provide much value in discussions because so much can change contextually in an area.

Commissioner Carpenter asked if it would be beneficial for neighborhoods to have plans and review them. He wondered how often the neighborhood plans should be updated.

Mr. McCullough said in a perfect world every 5-10 years. He said there were several neighborhoods that would like to establish their first neighborhood plan or update their plan. He said it was a matter of resources to get them established, drafted, and reviewed. He said after the Comprehensive Plan effort staff would be back at doing some of that in the future.

ACTION TAKEN

Motioned by Commissioner Butler, seconded by Commissioner Carttar, to approve the request to rezone approximately 0.81 acres, from RS7 (Single-Dwelling Residential) District to RSO (Single-Dwelling Residential-Office) District, located at 708 Elm St, based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Commissioner Sinclair said the Ballard Center was an incredible organization and provided great services to the community. He supported the rezoning. He said he understood the comments made by Mr. Teenor but felt they were more appropriately directed toward staff as the site plan is reviewed.

Unanimously approved 8-0. Commissioners Butler, Carpenter, Carttar, Paden, Sinclair, Struckhoff, Weaver, Willey voted in favor.