



PLANNING COMMISSION MEETING
July 25, 2016
Meeting Action Summary

July 25, 2016 – 6:30 p.m.

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

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

GENERAL BUSINESS

Introduction of new Planning Commissioners Lynn Harrod & Karen Willey.

PLANNING COMMISSION ACTION SUMMARY MINUTES

Receive and amend or approve the action summary minutes from the Planning Commission meeting of June 20, 2016.

Motioned by Commissioner Culver, seconded by Commissioner Harrod, to approve the June 20, 2016 Planning Commission minutes.

Unanimously approved 10-0.

COMMITTEE REPORTS

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

Commissioner Culver said the Metropolitan Planning Organization met July 5th and July 21st. He said they reviewed and approved the 2015-2019 Transportation Improvement Program #5. He said they also reviewed and approved the 2016 Coordinated Public Transit-Human Service Transportation Plan.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Receive written communications from staff, Planning Commissioners, or other commissioners.
- No ex parte.
- Abstentions:
Commissioner Kelly said he would abstain from item 2 since the applicant, USD 247 Lawrence Public Schools, was his employer.
Commissioner Harrod said he would abstain from item 2 due to the applicant, USD 247 Lawrence Public Schools, being his former employer when the item started.

PC Minutes 7/25/16

ITEM NO. 1 CAPITAL IMPROVEMENT PLAN

Review projects proposed for inclusion in the 2017 – 2021 Capital Improvement Plan.

STAFF PRESENTATION

Ms. Sheila Stogsdill presented the item.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner von Achen asked what KLINK was.

Mr. McCullough said it was transportation funding from the Kansas Department of Transportation.

Commissioner Carpenter asked about the location of the collection system field operations building.

Mr. McCullough said a future project would have a process and may not have zoning entitlements yet.

Mr. Bryan Kidney, Director of Finance, said it would be based on where the development would be located.

Commissioner Carpenter asked if it didn't specify a location because it was on the wish list.

Mr. Kidney said that was correct.

ACTION TAKEN

Motioned by Commissioner Sands, seconded by Commissioner Carpenter, to make a finding that the projects presented in the 2017 - 2021 CIP Recommended Projects List are in conformance with the City's comprehensive plan and forward a recommendation to the City Commission for approval.

Unanimously approved 10-0.

PC Minutes 7/25/16

ITEM NO. 2 GPI TO IG; 7.7 ACRES; 711 E 23RD ST (MKM)

USD 497 Vehicle Storage: **Z-16-00147**: Consider a request to rezone approximately 7.7 acres located at 711 E 23rd St from GPI (General Public and Institutional Use) District to IG (General Industrial) District. Submitted by Lawrence Public Schools USD #497 and BG Consultants, Inc. on behalf of Douglas County, property owner of record. *Deferred by Planning Commission on 6/20/16.*

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Mr. David Hamby, BG Consultants, addressed concerns that were included in communications from the public. He said this new site would be similar to the existing site.

PUBLIC HEARING

Ms. Marsha Heeb, 2134 Learnard Ave, wondered if the traffic impact study really addressed traffic during peak times. She expressed concern about 160 busses every hour to an already busy segment of 23rd Street. She felt a better location could be found.

Mr. Kerry Altenbernd expressed concern about increased traffic. He felt a traffic light should be added during the times the busses would be coming and going. He did not feel it was addressed properly in the traffic impact study.

COMMISSION DISCUSSION

Commissioner Struckhoff thanked staff for their work on this.

Commissioner Sands asked if Planning Commission would be making a decision on whether to rezone and put a condition on the method of exit.

Mr. McCullough said a condition like that would happen during the site planning stage.

Commissioner von Achen inquired about the turning distance and clarification on the number of busses.

Mr. Hamby said it would be 80 vehicles in and 80 vehicles out and they wouldn't all be at the same time. He said all of the backup would take place on their property or perimeter road. He showed a picture on the overhead of the turning movement.

Commissioner Sands said some of the public comments referred to alternate sites.

Mr. Hamby said he could not speak to that.

Mr. Ron May, Lawrence Public Schools, said he had been working with First Student and that they would absorb the cost through their contract. He said the school district wasn't shopping around to move the busses, it was just an opportunity that came up.

