

**LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
CITY HALL, 6 EAST 6TH STREET, CITY COMMISSION MEETING ROOM,
AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS**

AUGUST 21, 2006, 7:00-10:00 P.M.

AUGUST 23, 2006 6:30 – 10:30 P.M.

AUGUST 30, 2006 6:30-10:30 P.M.

GENERAL BUSINESS:

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of July 24 and 26, 2006

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.

REGULAR AGENDA (AUGUST 21, 2006) MEETING:

**FOR PLANNING COMMISSION DISCUSSION AND ACTION
(PUBLIC HEARING HAS BEEN HELD):**

**ITEM NO. 1: **AMENDMENTS TO CHAPTERS 4 AND 5 TO THE COMPREHENSIVE
PLAN REGULATIONS FOR THE UNINCORPORATED TERRITORY
OF DOUGLAS COUNTY, KANSAS****

CPA-2006-01: Hold a public hearing on proposed amendments to the Comprehensive Plan, Horizon 2020, Chapters 4 & 5. The amendments are: to 'Chapter Four – Growth Management' and 'Chapter 5 – Residential' which pertain to the development criteria for rural residential development in the Unincorporated Area of Douglas County. Associates with text changes in these two chapters are two maps, Map 4-1 and Map 4-2 which depict the criteria that will be used in the evaluation of rural development within the Lawrence UGA, Service Areas 2 through 4, and within the remainder of the Unincorporated Area of Douglas County. There are also changes to the road classifications to the Major Thoroughfare Maps in Chapter 8 [Maps 8-1 and 8-2]. Initiated for public hearing by the Board of County Commissioners on January 25, 2006. *This item was tabled from the May Planning Commission meeting.*

ITEM NO. 2: ADOPTION OF SUBDIVISION REGULATIONS FOR LAWRENCE AND THE UNINCORPORATED AREA OF DOUGLAS COUNTY, JANUARY 26, 2006 EDITION

TA-01-02-06: Pursuant to the provisions of K.S.A. Chapter 12, Article 7, consider making a recommendation on the adoption of "Subdivision Regulations for Lawrence and the Unincorporated Area of Douglas County, January 26, 2006 Edition." This set of regulations replaces Chapter 21 of the Code of the City of Lawrence, Kansas, with Article 8 in the Land Development Code of the City of Lawrence, Chapter 20 of the Code of the City of Lawrence [adopted July 1, 2006] and replaces in its entirety Article 11 in the County Code, thereby establishing new standards for rural residential development and updated subdivision design standards and development criteria for the platting of lands within the incorporated limits of Lawrence and within the Unincorporated Area of Douglas County. The "Subdivision Regulations, January 26, 2006 Edition" is a general and complete revision of the City of Lawrence and Douglas County's existing, jointly adopted Subdivision Regulations [re: Ordinance No. 5257 and Resolution No. 81-11, and amendments there to] and as such, affects all divisions of land within the corporate limits of the City of Lawrence and the unincorporated area of Douglas County. The "Subdivision Regulations, January 26, 2006 Edition" is incorporated by reference as if fully set forth in this notice. Copies of the "Subdivision Regulations, January 26, 2006 Edition" are available for review at the Office of the Lawrence-Douglas County Planning Department, City Hall, 6 E. 6th Street, Lawrence, Kansas. The "Subdivision Regulations, January 26, 2006 Edition" is also available at www.lawrenceplanning.org. **TA-01-02-06** and **TA-01-03-06, AND CPA-2006-01** are companion documents that together create new Rural Development Regulations within the existing zoning and subdivision regulations of Douglas County. Initiated for public hearing by the Board of County Commissioners on January 25, 2006. *This item was deferred from the May Planning Commission meeting to allow consideration of alternate text drafted by a sub-committee of the Planning Commission. The alternate text is also posted at www.lawrenceplanning.org.*

ITEM NO. 3: AMENDMENTS TO ARTICLES 6, 7, AND 18 IN THE ZONING REGULATIONS FOR THE UNINCORPORATED TERRITORY OF DOUGLAS COUNTY, KANSAS

