

ITEM NO. 4A I-4 & VC TO UR-FP; 31.7 ACRES; N OF K-10 BETWEEN GREENWAY CIR & E 1575 RD (SMS)

Z-12-00119: Consider a request to rezone approximately 31.7 acres (and adjacent railroad r-o-w) from I-4 (Heavy Industrial) and VC (Valley Channel) Districts to UR-FP (Urban Reserve – Floodplain Overlay) District, located in the NE1/4 & NW1/4 Sec 4-13-20 (Former Farmland Industries property, N of K-10 between Greenway Circle & E 1575 Rd). *Initiated by City Commission on 8/7/12.*

ITEM NO. 4B I-4 TO UR; 170.4 ACRES; N OF K-10 BETWEEN GREENWAY CIR & E 1575 RD (SMS)

Z-12-00120: Consider a request to rezone approximately 170.4 acres (and adjacent railroad r-o-w) from I-4 (Heavy Industrial) District to UR (Urban Reserve) District, located in the NE1/4 & NW1/4 Sec 4-13-20 (Former Farmland Industries property, N of K-10 between Greenway Circle & E 1575 Rd). *Initiated by City Commission on 8/7/12.*

ITEM NO. 4C I-4, I-1, A, & CC200 TO IG; 170.7 ACRES; N OF K-10 BETWEEN GREENWAY CIR & E 1575 RD (SMS)

Z-12-00121: Consider a request to rezone approximately 170.7 acres (and adjacent highway r-o-w) from I-4 (Heavy Industrial), I-1 (Limited Industrial), A (Agricultural) County Districts and CC200 (Community Commercial Center) City District to IG (General Industrial) District, located in the NW1/4 & SW1/4 Sec 4-13-20 (Former Farmland Industries property, N of K-10 between Greenway Circle & E 1575 Rd). *Initiated by City Commission on 8/7/12.*

ITEM NO. 4D I-1, B-1, A, & IG TO IM; 59 ACRES; N OF K-10 BETWEEN GREENWAY CIR & E 1575 RD (SMS)

Z-12-00122: Consider a request to rezone approximately 59.0 acres (and adjacent highway r-o-w) from I-1 (Limited Industrial), B-1 (Neighborhood Business); A (Agricultural) [County Districts] and IG (General Industrial) District to IM (Medium Industrial) District, located in the SE1/4 Sec 5-13-20 & SW1/4 Sec 4-13-20 (Former Farmland Industries property, N of K-10 between Greenway Circle & E 1575 Rd). *Initiated by City Commission on 8/7/12.*

ITEM NO. 4E PRELIMINARY PLAT FOR FORMER FARMLAND INDUSTRIES; N OF K-10 BETWEEN GREENWAY CIR & E 1575 RD (SMS)

PP-12-00101: Consider a Preliminary Plat for the Former Farmland Industries property, an industrial subdivision containing 20 lots, 4 tracts and 4 greenway tracts. The property is located N of K-10 between Greenway Circle & E 1575 Rd. Submitted by Bartlett & West, for City of Lawrence, property owner of record.

ITEM NO. 4F SPECIAL USE PERMIT FOR WESTAR SUBSTATION; N OF K-10 BETWEEN GREENWAY CIR & E 1575 RD (SMS)

SUP-12-00100: Consider a Special Use Permit for a Westar substation to provide electricity to the Former Farmland Industries property and surrounding properties. The property is located N of K-10 between Greenway Circle & E 1575 Rd. Submitted by Bartlett & West for Westar Energy. The City of Lawrence is the property owner of record.

STAFF & CONSULTANT PRESENTATION

Commissioner Lamer said his wife worked for Bartlett & West in this past year and may have had a hand in this plan so he recused himself.

Mr. Darron Ammann, Bartlett & West, presented background information about the planning that has been going on at the site in the past year. He showed a graphic of what the site could potentially look like when completely built.