Commissioner Willey asked if personal vehicles would be restricted to right turns only.

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

Mr. Hamby said passenger vehicles would not be restricted to turning movements.

Commissioner Carpenter inquired about busses routing through the Barker Neighborhood.

Mr. Wayne Zachary, First Student, said currently the busses were located on 23rd Street to the north near Harper. He said there would be some busses potentially using Learnard.

Commissioner Carpenter asked if there was a difference between long and short busses.

Mr. Zachary said he would not want the large busses trying to maneuver the turn onto the frontage road. He said Learnard Avenue would not be used as a main avenue for returning routes.

Commissioner von Achen asked if there was a need for a stoplight there.

Mr. Hamby said he did not think it was a valid option or would be permitted by City Public Works.

Commissioner Struckhoff said he felt better about learning of the policy of right out and right in. He said his concern was for the south end of Learnard Avenue being used as egress and ingress. He was interested in knowing how many busses would come from the east that might require a left turn from 23rd Street into the site.

Mr. Hamby said only short busses and that it would be infrequent.

Commissioner Britton asked if restricting the busses to right in and right out would come during the site planning stage.

Mr. McCullough said that was correct. He said uses with zoning could change over time. He said part of the site plan review was looking at the traffic impact study by the traffic engineer.

Commissioner Britton asked if staff would not recommend for Planning Commission to see the site plan.

Mr. McCullough said he did not feel it rose to that occasion. He said it was a large site and anything on that site would need to use the existing network of streets.

Commissioner Britton inquired about busses coming from Learnard to the frontage road.

Mr. Zachary said he would not recommend that for the large busses. He said there was a left turn lane there that they could potentially use. He said his preference was to not have busses making a left turn across more than one lane of traffic, when possible.

Commissioner Sands asked if the existing traffic impact study would be used for the site plan.

Mr. McCullough said it would depend on the final site project.

Commissioner Sands said the opening of the South Lawrence Trafficway would relieve some of the congestion on 23rd Street.

ACTION TAKEN

Motioned by Commissioner Sands, seconded by Commissioner Butler, to approve the rezoning request, Z-16-00147, for approximately 7.7 acres from GPI (General Public and Institutional Uses) District to IG (General Industrial) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report, including direction to staff to scrutinize and mitigate traffic impacts to Learnard Ave and other residential streets at a high level during the site plan process.

Commissioner Britton said he would support the motion. He felt safety concerns would be continuously looked at during the site planning process by staff. He said there would never be a perfect spot for it but that this site would be a better location than the current one. He felt the right-in, right-out should be the preference for the site.

Commissioner Carpenter wanted busses kept off Learnard Ave.

Commissioner Willey said she would support the motion. She said there were good elements to the site but would put more pressure on commuters using the frontage road. She was in favor of the right-in, right out.

Commissioner von Achen thanked the applicant for the traffic impact study. She urged staff to try to keep the right-in, right-out condition.

Motion carried 8-0-2, with Commissioners Harrod and Kelly abstaining.

PC Minutes 7/25/16

ITEM NO. 3 IBP TO IL; 2.11 ACRES; 1300 RESEARCH PARK DR (BJP)

Z-16-00215: Consider a request to rezone approximately 2.11 acres from IBP (Industrial/Business Park) District to IL (Limited Industrial) District, located at 1300 Research Park Drive, Lot 3, Block 3. Submitted by Wallace Engineering, for Lydia L. Neu and Robert M. Neu, property owners of record.

STAFF PRESENTATION

Ms. Becky Pepper presented the item.

APPLICANT PRESENTATION

Mr. Tim Herndon, Wallace Engineering, said he reached out to property owners in the area and informed them of the proposal. He agreed with the staff report.

PUBLIC HEARING

Mr. Tiraz Birdie, Lawrence Montessori School, expressed concern regarding decreased property values. He said he would feel better if he knew what the design/layout would look like. He said he supported the rezoning in general.

Mr. Max Bruce, 4911 Legends Drive, said he did not have an issue with the rezoning or with the property owner, but was concerned about increased water flow coming down hill. He stated that development at the site would increase water drainage.

