



PLANNING COMMISSION MEETING

August 26, 2013

Meeting Minutes

August 26, 2013 – 6:30 p.m.

Commissioners present: Britton, Culver, Graham, Josserand, Kelly, Liese, Rasmussen, Struckhoff, von Achen

Staff present: McCullough, A. Miller, Day, Larkin, Leininger, Ewert

MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of July 22, 2013.

Motioned by Commissioner Rasmussen, seconded by Commissioner Britton, to approve the July 22, 2013 Planning Commission minutes.

Motion carried 6-0-3, with Commissioners Graham, Kelly, and von Achen abstaining.

COMMITTEE REPORTS

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

Commissioner Culver said he attended his first MPO meeting last week and that they received some project memo updates. He said they also discussed the multi-modal transportation studies project and how that was progressing. He said they also made some changes to the metropolitan transportation plan to take into account the new design for the K-10 and US-40 interchange.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- No ex parte.
- Abstentions:
Commissioner Kelly said he would abstain from Items 1A-1G due to his employment by USD 497.
Mr. McCullough said the school district was part of the application for Items 1A-1G.

PC Minutes 8/26/13

ITEM NO. 1A UR TO RS7; 4.712 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00251: Consider a request to rezone approximately 4.712 acres from UR (Urban Reserve) District to RS7 (Single-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1B UR TO RS5; 2.674 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00252: Consider a request to rezone approximately 2.674 acres from UR (Urban Reserve) District to RS5 (Single-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1C UR TO RM12D; 3.195 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00253: Consider a request to rezone approximately 3.195 acres from UR (Urban Reserve) District to RM12D (Multi-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1D UR TO RM12; 3.349 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00254: Consider a request to rezone approximately 3.349 acres from UR (Urban Reserve) District to RM12 (Multi-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1E UR & PCD TO OS; 4.182 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00255: Consider a request to rezone approximately 4.182 acres from UR (Urban Reserve) District and PCD (Planned Commercial Development) District to OS (Open Space) District located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1F UR, PCD, & RS10 TO CN2; 16.619 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00256: Consider a request to rezone approximately 16.619 acres from UR (Urban Reserve) District, PCD (Planned Commercial Development) District, and RS10 (Single-Dwelling Residential) District to CN2 (Neighborhood Commercial Center) District located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc. and Unified School District #497, property owners of record.

ITEM NO. 1G PRELIMINARY PLAT FOR LANGSTON COMMONS; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

PP-13-00257: Consider a Preliminary Plat for Langston Commons, approximately 35.745 acres located north of Bob Billings Pkwy and east of K-10. This proposed preliminary plat includes 29 detached residential dwelling lots, 7 duplex lots, 1 multi-dwelling lot, 1 neighborhood commercial lot,

and 2 tracts for open space. Submitted by Landplan Engineering PA, for Alvamar Inc. and Unified School District #497, property owners of record.

STAFF PRESENTATION

Ms. Sandra Day presented items 1A-1G together.

APPLICANT PRESENTATION

Mr. Brian Sturm, Landplan Engineering, said Langston Commons would be an extension of Langston Heights. He said the placement of streets was the result of a memorandum of understanding that was drafted during the winter between KDOT, Alvamar, and USD 497. He said it was approved by all of those property owners in an effort to provide access to not only the school district property but the property owned by Alvamar in the face of the coming development by KDOT. He said he met with area neighbors in July and it was generally a positive meeting. He said the developer accepted the recommendations and conditions recommended by staff.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Rasmussen inquired about the hiking/biking trail being moved and asked who would be responsible for moving and building the new one.

Ms. Day said she believed it would be KDOT but she was not sure what the construction negotiation was.

Mr. Sturm said as part of the construction of the KDOT interchange the SLT shared use path would be moved. He said the relocation of the path was entirely in the scope of KDOT. He said it would be relocated inside what will be the outer boundary of the Langston Heights preliminary plat, within the Open Space zoned area. He said it would be located within a permanent easement that KDOT would essentially acquire from Alvamar Inc.

Commissioner Rasmussen inquired about access to the path.

Mr. Sturm said there would be three different access easements proposed with the plat that would function to carry pedestrian and bicycle traffic. He showed a diagram on the overhead with the access points.

