



PLANNING COMMISSION MEETING
March 25 & 27, 2019
Meeting Action Summary

March 25, 2019 – 6:30 p.m.

Commissioners present: Ashworth, Carpenter, Carttar, Paden, Sands, Sinclair, Struckhoff, Weaver, Willey

Staff present: McCullough, Crick, Day, Ewert, Kobe, Larkin, Mortensen, Weik

GENERAL BUSINESS
PLANNING COMMISSION ACTION SUMMARY

Receive and amend or approve the action summary (minutes) from the Planning Commission meeting of December 17 & 19, 2018.

Motioned by Commissioner Struckhoff, seconded by Commissioner Carttar, to approve the December 17 & 19, 2018 Planning Commission action summary minutes.

Motion carried 8-0-1 with Commissioner Ashworth abstaining. Commissioners Carpenter, Carttar, Paden, Sands, Sinclair, Struckhoff, Weaver, and Willey voted in favor.

COMMITTEE REPORTS

No reports to receive from committees.

COMMUNICATIONS/ EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Receive written communications from staff, Planning Commissioners, or other commissioners.
- Ex parte:
 - Commissioner Sands said he talked with Bobbie Flory regarding some of her comments on the Growth & Development chapter of *Plan 2040*.
 - Commissioner Willey said she spoke with Hugh Carter, Bobbie Flory, Danielle Davey, Scott Zaremba regarding the community benefit policy of Chapter 2 of the comprehensive plan. She stated all of the discussions would come out in dialogue during public comment.
- No abstentions.

GENERAL PUBLIC COMMENT

No general public comment.

PC Minutes 3/25/19

Recess LDCMPC

Convene as the Airport Zoning Commission

ITEM NO. 2A SITE PLAN FOR LAWRENCE MUNICIPAL AIRPORT; 1910 N AIRPORT RD (SLD)

Airport Zoning Commission: Site Plan, SP-19-00029, for 1910 N Airport Rd. Submitted by Landplan Engineering Services and Hetrick Air Services Inc, on behalf of the City of Lawrence, property owner of record.

ITEM NO. 2B VARIANCE FOR LAWRENCE MUNICIPAL AIRPORT ADDITION NO. 3; 1910 N AIRPORT RD (SLD)

MS-19-00035: Sidewalk variance associated with a Minor Subdivision for Lawrence Municipal Airport Addition No. 3, located at 1910 N Airport Rd. Submitted by Landplan Engineering Services and Hetrick Air Services Inc, on behalf of the City of Lawrence, property owner of record.

STAFF PRESENTATION

Sandra Day presented items 2A-2B together.

Chuck Soules, Assistant Director of Municipal Services & Operations, was present for questions.

PUBLIC HEARING

No public comment.

ACTION TAKEN on Item 2A

Motioned by Commissioner Struckhoff, seconded by Commissioner Sands, as the Airport Zoning Commission, finds that the application conforms to the Airport Overlay District Regulations and the proposed site plan be approved.

Motion carried 9-0. Commissioners Ashworth, Carpenter, Carttar, Paden, Sands, Sinclair, Struckhoff, Weaver, and Willey voted in favor.

**Adjourn Airport Zoning Commission
Reconvene LDCMPC**

ACTION TAKEN on Item 2B

Motioned by Commissioner Struckhoff, seconded by Commissioner Sands, to approve the variance requested for a minor subdivision, MS-19-00035, to allow partial construction of a public sidewalk along Airport Road and to defer the requirements to construct Bryant Way and the corresponding public sidewalk along the south side of proposed Lot 2.

Motion carried 9-0. Commissioners Ashworth, Carpenter, Carttar, Paden, Sands, Sinclair, Struckhoff, Weaver, and Willey voted in favor.

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PC Minutes 3/25/19

ITEM NO. 3 SPECIAL USE PERMIT FOR SHORT TERM RENTAL; 545 OHIO ST (KEW)

SUP-19-00019: Consider a Special Use Permit for a non-owner occupied short-term rental, located at 545 Ohio St in RS5 (Single-Dwelling Residential) Zoning District. Submitted by Al Un and Lyndsie Un on behalf of Hui C. Un and Yung Y. Un, property owners of record.

STAFF PRESENTATION

Katherine Weik presented the item.

APPLICANT PRESENTATION

Al Un and Lyndsie Un were present for questions.

PUBLIC HEARING

Amanda Jay, 523 Louisiana St, expressed concern about the safety of children in the neighborhood.

Nick Kuzmyak, 417 Alabama, spoke in favor of the short-term rental special use permit.

Phil Stinson, 512 Louisiana Street, urged Planning Commission to deny the request. He expressed concern about non-owner occupied short-term rentals being a small hotel. He also expressed concern about the increase of short-term rentals in the neighborhood, increased traffic, and safety for children.

APPLICANT CLOSING COMMENTS

No applicant closing comments.

COMMISSION DISCUSSION

Commissioner Carpenter asked staff to provide an update regarding short-term rentals.

McCullough said last week City Commission deferred three short-term rental special use permits that were approved by Planning Commission. He said Planning Commission would have a discussion on their regular agenda in April about analyzing and reviewing the Special Use Permit process. He said City Commission had taken the route of deferring the items. He said the whole discussion was evolving. He said it may be prudent to take a time-out on processing the Special Use Permits until a deeper discussion could happen with guidance from City Commission. He said for example, there have been comments about increased traffic. He said these types of uses were a significant decrease in traffic compared to a typical detached dwelling home or a long-term rental because it was used less and had no deliveries. He said the typical single-family house can have up to 10 trips a day and deliveries. He said Planning Commission may want to discuss the topic further as a regular item on their agenda. He said one option was to defer the items on tonight's agenda. He said it was an evolving process.

Commissioner Carpenter said given the attitude of City Commission last week even if Planning Commission approved the items tonight he was unsure what City Commission would do with them.

McCullough said City Commission may defer the items and possibly return them to Planning Commission. He said it may be best for all parties to take the time to understand the criteria to put against the applications. He said there were some questions from City Commissioner Boley about

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taxation, comparison to hotel use, traffic, etc. He said the plan was to develop better criteria and expectations for the governing body and the public.

Commissioner Struckhoff felt a deferral would be the best use of everyone's time.

Commissioner Willey said it was a new program and there would be bumps along the way. She felt comfortable with deferring the items until Planning Commission had a more firm understanding.

Public comment on all SUP STR's

Sofiana Olivera felt Planning Commission should take responsibility. She said applicants were given instructions and asked to pay the application fee. She said the process seemed unfair and irresponsible.

Lyndsie Un wondered what Planning Commission was looking for from City Commission.