APPLICANT CLOSING COMMENTS

Mr. Herndon said Oread West had restrictive covenants associated with the plat as well as the Industrial Design Guidelines for site development. He showed a concept sketch on the overhead. He said the site plan would include notice to property owners within 200' of the site. He said the City Stormwater Engineer would be onsite tomorrow. He offered to meet later with the neighbors as the project developed.

COMMISSION DISCUSSION

Commissioner Carpenter inquired about the restrictive covenants on the property.

Mr. Herndon said the covenants limited certain uses in the way things were stored or displayed on the property. He said the covenants were more about the building materials used.

Commissioner Carpenter asked if the covenants were more design than land use.

Mr. Herndon said that was correct.

Commissioner Carpenter expressed concern about conditional zoning and notice to future property owners. He was concerned that if a Court determined in the future that conditional zoning was invalid and if determined so, then there would be IL in the middle of IBP with all uses available to this property.

Mr. Herndon said he understood Commissioner Carpenter's concerns. He was reluctant to commit his client to do something that was in excess of what the laws and statutes required for this project. He

felt it would be unfair. He said he would be reluctant to place a deed restriction that would state what the ordinance already stated for the property. He felt it would be redundant and supercilious.

Commissioner Kelly asked staff to talk about the conditional zoning.

Mr. McCullough said conditional zoning was a great tool to create compatibility for projects. He said it was the City's position that conditional zoning was a legal method.

Commissioner Britton asked if nearby neighborhoods had restrictive covenants.

Mr. McCullough said he was unsure since covenants were private.

Mr. Herndon said he did not know of any other properties that have been awarded conditional zoning. He said the area was mostly zoned IBP. He said every property within Research Park was subject to the same general covenants.

Commissioner Carpenter asked if this property would be the only property in Research Park zoned IL.

Mr. Herndon said yes.

ACTION TAKEN

Motioned by Commissioner von Achen, seconded by Commissioner Sands, to approve the request to rezone approximately 2.11 acres from IBP (Industrial/Business Park) District to IL (Limited Industrial) District, with use restrictions, and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report subject to the following condition:

1. Permitted uses are limited to those listed below:
 - a. *Work/Live Unit*
 - b. *Cemetery*
 - c. *College/University*
 - d. *Day Care Center*
 - e. *Event Center, Small*
 - f. *Event Center, Large*
 - g. *Postal & Parcel Service*
 - h. *Public Safety*
 - i. *Funeral and Interment*
 - j. *Social Service Agency*
 - k. *Health Care Office, Health Care Clinic*
 - l. *Active Recreation*
 - m. *Participant Sports & Recreation, Indoor*
 - n. *Participant Sports & Recreation, Outdoor*
 - o. *Passive Recreation*
 - p. *Nature Preserve/Undeveloped*
 - q. *Kennel, provided that the use be accessory to the Veterinary use*
 - r. *Veterinary*
 - s. *Restaurant, Quality*

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- t. *Administrative and Professional*
- u. *Financial, Insurance & Real Estate*
- v. *Payday Advance, Car Title Loan Business*
- w. *Office, Other*
- x. *Parking Facility, Commercial*
- y. *Building Maintenance*
- z. *Business Equipment*
- aa. *Business Support*
- bb. *Construction Sales and Service*
- cc. *Maker Space, Limited*
- dd. *Maker Space, Intensive*
- ee. *Manufacturing & Production, Ltd.*
- ff. *Manufacturing & Production, Tech.*
- gg. *Research Service*
- hh. *Wholesale Storage & Distribution, Light*
- ii. *Agriculture, Crop*
- jj. *Broadcasting Tower*
- kk. *Communications Service Establishment*
- ll. *Recycling, Small Collection*

Commissioner Britton said he would be interested in talking further about conditional zoning at a future Mid-Month meeting.

Commissioner Carpenter said he was going to vote in favor of the rezoning but was concerned about creating an individual lot of land in Research Park that had an extended list of possible uses. He would like Planning Commission to have a discussion about policy review so as not to run into legal issues in the future.

Commissioner Culver said he would support the motion. He said he would like to see the applicant and neighbors work together to make sure it was compatible with the surrounding uses.