Commissioner von Achen asked Mr. Sturm to display one of the concept slides on the overhead. She inquired about the transportation overlay district.

Mr. Sturm said the Land Development Code sets out the boundaries and design standards for the K-10 transportation corridor overlay district. He said it was essentially a district that overlays any zoning underneath it and its perimeters start at the center line of the SLT and 500' in either direction. He said the transportation corridor overlay district required a 500' wide greenspace easement within any property plated immediately adjacent to SLT right-of-way.

Commissioner von Achen asked about the average number of units per acre and what it included.

Mr. Sturm said it included the net density of all of the residentially zoned property within the preliminary plat. He said the figure takes the gross acreage of properties being zoned and subtracts

out the area devoted to rights-of-way, which equals the net acreage and that number is divided by the total units.

Commissioner Culver inquired about the memorandum of understanding for Renaissance Drive and Langston Way.

Mr. Sturm said KDOT, as part of the interchange construction, would construct the first 100' of street from Bob Billings Pkwy going north. He said as Langston Commons moved forward, as part of the final plat and public improvement plans that have to be approved, Langston Way and Renaissance Drive would be designed and then ultimately paid for essentially by Alvamar, USD 497, and the developer.

Commissioner Culver said when they talked about Langston Heights in previous meetings they discussed access to the property to the north as it developed. He asked if that was still the intended plan.

Mr. Sturm said there had been no change between the developer and the Diamondhead neighborhood and that all construction traffic for Langston Heights and Langston Commons would proceed through these properties, not through the existing Diamondhead neighborhood.

ACTION TAKEN on Item 1A

Motioned by Commissioner Liese, seconded by Commissioner Graham, to approve the request to rezone approximately 4.712 acres from UR (Urban Reserve) District to RS7 (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.

Motion carried 8-0-1, with Commissioner Kelly abstaining.

ACTION TAKEN on Item 1B

Motioned by Commissioner Liese, seconded by Commissioner Graham, to approve the request to rezone approximately 2.674 acres from UR (Urban Reserve) 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.

Motion carried 8-0-1, with Commissioner Kelly abstaining.

ACTION TAKEN on Item 1C

Motioned by Commissioner Liese, seconded by Commissioner Graham, to approve the request to rezone approximately 2.674 acres from UR (Urban Reserve) District to RM12D (Multi-Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Motion carried 8-0-1, with Commissioner Kelly abstaining.

ACTION TAKEN on Item 1D

Motioned by Commissioner Liese, seconded by Commissioner Graham, to approve the request to rezone approximately 3.349 acres from UR (Urban Reserve) District to RM12 (Multi Dwelling

Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Motion carried 8-0-1, with Commissioner Kelly abstaining.

ACTION TAKEN on Item 1E

Motioned by Commissioner Liese, seconded by Commissioner Graham, to approve the request to rezone approximately 4.182 acres from UR (Urban Reserve) and PCD (Bob Billings Parkway Center PCD) District to OS (Open Space) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Motion carried 8-0-1, with Commissioner Kelly abstaining.

ACTION TAKEN on Item 1F

Motioned by Commissioner Liese, seconded by Commissioner Graham, to approve the request to rezone approximately 16.619 acres from UR (Urban Reserve District), PCD (Planned Commercial Development) District, and RS10 (Single-Dwelling Residential) District to CN2 (Neighborhood Commercial Center) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Motion carried 8-0-1, with Commissioner Kelly abstaining.

ACTION TAKEN on Item 1G

Motioned by Commissioner Liese, seconded by Commissioner Graham, to approve the Preliminary Plat of the Langston Commons Addition, subject to the following condition of approval:

1. Provision of a revised Preliminary Plat that graphically shows access restriction along Bob Billings Parkway and along K-10 Highway.

Commissioner Culver said the comments in the League of Women Voter letter were valid and felt they needed to be addressed during the site planning process.

Motion carried 8-0-1, with Commissioner Kelly abstaining.