Bill Fuerst, owner of 921 Missouri, said applicants were given guidelines on how to proceed, paid the application fee, did their due diligence on the process, and were now being told last minute the status was unknown. He felt the process was unfair. He said owners who rent on Airbnb have to take care of the property or it won't get rented. He said long-term rentals can be in disrepair. He said short-term rentals were primarily weekend rentals which alleviates the parking problem by not having regular tenants during the week.

Commissioner Willey asked staff to respond.

McCullough said it was not uncommon for items to be deferred. He stated the land use was city wide and would likely be a few hundred going into different kinds of neighborhoods, different kinds of housing, and different kinds of operators. He said the unique Special Use Permit was a challenge. He said the process needs to be fair and responsive to the applicant and neighborhoods.

Commissioner Willey asked if the text amendment would change for applicants who had already applied.

McCullough said Special Use Permits were discretionary land use approval. He said there was still analysis, discussion, and deliberation of all Special Use Permit applications. He said the applicants tonight would remain in process as the discussion evolves on how to determine criteria.

CONTINUED COMMISSION DISCUSSION

Commissioner Sands thanked the applicants for speaking this evening. He said they needed to deliberate the criteria universally enough to apply to the entire city. He stated there were some cities where short-term rentals were not allowed in certain neighborhoods. He said there was still value in discussing each short-term rental on the agenda and figuring out what was important.

Commissioner Carttar felt it was better to defer the items until there was criteria, to be fair to applicants.

Commissioner Willey said she would rather defer the items and have specific instructions to give the applicants.

Commissioner Carpenter said every property was unique. He said City Commission was looking at other concerns such as taxes and affordable housing. He said City Commission was thinking at a higher policy level about the whole program. He encouraged the applicants to stay engaged in the process. He said he was inclined to defer all short-term rental Special Use Permits until further direction from City Commission.

Commissioner Willey said she hoped any future changes with the program would allow the applicants who had already applied to be grandfathered in.

Commissioner Struckhoff felt leaving questions in limbo was not fair to the applicants.

ACTION TAKEN

Motioned by Commissioner Willey, seconded by Commissioner Carpenter, to defer the Special Use Permit, SUP-19-00019, for a non-owner occupied short-term rental, located at 545 Ohio St.

Commissioner Sands said he would have liked to have had discussion about criteria.

Commissioner Carttar inquired about enforcement. He asked what the deferral meant for applicants who were already operating.

McCullough said if the applicants were taking steps toward compliance then staff were not pursuing enforcement for their properties. He said Commissioner Boley emailed staff questions that staff did not have time to fully respond to. He said Planning Commission will have a deeper discussion and send their framework to City Commission.

Motion carried 8-1, with Commissioner Sands voting against the motion. Commissioners Ashworth, Carpenter, Carttar, Paden, Sinclair, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/25/19

**ITEM NO. 4 SPECIAL USE PERMIT FOR SHORT TERM RENTAL; 921 MISSOURI ST
(LRM)**

SUP-19-00026: Consider a Special Use Permit for a non-owner occupied short-term rental located at 921 Missouri St in RM12D-UC (Multi-Dwelling Residential-Urban Conservation Overlay) Zoning District. Submitted by William L Fuerst and Lisa L Ottinger, property owners of record.

ACTION TAKEN

Motioned by Commissioner Willey, seconded by Commissioner Carpenter, to defer the Special Use Permit, SUP-19-00026, for a non-owner occupied short-term rental located at 921 Missouri St.

Commissioner Sands said he would like to have discussion as each item comes up.

Motion carried 8-1, with Commissioner Sands voting against the motion. Commissioners Ashworth, Carpenter, Carttar, Paden, Sinclair, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/25/19

ITEM NO. 5 SPECIAL USE PERMIT FOR SHORT TERM RENTAL; 941 RHODE ISLAND ST (KCK)

SUP-19-00030: Consider a Special Use Permit for a non-owner occupied short-term rental located at 941 Rhode Island St in RM12 (Multi-Dwelling Residential) Zoning District. Submitted by Sofiana Olivera, property owner of record.

ACTION TAKEN

Motioned by Commissioner Willey, seconded by Commissioner Carpenter, to defer the Special Use Permit, SUP-19-00030, for a non-owner occupied short-term rental located at 941 Rhode Island St.

Motion carried 8-1, with Commissioner Sands voting against the motion. Commissioners Ashworth, Carpenter, Carttar, Paden, Sinclair, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/25/19

**ITEM NO. 6 SPECIAL USE PERMIT FOR SHORT TERM RENTAL; 843 ½
MASSACHUSETTS ST (KCK)**

SUP-19-00043: Consider a Special Use Permit for a non-owner occupied short-term rental located at 843 ½ Massachusetts St in CD-UC (Downtown Commercial-Urban Conservation) Zoning District. Submitted by Furse LC, property owner of record.

ACTION TAKEN

Motioned by Commissioner Willey, seconded by Commissioner Carpenter, to defer the Special Use Permit, SUP-19-00043, for a non-owner occupied short-term rental located at 843 ½ Massachusetts St.

Motion carried 8-1, with Commissioner Sands voting against the motion. Commissioners Ashworth, Carpenter, Carttar, Paden, Sinclair, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/25/19

ITEM NO. 1 COMPREHENSIVE PLAN 2040

Continue discussion regarding the Comprehensive Plan 2040 for unincorporated Douglas County and the city of Lawrence. Topic discussion will include Growth & Development.

STAFF PRESENTATION

Staff referred to the memo in the Planning Commission packet.

PUBLIC HEARING

Bobbie Flory, Home Builders Association, expressed concern about who would absorb the cost of infrastructure when new subdivisions were built. She said the steering committee never saw the new language in the draft plan. She said there was language missing for an incentive for providing community benefits. She said adding a community benefit would increase housing affordability.

Owen Lehmann, Vintage Greenmark Construction, said affordable housing could not have restrictions. He said if the cost increases the cost of homes will increase.

Karl Eckhart, National Association of Home Builders, said the comprehensive plan was good but there were better ways to do it. He said housing affordability was the number one issue for Americans. He said the increase in home building prices makes it less affordable for the consumer. He said Lawrence would cease to see development if community benefits were required. He said the only way to bring housing prices down was to build more houses.

Danielle Davey, Lawrence Board of Realtors, said there were community benefits in encouraging home ownership. She said having an incentive based system for community benefit would satisfy the Lawrence Board of Realtors.

Michael Almon talked about environmental impacts. He felt climate protection should be included in all chapters of the comprehensive plan. He supported the community benefits to offset the damage to the environment.

Kirk McClure said managing infrastructure was a poor technique to manage growth. He said developers were prone to overbuilding. He said active Planning was how better growth, infill, and value would be achieved in the community.