Unanimously approved 10-0.

PC Minutes 7/25/16

ITEM NO. 4 SPECIAL USE PERMIT; SEEDS FROM ITALY; 1501 LEARNARD AVE (MKM)

SUP-16-00217: Consider a Special Use Permit for Seeds From Italy, located at 1501 Learnard Avenue. The applicant proposes to renovate an existing building on the property for office and warehouse use supporting their mail-order garden seed business. Submitted by Lynn Byczynski, for Sunrise Green LLC, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Ms. Lynn Byczynski, Seeds From Italy, was present for questioning.

PUBLIC HEARING

Mr. Kerry Altenbernd supported the Special Use Permit and felt it was a good extension of the initial use of the property.

COMMISSION DISCUSSION

Commissioner Carpenter asked staff about the platting process.

Mr. McCullough said there was a Code requirement that before a building permit could be issued it had to be a platted piece of property. He said when a new building was constructed the land would need to be platted first.

Commissioner Carpenter inquired about the total square footage of building area and if there was a cap.

Ms. Miller said there was a minimum amount of green space that had to be maintained. She said if the building size was increased it would be considered a major project.

Mr. McCullough said yes, there was a cap.

Commissioner Willey said it looked like a great use for the site and she would support it.

ACTION TAKEN

Motioned by Commissioner Willey, seconded by Commissioner Carpenter, to approve the Special Use Permit, SUP-16-00217, for Seeds From Italy a *Wholesale Storage and Distribution, Limited* use to be located at 1501 Learnard Avenue as Phase 1 of the Sunrise Green Project, and forwarding the item to the City Commission with a recommendation of approval subject to the following conditions:

1. Provision of a site plan performance agreement.
2. Provision of shop drawings for the new manhole construction/connection and the inspection fee to the City Utilities Division for approval prior to the release of the Special Use Permit to Development Services for processing of a building permit.
3. New manhole constructed and connected to service lines per utilities approval prior to release of Certificate of Occupancy.
4. Prior to the release of the Special Use Permit for issuance of a building permit the applicant shall provide a revised drawing to include the following note:

- a. *“Alternative Compliance from the Bufferyard Requirement on the south property line was approved to allow the building itself to serve as a buffer. Alternative Compliance was approved based on site constraints, primarily the lack of area to the south of Building C to install a landscaped bufferyard, and the fact that the building serves as an effective screen for the facility and operations to the north.”*

Unanimously approved 10-0.

PC Minutes 7/25/16

ITEM NO. 5A RM12D TO RS5; 13.268 ACRES; 751 W 29TH TERR (SLD)

Z-16-00219: Consider a request to rezone approximately 13.268 acres from RM12D (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District, located at 751 W 29th Terrace. Submitted by Landplan Engineering, for Savannah Holdings, LC, property owner of record.

ITEM NO. 5B RM12D-FP TO RS5-FP; 1.262 ACRES; 751 W 29TH TERR (SLD)

Z-16-00220: Consider a request to rezone approximately 1.262 acres from RM12D-FP (Multi-Dwelling Residential-Floodplain Overlay) District to RS5-FP (Single-Dwelling Residential-Floodplain Overlay) District, located at 751 W 29th Terrace. Submitted by Landplan Engineering, for Savannah Holdings, LC, property owner of record.

ITEM NO. 5C PRELIMINARY PLAT FOR NAISMITH CREEK ADDITION; 751 W 29TH TERR (SLD)

PP-16-00221: Consider a Preliminary Plat for Naismith Creek Addition, for 66 single-dwelling residential lots, located at 751 W 29th Terrace. The subdivision will take access from Alabama Street and W 29th Terrace east of Belle Haven Drive. Submitted by Landplan Engineering, for Savannah Holdings, LC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented items 5A-5C together.

APPLICANT PRESENTATION

Mr. Brian Sturm, Landplan Engineering, said he agreed with the staff recommendations and thanked staff for their work. He said there would be no negative impacts to the Naismith Creek floodplain by this subdivision. He said all buildable lots would be out of the floodplain. He said this property would be down zoned and would mean fewer units/lots. He said this subdivision had a pedestrian easement and the developers agreed to build the shared use path to the edge of City property.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Harrod inquired about the floodplain and what the elevation drop was for the creek.