PC Minutes 8/26/13

ITEM NO. 2 ANNEXATION OF 25.81 ACRES; SE OF MARY'S LAKE BETWEEN HASKELL AVE & O'CONNELL RD (SMS)

A-13-00296: Consider annexation of approximately 25.81 acres located southeast of Mary's Lake between Haskell Avenue and O'Connell Road for the construction of the extension of E 31st Street to tie into N 1300 Road east of the E 1600 Road/O'Connell Road intersection. The property owner of record is the Kansas Secretary of Transportation. *Initiated by City Commission on 8/6/13.*

STAFF PRESENTATION

Ms. Amy Miller presented the item.

Mr. Chuck Soules, Public Works Director, said an earmark was received in 2006 for about \$800,000 to begin and design right-of-way acquisition for 31st Street, between Haskell Ave and O'Connell Road. He said it had taken this long because there wasn't construction funding until 2009 when KDOT announced they would build the SLT. He stated with the construction of the SLT the intersection of 31st and Haskell would become an interchange and the intersection would move to service the business park. He said in order to do that they were building a third of the way between Haskell Ave and O'Connell Road, which allowed the opportunity for the City to partner with KDOT. He said the project was tied to the SLT bid that would occur September 18th. He said the City would have to reimburse KDOT for the right-of-way acquired on the City's behalf. He said the City would pay for the construction from the Harrison Family Farms back to 31st Street. He stated the City entered into agreements with KDOT to provide funding but in order to do that the property had to be within the city limits which is why the annexation was requested.

Commissioner Josserand inquired about the reconfiguration of 31st Street.

Mr. Soules said 31st Street would essentially remain in the same area as it was currently, to the northern part of the industrial park, but then would swing way to the south to follow the contours of the ground. He showed a visual aid on the overhead. He said in 2006 there was a large committee of different stakeholders that met for a year and went through the process of coming up with the alignment.

PUBLIC COMMENT

Ms. Vickie Burggraf said she owns property at the corner of E 1600 Rd and N 1300 Rd. She said the corner with her house on it was acquired by KDOT, but that she still owns 1 acre (she pointed out her property on the overhead). She said she was told by KDOT that she would still be allowed access to her out buildings although now the access points would be within the city limits. She also wondered if traffic would go down N 1300 Rd or routed north and south.

Mr. Soules said they were only annexing what KDOT would acquire and that Ms. Burggraf would still have access. He said he was not sure where people would travel to and that the roundabout would function just like any intersection.

Mr. McCullough said it would be like any other urbanized road.

Ms. Karen Heeb said she was on the steering committee for the extension of N 1300 Road. She said at that time they talked about traffic coming down 31st Street with the goal of shooting traffic toward K-10 and that 31st Street extended would become a frontage road past O'Connell. She expressed concern about heavy traffic on N 1300 Road.

Mr. McCullough said that was the ultimate design for it and the presumption was that once improved to a light to the north that the behavior of traffic would take that as a more convenient efficient route.

Commissioner Liese asked if the annexation would be forwarded to the County Commission.

Mr. McCullough said it was not an island annexation so the County Commission would not see it. He said annexations over 10 acres are be sent to City Commission.

Ms. Bernice Vervynck said the 31st Street extension would not be built at the same time therefore traffic will be thrown onto N 1300 Road.

Mr. McCullough said yes, it could. He said the light would be a controlled access point that motorists would choose to take because it would be the easiest route.

COMMISSION DISCUSSION

Commissioner Liese thanked the public members for attending the meeting.

ACTION TAKEN

Motioned by Commissioner Josserand, seconded by Commissioner Liese, to approve the requested annexation, A-13-00296, of approximately 25.81 acres located southeast of Mary's Lake between Haskell Avenue and O'Connell Road based on the findings in the body of the staff report and forwarding the request to the City Commission with a recommendation for approval.

Unanimously approved 9-0.

PC Minutes 8/26/13

ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT TO H2020; TRANSPORTATION (MJL)

CPA-13-00272: Consider Comprehensive Plan Amendment to Horizon 2020, Chapter 8-Transportation, to incorporate the Goals, Objectives and Strategies in the new T2040 Metropolitan Transportation Plan. *Initiated by City Commission on 6/11/13.*

STAFF PRESENTATION

Ms. Michelle Leininger presented the item.

Commissioner von Achen asked what intelligent transportation systems meant.