TA-01-03-06: Consider amendments to Articles 6, 7, and 18 in the "Zoning Regulations for the Unincorporated Territory of Douglas County, Kansas," said amendments: revise the 'A' Agricultural District [Article 6] to allow development of single-family dwellings in conformance with revisions to platting and development requirements in the jointly adopted Lawrence/Douglas County Subdivision Regulations; revise the 'A-1' Suburban Home Residential District [Article 7] to conform to minimum frontage and entrance spacing requirements for roads in Douglas County, when adopted by the Board of County Commissioners; and, revise the Height, Area and Bulk Requirements Table, [Article 18] to conform to minimum frontage and entrance spacing requirements for roads in Douglas County, when adopted by the Board of County Commissioners. Initiated for public hearing by the Board of County Commissioners on January 25, 2006. *This item was deferred from the May Planning Commission meeting.*

MISCELLANEOUS NEW OR OLD BUSINESS

MISC. ITEM NO. 1: OLD BUSINESS

MISC. ITEM NO. 2:

Consideration of any other business to come before the Commission.

Recess until 6:30 P.M. on August 23, 2006

BEGIN PUBLIC HEARING (AUGUST 23, 2006):

COMMUNICATIONS

- a) Receive written communications from staff, Planning Commissioners, or other commissioners.
- b) Receive request from Stan Hernly to initiate a text amendment to the County Zoning Regulation to include self-storage as a permitted use in the list of conditional use permits with standards for location. ACTION: Consider initiation for future public hearing.
- c) Disclosure of ex parte communications.
- d) Declaration of abstentions from specific agenda items by commissioners.

SWEARING IN OF SPEAKERS:

CONSENT AGENDA:

ITEM NO. 4: **FINAL PLAT FOR OREGON TRAIL ADDITION; N OF US HWY 40 & E OF GEORGE WILLIAMS WAY (MKM)**

PF-07-17-06: Final Plat for Oregon Trail Addition. The property is located North of U.S. Hwy 40 (6th Street) and East of George Williams Way (extended). This residential subdivision contains 123 single-family and multi-family residential lots. Submitted by Landplan Engineering, for Oregon Trail Holdings LC, property owner of record.

ITEM NO. 5: **FINAL PLAT FOR STEPHENS-NOLLER ADDITION; SW CORNER OF RESEARCH PARK DRIVE & BOB BILLINGS PARKWAY (MKM)**

PF-07-18-06: Final Plat for Stephens-Noller Addition, a one lot industrial subdivision. The property is located on the SW corner of Research Park Drive & Bob Billings Parkway. Submitted by Landplan Engineering, for Mark Buhler, contract purchaser. Bob White Meadow, LP is the property owner of record.

ITEM NO. 6: **FINAL PLAT FOR LOGES ADDITION; NW CORNER OF QUEENS ROAD & OVERLAND DRIVE (MKM)**

PF-07-19-06: Final Plat for Loges Addition. The property is located on the NW corner of Queens Road & Overland Drive. This residential subdivision containing 142 single-family and multi-family lots. Submitted by Landplan Engineering, for Michael Stultz, property owner of record.

REGULAR AGENDA:

PUBLIC HEARING ITEMS:

Recess LDCMPC
Convene MPO

ITEM NO. 7: **AMENDMENT TO 2006-2009 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

Amend 2006-2009 Transportation Improvement Program (TIP) to add and delete federally-funded projects for:

- Add intersection improvements at 19th St. & Louisiana, STP + local funding
- Cancel roadway improvements on 31st St. from Ousdahl to Louisiana, STP + local funding
- Add brick street restoration on Ohio St. from 6th St. to 8th St., Transportation Enhancement + local funding
- Add downtown streetscape improvements in Eudora on Main St. from 7th St. to 9th St., Transportation Enhancement + local funding

Recess MPO
Reconvene LDCMPC

ITEM NO. 8: **USE PERMITTED UPON REVIEW RETIREMENT COMMUNITY; 24TH PLACE; SOUTHWEST CORNER CLINTON PARKWAY & CROSSGATE DRIVE (LAP)**

UPR-05-07-06: Use Permitted upon Review request for a retirement community, located at 24th Place between Crossgate Drive and Inverness Drive. Submitted by Landplan Engineering, PA, applicant for Inverness Park Limited Partnership, property owner of record.

