



PLANNING COMMISSION MEETING
February 25 & 27, 2008
Meeting Minutes

February 25, 2008 – 6:30 p.m.

Commissioners present: Blaser, Carter, Chaney, Eichhorn, Finkeldei, Harris, Hird, Lawson, and Moore
Staff present: McCullough, Stogsdill, Day, J. Miller, M. Miller, Moore, Boecker, and Brown

MINUTES

Discussion regarding January 28 & 30, 2008 draft minutes -

Motioned by Commissioner Hird, seconded by Commissioner Harris, to approve the minutes of the January 28 & 30, 2008 meeting.

Motion carried, 9-0-1 with Commissioner Blaser abstaining.

COMMITTEE REPORTS

Commissioner Hird said that Gateways & Boulevards Committee met and need direction from the Planning Commission on what the committee should focus on since the subject matter is broad. Commissioner Eichhorn suggested that the Planning Commissioners send Commissioner Hird their suggestions via email.

Commissioner Moore said the Industrial Committee had their inaugural meeting and briefly went over locational and criterial criteria for selecting industrial sites.

Commissioner Finkeldei said that TAC did not meet this month since transportation items were held over from the January Planning Commission meeting.

COMMUNICATIONS

Mr. Scott McCullough reviewed new attachments/communications that were posted to the online Planning Commission agenda after the initial posting date.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- No ex parte.
- Abstentions:

Commissioner Chaney abstained from Item 6.

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ITEM NO. 2 PRELIMINARY PLAT FOR LOWER EAST SIDE ADDITION (MKM)

PP-12-10-07: Preliminary Plat for Lower East Side Addition, located at 927 & 933 Delaware Street. Submitted by Matt Jones, for Robert & Molly Krause, property owners of record. The applicants have requested variances from the lot width and lot area requirements of the RS5 district.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Matt Jones, representing Robert & Molly Krause, said that if the existing house was demolished they could meet the lot width for all three lots. He also stated that historically there have been 3 homes on this property and the variance would permit them to preserve the existing character. He requested that the variance be granted because the destruction of historical heritage would be a hardship

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Harris felt that this was a good example of infill development.

ACTION TAKEN

Motioned by Commissioner Harris, seconded by Commissioner Moore to approve the variance request from Section 20-809(d)(2) which requires that each lot resulting from the division will conform with the minimum lot size and other dimensional requirements applicable to the property through the Zoning District Regulations found in Section 20-601(a).

The variance would permit the following variations from the dimensional requirements of Section 20-601(a) for the RS5 Zoning District:

- 1) lot frontage/lot width of 37.44 ft. for Lots 1 and 2 rather than the 40 ft. required in the RS5 Zoning District; and
- 2) lot area of 4,384 sq. ft. and 4,379 sq. ft. for Lots 1 and 2 respectively rather than 5,000 sq. ft. required in the RS5 Zoning District.

Approval of the Preliminary Plat of The Lower East Side Addition subject to the following conditions:

- 1) Revision of the preliminary plat with the following changes:
 - a The property owners, Robert and Molly Krause must be listed on the Plat as 'Owners' and Matt Jones should be listed separately as 'Developer'.
 - b The note regarding the variance being requested should be revised to read as follows:
 - c "Variance requested from Section 20-809(d)(2) which requires that each lot conform with the dimensional requirements applicable to the property through the Zoning District Regulations found in Section 20-601(a), specifically the minimum lot frontage/lot width and minimum lot area requirements.
 - d The revised Preliminary Plat must list the revision date.
- 2) An Agreement Not to Protest the Formation of a Benefit District for future street and sidewalk improvements to Delaware Street must be executed by the property owner and provided to the Planning Office at the Final Plat stage.
- 3) Review and approval by the Historic Resources Commission.

Unanimously approved 9-0.

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ITEM NO. 3 12TH & OREAD TAX INCREMENT FINANCING DISTRICT REDEVELOPMENT PLAN

Consideration of the 12th and Oread Tax Increment Financing District Redevelopment Plan to consider consistency with the intent of the Comprehensive Plan.

STAFF PRESENTATION

Ms. Sandra Day presented the item. She pointed out an error in the staff report on page 2.

Ms. Cynthia Boecker, Assistant City Manager, was present for questions. She stated that the action before the Planning Commission was to consider providing a finding that the plan complies with the intent of the Comprehensive Plan for the City of Lawrence.

Commissioner Moore asked how this piece relates to what City Commission has already approved.

Ms. Boecker stated that the Redevelopment Plan is separate from land use decisions. State law outlines that this plan be acted upon by Planning Commission and comply with the intent of Horizon 2020.

Ms. Boecker stated that on February 12, 2008 the City Commission started the comment period for the County and school district for a proposed tax increment financing district request. The developer filed a petition with the city clerk to develop a transportation development district. The public improvements for the Oread project will be financed through transportation development district, a 1 cent sales tax assessed on sales within the facility, and an increment in tax increase for the property as well as the sales tax. The public and private improvements are estimated to be 11 million dollars eligible to be reimbursed through the TIF (Tax Increment Financing) and the TDD (Transportation Development District). The school district and county have 30 days to object to the creation of the development district. The Board of County Commissioners will review a resolution that would allow the 1 cent sales tax and financing for the TIF side. City Commission will hold a public hearing on April 1st to consider the redevelopment plan.

Commissioner Lawson asked if the 37 million dollar package total included the 11 million dollar figure that Ms. Boecker mentioned.

Ms. Boecker said that yes, the 11 million was included in the 37 million dollar figure. 5 million for public improvements such as streets, sidewalks, etc, and 6 million for underground parking.

Commissioner Lawson stated that the projections suggest that the developer will get back 6 million of the 11 million in reimbursement.

Ms. Boecker said that it is estimated that approximately 6 million dollars in revenue would be generated over a 20 year period of the tax increment financing tool. The feasibility study presented to City Commission on February 12, 2008 related to the project estimated sales and property taxes over 6 million. Developer estimates were about 7.1 million dollars. As outlined at this time the redevelopment agreement would provide for refunding back to the developer up to 7.1 million dollars for recouping that increment.

Commissioner Lawson said that the TDD was a small part of that.

Ms. Boecker said that TDD was estimated at \$920,000, so yes, it was a small part.

Commissioner Lawson asked if the 1% additional sales tax would be county wide.