Doug Gaston, Homebuilders Association, said community benefit costs would be passed along to the buyer. He liked the idea of offsetting incentives.

John Esau expressed concern about the community benefit impact to the entire community and the unintended consequences. He said he like the idea of incentives but that the cost would get passed along.

Nick Kuzmyak felt they should take a financial long-term view of infrastructure funding.

Frank Male said the resources for annexation were not free. He said passing along prices hurts everyone.

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David Clemente said he would never develop another piece of land because of the cost. He said land cost was directly proportional to what the end home was going to cost. He said the policy being proposed would drive up the cost of land and houses, which would not solve affordable housing in Lawrence.

Rod Lang expressed concern for a community benefit that penalized people purchasing homes.

Rob Hulse, Lawrence Board of Realtors, said there were many benefits to home ownership and being invested in the community.

Commissioner Butler arrived at the meeting around 8:30pm but did not sit at the dais. She observed from the audience.

COMMISSION DISCUSSION

Planning Commission's discussion started with Chapter 2, Community Benefit, page 13.

Commissioner Paden inquired about the community comparisons. She said Boulder, Colorado came closest in size to Lawrence.

McCullough said the idea was not to find an exact comparison to Lawrence. He said Boulder, Colorado came closest through land use principles in addressing community need. He said Boulder had a high affordable housing issue and their land use codes reflected that. He said he liked the Home Builders suggestion about incentives. He said they needed to continue working on how the private sector can participate in community benefits. He said the comprehensive plan was not an anti-growth or anti-development policy.

Commissioner Willey said the language needed to be worked on to ensure the building community did not see the community benefit as just an extra tax.

Commissioner Carpenter wondered where the steering committee discussion went in how broadly interpreted the community benefit was.

McCullough read the last sentence from 3.8 on page 14: *'The community benefit(s), including the provision method, shall be considered by the Planning Commission, approved by the City Commission, and included in an annexation agreement.'* He said it was supposed to be a process.

Commissioner Carttar suggested the following language for Chapter 2, page 13:

2.2 'Tier 2 land shall only be annexed if the need to accommodate demand is established, and if a demonstrable community benefit is provided for. Consider community land use inventories, market sector health, and residential valuation to income ratio, among other factors, when assessing need for annexation.'

Commissioner Carttar also suggested some type of wording be added on page 14, such as:

3.8: 'Identifying offsetting incentives as one potential element to be included in the discussion.'

He felt collaboration was explicitly spelled out in the language.

Commissioner Carpenter asked Bobbie Flory what kind of incentives she would like for developers.

Flory said all the infrastructure costs were paid for by the developer. She said possibly one incentive could be waiving the system development charges for water and sewer, for example. She said

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another potential suggestion could be a reduction in the number of street trees or sidewalks on only one side of the street.

Commissioner Paden said either way the cost would be passed on to someone.

McCullough said the incentive was meant to keep the building cost the same. He said it was about trying to keep the equity stake the same while the community gains something.

Commissioner Weaver said a mutual community benefit should be negotiable, not mandated. He suggested the following language on page 13, Chapter 2:

2.2 'Tier 2 land shall only be annexed if the need to accommodate demand is established, and if a mutually acceptable community benefit is provided. Consider community land use inventories, market sector health, and residential valuation to income ratio, among other factors, will be considered when assessing need for annexation.'

McCullough said it would either be acceptable to the developer or they would withdraw their request.

Commissioner Carttar said the entire discussion had been equating annexation with homebuilding. He asked aside from the perceived penalties and burdens what were some of the things that would make construction in Tier 1 more attractive.

Eckhart said Planning Commission was missing the point. He said growth should be easier. He said it was the consumer that would pay and it was not the developer's role to be a charity. He said the plan was proposing to make it more expensive to buy houses. He felt the City should pay for infrastructure such as sewer.

McCullough said it was unknown yet what benefit we're trying to offset but this framework provides the ability to look at it. He said there were different methods for managing growth. He said this was only one tool in the toolbox. He said this was proposed because units were not being produced that were affordable. He felt it was a way to have thoughtful discussion and get at the issue.

Commissioner Willey suggested the following changes on page 13, Chapter 2:

2.2 'Tier 2 land shall ~~only~~ be annexed ~~if-when~~ the need to accommodate demand is established, and ~~if-a~~ mutually acceptable community benefit is provided. Consider community land use inventories, market sector health, and residential valuation to income ratio, among other factors, when assessing need for annexation.'

Commissioner Sands said he did not want to see the plan amended immediately after adoption.

Commissioner Carpenter said *Horizon 2020* was a plan that was meant to be amended because it had many blanks. He said he did not want to weaken the language of *Plan 2040*.

Commissioner Carttar said at the same time they were softening language around the penalties or burdens around annexations they should directing the same amount of attention toward incentivizing development in Tier 1.

Commissioner Paden agreed the goal was to shift the focus. She said she was comfortable with the existing language in 2.2 on page 13.

Commissioner Struckhoff said the document should direct the conversations and negotiations take place.

Commissioner Ashworth said she was fine with the existing language in 2.2 on page 13.

Commissioner Sinclair felt the existing language in 2.2 on page 13 was fine. He did not feel the language needed to be weakened or more specifics added. He said the nitty gritty details would get worked out between developers and staff.

Commissioner Weaver said he could live with the existing language. He said he was not attempting to weaken the language, only identify that it was a negotiation. He said they were getting away from growth and into development.

Commissioner Willey said the consensus of Planning Commission was to keep the language as is on page 13, 2.2.

Commissioner Carttar suggested using language about including offsetting incentives in section 3.8 on page 14.

Commissioner Carpenter did not feel the language was necessary since it was already built in.

Commissioner Carttar felt some mention of incentives was worth including. He felt mention of incentives in section 3.8 should be balanced by mention of incentives in 2.1.

McCullough said the need and benefit was in Tier 1 so incentives were not needed since it was incentivized through existing infrastructure and not having a higher bar to jump over.

McCullough suggested the following language which may get to what Planning Commission was discussing on page 14:

*3.8 'Annexation requests shall include a community benefit(s) identified in consultation with staff based on the needs of the community, **which may include offsetting incentives to the requester**, and in the context of what the annexation request can support. Collaboration between the developer and governmental and community partners and programs is encouraged in the implementation of providing the community benefit(s). The community benefit(s), including the provision method, shall be considered by the Planning Commission, approved by the City Commission, and included in an annexation agreement.'*

Planning Commission agreed on the language suggested by Scott McCullough. Their discussion moved to page 17, Section B.