ITEM NO. 9: **CONDITIONAL USE PERMIT REQUEST FOR MIDNIGHT FARM; 2084 N 600 ROAD (LAP)**

CUP-04-03-06: Conditional Use Permit request for Midnight Farm, located at 2084 N 600 Road. This proposed residential living facility contains approximately 40.52 acres. Submitted by Landplan Engineering, PA, for Community Living Opportunities, property owner of record. *This item was deferred from the June Planning Commission meeting to allow time for the applicant to meet with nearby residents.*

ITEM NO. 10: **RS-2 [RS7] to CN1; .134 ACRES; 917 DELAWARE (SLD)**

Z-06-14-06: A request to rezone a tract of land approximately .134 acres, from RS-2 (Single-Family Residence) to CN-1 (Inner Neighborhood Commercial). The property is located at 917 Delaware. Submitted by Korb Maxwell, Polsinelli Law Firm, for Robert & Molly Krause, property owner of record. *This item was deferred from the July Planning Commission meeting due to a notice error.*

ITEM NO. 11A: M-2 [IG] & M1-A [IL] to RMO; 3.91 ACRES; 800 BLOCK LYNN ST (MJL)

Z-07-22A-06: A request to rezone a tract of land approximately 3.91 acres, from M-2 (General Industrial) and M1-A (Light Industrial) to RMO (Multi-Dwelling Residential-Office). The property is generally described as being located by Lynn and Homewood Streets on the North & South, and Bullene and Haskell Avenues to the West & East and is located in the 800 block of Lynn Street. *Initiated by Planning Commission at July meeting.*

ITEM NO. 11B: M-2 [IG] & M1-A [IL] to RSO; 3.91 ACRES; 800 BLOCK LYNN ST (MJL)

Z-07-22B-06: A request to rezone a tract of land approximately 3.91 acres, from M-2 (General Industrial) and M1-A (Light Industrial) to RSO (Single-Dwelling Residential-Office). The property is generally described as being located by Lynn and Homewood Streets on the North & South, and Bullene and Haskell Avenues to the West & East and is located in the 800 block of Lynn Street. *Initiated by Planning Commission at July meeting.*

ITEM NO. 12: SPECIAL USE PERMIT FOR T-MOBILE; 2206 E 23RD STREET (SLD)

SUP-07-01-06: Special Use Permit for a 150' T-Mobile monopole cellular tower and equipment shelter. The property is located at 2206 E 23rd Street. Submitted by Selective Site Consultants for T-Mobile Central LLC dba T-Mobile. Knights of Columbus Council 1372 are the property owner of record.

ITEM NO. 13: SPECIAL USE PERMIT FOR T-MOBILE; 3420 BOB BILLINGS PARKWAY (SLD)

SUP-07-02-06: Special Use Permit for a 150' T-Mobile monopole cellular tower and equipment shelter. The property is located at 3420 Bob Billings Parkway. Submitted by Selective Site Consultants for T-Mobile Central LLC dba T-Mobile. Lawrence Hidden Valley Committee, Inc. is the property owner of record.

ITEM NO. 14A: R-1 to RM12; 10.08 ACRES; SOUTH OF PETERSON ROAD AND WEST OF MONTEREY WAY (SLD)

Z-07-19A-06: A request to rezone a tract of land approximately 10.08 acres, from R-1 (Single-Family Residence) to RM12 (Multi-Dwelling Residential). The property is located South of Peterson Road & West of Monterey Way. Submitted by Peridian Group Inc, for First Management, contract purchaser. Property owners of record are Ruth P. Branham, Trustee; Darrel E. Johnson, Trustee of Ruth Branham Charitable Remainder Trust; and Roger A. & Linda A. Morningstar.

