

**LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
CITY HALL, 6 EAST 6TH STREET, CITY COMMISSION MEETING ROOM,
AGENDA FOR NON-PUBLIC & PUBLIC HEARING ITEMS - APRIL 25, 2005,
7:00-10:00 P.M.**

AGENDA FOR PUBLIC HEARING ITEMS – APRIL 27, 2005 6:30 – 10:30 P.M.

**GENERAL BUSINESS:
PLANNING COMMISSION MINUTES**

Receive and amend or approve the minutes from the Planning Commission meetings of March 14, and March 16, 2005.

COMMITTEE REPORTS

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

COMMUNICATIONS

- a) Receive written communications from the public.
- b) Receive written communications from staff, Planning Commissioners, or other commissioners.
- c) Disclosure of ex parte communications.
- d) Declaration of abstentions from specific agenda items by commissioners.

AGENDA (APRIL 25, 2005) MEETING:

CONSENT AGENDA:

ITEM NO. 1: FINAL PLAT FOR HANSCOM-TAPPAN ADDITION, 2ND PLAT, SOUTH OF 15TH STREET AND WEST OF HASKELL AVENUE (SLD)

PF-01-02-05: Final Plat for Hanscom-Tappan Addition, 2nd Plat, a Replat of Tract B, Block One, and Lot 14, Tract Two, Hanscom-Tappan Addition, and a Final Plat of an adjacent tract. This proposed 13-lot residential subdivision contains approximately 2.006 acres. The property is generally described as being located south of 15th Street and west of Haskell Avenue. Submitted by Landplan Engineering, P.A., for Parnell Investors L.L.C., property owner of record.

ITEM NO. 2: FINAL DEVELOPMENT PLAN FOR HANSCOM-TAPPAN II PRD, SOUTH OF 15TH STREET AND WEST OF HASKELL AVENUE (SLD)

FDP-01-02-05: Final Development Plan for Hanscom-Tappan II PRD. This proposed single-family residential subdivision contains approximately 1.93 acres. The property is described as being located at 1535 Haskell Avenue. Submitted by Allen Belot for Parnell Investors, LLC, property owner of record.

(ITEM NO. 3 WILL BE CONSIDERED AFTER CONSENT AGENDA)

ITEM NO. 4: FINAL PLAT FOR LAKE VIEW ADDITION NO. 2, A REPLAT OF LAKE VIEW ADDITION; NORTH OF CLINTON PARKWAY & EAST OF K-10 HIGHWAY (SLD)

PF-02-03-05: Final Plat for Lake View Addition Number 2, a Replat of Lake View Addition. This proposed multi-family residential and commercial subdivision contains approximately 29.7261 acres and is located north of Clinton Parkway and east of K-10 Highway (SLT). Submitted by Peridian Group, Inc., for Timber Villas Development, LLC, Central National Bank, Bristol Partners XVII, LLC, and Garber Enterprises, Inc., property owners of record.

ITEM NO. 5: FINAL PLAT FOR FALL CREEK FARMS 11TH PLAT; WEST OF KASOLD DRIVE AND SOUTH OF PETERSON ROAD (LAP)

PF-03-04-05: Final Plat for Fall Creek Farms 11th Plat. This proposed one-lot single-family residential subdivision contains approximately 1.174 acres and is located west of Kasold Drive and south of Peterson Road. Submitted by Landplan Engineering, P.A., for Sojac Land Company, L.C., property owner of record.

ITEM NO. 6: FINAL PLAT FOR LONG JOHN SILVER'S/A & W RESTAURANT; 1503 W. 23RD STREET (SLD)

PF-03-06-05: Final Plat for Long John Silver's/A & W Restaurant. This proposed commercial one-lot subdivision contains approximately 1.15 acre and is located at 1503 W. 23rd Street. Submitted by McCluggage Van Sickle & Perry for Yum! Brands, Inc. – Long John Silver's Corporation, property owner of record.