Commissioner Carttar suggested the following change on page 18, Chapter 2:

*2.7 '**Strengthen Maintain** screening and landscaping requirements to utilize landscaping and existing natural vegetation to integrate the natural landscape into the residential environment.'*

Commissioner Willey suggested the following minor change on page 18, Chapter 2:

*3.1 'Collaborate with state, local, and private entities to plan for and invest in infrastructure, such as roads, utilities and fiber consistent with Capital Improvement Plan**(s)**.'*

Planning Commission ended their discussion on page 21, Chapter 2.

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Commissioner Willey said Planning Commission would finish Chapter 2 and Chapter 3 at their April 22, 2019 meeting.

NO ACTION TAKEN

PC Minutes 3/25/19

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

MISC NO. 1 SHORT-TERM RENTAL LICENSE MAP

The City of Lawrence [residential rental license map](#) has been updated to include short-term rental licenses. Both layers of long-term rental and short-term rental licenses are shown on the online interactive map, located on the City's website www.lawrenceks.org/maps

Motioned by Commissioner Carpenter, seconded by Commissioner Struckhoff, to recess until 6:30pm on March 27, 2019.

Motion carried 9-0. Commissioners Ashworth, Carpenter, Carttar, Paden, Sands, Sinclair, Struckhoff, Weaver, and Willey voted in favor of the motion.

Recess at 11:04pm until 6:30pm on March 27, 2019

PC Minutes 3/27/19

Reconvene March 27, 2019 – 6:30 p.m.

Commissioners present: Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, Willey

Staff present: McCullough, Crick, Day, Ewert, Larkin, M. Miller, Pepper

BEGIN PUBLIC HEARING (MARCH 27, 2019):

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Ex parte:
Commissioner Ashworth said she received an email that she forwarded to staff.
Commissioner Paden said she spoke with Nick Kuzmyak regarding the letter he sent.
Commissioner Struckhoff said he received an email and forwarded to staff.
Commissioner Sands said he received Zack Bolick who was in support of the Special Use Permits for The Hub project.
- No abstentions.

GENERAL PUBLIC COMMENT

No general public comment.

PC Minutes 3/27/19

ITEM NO. 7 COMPREHENSIVE PLAN 2040

Continue discussion regarding the Comprehensive Plan 2040 for unincorporated Douglas County and the city of Lawrence. Topic discussion will include Growth & Development and Natural Resources.

Item No. 7 was deferred prior to the meeting.

PC Minutes 3/27/19

Recess LDCMPC

Convene Joint Meeting with Lecompton Planning Commission

**ITEM NO. 8 CONDITIONAL USE PERMIT FOR KANWAKA TOWNSHIP; 1707 E 550 RD
(MKM)**

CUP-19-00013: Consider a Conditional Use Permit for a 3,510 sq ft equipment storage building for Kanwaka Township, located on approximately 2.54 acres at 1707 E 550 Rd (also known as 548 N 1700 Rd). Submitted by Kevin Sontag, Douglas County Public Works, on behalf of Kanwaka Township, property owner of record. *Joint meeting with Lecompton Planning Commission.*

Adjourn Joint Meeting with Lecompton Planning Commission

STAFF PRESENTATION

Mary Miller presented the item.

APPLICANT PRESENTATION

Kevin Sontag, Douglas County Surveyor, was present for questions.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Weaver said he was happy to see another building being constructed. He expressed support for the conditional use permit.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Weaver, to approve the Conditional Use Permit, CUP-19-00013, for a 3,510 square foot equipment storage building and forward a recommendation of approval to the Board of County Commissioners based on the findings of fact found in the body of the staff report.

Motion carried 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/27/19

MISC NO. 1 VARIANCE FOR 1694 E 800 RD

CSU-19-00136: Consider a variance request per Section 20-804 of the Subdivision Regulations to allow a cluster development certificate of survey on approximately 45 acres at 1694 E. 800 Road without a build out plan or cross access easement and maintenance agreement. Submitted by Tanking Survey, for Todd E. Catlin and Marla G. Catlin, property owners of record.

STAFF PRESENTATION

Mary Miller presented the item.

APPLICANT PRESENTATION

No applicant present.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Carpenter, to approve the variance from the requirement to provide a build out plan with the certificate of survey be approved, subject to the condition that any future land divisions through a certificate of survey will require the submittal of a build out plan.

Motion carried 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

Motioned by Commissioner Struckhoff, seconded by Commissioner Carpenter, to approve the Certificate of Survey, CSU-19-00136, without the submittal of a cross access easement, subject to the condition that should further residential development parcel be requested that cross access easement be required.

Motion carried 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/27/19

**ITEM NO. 9 PRELIMINARY PLAT FOR NORTH LAWRENCE RIVERFRONT ADDITION;
N 2ND ST (SLD)**

PP-18-00504: Consider a two-lot Preliminary Plat for North Lawrence Riverfront Addition, located at 311, 317, 401, 409, 415, 501, & 505 N 2nd St for mixed use development including residential and commercial uses. Variances related to block length and right-of-way dedication for N. 2nd Street as a principal arterial. Submitted by Paul Werner Architects on behalf of Abfield Investments LLC, City of Lawrence, Douglas County Kaw Drainage District, D&D Rentals of Lawrence LLC, Exchange Holdings LLC, HDD of Lawrence LLC, Kaw River Estates LLC, Patience LLC, Loosehead Investments LLC, and Riverfront Properties of Lawrence LLC, property owners of record.

Item No. 9 was deferred prior to the meeting.

PC Minutes 3/27/19

ITEM NO. 10A COMPREHENSIVE PLAN AMENDMENT; 2314 TENNESSEE ST & 305-307 W 23RD ST (BJP)

CPA-19-00032: Consider a Comprehensive Plan Amendment to Horizon 2020, Chapter 3, related to the rezoning of 2314 Tennessee St & 305-307 W. 23rd St. Submitted by Allen Belot Architect.

ITEM NO. 10B REZONING 1.47 ACRES FROM RS7 TO RM12; 2314 TENNESSEE ST & 305-307 W 23RD ST (BJP)

Z-18-00566: Consider a request to rezone approximately 1.47 acres from RS7 (Single-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District, located at 2314 Tennessee St & 305-307 W. 23rd St. Submitted by Allen Belot Architect on behalf of William & Sharon Elkins, property owner of record.

STAFF PRESENTATION

Becky Pepper presented items 10A-10B together.

APPLICANT PRESENTATION

Allen Belot, Allen Belot Architect, said he agreed with the staff report. He said he was required to file a preliminary site plan with the rezoning and it was only a concept plan at this point. He said he spoke with a neighbor to the south and the neighbor was concerned about traffic and stormwater. He said he did a partial traffic study to get some numbers to understand what the traffic impact would be. He displayed information on the overhead and spoke about traffic counts.

