



Updated:

4/20/15 @ 11:30am

Added the following items:

Draft March 23, 2015 Planning Commission Minutes

Communication regarding Parking Text Amendment

2014 Building Permit Trends Report

Communication regarding Item 1 - Rezoning 832 Ohio St

Communication regarding Item 2 - Special Use Permit 2250 Lake Pointe Dr

4/15/15 @ 10:45am

The Draft March 23, 2015 Planning Commission Minutes will be added when available.

LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION

CITY HALL, 6 EAST 6TH STREET, CITY COMMISSION MEETING ROOM

AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS

APRIL 20 & 22, 2015 6:30PM - 10:30PM

GENERAL BUSINESS:

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of March 23, 2015.

COMMITTEE REPORTS

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

COMMUNICATIONS

- a) Receive written communications from the public.
Letter regarding Parking Text Amendment
- b) Receive written communications from staff, Planning Commissioners, or other commissioners.
Staff Memo Regarding Lawrence Register of Historic Places
2014 Building Permit Trends Report
- c) Receive written action of any waiver requests/determinations made by the City Engineer.
- d) Disclosure of ex parte communications.
- e) Declaration of abstentions from specific agenda items by commissioners.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE COMMISSION'S DISCRETION

REGULAR AGENDA (APRIL 20, 2015) MEETING

PUBLIC HEARING ITEM:

ITEM NO. 1 CS TO RS5; 0.2689 ACRES; 832 OHIO ST (BJP)

Z-15-00063: Consider a request to rezone approximately .2689 acres from CS (Commercial Strip) District to RS5 (Single-Dwelling Residential) District, located at 832 Ohio St. Submitted by Old West Lawrence Properties LLC, property owner of record.

ITEM NO. 2 SPECIAL USE PERMIT FOR LAKE VIEW VILLAS @ ALVAMAR; 2250 LAKE POINTE DR (SLD)

SUP-15-00065: Consider a Special Use Permit for Lake View Villas @ Alvarado, a residential development including 11 existing four-plex buildings, 8 proposed duplex buildings and 24 detached dwelling units on approximately 16 acres, located at 2250 Lake Pointe Dr. Submitted by CFS Engineers, for CornerBank, property owner of record.

NON-PUBLIC HEARING ITEMS:

ITEM NO. 3 PRELIMINARY PLAT FOR DREAM HAVEN ADDITION II; 2910 PETERSON RD (MKM)

PP-15-00067: Consider a Preliminary Plat for Dream Haven Addition II, a 7 lot residential subdivision containing approximately 9.3 acres, located at 2910 Peterson Road and adjacent parcels, and associated variances from the lot design and right-of-way width requirements in Section 20-810 of the Subdivision Regulations. Submitted by Treanor Architects, for David A. and Anne K. Gnojek and Dream Haven II LLC, property owners of record.

****DEFERRED****

~~ITEM NO. 4 FINAL DEVELOPMENT PLAN FOR BAUER FARM; 4700 OVERLAND DR (MKM)~~

~~**FDP-15-00066:** Consider a Final Development Plan for Bauer Farm, a 150-unit multi-dwelling residential development containing approximately 4.47 acres, located at 4700 Overland Dr. Submitted by Treanor Architects, for Bauer Farms Residential LLC, property owner of record.~~

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

ADJOURN

CALENDAR

March 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

PCCM Meeting:

(Generally 2nd Wednesday of each month, 7:30am-9:00am)

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2015
LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
MID-MONTH & REGULAR MEETING DATES

Mid-Month Meetings, Wednesdays 7:30 – 9:00 AM (*Friday Meeting)	Mid-Month Topics		Planning Commission Meetings 6:30 PM, Mon & Wed	
Jan 14	Work Plan & Topics for 2015		Jan 26	Jan 28
Feb 11	Entrepreneur Incubator Spaces		Feb 23	Feb 25
Mar 11	Legal Review – Open Meetings & Communication Issues		Mar 23	Mar 25
Apr 8	Article 9 - Parking Amendments		Apr 20	Apr 22
May 6	Article 9 – Parking Amendments	APA Conference Updates	May 18	May 20
Jun 10	Discussion of Future Land Uses at Iowa Street/K-10 interchange	Health Impact Assessments - Charlie Bryan, LDCHD		Jun 24
Jul 8 or 10	TBD – Orientation?		Jul 20	Jul 22
Aug 12 or 14	TBD – Orientation?		Aug 24	Aug 26
Sep 9	TBD		Sep 21	Sep 23
Oct 7	TBD		Oct 19	Oct 21
Nov 4	TBD		Nov 16	Nov 18
Dec 2	TBD		Dec 14	Dec 16
	Suggested topics for future meetings: <i>How City/County Depts interact on planning issues</i> <i>Stormwater Stds Update – Stream Setbacks</i> <i>Overview of different Advisory Groups – potential overlap on planning issues</i> <i>Joint meeting with other Cities' Planning Commissions</i> <i>Joint meeting with other Cities and Townships – UGA potential revisions</i> <i>New County Zoning Codes</i> <i>Tour City/County Facilities</i> <i>Water Resources</i>		<i>Communication Towers – Stealth Design, # of co-locations, notice area</i> <i>WiFi Connectivity & Infrastructure Planning</i> <i>Oread Overlay Districts & Design Guidelines</i> <i>Comprehensive Plan – Goals & Policies</i> <i>Sustainability</i> <i>Affordable Housing</i> <i>Retail Market Impacts</i> <i>Cultural Plan/9th Street Corridor</i> <i>Case Studies</i>	
Meeting Locations	The Planning Commission meetings are held in the City Commission meeting room on the 1 st floor of City Hall, 6 th & Massachusetts Streets, unless otherwise noticed.			
Planning & Development Services Lawrence-Douglas County Planning Division 785-832-3150 www.lawrenceks.org/pds				

2015 PLANNING COMMISSION ATTENDANCE

	Jan 26 2015	Feb 23 2015	March 23 2015	April 20 2015		
Britton	Yes	Yes	Yes			
Culver	Yes	No	Yes			
Denney	Yes	Yes	Yes			
Graham	Yes	Yes	Yes			
Josserand	Yes	Yes	Yes			
Kelly	Yes	Yes	No			
Liese	Yes	Yes	Yes			
Struckhoff	Yes	Yes	Yes			
von Achen	Yes	Yes	Yes			

2015 MID-MONTH ATTENDANCE

	Jan 14 2015	Feb 11 2015	March 11 2015	April 8 2015		
Britton	Yes	Yes	No	Yes		
Culver	Yes	Yes	Yes	Yes		
Denney	Yes	Yes	Yes	Yes		
Graham	No	No	No	Yes		
Josserand	No	No	Yes	No		
Kelly	Yes	No	Yes	Yes		
Liese	Yes	Yes	No	No		
Struckhoff	Yes	Yes	Yes	No		
von Achen	Yes	Yes	Yes	Yes		



PLANNING COMMISSION MEETING

March 23, 2015

Meeting Minutes

March 23, 2015 – 6:30 p.m.

Commissioners present: Britton, Culver, Denney, Graham, Josserand, Liese, Struckhoff, von Achen.

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

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of February 23, 2015.

Motioned by Commissioner Josserand, seconded by Commissioner Struckhoff, to approve the February 23, 2015 Planning Commission minutes.

Motion carried 6-0-2, with Commissioners Culver and Graham abstaining.

COMMITTEE REPORTS

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

Commissioner Britton said the Horizon 2020 Steering Committee met today. He said they were in the process of working through particular issues that needed to be addressed in the updated Comprehensive Plan. He said that would form the basis of the Issues Action Report that would be seen by Planning Commission, City Commission, and County Commission for approval.

Commissioner Josserand said the Oread Design Guidelines Committee met and talked about the proposal contained in the consultant's report regarding alleyway dwellings. He said they would meet again next Monday.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- No ex parte.
- No abstentions.

PC Minutes 3/23/15 **DRAFT**

ITEM NO. 1A PUD TO RS7; 5.18 ACRES; N SIDE OF QUAIL CREEK DR (SLD)

Z-14-00553: Consider a request to rezone approximately 5.18 acres from PUD [Alvamar] (Planned Unit Development) District to RS7 (Single-Dwelling Residential) District located along the north side of Quail Creek Drive. Submitted by Paul Werner Architects on behalf of Alvamar Inc, property owner of record.

ITEM NO. 1B PRELIMINARY PLAT FOR ALVAMAR INC TWO ADDITION; N SIDE OF QUAIL CREEK DR (SLD)

PP-14-00555: Consider a Preliminary Plat for Alvamar Inc Two Addition, a one lot subdivision containing 5.18 acres with frontage on the north side of Quail Creek Drive. The subdivision is proposed to support future low-density residential development. Submitted by Paul Werner Architects on behalf of Alvamar Inc, property owner of record.

Items 1A and 1B were deferred prior to the meeting.

PC Minutes 3/23/15 **DRAFT**

**ITEM NO. 2 FINAL DEVELOPMENT PLAN FOR A HUTTON FARMS WEST PHASE II; N
SIDE OF PETERSON RD BETWEEN DAYLILY DR & WILMA WAY (KES)**

FDP-14-00551: Consider a Final Development Plan for Hutton Farms West Phase II, located on 16.4 acres on the north side of Peterson Road between Daylily Drive and Wilma Way. The plan includes 87 units of duplex and detached residential units. Submitted by Paul Werner Architects, for North Forty LC, property owner of record.

STAFF PRESENTATION

Ms. Katherine Simmons presented the item.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, agreed with the staff report with the removal of condition 3.

PUBLIC COMMENT

No public comment.

COMMISSION DISCUSSION

Commissioner Denney asked if there would still be a gate at the northwest corner.

Ms. Simmons said that was correct.

Commissioner Denney asked if it would be 20' wide paved concrete or asphalt with a curb.

Ms. Simmons said yes, it would follow street standards.

Commissioner von Achen inquired about the setbacks on the east side of the property.

Ms. Simmons said the setback was originally 35' but there was a waiver in the preliminary development plan to reduce that.

Commissioner von Achen asked about the buffer on the Hutton Farms side.

Ms. Day said she did not know off the top of her head.

Commissioner von Achen inquired about the variance for setback in the southwest corner of the subject property. She referenced a letter of concern that was included in the packet from Mr. Larry Hatfield.

Ms. Simmons pointed out the structures on the overhead. She said the structures had been moved not quite to the 200' distance to Mr. Hatfield's property that he mentioned in his letter. She said the closest structure was now roughly 110'-112' to the property line. She said the second structure was roughly 170' to that property line. She said based on the shifting of the structures that Mr. Hatfield had gained a little bit more distance between the structures and his property.

Mr. McCullough said regarding Commissioner von Achen's earlier question about the buffer on the Hutton Farms side, the answer was 40'.

Commissioner Josserand said he had general concerns about stacked parking, especially with duplexes and when the structures were intended to be rentals. He said the plan provided twice as many parking spots and that he would support it. He said it would be interesting to see the aesthetics of the area after a year or two of occupancy to see whether or not there were lots of vehicles on the streets.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Culver, to approve Hutton Farms West Phase II Final Development Plan, FDP-14-00551, based upon the findings of fact presented in the body of the staff report, with the removal of condition 3, and subject to the following conditions:

1. Revision of the Final Development Plan to show:
 - a. Water and sanitary sewer service line locations consistent with the approved public improvement plans.
 - b. Fire hydrants in locations as approved by Fire Prevention Staff.
2. Verification by the Stormwater Engineer that the plan dated 3/16/15 addresses the previous Stormwater Engineering review comments.
3. ~~City Commission approval of a requested variance to utility requirements scheduled to be heard on 3/24/16.~~
4. Approval and recording of a Minor Subdivision prior to the recording of the Final Development Plan.
5. Submittal of a Site Plan Performance Agreement.

Unanimously approved 8-0.

PC Minutes 3/23/15 **DRAFT**

ITEM NO. 3 SPECIAL USE PERMIT FOR 12TH & HASKELL RECYCLE CENTER; 1010 E 11TH ST (SLD)

SUP-15-00019: Consider a Special Use Permit for 12th & Haskell Recycle Center, to permit expansion of a Scrap and Salvage Operation, in conjunction with a Recycling, Collection and Processing Center, located at 1010 E 11th Street on approximately 5.83 acres. Submitted by Bartlett & West, Inc., for Robert B. Killough, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Robert Bo Killough agreed with what Ms. Day presented.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Josseland asked if the East Lawrence and Brook Creek Neighborhood Associations were notified.

Ms. Day said that was part of the notice requirement. She said she had not heard from anyone. She stated she checked with Development Services staff and that the property was currently in compliance with no history of complaints.

Commissioner von Achen asked about the materials processed on site.

Mr. Killough said all materials except tires, propane tanks, and glass. He said they take plastic, cardboard, all metals, aluminum cans, copper, and automobiles, to name a few.

ACTION TAKEN

Motioned by Commissioner von Achen, seconded by Commissioner Britton, to approve a Special Use Permit, SUP-15-00019, for the expansion of a Scrap and Salvage Operation, in conjunction with a Recycling, Collection and Processing Center, located at 1010 E. 11th Street, based upon the findings presented in the body of the staff report and with a recommendation for approval to be forwarded to the City Commission subject to the following conditions:

1. Execution of a Site Plan Performance Agreement.
2. Submission of a revised plan to include the following notes that states: *"All manholes shall be maintained and clear of material storage to allow access to manholes as necessary by the City."*

Unanimously approved 8-0.

PC Minutes 3/23/15 **DRAFT**

ITEM NO. 4 CS-UC TO CS-UC; 0.27 ACRES; 804 PENNSYLVANIA ST (MKM)

Z-15-00022: Consider a request to rezone approximately 0.27 acres from CS-UC (Commercial Strip with Urban Conservation Overlay) District to CS-UC (Commercial Strip with Urban Conservation Overlay) District with modification to the zoning restriction to permit a bar use without a food sales requirement, located at 804 Pennsylvania St. Submitted by Flint Hills Holdings on behalf of Ohio Mortgage Investors LLC, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Mr. Tom Larkin, Flint Hills Holdings, said he reached out to local businesses, homeowners, and tenants to see if they had any issues or comments. He said he included design changes after those meetings, such as the alley entry and increased buffer between the parking lot and Poehler Lofts. He said he also reduced the outdoor seating capacity to about 15% of the neighboring Cider Gallery. He said there was a catering license at Cider Gallery where there were often 250-300 people in the outside courtyard. He said alcohol was often served and there had not been one complaint in the two years it had been in operation. He said there would be roughly 30-35 people, at its busiest time, outside the bistro area. He said a common misconception was that the business model for this development would change. He said the operation would still include non-alcoholic sales such as food, baked goods, sandwiches and non-alcoholic beverages. He stated one of the biggest issues was the personal investment for the potential owners to have to track down sales and receipts from other business owners, mainly mobile food vendors. He said the presence of mobile food vendors would be a benefit to fix the problem of such a small building footprint. He said the building was historic and could not have extra square footage added on to accommodate a kitchen.

PUBLIC HEARING

Mr. Stephen Johnson said he was an artist and lived in a loft on E 9th Street. He spoke in support of the rezoning and felt it would be a good addition to the area.

Mr. Kyle Johnson said she was a business owner and tenant in the Cider Gallery. He spoke in support of the rezoning.

Ms. Janet Good said she was the East Lawrence Neighborhood Association president when the conditional zoning was originally placed on the property. She asked for holistic planning. She said at the time of the conditional zoning they had concerns about big development coming in. She expressed concern about being bookended with two entertainment districts. She said there was already too much traffic and parking issues due to downtown. She said this plan was a cool idea but the 9th Street Art Corridor was already in the works. She wanted them to think about the long term effect of turning the area into an entertainment district. She said there was already an impact from this entertainment zone. She felt licensing for bars should be kept to a minimum.

COMMISSION DISCUSSION

Commissioner Josserand said in comparing the hearing tonight to what they heard previously he was bothered that there were no representatives from the East Lawrence Neighborhood Association.

Commissioner von Achen asked the applicant about the non-alcoholic sales.

Mr. Larkin said most would come from mobile food vendors. He said there would also be baked items and sandwiches from other businesses in town that they will partner with.

Commissioner von Achen asked Mr. Larkin if food would not be prepared onsite.

Mr. Larkin said that was correct.

Mr. McCullough said the issue was that vendors had difficulty investing in the project and not being able to prove compliance with the 55% rule due to gathering multiple receipts from multiple food vendors throughout the year.

Commissioner Josserand said when they previously considered this they were looking at the alternative of sales with food or a bar with early closing hours.

Mr. McCullough said with operational conditions such as early operation hours, no amplified music, etc.

Commissioner Josserand asked if the staff recommendation was similar. He asked if the Special Use Permit would implement the early closing hours.

Mr. McCullough said the staff recommendation was essentially the same except that instead of building operational conditions to zoning staff thought it was more appropriate to create conditions through the Special Use Permit process. He said the Special Use Permit was the tool to look at operational standards for the use to minimize potential negative impacts on the neighborhood.

Commissioner Culver asked if the Special Use Permit would come back to Planning Commission if it went that route.

Mr. McCullough said yes. He said if the request was approved with the condition that a bar was only permitted with a Special Use Permit the applicant would have to make a new application for a Special Use Permit for the bar use.

Commissioner Britton said he would not be comfortable with rezoning and allowing the straight up bar use. He liked the Special Use Permit option and did not see a problem with that. He said the area was a cool area and could benefit from mixed-use.

ACTION TAKEN

Motioned by Commissioner Britton, seconded by Commissioner Culver, to approve the rezoning request, Z-15-00022, for 804 Pennsylvania, with a condition that a *Bar* use without the food sales requirement be permitted only with a Special Use Permit.

Motion carried 6-2, with Commissioners Denney and Josserand voting in opposition.

PC Minutes 3/23/15 **DRAFT**

**ITEM NO. 5 TEXT AMENDMENT FOR VALUE-ADDED AGRICULTURAL BUSINESS
CONDITIONAL USE (MKM)**

TA-14-00548: Consider a Text Amendment to clarify locational and developmental standards for *Value-added Agricultural Business* Conditional Use and to clarify the uses which are permitted on non-conforming vested properties. *Initiated by County Commission on 12/17/14.*

STAFF PRESENTATION

Ms. Mary Miller presented the item.

Commissioner Liese asked about a communication that was included in the packet that expressed concern about the financial impact of property value.

Ms. Miller said with a Conditional Use Permit they would look at land uses in the area. She said if a use was located next to another use and would damage that use in some way the result could be that it would lose its home value. She said if a homeowner could prove that they would lose home value then Planning Commission could consider that when looking at a Conditional Use Permit. She said there could be negative impacts on surrounding properties.

Commissioner Liese asked if they would need to know if the negative impacts were based on noise, smell, etc.

Ms. Miller said they could take it into account with the Conditional Use Permit. She said for example, people felt quarries would decrease their home value. She said Planning Commission should also look at the public gain. She said some people believe a use would affect their home value based on their notion of what it would be like without knowing what it would be like.

Commissioner Liese said there was no real way for Planning Commission to objectively anticipate if it would affect property values.

Ms. Miller said depending on what the Conditional Use Permit use was there could be a study. She said the quarry had a study regarding home values after the quarry was finished and left.

PUBLIC HEARING

Ms. Linda Long said according to her attorney staff did not clarify the language of the value-added agriculture business Conditional Use Permit. She said there were still unanswered questions about the Conditional Use Permit. She wondered why it was important for these provisions to be approved now. She requested the item be deferred until a city planner was hired. She said when she met with staff in February they indicated they would speak with surrounding counties about similar ordinances. She wondered what was found out. She felt the public should be protected. She wanted to know who needed to apply for the permit; land owner or business owner. She expressed concern about property value and felt that neighbors would be forced to police the uses. She felt there were too many loopholes and said it needed to be tightened up. She wondered what qualified as an agricultural product. She said there was no need for this Conditional Use Permit until the entire thing was revised.

Commissioner Liese asked staff to respond.

Ms. Miller said she was not able to find other examples of value-added agricultural businesses from other counties. She said Douglas County was progressive and that other counties did not have

Conditional Use Permits for those uses. She said examples of an agricultural use were animal husbandry, raising crops, bees, rabbits, and game, for sale. She said it had to be for making money from it. She said a value added agricultural business was not agriculture, it was a business. She said anyone could apply for the permit but had to have the property owners consent. She said the County did not have the staff to do surprise inspections but if they received a complaint they would inspect. She said many Conditional Use Permits had reviews after a certain timeframe, such as 5 years. She stated if the Conditional Use Permit was rescinded there could be an empty building until it was refurbished into something else. She said the County was hiring someone to replace the former Planning Coordinator, Ms. Linda Finger.

Mr. Willis Long said he had been in contact with the County Zoning & Codes office and they were hiring a Planner to deal with this sort of thing. He said he will lose 15% value on his property. He expressed concern about the potential smell and past violations with the State.

Mr. McCullough said the County had a Planning Coordinator who was involved in issues such as text amendments, but that they were not the lead on the projects. He said Ms. Mary Miller had been one of the lead Planners in county type text amendments for years. He said his understanding was that the position the County was hiring for would help blend some opinion and input on this type of process but not solely to make this small amendment to the Code. He said the position would help the existing County staff process all types of day to day applications, such as variance requests and building permits. He said the position would be a supplement to what the joint City/County Planning Office does.

Ms. Cheryl Smith said when she opens her front door and looks east she could see the new sewage plant where agricultural land was taken to be turned into a sewage plant. She asked if the other uses that Ms. Miller brought had neighbors very close. She expressed concern about the area being preserved and felt the regulations needed to be changed.

Mr. Roy Chaney said this housing suburb was having a commercial use put in it. He said he moved to the country to be away from city businesses.

Mr. Roy Murphy said he applied for a Conditional Use Permit for a micro-distillery for an orchard in Baldwin City. He said the State had been encouraging micro-breweries and farm wineries in Kansas. He said regarding the issue of size his farm was 20 acres and if he was required to have a minimum of 40 acres he would be excluded. He said there had been a lot of interest in Baldwin City about his project. He said he would not need 40 acres. We said during years of drought or if he wanted to use other fruits not grown onsite he would need to bring in fruit. He said Planning Commission should consider the other side of the issue.

COMMISSION DISCUSSION

Commissioner Britton said Planning Commission was considering a text amendment but the public was commenting about a Conditional Use Permit. He asked staff to refresh his memory on where the Central Soyfoods Conditional Use Permit stood with the County Commission.

Ms. Miller said there was a protest petition filed which meant the Conditional Use Permit had to have a unanimous vote for approval. She said County Commission voted 2-1 to approve it so due to the lack of a unanimous vote it was denied. She said the Central Soyfoods application was gone.

Mr. McCullough said it was out of that process that the County Commission directed staff to draft this text amendment.

Commissioner Liese asked about options for Central Soyfoods now.

Ms. Miller said when a Conditional Use Permit was denied the applicant typically had to wait a year before making the same application, unless something had changed. She said if the text amendment was approved the standards would change and they could submit another Conditional Use Permit application that would go through the process again.

Commissioner Liese said whether the text amendment passed or failed to pass the applicant would have to go through a complete process.

Ms. Miller said that was correct.

Commissioner Liese said Planning Commission was not voting on Central Soyfoods and it should not be a major consideration in their decision about the text amendment. He said regardless of the text amendment the Conditional Use Permit could be denied.

Commissioner Denney said if the text amendment was approved it would give additional factors that could be considered for denial, such as odor. He felt the text amendment would actually help Planning Commission and County Commission regarding what could and should be allowed in a Conditional Use Permit.

Commissioner Britton inquired about access management standards.

Ms. Miller said the County Engineer worked on the access management standards and were primarily written for residential and went with the Subdivision Regulations. She said the County Engineers feeling was that it should apply the same to all uses. She said as long as the frontage requirements were met when the site was developed the access management standards wouldn't apply to a Conditional Use Permit. She said the language was meant to clarify that.

Commissioner Britton said it did not necessarily change anything just clarified it.

Ms. Miller said it clarified the current process.

Commissioner Liese said the decision they would make tonight had little to do with the Central Soyfoods Conditional Use Permit. He said it had more to do with potential future Conditional Use Permits. He asked if 40 acres was the minimum.

Ms. Miller said the acreage was for agricultural building permits. She said a value-added agricultural business was never exempt and would have to have a permit.

Commissioner Josserand asked if this text amendment would change the situation for the proposed micro-distillery in Baldwin City.

Ms. Miller said the micro-distillery had 20 acres. She said without changing the text amendment language the Conditional Use Permit would not be able to be approved.

Commissioner von Achen asked why they did not say there was no minimum site requirement.

Ms. Miller said the staff recommendation was to remove that.

Commissioner Culver inquired about the language regarding vested non-conforming uses and the option to initiate a separate text amendment.

Ms. Miller said it would be up to Planning Commission. She said there were numerous parcels that were non-conforming that had approved uses. She said it would be hard to figure out where to draw the line with such a broad policy.

Commissioner Josserand said he thought he read in the newspaper that Central Soyfoods was going to relocate within city limits.

Mr. McCullough said that he did not know if it was in the newspaper but that it was an option.

Commissioner Liese said he would vote in favor of the text amendment because he felt the language needed to be cleaned up. He said his vote was not an indicator of his feelings about the Central Soyfoods business or businesses like it.

Commissioner von Achen said one of the examples in the staff report was someone making bird seed. She asked if some of the products were grown on site but not all a Conditional Use Permit would still be needed.

Ms. Miller said that was correct.

Commission von Achen inquired about including water pollution standards.

Ms. Miller said the standards were developed in 2008. She said language regarding water pollution standards could be added.

Commissioner Britton said they were only being asked to look at a few little tweaks not opening the entire standards. He said he would support the text amendment.

Commissioner Denney said he would vote in favor of the text amendment because it clarified things that were less than clear before and make future Conditional Use Permits easier to deal with.

Commissioner Struckhoff thanked staff for their work. He said he would support the text amendment.

Commissioner Culver said he would support the text amendment to clarify the language to be consistent. He felt the defining uses for the vested non-conforming parcels should be separated out from this text amendment and have further discussion and/or more information gathered.

Ms. Miller said the County Commission asked for staff to look into it and provide more information on what type of uses were on non-conforming parcels.

Commissioner Culvers said they may need to take a deeper look at what uses that may entail and if they were looking at limiting any of those uses to have a discussion about that at the appropriate time.

Commissioner Josserand concurred with Commissioner Britton's comments.

Commissioner von Achen agreed with other Commissioners comments. She said she would like to see something about impacts to water added to not exceed EPA rules

Commissioner Britton asked if it already said any EPA standards.

Mr. McCullough said yes, but that they could make it part of the condition.

Commissioner Graham said she would vote in favor of the text amendment.

ACTION TAKEN

Motioned by Commissioner Britton, seconded by Commissioner Denney, to approve the text amendment, TA-14-00548, with the addition of language that requires compliance with all environmental considerations related to Federal EPA standards (air, water, etc).

Unanimously approved 8-0.

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

ADJOURN 8:48pm

Complete audio from the meeting can be found online:

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

Planning Commission

Key Links



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES



Plans & Documents

- [Horizon 2020](#)
- [Sector/Area Plans](#)
- [Transportation 2040](#)
- [2012 Retail Market Study](#)

Development Regulations

- [Community Design Manual](#)
- [County Zoning Regulations](#)
- [Land Development Code](#)
- [Subdivision Regulations](#)

Online Mapping

- [City of Lawrence Interactive GIS Map](#)
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- [Submittals to the Planning Office](#)

Planning Commission

- [Bylaws](#)
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RECEIVED

MAR 30 2015

City County Planning Office
Lawrence, Kansas

Kay Johnson (Mrs. Monte)

2100 Greenbrier Drive

Lawrence, KS 66047

To Whom It May Concern:

I am trying to keep our neighborhood one that we can all be proud of. I am asking for your help in restricting semi cabs, due to their size and height, are an eye sore and in most cases dangerous. Pictures are available to see the height and the danger it would cause if the brakes gave way.

People with semi cabs, boats, RV's etc. impose unsightly and dangerous conditions. I am sure that there are areas where these items can be parked or stored.

Thank you for your consideration.

Golf Club
Subdivision

Memorandum

City of Lawrence

Planning & Development Services

TO: Lawrence Douglas County Planning Commission

FROM: Lynne Braddock Zollner, Historic Resources Administrator

CC: Scott McCullough, Director PDS
Amy Miller, Assistant Director Planning
Sheila Stogsdill, Planning Administrator

DATE: April 9, 2015

RE: Lawrence Register of Historic Places Nominations

According to Chapter 22 of the City Code, the Historic Resources Administrator must notify the Planning Commission of nominations to the Lawrence Register of Historic Places and shall transmit to them copies of the application and report. The Planning Commission may comment on the nominations; however, **no action is required by the Planning Commission.**

The following property has been nominated by the property owner of record for inclusion in the Lawrence Register of Historic Places:

1345 West Campus Road, the Chi Omega House

The property is currently listed in the Register of Historic Kansas Places. The application and the report will be placed on the Planning and Development Services web page located here http://www.lawrenceks.org/pds/hrc_agendas_minutes on April 9, 2015.

Action No action is required.

Memorandum

City of Lawrence

Planning & Development Services

TO: David L. Corliss, City Manager

FROM: Kurt Schroeder, Asst. Director Planning & Development Services

CC: Scott McCullough, Planning & Development Services Director
Barry Walthall, Building Codes Manager

DATE: April 15, 2015

RE: 2014 Building Permit Trends Report

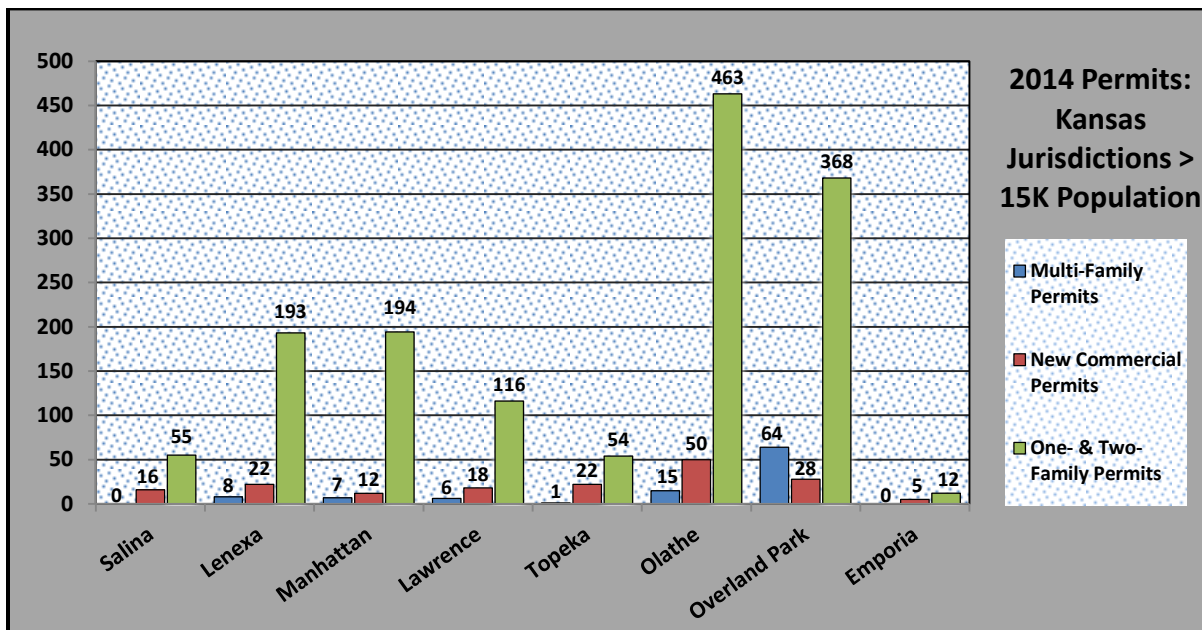
Overview

This report provides data regarding Lawrence building permits issued during 2014, as well as trends for Lawrence building permits compared to prior years. The report also compares Lawrence building permit information to regional Kansas jurisdictions and to regional peer university cities. Comparison of Lawrence building permit activity to peer university cities is new to the report this year.

Staff surveyed ten Kansas permit-issuing jurisdictions, including Douglas County, Baldwin City and Eudora in Douglas County, and other regional Kansas cities including Emporia, Lenexa, Manhattan, Olathe, Overland Park, Salina and Topeka. Below is a table summarizing 2014 estimated U.S. Census population and 2014 building permit information for each Kansas jurisdiction.

Permitting Agency	2014 Est. Population	Total 2014 Permit Valuation	Total 2014 Permits	2014 One- and Two-Family Permits	2014 Multi-Family Permits	2014 New Commercial Permits	2014 Addition & Remodel Permits
Baldwin City	4,530	\$4,026,186	104	4	2	0	98
Eudora	6,211	\$7,839,657	284	15	0	0	269
Douglas County	12,638	\$19,110,238	299	45	0	2	52
Emporia	24,799	\$20,258,194	959	12	0	5	388
Salina	47,846	\$38,964,203	1,866	55	0	16	163
Lenexa	50,344	\$277,839,223	2,912	193	8	22	2,163
Manhattan	56,143	\$88,936,714	448	194	7	12	222
Lawrence	90,811	\$99,707,903	1,930	116	6	18	364
Topeka	127,679	\$106,016,784	319	54	1	22	234
Olathe	131,885	\$389,340,176	1,022	463	15	50	415
Overland Park	181,260	\$397,070,513	4,466	368	64	28	4,006

The following chart compares 2014 permits issued for new one- and two-family structures, new multi-family buildings and new "commercial" buildings (commercial, office, industrial, public and institutional uses) for Kansas regional jurisdictions with a population greater than 15,000.

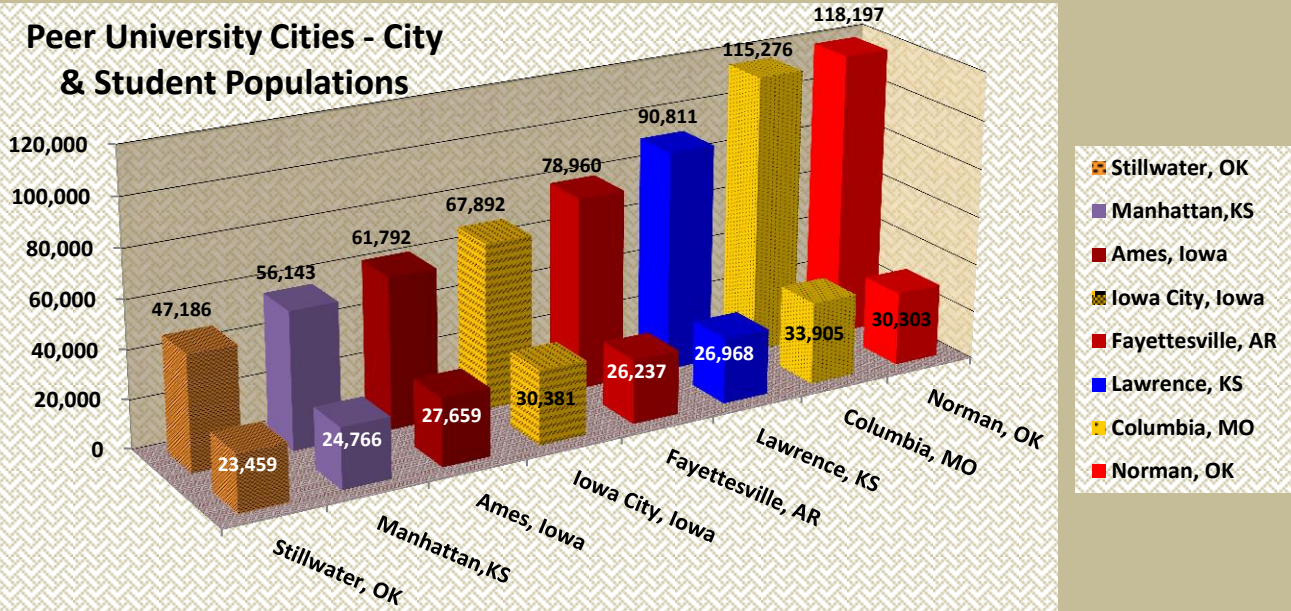


Staff also surveyed seven (7) regional peer university cities (within a 350 mile radius of Lawrence) that have similar permanent resident populations, a major university similar in size to Kansas University and (except for Manhattan, KS and Fayetteville, AR) proximity to a larger metropolitan area (within 65 miles). Peer university cities include Stillwater, OK (Oklahoma State University); Manhattan, KS (Kansas State University); Ames, IA (Iowa State University); Iowa City, IA (University of Iowa); Fayetteville, AR (University of Arkansas); Columbia, MO (University of Missouri); and Norman, OK (University of Oklahoma). Below is a table summarizing Lawrence and peer university city estimated 2014 U.S. Census city population, estimated 2014 university student population, average U.S. Census homeownership rate for the period 2009-2013, and 2014 building permit data.