ITEM NO. 7: FINAL PLAT FOR OAKLEY ADDITION NO. 3, A REPLAT OF OAKLEY ADDITION NO. 1, LOT 25, BLOCK 1, IN OAKLEY ADDITION NO. 2, AND AN UNPLATTED TRACT OF LAND; WEST OF FOLKS ROAD AND SOUTH OF W. 6TH STREET (PGP)

PF-03-07-05: Final Plat for Oakley Addition No. 3, a replat of Oakley Addition No. 1, Lot 25, Block 1 in Oakley Addition No. 2, and an unplatted tract of land. This proposed office and planned residential development contains approximately 9.614 acres and is located west of Folks Road and south of W. 6th Street. Submitted by Peridian Group for Consolidated Properties, Inc., and IMG Holdings, L.L.C., property owners of record.

ITEM NO. 8A: PRELIMINARY PLAT FOR 202 N. 5TH STREET; NORTH OF WALNUT STREET AND EAST OF FIFTH STREET (LAP)

PP-03-05-05: Preliminary Plat for 202 N. 5th Street. This proposed three-lot single-family residential subdivision contains approximately 0.689 acre and is located north of Walnut Street and east of Fifth street. Submitted by Peridian Group for Theresa and Robert Wagner, property owners of record.

ITEM NO. 8B: FINAL PLAT FOR 202 N. 5TH STREET; NORTH OF WALNUT STREET AND EAST OF FIFTH STREET (LAP)

PF-03-08-05: Final Plat for 202 N. 5th Street. This proposed three-lot single-family residential subdivision contains approximately 0.689 acre and is located north of Walnut Street and east of Fifth street. Submitted by Peridian Group for Theresa and Robert Wagner, property owners of record.

ITEM NO. 9: FINAL PLAT FOR CARPENTER ADDITION NO. 3; 1050 EAST 24TH STREET (PGP)

PF-03-09-05: Final Plat for Carpenter Addition No. 3, a replat of Lot 3, Carpenter Addition No. 2. This proposed three lot duplex-residential subdivision contains approximately 0.858 acre and is located at 1050 East 24th Street. Submitted by Landplan Engineering, P.A., for Larry H. Midyett and Sue A. Midyett, property owners of record.

PUBLIC HEARING ITEM:

SWEARING IN OF SPEAKERS:

(PUBLIC HEARING ON VARIANCE REQUEST ONLY):

ITEM NO. 3: PRELIMINARY PLAT FOR LAKE ESTATES AT ALVAMAR; BETWEEN E 920 ROAD AND LAKE ALVAMAR (SLD)

PP-10-26-04: Revised Preliminary Plat for Lake Estates at Alvamar. This proposed 35-lot single-family residential subdivision contains approximately 12.597 acres. The property is generally described as being located southeast of Lake Estates Subdivision, between E 920 Road and Lake Alvamar. Submitted by Peridian Group, Inc. for Lake Estates at Alvamar, LLC, applicant, and Chris Earl, Mark A. & Marsha G. Buhler, Yankee Tank Investors, and Alvamar, Inc., property owners of record.

ITEM NO. 10A: C-5 TO PCD-2; .19 ACRE; 3400 & 3434 SOUTH IOWA STREET (SLD)

Z-03-18-05: A request to rezone a tract of land approximately .19 acres from C-5 (Commercial) District to PCD-2 (Planned Commercial Development) District. The property is generally described as being located at 3400 & 3434 South Iowa Street. B G Consultants, Inc., for Schnaer Real Estate Ltd. Partnership, contract purchaser, and Wal-Mart Real Estate Business Trust, property owner of record.

NON-PUBLIC HEARING ITEMS:

**ITEM NO 10B: FINAL DEVELOPMENT PLAN FOR CROWN CHEVROLET/TOYOTA;
3400 & 3434 SOUTH IOWA STREET (SLD)**

FDP-03-03-05: Final Development Plan for Crown Chevrolet/Toyota. This proposed Planned Commercial Development contains approximately 12.92 acres and is located at 3400 & 3434 South Iowa Street. Submitted by B G Consultants, Inc., for Schnaer Real Estate Ltd. Partnership, contract purchaser, and Wal-Mart Real Estate Business Trust, property owner of record.