Ms. Boecker replied no, the 1% sales tax created through the transportation development district would only be assessed at The Oread.

Commissioner Lawson asked where else in the city a TIF is used.

Ms. Boecker replied the New Hampshire parking garage used a TIF.

Commissioner Eichhorn asked if it was working well.

Mr. McCullough said sales tax is needed to generate revenue. The method for this project is unique because it is a pay as you go deal. The developer will pay up front and will be repaid as sales tax are generated. The infrastructure will need to be in place before the occupancy of the hotel is allowed. The city will get all the improvements before the hotel will be operational.

Commissioner Eichhorn asked why other properties were included besides the hotel site.

Ms. Day said the additional properties are owned by the applicant and the city water tower property will receive landscaping so that is why they were included.

Commissioner Eichhorn asked if the additional properties were subject to sales tax if they were to redevelop in some other way.

Ms. Boecker stated that if there was a future sales tax in those areas it would require a petition to create an additional transportation development district.

Commissioner Harris asked if the parking facility would be private or open to the public.

Ms. Boecker said it would be private parking operated through the hotel.

Commissioner Harris asked Ms. Day what parts of the staff report they should focus on.

Ms. Day said that they should determine if the redevelopment project plan is consistent with the intent of the City's general comprehensive plan, Horizon 2020.

Commissioner Harris said that some of the information in the staff report was not very detailed.

Ms. Day said the design detail will be seen by Planning Commission as part of the Final Development Plan stage.

Mr. McCullough said they could give their comments about public improvements. He described the improvements that are part of the project, such as realignment of Oread Ave, crosswalks, new stairway down to Mississippi Street.

Commissioner Finkeldei said the other time that they made a similar finding was related to the Capital Improvement Plan. He looked up that statute. It said with the comprehensive plan they were supposed to determine if the CIP "conforms with the comprehensive plan." With the Oread project they are asked to find if it is consistent with the "intent of the plan." So the Planning Commission does not have to determine if it "conforms" only if it is "consistent with the intent." He said it seemed like a much lower standard.

Mr. Matt Gough, Barber Emerson attorney on behalf of the developer, agreed with Commissioner Finkeldei; that it was a lower standard. The Planning Commission is asked to look at the improvements not the financing mechanisms of the project. In that sense it is a formality built into the statute. It is a two step process and it is between stages one and two. The blueprint for the project is the redevelopment plan and it is the Planning Commission's charge to determine if it is consistent with the intent of the comprehensive plan.

Commissioner Eichhorn commented on design by saying that in the staff report it says that this project is removing a dilapidated apartment complex. He would like that same term used with any other complexes in the area in the similar situation to allow a blight policy. He would like other buildings in the area that are in similar dilapidated states to do something about their building.

Mr. McCullough said that inspectors from Development Services evaluated existing buildings to determine if they were in poor condition.

Mr. John Miller said that to determine conservation areas they had to identify the area in order to create the TIF district.

Commissioner Eichhorn said that former Planning Commissioner Joe Harkins had asked the applicant if they were asking for public money. Commissioner Eichhorn was concerned about not seeing projects entirely upfront. He asked Paul Werner to comment on this.

Mr. Werner said that they had not applied for the TIF at that time and he did not know that they were going to apply for one. He wished they had started the TIF project earlier. He said the applicant is providing financing upfront and using the TIF to reimburse those expenses.

Commissioner Lawson agreed with Commissioner Eichhorn's comments. He said the Planning Commission was previously enthusiastic to the plan because the developer was willing to finance the public improvements.

Mr. Werner stated that all the public improvements have to be complete or the developer does not get to open the hotel.

Commissioner Hird stated he has been involved in two TIF projects outside of Kansas. He said there was substantially less risk when the government does not need to issue bonds. He was astounded that the developer was willing to put up the money first and that he would vote for this plan.

Commissioner Harris asked Mr. Werner what percentage of the project overall was for improvements.

Mr. Werner replied that 5.3 million for public improvement. They hope that 6-7% will be reimbursable.

Commissioner Harris asked how the valet parking would work. She also voiced concern about delivery vehicles having to back out onto 12th Street because the delivery land is only one lane with no turnaround. She asked if any other arrangement had been considered.

Mr. Werner said that they looked at that but they did not have enough space. He also said that the valet parkers would figure it out. He also stated that they hope trucks will be backing down the east side and pull out straight onto 12th Street. He stated that food delivery trucks are box type trucks and that they have widened the entrance to get trucks down the east side. He said they have also changed some of

the sidewalks which will help pedestrian traffic. On inclement weather days or football game days they might just let people leave directly from the garage instead of valet.

Commissioner Harris was concerned about cars turning left out of parking garage.

Mr. Werner said there was some benefit to valet parking because the drivers will know the intersection since they will be used to it. He said the real intersection that handles cars is 11th & Indiana.

ACTION TAKEN

Motioned by Commissioner Finkeldei, seconded by Commissioner Hird, to find that the proposed redevelopment project, 12th & Oread Tax Increment Financing District Redevelopment Project Plan, is consistent with the intent of the City's general comprehensive plan, *Horizon 2020*, for the development of the City and forward this finding to the City Commission as per K.S.A. 12-1772.

Commissioner Harris agreed that the plan in general was in conformance with the goals of the area. She was still concerned about traffic.

Unanimously approved 9-0.

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ITEM NO. 4 RSO TO RM15; 15.171 ACRES; 4000 W 24TH PLACE (SLD)

Z-10-26-07: A request to rezone a tract of land approximately 15.171 acres from RSO (Single-Dwelling Residential-Office) to RM15 (Multi-Dwelling Residential). The property is located at 4000 West 24th Place, Inverness Park Addition, west of Crossgate Drive & south of Clinton Parkway. Submitted by Highland Construction, Inc., for Dial Realty Corp., property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Tim Stultz was present for questioning.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Moore, seconded by Commissioner Carter to approve the rezoning request [Z-10-26-07] for 15.171 from RSO (Single-Dwelling Residential-Office) to RM15 (Multi-Dwelling Residential) 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.

Unanimously approved 9-0.

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ITEM NO. 5 SPECIAL USE PERMT FOR 714 VERMONT (MKM)

SUP-12-10-07: Special Use Permit for a cabinet shop which is "Limited Manufacturing & Production Business" at 714 Vermont. Submitted by Paul Werner Architects, for Downtown Equities LC, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, agreed with the staff report conditions.