PUBLIC HEARING

Jeanine Tiemann, 306 Dakota, spoke about drainage issues on her property and expressed concern about traffic and property values.

Daniel Yoe said the development and zoning made sense for the land but felt the proposed density was too high. He expressed concern regarding the traffic and stormwater and felt it needed to be looked at.

Carol Bowen, 403 Dakota, said the site needed attention but she felt multi-family was not an appropriate transitional zoning. She said she was disappointed the architect didn't meet with the neighborhood.

APPLICANT CLOSING COMMENTS

Belot said Kentucky Court was platted in 1969 before stormwater was addressed. He said stormwater would be part of the site plan process. He said the development would be townhomes designed for owner-occupied, not apartments.

COMMISSION DISCUSSION

Commissioner Sands inquired about the egress/ingress policy for 23rd Street as an arterial.

McCullough said the management of traffic on 23rd Street would be pursuant to management guidelines. He said the development would be allowed at least one access point that would be worked out with the site planning process.

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Commissioner Carpenter asked the applicant why the homes had remained vacant for several years.

Belot said it was not a desirable location for single-family housing of that age. He said one of the homes was built right up to the property line and the other had deteriorated.

Commissioner Carpenter said the property was not currently accessible.

Belot said there were currently three curb cuts. He said two curb cuts would be removed from the site. He said the proposed site plan would align the driveway with Tennessee Street.

Commissioner Butler asked the applicant about the stormwater concerns raised by the neighbors.

Belot said some runoff may affect the neighboring properties. He said the sheet runoff would go away and the water would be contained in a detention area, for example.

Commissioner Butler inquired about mitigation.

Belot said if runoff drains a little to the southeast the likely proposal would be for the property to be built up to drain to the northwest. He said the development should relieve runoff from the property. He said he had no control over the runoff from Kentucky Court.

Mary Moore, 314 Dakota, said water had washed the curbs away in the area. She said water was a big problem in the neighborhood.

Wiley asked staff to respond with the timeline of stormwater review.

McCullough said if the rezoning was approved the next step would be platting and site planning. He said the stormwater plan would be submitted to stormwater engineer for review. He said stormwater codes could mitigate issues.

Commissioner Wiley said the stormwater plan had not been completed yet but would be done at the site plan stage.

Tiemann expressed concern about increased traffic, safety of pedestrians, and property values.

Commissioner Wiley said a traffic study would be completed as the project moves forward.

Belot said property owners within 400' of the property would receive a site plan notice letter. He said neighbors were welcome to call or email him.

Commissioner Struckhoff agreed the zoning was suitable for property that had been underutilized. He encouraged neighbors to be involved with the site planning process. He hoped there were ways to improve the stormwater issues. He wished there was mitigation that could be done on Kentucky Court. He wondered about impermeability requirements.

Pepper said the RM12 zoning district permitted a maximum impervious coverage of 75%, which was the same allowed under the current RS7 zoning district.

Commissioner Struckhoff asked if pervious concrete fell into the 25% allowable.

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McCullough said pervious concrete was allowed.

Commissioner Carpenter said the lot was not accessible to the neighborhood and was a less than desirable zoning. He said he was generally in favor of the CPA and zoning. He shared the neighbors concern about traffic on a street with no sidewalks. He felt many of the concerns regarding stormwater would likely be addressed. He encouraged neighbors to be involved in site plan process.

Commissioner Willey said she was in favor of the CPA to allow medium density and felt it was a good transition between commercial and the RM12 zoning to the east. She said she was in favor of the rezoning. She said it would be an awkward place to have single-family homes and felt the project was a good fit.

Commissioner Carttar said this was one of the challenges of superimposing new uses on existing infrastructure in terms of drainage and traffic. He said those concerns could be addressed at the site plan stage. He said the proposed density was consistent with the adjacent arterial and relationship to existing commercial and multi-family properties.

Commissioner Sands thanked the neighbors for their comments. He asked staff to look into concerns expressed about missing curbing. He said he was generally in favor of the CPA and rezoning.

ACTION TAKEN on Item 10A

Motioned by Commissioner Sands, seconded by Commissioner Carttar, to approve the comprehensive plan amendment, CPA-19-00032, to *Horizon 2020*, applying the medium-density residential development policies to future developments, and forwarding that recommendation to the Lawrence City Commission to amend Chapter 3 to revise Map 3-2 at this location from Very Low/Low Density Residential Land Use to Medium/High Density Land Use.

Motion carried 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

Motioned by Commissioner Sands, seconded by Commissioner Carpenter, to approve and authorize the Planning Commission Chair to sign Planning Commission Resolution PCR-19-00112.

Motion carried 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

ACTION TAKEN on Item 10B

Motioned by Commissioner Sands, seconded by Commission Struckhoff, to approve the request to rezone approximately 1.47 acres, from RS7 (Single-Dwelling Residential) 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 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/27/19

ITEM NO. 11A SPECIAL USE PERMIT FOR THE HUB; 1040 MASSACHUSETTS ST & 1041 NEW HAMPSHIRE ST (BJP)

SUP-18-00502: Consider a Special Use Permit for ground floor dwelling units, The Hub at Lawrence, located at 1040 Massachusetts St, and 1041 New Hampshire St. Submitted by Core Lawrence Massachusetts LLC on behalf of Allen Press Inc and Allen Realty Inc, property owners of record.

ITEM NO. 11B SPECIAL USE PERMIT FOR THE HUB; 1000 NEW HAMPSHIRE ST (BJP)

SUP-19-00033: Consider a Special Use Permit for ground floor dwelling units, The Hub at Lawrence, located at 1000 New Hampshire St Block 1. Submitted by Core Lawrence Massachusetts LLC on behalf of Allen Realty Inc, property owner of record.

STAFF PRESENTATION

Becky Pepper presented items 11A-11B together.

APPLICANT PRESENTATION

Matthew Gough, Barber Emerson Law Firm, agreed with the staff report. He displayed renderings of the project on the overhead.

PUBLIC HEARING

Bob Schumm supported historic preservation. He said the buildings at the site were dilapidated and not presentable for the gateway to the community. He said something needed to happen at the corner and this was a viable proposal. He supported development of the intersection.

Justin Anderson said revitalizing the corner was important for maintaining the health of downtown. He felt ground floor dwelling units were appropriate in this situation. He felt it would help bring business to the downtown area. He supported the project and felt it would revitalize the east side of Massachusetts Street.

Charles Jones opposed the project. He said the ground level entrances on Vermont Street was appropriate and asked Planning Commission to support that portion of the project.