**ITEM NO. 10C: FINAL PLAT FOR WAL-MART ADDITION NO. 3, A REPLAT OF LOT
1 AND LOT 3 IN WAL-MART ADDITION NO. 2; 3400 & 3434
SOUTH IOWA ST. (SLD)**

PF-03-10-05: Final Plat for Wal-Mart Addition No. 3, a replat of Lot 1 and Lot 3 in Wal-Mart Addition No. 2, a replat of Wal-Mart Addition No. 1; Lot 2, M & L Subdivision; Lot 7a, Armstrong's Subdivision No. 1; and Lot 1, Armstrong's Subdivision No. 3. This proposed commercial subdivision contains approximately 12.92 acres and is located at 3400 & 3434 South Iowa Street. Submitted by B G Consultants, Inc., for Schnaer Real Estate Ltd. Partnership, contract purchaser, and Wal-Mart Real Estate Business Trust, property owner of record.

PUBLIC HEARING ITEMS:

**ITEM NO. 11: USE PERMITTED UPON REVIEW; BRANDON WOODS RETIREMENT
CENTER; 1501 INVERNESS DRIVE (SMS)**

UPR-03-02-05: Use Permitted upon Review request for a private club at Brandon Woods Retirement Center. The property is located at 1501 Inverness Drive and contains 3.325 acres. Submitted by Brandon Woods Club, Inc, applicant, for Brandon Woods, Inc., property owner of record.

**ITEM NO. 12: RESCIND MINIMUM MAINTENANCE ROAD DESIGNATION FOR
E1800 ROAD FROM N 900 THENCE SOUTH 0.8 MILE (BA)**

MM-12-02-04: Request to rescind the minimum maintenance road designation for E 1800 Road from N 900 thence south approximately 0.8 mile. Requested by Douglas County Public Works for the Palmyra Township Board. *This item was tabled at the January Planning Commission meeting.*

**ITEM NO. 13: CONDITIONAL USE PERMIT FOR E4 EXCAVATING; 1452 EAST 1
ROAD (PGP)**

CUP-02-03-05: Conditional Use Permit for E4 Excavating. The property is located at 1452 East 1 Road, and contains approximately 10.96 acres. Submitted by Robin L. Edmonds for Shirley Edmonds, property owner of record.

ITEM NO. 14: **AMEND 2004-2008 TRANSPORTATION IMPROVEMENT PROGRAM (BA)**

Amend 2004-2008 Transportation Improvement Program (TIP) to add state and federally-funded projects for:

- Independence Inc. replacement van under the FTA Section 5310 Elderly and Disabled Program
- Kasold Drive bridge over I-70/KTA (carry forward from 2003 TIP), STP funding
- Intersection improvements at 23rd St./Harper, KDOT Geometric Improvement funding
- Roadway improvements on 31st St. from Ousdahl to Louisiana, STP funding
- Roadway improvements on Kasold Dr. from 6th St. to 15th St., STP funding

ITEM NO. 15: **AMEND 2005 UNIFIED PLANNING WORK PROGRAM (BA)**

- Amend 2005 Unified Planning Work Program (UPWP) for budget adjustments

NON-PUBLIC HEARING ITEM:

ITEM NO. 16: **PROPOSED CAPITAL IMPROVEMENT PLAN (CIP) FOR YEARS 2006 THROUGH 2011 (DRG)**

Presentation of Capital Improvements Plan Process and receipt of proposed Capital Improvements Plan (CIP) for years 2006-2011.

KSA 12-748 provides the basis for the Capital Improvements Program (CIP), which is a planning document that helps to guide City investments in constructing public facilities or utilities that are in conformance with the adopted comprehensive plan. The Planning Commission's role in the CIP process is to review the six-year plan for specific public improvements (roads, utilities, buildings, parks & sports facilities) or other improvements made with public monies for conformance with HORIZON 2020. The Planning Commission forwards their recommendations for conformity with the comprehensive plan to the governing body for final action. Projects listed on the CIP may not be built during the projected timeframe identified in the document. The City Commission determines which projects will be funded when they review and update the 5-year Capital Improvement Budget during the annual budgetary process. Public comment will be received at the May 25, 2005, Planning Commission meeting.

MISCELLANEOUS NEW OR OLD BUSINESS

MISC. ITEM NO. 1: OLD BUSINESS

Tabled Items:

Z-01-05-05: A to RS-2; 8.7 acres; northwest of Clinton Parkway and K-10 Highway (north of Judy's Junction) (Windover at Lawrence) *Tabled at the 2/23/05 meeting.*

Z-01-06-05: A to RM-2; 40 acres; northwest of Clinton Parkway and K-10 Highway (north of Judy's Junction) (Windover at Lawrence) *Tabled at the 2/23/05 meeting.*

Z-01-07-05: A to RM-D; 4.6 acres; northwest of Clinton Parkway and K-10 Highway (north of Judy's Junction) (Windover at Lawrence) *Tabled at the 2/23/05 meeting.*

MISC. ITEM NO. 2:

Consider initiation of revisions to Planning Commission By-Laws to reflect changes in meeting schedule/format.