Commissioner Lawson inquired about the note on the plan regarding the discharge of water that is used for cleaning.

Mr. Werner said it was a standard note and that there are environmentally safe people that now clean some of the outside dining areas on Massachusetts Street.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Finkeldei asked if the cabinet shop had been in operation for a while.

Ms. Miller said she believed that it was for a short time but not currently.

ACTION TAKEN

Motioned by Commissioner Harris, seconded by Commissioner Chaney to approve SUP-12-10-07, a Special Use Permit for the addition of a granite shop, a limited manufacturing and production use, to the property at 714 Vermont and forwarding it to the City Commission with a recommendation for approval, based upon the findings presented in the body of the staff report and subject to the following conditions:

1. Provision of a revised Site Plan with the following changes:
 - a The following general note must be added: "Per City Code Section 9-902, the outdoor dining area will be managed to prevent stormwater pollution. Food waste, trash, cigarettes, and other solid wastes will be collected and disposed of properly. Fluid waste, including wastewater from pavement or furniture cleaning, will be collected and discharged to the sanitary sewer system."
 - b The sidewalk dining area must be shown and labeled on the plan.
 - c Note 1.3 under 'Project Summary' must be revised to reference that the CD (not the C-3) Zoning District is exempt from the off-street parking requirement.
 - d Project Summary notes 1.2 and 1.3 for current and proposed uses must be revised to change 'office' to 'tattoo parlor or tattoo shop' and to include 'parking garage'.
 - e The following note must be added to the plan:
"The granite shop is subject to the following conditions: Employment may not exceed 20 employees, no outside storage of materials or products is permitted, and If goods are displayed or sold on-site, this must be a subordinate part of total sales."
2. The property is located within the environs of properties listed on the National and Lawrence Registers of Historic Places and is also located in the Downtown Conservation Overlay District. The change of use must be approved by the Historic Resource Commission before the SUP Ordinance is considered by the City Commission.

3. An Agreement Not to Protest the Formation of a Benefit District for Street Light Improvements must be executed before the Special Use Permit Site Plan is released for building permits.
4. A photometric plan must be provided and approved prior to the installation of any exterior lighting when exterior lighting is proposed.

Unanimously approved 9-0.

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ITEM NO. 6 CONDITIONAL USE PERMIT FOR NORTH FORTY FARMS; 1768 E 1100 ROAD (SLD)

CUP-12-11-07: Conditional Use Permit for North Forty Farms, located at 1768 East 1100 Road. Submitted by Paul Werner Architects, for North Forty LC, property owner of record.

STAFF PRESENTATION

Mr. Scott McCullough prefaced the staff presentation by saying the CUP expired and was deferred from last months Planning Commission meeting to try to resolve issues. He also stated that the applicant, Paul Werner, had requested a deferral of this item from tonight's meeting and that the Planning Commission can decide if they want to let staff proceed with the presentation. He pointed out that there was a member from the public present in the audience to speak on the item and that he should be allowed to voice his opinion since he took the time to attend the meeting.

Commissioner Eichhorn said he would personally like to proceed with the staff presentation.

Ms. Sandra Day presented the item. She stated that written communication was received by Mr. Rick Whitson after the deadline. She went over the key points from the staff report which based the staff recommendation for denial.

- Subject property contains an existing building for storage per a previous approved CUP-08-09-02 with a 5 year time limit.
- The subject property has been associated with multiple complaints over that period.
- The use has failed to comply with conditions of the original CUP for use as a truck/equipment storage facility.
- Applicant has had only minimum contact with County Staff during extended review period. Resolution of the existing complaint has not been reached as of February 8, 2008. Property remains in a state of violation of approved zoning and land use according to County Records.
- The revised site plan proposes the use of the building for "uncrating appliances and cutting carpet."

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, agreed with Mr. McCullough that it was not fair for a member of the public to attend Planning Commission and then the item be deferred. He was not aware of the multiple complaints that the staff report mentions and asked for a copy of the complaints. All he had was a copy of the certified letter from Keith Dabney regarding violations.

Mr. Keith Dabney, Director of County Zoning & Codes, said that they first cited the property owner in November 2001 and then a 2nd notice in December 2001. He did receive a letter back from Mark Anderson that they were going to resolve the issues and seek a CUP. They were cited March 2002 by the state for illegal dumping. He showed photographs of storage of furniture and various building material. The building was constructed without a permit. He said the complaints have been consistent. He and Ms. Day visited the site today and noticed material in the special hazard flood district.

Commissioner Moore asked for clarification that the violations in 2001 resulted in a CUP being issued.

Mr. Dabney said that was correct.

Commissioner Moore asked what remedy the County has to address issues.

Mr. Dabney said they have a significant problem with this CUP and it was their recommendation to deny the renewal of the CUP. They have sent violation letters to the property owner. He stated that the process to remedy CUP's was not as straight forward as a simple violation. The courts usually want them to try to resolve.

Commissioner Lawson said that the 2001 notice made reference to statutes and sanctions. He asked if those were still available with a CUP.

Mr. Dabney said that they are still available and that typically there is some sort of settlement.

Commissioner Blaser asked if CUP's could be revoked.

Mr. Dabney said it usually has some sort of condition that allows it to be revoked and they are reviewed on a 5 year basis.

Mr. McCullough said that typically if CUP's are not operating under the use established or a specific condition then they have the ability to begin revocation proceedings. Usually that requires some due process with the applicant to give them the opportunity to correct the violations. If the violations cannot be corrected then it would go through a process that would include Planning Commission recommendations to the Board of County Commission.

Commissioner Moore stated that Mr. Werner should get a copy of the violation letters.

PUBLIC HEARING

Mr. Rick Whitson, neighbor, has called in a few complaints about traffic. He was concerned about traffic safety due to narrow roads and blind driveways. He said he had a picture of a truck jack-knifed.

APPLICANT CLOSING COMMENTS

Mr. Werner stated that the property owner said his attorney told him he could use the building for a two week period to cut carpet and unpack appliances. He said the city just built a lift station across from the property so it's possible some of the truck traffic was from that project. He felt they could use better language on the CUP that could define if it's being used wrong.

Commissioner Carter inquired how violation letters cannot be addressed.

Mr. Werner was frustrated that information had not been provided about the violations.

Mr. Whitson, felt that the only good way for a truck to get to the site was thru a round about or Peterson & Monterey Way. He stated that stuff was dumped there and burned creating a sizeable fire.

