

ITEM NO. 3A ANNEXATION OF 15,960 SF; 240 N MICHIGAN ST (MKM)

A-5-3-12: Consider annexation of approximately 15,960 SF, located at 240 N. Michigan Street, to accommodate development of Pump Station No. 15, a *minor utility*. Submitted by The City of Lawrence, property owner of record.

ITEM NO. 3B A & V-C TO OS-FP; 15,960 SF; 240 N MICHIGAN ST (MKM)

Z-5-8-12: Consider a request to rezone approximately 15,960 SF from County A (Agriculture) and County V-C (Valley Channel) to OS-FP (Open Space-Floodplain Overlay), located at 240 N. Michigan Street, to accommodate development of Pump Station No. 15, a *minor utility*. Submitted by The City of Lawrence, property owner of record.

ITEM NO. 3C PRELIMINARY PLAT FOR PUMP STATION NO. 15; 240 N MICHIGAN ST (MKM)

PP-5-5-12: Consider a Preliminary Plat for Pump Station No. 15, a .3 acre, one-lot subdivision located at 240 N. Michigan Street. Submitted by The City of Lawrence, property owner of record.

ITEM NO. 3D SPECIAL USE PERMIT FOR PUMP STATION NO. 15; 240 N MICHIGAN ST (MKM)

SUP-5-6-12: Consider a Special Use Permit for construction of Pump Station No. 15, a *minor utility*, located at 240 N. Michigan Street. Submitted by The City of Lawrence, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented items 3A-3D together.

APPLICANT PRESENTATION

Mr. David Lee agreed with the staff report.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Burger inquired about ways other pump stations have prevented access to children.

Mr. Lee said the panels were locked and the manhole cover could not just be lifted. He said they were secure as they could be in an open space.

Commissioner Burger asked if the platform was blocked.

Mr. Lee said there was no gate that would prevent someone from walking into the area.

ACTION TAKEN on Item 3A

Motioned by Commissioner Hird, seconded by Commissioner von Achen, to approve the requested annexation of approximately 15,960 sq ft and adjacent right-of-way and forwarding the request to the City Commission with a recommendation for approval.

Commissioner Burger said she would vote in favor of the motion but was somewhat concerned about the safety of the design and hoped it could be addressed if needed.

Mr. McCullough said he had not heard of any safety issues at any other pump stations. He said if there were they would certainly be addressed and made secure.

Mr. Lee said it was a fairly common design with the above ground pump station.

Commissioner Burger said she wouldn't be concerned if there was a fence around it.

Mr. Lee said there was no fence but that there was a railing that would go around the retaining wall.

Unanimously approved 8-0.

ACTION TAKEN on Item 3B

Motioned by Commissioner Hird, seconded by Commissioner Blaser, to approve the rezoning request for approximately 15,960 sq ft from A (Agricultural) District and County V-C (Valley Channel) to OS-FP (Open Space with Floodplain Management Regulations Overlay) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report

Unanimously approved 8-0.

ACTION TAKEN on Item 3C

Motioned by Commissioner Hird, seconded by Commissioner Blaser, to approve the Preliminary Plat of Pump Station No. 15.

Unanimously approved 8-0.

ACTION TAKEN on Item 3D

Motioned by Commissioner Hird, seconded by Commissioner Blaser, to approve Special Use Permit, SUP-5-6-12, for Pump Station No. 15, a *minor utility*, based upon the findings presented in the body of the staff report and subject to the following condition:

1. Applicant shall provide a revised site plan with the following changes:
 - a Addition of a note indicating that the Board of Zoning Appeals approved the requested variance, B-5-9-12, to allow a 10 ft side yard setback on the north property line subject to one condition stipulating the approval is valid after the City's annexation and rezoning of the property.
 - b Provide dimension showing distance from control panel to north property line.
 - c Provide dimensions for the width and length of the retaining wall, and the height of the railing on the retaining wall.
 - d Correction of the impervious surface in the floodplain.
2. Approval of the Special Use Permit is contingent upon approval of a Floodplain Development Permit. The SUP will be released to Development Services for a building permit after a Floodplain Development Permit application has been submitted and approved

Unanimously approved 8-0.