Peter Zacharias (spoken by his spouse) expressed concern about the size, height and increased need for parking. He was also concerned about a grocery store not being close. He felt the proposed project was too big and did not fit with the historical nature of the buildings around it.

Pat Kehde said the Special Use Permits seemed benign because the rooms were not on New Hampshire Street. She felt it was setting a precedent about residential being okay on the first floor. She also felt it was spot zoning. She said the proposed development was too large in both mass and height. She said she would love to see development at the site but would prefer a smaller scale building. She wanted to see a beautiful building in downtown Lawrence.

Kirsten Flory supported the project and stated no incentive dollars were being requested by the developer. She said the residential residents would create an additional customer base for existing downtown businesses. She said the project fell into the realm of how downtown could grow

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successfully and residents be able to live, work, and play in the community. She asked Planning Commission to support the project.

Tim Herndon said the growth of population and how people live has changed over time. He said for every square foot not built at the site it would be replicated somewhere else in town.

Anna Rowe said there was no better way to honor history than to grow and move forward. She felt the overall development would be an enhancement to its current state. She asked Planning Commission to support the development.

Cindi Kroll Hauptli opposed the project. She expressed concern about retaining the historic character of the area.

Codi Bates supported the project and felt residential density was vital to downtown.

Brian Thomas spoke in opposition of the project. He asked Planning Commission to deny the request.

Sally Zogry, Downtown Lawrence Inc, supported the project. She felt it was a great opportunity to allow residents to easy access to downtown.

Emily Peterson supported the project and felt downtown density would help the vitality of downtown. She appreciated the design changes and hoped collaboration could continue to make it a successful project.

Amber Nickel spoke in support of the project.

Tom Harper asked Planning Commission to look at the entire project and listen to the public comment. He asked Planning Commission to consider what 550 transient students would do for and TO downtown. He expressed concern for increased traffic and parking. He felt there would be long-term consequences.

David Brown, attorney representing John Anderson, opposed the project due to its mass, height, size, and design. He expressed concern for the safety of tenants living in ground floor units. He expressed concern for the traffic flow and insufficient parking. He also worried about the demands on the police with 500-600 additional students. He asked Planning Commission to protect historic properties.

Kerry Altenbernd felt the project would be setting a bad precedent for future Commissioners. He felt Special Use Permits should be used for a special compelling reason. He said ground floor apartments were not appropriate. He asked the Special Use Permits be denied.

Dalton Paley did not oppose the project. He said retail tenants struggle because of decreased foot traffic. He said the project would take away the eyesore that exists today. He did not feel the building was perfect but it opened the opportunity for discussion about downtown development.

Amy Sanchez appreciated the first floor apartments not facing the street. She felt it came down to growth or stagnation.

Anne Tangeman spoke in opposition and encouraged Planning Commission to deny the Special Use Permits. She said it was a prime location and they could do better. She felt it set a precedent.

Maren Ludwig said lots of students support the business she manages, Mass Street Soda. She felt students were being cast in a poor light. She said it was not entirely a student development and that the developer stated there was a market for young professionals as well.

Tiffany Hall supported the Special Use Permits.

Jay Taylor supported the project and was excited for growth in the community.

Onkar Sangal felt the project would add to the vitality to downtown and was worth pursuing.

APPLICANT CLOSING COMMENTS

Gough said he was happy to answer any questions Planning Commission may have.

COMMISSION DISCUSSION

Commissioner Sands asked when the Allen Press properties were built.

Pepper said the center Allen Press property was built in 1946 and the building to the south was built in 1972. She said it was unknown when the building to the north was built. She said the building on Massachusetts Street was constructed in the late 1950's for a grocery store until the late 1970's. She said it had been used as Allen Press storage since 1982. She said there were no records of any official applications submitted for the site.

Commissioner Willey asked why just this piece required the Special Use Permit and not the entire project.

McCullough said it was a mixed-use development downtown. He said the intent of the Development Code was to make sure the downtown area primarily remain non-residential on the street. He said the reason Planning Commission was not looking at the entire project was because it was one use of the project. He said the project went to Historic Resources Commission for the design aspects. He said there would be site planning issues in terms of infrastructure capacity, street design, and lighting, for example. He said assuming it meets Code, it was a question of whether ground floor dwellings units make sense for a mixed-use building at this location, given the design presented. He said ground floor dwelling units on the street were part of the original plan that staff and Historic Resources did not support. He said that was one component that changed through the process.

Commissioner Paden said there were many public comments about the project being specifically for students.

McCullough said the Land Development Code did not distinguish between student housing and non-student housing. He said it is not known who is living in downtown structures unless census data provides that information.

Commissioner Paden asked if there was anything about the project that would only be for students.

McCullough said the amenities could be student oriented.

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Commissioner Ashworth inquired about parking issues.

McCullough said it would be part of the administrative site plan review. He said the Code did not have a parking requirement for developments in the downtown area. He said the idea behind that was the City supplies the parking and private development provide the development so as not to have a lot of surface parking lots. He said parking had been supplied through different mechanisms such as parking garages.

Commissioner Willey inquired about the ADA access.

Chad Matesi, Core Spaces, said ADA was a Code requirement and the project would meet that requirement. He said there would be fully accessible units and some units that would be adaptable.

Commissioner Sands inquired about Historic Resources Commission recommending approval of the Special Use Permits but denying the Certificate of Appropriateness.

McCullough said Historic Resources Commission was looking at certain components of the project. He said their primary mission was to look at the Certificate of Appropriateness and Downtown Design Guidelines which carry criteria they must judge the project by. He said the Special Use Permits were a little outside of that criteria but they were asked to comment on it. He said it was feasible Historic Resources Commission could not support the overall design, bulk, scale, and mass of the building but when looking at just the question of ground floor dwelling units could come up with an approval comment. He said in other words, if the project met the Certificate of Appropriateness criteria and Downtown Design Guideline criteria than Historic Resources Commission would agree the Special Use Permits were appropriate.

Commissioner Carpenter asked if it was fair to say the Historic Resources Commission recommendation was based on encroachment on environs of the historic properties, not as to the actual use in that location.

McCullough said that was correct.

Commissioner Carttar inquired about the green spaces facing the street on the east side of New Hampshire Street.

Matesi said they were ground floor office.

Commissioner Carttar asked about safety and access to the building.

Matesi said a gate on New Hampshire Street would be secured and access controlled by specific tenants. He said the courtyard space in the center would be secured and only accessed from the interior of the building. He said the east side of New Hampshire Street would be free to access.

Commissioner Carttar inquired about enforcement of building quality and building Codes.

McCullough said the building permit review was conducted through the Building Safety division. He said it was an intense review by licensed architects and engineers. He said it would be constructed according to Building Code, which have a series of inspections, including infrastructure inspections.