COMMISSION DISCUSSION

Commissioner Hird asked if the CUP was for a truck storage facility. He said that the traffic issues would have applied if it would have been a truck storage facility.

Ms. Day said that the intention was for smaller pickup trucks, not large semi trucks, to be at the facility. She said that the conditions of the CUP put a weight limit on the trucks.

Commissioner Hird felt that the issue was not the use of the CUP, but rather its numerous violations of the permit that needed to be enforced.

Mr. Dabney stated that the CUP expired yesterday. He said that they could have enforced and shut the operation down but that he tries to work with people to reach a happy medium. He stated that no burning was one of the conditions and that some of the conditions were not followed. They failed to comply with the previous CUP conditions so approving this one would not be beneficial.

Commissioner Hird asked if the occupant had complied with the conditions they would not be discussing it right now.

Mr. Dabney said that was correct.

Commissioner Hird asked if enforcement was part of them not following the conditions.

Mr. Dabney said that not renewing the CUP is a way of enforcement.

Commissioner Finkeldei agreed with Commissioner Hird and said that he suspected revoking a CUP would be like revoking a rezoning which was not easy to do. He also said that the CUP should live up to conditions and that is one of the reasons a CUP has renewal periods. He felt that if they are not in compliance then they should not be granted another CUP.

Commissioner Hird felt that the County should aggressively enforce CUP's that are not in compliance.

Commissioner Moore agreed with Commissioners Hird and Finkeldei but felt that the County was limited in being able to enforce. He did not think that the CUP applicant was being a good neighbor.

Commissioner Hird clarified that he was not picking on Keith Dabney and appreciated his efforts regarding the issue.

ACTION TAKEN

Motioned by Commissioner Moore, seconded by Commissioner Lawson, to deny the Conditional Use Permit CUP-12-11-07 for a truck storage facility and forwarding it to the County Commission with a recommendation for denial based on the findings of fact stated in the body of the staff report.

Motion carried 8-0-1 for denial with Commissioner Chaney abstaining.

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ITEM NO. 7A MINIMUM MAINTENANCE; N 1 ROAD (DCM)

MM-12-03A-07: Request to designate minimum maintenance road status for a portion of N 1 Road within Marion Township.

Item 7A deferred prior to the meeting.

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ITEM NO. 7B MINIMUM MAINTENANCE; E 200 ROAD (DCM)

MM-12-03B-07: Request to designate minimum maintenance road status for a portion of E 200 Road within Marion Township.

Item 7B deferred prior to the meeting.

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ITEM NO. 7C MINIMUM MAINTENANCE; E 600 ROAD (DCM)

MM-12-03C-07: Request to designate minimum maintenance road status for a portion of E 600 Road within Marion Township.

Item 7C deferred prior to the meeting.

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ITEM NO. 7D MINIMUM MAINTENANCE; E 650 ROAD (DCM)

MM-12-03D-07: Request to designate minimum maintenance road status for a portion of E 650 Road within Marion Township.

Item 7D deferred prior to the meeting.

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ITEM NO. 8 TRANSPORTATION IMPROVEMENT PROGRAM (DCM)

Receive and approve the **Transportation Improvement Program (TIP) Policy**. The policy describes the TIP development process, methods in amending the TIP, and defining what a "regionally significant" project shall consist of.

STAFF PRESENTATION

Ms. Davonna Moore presented the item.

Commissioner Harris inquired about a minor versus major change and asked who decides what is controversial.

Ms. Moore said that wording should have been taken out of the staff report. TAC decided to remove it.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Moore, seconded by Commissioner Carter to approve the Transportation Improvement Program (TIP) with the deletion of bullet on page 3, "determined to be controversial projects."

Unanimously approved 9-0.

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MISCELLANEOUS NEW OR OLD BUSINESS

Ms. Stogsdill asked for feedback on letters regarding Wednesday night agenda items. She stated that if they wanted to defer a Wednesday agenda item that it could be put back on the March PC legal notice. If not, then it would get deferred to April PC.

Consideration of any other business to come before the Commission.

Recess at 8:35pm until 6:30pm on February 27, 2008.

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Reconvene February 27, 2008 – 6:30 p.m.

Commissioners present: Blaser, Chaney, Eichhorn, Finkeldei, Harris, Hird, and Moore.

Staff present: McCullough, Stogsdill, Day, Leininger, J. Miller, Rexwinkle, Warner, and Brown

BEGIN PUBLIC HEARING (FEBRUARY 27, 2008):

COMMUNICATIONS

- No Communications

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Ex parte:
Commissioner Hird had a phone conversation with Duane Schwada regarding Item 14.
Commissioners Eichhorn and Blaser had brief phone conversations with Jane Eldredge.
- No abstentions

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ITEM NO. 9 CPA-2007-8 (MJL)

CPA-2007-8: Amend Horizon 2020 Chapter 6, Commercial Land Use, to update the identified Neighborhood Commercial Center on the southeast corner of O'Connell Road and E. 23rd Street/K-10 Highway to be identified as a Community Commercial Center. *Initiated by Planning Commission on 11-28-07 as part of the Southeast Area Plan.*

ITEM NO. 10 CPA-2007-9 (MJL)

CPA-2007-9: Amend Horizon 2020 Chapter 6, Commercial Land Use, to identify a Neighborhood Commercial Center on the northeast corner of Franklin Road extended and E. 28th Street extended. *Initiated by Planning Commission on 11-28-07 as part of the Southeast Area Plan.*

ITEM NO. 11 CPA-2007-10 (MJL)

CPA-2007-10: Amend Horizon 2020 Chapter 6, Commercial Land Use, to remove the Neighborhood Commercial Center on the northwest corner of Franklin Road extended and N. 1300 Road (E. 31st Street). *Initiated by Planning Commission on 11-28-07 as part of the Southeast Area Plan.*

STAFF PRESENTATION

Ms. Michelle Leininger presented items 9, 10, and 11 together. She stated that the map that the League of Women Voter letter mentions has since been corrected. The map had an error on it.

Commissioner Hird asked what input was received from the community regarding the change in location of the commercial center.

Ms. Leininger said there was little public input.

Commissioner Hird asked what the factors were in deciding the location.

Ms. Leininger said that the factors were topography, land use, future thoroughfares and logical location within the area to allow for transitions.

Commissioner Hird asked if the surrounding land owners in the area had been advised.