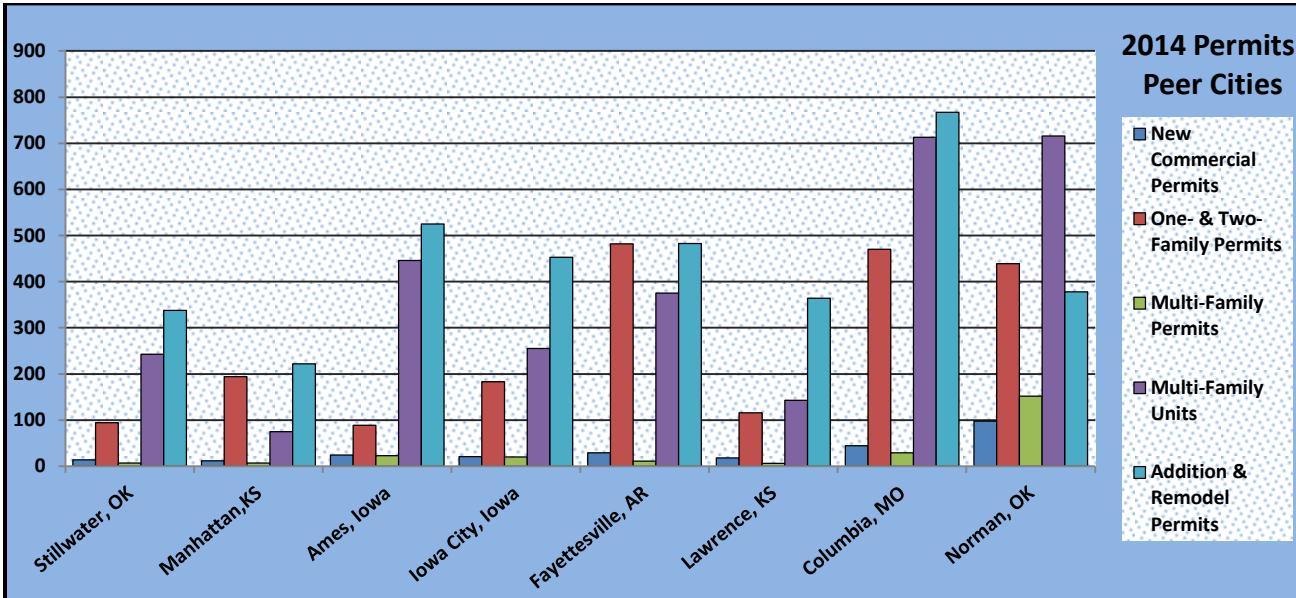
Permitting Agency	2014 Est. City Pop.	2014 Est. Univ. Student Pop.	City home ownership rate: 2009-2013	2014 Total Permit Valuation	2014 Total Permits	2014 One- & Two-Family Permits	2014 Multi-Family Permits	2014 New Commercial Permits	2014 Addition & Remodel Permits
Stillwater, OK	47,186	23,459	37.5%	\$59,966,326	453	94	7	14	338
Manhattan, KS	56,143	24,766	39.3%	\$88,936,714	448	194	7	12	222
Ames, Iowa	61,792	27,659	42.2%	\$226,711,446	661	89	23	24	525
Iowa City, Iowa	67,892	30,381	47.8%	\$152,579,212	703	183	20	21	453
Fayetteville, AR	78,960	26,237	41.5%	\$269,634,160	4,300	482	11	29	483
Lawrence, KS	90,811	26,968	46.1%	\$99,707,903	1,930	116	6	18	364
Columbia, MO	115,276	33,905	48.6%	\$347,258,124	1,375	470	29	44	767
Norman, OK	118,197	30,303	57.0%	\$278,201,768	8,117	439	152	98	378

Below are two (2) charts, the first showing Lawrence and peer city permanent resident city populations and university student populations, and the second reflecting the number of 2014 permits issued for new "commercial" buildings (commercial, office, industrial, public and institutional uses), new one- and two-family structures, new multi-family buildings, new multi-family units and total addition/remodel permits for Lawrence and the seven (7) peer university cities.

**Peer University Cities - City
& Student Populations**



**2014 Permits:
Peer Cities**



Report Summary and Key Observations

Lawrence:

In 2014, Lawrence saw increases in only two (2) of the seven (7) major permit categories when compared to 2013, and when compared to the City's 5-year annual averages (2010 through 2014).

- The number of permits issued in 2014 for new "commercial" buildings (office, commercial, industrial, public and institutional uses) increased by 100% over 2013 - nine (9) to eighteen (the highest annual number since 2006, when 20 permits were issued) - and was nearly 43% above the 5-year annual average of 12.6. However, total valuation for the eighteen new commercial permits issued in 2014 was 50% less than the total valuation for the nine (9) new commercial permits issued in 2013.

- The 2014 number of commercial and residential remodel/addition permits increased by 16.3% over 2013 (to 364); this was 12.8% greater than the 5-year annual average of 322.8 permits.

During 2014, Lawrence saw significant decreases in building permit activity in five (5) of seven (7) major permit categories when compared to 2013 and to the City's 5-year annual averages (2010 through 2014).

- Total 2014 building permit valuation was down 42% from 2013, to \$99,707,903; this was 15% less than the Lawrence 5-year annual average of \$117,991,693.
- The total number of permits issued in 2014 (all types) was down 2.7% from 2013, to 1,930 (the lowest number in 15 years); this was 10% less than the 5-year annual average of 2,144.
- The number of 2014 new one- and two-family permits issued was down 30.1% from 2013, to 116 (just 18 above the 15-year low of 99 permits in 2011); this was 12.5% less than the 5-year annual average of 132.6.
- The number of 2014 new multi-family units permitted (three or more units in a structure) was down 61.8% from 2013 (to 143); this was 44.3% less than the 5-year annual average of 257.
- The number of new dwelling units permitted in 2014 *of all types* (274) was 50.1% less than in 2013, and 31.1% less than the City's 5-year annual average of 398. **Note:** In 2014, the number of new multi-family units permitted exceeded the total number of one- and two-family units permitted for the eighth consecutive year.

Lawrence Compared to Regional Kansas Jurisdictions:

Lawrence's estimated 2014 population is the fourth largest among Kansas jurisdictions in this report. Lawrence's population is half of Overland Park's, 71 percent of Topeka's and about two-thirds of Olathe's. Manhattan's population is 62 percent of Lawrence's; Lenexa's and Salina's populations are each slightly over half of Lawrence's; and Emporia's population is about one-fourth of Lawrence's.

- In 2014, Lawrence ranked second on percentage increase in number of new commercial permits issued from 2013 to 2014, and ranked first on percentage increase in number of new commercial permits issued in 2014 compared to the 5-year annual averages - a positive trend.
- Lawrence ranked fourth among Kansas jurisdictions in the number of new commercial permits issued in 2014, commensurate with its population ranking.
- Lawrence ranked fifth in the number of 2014 commercial and residential remodel/addition permits issued, generally commensurate with its population ranking (exceeding the number issued by Topeka, but less than the number issued by Lenexa and Emporia). In this permit category, Lawrence ranked fifth on both percentage change from 2013 to 2014 and percentage change compared to 5-year annual averages.
- In 2014, Lawrence's total permit valuation was generally below and not commensurate with its population ranking. While Topeka's total 2014 permit valuation was only 6.3% greater than Lawrence's, Overland Park and Olathe each had 2014 total permit valuation nearly four (4) times that of Lawrence. Lenexa had 2014 total permit valuation about three (3) times that of Lawrence.
- In 2014, Lawrence ranked very low among Kansas jurisdictions on several *2013 to 2014 percentage change metrics*, including: tenth in total permit valuation; ninth in total number of permits issued; and tenth in new one- and two-family permits issued. Lawrence also ranked low on percentage change in 2014 total permits and 2014 new one- and two-family permits issued compared to the 5-year annual averages (eighth and ninth, respectively).

Lawrence Compared to Peer University Cities:

Lawrence's estimated 2014 city population is third highest among the eight (8) peer university cities. Lawrence has about three-fourths the population of Norman and Columbia. Fayetteville's population is the closest to Lawrence (87% of Lawrence population). Iowa City has three-fourths the population of Lawrence, while Ames has had about two-thirds the population of Lawrence. Manhattan and Stillwater populations are equivalent to 62% and 52% of Lawrence population, respectively.

Lawrence was just above its population rank (third) relative to the total number of permits issued in 2014 (Lawrence ranked second). Generally, however, Lawrence ranked toward the bottom in most major permit categories compared to peer university cities (especially when city population is considered).

- For 2014 permits issued, Lawrence ranked sixth or seventh in five (5) of the six (6) permit data categories compared.
- Although Lawrence ranked first on percentage increase in new commercial permits from 2013 to 2014 and percentage increase for 2014 new commercial permits compared to the 5-year annual average (2010 through 2014), the Lawrence 5-year annual average for new commercial permits (12.6) was the lowest among peer cities. Norman and Columbia issued 99 and 30.2 new commercial permits annually, on average, while Fayetteville issued 22.2 new commercial permits annually, on average. Manhattan issued an average of 19.6 new commercial permits annually during the same 5-year period.
- Relative to population, Lawrence ranked low among peer university cities with respect to the number of one- and two-family permits issued during 2014 and over the past five (5) years (on average). In 2014, Lawrence issued 116 new one- and two-family permits, with a 5-year annual average of 132.6, compared to a 2014 permit total and a 5-year annual average of 439 and 406 for Norman; 470 and 525.8 for Columbia; 482 and 358.8 for Fayetteville; 183 and 142 for Iowa City; and 194 and 186.2 for Manhattan.
- Relative to population, Lawrence ranked very low among peer university cities on new multi-family dwelling units permitted during 2014 and on average over the past five (5) years. In 2014, Lawrence issued permits for 143 new multi-family units, with a 5-year annual average of 257, compared to 2014 new multi-family unit totals and 5-year average annual new multi-family unit totals of 716 and 470 for Norman; 713 and 401.2 for Columbia; 446 and 292.4 for Ames; 375 and 289.8 for Fayetteville; 255 and 246.6 for Iowa City; 243 and 199.4 for Stillwater; and 75 and 158 for Manhattan.
- Relative to its population, Lawrence ranked low in both 2014 total permit valuation and 5-year average total annual permit valuation (2010-2014). Norman, Columbia, Fayetteville, Ames and Iowa City had 2014 total permit valuations ranging from 1.5 to 3.5 times that of Lawrence, and 5-year average total annual permit valuations ranging from 12% to 2.5 times that of Lawrence.

To assist in comparison of 2014 Lawrence building permit data to the other ten regional Kansas jurisdictions and seven (7) peer university cities, the number of Lawrence 2014 permits issued by permit category, and the Lawrence percentage change statistics for each permit category, are ranked in the table below against the other Kansas jurisdictions and peer university cities ("1" being the highest or best ranking). Per the tables on pages 1 and 2, Lawrence ranks fourth in population among the 11 Kansas jurisdictions, and third in population among the eight (8) university cities.

City of Lawrence 2014 Permit Data: Total 2014 Valuation and Number of Permits by Permit Category	2014 No. of Permits: Rank Among KS Jurisds (1-11)	2014 No. of Permits: Rank Among Peer U. Cities (1-8)	Lawrence 1-Yr % Change in Permits: 2013 to 2014	1-yr % Change: Rank Among Kansas Jurisds (1-11)	1-yr. % Change: Rank Among Peer U. Cities (1-8)	Lawrence 5-yr % Change in Permits: 2014 Compared to 5-Yr. Avg.	5-Yr % Change: Rank Among KS Jurisds (1-11)	5-Yr % Change: Rank Among Peer U. Cities (1-8)	Lawrence 10-yr % Change: (2005- 2014)
Total Annual Valuation	5	6	-42.0%	10	8	-15.5%	5	7	-18.2%
Total Annual Permits	3	2	-2.7%	9	6	-10.0%	8	8	-14.8%
Total Annual New 1 & 2-Family Permits	5	6	-30.1%	10	8	-12.5%	9	8	-30.0%
Total Annual New Multi-Family Units	DNA ¹	7	-61.8%	DNA ¹	8	-44.3%	DNA ¹	7	DNA ¹
Total Annual New Commercial Permits	5	6	100%	2	1	42.9%	1	1	20.8%
Total Annual Commercial Remodel/Addn Permits	DNA ¹	DNA ¹	12.4%	DNA ¹	DNA ¹	-4.5%	DNA ¹	DNA ¹	DNA ¹
Total Annual Residential Remodel/Addn Permits	DNA ¹	DNA ¹	23.4%	DNA ¹	DNA ¹	14.1%	DNA ¹	DNA ¹	DNA ¹
Total Annual Commercial & Residential Remodel/Addn Permits	5	6	16.3%	5	1	12.8%	6	1	DNA ¹

¹DNA – Data not available or not provided.

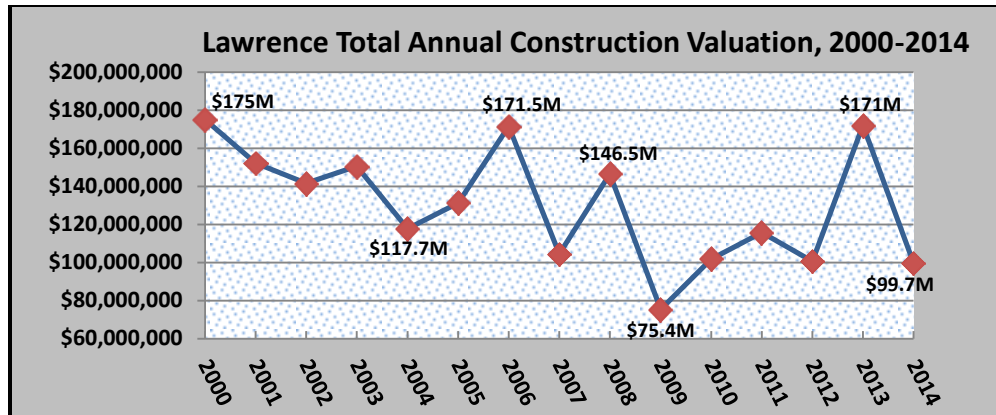
The following pages provide more detailed information and graphic representations for each of the following: Lawrence 2014 permit data and historical permit data; permit data for the 10 other Kansas jurisdictions, with comparisons of Lawrence permit data to permit data from those jurisdictions; and permit data for the seven (7) peer university cities, with comparisons of Lawrence permit data to permit data from those peer cities.

Charts comparing permit data among Kansas jurisdictions have a grey chart background. Charts comparing permit data for university cities have a blue background. For each major permit category, there are generally two different charts, one showing percentage change from 2013 to 2014 for Lawrence and each Kansas jurisdiction or peer city, and the other showing percent change from 2014 compared to the 5-year annual average (2010 through 2014) for Lawrence and each Kansas jurisdiction or peer city.

Lawrence Total Permit Valuation

The total valuation of Lawrence construction permits during 2014 decreased by 42% compared to 2013 – from \$171,995,682 to \$99,707,903. The 2014 total permit construction valuation was the second lowest annual construction valuation for Lawrence over the past 10 years (2009 total valuation was \$75,376,444). The 2014 total valuation was 15.5% less than the \$117,991,693 average annual construction valuation over the past five (5) years (2010-2014) and 18.2% less than the \$121,906,040 average annual construction valuation over the past 10 years (2005-2014).

NOTE: In 2014, USD 497 School Bond Projects were exempted from Lawrence building permit requirements. Therefore, the permit valuation of School Bond projects that started construction in 2014 (2014 valuation estimated at \$35M - \$45M) is not included in 2014 Lawrence total valuation.



Lawrence Large Projects Permit Valuation

Based on permit valuation, the eleven largest Lawrence projects in 2014 accounted for \$39,203,073 or 39.3% of the total value of construction (two (2) projects were tied for tenth highest valuation). The eleven largest projects in 2014 were:

	<u>Address</u>	<u>Project Description</u>	<u>Project Valuation</u>
1	3725 E 25th St.	DG County Public Works Complex	\$11,007,390
2	523 Frontier Rd.	Apartments at Frontier	\$5,825,683
3	1470 W 31st St.	Menard's	\$5,500,000
4	900 Delaware St.	9 Del Lofts Apartment	\$4,400,000
5	4740 Bauer Farm Dr.	Sprouts Farmer's Market	\$3,750,000
6	6001 Bob Billings Pkwy.	Corpus Christi School Addition	\$2,335,000
7	2625 Iowa St.	Multi-tenant Commercial Center	\$1,800,000
8	1325 W Campus Rd.	Sigma Kappa Sorority Addition	\$1,285,000
9	4930 Overland Dr.	Medical clinic building	\$1,300,000
10	3201 Mesa Way	Genesis Health Club renovation	\$1,000,000
10	2727 Iowa St.	PetSmart renovation	\$1,000,000
Top 10 projects valuation:			\$39,203,073
Total valuation:			\$99,707,903
Top 10 project % of total valuation:			39.3%

The valuation of the eleven largest 2014 Lawrence building permit projects and ratio of these projects to total 2014 permit valuation are below the 46% average for the last six (6) years (when tracking of these statistics began).

Year	Ten Largest Projects Valuation	Other Valuation	Total Permit Valuation	Largest Projects % of Total Valuation
2009	\$ 31,159,697	\$44,216,747	\$ 75,376,444	41%
2010	\$ 39,015,541	\$62,847,095	\$101,862,636	38%
2011	\$ 63,004,325	\$52,731,787	\$115,736,112	54%
2012	\$ 30,269,203	\$70,386,928	\$100,656,131	30%
2013	\$100,456,117	\$71,539,565	\$171,995,682	58%
2014	\$ 39,203,073	\$60,504,830	\$ 99,707,903	39%
Averages	\$ 50,517,993	\$60,371,159	\$110,889,151	46%

Lawrence Public Projects Valuation (City, County and Lawrence Memorial Hospital)

Valuation for 2014 Public Project building permits totalled \$12,518,055, compared to \$30,564,434 in 2013. Nearly 88% of the valuation of Public projects was accounted for by the Douglas County project at 3755 East 25th Street (the new Douglas County Public Works Facility with seven (7) new buildings). Annual statistics for Public Projects, for which tracking began in 2008, are provided in the following table.

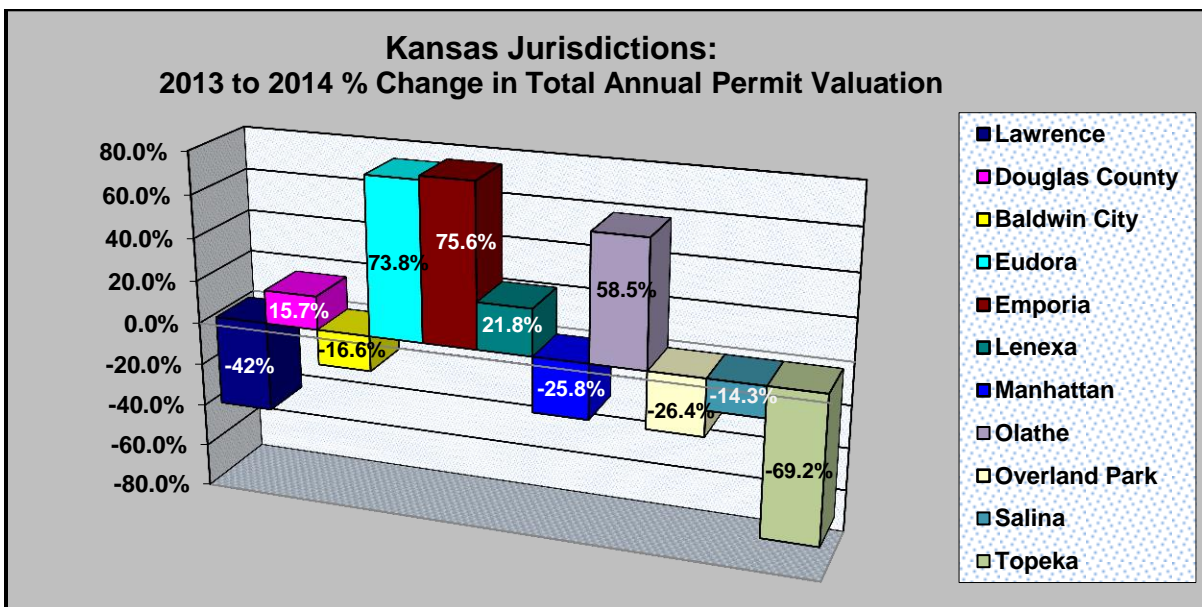
Year	Public Projects Valuation	Number of Permits
2008	\$10,642,761	9
2009	\$7,010,333	46
2010	\$16,857,602	17
2011	\$7,968,156	24
2012	\$8,971,027	31
2013	\$30,564,434	34
2014	\$12,518,055	150 ¹

¹103 of the 150 public permits issued in 2014 were plumbing or electrical permits to correct private property sewer connection/discharge problems found as a result of Utilities Dept. sewer infiltration reduction program.

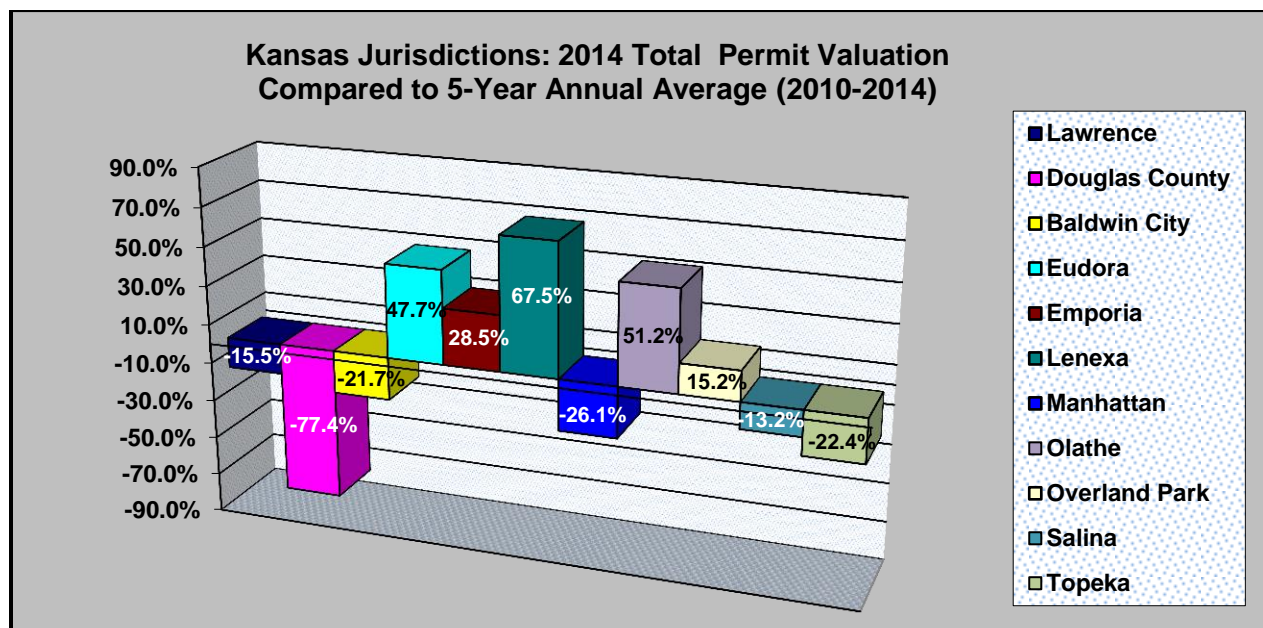
Total Permit Valuation – Other Regional Kansas Jurisdictions

Five (5) of the ten Kansas jurisdictions also reported decreases in total permit valuation from 2013 to 2014, with Topeka (-69.2%, \$344,639,668 to \$106,016,784), Overland Park (-26.4%, \$539,658,710 to \$397,070,513) and Manhattan (-25.8%, \$119,901,316 to \$88,936,714) reporting the largest decreases (compared to a 42% decrease for Lawrence). Baldwin City and Salina reported decreases of -16.6% (\$4,824,937 to \$4,026,186) and -14.3% (\$45,489,002 to \$38,964,203), respectively.

Of the five (5) Kansas jurisdictions reporting increases in total permit valuation from 2013 to 2014, the highest were reported by Emporia (+75.6%, \$11,538,204 to \$20,258,194) and Eudora (+73.8%, \$4,511,687 to \$7,839,657), with Olathe and Lenexa reporting increases of 58.5% (\$245,580,744 to \$389,340,176) and 21.8% (\$228,115,817 to \$277,839,223), respectively. Douglas County reported a 15.7% increase (\$16,520,627 to \$19,110,238).



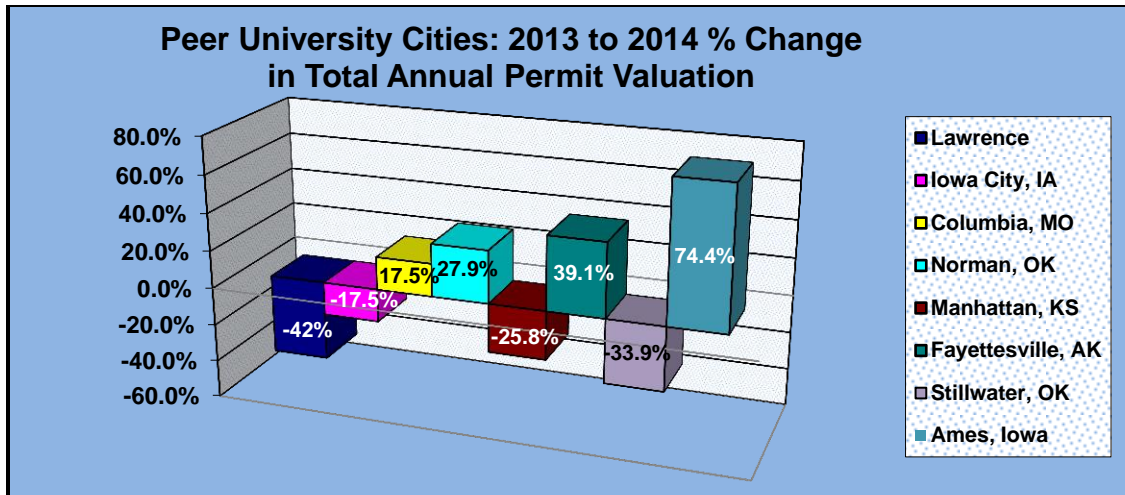
Lawrence's 2014 total permit valuation of \$99,707,903 was 15.5% less than its 5-year annual average of \$117,991,693 (2010 through 2014). Five (5) of the ten surveyed Kansas jurisdictions also had 2014 total permit valuation below their 5-year annual average, including Douglas County (77.4% less than its 5-year annual average of \$88,584,749), Manhattan (26.1% less than its 5-year average of \$120,267,626), Topeka (22.4% less than its 5-year average of \$136,541,768), Baldwin City (21.7% less than its 5-year average of \$5,144,974) and Salina (13.2% less than its 5-year average of \$44,915,074). Four (4) of the other five (5) Kansas jurisdictions had 2014 total permit valuation significantly above their 5-year average, including Lenexa (67.5% above 5-year average of \$165,883,866), Olathe (51.2% above 5-year average of \$257,517,989), Eudora (47.7% above 5-year average of \$5,308,781) and Emporia (28.5% above 5-year average of \$15,769,809). One jurisdiction, Overland Park, had a 2014 permit valuation that was moderately above its 5-year average (15.2% above 5-year average of \$344,720,868).



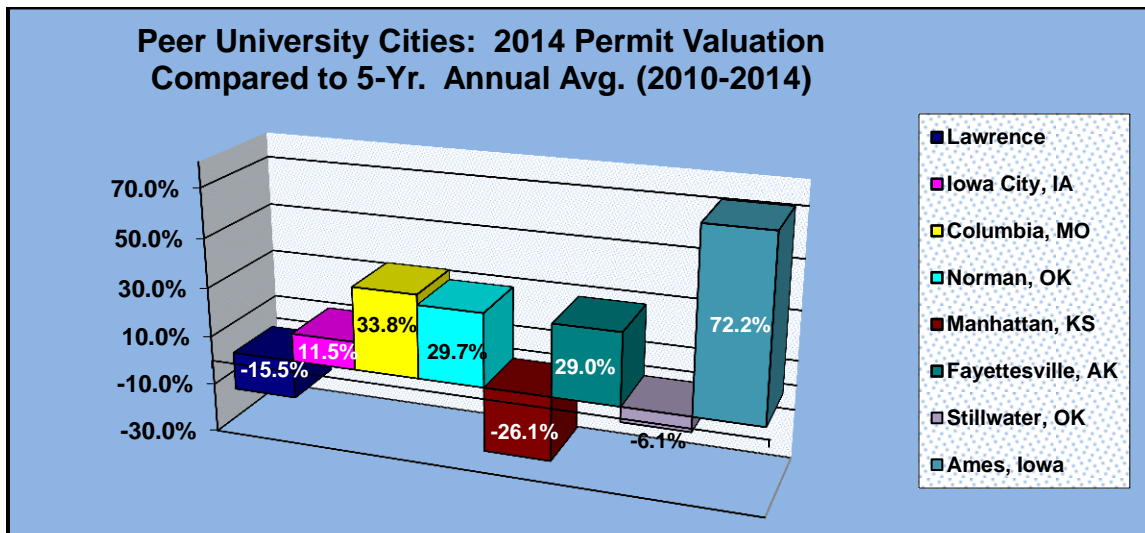
Total Permit Valuation – Peer University Cities

Lawrence total permit valuation decreased by 42% from 2013 to 2014. Lawrence's decrease was greater than the three (3) peer cities reporting decreases: Stillwater (-33.9%, from \$90,731,860 to \$59,966,326); Manhattan (-25.8%, from \$119,901,316 to \$88,936,714); and Iowa City (-17.5%, from \$184,876,852 to \$152,579,212).

Four (4) of the seven (7) peer university cities saw increases in total permit valuation from 2013 to 2014. Significant increases were seen in Ames (+74.4%, \$129,989,581 to \$226,711,446), Fayetteville (+39.1%, \$193,774,168 to \$269,634,160), and Norman (+27.9%, \$217,453,449 to \$278,201,768). Columbia reported a percentage increase of 17.5% (\$295,663,417 to \$347,258,124).

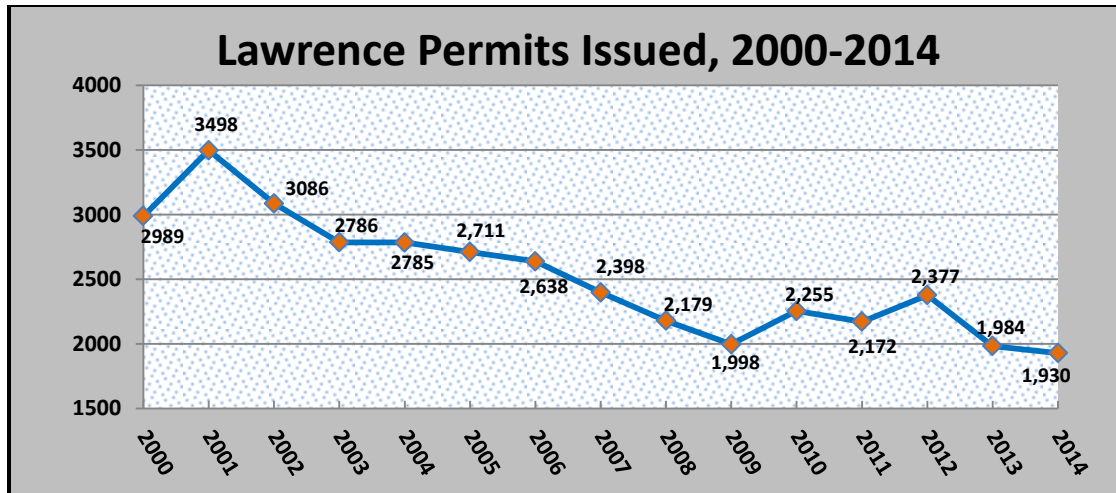


Lawrence 2014 total permit valuation of \$99,707,903 was 15.5% less than the Lawrence 5-year annual average of \$117,991,693 (2010 through 2014). Of the seven (7) peer university cities surveyed, only two (2) had 2014 total permit valuation below their 5-year annual average, Manhattan (26.1% less than 5-year annual average of \$120,267,626) and Stillwater (6.1% less than 5-year annual average of \$63,828,973). Five (5) peer cities reported 2014 total permit valuation significantly above their 5-year average, including: Ames (72.2% above 5-year average of \$131,668,269); Columbia (33.8% above 5-year average of \$259,572,579); Norman (29.7% above 5-year average of \$214,483,976); Fayetteville (29% above 5-year average of \$209,070,191); and Iowa City (11.5% above 5-year average of \$136,886,284).



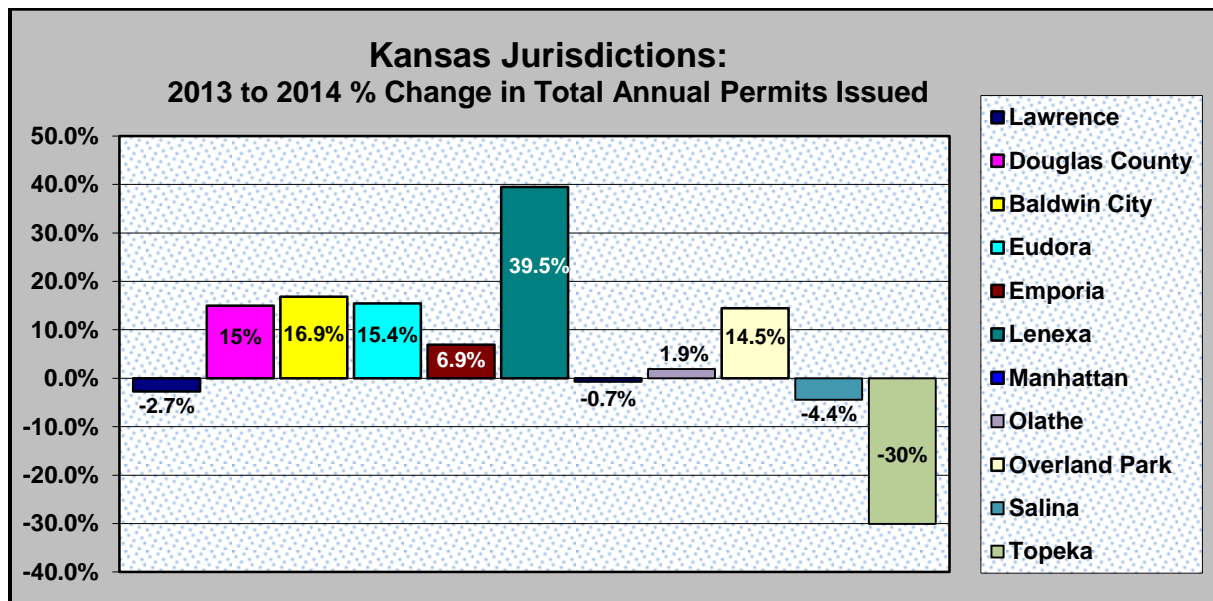
Lawrence Total Number of Permits Issued

The trend in Lawrence's total number of permits issued annually had been steadily decreasing since 2000, and reached a decade-long low of 1,998 in 2009. The number of annual permits had been trending up from the low in 2009 to 2,377 in 2012, but has been dropping since. In 2014, the number of permits issued dropped to 1,930, the lowest level since 2000, decreasing by 2.7% from the 1,984 permits issued in 2013. Permit activity reached an all-time high in 2001 when 3,498 permits were issued. The line graph below shows the trend for Lawrence permits issued since 2000.