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He said building upkeep and maintenance would fall under the Property Maintenance Code, which was complaint driven and enforced by Code Enforcement.

Commissioner Ashworth said she did not have concerns about the ground floor dwelling units. She said should the project not be built and another project comes forward the ground floor dwelling units could help mitigate height. She wanted the flexibility to be available.

Commissioner Sands inquired about the 16' alley and access.

Matesi said the alley would remain open. He said the courtyard would be secured and not have access to the alley. He said the only way to access the courtyard was from the interior.

Commissioner Willey said she was in favor of the ground floor dwelling units not facing the street.

Commissioner Carpenter asked about an emergency exit from the courtyard.

Matesi said there would likely be an emergency only egress.

Commissioner Carpenter asked if there would be windows on the alley side.

Matesi said yes, there may be some bedroom windows that face the alley.

Commissioner Carpenter asked about on-site security.

Matesi said security was handled through design and management. He said typically on weekends there would be a third party security on-site. He said the buildings would be fully managed every day of the week from 9:00am-5:00pm, with approximately six staff members. He said approximately six students who reside in the building would be paid to monitor the building during off hours.

Commissioner Carpenter said he was generally not opposed to the ground floor dwelling units. He hoped the applicant would remain open to additional conversations about the project.

Commissioner Carttar said he was concerned about the things Planning Commission was not being asked to look at tonight. He said the design presented was sensible in terms of access. He said the unrestricted area on east side of the street was risky. He said he generally supported the element Planning Commission was asked to look at.

Commissioner Paden said there could be a need for less parking because it would encourage and allow people to bike and walk where they want to go. She said until there is enough density downtown there will never be a grocery store downtown.

Commissioner Struckhoff said he generally supported the Special Use Permits. He said parking was an issue and he hoped it would start a conversation about downtown parking regulations in the master plan.

Commissioner Sands said he would vote in favor of the Special Use Permits. He expressed concern with foot traffic access. He said the project may not be perfect in every aspect but overall a net positive. He liked the layout of the ground floor units on New Hampshire Street.

ACTION TAKEN on Item 11A

Motioned by Commissioner Paden, seconded by Commissioner Sands, to approve the ground floor dwelling units at the Hub at Lawrence project, and forwarding the request to the City Commission with a recommendation for approval, subject to the following conditions:

1. There shall be no ground floor dwelling units with exterior frontage on New Hampshire Street and E. 11th Street.
2. The total square footage of the first floor residential shall not exceed 50% of interior square footage of the first floor structure on New Hampshire Street.

Motion carried 8-1, with Commissioner Butler voting in opposition. Commissioners Ashworth, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

ACTION TAKEN on Item 11B

Motioned by Commissioner Paden, seconded by Commissioner Sands, to approve the ground floor dwelling units at the Hub at Lawrence project, and forwarding the request to the City Commission with a recommendation for approval, subject to the following condition:

1. There shall be no ground floor dwelling units with exterior frontage on New Hampshire Street

Motion carried 8-1, with Commissioner Butler voting in opposition. Commissioners Ashworth, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/27/19

**ITEM NO. 12 REZONING 2.22 ACRES FROM PCD-2 TO PCD-2; 3809 & 3821 W 6TH ST
(MKM)**

Z-19-00031: Consider a request to rezone approximately 2.22 acres from PCD-2 (Planned Commercial Development) District to PCD-2 (Planned Commercial Development) District with revised use restrictions, located at 3809 & 3821 W 6th St. Submitted by Landplan Engineering, PA on behalf of Marguerite H. Ermeling, Dalton M. Paley Trustee, and Rio Azul LLC, property owners of record.

Item No. 12 was deferred prior to the meeting.

PC Minutes 3/27/19

**ITEM NO. 13 REZONING 5.046 ACRES FROM PCD-2 TO PCD-2; 2210, 2240, 2270
WAKARUSA DR (MKM)**

Z-19-00044: Consider a request to rezone approximately 5.046 acres from PCD-2 (Planned Commercial Development) District to PCD-2 (Planned Commercial Development) District with revised use restrictions, located at 2210, 2240, and 2270 Wakarusa Dr. Submitted by Tim A Herndon Planning & Design on behalf of Off-Piste Inc, property owner of record.

STAFF PRESENTATION

Mary Miller presented the item.

APPLICANT PRESENTATION

Tim Herndon, Tim A. Herndon Planning & Design, agreed with the staff report. He stated the only change from the previously approved plan was to remove the previously approved convenience store and replace it with five finished-to-suit spaces of retail office with five residential apartments above it.

PUBLIC HEARING

Gary Stussie said he was not in favor of having another level, especially residential, on top of any buildings at the site. He said the topography of the area would allow light pollution into his home. He expressed concern about property value and marketability of his home. He did not want the site to become like the intersection of 6th Street & Wakarusa.

JP Guilfoyle, 2233 Killarney Ct, said the back of his house looks at a green belt. He expressed concern about property value, structure height, privacy, noise, and stormwater. He did not want the design to encroach on his property.

Donna Osness said she was representing 51 units at Parkway 6000. She expressed concerned about decreased property value, the height of the project, and the impact to the view.

APPLICANT CLOSING COMMENTS

Herndon said in 1998 when the property was rezoned to PCD the design was for a 4-story 40,000 sq. ft. office building with ground floor retail and office above. He said the market changed and the project did not move forward. He said the property ownership changed hands and in 2006 the current project was proposed, which included a convenience store with canopy and fuel pumps. He said the current zoning allowed for a 4-story building but he was only proposing 2-story. He said the traffic generation would be reduced by 30% by removing the convenience store. He said the change would de-intensify the property. He said the site area the homeowners were referring to was an area not being changed and already had an approved plan.

COMMISSION DISCUSSION

Sands inquired about the trash enclosure for lot 1

Herndon said the currently approved plan for a convenience store had the trash enclosure back closer to the neighbors. He said it would be moved to the west side of the building so it could be screened better. He said the access to the dumpster and circulation of the site was not changing. He stated the only change relative to traffic was that it would be reduced by 30%.

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Commissioner Sands asked if there would be a fast-food tenant at the site.

Herndon said no, it was suited for a drive-thru coffee shop or dry cleaner, for example.

Commissioner Sands inquired about lighting mitigation.

Herndon said the City lighting ordinance dictates zero candlepower at the property line. He said the site would include some light shields. He said the location had a 100' wide drainage easement separating the developments.

Commissioner Ashworth asked staff about the lighting.

Mary said the lighting Code required pole mounted lighting to be full cutoff fixtures so the light would not glare to offsite properties. She said occasionally when there are topography differences additional shielding may be required after the fact.