Ms. Leininger said the neighbors were given notice about the Southeast Area Plan.

Commissioner Finkeldei said the neighbors who live in the area were excited that the commercial center being moved away from their homes.

PUBLIC HEARING

Mr. Bob Lichtwardt wanted to be sure that the road included by error was removed from map 6.1.

Mr. McCullough stated that the road that had been included on the map in error had been removed.

ACTION TAKEN ON ITEM 9

Motioned by Commissioner Finkeldei, seconded by Commissioner Moore, to approve the amendments to *Horizon 2020*, Chapter 6 – Commercial Land Use.

Unanimously approved 7-0.

ACTION TAKEN ON ITEM 10

Motioned by Commissioner Finkeldei, seconded by Commissioner Chaney, to approve the amendments to *Horizon 2020*, Chapter 6 – Commercial Land Use.

Unanimously approved 7-0.

ACTION TAKEN ON ITEM 11

Motioned by Commissioner Finkeldei, seconded by Commissioner Blaser, to approve the amendments to *Horizon 2020*, Chapter 6 – Commercial Land Use.

Unanimously approved 7-0.

Motioned by Commissioner Finkeldei, seconded by Commissioner Harris, to authorize the chair to sign PC Resolution 2008-03 regarding these amendments.

Unanimously approved 7-0.

Motioned by Commissioner Finkeldei, seconded by Commissioner Chaney, to initiate the change to the Southeast Area Plan to correct designation from CC400 to CC200.

Unanimously approved 7-0.

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ITEM NO. 12 CPA-2007-2 (DDW)

CPA-2007-2: Consider amending Horizon 2020 to ensure proper comprehensive plan language is in place for a proposed Mixed Use District in the City of Lawrence Land Development Code.

ITEM NO. 13 AMENDMENTS TO CHAPTER 20, DEVELOPMENT CODE (JCR)

TA-04-05-07: Consider amendments to Chapter 20, Development Code to create a Mixed Use Zoning District. Initiated by the Planning Commission on April 23, 2007.

STAFF PRESENTATION

Mr. Dan Warner and Mr. Joe Rexwinkle presented items 12 and 13 together.

Commissioner Hird asked why transit stops had to have shelters.

Mr. Rexwinkle said that the Transit System creates a map and it needs to be represented on the map. The definitions are tied to the Lawrence T Routes Map.

Commissioner Hird said he thought the point was to place mixed use development centers where there is access to bus shelters and asked what happens if a developer builds a mix use development and wants to put in a bus shelter.

Mr. Rexwinkle said that the developer should talk to the Transit Department if they want to put a bus shelter.

Commissioner Harris asked how to show zones if only working with one lot or building.

Mr. Rexwinkle said that if it is just one piece of property they can show the zones across the property.

Commissioner Harris suggested using the word 'route' instead of 'stop' regarding transit.

Commissioner Hird said that the financial viability of the transit changes annually. He liked the suggestion of changing the word to 'route.'

Mr. McCullough said these would be decisions in the public process and would be elements of judgment that the City Commission and Planning Commission will have to make.

Commissioner Finkeldei inquired about a market study.

Mr. Rexwinkle said the scale of mixed-use districts could not compete with downtown because of the size.

Commissioner Finkeldei asked how to analyze the viability of downtown.

Ms. Stogsdill said that the Commission tabled many months ago a CPA to that very section because the Development Code language is not the same as Horizon 2020 language.

Commissioner Harris inquired about page 13-4 (item 13) where it mentions that a development bonus can be transferred to another site.

Mr. Rexwinkle said that if a developer can earn points in other zones within the same development.

Commissioner Harris said that the plan talks about mixed use being allowed within ¼ mile from downtown. She asked how the edge of downtown was defined.

Mr. Rexwinkle said it was based on the downtown boundary district CD.

Commissioner Harris asked if drive-thrus would be allowed in the mixed-use development.

Mr. Rexwinkle said no, it was not permitted.

Commissioner Harris asked if brew pubs were allowed.

Mr. Rexwinkle replied yes.

Commissioner Harris had concerns about that and said that should only be allowed by special permit.

Commissioner Eichhorn asked if an application would have to spell out the intended uses.

Mr. Rexwinkle said yes at the Site Plan phase and that the applicant should consider what uses are permitted before rezoning.

Commissioner Harris said that currently a mixed-use development can put in a brew pub no matter the size. She felt that if the development is in a residential area that a special permit would be helpful.

Commissioner Moore agreed with Commissioner Harris.

Commissioner Finkeldei asked for the definition of brew pub.

Ms. Stogsdill directed him to page 17-22 of the Land Development Code.

Commissioner Finkeldei read the definition of brew pub out loud.

PUBLIC HEARING

Ms. Betty Lichtwardt, League of Women Voters, spoke regarding the letter they sent. She was concerned about the randomness of this district. She said the fact that it can be as large as 20 acres indicates that it also might be utilized in new areas. She stated that it was essential to have a preplanned neighborhood with pedestrian routes identified first. She questioned the separation of site plans from the rezoning process because the site plan is not reviewed by Planning Commission. She felt that the decision would then depend on the judgment on relatively few people. She was concerned about the location of commercial uses not being distributed where people need them. She said that initially when the early Comprehensive Plan was adopted the idea was to tailor the needs to the size of the district so that the smallest districts were designed for neighborhoods and included food stores, service uses, and small businesses. She said that the whole purpose of the mixed use district is to support pedestrian use. She felt that they needed to reduce reliance on automobiles.

Commissioner Eichhorn asked how this zoning district did not help what they are emphasizing.

Ms. Lichtwardt said that that it does not restrict uses and that businesses should have value to the neighborhood. She said that the site plan needs to be with the zoning.

Commissioner Eichhorn felt that the use table spoke to those types of things.

Ms. Lichtwardt said that explosives storage should require a Special Use Permit in the IG district.

Ms. Jane Eldredge, Barber Emerson, representing the Jayhawk Bookstore in regards to the mixed-use planning. She gave history of Jayhawk Bookstore. She said that the bookstore has always been non-conforming and has had problems with lenders and insurance. She said that this problem was compounded by the Development Code automatic rezoning. She stated that the Jayhawk Bookstore is in the RMG district and if it burned down it could not accommodate a fraternity or sorority because of the small lot size. She stated that the owner is trying to rezone for conformity and that the MU district does not quite work. She went on to say that some residents are concerned about the location being turned into a bar but the Mr. Muggy has no intention of opening a bar at that location. As part of the zoning staff report, she suggested striking requirements of MU District for major Development projects. She suggested alternate language of existing mixed uses prior to MU.