Mr. Todd Girdler, Senior Transportation Planner, said intelligent transportation systems referred to a large and complex system of institutional relationships and technological relationships of lots of equipment that talks to each other to make the existing traffic lanes, intersections, transit systems and a host of other transport facilities work more safely and efficiently. He said it involved everything from video detection cameras on left turn queues to prioritization of signals for EMS.

Commissioner von Achen asked about the three smaller communities in the county and if they could choose to approve this or come up with their own.

Mr. McCullough said the transportation plan that the MPO adopts was county wide. He said that was a little different than the Comprehensive Plan that had jurisdiction boundaries that exclude the three smaller cities.

ACTION TAKEN

Motioned by Commissioner Liese, seconded by Commissioner Kelly, to approve the Comprehensive Plan Amendment to Horizon 2020 Chapter 8 - Transportation, to update the chapter to reflect the goals and policies of the approved long-range transportation plan, Transportation 2040 and forwarding to the Lawrence City Commission and Douglas County Commission with a recommendation for approval.

Unanimously approved 9-0.

Motioned by Commissioner Liese, seconded by Commissioner von Achen, to authorize the Chair to sign the Planned Commission Resolution, PCR-13-00332, regarding CPA-13-00272.

Unanimously approved 9-0.

PC Minutes 8/26/13

**ITEM NO. 4 TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE; LIGHTING
STANDARDS (MKM)**

TA-12-00204: Consider a Text Amendment to the City of Lawrence Land Development Code, Chapter 20, to establish lighting standards and requirements as an alternative to the photometric plan. *Initiated by City Commission on 8/21/12.*

Item No. 4 was deferred prior to the meeting.

PC Minutes 8/26/13

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

MISC NO. 1 RECEIVE UPDATE ON TEXT AMENDMENT FOR PARKING & ACCESS STANDARDS (SMS)

TA-6-14-09/TA-13-00235: Proposed Text Amendments to the City of Lawrence Land Development Code, Article 9 and related sections of Chapter 20, for comprehensive revisions to parking and access standards.

STAFF PRESENTATION

Mr. McCullough provided an update on the item.

Commissioner Rasmussen asked who tasked staff with drafting regulations or restrictions regarding boats and RV's.

Mr. McCullough said many amendments were staff initiated and that this particular one came out of many enforcement cases. He said it was based on the fact that staff does not have the tools to address enforcement issues in the community.

Commissioner Rasmussen asked about the health, safety, and welfare concern that was trying to be addressed.

Mr. McCullough said they were trying to address aesthetics, visibility on pedestrian ways in the public right-of-way, and property maintenance issues and how many RV's/boats/trailers could be in the front yard. He said aesthetics was regulated through such things as the design guidelines, property maintenance code, landscaping, setbacks, development patterns, and historic review.

Commissioner Rasmussen asked if big pick-up trucks would be restricted as well.

Mr. McCullough said the size of vehicles, weight limits, was already part of the Code.

Commissioner Rasmussen said a tall pick-up truck cab was not going to be any higher than a small RV or trailer so he questioned this being a safety issue.

Mr. McCullough said that was the value in doing public outreach, to weigh all the different values for Planning Commission to look at.

Commissioner Josserand said he received a 45 minute phone call on the issue in response to the minutes from Planning Commission's meeting last month. He said there were residents who were concerned about the issue.

Commissioner Culver asked when the item would be seen again.

Mr. McCullough said hopefully in the next 2-3 months.

Commissioner Rasmussen asked if it would be possible going forward with the proposed changes to separate the two issues of business parking versus the parking of RV's and boats on personal property.

Mr. McCullough suggested Planning Commission may want to discuss the topic at a future Mid-Month meeting once feedback is received from the community.

MISC NO. 2 RECEIVE MINUTES FROM JOINT HRC/PC MEETING

Receive minutes from the joint June 20, 2013 Historic Resources Commission/Planning Commission meeting.

Motioned by Commissioner Josserand, seconded by Commissioner Britton, to approve the joint June 20, 2013 Historic Resources Commission/Planning Commission meeting minutes.

Commissioner Rasmussen said he would abstain since he was not present at the meeting.

Approved 6-0-3, with Commissioners Kelly, Rasmussen, and Struckhoff abstaining.

ADJOURN 7:55pm