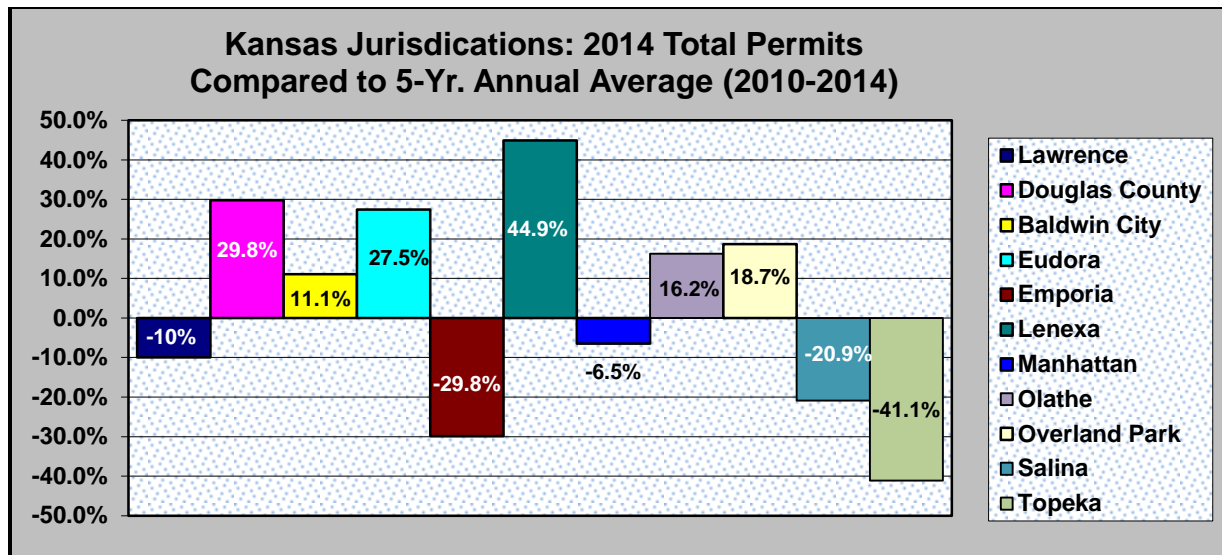


Total Number of Permits Issued - Other Regional Kansas Jurisdictions

Two (2) other Kansas jurisdictions reported decreases in the number of permits issued from 2013 to 2014 (Lawrence had a decrease of 2.7%), Topeka (-30%) and Salina (-4.4%). Manhattan reported a negligible decrease of 0.7%. Significant increases in the 2013 to 2014 number of permits issued were reported by five (5) surveyed Kansas jurisdictions, including: Lenexa (+39.5%); Baldwin City (+16.9%); Eudora (+15.4%); Douglas County (+15%); and Overland Park (+14.5%). Two (2) Kansas jurisdictions reported only modest increases, Emporia (+6.9%) and Olathe (+1.9%).

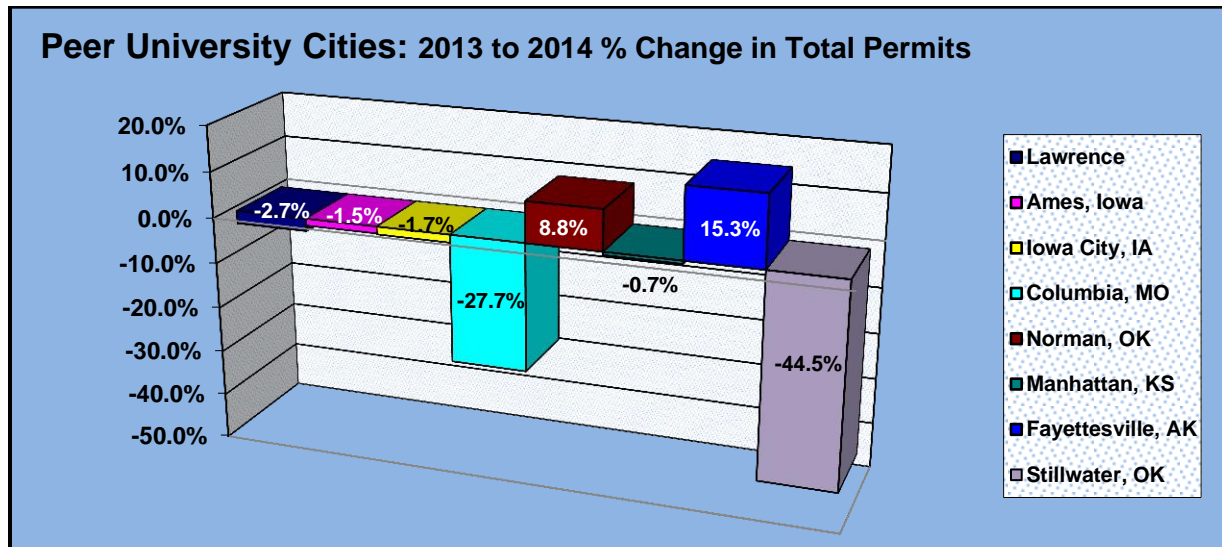


The average number of permits issued annually in Lawrence over the past five (5) years (2010 through 2014) was 2,144; the total of 1,930 permits issued in 2014 was 10% below Lawrence's annual average for the 5-year time period. Four (4) of the 10 Kansas jurisdictions also reported decreases in the total number of permits issued in 2014 compared to their 5-year annual average (2010-2014), ranging from a decrease of 41.1% (Topeka) to a decrease of 6.5% (Manhattan). Six (6) jurisdictions reported an increase in 2014 compared to their 5-year annual average, Lenexa (+44.9%), Eudora (+27.5%), Overland Park (+18.7%), Olathe (+16.2%), Douglas County (+29.8%) and Baldwin City (+11.1%).

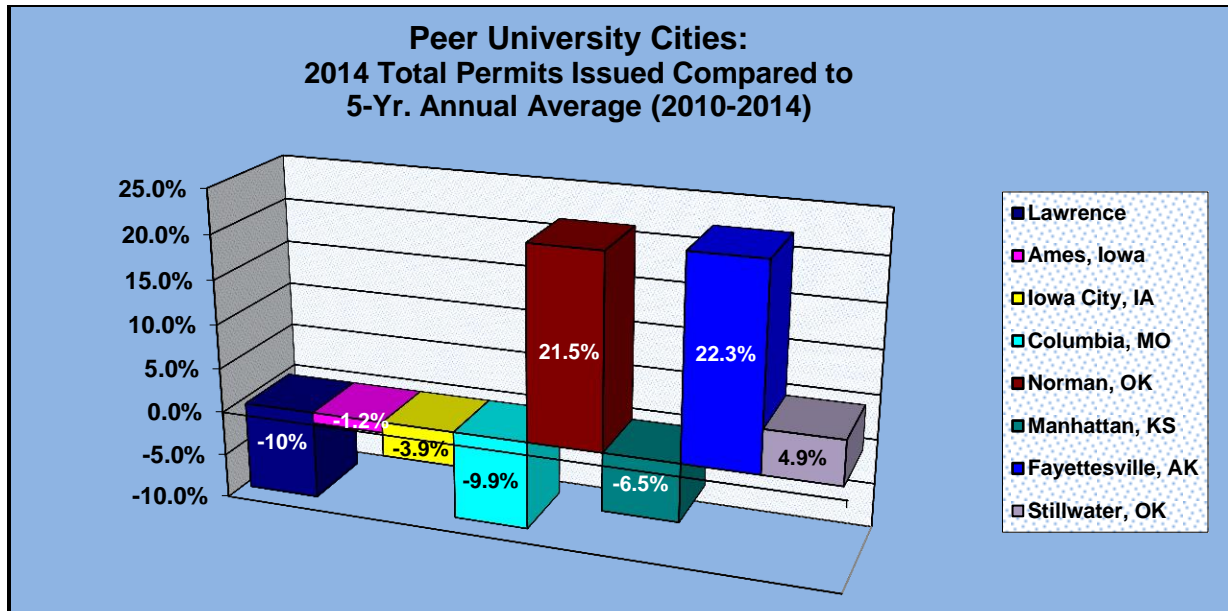


Total Number of Permits Issued – Peer University Cities

From 2013 to 2014, Lawrence saw a 2.7% decrease in the total number of permits issued. Five (5) of the seven (7) peer university cities also reported decreases in the number of total permits issued from 2013 to 2014, with Stillwater and Columbia reporting the largest decreases (-44.5% and -27.7% respectively), and Ames, Iowa City and Manhattan reporting decreases of under 2%. Only two (2) peer university cities reported increases in number of total permits issued from 2013 to 2014, Fayetteville (+15.3%) and Norman (+8.8%).

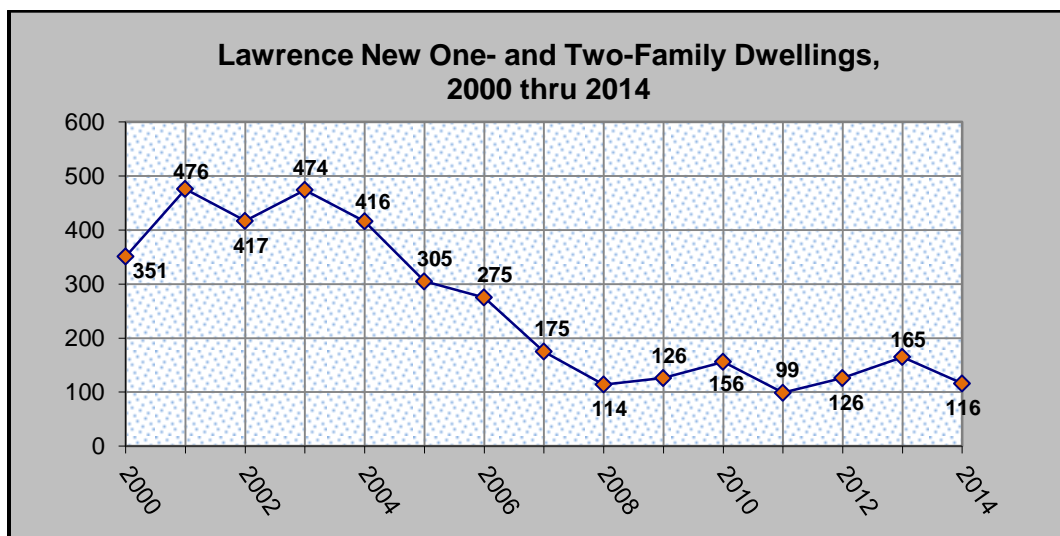


The total number of permits issued by Lawrence in 2014 was 10% below its annual average over the past five (5) years. Four (4) of the seven (7) peer cities also experienced decreases in total number of permits issued in 2014 when compared to their 5-year annual average (2010-2014), ranging from a decrease of 9.9% (Columbia) to a decrease of 1.2% (Ames). Three (3) peer cities reported an increase in 2014 total permits issued when compared to their 5-year annual average, Fayetteville (+22.3%), Norman (+21.5%) and Stillwater (+4.9%).



Lawrence New One- and Two-Family Residential Permits

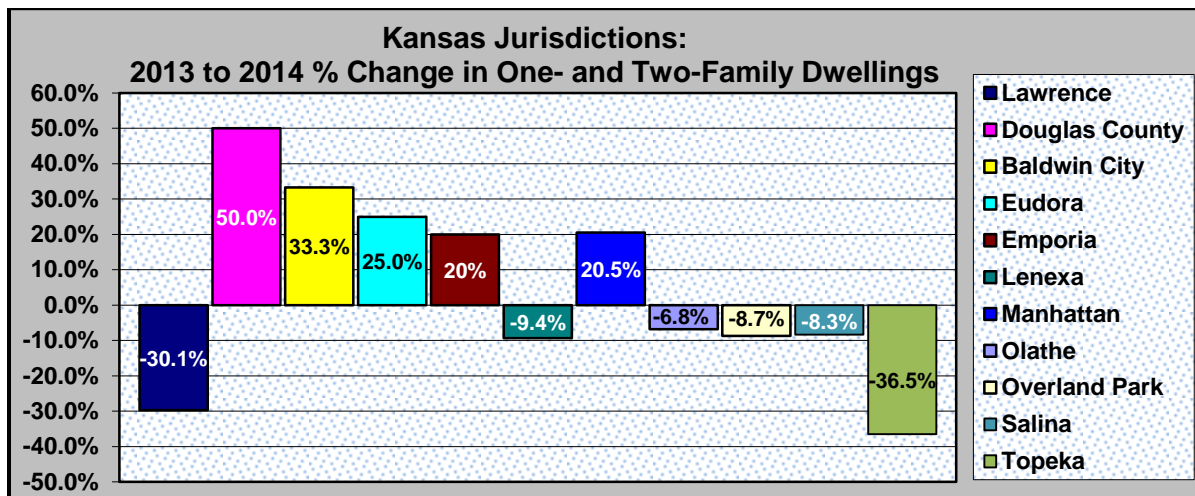
The number of Lawrence permits issued for new one- and two-family dwellings during 2014 decreased by 30.1% from the number issued in 2013 (166 to 116). The 116 permit total in 2014 was just 18 above the lowest annual total in the past 15 years – 99 permits in 2011. The Lawrence 5-year annual average of 132.6 (2010 – 2014) was 294.4 less than the 428.6 average annual number of new one- and two-family permits issued from 2000 through 2004 (the 5-year period with the highest average annual number of permits issued during the past 15 years).



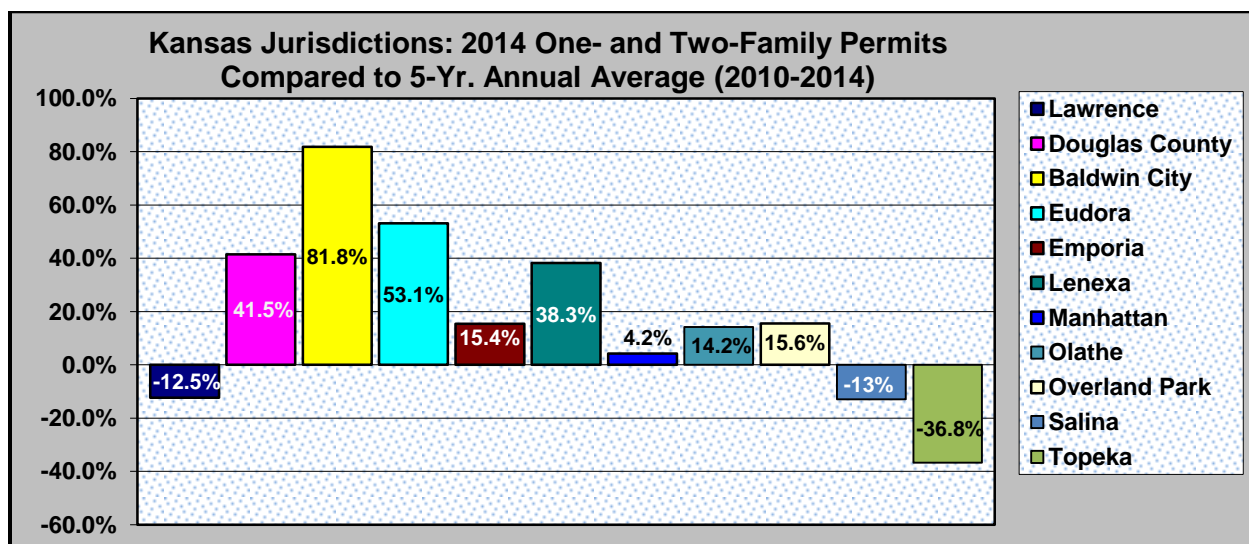
New One- and Two-Family Residential Permits- Other Regional Kansas Jurisdictions

In 2014, the number of new one- and two-family permits issued in Lawrence (116) was 30.1% less than the number issued in 2013 (166). Five (5) of the ten Kansas jurisdictions surveyed also reported decreases in the number of new one- and two-family permits issued in 2014 compared to 2013, with Topeka reporting the largest decrease (-36.5%, 85 to 54). Others reporting decreases were Lenexa (-9.4%, 213 to 193), Overland Park (-8.7%, 403 to 368), Salina (-8.3%, 60 to 55) and Olathe (-6.8%, 497 to 463). The five (5) Kansas jurisdictions reporting increases were Douglas County (+50%, 30 to 45), Shawnee (-1.5%, 100 to 98), Overland Park (+1.0%, 368 to 371), Lenexa (+0.5%, 193 to 194) and Olathe (+0.2%, 463 to 464).

45), Baldwin City (+33.3%, 3 to 4), Eudora (+25%, 12 to 15), Emporia (+20%, 10 to 12) and Manhattan (+20.5%, 161 to 194).



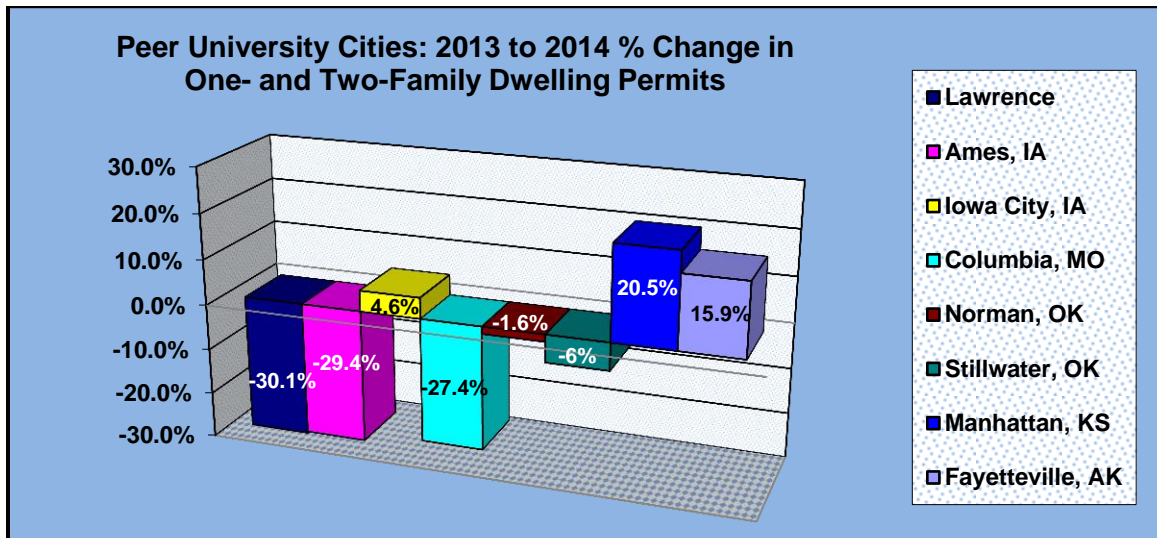
For 2014, the number of new one- and two-family permits issued in Lawrence (116) was 12.5% less than the Lawrence 5-year annual average of 132.6 (2010-2014). Two (2) of the ten Kansas jurisdictions also reported 2014 decreases compared to the 5-year annual average, Topeka (-36.8%, 54 in 2014 compared to a 5-year average of 85.4, or 54:85.4) and Salina (-13%, 55:63.2). The other eight (8) jurisdictions reported 2014 increases over their 5-year averages, with Baldwin City (+81.8%, 4:2.2), Eudora (+53.1%, 15:9.8), Douglas County (+41.5%, 45:31.8) and Lenexa (+38.3%, 193:139.6) reporting the largest. Overland Park, Emporia, Olathe and Manhattan reported increases of 15.6% (368:318.4), 15.4% (12:10.4), 14.2% (463:405.4) and 4.2% (194:186.2), respectively.



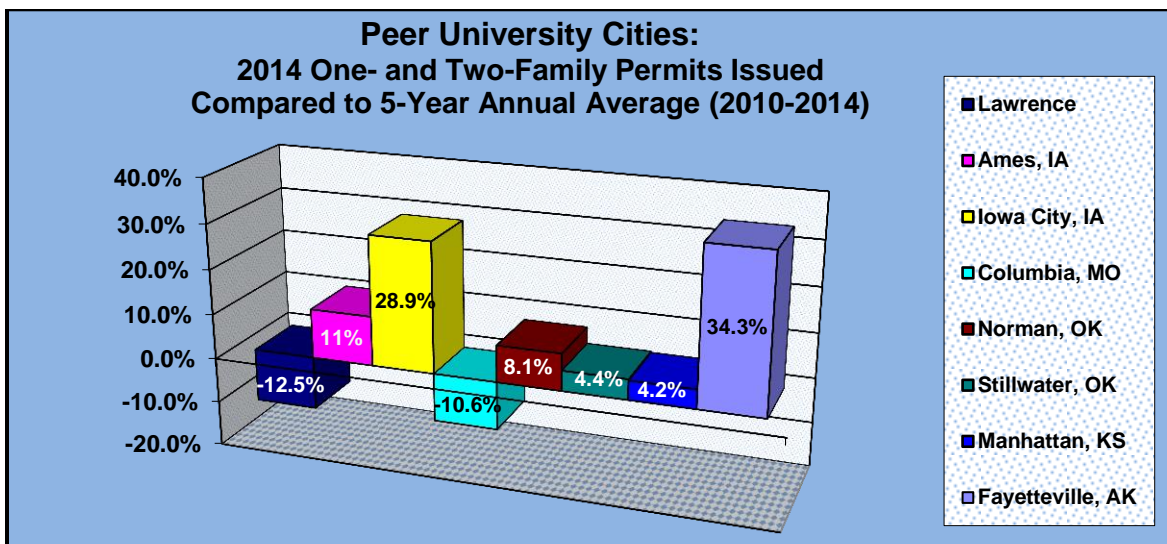
New One- and Two-Family Residential Permits- Peer University Cities

In 2014, Lawrence new one- and two-family permits decreased by 30.1% from 2013 to 2014 (166 to 116). Among the five (5) university cities reporting decreases, Lawrence experienced the greatest percentage decrease, slightly more than Ames (-29.4%, 126 to 89) and Columbia (-27.4%, 647 to 470). Stillwater and Norman saw moderate decreases of -6% (100 to 94) and -1.6% (446 to 439),

respectively. The three (3) university cities reporting increases included Manhattan (+20.5%, 161 to 194), Fayetteville (+15.9%, 416 to 482) and Iowa City (+4.6%, 175 to 183).



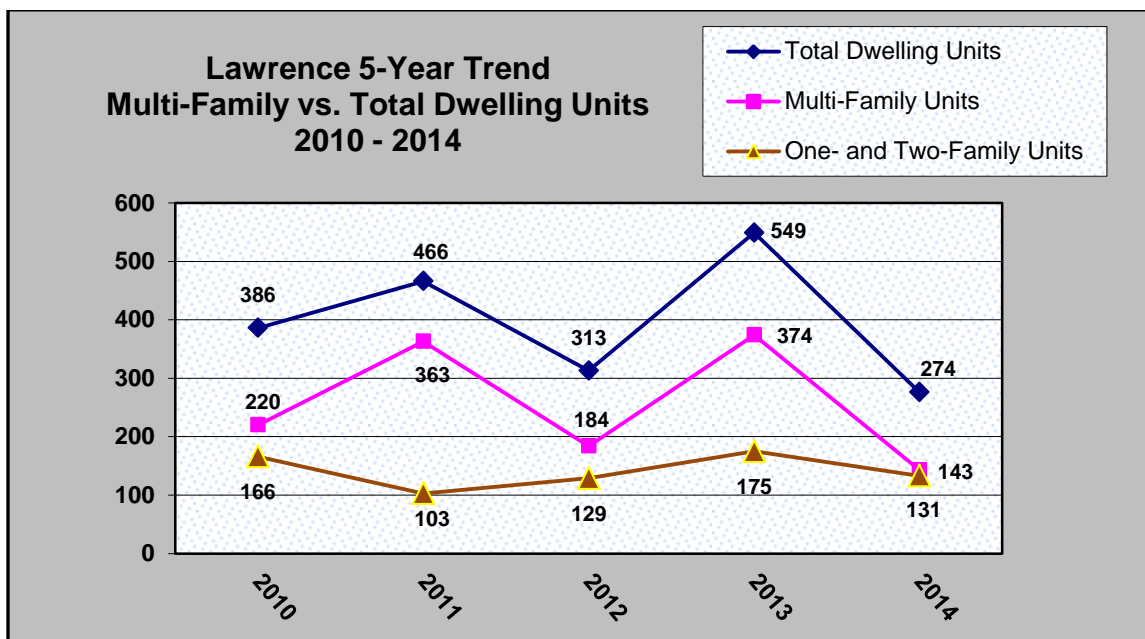
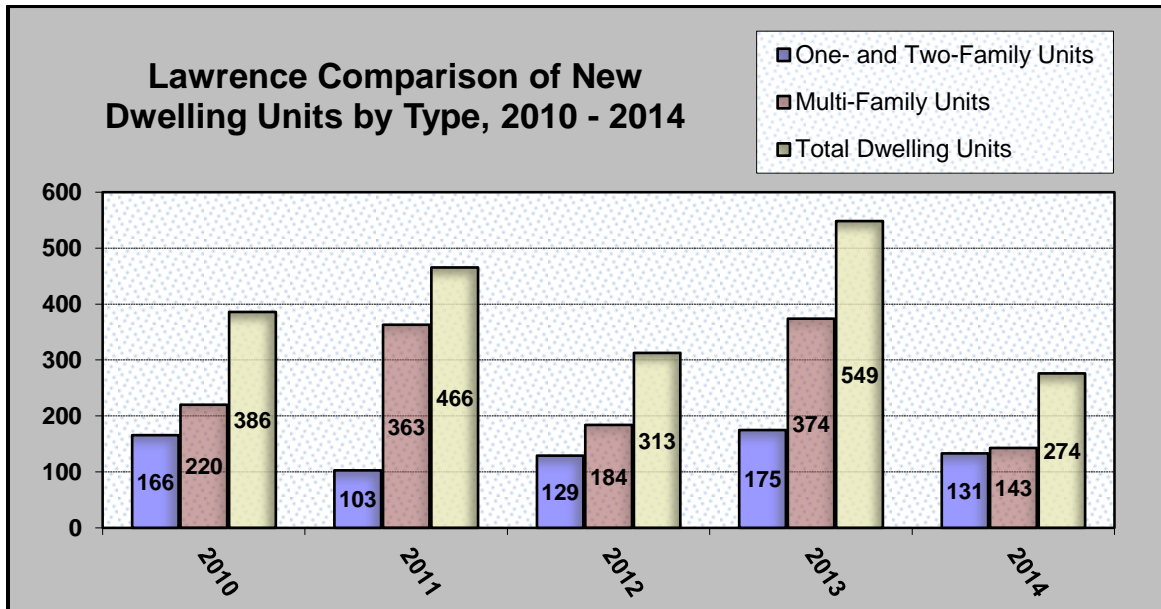
In 2014, the total of new one- and two-family permits for Lawrence (116) was 12.5% less than the Lawrence 5-year annual average of 132.6 (2010-2014). The only peer city to report a 2014 new one- and two-family permit total less than their 5-year annual average (2010-2014) was Columbia, with a decrease of 10.6% (470 in 2014 compared to 5-year average of 525.8, or 470:525.8). Of the six (6) peer cities with increases in the number of one- and two-family permits issued in 2014 compared to their 5-year annual average, Fayetteville and Iowa City reported the highest increases, +34.3% (482:358.8) and +28.9% (183:142), respectively. Modest increases were reported by Ames (+11%, 89:80.2), Norman (+8.1%, 439:406), Stillwater (+4.4%, 94:90) and Manhattan (+4.2%, 194:186.2).



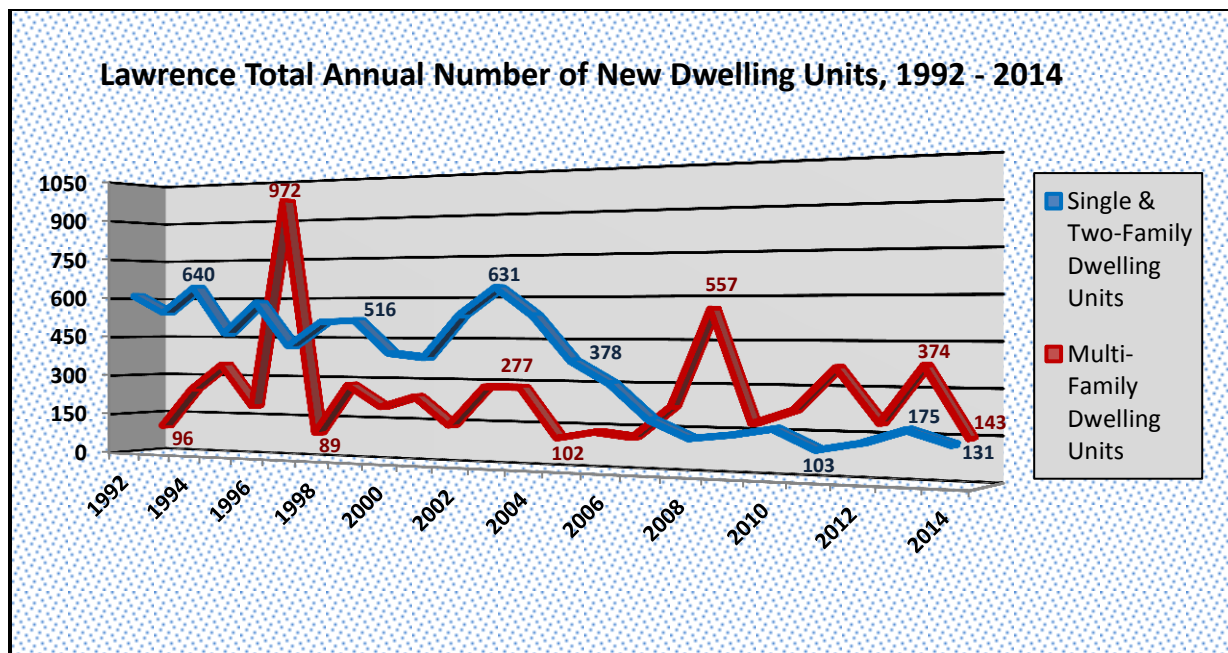
Lawrence New Multi-Family Permits and Total New Dwellings

In 2014, permits were issued for 143 new multi-family dwelling units in Lawrence, down 61.8% from the 374 multi-family units permitted in 2013, and 44.3% less than the Lawrence 5-year annual average of 257 new multi-family dwelling units.

Total dwelling units includes dwelling units of all types: single-family, duplex and multi-family (three (3) or more units). The total number of dwelling units permitted by Lawrence in 2014 (274) was 50.1% less than the total number of dwelling units permitted in 2013 (549), and 31.1% less than the total annual average number of units permitted for the period 2010-2014 (398 dwelling units).

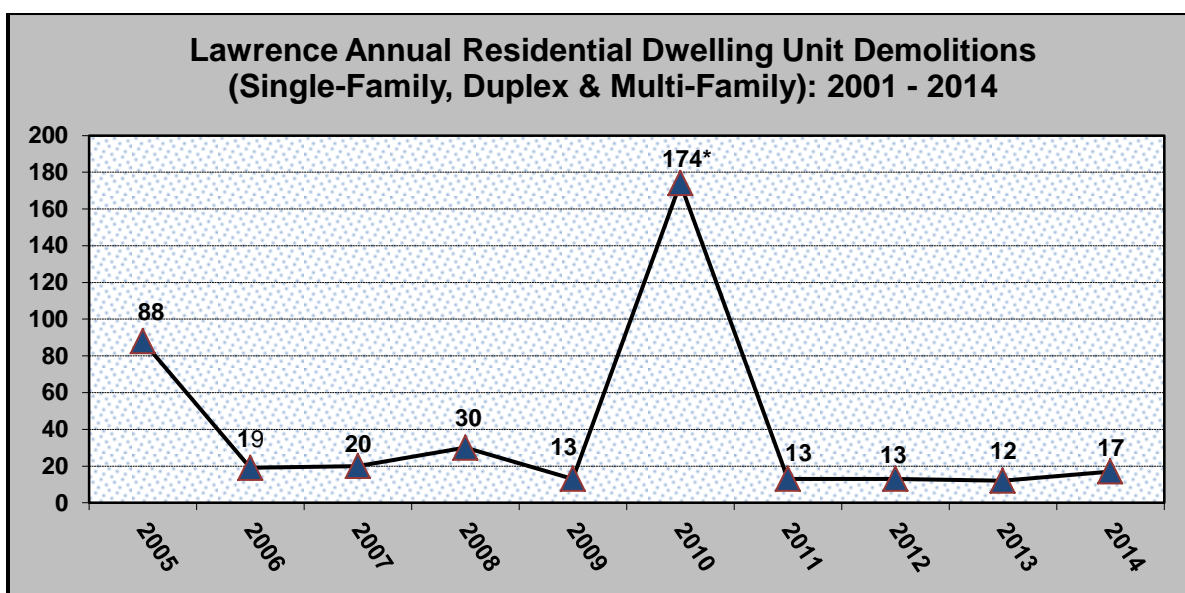


During the 23 years since 1992, there were nine (9) years in which the number of permitted new multi-family dwelling units exceeded the number of permitted new one- and two-family dwelling units, 1996 and the last eight (8) years (2007 through 2014). The chart below reflects the trends in the number of one- and two-family and multi-family dwelling units built annually in Lawrence since 1992.



Lawrence Total Annual Number of Dwelling Units Demolished

The table and chart below provide information regarding the total number of dwelling units (all types) demolished annually in Lawrence since 2001.



***Note:** 158 of 174 units demolished in 2010 were in the Boardwalk Apartments (7 multi-family buildings), where the Frontier Apartment complex buildings have been built, and continue to be built, in phases.

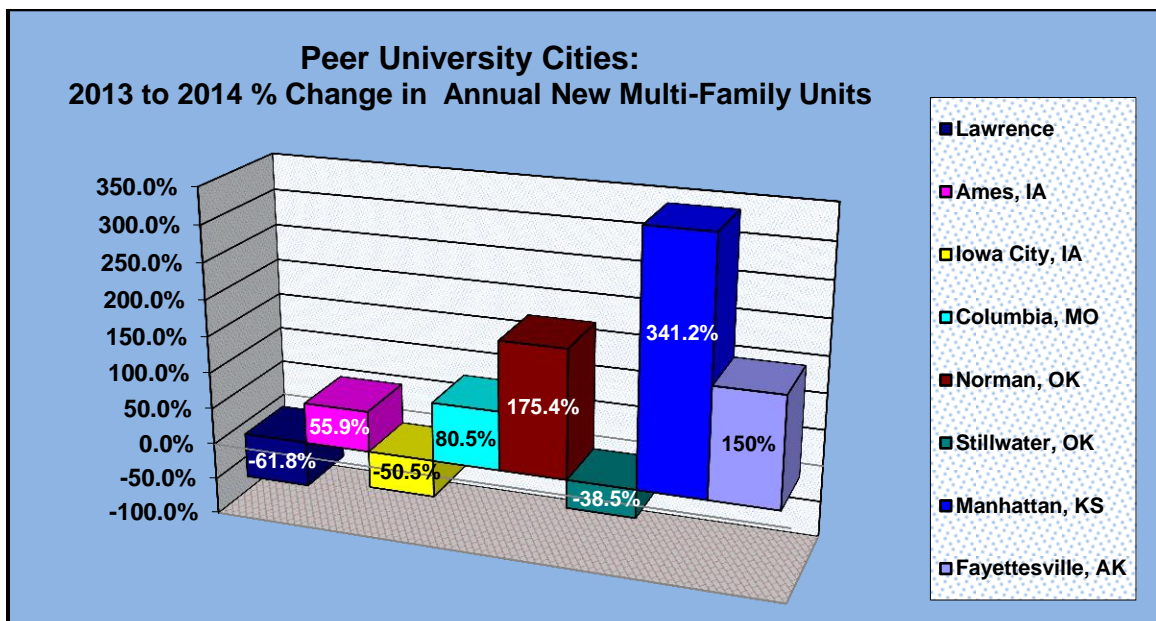
New Multi-Family Permits and Multi-Family Units – Peer University Cities

Per U.S. Census data, the overall homeownership rate for the Midwest Region of the United States was 69.8% in 2013. As shown in the table on page 2, the U.S. Census Bureau 2009-2013 homeownership rate for Lawrence was 46.1%, which is in the mid-range of homeownership rates for the seven (7) peer university cities (the highest rate being for Norman at 57%, and the lowest being for Stillwater at 37.5%). The lower homeownership rates in Lawrence and its peer university cities

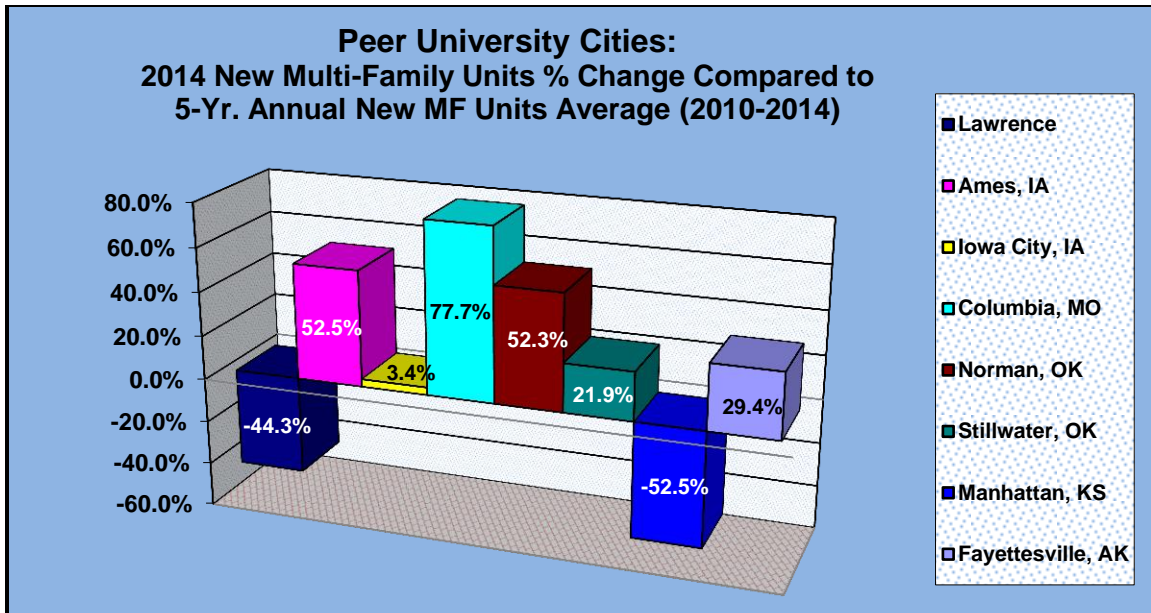
(compared to the Midwest Region average) suggest that the amount of multi-family unit construction is relevant permit data to track and compare.