MISC. ITEM NO. 3:

Consideration of any other business to come before the Commission.

Recess until 6:30 P.M. on April 27, 2005

BEGIN PUBLIC HEARING (APRIL 27, 2005):
SWEARING IN OF SPEAKERS:

ITEM NO. 17: **RM-1 TO O-1; 2.69 ACRES; NORTHEAST CORNER OF WAKARUSA DRIVE & HARVARD ROAD (PGP)**

Z-12-55-04: A request to rezone a tract of land approximately 2.69 acres from RM-1 (Multiple-Family Residential) District to O-1 (Office) District. The property is generally described as being located east of Wakarusa Drive and north of Harvard Road. Submitted by Peridian Group, Inc., for Mustard Seed Christian Fellowship, property owners of record. *This item was deferred from the February Planning Commission meeting by request of the applicant.*

ITEM NO. 18: **A TO A-1; 6.0 ACRES; E 1500 ROAD BETWEEN N 1000 ROAD AND N 1050 ROAD (LAP)**

Z-03-14-05: A request to rezone a tract of land approximately six acres from A (Agricultural) District to A-1 (Suburban Residential) District. The property is generally described as being located on E 1500 Road between N 1000 and N 1050 Roads. Submitted by Jeff and Jaclyn Hout, contract purchasers, and Jo Anne Polk, property owner of record.

ITEM NO. 19A: **PRELIMINARY DEVELOPMENT PLAN FOR BAUER FARM; NORTH OF W. 6TH STREET AND EAST OF WAKARSUA DRIVE (PGP)**

PDP-03-02-05: Preliminary Development Plan for Bauer Farm. This proposed planned commercial development, planned residential development and planned office development contains approximately 43.88 acres. The property is generally described as being located north of W. 6th Street (U.S. Highway 40) between Wakarusa Drive and Folks Road. Submitted by Landplan Engineering, P.A., for Free State Holdings, Inc., contract purchaser, and Carolena Ltd & Henrysflower, LLC, property owners of record.

ITEM NO. 19B: **PRD-2 to POD-1; 2.59 ACRES; NORTH OF W. 6TH STREET AND EAST OF WAKARSUA DRIVE (PGP)**

Z-03-16-05: A request to rezone a tract of land approximately 2.59 acres from PRD-2 (Planned Residential Development) District to POD-1 (Planned Office Development) District. The property is generally described as being located north of W. 6th Street (U.S. Highway 40) between Wakarusa Drive and Folks Road. Submitted by Landplan Engineering, P.A., for Free State Holdings, Inc., contract purchaser, and Carolena Ltd & Henrysflower, LLC, property owners of record.

ITEM NO. 19C: **PRD-2 to PCD-2; 8.23 ACRES; NORTH OF W. 6TH STREET AND EAST OF WAKARSUA DRIVE (PGP)**

Z-03-17-05: A request to rezone a tract of land approximately 8.23 acres from PRD-2 (Planned Residential Development) District to PCD-2 (Planned Office Development) District. The property is generally described as being located north of W. 6th Street (U.S. Highway 40) between Wakarusa Drive and Folks Road. Submitted by Landplan Engineering, P.A., for Free State Holdings, Inc., contract purchaser, and Carolena Ltd & Henrysflower, LLC, property owners of record.