Commissioner Carpenter asked about the next steps.

Miller said if the rezoning was approved the applicant would then submit a revised preliminary development plan that would show the entire project.

McCullough said the site had an extension of the existing site plan. He said the previous plan was approved under the former Land Development Code so it was possible it may need to be brought up to the standards of the current Code.

Commissioner Willey inquired about the landscaping buffer.

Miller said staff would look at buffering and screening with the plan. She said evergreen hedges could be used instead of a wall but it was up to the applicant on the type of screening.

McCullough said the Preliminary Development Plan would come to Planning Commission with notice to the neighbors. He said the site had some buffering that other properties do not. He said the existing residential uses did not allow enough buffering. He stated lighting wasn't always known until the lighting was in place but that there were ways to mitigate the light with shields.

Commissioner Willey suggesting putting the future preliminary development plan at the beginning of the agenda for the neighbors. She said she was in favor of the rezoning because it was a less intense use and added economics to the property for it to develop.

Commissioner Struckhoff said he was generally in favor of the rezoning.

Commissioner Sands said he was in favor of the rezoning. He asked the applicant to mitigate lighting with landscaping.

ACTION TAKEN

Motioned by Commissioner Butler, seconded by Commissioner Struckhoff, to approve the rezoning request, Z-19-00044, for approximately 5.046 acres from PCD-[Stoneridge Plaza] PCD-2 to PCD-[Stoneridge Plaza] PCD-2 with revised uses subject to the following conditions:

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1. Uses permitted in the revised PCD zoning shall be limited to the following:
Multi-Dwelling Structures, Non-Ground Floor Dwellings, Uses permitted in the following use groups from the 1966 Zoning Ordinance: Use Groups 7, 8, 9, 9A, 11, and 12 (with the exception of *Pawnshops*), and *Athletic Club* included in Use Group 15.
2. The maximum area of commercial/retail use permitted in the district is limited to 12,700 square feet with the balance of the project to be residential and office uses.

Motion carried 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/27/19

ITEM NO. 14A REZONING 21.254 ACRES FROM OS TO GPI; 5100 OVERLAND DR (BJP)

Z-19-00036: Consider a request to rezone approximately 21.254 acres from OS (Open Space) District to GPI (General Public and Institutional) District, located at 5100 Overland Drive. Submitted by Hoefer Wysocki on behalf of the City of Lawrence, property owner of record.

ITEM NO. 14B PRELIMINARY PLAT FOR LAWRENCE POLICE HEADQUARTERS; 5100 OVERLAND DR (BJP)

PP-19-00034: Consider a Preliminary Plat for Lawrence Police Headquarters, 2 lots and 2 tracts, located at 5100 Overland Dr. Submitted by Hoefer Wysocki on behalf of the City of Lawrence, property owner of record.

ITEM NO. 14C SPECIAL USE PERMIT FOR LAWRENCE POLICE HEADQUARTERS; 5100 OVERLAND DR (BJP)

SUP-19-00071: Consider a Special Use Permit/Institutional Development Plan for Lawrence Police Headquarters, located at 5100 Overland Dr. Submitted by Hoefer Wysocki on behalf of the City of Lawrence, property owner of record.

STAFF PRESENTATION

Becky Pepper presented the item.

APPLICANT PRESENTATION

Melinda Harger, Municipal Services & Operations, provided a project status update.

Ken Henton, Hoefer Wysocki, displayed the design concept on the overhead.

Brian Sturm, Landworks Studio, discussed the drainage and landscape at the site.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Carpenter said he was impressed by the process and the result with community involvement.

Commissioner Ashworth said she liked the native plants included. She said she would like to see new developments use innovative stormwater with green infrastructure.

Commissioner Sands said he was excited about the project.

ACTION TAKEN on Item 14A

Motioned by Commissioner Sands, seconded by Commissioner Weaver, to approve the request to rezone approximately 21.254 acres from OS (Open Space) District to GPI (General Public and Institutional) District, located at 5100 Overland Drive, based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

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Approved 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

ACTION TAKEN on Item 14B

Motioned by Commissioner Sands, seconded by Commission Struckhoff, to approve the preliminary plat, PP-19-00034, for the Lawrence Police Headquarters, located at 5100 Overland Drive.

Motion carried 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

ACTION TAKEN on Item 14C

Motioned by Commissioner Sands, seconded by Commission Struckhoff, to approve the special use permit, SUP-19-00071, for the City of Lawrence Police Headquarters, a *Public Safety* use, located at 5100 Overland Drive based upon the findings presented in the body of the staff report.

Motion carried 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

PC Minutes 3/27/19

ITEM NO. 15 TEXT AMENDMENT TO CITY CODE; AFFORDABLE HOUSING (SLD)

TA-18-00467: Consider a Text Amendment to the City of Lawrence Code, regarding proposed changes to multiple chapters of the City Code to facilitate affordable housing development options and including density bonus. *Initiated by City Commission on 10/16/18.*

STAFF PRESENTATION

Sandra Day presented the item.

PUBLIC HEARING

Bob Rummell, 1441 Prairie Ave, said he wanted the neighborhood to improve. He expressed concern about more rental units in his neighborhood and decreased property value of his home.

Michael Almon said he opposed this attempt to achieve affordable housing. He felt there were too many unintended consequences. He felt further discussion was needed. He said it was a dangerous over-reach.

Brian Thomas said his initial reaction was the housing was too small. He suggested that both units be considered affordable housing.

COMMISSION DISCUSSION

Commissioner Willey expressed concern about permanent affordability.

Commissioner Struckhoff asked if two houses on one lot would be deeded separately.

McCullough said it would be one platted lot and the houses could be held on one lot by a management as rentals or sold under the Tenants to Homeowners model to individual homeowners who could take advantage of the investment.

Commissioner Carpenter wondered about accessibility for the rear house.

Commissioner Carpenter said Planning Commission should discuss next month how affordable housing fits into the Neighborhoods section of the draft Comprehensive Plan 2040.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Carttar, to defer Text Amendment, TA-18-00467, regarding proposed changes to multiple chapters of the City Code to facilitate affordable housing development options and including density bonus.

Motion carried 9-0. Commissioners Ashworth, Butler, Carpenter, Carttar, Paden, Sands, Struckhoff, Weaver, and Willey voted in favor of the motion.

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

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MISC NO. 2 UPCOMING CALENDAR EVENTS

A possible quorum of the Planning Commission may attend the following event:

City Hall Riverfront Open House - 1 Riverfront Plaza, Suites 310 & 320
Tuesday, April 16, 2019 from 4:00pm-6:00pm

ADJOURN 11:45pm