ITEM NO. 14B: R-1 to RS5; 9.974 ACRES; SOUTH OF PETERSON ROAD AND WEST OF MONTEREY WAY (SLD)

Z-07-19B-06: A request to rezone a tract of land approximately 9.974 acres, from R-1 (Single-Family Residence) to RS5 (Single-Dwelling Residence). The property is located South of Peterson Road & West of Monterey Way. Submitted by Peridian Group Inc, for First Management, contract purchaser. Property owners of record are Ruth P. Branham, Trustee; Darrel E. Johnson, Trustee of Ruth Branham Charitable Remainder Trust; and Roger A. & Linda A. Morningstar.

NON-PUBLIC HEARING ITEMS:

ITEM NO. 14C: ANNEXATION REQUEST; 20.08 ACRES; SOUTH OF PETERSON ROAD AND WEST MONTEREY WAY (SLD)

A-07-02-06: A request to annex a tract of land approximately 20.08 acres. The property is located South of Peterson Road & West of Monterey Way. Submitted by Peridian Group Inc, for First Management, contract purchaser. Property owners of record are Ruth P. Branham, Trustee; Darrel E. Johnson, Trustee of Ruth Branham Charitable Remainder Trust; and Roger A. & Linda A. Morningstar.

ITEM NO. 14D: PRELIMINARY PLAT FOR PINETREE (BRANHAM) FARMS; SOUTH OF PETERSON ROAD AND WEST MONTEREY WAY (SLD)

PP-07-10-06: Preliminary Plat of Branham Farms, a proposed residential subdivision containing 43 single-family and 15 multi-family lots on approximately 20.08 acres. The property is located South of Peterson Road & West of Monterey Way. Submitted by Peridian Group Inc, for First Management, contract purchaser. Property owners of record are Ruth P. Branham, Trustee; Darrel E. Johnson, Trustee of Ruth Branham Charitable Remainder Trust; and Roger A. & Linda A. Morningstar.

RESUME PUBLIC HEARING:

ITEM NO. 15A: A TO RM12; 9.21 ACRES; CORNER OR KASOLD DRIVE & 31ST STREET (SLD)

Z-07-20A-06: A request to rezone a tract of land approximately 9.21 acres, from A (Agricultural) to RM12 (Multi-Family Residential). The property is located at the corner of Kasold Drive & 31st Street. Submitted by Peridian Group Inc, for First Management, contract purchaser. Property owners of record are K. & Henrietta Karlin, Trustees.

Deferred

ITEM NO. 15B: UR TO RM12; 1 ACRE; CORNER OF KASOLD DRIVE & 31ST STREET (SLD)

Z-07-20B-06: A request to rezone a tract of approximately one acre, from UR (Urban Reserve) to RM12 (Multi-Dwelling). The property is located at the corner of Kasold Drive & 31st Street. Submitted by Peridian Group Inc, for First Management, contract purchaser. Property owners of record are Felix M. & Henrietta Karlin, Trustees.

NON-PUBLIC HEARING ITEMS:

ITEM NO. 15C: ANNEXATION REQUEST; 9.21 ACRES; SW CORNER OF KASOLD DRIVE & 31ST STREET. (SLD)

A-07-03-06: A request to annex a tract of approximately 9.21 acres. The property is located at the SW corner of Kasold Drive & 31st Street. Submitted by Peridian Group Inc, for First Management, contract purchaser. Property owners of record are Felix M. & Henrietta Karlin, Trustees.

ITEM NO. 15D: PRELIMINARY PLAT FOR YANKEE TANK POINTE; CORNER OF KASOLD DRIVE & 31ST STREET (SLD)

PP-07-11-06: Preliminary Plat of Yankee Tank Pointe. The lot multi-family residential subdivision containing 11.916 acres. The property is located at the corner of Kasold Drive & 31st Street. Submitted by Peridian Group Inc, for First Management, contract purchaser. Property owners of record are Felix M. & Henrietta Karlin, Trustees.