Ms. Day said the bottom of the stream is at elevation 811. She displayed the elevation on the overhead. She said this project met the current design standard and staff felt there was adequate area to absorb the higher water.

Commissioner Harrod expressed concern about the potential for future flooding in the area.

Mr. McCullough said the pooling to the east was designed as a result.

Commissioner von Achen inquired about the floodplain overlay.

Ms. Day said those properties would have to get a floodplain development permit when built.

Commissioner Harrod asked about the bike path going around the perimeter of the subdivision.

Ms. Day said a path would encroach upon the floodplain if it didn't go around. She said going into the subdivision was not feasible in terms of where to connect the loop.

Commissioner Kelly inquired about easements and setbacks for the sanitary sewer.

Ms. Day said the placement of structure would be critical moving forward for construction. She said the north side was exclusively sanitary sewer easement and no other utilities could go into that easement.

Commissioner Sands said he liked this project because it was low-density and infill. He was confident there were sufficient controls in place to mitigate most heavy rains.

ACTION TAKEN on 5A

Motioned by Commissioner Sands, seconded by Commissioner Struckhoff, to approve the request to rezone, Z-16-00219, approximately 13.268 Acres, from RM12D (Multi-Dwelling Residential) 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.

Commissioner Harrod said he was not sure he could support this. He expressed concern about flooding and did not feel the study was extensive.

Commissioner Willey said Planning Commission may want to hear more about the floodplain during a monthly Mid-Month meeting. She understood the concerns about the floodplain but would support the motion based on the data they had.

Commissioner Carpenter expressed concern about this development being too close to the floodplain and the potential impact of pesticides, motor oil, and runoff.

Commissioner Butler asked the Planning Commission why there was apprehension of changing the zoning from multi-dwelling to single-family since it would reduce the number of homes.

Commissioner Willey said the preliminary plat would have impact to the land.

Commissioner Butler said the applicant could already build multi-dwelling there today.

Commissioner Kelly said he supported infill development and thanked staff and the applicant on making it look like a nice neighborhood.

Unanimously approved 10-0.

ACTION TAKEN on 5B

Motioned by Commissioner Sands, seconded by Commissioner Butler, to approve the request to rezone, Z-16-00220, approximately 1.262 Acres, from RM12D-FP to RS5-FP (Single-Dwelling

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

Motion carried, 9-1, with Commissioner Harrod voting in opposition.

Commissioner Kelly thanked staff for looking at all the reports and he trusted staff when they said all the data met the Code.

ACTION TAKEN on 5C

Motioned by Commissioner Sands, seconded by Commissioner Struckhoff, to approve the Preliminary Plat, PP-16-00221, for Naismith Creek Addition subject to the following conditions:

1. Provision of a revised Preliminary Plat with the following notes and changes:
 - a. Differentiate between existing and proposed contours lines (indicate where existing topography is changing) per the approval of the City Stormwater Engineer.
 - b. Show additional traffic calming per the City Traffic Engineer's approval.

Commissioner Willey asked if Planning Commission could recommend pulling some of the lots from the development due to the floodplain.

Mr. McCullough said Planning Commission was the double check that staff was doing their job in the technical reviews of looking at the studies, data, and Code. He said this type of project received a high level of review by the City stormwater engineer, traffic engineer, and utilities. He said Planning Commissions role was to make sure staff applied the existing Codes.

Commissioner Willey said she would vote in favor because she felt it met the Code.

Motion carried 9-1, with Commissioner Harrod voting in opposition.

PC Minutes 7/25/16

ITEM NO. 6 FINAL DEVELOPMENT PLAN FOR PETSMART, BAUER FARM; 4820 BAUER FARM DR (SLD)

Bauer Farm: **FDP-16-00216**: Consider a Final Development Plan for PetSmart, located at 4820 Bauer Farm Dr. The plan proposes a new 18,000 sq. ft. building west of Sprout's. Submitted by Treanor Architects, for Wakarusa Investors, LLC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Brian Kemp, Treanor Architects, was present for questioning.

PUBLIC COMMENT

No public comment.