In 2014, permits were issued for 143 new multi-family dwelling units in Lawrence, down 61.8% from the 374 multi-family units permitted in 2013 (the Lawrence 5-year high). This was the largest 2013 to 2014 percentage decrease reported among the seven (7) peer cities. The two (2) peer cities reporting decreases from 2013 to 2014 were Iowa City (down 50.5%, from 515 to 255 multi-family units) and Stillwater (down 38.5%, from 395 to 243 multi-family units). Of the five (5) peer cities reporting a 2013 to 2014 increase in the number of multi-family units permitted, Manhattan reported the greatest at +341.2% (from 17 to 75 multi-family units). Other peer cities reporting 2013 to 2014 increases were Norman (+175.4%, from 260 to 716 multi-family units), Fayetteville (+150%, from 150 to 375 multi-family units), Columbia (+80.5%, from 395 to 713 multi-family units) and Ames (+55.9%, from 286 to 446 multi-family units).

Below is a chart showing the percentage change from 2013 to 2014 for permitted multi-family units for Lawrence and its peer university cities.

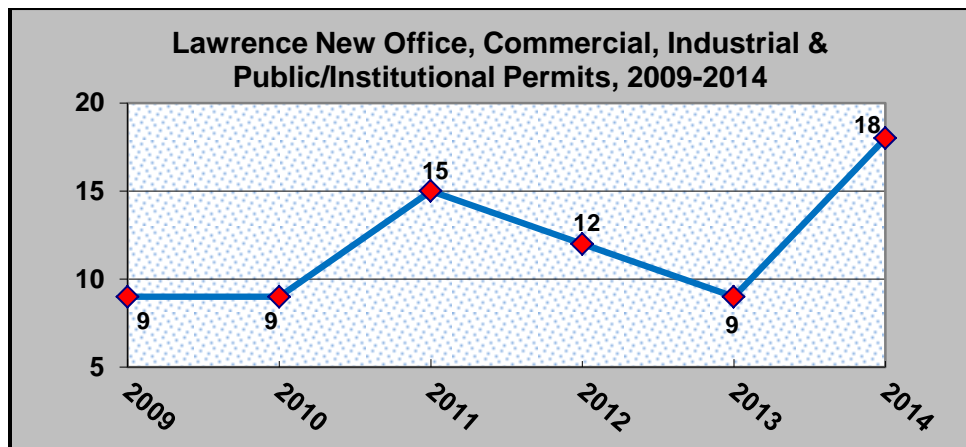


In 2014, the total of new multi-family dwelling units for Lawrence (143) was 44.3% less than the Lawrence 5-year annual average of 257 (2010-2014). The only peer university city to report a 2014 new multi-family dwelling unit total less than its 5-year annual average (2010-2014) was Manhattan, with a decrease of 52.5% (75 units in 2014 compared to 5-year average of 158 units, or 75:158). Of the six (6) peer cities with a higher number of multi-family units permitted in 2014 as compared to their 5-year annual average, Columbia had the highest increase, +77.7% (713:401.2). Other peer cities with increases included Ames (+52.5%, 446:292.4), Norman (+52.3%, 716:470), Fayetteville (+29.4%, 375:289.8), Stillwater (+21.9%, 243:199.4) and Iowa City (+3.4%, 255:246.6).



Lawrence Commercial New Construction Permits (includes new office, commercial, industrial and public/institutional projects)

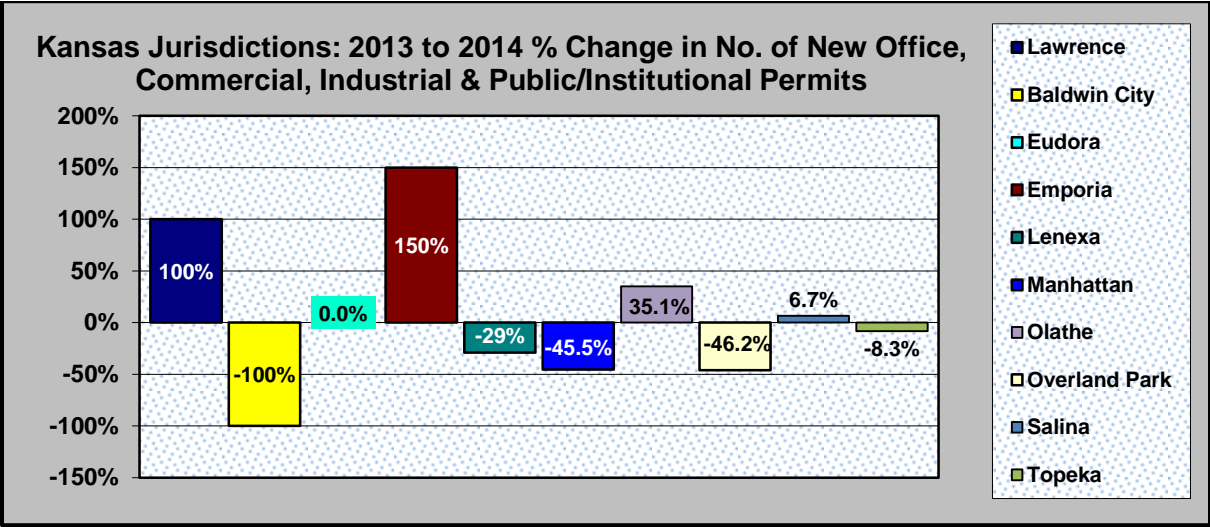
The number of Lawrence commercial new construction permits issued in 2014 (18) was double the number issued in 2013 (9). However, the total 2014 valuation for commercial new construction permits (\$25,270,632) was nearly 50% less than the total valuation of the nine (9) permits issued in 2013 (\$49,927,401, including two (2) very large projects, Sports Pavilion Lawrence and the new hotel at 900 New Hampshire). The number of permits issued in 2014 (18) was 42.6% greater than the Lawrence 5-year annual average of 12.6 (2010-2014).



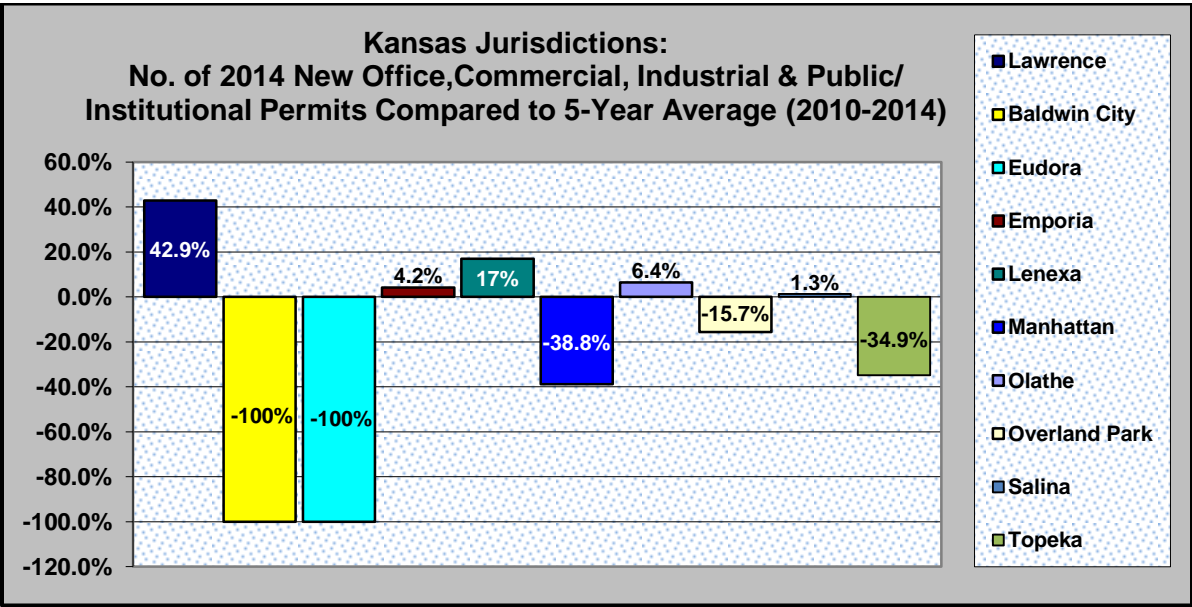
Commercial New Construction Permits (includes new office, commercial, industrial and public/institutional projects) – Other Regional Kansas Jurisdictions

Lawrence issued 18 new commercial permits in 2014, a 100% increase over the nine (9) permits issued in 2013. The Lawrence increase of 100% was second to Emporia, which reported a 150% 2013 to 2014 increase in number of commercial new construction permits issued (from two (2) to five (5)). Olathe reported a 2013 to 2014 increase of 35.1% (37 to 50), and Salina reported an increase of 6.7% (15 to 16). Eudora issued zero new commercial permits in both 2013 and 2014. The other five (5) jurisdictions reported 2014 to 2013 decreases in the number of commercial new construction permits issued: Baldwin City (from one to zero); Overland Park (-46.2%, 52 to 28); Manhattan (down

45.5%, 22 to 12); Lenexa (-29%, 31 to 22); and Topeka (-8.3%, 24 to 22). Douglas County has not provided historic data, and is therefore not included in this analysis.

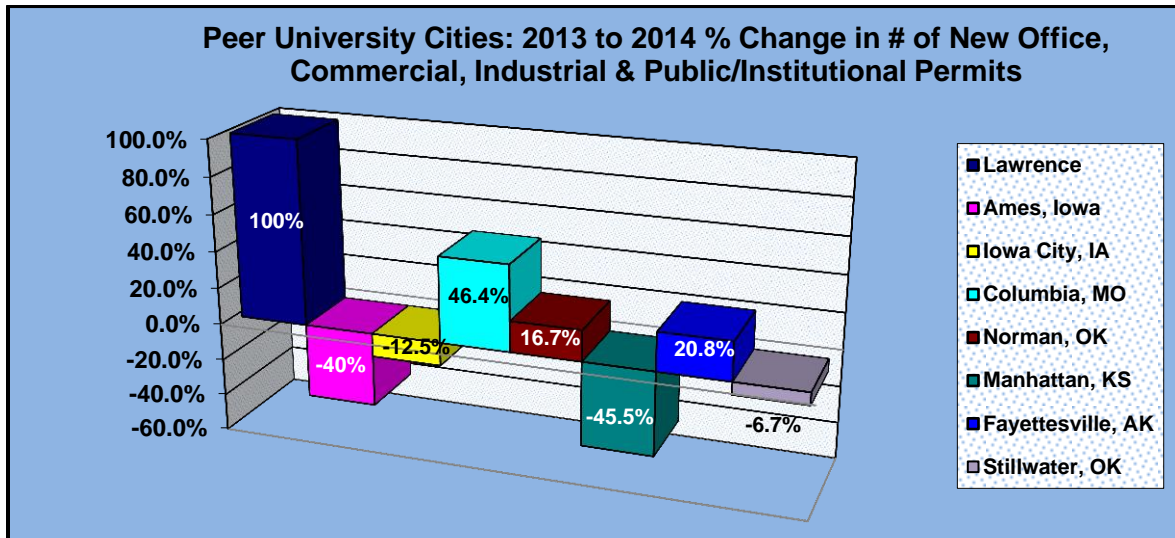


In 2014, the total number of commercial new construction permits for Lawrence (18) was 42.9% greater than Lawrence's 5-year annual average of 12.6 permits (2010-2014); this was the greatest percentage increase among Kansas jurisdictions. The second highest percentage increase, +17%, was reported by Lenexa (22 permits in 2014 compared to 5-year annual average of 18.8, or 22:18.8). Modest percentage increases were reported by Olathe (6.4%, 50:47), Emporia (4.2%, 5:4.8) and Salina (1.3%, 16:15.8). Five (5) jurisdictions reported decreases, with Baldwin City and Eudora reporting no commercial permits issued in 2014 (compared to 5-year averages of eight (8) and two (2)). Manhattan and Topeka reported significant decreases for 2014 compared to their 5-year annual average, down 38.8% (12:19.6) and 34.9% (22:33.8), respectively. Overland Park issued 28 new commercial permits in 2014, a 15.7% decrease from its 5-year annual average of 33.2 permits. Douglas County has not provided historic data, and is therefore not included in this analysis.

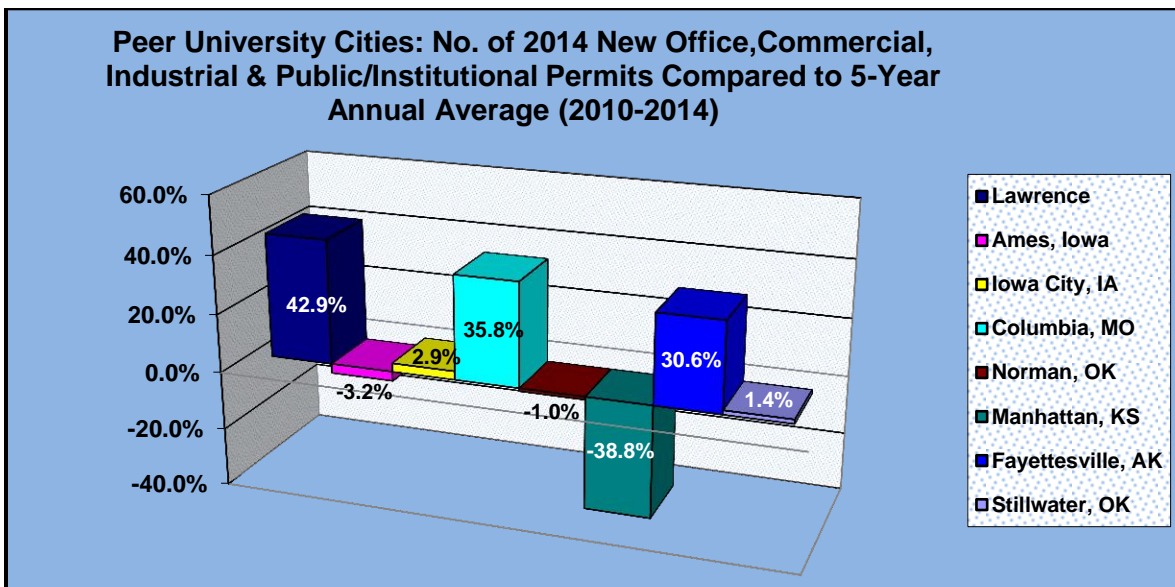


Commercial New Construction Permits (includes new office, commercial, industrial and public/institutional projects) – Peer University Cities

Among peer university cities, Lawrence saw the largest percentage increase (100%) in commercial new construction permits issued in 2014 (18) compared to 2013 (9). Other peer cities seeing increases from 2013 to 2014 included Columbia (+46.4%, from 28 to 41), Fayetteville (+20.8%, from 24 to 29) and Norman (+16.7%, from 84 to 98). The other four (4) peer cities saw decreases, including Manhattan (-45.5%, from 22 to 12), Ames (-40%, from 40 to 24), Iowa City (-12.5%, from 24 to 21) and Stillwater (-6.7%, from 15 to 14). The following chart shows percent change from 2013 to 2014 for commercial new construction permits issued in Lawrence and peer university cities.

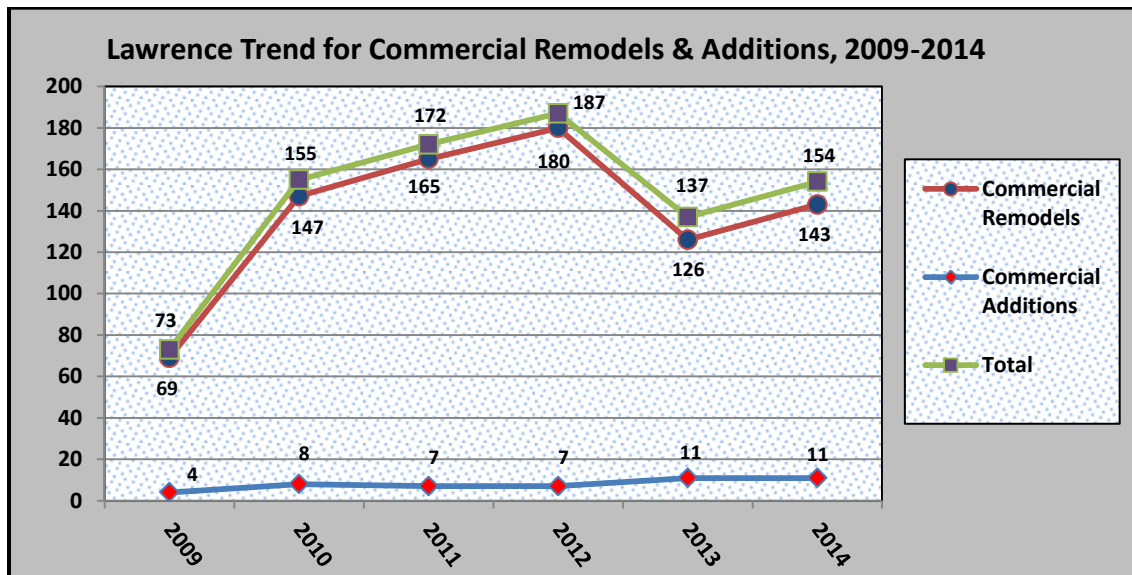


Among peer university cities, Lawrence experienced the largest percentage increase in commercial permits for 2014 (18) compared to the 5-year annual average (2010-2014), +42.9% (18 permits in 2014 compared to the city's 5-year annual average of 12.6 permits, or 18:12.6). Columbia and Fayetteville were close behind at +35.8% (41:30.2) and +30.6% (29:22.2). Iowa City and Stillwater saw small increases of +2.9% (21:20.4) and +1.4% (14:13.8). Manhattan saw a significant decrease of -38.8% (12:19.6). Ames and Norman had minor decreases of -3.2% (24:24.8) and -1% (98:99).

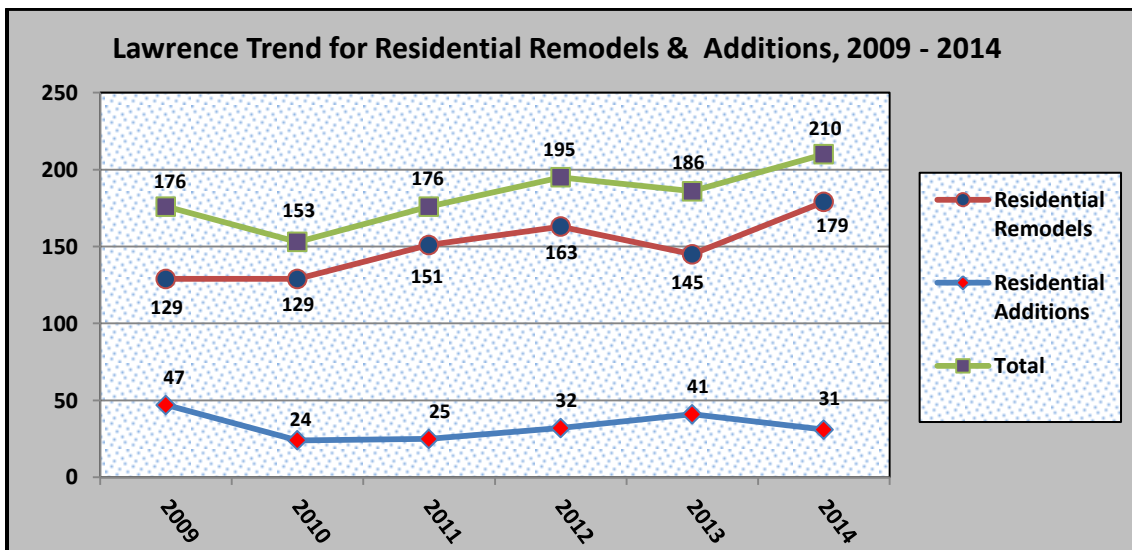


Lawrence Remodel and Addition Permits

The number of Lawrence commercial remodel permits increased from 126 in 2013 to 143 in 2014, or by 13.5%. The number of commercial addition permits in 2014, 11, was the same as 2013. The total number of commercial remodel and addition permits increased by 12.4% from 2013 to 2014 (137 to 154). The 2014 total number of commercial remodel and addition permits is 4.5% less than the 5-year annual average (2010-2014) of 161. The chart below shows the number of commercial remodel and addition permits issued annually over the past six (6) years.

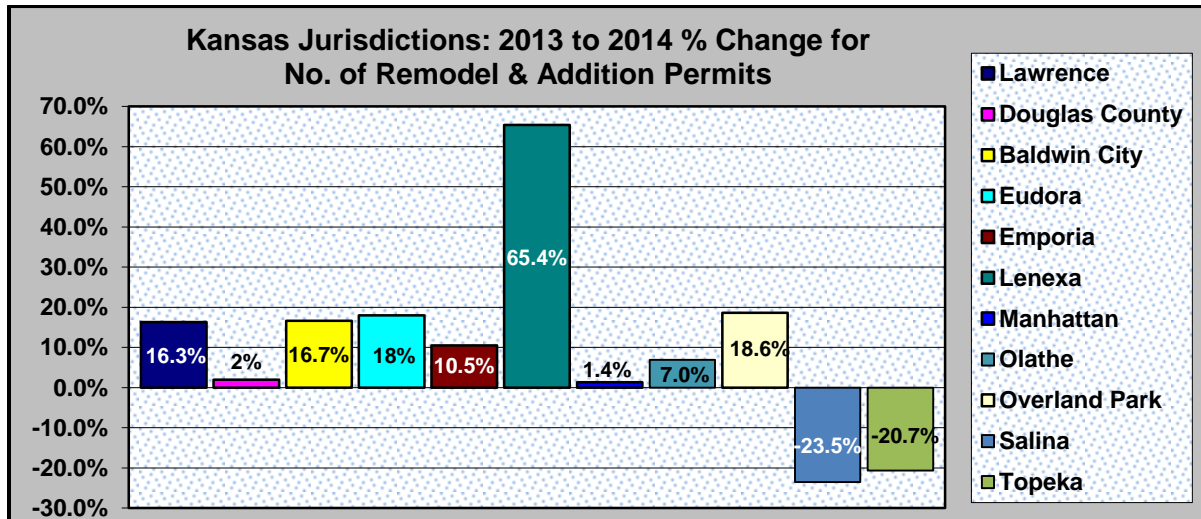


The number of Lawrence residential remodel permits also increased, from 145 in 2013 to 179 in 2014 (+23.4%). However, the number of residential addition permits decreased by 24.4%, from 41 to 31. The total number of residential remodel and addition permits increased by 12.9%, from 186 to 210. The 2014 total number of residential remodel and addition permits is 14.1% greater than the 5-year annual average (2010 through 2014) of 184. The chart below shows the number of residential remodel and addition permits issued annually over the past six (6) years.

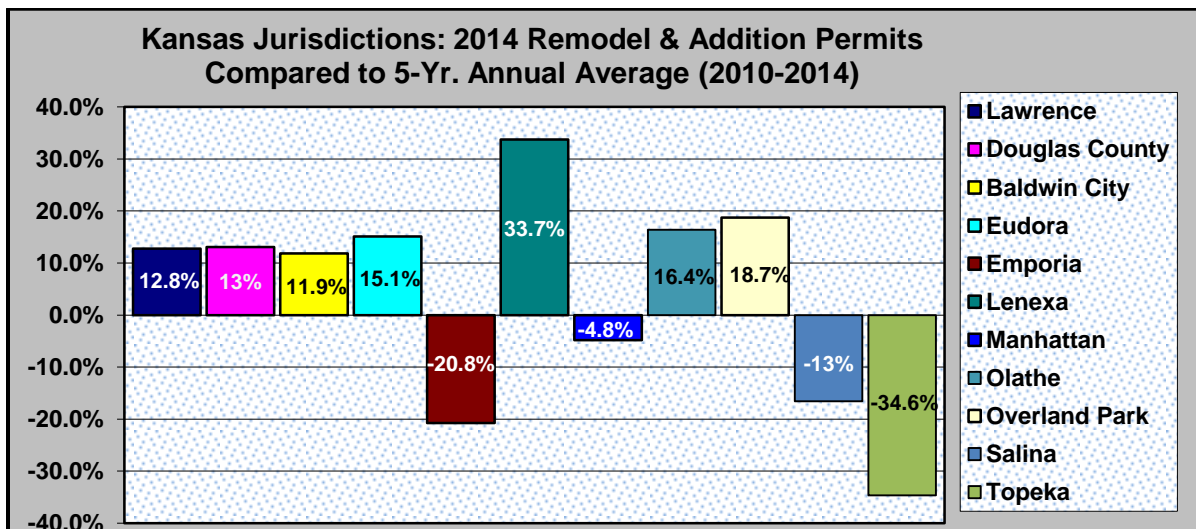


Remodel and Addition Permits- Other Regional Kansas Jurisdictions

In 2014, the total number of Lawrence commercial and residential remodel and addition permits, 364, was 16.3% higher than the total of 313 in 2013 (the fifth highest percentage increase among Kansas jurisdictions). Other Kansas jurisdictions reporting a 2013 to 2014 increase in total number of remodel and addition permits included: Lenexa (+65.4%, 1,308 to 2,163); Overland Park (+18.6%, 3,377 to 4,006); Eudora (+18%, 228 to 269); Baldwin City (+16.7%, 84 to 98); Emporia (+10.5%, from 351 to 388); Olathe (+7%, 388 to 415); Douglas County (+2%, 51 to 52); and Manhattan (+1.4%, 219 to 222). Only two (2) jurisdictions reported a 2013 to 2014 decrease, Salina (-23.5%, 213 to 163) and Topeka (-20.7%, 295 to 234).

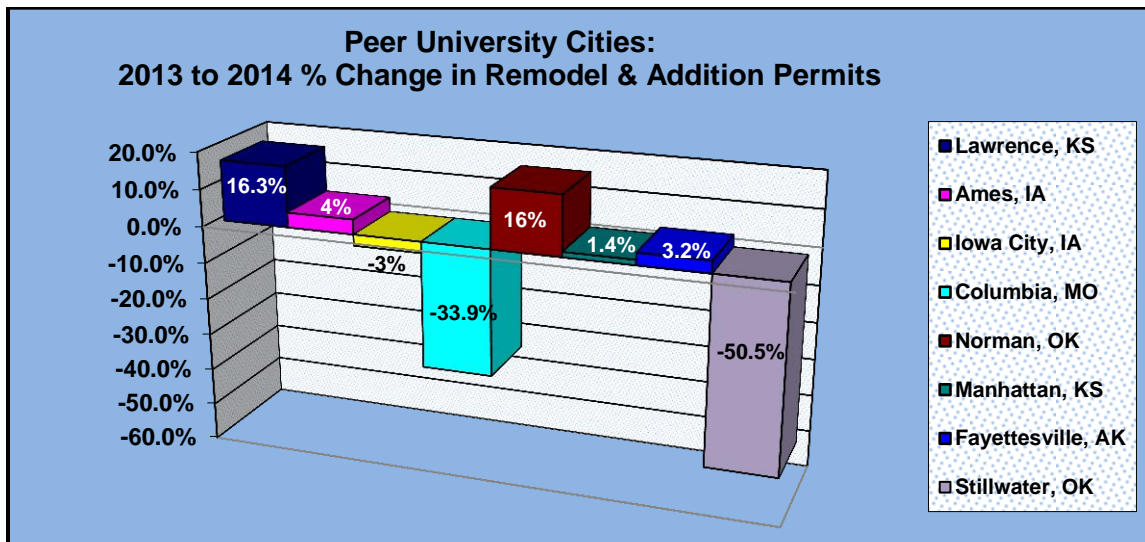


The 364 Lawrence remodel and addition permits issued in 2014 was 12.8% higher the Lawrence 5-year annual average of 322.8 permits (2010-2014). Six (6) of the other 10 Kansas jurisdictions also reported percentage increases in total number of remodel and addition permits issued in 2014 compared to their 5-year annual average (2010-2014), ranging from the high of +33.7% for Lenexa to an 11.9% increase for Baldwin City. Four (4) jurisdictions reported decreases in 2014 compared to their 5-year annual average, ranging from the largest decrease of -34.6% for Topeka, to a -4.8% decrease for Manhattan.

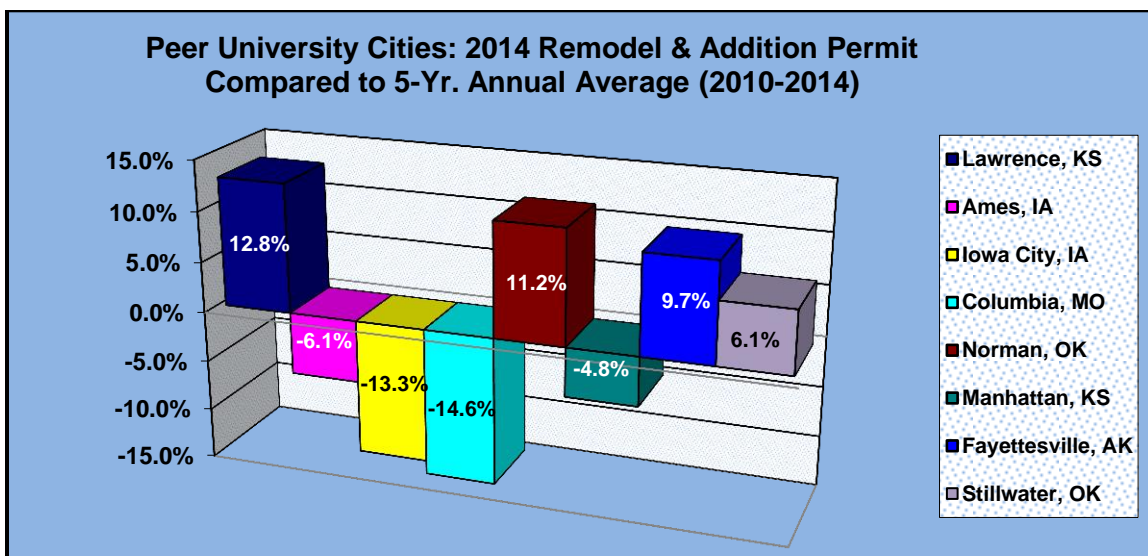


Remodel and Addition Permits- Peer University Cities

From 2013 to 2014, Lawrence saw a 16.3% increase in the total number of remodel and addition permits issued (commercial and residential), 313 to 364. This was the highest percentage increase among peer cities. Norman was close behind, with a 2013 to 2014 increase of 16%, 326 to 378. Ames, Fayetteville and Manhattan reported slight 2013 to 2014 increases of +4% (505 to 525), +3.2% (468 to 483) and +1.4% (219 to 222), respectively. Stillwater and Columbia reported significant 2013 to 2014 decreases, -50.5% (683 to 338) and -33.9% (1,161 to 767). Iowa City had a slight decrease of -3% (from 467 to 453).



Among peer university cities, Lawrence experienced the largest percentage increase in total number of 2014 remodel and addition permits issued compared to its 5-year annual average (2010-2014); +12.8% (364 permits issued in 2014 compared to the city's 5-year annual average of 322.8 permits, or 364:322.8). Norman and Fayetteville were close behind at +11.2% (378:339.8) and +9.7% (483:440.2), respectively. Stillwater saw a smaller increase of +6.1% (338:318.6). Peer cities with percentage decreases were: Columbia (-14.6%, 767:898.6); Iowa City (-13.3%, 453:522.6); Ames (down 6.1%, 525:559.4); and Manhattan (-4.8%, 222:233.2).



PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
04/20/2015

ITEM NO. 1 Z-15-00063 CS TO RS5; 832 Ohio Street (BJP)

Z-15-00063: Consider a request to rezone approximately 0.2689 acres from CS (Commercial Strip) District to RS5 (Single-Dwelling Residential) District, located at 832 Ohio Street. Submitted by Old West Lawrence Properties LLC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 0.2689 acres, from CS (Commercial Strip) 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.

APPLICANT'S REASON FOR REQUEST

"The property owners are requesting the rezoning to allow the joining of the two properties for a single family residence. This is a consistent pattern within the Old West Lawrence Neighborhood (OWL) and will help further reinforce the neighborhood edge. This request is for rezoning for two 50' x 117' residential sized lots from CS to RS5 which matches the adjacent properties to the north."

KEY POINTS

- In the CS District, the detached dwelling located on the subject property is a nonconforming use.
- The intent of this proposal is to rezone the property to RS5 to make it a conforming use.
- A Minor Subdivision application has been submitted to combine Lots 108 and 106. Lot 106 contains a detached dwelling and Lot 108 is vacant.
- The proposed redevelopment of the subject property will demolish the existing detached dwelling and rebuild a new detached dwelling, the majority of which will be located on Lot 108.

ASSOCIATED CASES

SP-1-2-99: Site Plan for a drive-thru ATM machine and parking lot located at the northeast corner of Ohio and 9th Street (Lots 112, 110, and 108).

MS-15-00107: Minor Subdivision/Replat for 832 Ohio Street, Lawrence, Kansas.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

1. Phone conversation with Phil Hemphill who had questions regarding the rezoning and the possible implications on his property value (837-39 Tennessee). He asked for information on the protest petition process. Staff sent Mr. Hemphill a GIS map that showed the surrounding zoning districts and information on the petition process.

Project Summary:

The proposed request is for the rezoning of the property at 832 Ohio from the CS District to the RS5 District. A single-family residence has existed on the subject parcel since 1900. When the property was zoned CS, with adoption of the Development Code in 2006, the *Detached Dwelling* use became nonconforming. A Minor Subdivision/Replat application has been submitted to combine Lots 106 and 108. The property owner has proposed to demolish the existing house and rebuild a new single-family residence on the replatted lot. *Detached Dwelling* is not an allowed use. The zoning change to RS5 reflects the actual use of the property and makes the use conforming under the Land Development Code.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response:

"Consistent with Horizon 2020, the requested use is of the same compatible density and housing type with the neighborhood. Retaining the 100' of CS zoning will provide an appropriate transition zone between the low density residential land uses and the high use commercial 9th Street Corridor."