NON-PUBLIC HEARING ITEM:

ITEM NO 20A: **ANNEXATION OF 17.52 ACRES; NORTH OF HIGHWAY 40 AND EAST OF K-10 HIGHWAY (PGP)**

A-01-02-05: Annexation request for approximately 17.52 acres, located north of Highway 40 and east of K-10 Highway. Submitted by Landplan Engineering, Inc., for Hanover Place, LC, Oread, LC, and Tanglewood, LC, property owners of record. *This item was deferred from the 2/23/05 Planning Commission meeting.*

RESUME PUBLIC HEARING:

ITEM NO 20B: **A TO PCD-2; 61.64 ACRES; NORTH OF HIGHWAY 40 AND EAST OF K-10 HIGHWAY (PGP)**

Z-01-08-05: A request to rezone a tract of land approximately 61.64 acres from A (Agriculture) District to PCD-2 (Planned Commercial Development) District. The property is generally described as being located north of Highway 40 and east of K-10 Highway. Submitted by Landplan Engineering, Inc., for Hanover Place, LC, Oread, LC, Tanglewood, LC, Kentucky Place, LC, JDS Kansas, LC, Venture Properties Inc., TAT Land Holding Company, LC, and Safe Harbour EAT-V, LLC, property owners of record. *This item was deferred from the 2/23/05 Planning Commission meeting.*

ITEM NO 20C: **A TO RO-1A; 19.89 ACRES; NORTH OF HIGHWAY 40 AND EAST OF K-10 HIGHWAY (PGP)**

Z-01-09-05: A request to rezone a tract of land approximately 19.89 acres from A (Agriculture) District to RO-1A (Residence-Office) District. The property is generally described as being located north of Highway 40 and east of K-10 Highway. Submitted by Landplan Engineering, Inc., for Hanover Place, LC, Oread, LC, Tanglewood, LC, Kentucky Place, LC, JDS Kansas, LC, Venture Properties Inc., TAT Land Holding Company, LC, and Safe Harbour EAT-V, LLC, property owners of record. *This item was deferred from the 2/23/05 Planning Commission meeting.*

ITEM NO 20D: **A TO RS-2; 29.10 ACRES; NORTH OF HIGHWAY 40 AND EAST OF K-10 HIGHWAY (PGP)**

Z-01-10-05: A request to rezone a tract of land approximately 29.10 acres from A (Agriculture) District to RS-2 (Single-Family Residential) District. The property is generally described as being located north of Highway 40 and east of K-10 Highway. Submitted by Landplan Engineering, Inc., for Hanover Place, LC, Oread, LC, Tanglewood, LC, Kentucky Place, LC, JDS Kansas, LC, Venture Properties Inc., TAT Land Holding Company, LC, and Safe Harbour EAT-V, LLC, property owners of record. *This item was deferred from the 2/23/05 Planning Commission meeting.*

ITEM NO 20E: A TO RM-D; 4.21 ACRES; NORTH OF HIGHWAY 40 AND EAST OF K-10 HIGHWAY (PGP)

Z-01-11-05: A request to rezone a tract of land approximately 4.21 acres from A (Agriculture) District to RM-D (Duplex Residential) District. The property is generally described as being located north of Highway 40 and east of K-10 Highway. Submitted by Landplan Engineering, Inc., for Hanover Place, LC, Orea Properties, LLC, Kentucky Place, LC, JDS Kansas, LC, Venture Properties Inc., TAT Land Holding Company, LC, and Safe Harbour EAT-V, LLC, property owners of record. *This item was deferred from the 2/23/05 Planning Commission meeting.*

ITEM NO 20F: A TO RM-2; 13.05 ACRES; NORTH OF HIGHWAY 40 AND EAST OF K-10 HIGHWAY (PGP)

Z-01-12-05: A request to rezone a tract of land approximately 13.05 acres from A (Agriculture) District to RM-2 (Multiple-Family Residential) District. The property is generally described as being located north of Highway 40 and east of K-10 Highway. Submitted by Landplan Engineering, Inc., for Hanover Place, LC, Orea Properties, LLC, Kentucky Place, LC, JDS Kansas, LC, Venture Properties Inc., TAT Land Holding Company, LC, and Safe Harbour EAT-V, LLC, property owners of record. *This item was deferred from the 2/23/05 Planning Commission meeting.*

PUBLIC COMMENT SECTION

CALENDAR

March 2005						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2005						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2005						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- PCCM meeting: 4/13**
- TAC meetings: 4/7** (Generally 1st Thursday of month)
- CPC meetings:** (Generally every two weeks on Tuesday, 12:15 – 1:15 p.m.)
- SPC meetings:** (No set meeting schedule)
- RPC meeting:** (Generally every two weeks on Thursdays, 4:30 – 6:00 p.m.)
- PRC meeting**

ADJOURN