COMMISSION DISCUSSION

Commissioner Willey asked who set the 50,000 square foot cap and who paid for the existing parking lot.

Ms. Day said the 50,000 square foot cap was set when the property was rezoned. She said the applicant had kept the design within that cap. She said she was unsure who paid for the parking lot. She said the project had shared access and parking.

Commissioner von Achen asked if office counted as retail in the square footage.

Ms. Day said no.

Commissioner Kelly asked why hotel didn't count as retail space.

Ms. Day said hotel would be commercial, not retail.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Britton, to approve the Final Development Plan based upon the findings of fact presented in the body of the Staff Report subject to the following conditions:

1. Prior to recording the Final Development Plan with the Register of Deeds Office the applicant shall provide the following additional documentation:
 - a. Submission of a site plan performance agreement.
2. Prior to recording the Final Development Plan with the Register of Deeds Office the applicant shall provide a revised drawing with the following notes and changes:
 - a. Revise the off-street parking table based on the Net Square Feet of the building at 1 space per 200 NSF.
 - b. Provision of a revised landscape plan to show shrubs planted between street trees along Overland Drive to screen the service drive per staff approval.

- c. Provision of a note that states that outdoor storage of materials, supplies, products, display equipment and containers in the rear of the building is prohibited.

Commissioner Kelly expressed his frustration that aspirations for a pedestrian plan were great but that they had not selected business that people would walk to. He said guests who stay at a hotel would not walk to a pet store. He was disappointed in the Bauer Farm project. He felt like they gave everything away with the project.

Unanimously approved 10-0.

PC Minutes 7/25/16

ITEM NO. 7 TEXT AMENDMENT TO DEVELOPMENT CODE; OREAD DESIGN GUIDELINES

Oread Design Guidelines: Consider a Text Amendment, TA-12-00171, to the City of Lawrence Land Development Code, Chapter 20, Articles 3, 4, 5, 6 and 9 regarding the adoption of the Oread Design Guidelines. *Initiated by City Commission on 8/28/12.* Adopt on first reading, Ordinance No. 9211, for a Text Amendment (TA-12-00171) to the City of Lawrence Land Development Code, Chapter 20, Articles 3, 4, 5, 6 and 9 regarding the adoption of the Oread Design Guidelines. (PC Item 2; approved 8-0 on 3/21/16)

ITEMS NO. 8A-8F RECOMMEND THE ESTABLISHMENT & ADOPTION FOR AN URBAN CONSERVATION OVERLAY DISTRICT (-UC) FOR 190.8 ACRES WITHIN THE OREAD NEIGHBORHOOD BASED UPON ADOPTION OF THE OREAD NEIGHBORHOOD DESIGN GUIDELINES. Districts 1-6 AS IDENTIFIED IN THE INTERACTIVE MAP:

http://lawrenceks.org/pds/draft_plans

Consider Rezoning, Z-12-00172, Oread Design Guidelines District 1 (Low Density), 38.1 Acres, from RM12 (Multi-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District, RM32 (Multi-Dwelling Residential) District, U-KU (University) District to RM12-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM12D-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, U-KU-UC (University – Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9212, to rezone (Z-12-00172) Oread Design Guidelines District 1 (Low Density), 38.1 Acres, from RM12 (Multi-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District, RM32 (Multi-Dwelling Residential) District, U-KU (University) District to RM12-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM12D-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, U-KU-UC (University – Urban Conservation Overlay) District. (PC Item 3A; approved 8-0 on 3/21/16)

Consider Rezoning, Z-12-00175, Oread Design Guidelines District 2 (High Density), 43.7 Acres, from MU (Mixed Use) District, MU-PD (Mixed Use – Planned Development Overlay) District, PCD (Planned Commercial) District, RM32 (Multi-Dwelling Residential) District, RM32-PD (Multi-Dwelling Residential – Planned Development Overlay) District, RMG (Multi-Dwelling Residential – Greek Housing) District, RMO (Multi-Dwelling Residential – Office) District, U-KU (University) District to MU-UC (Mixed Use – Urban Conservation Overlay) District, MU-PD-UC (Mixed Use - Planned Development Overlay - Urban Conservation Overlay) District, PCD-UC (Planned Commercial – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM32-PD-UC (Multi-Dwelling Residential – Planned Development Overlay – Urban Conservation Overlay) District, RMG-UC (Multi-Dwelling Residential – Greek Housing - Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office District - Urban Conservation Overlay) District, U-KU-UC (University - Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9213, to rezone (Z-12-00175) Oread Design Guidelines District 2 (High Density), 43.7 Acres, from MU (Mixed Use) District, MU-PD (Mixed Use – Planned Development Overlay) District,