Mr. McCullough said that a new code provides new standards. There is an entire article for non conforming uses. He stated that this is not a unique situation for the MU district and that lots of sites that do not conform to standards and the code allows for a few options such as variance or rezoning. He disagreed that the Code should have specific language.

Mr. Michael Almon, lives in East Lawrence, spoke from the perspective of being a member of Friends of Douglas County that started the discussion on Smart Growth. He went on to say that the main principle of smart growth is to increase density offset by open space preserved. He felt that open space should be under the jurisdiction of MU site. He felt that they should not be building over all the open lots in the old parts of town. He commented on Peak Oil and felt that development patterns needed to be changed.

Commissioner Harris asked why Mr. Almon did not want to see open space adjacent to parks.

Mr. Almon said he did not want a developer to not dedicate open space on their site and claim an adjacent park was the open space.

Ms. Lichtwardt said that she thought Mr. Almon was probably referring to a comment that the League of Women Voters made. If high density is near natural areas it can be problematic to maintain so they need to choose park space wisely.

COMMISSION DISCUSSION

Commissioner Harris suggested several changes:

Change 'and' to 'or.'

Change 'transit stop' to 'transit route.'

Require a brew pub to have a Special Use Permit.

Document should specify boundaries of downtown as defined by Horizon 2020.

Mr. Rexwinkle said that they could reference boundaries of downtown as being defined in Horizon 2020, Chapter 6.

Commissioner Finkeldei agreed with the suggested changes.

Commissioner Hird recognized that a lot of hard work and time has gone into this. Some of the comments about the Jayhawk Bookstore lead him to be of the opinion that they should not take action on this tonight. He wanted to see further communication on the ideas and a clearer draft of what is being done. He suggested deferring the item.

Commissioner Eichhorn agreed and was okay with this being deferred.

Mr. McCullough said that the four changes suggested were fairly minor.

Commissioner Eichhorn agreed with Mr. McCullough and said that they should identify areas that might be mixed use.

Commissioner Harris wondered if there are existing mixed use sites in Lawrence that should not be and that they might be opening a can of worms.

Commissioner Finkeldei said there is nothing in town that is zoned mixed use and will not be until a rezoning.

Ms. Eldredge said that there are places in town that are not legal in any way. She said that Jayhawk Bookstore is a legal non-conforming use.

Commissioner Finkeldei said that Mr. Muggy would still need to apply for rezoning.

Commissioner Hird said he would feel better about approving this if he knew who it was impacting.

Commissioner Moore said that whether it impacts them or not is up to them coming forward and rezoning their property.

Commissioner Finkeldei said there are certainly uses in downtown with mixed-use and those people would not have to come forward and be rezoned because they are already using it that way.

Commissioner Moore said he was comfortable with the changes and they seem fairly minor.

Commissioner Hird would rather vote on the items armed with more information. Identifying those areas where mixed use might apply might present an opportunity. He was in favor of mixed use zoning and felt it was a positive step. He wanted to know what areas of town could fit into this and identifying those might stimulate development and infill development.

Mr. McCullough said they might need to look at any use that wants to redevelop to see how close the standards are addressed.

Commissioner Eichhorn asked what would be the benefit of someone taking 80 acres and coming in with four 20 acre MU zonings.

Mr. McCullough said that those would have to be looked at as they are applied for.

Commissioner Harris asked Staff to speak about open space issues.

Mr. McCullough said that a number of important elements such as transit, moderately priced housing, and open space are all included in the district for bonus points.

Mr. Rexwinkle said that other requirements of the Code still apply but that the bonus table just grants bonuses for features that are not required.

Commissioner Finkeldei asked if there is an application waiting on this being adopted.

Mr. McCullough said that the Jayhawk Bookstore is.

Commissioner Finkeldei said he was generally supportive of the Bookstore being able to use this district and felt that other like uses could benefit from this. He was not sure that the solution should be to grandfather in non-conforming uses.

ACTION TAKEN ON ITEM 12

Motioned by Commissioner Harris, seconded by Commissioner Hird, to defer until the April Planning Commission meeting to allow time for a better understanding of the implementations.

Motion carried 5-2 with Commissioners Chaney and Moore voting in opposition.

ACTION TAKEN ON ITEM 13

Motioned by Commissioner Harris, seconded by Commissioner Hird, to defer until the April Planning Commission meeting to allow time for a better understanding of the implementations.

Motion carried 5-2 with Commissioners Chaney and Moore voting in opposition.

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ITEM NO. 14 AMENDMENTS TO SECTION 20-601, DEVELOPMENT CODE (JCR)

TA-07-14-07: Consider amendments to Section 20-601 of the Development Code to revise setbacks for the IG District when abutting residential zoning districts. Initiated by Planning Commission on July 25, 2007.

STAFF PRESENTATION

Mr. Joe Rexwinkle presented the item.

Commissioner Hird inquired about the square footage of significant development projects.

Mr. Rexwinkle said that significant development projects are defined as:

(1) The construction of one or more new Buildings with a gross Floor Area of 1,500 square feet or more; (2) The construction of additions with a gross Floor Area of 1,500 square feet or more, or twenty percent (20%) or more, of the existing Building; (3) Separate incremental additions below the 1,500 square feet or 20% amount if the aggregate effect of such Development Activity over a period of 18 consecutive months would trigger the 1,500 square feet or 20% threshold; (4) The alteration or intensification of any use that increases off-Street Parking requirements pursuant to Article 9 or (5) The installation or addition of more than 1,500 square feet of impervious site cover. (Ord. 8098)

Commissioner Hird asked if most of the buildings in Industrial zoning presently are significantly large buildings.

Mr. Rexwinkle said not necessarily. There are smaller sites and smaller structures that are zoned IG and most of those were previously zoned M2, primarily in North Lawrence and east of Downtown along the old railroad tracks.

Commissioner Blaser asked if one of the original M2 sites was significantly changed would it have to go to the 50' setback. He stated some of those lots were not more than 100' deep.

Mr. Rexwinkle said the minimum lot size is 5,000 square feet in the IG and old M2 District so it was possible to have a narrow width and shallow depth lot.