The following section of *Horizon 2020* relates to this rezoning request:

Chapter 5 – Residential Land Use:

Goal 3: Neighborhood Conservation:

The character and appearance of existing low-density residential neighborhoods should be protected and improvements made where necessary to maintain the values of property and enhance the quality of life. (Page 5-15)

Policy 3.3. Encourage Compatible Infill Development

a. Encourage redevelopment and infill as a means of providing a variety of compatible housing types within the neighborhoods. (Page 5-15)

Staff Finding – Rezoning of the subject property to RS5 would be in conformance with the Neighborhood Conservation goal in *Horizon 2020*. Lot 108 associated with the subject property has been vacant for at least 20 years. Aerial photography from 1995 shows Lot 108 as vacant, with the exception of a parking area located adjacent to the alley. The aerial photography from 2000 shows that the parking lot had been removed and the entire lot was left vacant. The property owner has proposed building a new single-family residence on the newly replatted property. This redevelopment will provide infill within the Old West Lawrence neighborhood.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

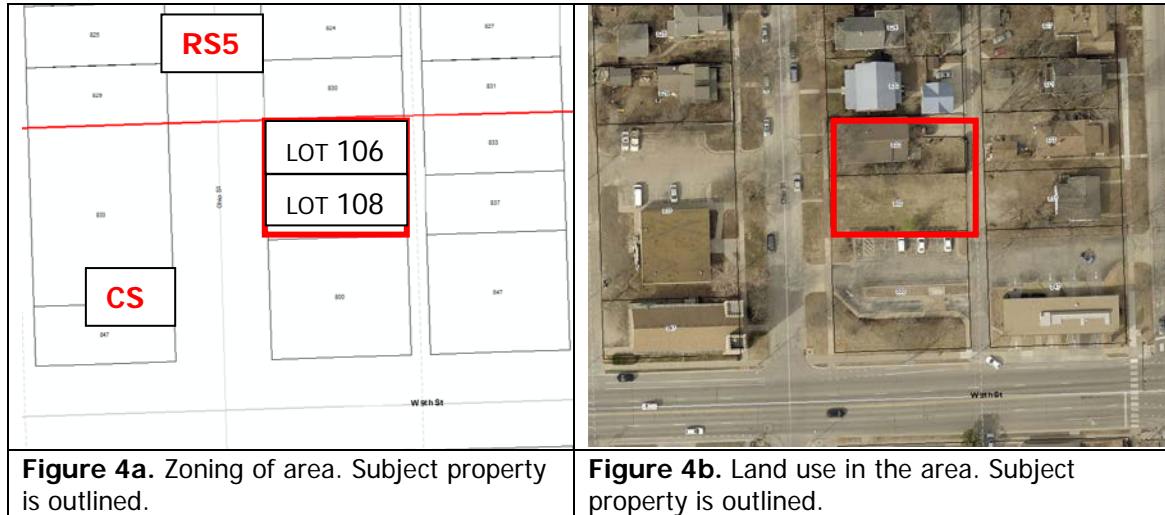
Current Zoning and Land Use: CS (Commercial Strip); *Detached Dwelling* (nonconforming) and vacant lot

Surrounding Zoning and Land Use: To the north:
RS5 (Single-Dwelling Residential) District;
Detached Dwelling

To the east:
CS (Commercial Strip); *Detached Dwelling*
and *Duplex* (nonconforming)

To the south:
CS (Commercial Strip); *Parking, Commercial*

To the west:
CS (Commercial Strip); *Neighborhood*
Religious Institution



Staff Finding – The area contains a mixture of residential and nonresidential uses. Single-family and duplex residences are located north and east of the subject property in CS and RS5 Districts. Commercial businesses are located to the south and west of the subject property, on CS District zoned property.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response:

"The character and appearance of Old West Neighborhood will be protected and enhanced. The infill development and reconstruction will reflect architectural qualities and styles of the existing neighborhood."

The subject property is located to the north of 9th Street. Along the 9th Street corridor, the character of the area is commercial. The properties to the north and east of the subject property, however, are most recognizable as residential with single-family homes. The subject property is currently developed with a single-family dwelling, which is a nonconforming use in the CS District.

Staff Finding – The area contains a mixture of residential and nonresidential uses, but the area north of the 9th Street corridor is primarily single-family residential uses. Given this, the character of the neighborhood will not be affected.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

Applicant's Response:

"The rezoning reflects the neighborhood plans and goals to continue the rehabilitation of the OWL. The development of the two properties as one reflects the diversity of the OWL with a mix of single and double lot homes."

Horizon 2020 identifies future plans for the general area as appropriate for office and/or commercial uses for properties along 9th Street, and low density residential uses for properties north of the 9th Street commercial area.

In Chapter 2 of the *Old West Lawrence Neighborhood Plan*, General Goal A states "Enhance and maintain Old West Lawrence as a low density residential neighborhood that has close proximity to business, cultural, and educational centers in Lawrence". Rezoning to RS5 will help to maintain the residential character of the neighborhood.

Other goal and objectives listed in the *Old West Lawrence Neighborhood Plan* also support this application.

Staff Finding – Approval of the request is consistent with land use plans for the area.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response:

"Currently the existing house on the north lot is a non-conforming use and the south lot is undeveloped. Obviously the CS zoning does not allow the single family residence and therefore limits the development of the properties because of the lack of interest in commercial or retail development along the 9th Street Corridor. This request will retain 100' commercial CS zone along the 9th Street Corridor which is similar to the area's existing commercial/retail buildings."

The subject property is currently zoned for commercial uses. According to the Land Development Code for the City of Lawrence, the purpose of the CS District, in part, is "primarily intended to provide for existing commercial strip development along the City Major Arterial Streets."

The subject property is located within the neighborhood of Old West Lawrence, which consists primarily of single-family residences. The *T2040 Major Thoroughfares Map, Douglas County, Kansas*, identifies 9th Street as a Minor Arterial. The subject property does not have frontage along 9th Street, rather, it is located north of properties that front 9th Street. Finally, the current zoning does not reflect the existing land use. The property contains an existing single-family dwelling.

Staff Finding – The subject property is not suitably zoned given the existing use of the property and the surrounding residential land use.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Applicant's Response:

"The south lot has been vacant for over 15 years. The 2000 city aerial maps show the property undeveloped at that time."

Staff Finding – Lot 106 of the subject property has been developed as a residential use since 1900, Lot 108 has been vacant for at least 20 years.

7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicant's Response:

"The existing historic neighborhood of Old West Lawrence is a great example of mostly historic homes that is bordered on the south of 9th Street and on the north by 6th Street, of small commercial development that mainly serves the OWL and surrounding neighborhoods. The commercial development tends to be a mix of small to medium business as well as community-oriented facilities such as the Baptist Church and the Missionary Outreach Program Building."

Approval of the proposed request will result in a reduction of allowed uses and increase the number of properties zoned RS5 within the overall neighborhood area, which restricts land use to single-family homes on individual lots. Nearby property will not be directly affected.

Staff Finding – The impact on nearby property is one of perspective given the surrounding residential uses. Approval of the proposed change would be beneficial for those properties currently used for single-family housing in the immediate area. The proposed change provides the ability to obtain reasonable home insurance and will act as protection against encroachment of non-residential activities in the immediate area.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Applicant's Response:

"The public benefit is that the development will improve a vacant lot and an existing residence that was built inconsistently with the neighborhood's architectural qualities and style. The vacant lot was purchased in 2009 from US Bank (property ownership is filed as First National Bank of Lawrence) which retains ownership of the lots on 9th Street from Tennessee and Ohio Streets (800 Ohio and 847 Tennessee)."

If the rezoning were denied, the property would remain nonconforming as zoned for commercial uses. As the property has a long history as a single family use and the immediate surrounding area is predominately single-family homes, encroachment of commercial development allowed by the current zoning would not be appropriate. The residential zoning will insure that the property will remain a single family home, which

will minimize any negative impacts on the neighborhood that could occur with potential commercial uses.

Staff Finding – There would be no gain to the public and there would be a hardship to the landowner in the denial of the rezoning request. The rezoning request will assign an appropriate land use designation to the property for its current and intended land use as a single family home.

9. PROFESSIONAL STAFF RECOMMENDATION

Staff recommends approval of the proposed rezoning of approximately 0.2689 acres from CS to the RS5 District as it is an appropriate zoning district for the subject property. The single family zoning district matches the existing, and long-term, use of the property. Therefore, this is an appropriate zoning district for the property.



**Z-15-00063: Rezone Approximately 0.269 acres from CS District to RS5 District
Located at 832 Ohio Street**



From: Jim Jeans [<mailto:jimjeans@outlook.com>]

Sent: Thursday, April 16, 2015 4:44 PM

To: Becky Pepper

Subject: Re Z-15-00063

I live at and own 830 Ohio Street, right next to the property in question. I strongly support Dan Shriner's request for the change of zoning. If you have any questions, I can be reached at 785-979-2128.

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
4/20/15

**ITEM NO. 2 SPECIAL USE PERMIT FOR LAKE VIEW VILLAS @ ALVAMAR; 2250
LAKE POINTE DR (SLD)**

SUP-15-00065: Consider a Special Use Permit for Lake View Villas @ Alvamar, a residential development including 11 existing four-plex buildings, 8 proposed duplex buildings and 24 detached dwelling units on approximately 16 acres, located at 2250 Lake Pointe Dr. Submitted by CFS Engineers, for CornerBank, property owner of record.

STAFF RECOMMENDATION: Planning Staff recommends approval of a Special Use Permit for a residential development including 11 existing four-plex buildings, 8 proposed duplex buildings and 24 detached dwelling units on approximately 16 acres, located at 2250 Lake Pointe Dr. and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions:

1. Prior to release of the Special Use Permit for issuance of a building permit:
 - a. Submission and approval of public improvement plans for sanitary sewer extension.
 - b. Execution of a site plan performance agreement.
2. The applicant shall submit a revised Special Use Permit drawing showing a second access point to the development, located from the northwest cul-de-sac to Lake Pointe Drive, per the approval of the City Fire Prevention Division.

Applicant's Reason for Request: *This site plan needs to be revised to reflect changes of undeveloped areas of the lot from 4-plex condominiums to duplex and single-dwelling units. A special use permit is needed for single dwelling units on a multi-family zoned property.*

ASSOCIATED CASES/OTHER ACTION REQUIRED

- SP-4-25-04: Lake View Villas at Alvamar
- SP-6-60-06: Lake view Villas at Alvamar revision to clubhouse and interior pedestrian sidewalks

OTHER ACTION REQUIRED

- City Commission approval and adoption of ordinance.
- Publication of ordinance.

KEY POINTS

- Existing development includes residential dwellings (four-plexes) and private streets.
- Existing development includes 44 total dwellings.
- Proposed request is to allow detached residential uses in a Multi-Dwelling Zoning District.
- Fire Code access requirements for residential development have been modified since the original approval in 2004 requiring second access.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Updated study provided. Accepted by Staff.
- *Downstream Sanitary Sewer Analysis* - The cover letter dated February 17, 2015 provided by CFS Engineers states that the previously approved site plan had 104 units and the proposed site

plan has a total number of 84 units. The reduction of 20 units within the same site plan area will likely reduce the design flows from the previously approved site plan. The cover letter is accepted for this project to satisfy the criteria required for the downstream sanitary sewer analysis as outlined in Administrative Policy 76.

- *Drainage Study* – The drainage letter dated 2-17-2015 meets the specified requirements and is approved.
- *Retail Market Study* – Not required for this application.
- *Alternative Compliance* – Not requested with the application.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- A representative of the home owners association contacted staff for clarification of the proposed development and to understand the public participation process.

ATTACHMENTS

1. Area Map
2. Proposed Site Plan
3. Conceptual Building Elevations
4. 2006 Site Plan
5. South Lawrence Trafficway Concept Plan

GENERAL INFORMATION

Current Zoning and Land Use: RM12 (Multi-Dwelling Residential) District; developing residential use with existing four-plex units, private streets, and clubhouse.

Surrounding Zoning and Land Use: To the north:
RS7 and RS10 (Single-Dwelling Residential) District; existing residential subdivision with detached dwellings on individual lots.

To the west/southwest:
RM-24 (Multi-Dwelling Residential) Development; Developed multi-dwelling residential complex with 42 detached homes on one lot with a private drive.

and
PD-[Lake Pointe PCD]; existing undeveloped commercial lots including an approved final development plan that was not executed.

To the south (South of Clinton Parkway):
County A (Agricultural) District; existing K-10 Highway and Corps of Engineers land. Further south, within city limits is Sesquicentennial Point – City Park.

To the East:
PD-[The Ridge PRD]; undeveloped and unplatted parcel.

Summary of Request

The purpose of this request is to modify the housing type permitted in this development. The property is zoned RM12 (Multi-Dwelling Residential) District. The proposed request includes duplex and detached residential units. Duplex uses are permitted in the RM12 District. Detached dwellings are permitted in the RM12 District subject to a special Use Permit. This project was originally approved as a site plan with multiple 4-unit buildings and a clubhouse. The proposed request addresses the remaining undeveloped area within the lot and alters the approved four-plex units to duplex and detached units.

Review and Decision-Making Criteria (Land Development Code Section 20-1306(i))

1. WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE

Applicant's Response: *Yes, this is multi-family residential development on a multi-family residential zoned property. Project is pursuing a special use permit to accommodate single dwelling units on a multi-family residential zoned property.*

The inclusion of detached housing within the development requires a Special Use Permit. The building orientation and intent are consistent with the developed portion of the subdivision. The project includes a detached unit located in the southeast corner of the site that previously had been reserved as open space providing a buffer between the development and Clinton Parkway. This development was approved prior to adoption of the Development Code and required buffer yards. Street trees and building orientation and placement were used to provide a buffer between the development and the abutting arterial street and Commercial development on the south side of the project.

Building setbacks, off-street parking requirements and landscape are consistent with the Development Code.

Staff Finding – This use complies with the applicable provisions of the Development Code.

2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS

Applicant's Response: *Yes, the proposed use is compatible because it remains residential as previously approved. The revised site plan reduces the overall number of proposed units by 20 units. This change was approved by the Lake View Villas @ Alvamar Home owners Association, and Amended in their Declaration of Covenants, Restrictions Assessments and Easements document.*

This property is developed with 11 residential buildings that include four units each. Buildings with three or more units are considered to be multi-dwelling residences. The site is developed around and interior access drive providing access to each unit. The site is accessed from a main driveway to Lake Pointe Drive. Each building includes a residential type driveway that provides direct access to the unit and off-street parking. These driveway areas provide conventional type vehicle parking for the units.

The site also includes an existing clubhouse building. The proposed development fills in the undeveloped area of the site with duplex and detached residential buildings. The main access driveway, interior circulation and location of residential units do not change with this plan.

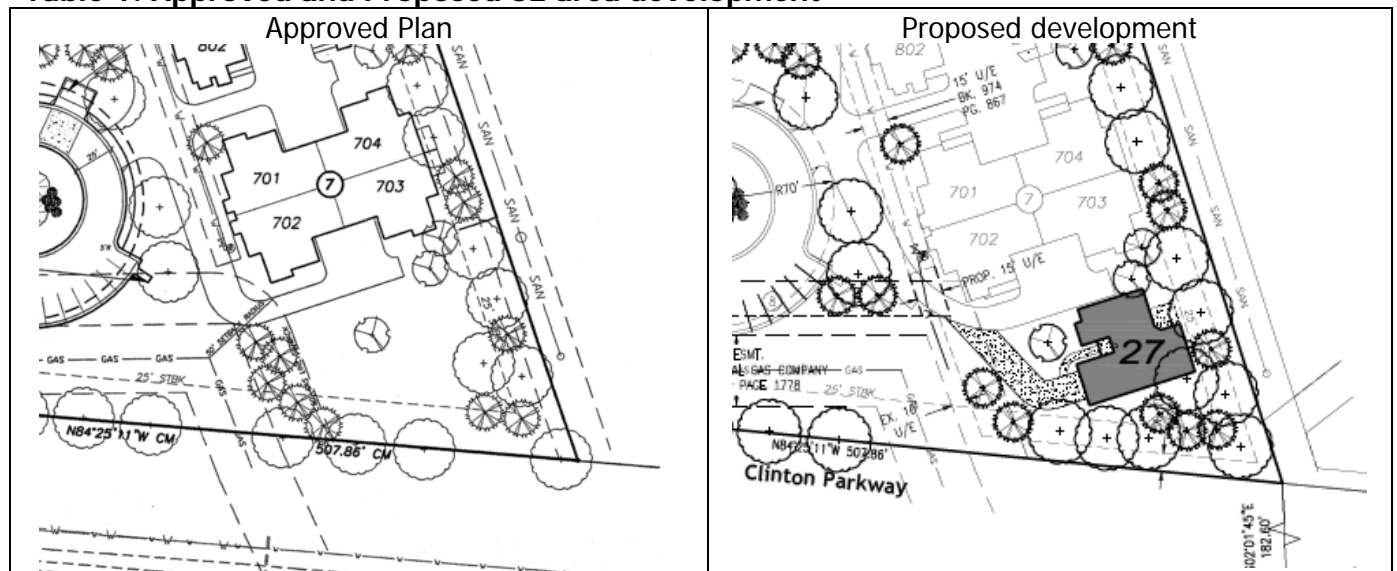
The surrounding area includes developed and undeveloped land outside of the subject property. The area along the south side of Lake Pointe Drive is zoned for commercial development but is currently vacant. The area to the east along the back side of the existing four-plex units is zoned for residential development and is also vacant. The area to the north and west is developed with low density residential development. The housing in this area includes single units on individual lots and public streets (to the north) and multiple detached units on one lot with access from an interior private drive (to the east).

The significant difference in the proposed develop is the change from four-plex housing units to duplex and detached housing units within the development. There are no changes to the major characteristics of the development since the use will remain residential. Traffic generation will be reduced because the total number of units is reduced from the original design of the development.

- Approved Development: 104 units [all four-plex]
- Proposed Development: 84 units [11 existing four-plex; 8 proposed duplex; 24 proposed detached residential units]

The revised plan adds a dwelling unit in the southeast corner of the site. The approved plan showed this area as open space.

Table 1: Approved and Proposed SE area development



The proposed change, to include duplex and detached residential uses, is consistent with low-density residential development pattern of the immediate area.

Staff Finding – The proposed use is compatible with the adjacent uses in terms of size, massing, orientation, hours of operation and other external impacts.

3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED

Applicant's Response: *No, the residential use remains the same and the change from 4-plex condominiums to duplex and single dwelling units does not diminish the value of other*

property. We foresee single and duplex units as a desirable product and this change provides multiple living options in the area.

The proposed change from multi-dwelling to single-dwelling residential uses is consistent with the surrounding development of the area. The multi-dwelling units within the development are owned individually as condominiums. While any building with three or more attached units is considered a multi-dwelling unit, the structure of this development is owner-occupied housing. The developments to the north and west are developed with detached housing. The development to the north is developed with detached housing on individual lots as a conventional subdivision. The area to the west is developed with multiple detached houses on one lot with a private street.

Staff Finding – Substantial diminution of other property values in the area is not anticipated.

4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTILITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT

This property was previously approved for residential development. The proposed request includes fewer total residential units than the previous approval. Adequate water and sanitary sewer services are available to serve this property as development is completed. Public improvement plans will be required for extending sanitary sewer to serve the additional units.

Fire Prevention staff noted that developments with more than 30 units require a second access point. This development originated prior to that design requirement. There are currently 44 units (all 4-plexes) and a clubhouse building. The proposed application includes an additional 40 units comprised of 8 duplexes (16 units) and 24 detached residences. The original development included 104 units. The total development if approved would be 84. This is a reduction in the total number of units planned for this development. The applicant has been advised, that as an alternative to providing a secondary access, the new units could be built with an automatic sprinkler system. The revised plan does not currently include the secondary access to the development.

Staff recommends as a condition of approval that the plan be revised to provide a second access to Lake Pointe Drive in the northwest corner of the site. This access may be designed for emergency access only and does not require full public access to the development. The access must be designed to accommodate emergency apparatus and maintained year round.

Image to the right shows conceptual location of second access. Access design could include using grass pavers that meet the weight and width requirements for fire apparatus.

Alternatively all new buildings could be sprinkled.



Figure 1: Second Access Option

Access to this property is provided via a single access driveway to Lake Pointe Drive. Staff has been advised that KDOT is considering options for expanding K-10 highway to a four-lane facility that may alter access to this area in the future. This information was shared with the applicant and has been made public by KDOT at a recently public forum. Future changes could include relocating K-10 highway alignment and altering interchanges of the highway and Clinton Parkway, Wakarusa Drive, and other cross streets along the corridor.

Staff Finding – Adequate public facilities and transportation access is accommodated for this development at this time.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

The proposed request provides an enforceable tool to address the use and continued maintenance of the property with regard to landscaping, exterior activity, and off-street parking.

Staff Finding – Adequate assurances of continued maintenance are inherent in the use and the Special Use Permit approval process.

6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT

Applicant's Response: *No, the plan has already been approved for the 4-plex condominiums. The revised site plan reduces the number of units per acre, traffic impervious area, sanitary flows and stormwater runoff for the entire property.*

There is no designated floodplain area within this development. The property is partially developed with residential uses and an existing interior access drive. There are no stands of mature trees within this development.

Staff Finding – The proposed development is subject to regulatory controls to protect significant natural features. There are no significant natural features within the proposed development area. This property is free from regulatory floodplain encumbrances.

7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO, WHAT THAT TIME PERIOD SHOULD BE

This Special Use Permit is required to accommodate a specific use in this district. The *primary purpose of the RM District is to accommodate multi-dwelling housing*. They are intended to *create maintain and promote higher density housing opportunities in areas with good transportation access* (20-204). This development was originally intended as a form of attached housing but on a single lot. The proposed request would allow for detached housing types within the development.

Development was initiated in 2004 and has stalled. The proposed change to include duplex and detached housing is intended to stimulate development for the remaining portion of land within the area. The proposed development is intended to continue a residential setting. Housing within this area is typically owner occupied. That trend is anticipated to continue as the remaining land is developed. The proposed development is intended as a permanent land use. Development in the area is not transitional. Staff does not recommend a time limit on the Special Use Permit.

Staff Finding – Staff does not recommend a time limit on the Special Use Permit.

STAFF REVIEW

A. Site Summary

Table 2: Site Summary Table

Site Summary:			
	SP-4-25-04	SP-6-59-06	SUP-15-0065
	Original Plan	Revised Plan	Proposed
Gross Area:	16.16 acres	No change	No change
Proposed Building Coverage:	164,279 SF	198,056	185,969
Proposed Pavement Coverage:	154,272	178,712	169,946
Open Space:	385,622 SF	327,405	349,869
Total Number of Dwelling Units:	108 (4-plex units W/ 2 BR per unit) 9 Large 4-Plexes 18 Small 4-Plexes		84 units 11 existing 4-plex (44) 8 proposed duplex (16) 24 proposed detached (24)
Proposed Density:	6.68 DU/ACRE		5.19 DU/ACRE

B. Access and Parking

This development is intended as an owner occupied residential neighborhood with onsite parking provided for each individual residential unit and common or shared parking located within the development to primarily serve the clubhouse. Parking is accommodated for the development in attached garages and driveway parking. Driveways are separated from the main interior access drive within the development.

Off street parking is shown for the approved and proposed development. Parking requirements were revised from the original approval with the adoption of the Land Development Code in 2006. The approved plan included only multi-dwelling buildings in the form of four-plexes with attached garages and driveways. The revised plan includes a mix of four-plex multi-dwelling residential uses as well as duplex and detached residential uses.

Parking spaces are provided around the clubhouse area. These spaces, along with a cluster of spaces on the north side of the development and in the southeast area, provide guest parking within the development. The following table provides a summary of total parking for the development. A separate table is included at the end of the report detailing off-street parking requirements for this development.

This project was always designed with excess parking by providing double car garages and double wide pavement. A unit with only three bedrooms (one space per bedroom would require only 3 parking spaces. However the larger 4-plex units typically include four total parking spaces, two in the garage and two in the driveway. This excess parking is compounded throughout the development. Double car garages are typical features of low density residential development. The following image depicts a proposed 3 bedroom duplex (6 total bedrooms in two units) with an attached garage and driveway parking.

Table 3: Off Street Parking Summary

Original Development	
Parking Required	Parking Provided
220 Spaces	348 spaces
Proposed Development	
Parking Required	Parking Provided
231 Spaces	352 Spaces

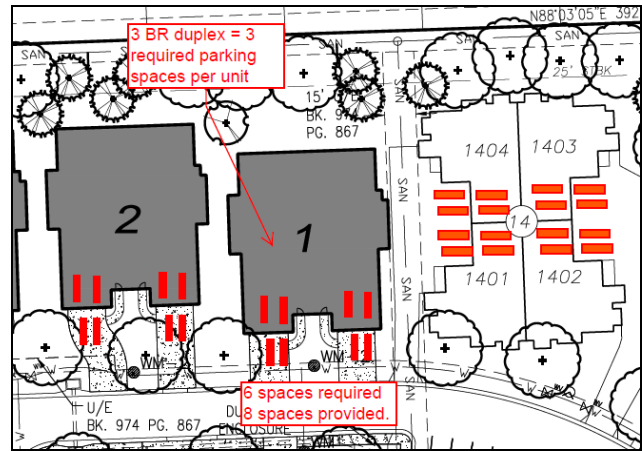


Figure 2: Typical Off Street Parking for Duplex

Access: Access to this site is provided via a single driveway intersecting with Lake Pointe Drive, a local street. There is no other direct access point to this property. New development that included 30 or more dwelling units would require a second access. The applicant notes that this request reduces the total number of dwelling units from the approved 2006 plan. A second access could be provided at the north end of the development by extending a driveway from the interior access drive to Lake Pointe Drive.

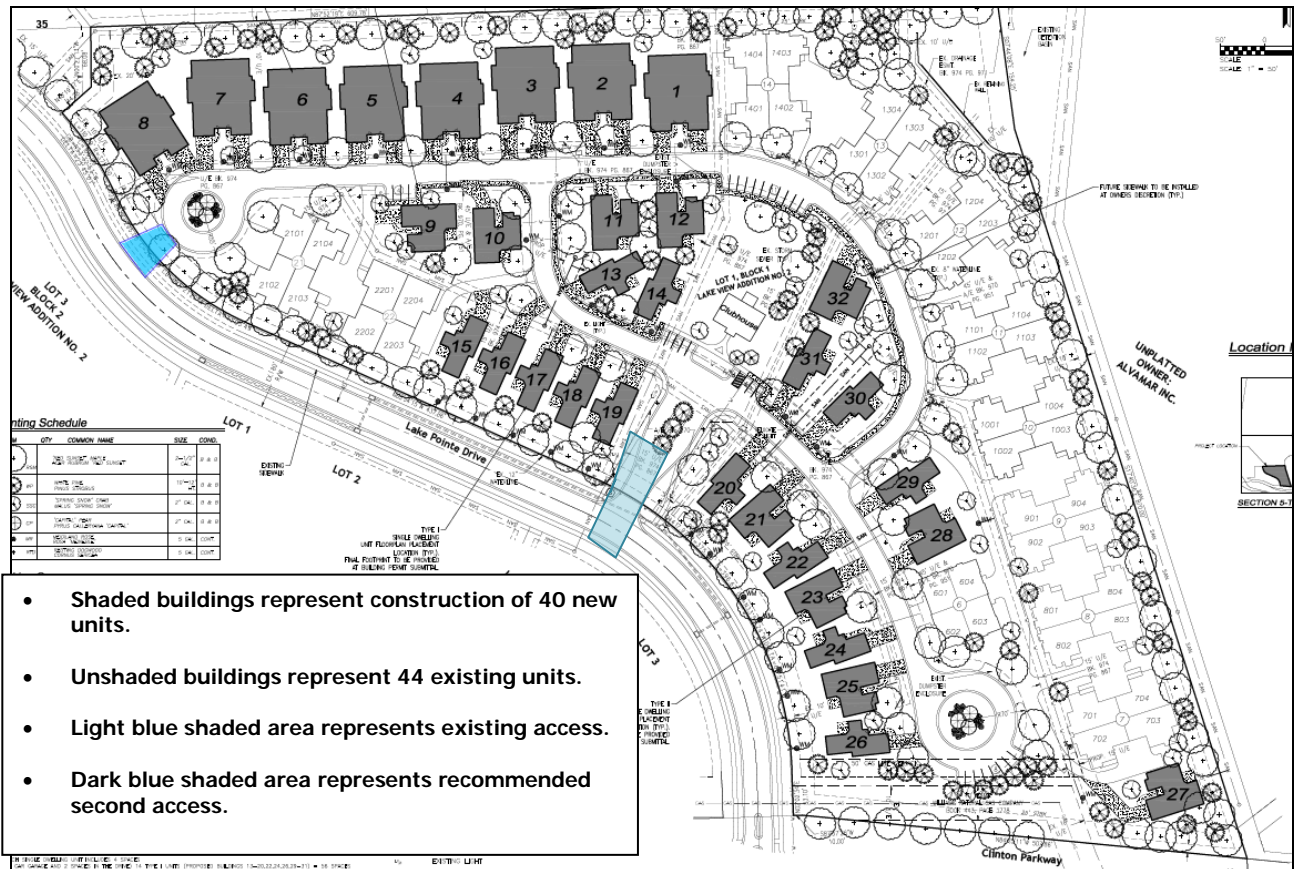


Figure 3: Access options

It is notable that Access in this area may be altered as KDOT develops plans for the K-10 highway improvements. A concept plan is included as an attachment to show how the overall access to this area may be affected in the future.

C. Design Standards

This project represents residential development. Conceptual building elevations are provided. The City has not adopted residential design standards. The building elevations are provided for reference with this staff report. Existing buildings are two story structures with attached garages. The proposed duplex and detached residential units are also two stories with attached garages.

Pedestrian accessibility:

This site was developed prior to current sidewalk requirements. The interior access drive includes connecting sidewalks from the parking area to the clubhouse on the south side and parallel sidewalks along the main access point to the public sidewalk system along Lake Pointe Drive. There are no interior sidewalks along the residential uses within this development.

D. Landscaping and Screening

Street Trees: Street trees are required along public streets. Street trees are shown on the plan along Lake Pointe Drive and Clinton Parkway. Street trees were planted with the original development.

Bufferyard: This site was initially developed prior to the current landscape requirements for buffer yards. The property abuts commercial zoning to the south, low density residential zoning to the north and multi-dwelling residential zoning to the east and west. The north property line includes dense vegetation that provides a buffer between the existing detached residential homes to the north and the proposed duplex and existing multi-dwelling units to the south. The plan also shows dense vegetation required along the detention easement in the northeast corner of the site. This vegetation will need to be added with this phase of the development.

Interior Landscaping: This standard applies to parking lots. This development includes four small shared parking lots within the development. The largest lot contains 11 parking spaces and is located on the north side of the clubhouse area. These parking areas were constructed with the original development. Screening trees have been added to the site to screen this area. However, they do not effectively screen the parking area. There are a number of easements located in the southeast corner of the site that limit planting.

Perimeter Landscaping: This standard applies to parking areas that abut public right-of-way. This development is designed with predominantly conventional residential parking provided in garages and individual driveways. Small parking areas are provided for shared use, guest and visitor parking within the development. Some additional screening is recommended for the parking lot located in the southeast corner of the development. This parking area is setback more than 50 feet from the right-of-way. Much of the area between the parking area and Clinton Parkway is encumbered by a large gas line and other utilities which limit the ability to plant trees.

Mechanical Equipment Screening: Mechanical equipment must be screened. The plan includes a note on the face of the drawing. This element will also be reviewed as the project is developed.

Alternative Compliance: None is proposed with this request.

E. Lighting

This site includes existing lighting located along the interior access drive of the development. No changes to lighting are proposed with this application.

F. Floodplain

This property is not located within any regulatory floodplain and is not subject to a local floodplain development permit.

CONCLUSION

The intent of this project is to facilitate development of a partially completed subdivision that includes a mix of housing types. The original intent had been to include only four-plex units. The development has stalled and the owner is proposing different building types to complete the project.

REQUIRED OFF STREET PARKING	
Off-Street Parking Required: SP-4-25-04 – Original Plan	
SP-6-59-06 – Revised Plan	
Housing Type	
<i>[Multi-Dwelling Residential Development]</i>	220 spaces required; Parking Group 2 2-bedrooms per unit (1.5 spaces per unit) = 60 3-bedrooms per unit (2.5 spaces per unit) = 160 Clubhouse not calculated separately
Total Required Parking	220 spaces
Off-Street Parking Required: Proposed SUP-15-00065	
Housing Type	Required Parking
<i>[Multi-Dwelling Residential Development]</i>	<i>1 space per bedroom + 1 space per 10 units</i> 11 4-plex buildings (44 units) = 36 units with 3-bedrooms each (108 bedrooms) 4 units with 2 bedrooms each (16 bedrooms) 124 spaces required for existing 4-plex + 5 spaces for 44 units Required parking for existing 4-plex = 129 spaces
<i>[Duplex Dwellings]</i>	<i>1 space per bedroom</i> 8 duplex buildings (16 units) = 16 units with 3-bedrooms each 48 spaces required for duplex Required parking for proposed duplex = 48 spaces
<i>[Detached Dwellings]</i>	<i>2 spaces per dwelling unit</i> 24 detached dwelling unit buildings 14 units with 2-bedrooms each 10 units with 3-bedrooms each 48 spaces required for detached residences. Required parking for proposed detached = 48 spaces
Total Required Residential Parking	225 spaces
Clubhouse Parking	1,775 SF at 1 space per 300 SF = 6 spaces
Total Required Parking	231 spaces

PROVIDED OFF STREET PARKING	
Approved Off-Street Parking Provided: SP-4-25-04 – Original Development	
SP-6-59-06 – Revised Plan	
288 residential spaces and 21 off-street spaces clustered around clubhouse Large 4-Plexes have four parking places per unit (two in the garage and two in the drive) Small 4-Plexes have two parking spaces per (one-car garage and one space in the drive)	
Total Provided: 249 Spaces	
Proposed Off-Street Parking Provided: SUP-15-00065	
Existing 36 units w/ 2 car garage and 2 driveway spaces =	144 spaces
Existing 8 units w/ 1 car garage and 1 driveway space =	16 spaces
Proposed 8 duplex units w/ 2 garage and 2 driveway spaces =	64 spaces
Proposed 24 detached dwellings w/ 2 car garage and 2 driveway spaces =	96 spaces
Total residential spaces provided =	320 spaces
Existing Clubhouse and shared spaces =	32 spaces
Total Spaces provided 352 spaces	



CFS ENGINEERS

cfs.com

City Comments	4/2/15	Date
1		

Designed by	Date	Reviewed by	Plot scale
RLW	02/17/15	AJC	1"=50'
Dwn by			
Submitted by			
AJC			
File name: 133272-SP.dwg			
Plot date: 3/30/15			

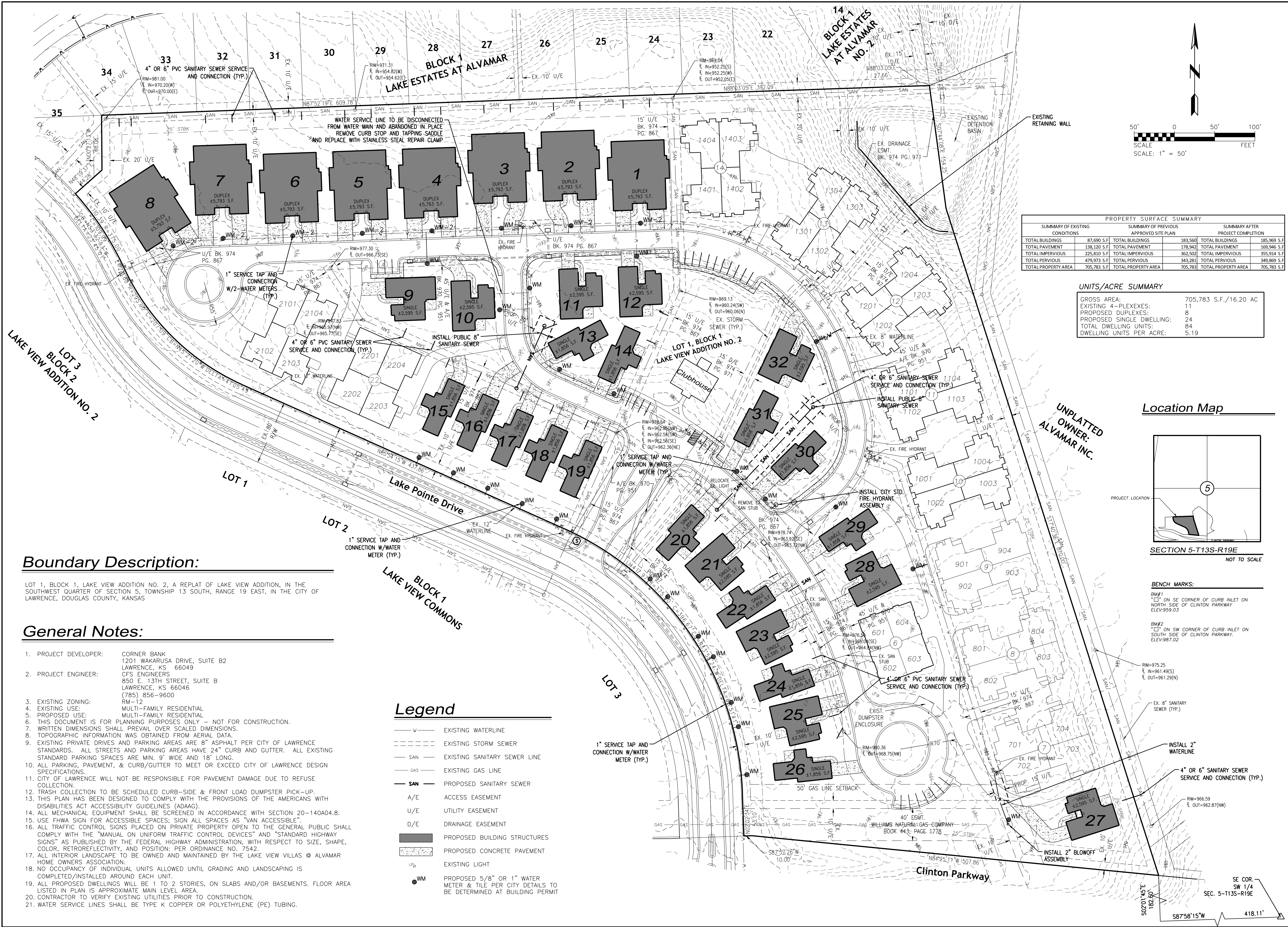
Lot 1, Block 1
Lake View Addition No. 2
Lawrence, KS