PCD (Planned Commercial) District, RM32 (Multi-Dwelling Residential) District, RM32-PD (Multi-Dwelling Residential – Planned Development Overlay) District, RMG (Multi-Dwelling Residential – Greek Housing) District, RMO (Multi-Dwelling Residential – Office) District, U-KU (University) District to MU-UC (Mixed Use – Urban Conservation Overlay) District, MU-PD-UC (Mixed Use - Planned Development Overlay - Urban Conservation Overlay) District, PCD-UC (Planned Commercial – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RM32-PD-UC (Multi-Dwelling Residential – Planned Development Overlay – Urban Conservation Overlay) District, RMG-UC (Multi-Dwelling Residential – Greek Housing - Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office District - Urban Conservation Overlay) District, U-KU-UC (University - Urban Conservation Overlay) District. (Z-12-00172) (PC Item 3B; approved 8-0 on 3/21/16)

Consider Rezoning, Z-12-00177, Oread Design Guidelines District 3 (Medium Density), 63.5 Acres, from CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District to CS-UC (Commercial Strip - Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential - Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office - Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9214, to rezone (Z-12-00177) Oread Design Guidelines District 3 (Medium Density), 63.5 Acres, from CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District to CS-UC (Commercial Strip - Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential - Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office - Urban Conservation Overlay) District. (PC Item 3C; approved 8-0 on 3/21/16)

Consider Rezoning, Z-12-00173, Oread Design Guidelines District 4 (Hancock Historic District), 4.8 Acres, from RM32 (Multi-Dwelling Residential – Urban Conservation Overlay) District to RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9215, to rezone (Z-12-00173) Oread Design Guidelines District 4 (Hancock Historic District), 4.8 Acres, from RM32 (Multi-Dwelling Residential – Urban Conservation Overlay) District to RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District. (PC Item 3D; approved 8-0 on 3/21/16)

Consider Rezoning, Z-12-00174, Oread Design Guidelines District 5 (Oread Historic District), 28.9 Acres, from CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District, RSO (Single-Dwelling Residential – Office) District to CS-UC (Commercial Strip – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office – Urban Conservation Overlay) District, RSO-UC (Single-Dwelling Residential – Office – Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9216, to rezone (Z-12-00174) Oread Design Guidelines District 5 (Oread Historic District), 28.9 Acres, from CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District, RSO (Single-Dwelling Residential – Office) District to CS-UC (Commercial Strip – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office – Urban Conservation Overlay) District, RSO-UC (Single-Dwelling Residential – Office – Urban Conservation Overlay) District. (PC Item 3E; approved 8-0 on 3/21/16)

Complete audio & video from this meeting can be found online:

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

Consider Rezoning, Z-16-00058, Oread Design Guidelines District 6 (Commercial), 11.9 Acres, from CN2 (Neighborhood Commercial) District, CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District to CN2-UC (Neighborhood Commercial – Urban Conservation Overlay) District, CS-UC (Commercial Strip – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office – Urban Conservation Overlay) District. Adopt on first reading, Ordinance No. 9217, to rezone (Z-16-00058) Oread Design Guidelines District 6 (Commercial), 11.9 Acres, from CN2 (Neighborhood Commercial) District, CS (Commercial Strip) District, RM32 (Multi-Dwelling Residential) District, RMO (Multi-Dwelling Residential – Office) District to CN2-UC (Neighborhood Commercial – Urban Conservation Overlay) District, CS-UC (Commercial Strip – Urban Conservation Overlay) District, RM32-UC (Multi-Dwelling Residential – Urban Conservation Overlay) District, RMO-UC (Multi-Dwelling Residential – Office – Urban Conservation Overlay) District. (PC Item 3F; approved 8-0 on 3/21/16)

STAFF PRESENTATION

Mr. Jeff Crick presented items 7 and 8A-8F together.