RESUME PUBLIC HEARING:

Recess until 6:30 P.M. on August 30, 2006

BEGIN PUBLIC HEARING (AUGUST 30, 2006):

COMMUNICATIONS

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

SWEARING IN OF SPEAKERS:

PUBLIC HEARING ITEMS:

ITEM NO. 16A: **PRD-2 to PCD-2; 2.21 ACRES; 6th & WAKARUSA (LAP)**

Z-06-16A-06: A request to rezone a tract of land approximately 2.21 acres, from PRD-2 (Planned Residential Development) to PCD-2 (Planned Commercial Development with revised use restrictions). The property is located at the intersection of 6th Street & Wakarusa, North side of Highway 40. Submitted by BFA, Inc, for 6Wak Land Investments, LLC, property owner of record.

ITEM NO. 16B: **PCD-2 to PCD-2; 15.8 ACRES; 6th & WAKARUSA (LAP)**

Z-06-16B-06: A request to rezone a tract of land approximately 15.8 acres, from PCD-2 (Planned Commercial Development with limited uses) to PCD-2 (Planned Commercial Development with revised use restrictions). The property is located at the intersection of 6th Street & Wakarusa, North side of Highway 40. Submitted by BFA, Inc, for 6Wak Land Investments, LLC, property owner of record.

ITEM NO. 16C: **PRELIMINARY DEVELOPMENT PLAN FOR WAL-MART; 6TH & WAKARUSA (LAP)**

PDP-06-06-06: Preliminary Development Plan for Wal-Mart includes approximately 17.98 acres. The property is located at the NW intersection of 6th Street & Wakarusa Drive. The plan proposes approximately 121,500 square feet of commercial development. Submitted by BFA, Inc, for 6Wak Land Investments, LLC, property owner of record.

ITEM NO. 17:

Consider revisions to Planning Commission By-Laws.

ITEM NO. 18: **TEXT AMENDMENT TO CHAPTER 20 DEVELOPMENT CODE (SMS)**

TA-06-04-06: Consider adoption of revisions to Chapter 20, Development Code to correct inconsistencies since adopted. *Initiated by the Planning Commission at the July 26 meeting.*

ITEM NO. 19: AMENDMENT TO HORIZON 2020, CHAPTER 6 (AAM)

CPA-2006-02: Amendment to Horizon 2020, Chapter 6 – Commercial, to change language pertaining to Policy 3.11 B. *Initiated by the Lawrence/Douglas County Metropolitan Planning Commission on 6/28/06 meeting.*

ITEM NO. 20: TEXT AMENDMENT TO CHAPTER 20 DEVELOPMENT CODE (AAM)

TA-07-05-06: Consider revisions to 20-1107 (c) 2 iv regarding standards for Retail Market Impact Analysis. Specifically, this amendment changes "shall be denied" to "may be denied" with regard to project approval if the city-wide vacancy rate is 8% or greater. *Initiated by the Lawrence/Douglas County Planning Commission at their 6/28/06 meeting.*

ITEM NO. 21: AMENDMENT TO HORIZON 2020, CHAPTER 6 (AAM)

CPA-2006-03: Consider initiation of amendments to Horizon 2020, Chapter 6 – Commercial to address consistency issues in the Commercial Centers descriptions.

ITEM NO. 22: TEXT AMENDMENT TO CHAPTER 20 DEVELOPMENT CODE (SMS)

TA-07-06-06: Consider initiation of text amendments to Chapter 20, Development Code to correct inconsistencies since adopted.

PUBLIC COMMENT SECTION

CALENDAR

August 2006						
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		

September 2006						
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

October 2006						
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:** 8/9; 9/13; 10/11
TAC Meeting: 8/8; 9/5; 10/3 (Generally 1st Tuesday of month, 12:00 – 12:30)
CPC Meeting: 8/22; 9/5, 9/19 (Generally every two weeks on Tuesday, 12:30 – 1:30)
RPC meeting: (Generally every two weeks on Thursdays, 4:30 – 6:00 p.m.)
CZC meeting: (No set meeting schedule)
SPC meetings: (No set meeting schedule)
CND meeting: 8/14, 8/28; 9/11, 9/25 (Generally every two weeks on Monday, 8:00 – 10:00 a.m.)
T2030 meeting: 8/24 (Generally every 3-4 weeks on Thursday, 12:00 noon – 12:30 p.m.)

ADJOURN