Commissioner Blaser stated that if a property owner wanted to make a major change they would not be able to do it.

Mr. Rexwinkle said the property owner could submit for a variance from the Board of Zoning Appeals.

Commissioner Harris asked if future development would need to meet a greater setback for industrial areas.

Mr. Rexwinkle said a significant development project would trigger a site plan review and at that point the applicant would have to become compliant with the IG setbacks and the grandfather clause would not apply. If they are expanding a small amount it would permit small minor exceptions that fall below what constitutes as a significant development project and they could build it to the former M2 setbacks, 25' and 20'.

Commissioner Eichhorn asked if the parking lots might be up to the lot line.

Mr. Rexwinkle replied yes.

Commissioner Eichhorn stated that the parking lot would have to be reconfigured.

Mr. Rexwinkle stated yes if the applicant was doing a site plan. If they were just changing the use then reconfiguring the parking lot would probably not be necessary.

Commissioner Moore asked Mr. Rexwinkle to show a map with properties on it.

Mr. Rexwinkle showed maps of current non-conforming properties.

Commissioner Finkeldei asked if properties became non-conforming when they were automatically converted to IG.

Mr. Rexwinkle stated that some of the properties were already non-conforming as M2.

Commissioner Hird asked if a compromise had been considered.

Mr. Rexwinkle said the compromise was allowing the small expansion of up to 1,500 square feet. Staff felt that if the grandfather clause was allowed to apply to any development, however large or small, the structure would never come into compliance. He said that the distinction was the M3 and M4 district had similar setbacks to the IG district today, so the problem was lumping all three districts together to form the IG district. He stated that for some reason the M2 district always had lesser setbacks than the other industrial districts. When lumped together into a new zoning district all the previous M2 districts run the risk of being non-conforming.

Commissioner Harris asked about the percentage of industrial properties.

Mr. Rexwinkle said in terms of land area it was probably not a significant number. He said quite a few of the lots that were former M2 properties are smaller. There are a number of cases so it could affect more individual properties.

Commissioner Moore said those properties probably represent the majority of homegrown industrial uses in Lawrence.

PUBLIC HEARING

Ms. Jane Eldredge, Barber Emerson, said there were problems with lumping three zoning districts together.

She stated that the M2 district under the old zoning code was medium intensity. She said that there are only six M3 districts, one M4 district, and twenty-one M2 districts. She said that non-conforming was not good for businesses and felt the M2 district should be reinstated.

Commissioner Harris asked about not requiring conformance with new setbacks for major developments.

Ms. Eldredge said that it would basically accomplish the same thing and that leaving what is there alone was the goal. She said that the existing M2 will not encounter future difficulties with expansion.

Commissioner Blaser asked if parking was the only difference between M2 and IG districts.

Ms. Eldredge replied no, there are some other minor differences. One difference is the buffer yard landscaping is more dense.

Ms. Betty Lichtwardt, said the thinking of the original code was to simplify. She stated that the other two districts were created because they were too intensive to be lumped together, especially the M4 district. She felt that clumping all the industrial districts together was a bad idea and suggested that there should be a C4 district for obnoxious districts.

Ms. Beth Johnson, Chamber of Commerce, spoke regarding Commissioner Moore's earlier comment about homegrown businesses. She was against anything that would make it difficult for businesses to expand and stay in Lawrence.

COMMISSION DISCUSSION

Commissioner Finkeldei asked if the real change was in footnotes 14 and 15 to create the grandfather.

Mr. Rexwinkle replied that was correct.

Commissioner Finkeldei asked Ms. Eldredge if she wanted the second sentence of footnote 14 removed that says a 50' setback would be required for any significant development project.

Ms. Eldredge said that would be half of it and the other half would be the portion that says when there is a significant development.

Commissioner Harris inquired about what possible negative impacts there would be for properties next to residences.

Mr. McCullough said it was hard to know specific impacts. But the zoning code does still require the buffer yard screening.

Commissioner Harris asked if the second sentence of footnote 14 was removed would the buffer yard still be required.

Mr. Rexwinkle replied yes.

Commissioner Hird wanted to encourage expansion of local business so he was in favor of deleting the second sentence in the footnotes. He said it may be problematic for neighbors and that buffering is significant but the overriding factor is that they need to encourage business in Lawrence to stay and expand.

Commissioner Eichhorn asked if setbacks could be applied based on lot size.

Mr. McCullough said that they could craft it in ways to achieve goals but many of the lots are smaller than what we would be seen today.

Commissioner Hird said the only drawback was a need for simplicity in the code.

Commissioner Blaser said they should take out the second sentence of the footnotes and leave everything else.

ACTION TAKEN

Motioned by Commissioner Blaser, seconded by Commissioner Moore, to approve the proposed revisions [TA-07-14-07] to Section 20-601(b) of the Development Code, with the deletion of the 2nd sentence of footnotes, and forward to the City Commission.

Unanimously approved 7-0.

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ITEM NO. 15 AMENDMENTS TO CHAPTER 20, DEVELOPMENT CODE

TA-12-25-07: Consider amendments to various sections of Chapter 20 Development Code related to the definition of family in RS Districts. Initiated by Planning Commission on December 17, 2007.

STAFF PRESENTATION

Ms. Sheila Stogsdill presented the item.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Finkeldei, seconded by Commissioner Harris, to approve the proposed revisions [TA-12-25-07] to Section 20-202 of the Development Code, and forward to the City Commission.

Commissioner Hird asked if domestic registry had any impact on this.
Mr. John Miller replied, no.

Unanimously approved 7-0.

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ITEM NO. 16 AMENDMENT TO COMMISSION'S BY-LAWS (SDM)

Amend Planning Commission By-Laws to reflect revised process of meeting format.

STAFF PRESENTATION

Ms. Sheila Stogsdill presented the item.

Commissioner Eichhorn asked if in Section 8 on abstentions there was a way to put language in there that you may not know that you need to abstain until certain conversations come up during the meeting.

Commissioner Finkeldei said that conflict of interest is a defined term. He said he has often abstained from items that he perceived to be a conflict of interest. He said the section almost reads to say that if a person walks out that they have a conflict of interest.

Commissioner Moore encouraged keeping the Monday date for communications from the public.

PUBLIC HEARING

Carrie Lindsey, League of Women Voters, said that their organization meets on Saturdays and would like to have until Monday to submit their comments. She felt that public participation should be encouraged.