PUBLIC HEARING

Ms. Candice Davis, Lawrence Association of Neighborhoods, supported the Oread Neighborhood Guidelines.

Mr. Rick Cupper wondered how the plan reduced density in the Oread Neighborhood.

Ms. Serina Hearn, Oread Neighborhood Association, said the neighborhood was occupied by 93% renters. She wondered about the reasoning for the overlay district and who benefited from it.

Mr. Chris Schmidt said landlords were just trying to protect their investments.

Mr. Kyle Thompson, Oread Residents Association, read the first page of the Oread Design Guidelines that talked about its purpose.

Ms. Marci Francisco said she was a property owner and landlord in the Oread Neighborhood since 1977. She was sorry to hear that there was still misunderstanding about the Oread Design Guidelines. She said it was not affecting density but rather how developments of the density and underlying zoning should be built.

Mr. Jon Josserand thanked staff for their work on this. He said the document was not perfect but that he believed it would help prevent some of the abuse that had happened in the district over the years. He said the landlords he had talked to supported the document.

COMMISSION DISCUSSION

Commissioner Culver asked if Planning Commission comments and discussion from March's meeting be forwarded to City Commission.

Mr. McCullough said it could be included as reference to City Commission.

Commissioner Kelly encouraged staff to forward the March Planning Commission minutes to City Commission since it was a long meeting full of comments.

Planning Commission wanted their previous comments to stand.

Commissioner von Achen asked staff to comment on the density questions.

Mr. McCullough said the guidelines would not take away density and did not affect the base zoning district. He said the guidelines would apply to the design of the property, such as setbacks and architectural features of a home. He said the parking issue for duplexes was one part of the discussion as a reduction in intensity. He said the guidelines did not affect anything existing today and were not retroactive. They would only be applied to new projects.

Commissioner Britton thought it was a great idea to include the minutes from the last time they heard this issue. He said coming into tonight he wondered if they would hear anything new. He said they heard from new people but the same comments and concerns and did not change how he viewed it since the last time. He said he would support the item again this time.

Commissioner Sands said public outreach was very difficult in communities. He felt it spoke highly of Lawrence to go back and do it right to ensure all view points were heard. He said he supported the design guidelines and it reflected a value in the community about maintaining structures.

ACTION TAKEN on Item 7

Motioned by Commissioner Sands, seconded by Commissioner Carpenter, to recommend adopting the Oread Neighborhood Design Guidelines and approval of the revised text for Article 3 and forwarding of the proposed guidelines and text amendment to Chapter 20, Articles 3 to the City Commission with a recommendation for approval and adoption.

Commissioner Culver said he was supportive of the Oread Design Guidelines as a whole. He was concerned about creating legal non-conforming uses within the zoning areas and creating a disadvantage for people who made investments in the neighborhood. He wanted City Commission to have further discussions on ways to mitigate that and represent those that made investments in the area.

Commissioner Harrod said he could not make a very well informed decision on the topic since he was a new Planning Commissioner and felt he should abstain.

Commissioner Willey agreed with Commissioner Harrod and said she would also abstain.

Commissioner Carpenter wanted to point out that City Commission would be looking at changing the duplex parking city wide, not just the Oread Neighborhood.

Commissioner Kelly shared Commissioner Culver's concerns but would vote in favor of the motion. He said Planning Commission looked at land use. He said the larger financial issue and how it impacted individual land owners was for City Commission to consider.

Motion carried 8-0-2, with Commissioners Harrod and Willey abstaining.

ACTION TAKEN on Items 8A-8F

Motioned by Commissioner Britton, seconded by Commissioner von Achen, to approve the rezoning of 190.8 acres to apply the –UC (Urban Conservation Overlay District), and forwarding these items to the City Commission with a recommendation for approval based on the findings of fact found in this staff report.

Motion carried 8-0-2, with Commissioners Harrod and Willey abstaining.

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

Commissioner Kelly said the August Mid-Month topic would be the same growth presentation from last month.

ADJOURN 10:32pm