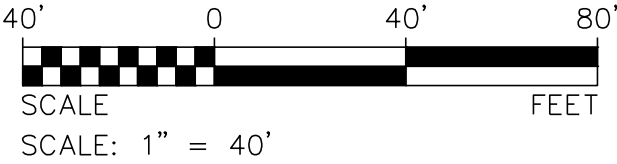
Site Plan/Landscape Plan
2250 Lake Pointe Drive

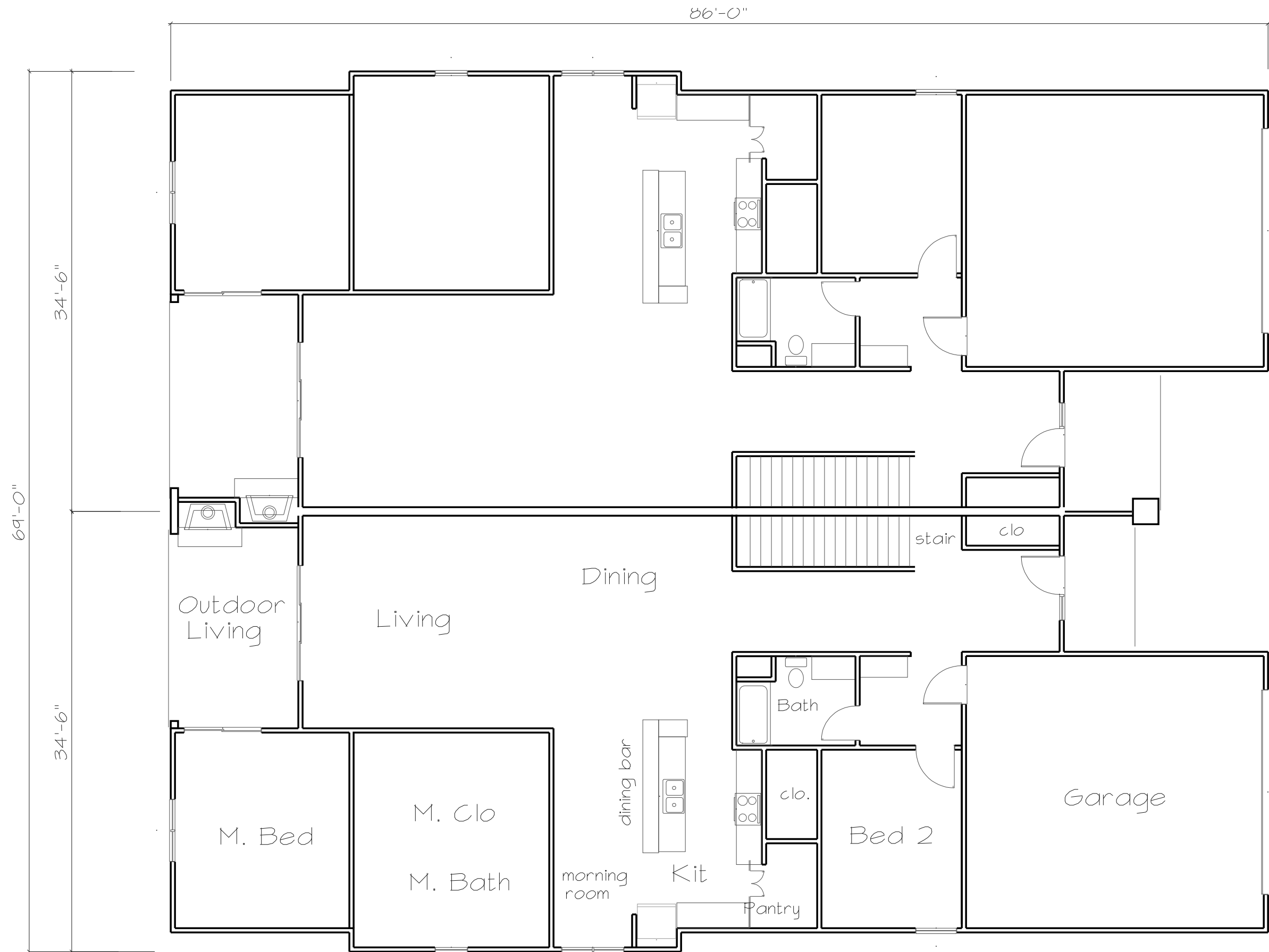
Lake View Villas @ Alvamar
Revised Site Plan

Sheet reference number:
1

Sheet 1 of 3



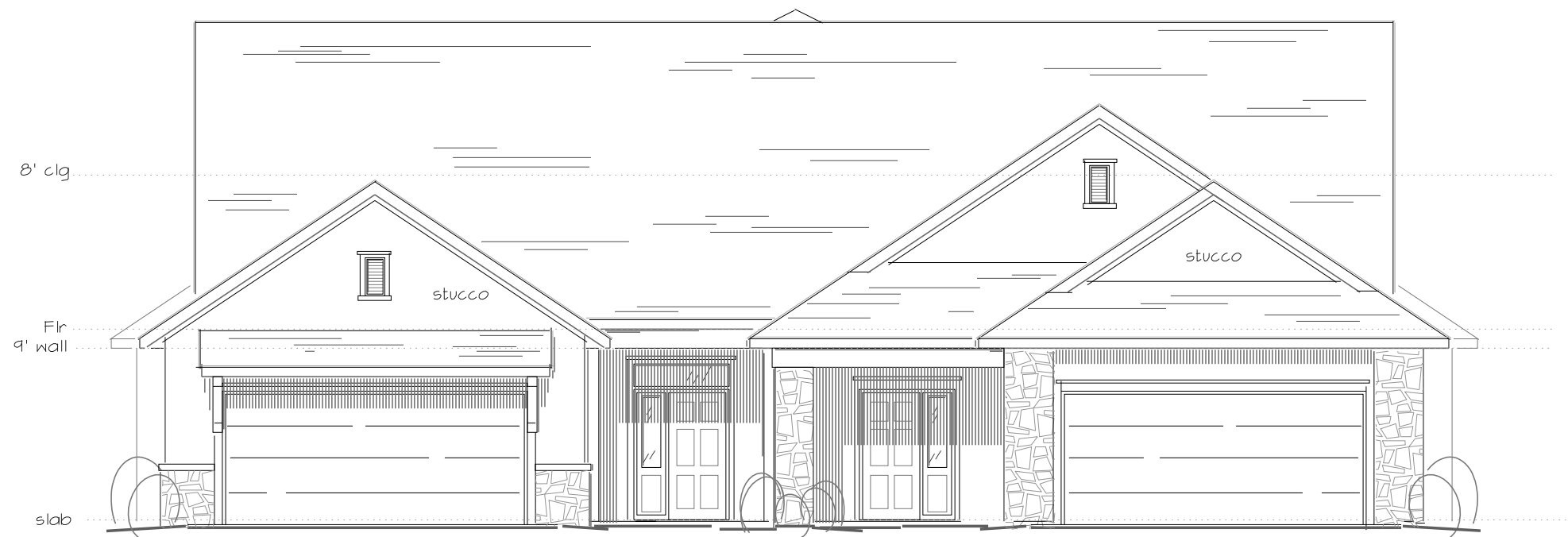




DP Plan One The Lake View Addition

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preliminary plans 4/2/15



FRONT ELEVATION
SCALE: 1/8" = 1'-0"

DP Plan One The Lake View Addition

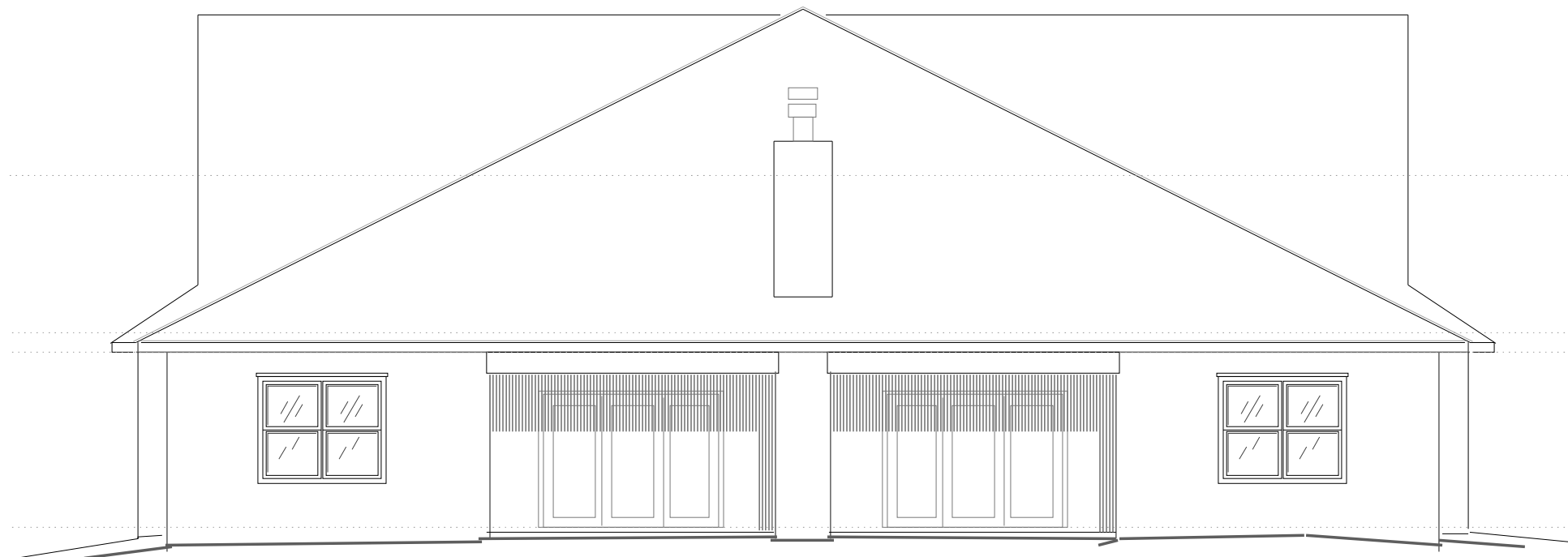
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preliminary plans 4/2/15



SIDE ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"

DP Plan One The Lake View Addition

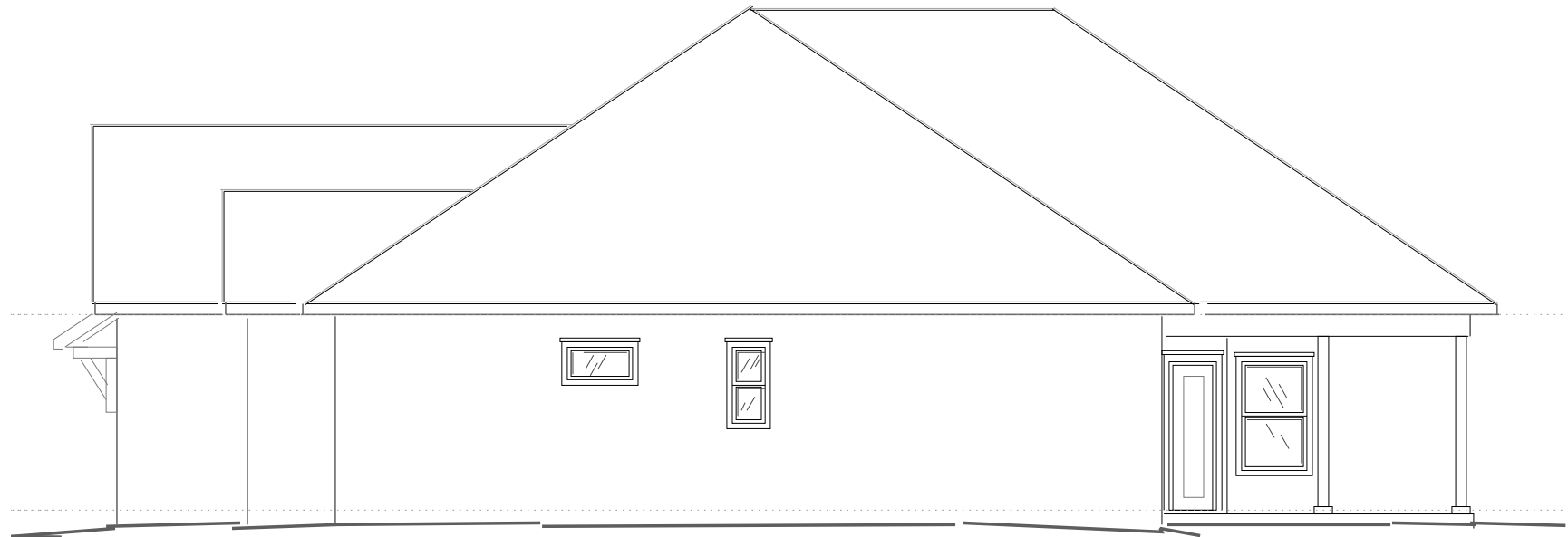
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preliminary plans 4/2/15



FRONT ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

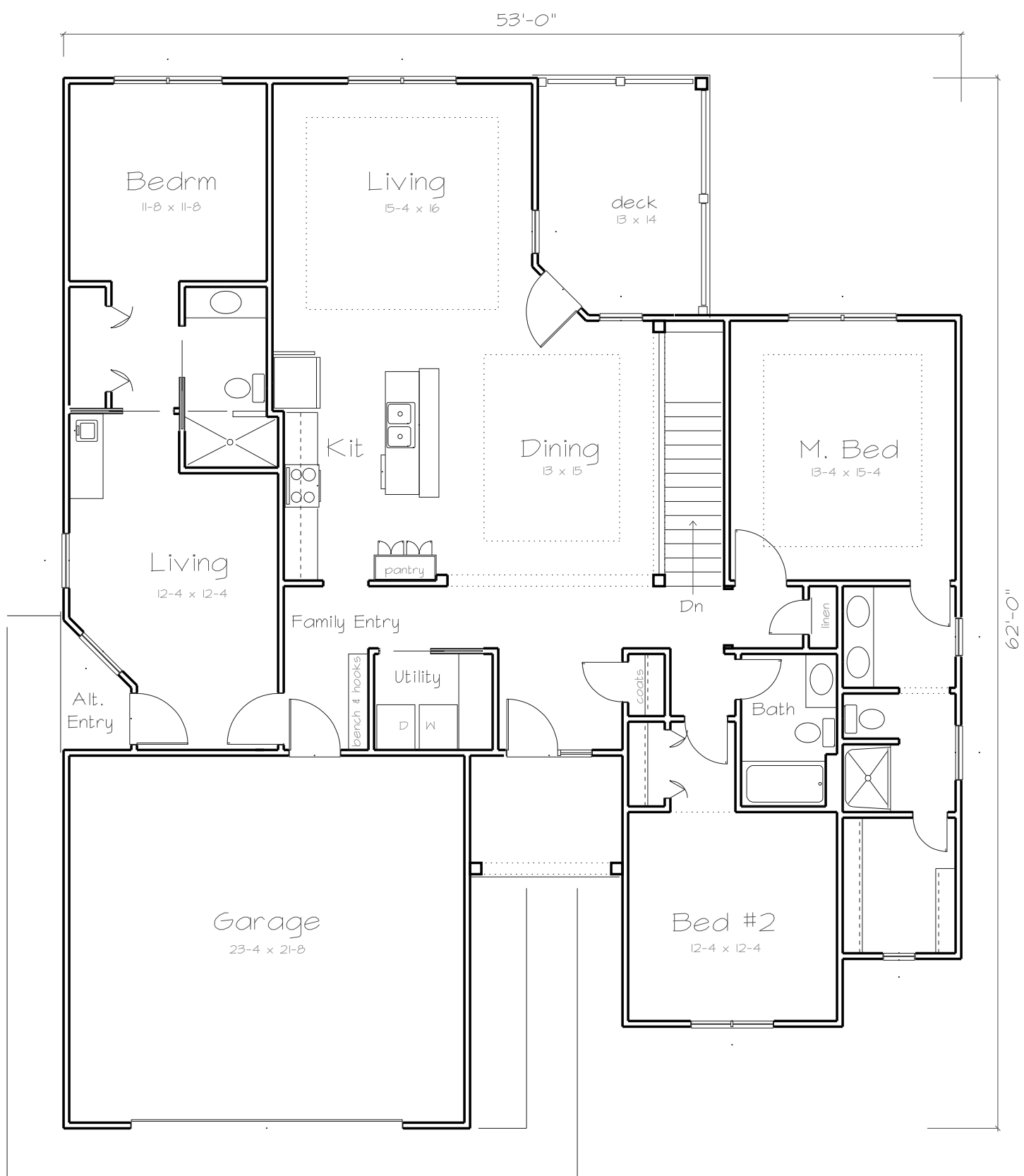


REAR ELEVATION
SCALE: 1/8" = 1'-0"



LEFT ELEVATION
SCALE: 1/8" = 1'-0"

The Lake View Plan B



The Lake View Plan B

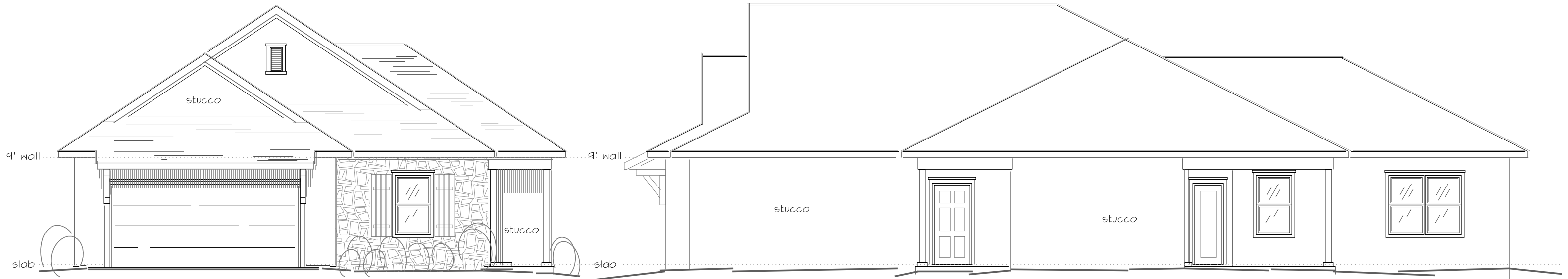


preliminary plans 4/1/15

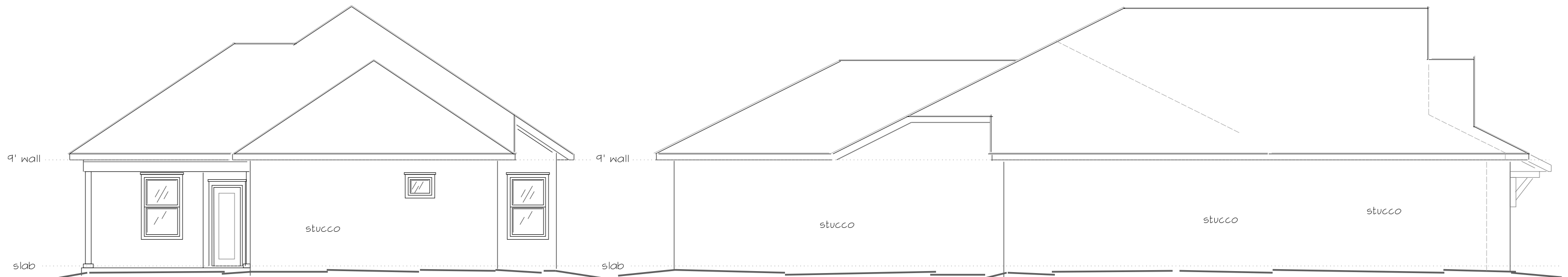
1573 sq.ft. home

469 sq.ft. apartment

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RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"

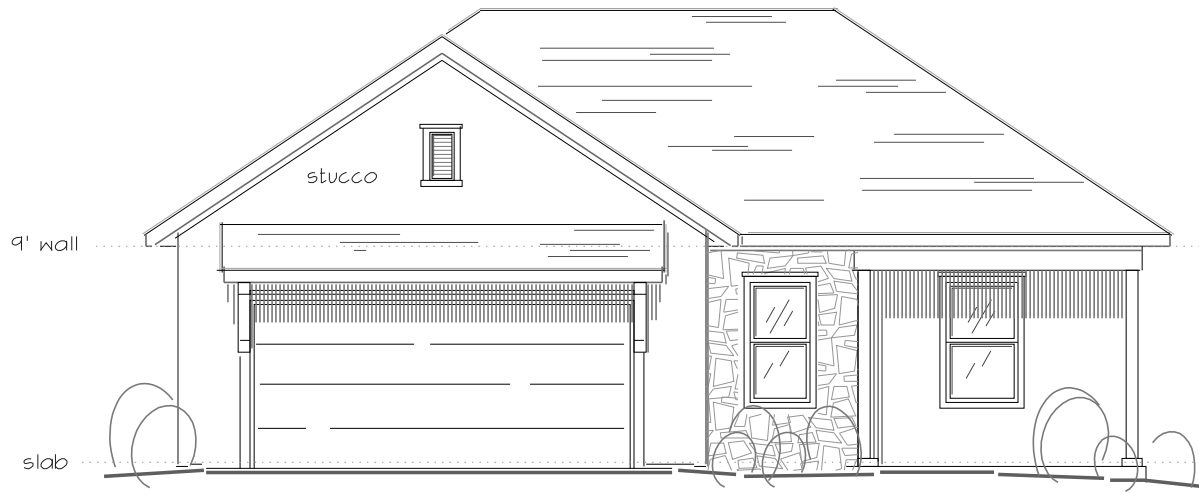
LEFT ELEVATION
SCALE: 1/8" = 1'-0"

Plan One The Lake View Addition

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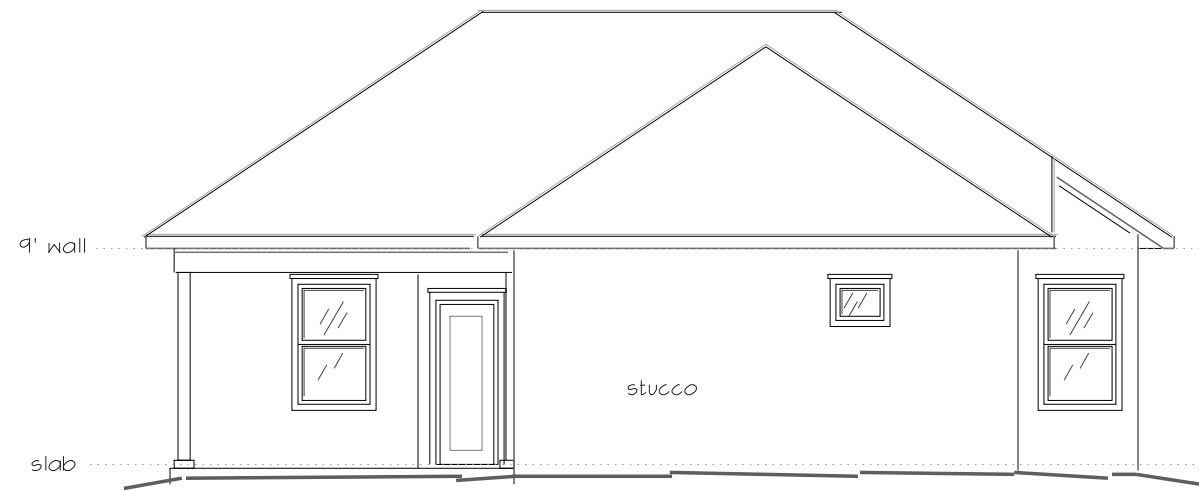
preliminary plans 3/23/15



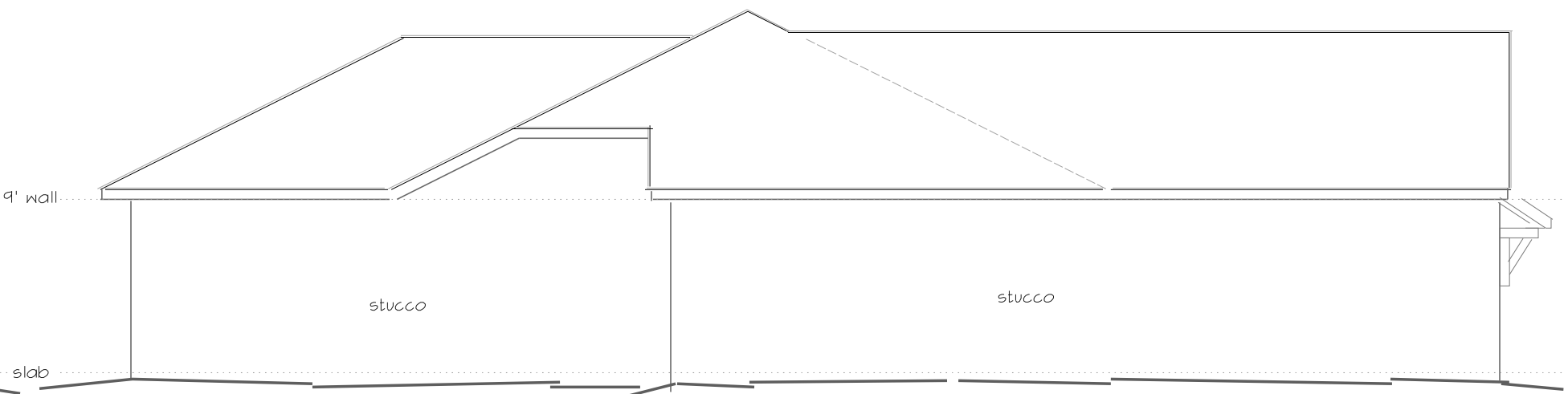
FRONT ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"



LEFT ELEVATION
SCALE: 1/8" = 1'-0"

Plan Three The Lake View Addition

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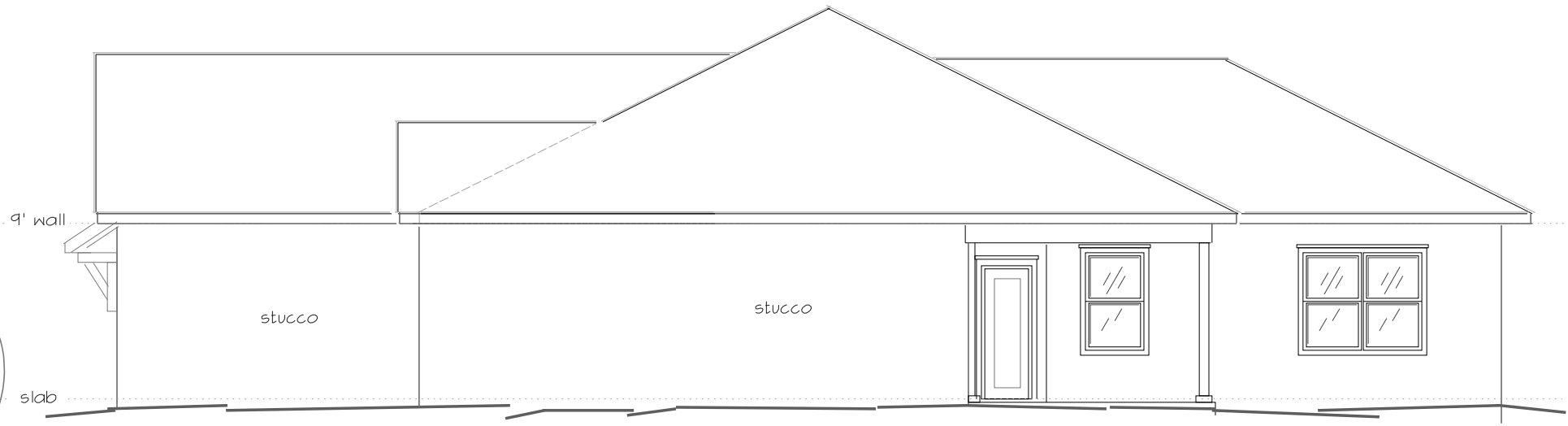


preliminary plans 3/23/15

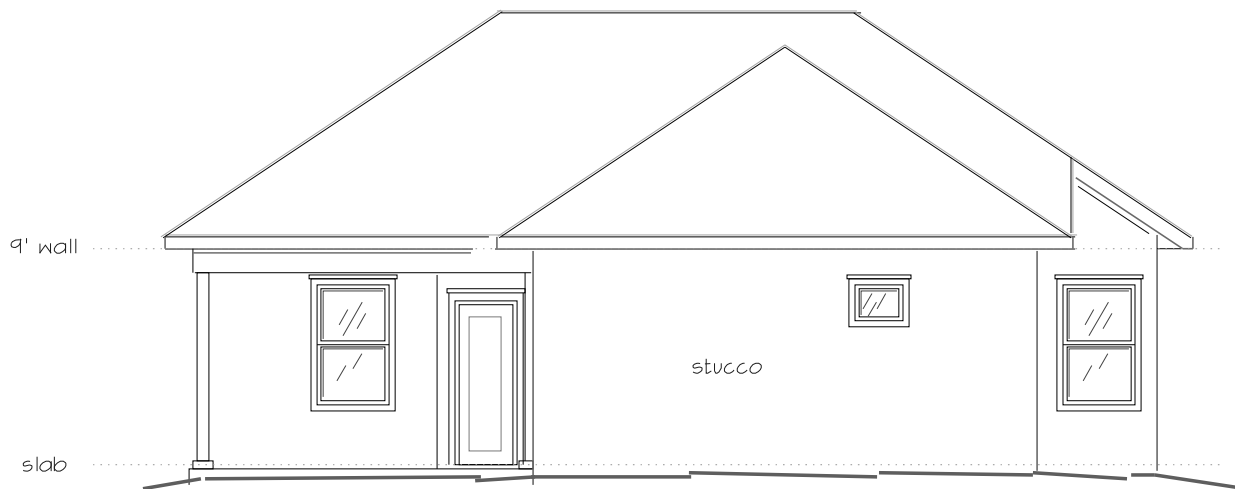


FRONT ELEVATION
SCALE: 1/8" = 1'-0"

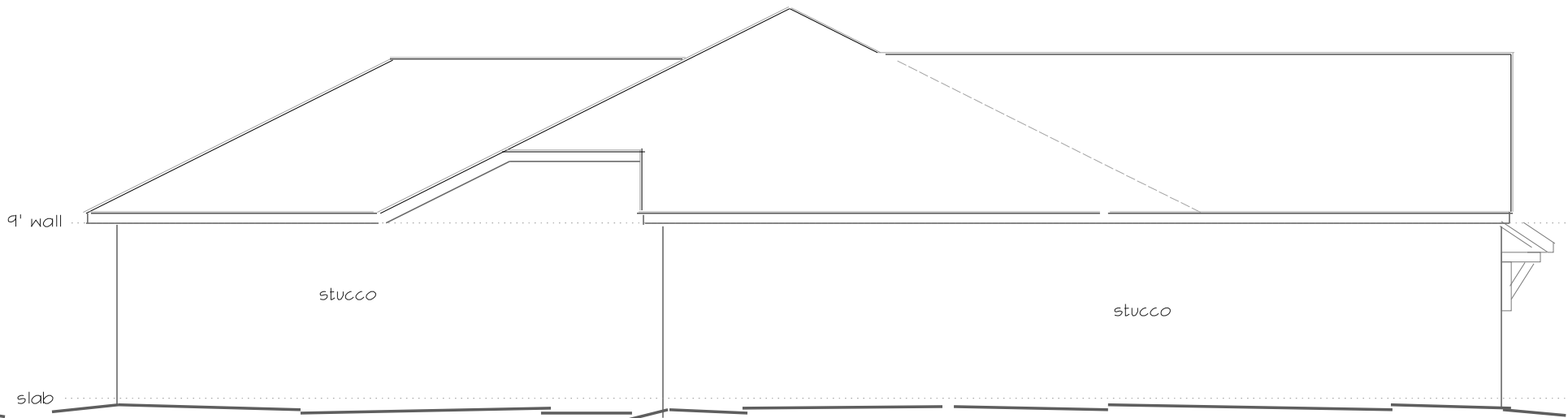
with Morning Rm / Office



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"



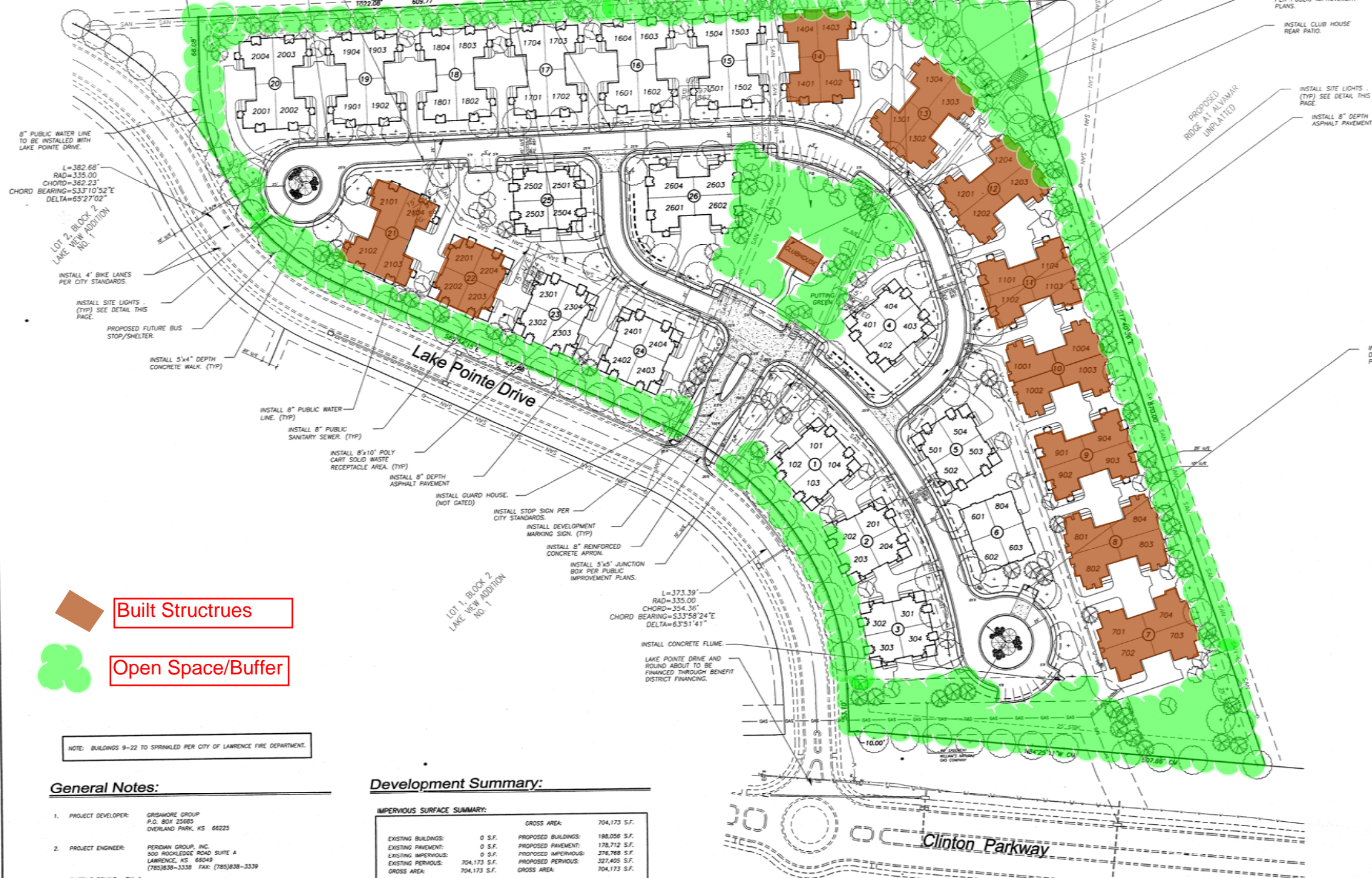
LEFT ELEVATION
SCALE: 1/8" = 1'-0"

Plan Three The Lake View Addition

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preliminary plans 3/23/15



19	RED SUNSET MAPLE ACER RUBRUM 'RED SUNSET'	2-1/2" CAL.	B & B
20	MARSHALL'S SEEDLESS ASH FRAXINUS SEEDLESS 'MARSHALL'S SEEDLESS'	2-1/2" CAL.	B & B
21	'AUTUMN PURPLE' ASH FRAXINUS AMERICANA 'AUTUMN PURPLE'	2-1/2" CAL.	B & B
22	'LEGACY' SUGAR MAPLE ACER SACCARUM 'LEGACY'	2-1/2" CAL.	B & B
23	RIVER BIRCH BETULA NIGRA	2-1/2" CAL.	B & B
24	BLUE OAK QUERCUS MACROCARPA	2-1/2" CAL.	B & B
25	LONDON PLANETREE PLATANUS X ACERFOLIA	2-1/2" CAL.	B & B
26	WHITE PINE PINUS STROBUS	10'-12" HT.	B & B
27	'BABY BLUE' SPRUCE PICEA PLUNGENS VAR. GLAUCA 'BABY BLUE'	8'-10' HT.	B & B
28	'WANDERWOLF' PINE PINUS FLEXILIS 'WANDERWOLF'	8'-10' HT.	B & B
29	SKYROCKET JUNIPER JUNIPERUS SCOPULORUM 'SKYROCKET'	6' HT.	B & B
30	'VELVET PILLAR' CRAB MALUS 'VELVET PILLAR'	2" CAL.	B & B
31	ROYAL CRAB MALUS 'ROYAL'	2" CAL.	B & B
32	'SPRING SNOW' CRAB MALUS 'SPRING SNOW'	2" CAL.	B & B
33	'THAUNFIRE' CRAB MALUS 'THAUNFIRE'	2" CAL.	B & B
34	REDBUD CERIS CANADENSIS	2" CAL.	B & B
35	'CENTURION' CRAB MALUS 'CENTURION'	2" CAL.	B & B
36	'CAPITAL' PEAK PYRUS CALLERYANA 'CAPITAL'	2" CAL.	B & B
37	MADON GRASS MISCANTHUS SINENSIS 'ORACILLIUS'	3 GAL. CONT.	
38	REDTIG DOGWOOD CORNUS SPICATA	5 GAL. CONT.	
39	VAREGATED REDTIG DOGWOOD CORNUS ALBA 'VAREGATED-MARGINAL'	5 GAL. CONT.	
40	'ANTHONY WATERER' SPIREA SPIREA X BUNALDA 'ANTHONY WATERER'	5 GAL. CONT.	
41	'SEA GREEN' JUNIPER JUNIPERUS CHINENSIS 'SEA GREEN'	5 GAL. CONT.	
42	MUGO PINE PINUS MUGO VAR. PUMILIO	5 GAL. CONT.	
43	'CRABAPPLE' THUNBERG BERBERIS THUNBERGII ATROPURPUREA	5 GAL. CONT.	
44	'LITTLE PRINCESS' SPIREA SPIREA JAPONICA 'LITTLE PRINCESS'	5 GAL. CONT.	
45	'GOLDMOUND' SPIREA SPIREA X BUNALDA 'GOLDMOUND'	5 GAL. CONT.	
46	CHINA HOLLY ILEX X MESERVAE	5 GAL. CONT.	
47	RED LEAF DOGWOOD BERBERIS THUNBERGII VAR. ATROPURPUREA	5 GAL. CONT.	
48	MEDLAND ROSE ROSA MEDLAND	5 GAL. CONT.	
49	ADAM'S NEEDLE YUCCA YUCCA FILAMENTOSA	5 GAL. CONT.	
50	ALLEGHANY WILLOW SALIX X RHYTHOPHLOIDES 'ALLEGHANY'	5 GAL. CONT.	
51	HICKS YEW TAXUS X MEDIA 'HICKS'	30'-36" HT.	CONT.
52	FAIRVIEW YEW TAXUS X MEDIA 'FAIRVIEW'	24'-30" HT.	CONT.
53	BURNING BUSH EUCHYRIUM ALATUM 'COMPACTUS'	24'-30" HT.	CONT.
54	HENRY'S GARNET SWEETSPICE ITEA VIRGINICA 'HENRY'S GARNET'	5 GAL. CONT.	
55	HAMELIN FOUNTAIN GRASS STENANDRUM ALPESIBERIDES 'HAMELIN'	5 GAL. CONT.	
56	'BLUE CHIP' JUNIPER JUNIPERUS HORIZONTALIS 'BLUE CHIP'	5 GAL. CONT.	
57	STELLA DE ORO DANIEL HENDERSONII 'STELLA DE ORO'	1 GAL. CONT.	
58	SEASONAL COLOR PANDEA ANNUALIS 'MUMS'	1 GAL. CONT.	