ACTION TAKEN

Motioned by Commissioner Finkeldei, seconded by Commissioner Chaney, to approve the adoption of the by-law revisions noted in the staff report, with a change in section 8 "during an item for which a member has declared an abstention that member shall physically leave the meeting room," to codify the temporary procedures the Planning Commission began using with the launch of the PC web-based agenda packet in January 2008, and keeping the deadline for 'Written Comments from the Public' as Monday at 10:00am.

Unanimously approved 7-0.

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ITEM NO. 17 CPA-2007-6 (MJL)

CPA-2007-6: Amend Horizon 2020 by creating Chapter 15 – Place Making to ensure proper comprehensive plan language is in place for the proposed Lawrence SmartCode in the City of Lawrence.

ITEM NO. 18 CPA-2007-7 (DDW)

CPA-2007-7: Amend Horizon 2020, Chapter 14 Specific Plans, to add a reference to the Lawrence SmartCode Infill Plan.

ITEM NO. 19 ADOPTION OF THE LAWRENCE SMARTCODE (DDW)

ADOPTION OF THE LAWRENCE SMARTCODE

TA-11-24-07: Pursuant to the provisions of K.S.A. Chapter 12, Article 7, consider making a recommendation on the adoption of "Lawrence SmartCode" enacting a new Chapter 21 of the Code of the City of Lawrence, Kansas, establishing comprehensive zoning regulations and other land use regulations. The "Lawrence SmartCode" is an optional development code that is parallel to the City's existing zoning and subdivision regulations and affects all property within the corporate limits of the City of Lawrence, Kansas. Copies of the "Lawrence SmartCode" are available for review at the Office of the Lawrence-Douglas County Planning Department, City Hall, 6 E. 6th Street, Lawrence, Kansas. The "Lawrence SmartCode" is also available at www.lawrenceplanning.org.

STAFF PRESENTATION

Ms. Michelle Leininger and Mr. Dan Warner presented items 17, 18, and 19 together.

Mr. Warner gave the history of the SmartCode.

Commissioner Harris asked how infill is defined.

Mr. Warner said that it is defined as anything that is within the City right now, so not necessarily surrounded by development.

Commissioner Moore felt that infill meant existing roads, structures, etc.

Commissioner Eichhorn asked how the bullseye map lined up with the industrial map.

Mr. Warner said that it did not exactly line up.

Commissioner Eichhorn asked if it would make sense to match them up.

Mr. Warner said ideally they would want the whole Horizon 2020 to make sense with the SmartCode but that is a bit of a project. There are conflicted policies but ideally it should match as much as possible.

Commissioner Hird asked if there had been any analysis of the plans on the downtown area.

Mr. Warner replied no, T5.5 zoning is not allowed.

PUBLIC HEARING

Ms. Gwen Klingenberg, President of Lawrence Association of Neighborhoods, mentioned other parts of the Development Code such as neighborhood notice and sensitive lands. She did not want a CRC

committee. She would like to see more affordable housing. She stated that the SmartCode conflicts with other codes and does not protect sensitive lands. She was concerned about the loss of transparency and democratic process.

Mr. Kirk McClure, was concerned that the SmartCode gives the fast track to a developer to get a building permit. He felt that the SmartCode does not address the timing of development and does not mandate mix of uses.

Betty Lichtwardt, League of Women Voters, stated that the Code assumes that the market is going to create a response to the demand. She felt that one of the basic problems within the community is piecemeal development. She felt that the concept of integrated planning was missing from this and that one of the principal things missing from planning system is structural planning.

Ms. Janna Dobbs, felt that the free market does work when allowed to. She did not feel the city was overbuilt with industrial and office space but are overbuilt with housing.

Mr. Michael Almon, thanked Gwen Klingenberg for her work and agreed with her. He was against not having public input for development. His main concern was peak oil. He said that the land use was going to change, and that they can no longer think of single occupancy cars.

Commissioner Harris asked Mr. Almon about other communities that have addressed peak oil.

Mr. Almon replied that he knew of Portland, San Francisco, and Wisconsin.

Commissioner Finkeldei asked Mr. Almon if he had seen sample ordinances for allowing more wind turbines in city cores.

Mr. Almon said that height regulations, location, and noise were concerns with wind turbines. Street access and lot orientation were concerns with solar access.

Ms. Beth Johnson, Chamber of Commerce, was in favor of a clear, fair process for developers.

Mr. Luke Bell, Lawrence Board of Realtors, supported the SmartCode.

COMMISSION DISCUSSION

Commissioner Finkeldei mentioned incorporating incentives from the MU Code into the SmartCode and Development Code.

Commissioner Eichhorn was concerned about creating a new board, CRC.

Mr. Warner said that the Code is very prescriptive of what is required. It must either meet it or not. He stated that in some respects it is not far from the current administrative process for Site Plans.

Commissioner Harris said there was real value in having consistency in processes for the public and developers. She felt that folks that live in the area should have the ability to comment on it.

Commissioner Eichhorn was concerned about planning decisions being political and having City Commission be the final review.

Commissioner Harris asked staff to comment on lack of design standards for developments.

Mr. Warner stated that the Code has very specific form of standards that mandates such things as the minimum setbacks for parking, alleys, frontage requirements, and building scale plans include architecture.

Commissioner Harris asked about building materials in Commercial Design Standards.

Mr. Warner said that the Design Guidelines do not have much regarding materials.

Commissioner Eichhorn suggested having bigger public notice signs being posted at the sites.

Commissioner Harris felt that a market analysis should be conducted.

Mr. McCullough stated that staff does not conduct market studies, but does review the market studies.

Commissioner Eichhorn felt that consistency of maps in different documents should be matched up as much as possible.

Ms. Leininger stated that Horizon 2020 is aimed toward Development from the past 20 years and the map was based on that type of development. She agreed that the maps should coincide as much as possible but that there will naturally be a disconnect between the two maps.

Commissioner Finkeldei felt that the CRC board should consist of either all Staff or all Planning Commissioners.

Commissioner Eichhorn felt they should put the right people on the board.

NO ACTION TAKEN FOR ITEMS 17, 18, AND 19

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MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

Commissioner Harris said that they needed volunteers for the Planning Commission orientation committee.

Commissioners Harris, Hird, and Finkeldei said they would serve on the committee.

PUBLIC COMMENT SECTION

ADJOURN 11:30pm