Lake View Villas @ Alvarado
2250 Lake Pointe Dr.
Lot 1, Block 1
Lake View Addition #2

Site Plan
Layout and Landscape Plan

General Notes:

- PROJECT DEVELOPER: GRISHAM GROUP
P.O. BOX 25885
OVERLAND PARK, KS 66225
- PROJECT ENGINEER: PERDAN GROUP, INC.
500 ROCKLEDGE ROAD SUITE A
LAURENCE, KS 66049
(785)838-3338 FAX: (785)838-3339
- EXISTING ZONING: RM-1
- CURRENT USE: AGRICULTURAL
- PROPOSED USE: MULTI-FAMILY RESIDENTIAL
- THIS DOCUMENT IS FOR PLANNING PURPOSES ONLY - NOT FOR CONSTRUCTION.
- WRITTEN DIMENSIONS SHALL PREVAIL OVER SCALED DIMENSIONS.
- TOPOGRAPHIC INFORMATION OBTAINED FROM A FIELD SURVEY PERFORMED BY PERDAN GROUP, INC. - DECEMBER 2003.
- PRIVATE DRIVES AND PARKING AREAS TO BE 8" ASPHALT PER CITY OF LAURENCE STANDARDS (1" BM-2 SURFACE, 6" BM-2 50% RAP BASE). ALL STREETS AND PARKING AREAS TO HAVE 24" CURB AND GUTTER. ALL STANDARD PARKING SPACES TO BE MIN. 9' WIDE AND 18' LONG.
- ALL PARKING, PAVEMENT, & CURB/GUTTER TO MEET OR EXCEED CITY OF LAURENCE DESIGN SPECIFICATIONS.
- CITY OF LAURENCE WILL NOT BE RESPONSIBLE FOR PAVEMENT DAMAGE DUE TO REFUSE COLLECTION.
- TRASH COLLECTION TO BE SCHEDULED CURB-SIDE & FRONT LOAD DUMPSTER PICK-UP.
- A DETAILED PHOTOGRAPHIC LIGHTING PLAN WILL BE SUBMITTED PRIOR TO RELEASE OF SITE PLAN.
- THIS PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDINGS AND FACILITIES, APPENDIX A TO 28 CFR PART 36.
- ALL MECHANICAL EQUIPMENT SHALL BE SCREENED IN ACCORDANCE WITH SECTION 20-1404A.8.
- USE FHWA SIGN FOR ACCESSIBLE SPACES; SIGN ALL SPACES AS "VAN ACCESSIBLE".
- ALL TRAFFIC CONTROL SIGNS PLACED ON PRIVATE PROPERTY OPEN TO THE GENERAL PUBLIC SHALL COMPLY WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" AND "STANDARD HIGHWAY SIGNS" AS PUBLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION, WITH RESPECT TO SIZE, SHAPE, COLOR, RETROREFLECTIVITY, AND POSITION, PER ORDINANCE NO. 7542.
- ALL INTERIOR LANDSCAPE TO BE OWNED AND MAINTAINED BY THE LAKE VIEW VILLAS @ ALVARADO HOME OWNERS ASSOCIATION.
- A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) MUST BE PROVIDED FOR THIS PROJECT. THIS PROJECT WILL NOT BE RELEASED FOR BUILDING PERMITS, AND NO CONSTRUCTION ACTIVITY, INCLUDING SOIL DISTURBANCE OR REMOVAL OF VEGETATION, SHALL COMMENCE UNTIL AN APPROVED SWPPP HAS BEEN OBTAINED.
- NO OCCUPANCY OF INDIVIDUAL UNITS ALLOWED UNTIL GRADING AND LANDSCAPING IS COMPLETED/INSTALLED AROUND EACH UNIT.

Development Summary:

IMPERVIOUS SURFACE SUMMARY:		GROSS AREA:	704,173 S.F.
EXISTING BUILDINGS:	0 S.F.	PROPOSED BUILDINGS:	198,056 S.F.
EXISTING PAVEMENT:	0 S.F.	PROPOSED PAVEMENT:	178,712 S.F.
EXISTING IMPERVIOUS:	0 S.F.	PROPOSED IMPERVIOUS:	376,768 S.F.
EXISTING PERVIOUS:	704,173 S.F.	PROPOSED PERVIOUS:	327,405 S.F.
GROSS AREA:	704,173 S.F.	GROSS AREA:	704,173 S.F.

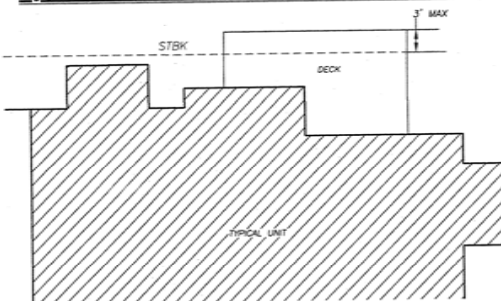
UNITS/ACRE SUMMARY		GROSS AREA:	704,173 S.F./16.16 AC
PROPOSED 4-FLUXES:	26		
TOTAL DWELLING UNITS:	104/16.16		
DWELLING UNITS PER ACRE:	6.44 DU'S PER ACRE		

Parking Summary:

PHASE NO.	PARKING REQUIRED	PARKING REQ'D	PARKING PROVIDED	ACCESS REQ'D	ACCESS PROVIDED
1	RM-1 1.5 SPACES PER 2 BOR. 40 (2 BOR UNITS) X 1.5	60	86	1	2
2	RM-1 2.5 SPACES PER 3 BOR. 64 (3 BOR UNITS) X 2.5	160	262	-	-

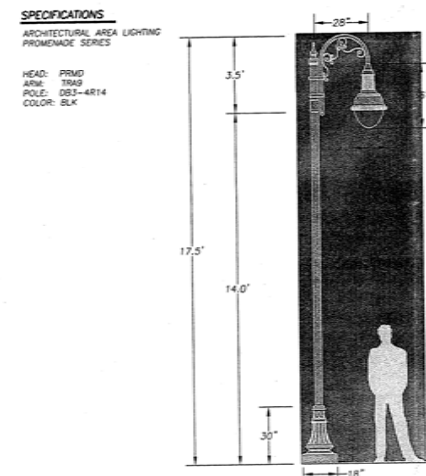
TOTAL REQUIRED SPACES = 240 (INCLUDES 1 VAN ACCESSIBLE)
TOTAL PROVIDED SPACES = 348 (INCLUDES 2 VAN ACCESSIBLE)
EACH UNIT WITH IN THE LARGE BUILDINGS INCLUDE 4 SPACES
(2 CAR GARAGE AND 2 SPACES IN THE DRIVE)
EACH UNIT WITH IN THE SMALL BUILDINGS INCLUDE 2 SPACES
(1 CAR GARAGE AND 1 SPACE IN THE DRIVE)
COMMON SPACES = 32 (INCLUDES 2 VAN ACCESSIBLE)
*** BICYCLE PARKING REQUIRED/PROVIDED = 5

Typical Deck:

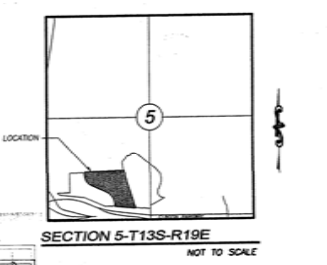


- NOTE: 1. 20-1306 (SIX) PER CODE 1979, 20-1206.
2. MAXIMUM 150 S.F. TYPICAL.
3. ADDITIONAL ENCHANCEMENT REQUIRED BY BZA APPROVAL AND SITE PLAN REVISION AS APPLICABLE.
4. MAXIMUM PROTECTION ALLOWED FOR OPEN STAIRWAY INTO A REQUIRED YARD SHALL NOT EXCEED THREE (3) FEET.

Street Light Detail



Location Map



SCALE: 1" = 60'

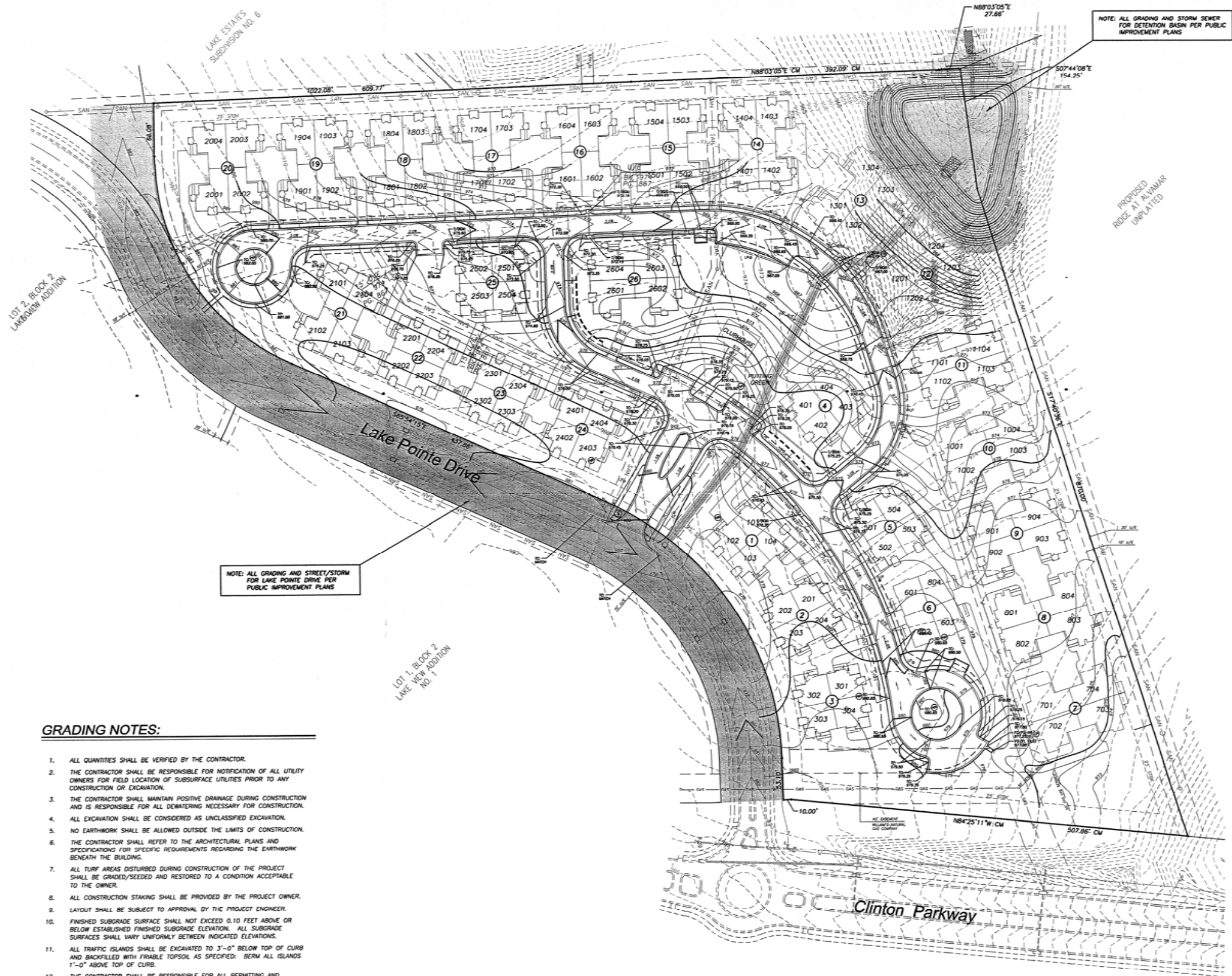
BENCH MARKS:
BM1: "C" ON SE CORNER OF CURB INLET ON NORTH SIDE OF CLINTON PARKWAY ELEV: 958.03
BM2: "C" ON SW CORNER OF CURB INLET ON SOUTH SIDE OF CLINTON PARKWAY ELEV: 957.02

FILE COPY

REVISIONS:	
MAY 20, 2004	
AUG. 13, 2004	
SEPT 10, 2004	
NOV. 2, 2004	
JUN. 26, 2006	
AUG. 04, 2006	

PROJECT RECORD:

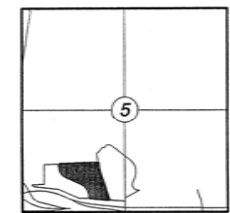
DIGITAL I.D.: 03113-SP1
PROJECT NO.: 03113
DATE: APRIL 20, 2004
DRAWN BY: KV
CHECKED BY: MK
SHEET NO. 1 OF 3 SHEETS



GRADING NOTES:

1. ALL QUANTITIES SHALL BE VERIFIED BY THE CONTRACTOR.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFICATION OF ALL UTILITY OWNERS FOR FIELD LOCATION OF SUBSURFACE UTILITIES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
3. THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE DURING CONSTRUCTION AND IS RESPONSIBLE FOR ALL Dewatering NECESSARY FOR CONSTRUCTION.
4. ALL EXCAVATION SHALL BE CONSIDERED AS UNCLASSIFIED EXCAVATION.
5. NO EARTHWORK SHALL BE ALLOWED OUTSIDE THE LIMITS OF CONSTRUCTION.
6. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS AND SPECIFICATIONS FOR SPECIFIC REQUIREMENTS REGARDING THE EARTHWORK BENEATH THE BUILDING.
7. ALL TURF AREAS DISTURBED DURING CONSTRUCTION OF THE PROJECT SHALL BE GRADED/SEEDED AND RESTORED TO A CONDITION ACCEPTABLE TO THE OWNER.
8. ALL CONSTRUCTION STAKING SHALL BE PROVIDED BY THE PROJECT OWNER.
9. LAYOUT SHALL BE SUBJECT TO APPROVAL BY THE PROJECT ENGINEER.
10. FINISHED SUBGRADE SURFACE SHALL NOT EXCEED 0.10 FEET ABOVE OR BELOW ESTABLISHED FINISHED SUBGRADE ELEVATION. ALL SUBGRADE SURFACES SHALL VARY UNIFORMLY BETWEEN INDICATED ELEVATIONS.
11. ALL TRAFFIC ISLANDS SHALL BE EXCAVATED TO 3'-0" BELOW TOP OF CURB AND BACKFILLED WITH FRABLE TOPSOIL AS SPECIFIED. BERM ALL ISLANDS 1'-0" ABOVE TOP OF CURB.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITTING AND FOLLOWING ALL APPLICABLE STATE AND LOCAL EROSION AND SEDIMENTATION CONTROL REQUIREMENTS.
13. THE CONTRACTOR SHALL INSTALL EROSION CONTROL DEVICES AROUND ALL AREA INLETS AND CURB INLETS UNTIL ASPHALT PAVEMENT HAS BEEN INSTALLED. ALL EROSION CONTROL DEVICES SHALL BE MAINTAINED THROUGHOUT THE ENTIRE CONSTRUCTION PERIOD.
14. ALL EXCESS SOIL SHALL BE REMOVED FROM THE SITE.

Location Map



SECTION 5-T13S-R19E
 NOT TO SCALE

Lake View Villas @ Alvarado

N.E. Corner of Clinton Parkway & K-10 Hwy

Site Plan

Grading and Drainage Plan

REVISIONS:

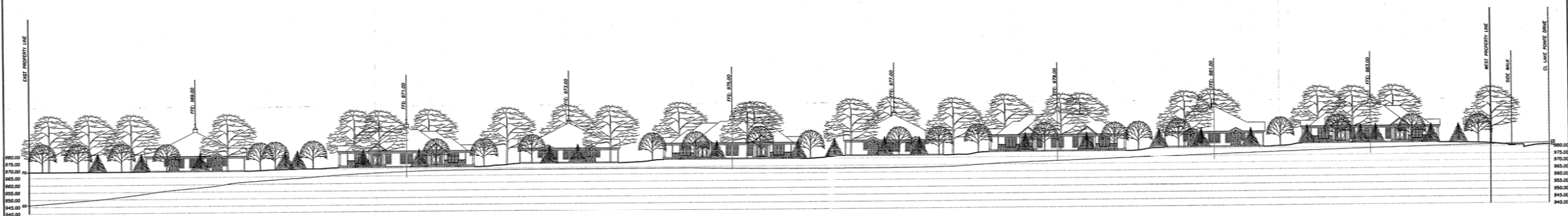
MAY 20, 2004
AUG. 13, 2004
SEPT 10, 2004
NOV. 2, 2004
JUN. 26, 2006



Peridian Group, Inc.

- COMMUNITY PLANNING
- CIVIL ENGINEERING
- LANDSCAPE ARCHITECTURE
- LAND SURVEYING

500 ROCKLEDGE ROAD, SUITE A
LAWRENCE, KANSAS 66049
TEL (785) 838-3338 FAX (785) 838-3339



Lake View Villas @ Alvamar

N.E. Corner of
Clinton Parkway
& K-10 Hwy

Elevation

Facing South

REVISIONS:

NOV. 2, 2004
JUN. 26, 2006

Memorandum

City of Lawrence – Douglas County Planning & Development Services

TO: SP-6-60-06 File

FROM: Dan Warner, Long-Range Planner

CC: Adrian Jones, Senior Plan Reviewer

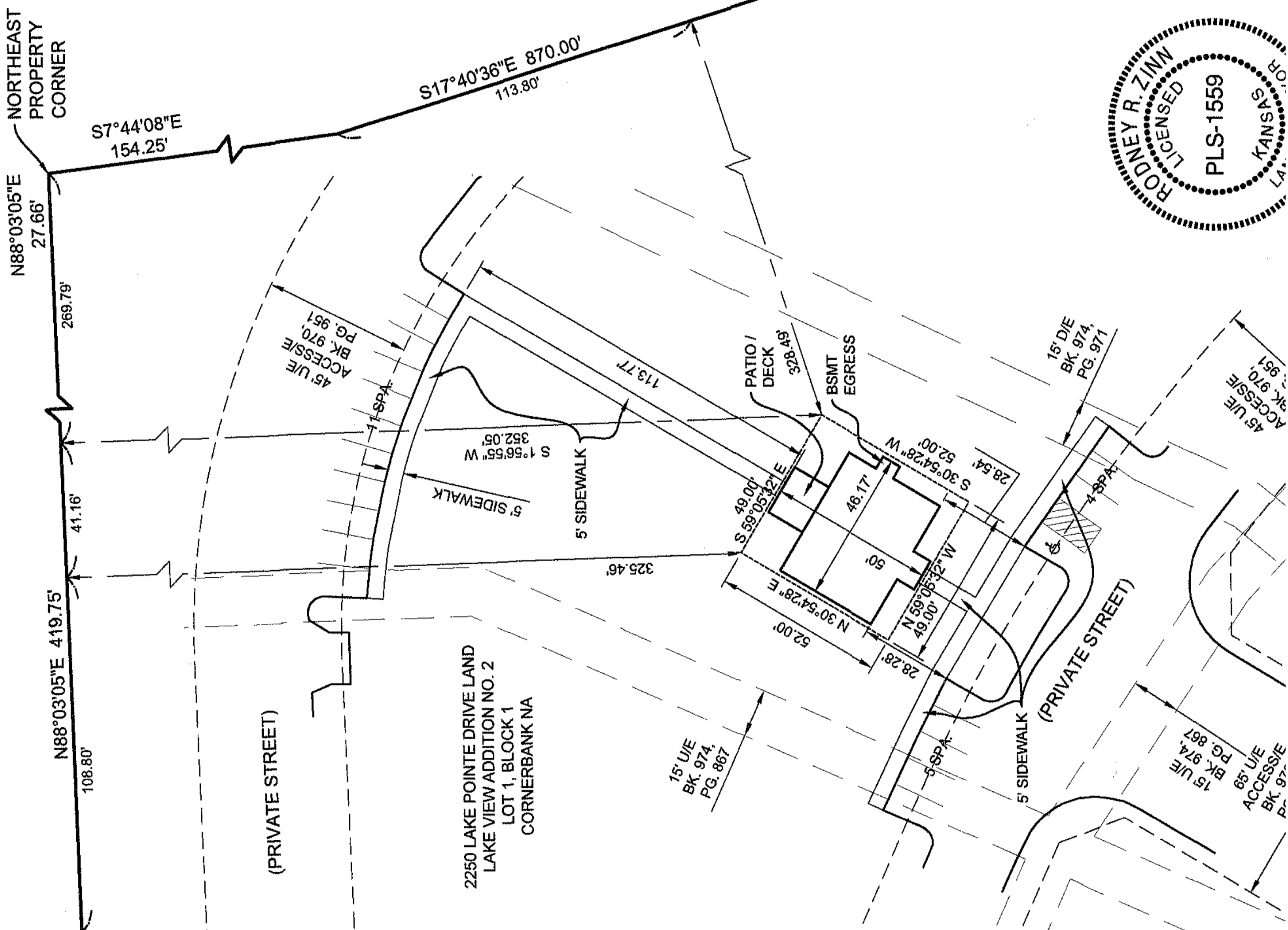
Date: 12/5/11

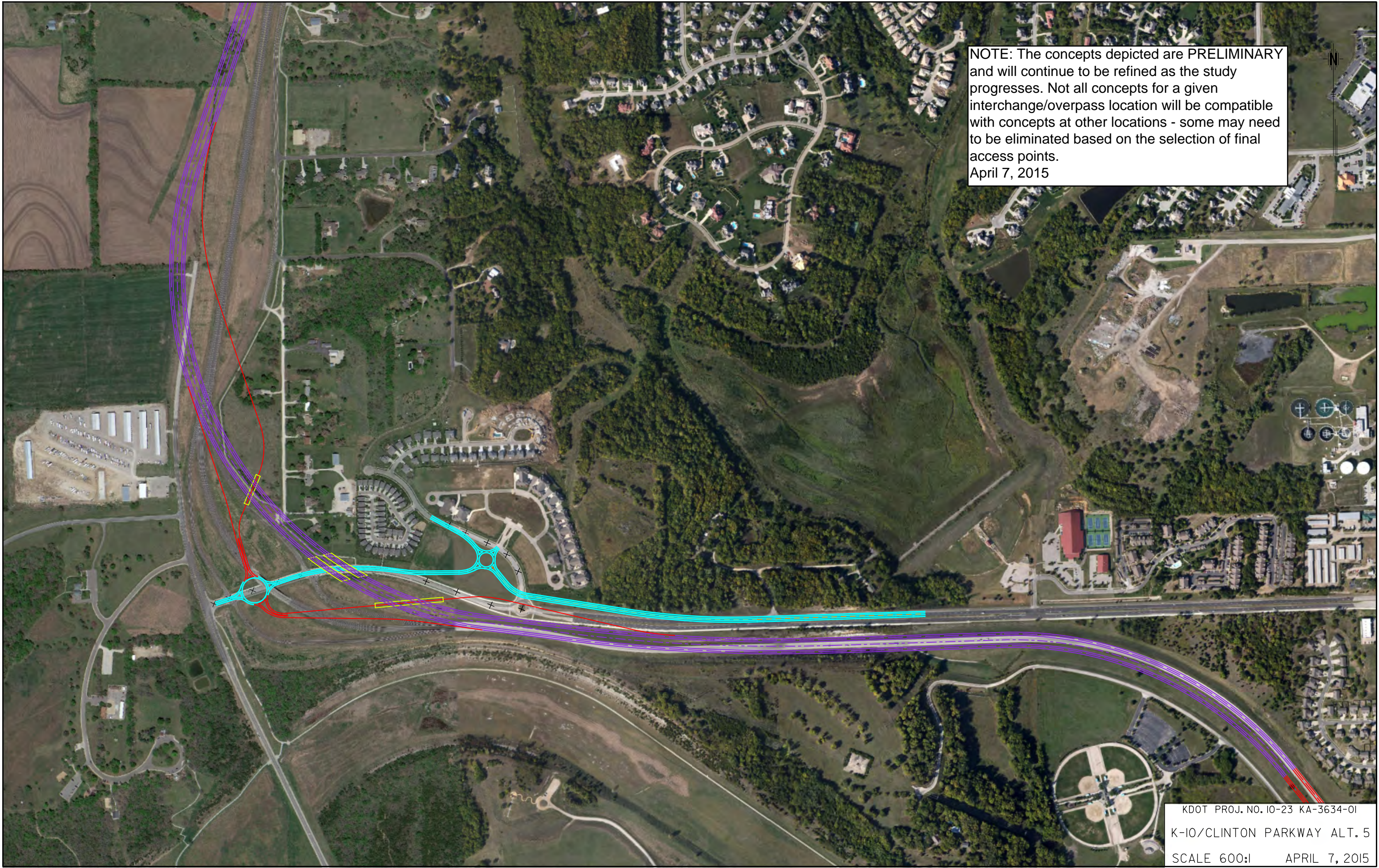
RE: Minor Site Plan Approval – Club House Changes

Staff has administratively approved a minor site plan revision for a change in the building and property layout for the Lake Pointe Club House, located at 2250 Lake Pointe. The revision includes sidewalks that connect the club house to streets to the north and south.

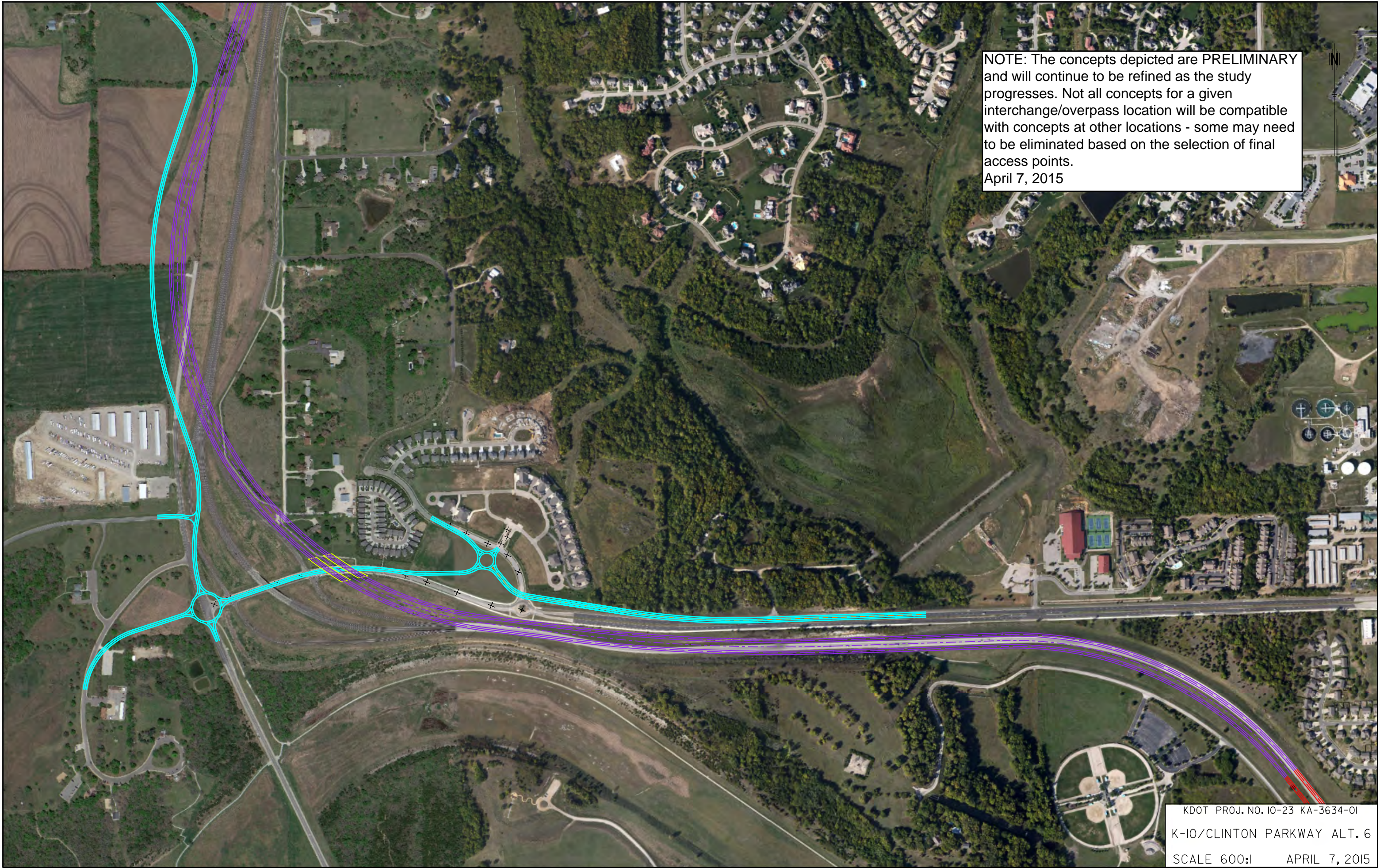
See the attached exhibit.

LEGAL DESCRIPTION - CONDOMINIUM SURVEY

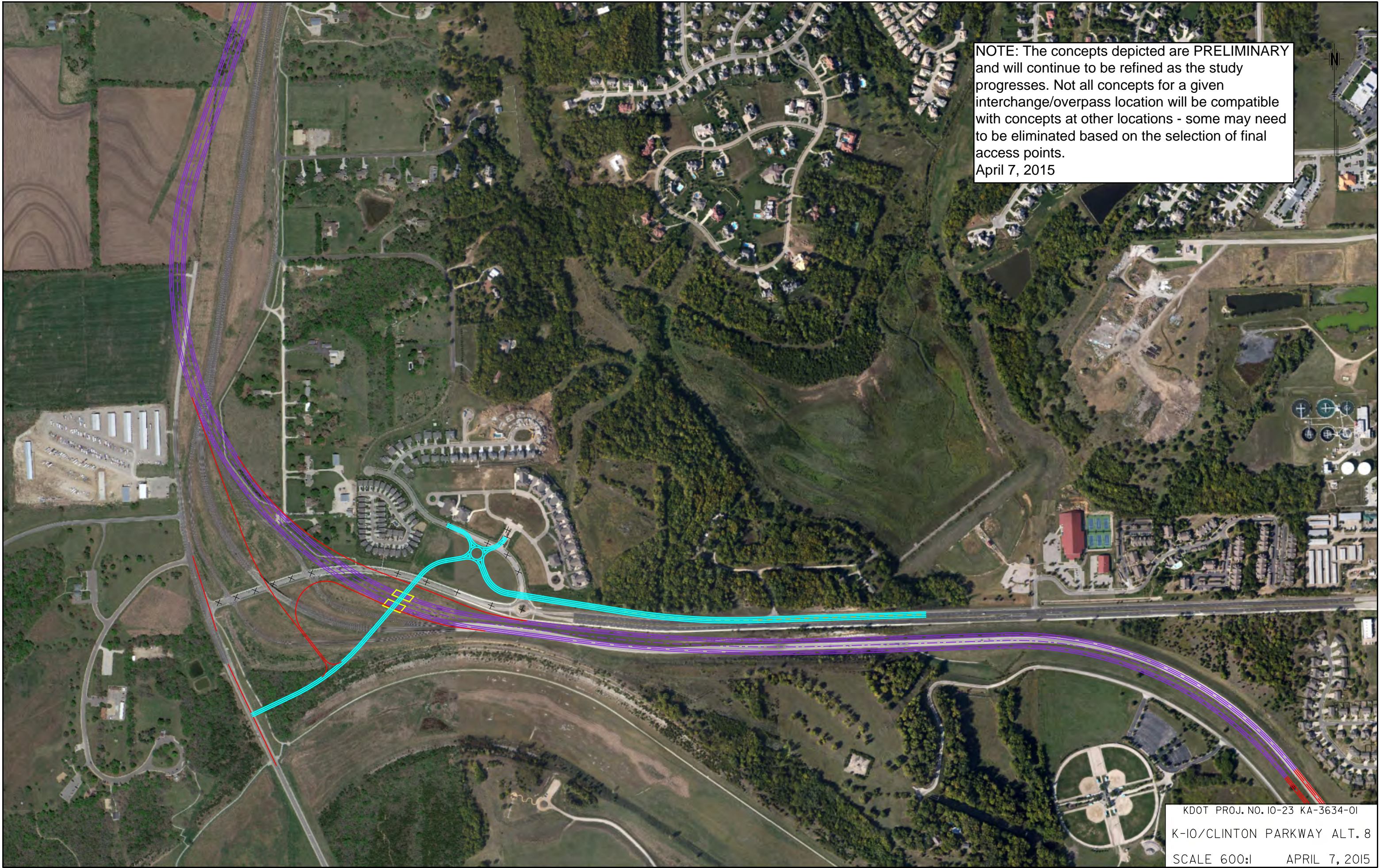




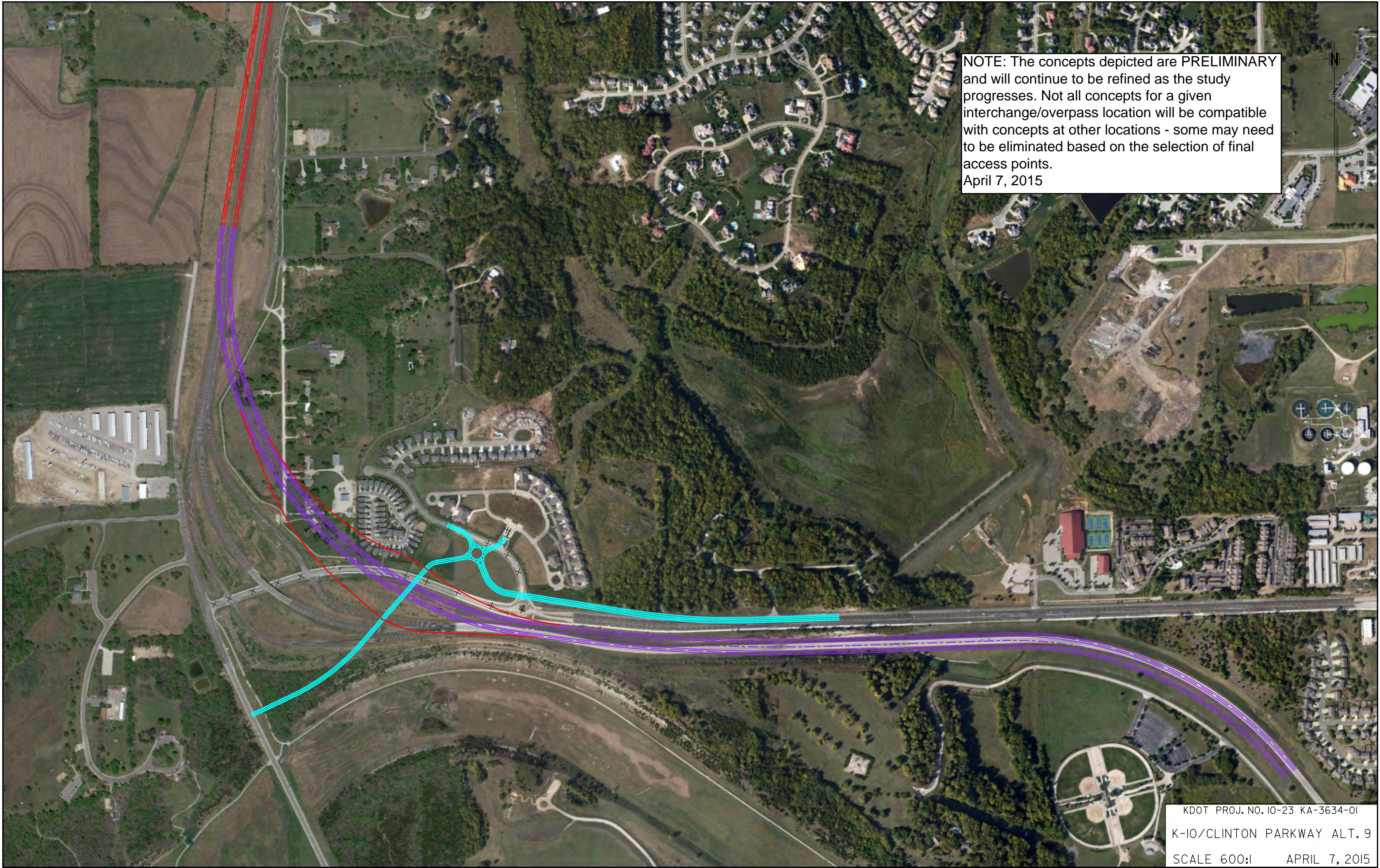
NOTE: The concepts depicted are PRELIMINARY and will continue to be refined as the study progresses. Not all concepts for a given interchange/overpass location will be compatible with concepts at other locations - some may need to be eliminated based on the selection of final access points.
April 7, 2015



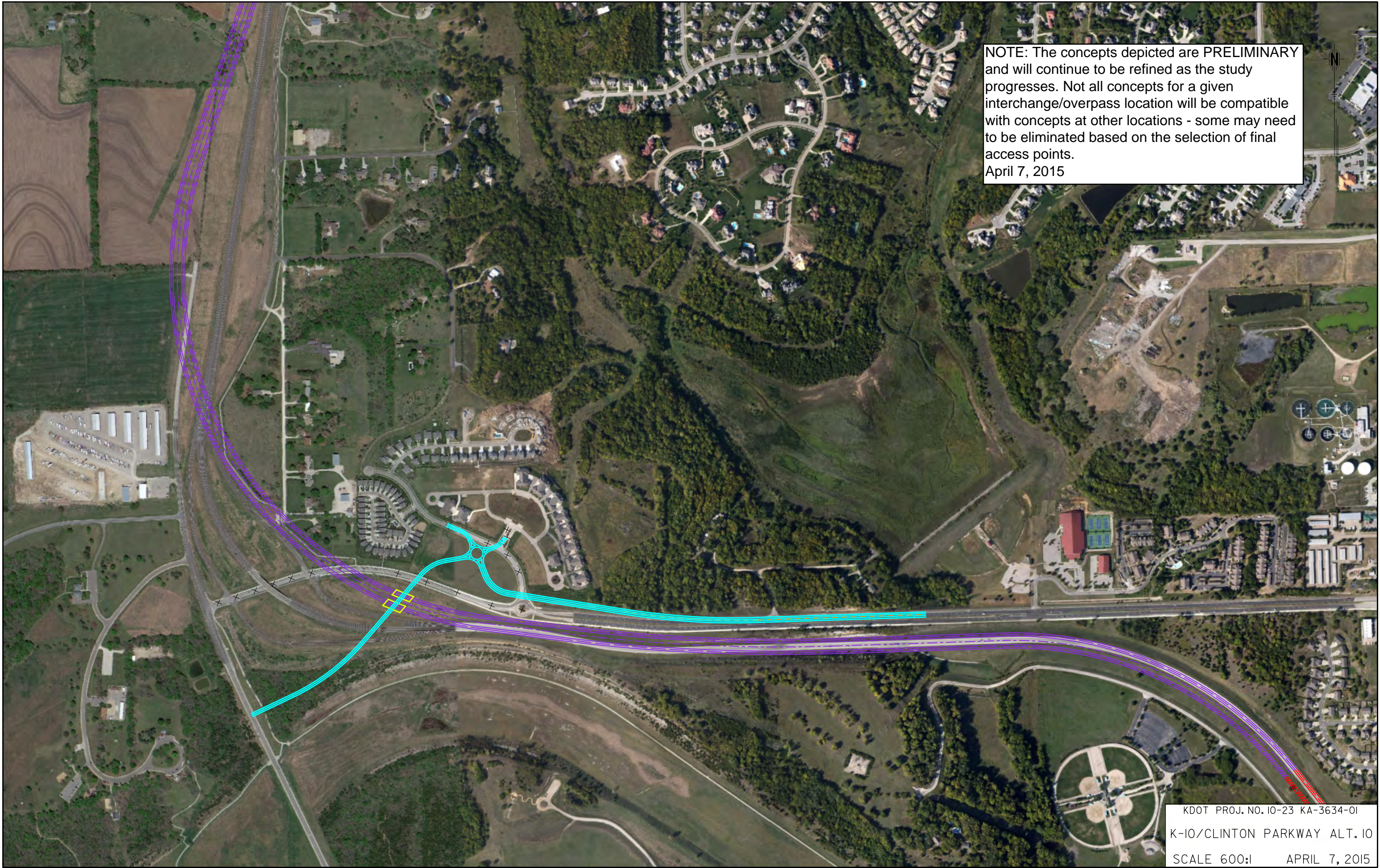
NOTE: The concepts depicted are PRELIMINARY and will continue to be refined as the study progresses. Not all concepts for a given interchange/overpass location will be compatible with concepts at other locations - some may need to be eliminated based on the selection of final access points.
April 7, 2015



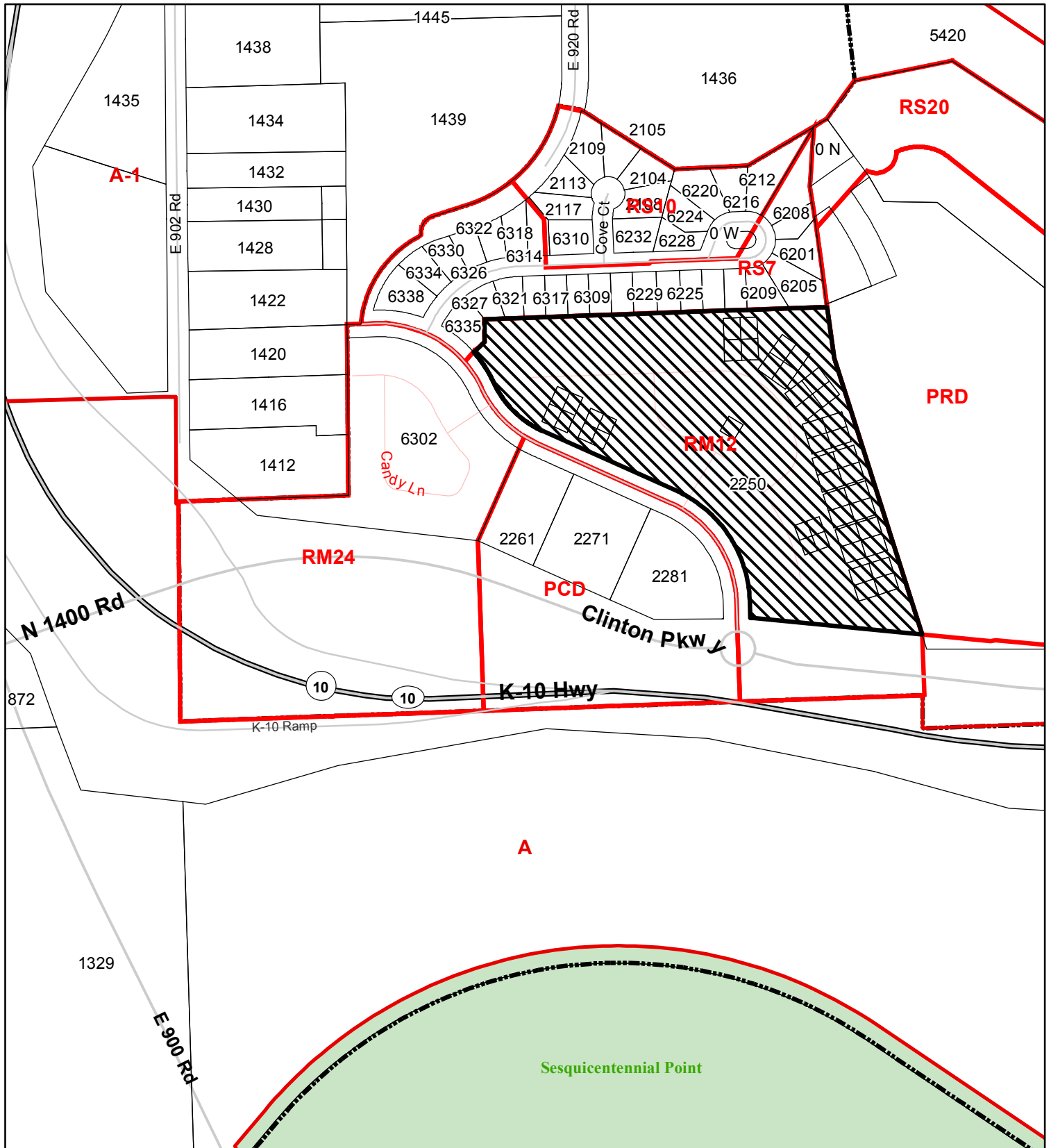
NOTE: The concepts depicted are PRELIMINARY and will continue to be refined as the study progresses. Not all concepts for a given interchange/overpass location will be compatible with concepts at other locations - some may need to be eliminated based on the selection of final access points.
April 7, 2015



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April 7, 2015



NOTE: The concepts depicted are PRELIMINARY and will continue to be refined as the study progresses. Not all concepts for a given interchange/overpass location will be compatible with concepts at other locations - some may need to be eliminated based on the selection of final access points.
April 7, 2015

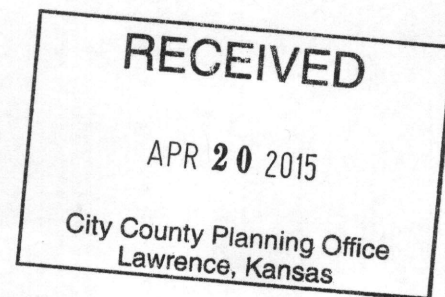


SUP-15-00065: Special Use Permit for Lake View Villas @ Alvamar a Residential Development Consisting of 4-plex, Duplex and Single-Dwelling Buildings Located at 2250 Lake Pointe Drive



LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

April 19, 2015



To Mr. Bruce Liese, Chairman, and Planning Commission

RE: ITEM NO. 2 SPECIAL USE PERMIT FOR LAKE VIEW VILLAS @ ALVAMAR; 2250 LAKE POINTE DR (SLD)

Dear Chairman Liese and Planning Commissioners:

We urge the Planning Commission to deny this application as it is currently presented and to require that this development be rezoned as a Planned Development Overlay District with RM12 Zoning. Our reasons are many, not all of which have been included in this letter.

1. We could not find any State or local zoning law which would permit this development of what are presented as "detached" single family housing and duplexes. (Please see KSA Apartment Ownership Act Article 31 and LDC Subdivision Regulations 20-801(c) Applicability.) **As one large lot**, there are no legally individually owned separate tracts of land or lots. This one lot is characterized as a "condominium" development. In the detached single dwellings, as well as the duplexes, this means that the interiors of the structures (or should we say the combined rooms constituting residences within the structures) are condominiums, but as condominiums the structures themselves and the land underneath will be owned by the single entity, presumably the owner or association of owners acting as the owner of the project. These are also not townhouses (they do not conform to the townhouse laws) and they are not apartment buildings because they do not contain three or more units that have been divided into condominium units. As "condominiums," the land under the residential units is not owned by the individual occupants of the units.

2. The access to these new units is **not a private street**. Private streets are not permitted in any developments within the City of Lawrence except for PUDs or PD Overlay Districts. This accessway technically is a **driveway**. This means that in the event that the Homeowners Association (or whatever is acting on the residents' behalf) fails, the people living in the complex cannot seek relief from the City, as is available to a PUD or PD, for help in maintenance of their driveway or open space.

When a similar situation happened to Williamsburg Place and Normandy Court in 2007, the City Commission initially refused to allow a benefit district to repair their driveway because it was on private property and wasn't a public street. (Doing this for their private drive essentially would be allowing this for all homeowners). The City Commission ultimately waived their original denial and allowed benefit district financing for the Williamsburg Place accessway, but reluctantly, with the vow not to allow this again.

President
Cille King

Vice President &
President Elect
Debra Duncan

Secretary
Caleb Morse

Treasurer
Marjorie Cole

Directors
Margaret Arnold

Caroljean Brune

James Dunn

Midge Grinstead

Carol Klintnett

Marlene Merrill

Austin Turney

Melissa Wick

LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY
Page 2

3. Presumably the Homeowners' Association agreements have a method for replacing the condominium units should they become damaged or demolished in the case of fire or severe weather. *However, in the event of the failure of the Association, how would these misfortunes be rectified?*

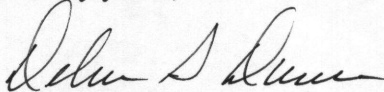
There are so many more questions and mishaps that could happen here when the ownership by the occupants isn't covered by local or State law.

The one way to make this (in a sense) "legal" would be to rezone the lot as a Planned Development Overlay District. The PD allows variations that conventional zoning does not. The Homeowners Association seems to be in place and the development seems to be designed as though it might conform to the Land Development Code, or can be modified so that it would conform.

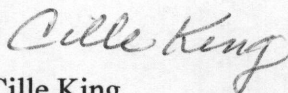
Otherwise, we appeal to the Planning Commission to deny this development as it has been presented, and to require the developers to replat it and rezone it according to the laws of our conventional zoning districts.

We hope that you will carefully consider our request, because approving this development as it has been presented to you would be very damaging to our land use planning system.

Sincerely yours,



Debra S. Duncan
President



Cille King
Vice President
Representing the Land Use Committee

PLANNING COMMISSION REPORT
Regular Agenda – Non-Public Hearing Item

PC Staff Report
PP-15-00067

ITEM NO. 3: PRELIMINARY PLAT FOR DREAM HAVEN; 2910 PETERSON RD (MKM)

PP-15-00067: Consider a Preliminary Plat for Dream Haven, a 7 lot residential subdivision containing approximately 9.3 acres, located at 2910 Peterson Road and adjacent parcels, and associated variances from the lot design and right-of-way width requirements in Section 20-810 of the Subdivision Regulations. Submitted by Treanor Architects, for David A. and Anne K. Gnojek and Dream Haven II LLC, property owners of record.

STAFF RECOMMENDATION:

VARIANCE FROM RIGHT-OF-WAY WIDTH:

Staff recommends approval of the variance requested from Section 20-810(e)(5)(i) subject to the following condition:

The plat shall be revised to note that a variance from the right-of-way width required in Section 20-810(e)(5) of the Subdivision Regulations was granted by the Planning Commission to allow the right-of-way on the subject property side of the center line to remain at 50 ft and list the date of approval.

VARIANCE FROM LOT DESIGN REQUIREMENT:

Staff recommends approval of the variance requested from Section 20-810(a)(2)(i) subject to the following condition:

The plat shall be revised to note that a variance from the Lot design requirement in Section 20-810(a)(2)(i) of the Subdivision Regulations was granted by the Planning Commission to allow the creation of 2 lots with 30 ft of frontage on Durham Court provided the lots utilize a shared access.

PRELIMINARY PLAT

Staff recommends approval of the Preliminary Plat of Dream Haven II subject to the following conditions:

1. Provision of a drainage study/dam rehab plan and Downstream Sanitary Sewer Analysis per City approval.
2. Applicant shall provide a revised preliminary plat with the following changes:
 - a. Access points on Peterson Road revised per the City Engineer's approval.
 - b. Sewer mains extended to touch each lot, per City Utility Division approval.
 - c. Addition of notes reflecting any variances that are approved.

Reason for Request: Subdivision is required prior to development of property with several Detached Dwellings on individual lots.

KEY POINTS

- This land division must be processed as a Major Subdivision as the criteria for a Minor Subdivision/Replat are not met. The property was divided through a Minor Subdivision in 2013 and lots are eligible only one time for approval of a division through the Minor Subdivision/Replat process. (Section 20-808(c)(5) of the Development Code)

- The Minor Subdivision was approved with a note requiring that access to Peterson Road be reviewed in the event the lots are ever further subdivided. New access points must be reviewed and approved by the City Engineer.
- This subdivision proposes to divide and reconfigure the existing 3 lots into 7 lots and 1 tract.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 10, 2012.
- Variances are being requested from Section 20-810(a)(2)(i) which requires that lots be laid-out and designed to comply with all applicable zoning district regulations to allow the creation of 2 lots with less than the required lot frontage, and from Section 20-810(e)(5)(i) which requires 150 ft of right-of-way width for Principal Arterial streets to allow the right-of-way for Peterson road to remain as shown on the plat in this location.

ASSOCIATED CASES

- MS-12-00195: Dream Haven, a Minor Subdivision/Replat of Lot 1, Edwards Subdivision was administratively approved on February 15, 2013 and recorded at the Douglas County Register of Deeds Office on February 25, 2013.

OTHER ACTION REQUIRED

- Submittal and Administrative Approval of Final Plat.
- City Commission acceptance of dedications of easements shown on the Final Plat.
- Submittal and approval of Public Improvement Plans.
- Recording of the Final Plat with the Douglas County Register of Deeds.
- Application and release of Building Permits prior to development. (The building permits will require review by the Fire Code Official to insure the driveways are constructed to accommodate Fire Protection vehicles and adequate turnaround points are provided.)

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Not required. Per Section 20-916 of the Development Code, a Traffic Impact Study is not required for residential developments with ten or fewer lots or dwelling units.
- *Downstream Sanitary Sewer Analysis* – A DSSA is required but has not yet been submitted. The applicant is working with Utilities Department staff to prepare a DSSA.
- *Drainage Study* – A drainage study is required prior to development. The drainage study will be provided prior to the final approval of the Preliminary Plat.
- *Retail Market Study* – Not applicable to project.

PUBLIC COMMENT

No public comment was received prior to publication of this staff report.

Site Summary

Gross Area:	9.27 acres
Number of Existing Lots:	3 lots
Number of Proposed Lots:	7 lots and 1 tract
Minimum Lot Area:	.80 acres (34,760.85 sq ft)
Maximum Lot Area:	1.45 acres (63,534.34 sq ft)
Proposed Density:	7 dwelling units / 9.27 acres: 0.75 dwelling units per acre
Maximum Density Allowed:	7,000 sq ft per unit: 6.22 dwelling units per acre

GENERAL INFORMATION

Current Zoning and Land Use: RS7 (Single-Dwelling Residential) District; *Detached Dwelling* and *Undeveloped*

Surrounding Zoning and Land Use: To the north and east:
RS7 (Single-Dwelling Residential) District; *Detached Dwellings*

To the south:
RS10 and RS7 (Single-Dwelling Residential) Districts;
Detached Dwellings south of Peterson Road

To the west:
PRD-[Peterson Acres] (Planned Residential Development) District; *Duplexes*
(Figure 1)

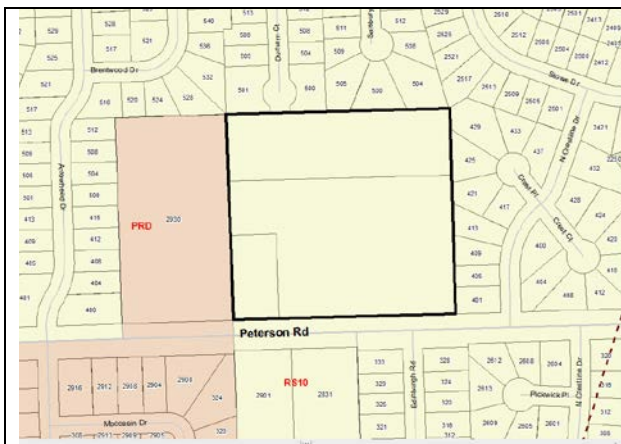


Figure 1a. Zoning in the area. Subject property is outlined.



Figure 1b. Land use in the area.

STAFF REVIEW

This property is located on the north side of Peterson Road, a designated principal arterial. It is not encumbered by the regulatory floodplain and is not within the environs of a registered historic property. Lot 1 is developed with a residence and this plat will accommodate 6 additional residences.

As the property was divided in 2013 into 3 lots with a Minor Subdivision, the further division of the lots must be accomplished through the Major Subdivision Process with approval of a Preliminary and a Final Plat. The intent is to create a very low density residential district; the 7 residences on 9.27 acres will result in a net density of approximately .75 dwelling units per acre. The plat includes building envelopes to prevent intrusion into the area along Peterson Road where native prairie grasses will be established. (Figure 2) The building envelopes include a larger setback from Peterson Road than is required with the RS7 Zoning. A 25 ft front setback is required and the applicant is providing an extraordinary setback between approximately 100 ft to 310 ft. This setback is being self-imposed by the applicant to provide an open space area to separate the residences from Peterson Road. This open space area will be planted with native prairie grasses and excluding it from the building envelope will insure it is not developed, with the exception of the access drives.



Figure 2. Plat graphic showing lot layout, existing buildings in brown and proposed protected open space in green.

Compliance with Zoning Regulations for the RS7 District

Per Section 20-809(d)(2) of the Development Code, each lot resulting from the division will conform with the minimum lot size and other dimensional requirements applicable to the property through the Zoning District regulations. Lots created in the RS7 District must have a minimum area of 7,000 sq ft, a minimum lot width of 60 ft and a minimum lot frontage of 40 ft, per the Dimensional Standards in Section 20-601(b) of the Development Code. The proposed lots meet these requirements with the exception of Lots 2 and 3 in the northwest corner of the site. These 2 lots propose to take access from the cul-de-sac at the terminus of Durham Court. There is 60 ft of frontage available along the cul-de-sac so each lot will have approximately 30 ft of frontage. The Planning Commission has the authority to grant variances from Design Standards of the Subdivision Regulations and this variance request will be discussed later in this report.

With the exception of the frontage for Lots 2 and 3, the proposed lots comply with the Dimensional Standards in Section 20-601(b).

As noted earlier, the plat includes building envelopes with extraordinary setbacks to prevent intrusion into the area along Peterson Road where native prairie grasses will be established. (Figure 2) The building envelopes include a larger setback from Peterson Road than the 25 ft setback that is required with the RS7 Zoning. This open space area will be planted with native prairie grasses and excluding it from the building envelope will insure it is not developed, with the exception of the access drives. The ownership and maintenance responsibility of the tract should be noted on the plat.

Streets and Access

Access to arterial streets, such as Peterson Road, is prohibited except in redevelopment or infill situations where the subject property has no other reasonable access to the street system and the City engineer determines that access onto the arterial street, based on the street's ultimate design, can be safely accommodated. The plat shows each lot on Peterson Road having an individual access point and Lot 1 has 2 existing access points. The access points have been revised from those originally submitted, and additional review is necessary. The City Engineer will review the proposed access points and may require they be relocated or combined to insure the safety of traffic along Peterson Road.

An important aspect of subdivision design is insuring adequate access for Fire/Medical vehicles to the structures. In order to establish and maintain prairie grasses along Peterson Road, the number of access points have been minimized and the houses have been set back from the road. This results in long access drives, which may exceed Fire Code distance requirements. Fire equipment turnarounds and appropriate fire access will be established with the review of building permits for each structure. This is noted on the plat.

Utilities and Infrastructure

A sewer main will be extended from the east and will follow the north sides of the lots from Lot 7 to Lot 3 to serve the residences on these lots. Lot 2 will take service from the existing main at the northwest corner of the site. Lot 1 will maintain its connection to the sanitary sewer in Peterson Road. The sanitary sewer service line shown on the plat in the utility easement along the north side of Lot 4 should be revised to a main, as City Code requires the public main to touch each lot. A water main is located on the south side of Peterson Road and service lines will be extended north to serve lots 4 through 7. Lots 2 and 3 will take service from the water main in the Durham Court right-of-way.

The property contains a pond which will be used for stormwater management. The City Stormwater Engineer indicated that the dam was in need of repair and that a rehabilitation plan should be included with the drainage study.

Easements and Rights-of-way

The following utility easements are provided on the plat:

- Sanitary Sewer Easement, 15 ft wide for the extension of the sanitary sewer main west through the site.
- Utility easement along the boundary of the property, with the exception of the north boundary of Tract A. -- 10 ft on north, south, and west, and 15 ft on east boundary of the plat.
- 20 ft Drainage easement along the east side of Lot 7 and Tract A.
- Drainage easement located over a portion of the pond.
- 20 ft Rural Water District No. 1 easement is located along the south property line. The applicant indicated that this easement is still required by the Water District.

Peterson Road right-of-way width is 100 ft along the subject property frontage, except for an area where the property to the south has not yet been platted. In this location it is 90 ft wide. The additional 10 ft of right-of-way will be dedicated when the property south of Peterson Road is platted to obtain a consistent right-of-way width. The City Engineer indicated he would support the variance request from the requirement to dedicate additional right-of-way for Peterson Road with this plat as the existing right-of-way is consistent with Peterson Road, as developed.

VARIANCES

Per Section 20-813(g) of the Development Code, the Planning Commission may grant a variance from the Design Standards of the Subdivision Regulations in cases where there is hardship in carrying out the literal provisions of the standards. This section also lists the criteria which must be met in order for a variance to be approved. The variances requested with this Preliminary Plat are reviewed with these criteria in the following section.

RIGHT-OF-WAY WIDTH VARIANCE REQUEST

Variance from the 150 ft right-of-way width requirement in Section 20-810(e)(5)(i) for a Principal Arterial to allow the right-of-way for Peterson Road to remain at 100 ft (50 ft from centerline) for that portion of Peterson Road adjacent to the subject property.

Criteria 1. Strict application of these regulations will create an unnecessary hardship upon the Subdivider.

The right-of-way width is consistent at 100 ft from Kasold Drive on the west to N. Iowa Street on the east. This area has been platted and developed with the exception of the subject property and the property just to the south of the subject property. (Figure 3) When this property is platted, it will be required to provide the additional right-of-way to match the existing right-of-way in the area.



Figure 3. Right-of-way for Peterson Rd is consistent at 100 ft from Kasold Drive to N Iowa Street, with exception of unplatted property south of subject property (highlighted).

The 150 ft right-of-way standard is intended primarily for green field development, rather than infill; however, additional right-of-way is often required to accommodate future street improvements. Peterson Road was recently improved and the City Engineer indicated there were no plans to widen it in the future. Dedicating the additional right-of-way would remove property from the developable area and would reduce the area the applicant has designated as open space.

Staff Finding: As the right-of-way is not needed for future street improvements, requiring the dedication for the subject property would be an unnecessary hardship on the applicant.

Criteria 2. The proposed variance is in harmony with the intended purpose of these regulations. Right-of-way dedication is required when properties are platted to insure adequate right-of-way is available to accommodate improvements to the street, including infrastructure and sidewalks. Peterson Road was recently improved and has sidewalks on both sides of the street.

Figure 2 illustrates that the right-of-way currently provided adjacent to the subject property is consistent with the pattern of the area. The City Engineer indicated there are no plans for improvements within the Peterson Road right-of-way and that the right-of-way currently dedicated for Peterson Road in this area is adequate.

Staff Finding: The proposed request is consistent with the pattern of the area. The amount of right-of-way currently provided for Peterson Road, 100 ft, is adequate and there are no plans to widen the street in the future. The variance is in harmony with the purpose of the regulations.

Criteria 3: The public health, safety, and welfare will be protected.

Staff Finding: As there are no plans to improve Peterson Road in this area and sidewalks are provided on both sides of the street, the variance will not affect the public health, safety, or welfare.

Staff Recommendation:

Approve the variance requested from Section 20-810(e)(5)(i) from the requirement to dedicate additional right-of-way for Peterson Road adjacent to this subdivision subject to the following condition:

The plat shall be revised to note that a variance from the right-of-way width required in Section 20-810(e)(5) of the Subdivision Regulations was granted by the Planning Commission to allow the right-of-way on the subject property side of the center line to remain at 50 ft and list the date of approval.

FRONTAGE VARIANCE REQUEST

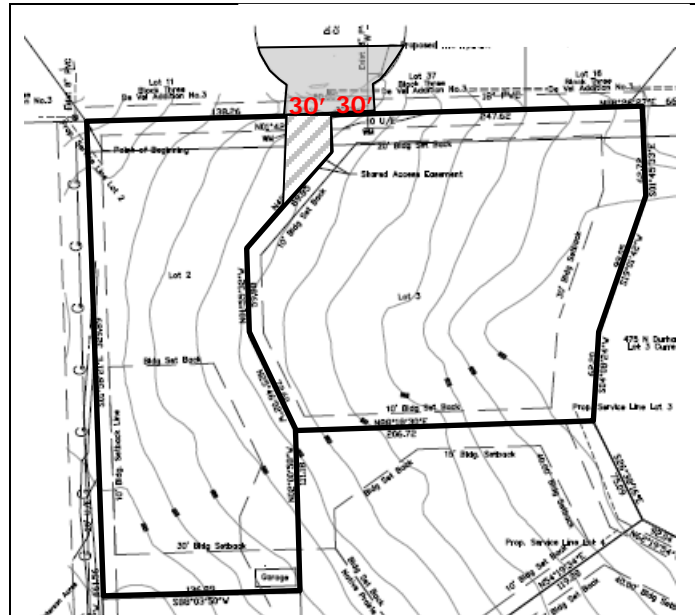
Variance from the requirement in Section 20-810(a)(2)(i) of the Development Code that all lots comply with the dimensional requirements of the zoning district to allow the creation of 2 lots, Lots 2 and 3, with less than the 40 ft lot frontage required in the RS7 Zoning District. Lots 2 and 3 will divide the 60 ft of frontage available for Durham Court and will have 30 ft of frontage each. (Figure 4)

Criteria 1. Strict application of these regulations will create an unnecessary hardship upon the Subdivider.

Durham Court terminates in a cul-de-sac with a stub that extends to the subject property's north boundary. It would not be possible to extend Durham Court to the south to provide each lot with the required frontage due to the code restrictions on the lengths of cul-de-sac. The Durham Court cul-de-sac is currently approximately 786 ft long. Per Section 20-810(e)(8)(1) of the Development Code a cul-de-sac may have a maximum length of 1,000 ft or 10 times the required minimum lot width of the zoning district, whichever is less. The RS7 District requires a minimum lot width of 60 ft so the maximum cul-de-sac length permitted would be 600 ft. Extending the street would require either a variance from the maximum cul-de-sac length or the continuing the extension to the south to connect with Peterson Road. This would require the construction of approximately 640 ft of street and would alter the character of the subject property. It would require the property to be developed in a more conventional pattern rather than the low density pattern that is proposed.

40 ft of frontage is required on a cul-de-sac to insure adequate width for a driveway. The 2 lots being proposed will utilize a shared access so one driveway will be provided on the 60 ft of frontage.

Staff Finding: While Lots 2 and 3 will have less than the required 40 ft of frontage per lot, they will have a combined frontage of 60 ft and will utilize a shared driveway. Lots 2 and 3 could have the required 40 ft of frontage only if Durham Court were extended. Due to the length restrictions on cul-de-sacs, Durham Court would need to be extended to connect to Peterson Road which would alter the large lot/open space character of the development. This would be an unnecessary hardship upon the subdivider.



Criteria 2. The proposed variance is in harmony with the intended purpose of these regulations.

Section 20-801(a)(1) of the Subdivision Regulations lists the following as the purpose of the regulations: *"...to ensure that the division of land, which, in many instances, is an initial step in urbanization, will serve the public interest and general welfare.these regulations are intended to:*

- i) Provide for the harmonious and orderly development of land within the City and Unincorporated Area of Douglas County by making provisions for adequate open space, continuity of the transportation network, recreation areas, drainage, utilities and related easements, light and air, and other public needs;*
- ii) Contribute to conditions conducive to health, safety, aesthetics, convenience, prosperity, and efficiency; and*
- iii) Provide for the conservation and protection of human and natural resources."*

The variance will not alter the existing street layout, so the continuity of the transportation network will remain unchanged. The variance will allow the development of the property with larger lots than exist in nearby subdivisions and will include open space with a pond and grassed areas. Granting the variance will allow this large lot development to occur and provide open space as an aesthetic amenity to the area.

Staff Finding: The variance will allow 2 lots to take access from Durham Court and would result in a large lot development with lots of approximately 1 acre in area and approximately 3.5 acres of protected open space. This is in harmony with the purpose of these regulations.

Criteria 3: The public health, safety, and welfare will be protected.

The Fire Inspector indicated that the access point on Durham Court would be adequate for their equipment, provided the drives were constructed to accommodate their equipment and vehicles and appropriate turnarounds were constructed. This would be determined through the building permit review of each property. As a shared access will be utilized the variance will result in one driveway in 60 ft of frontage at the end of Durham Court which should be adequate to maintain safe traffic on the street.

Staff Finding: With the provisions for fire prevention access and the use of a shared access easement, the granting of the variance should have no adverse impact on the public health, safety, and welfare.

Staff Recommendation:

Approve the variance requested from Section 20-810(a)(2)(i) of the Subdivision Regulations to allow the creation of Lots 2 and 3 with 30 ft of frontage, rather than the 40 ft required by Code subject to the following conditions:

The plat shall be revised to note that a variance from the Lot design requirement in Section 20-810(a)(2)(i) of the Subdivision Regulations was granted by the Planning Commission to allow the creation of 2 lots with 30 ft of frontage on Durham Court provided the lots utilize a shared access.

Preliminary Plat Conformance

The preliminary plat will divide and reconfigure the existing 3 lots into 7 lots to allow for the development of 6 new *Detached Dwellings*. With the variances and noted conditions, the preliminary plat is in conformance with the standards and requirements of the Subdivision Regulations and the Development Code.