Ms. Eileen Horn, Sustainability Coordinator, discussed some of the green sustainable aspects of the project.

Ms. Sheila Stogsdill presented the item.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Burger said she assumed the Chamber of Commerce was represented within all of the conversations.

Mr. McCullough said that was correct.

Commissioner Burger inquired about the IG area along K-10. She asked if there was a market benefit to having IG frontage property.

Mr. McCullough said some companies want the visibility and some do not. He said it was advantageous that IG was the most advantageous industrial district because it was the most wide open. He stated general industrial use allowed some of the high off-site impacts. He said IG was beneficial to the community when companies were looking at Lawrence.

Commissioner Hird asked if they took into consideration the possibility of less intensive uses along frontage road.

Mr. McCullough said it was considered and a few things were in the works right now. He said it was possible that codes covenants and restrictions on the park could address some of the use issues. He said the City owed the property so there would be a real estate negotiation that would likely include use of a specific site because they did not know how it would evolve. He stated they would not want to put a use in the new park that would prohibit attracting other uses.

Commissioner Hird said he was not in favor of cutting down the amount of IG. He was concerned about this being a major gateway to the City and needed reassurance that the buffering requirements and industrial design guidelines would protect the appearance of the site as people drive into Lawrence.

Mr. McCullough said that was a high priority and that they had every intention of creating a park like setting in the business park and allowing it to be a true industrial park with industrial uses. He said the City put a lot of resources into the park by removing stuff that was un-aesthetically pleasing. He said the park-like easement at the sign and gateway would be landscaped well.

Commissioner Hird inquired about there not being a commercial area. He was surprised there wasn't some area for support like a gas or convenience station.

Mr. McCullough said there was some commercial zoning across the street at Fairfield Farms. He said this was to carry forth and implement the concept of capturing as much industrial land as possible at the appropriate places to support primary jobs.

Commissioner Hird said people using the industrial area would need to use the roads to drive out to get commercial services.

Mr. McCullough said yes, the industrial park would be more auto related than any kind of mixed use center.

Commissioner Hird inquired about fueling stations and said he was surprised that was not part of the mix.

Mr. Ammann said they discussed and investigated how commercial might work in the park. He said one of the things to get site selectors interested in a business park like this was having that land available. He said most of them don't care where the gas station was located, they care about how big the piece of land was, railway, incentives, access, etc. He said there was some thought that the area where Slimmer's and Knights of Columbus were could potentially be additional commercial in the future. He said they were concerned about what the gateway to the community along K-10 would look like. He said there was a traffic issue with East Hills Business Park and that hopefully with the intersection of K-10 and O'Connell being signalized it would start to alleviate that problem. He said the exact landscape plan hasn't been developed. He stated along the entire frontage there would be between 30'-50' easement for greenspace landscaping and that it could be some sort of berm. He said the easement would run from the entrance all the way over to the East Hills Business Park lot.

Commissioner Culver inquired about potential access for 15th Street and 19th Street.

Mr. McCullough said even though there was a possibility to go up to 15th Street it was not in the plans today. He said 19th Street would have to be improved. He stated traffic patterns would dictate it.

Commissioner von Achen inquired about the cemetery.

Mr. McCullough said it would remain the same.

Commissioner von Achen inquired about the remediation status.

Mr. McCullough said the process was working but essentially the property was hot with nitrates so it was a natural process of filtering the ground of those nitrates and collecting it in some of the lagoons on the property and shifted to it agriculture property. He said it was approximately a 30 year process.

Mr. Ammann said a portion of the property on the far north could not be touched for 30 years because of the high levels of nitrates in the soil.

Commissioner von Achen asked if the maximum length of time was 30 years.

Mr. Ammann said that was the approximate time for the nitrates to leach out of the soil given by KDHE. He said the southern area was deemed acceptable for development.

Commissioner Jossierand said he was excited about the site and the work that had been done on it.

ACTION TAKEN on Item 4A

Motioned by Commissioner Jossierand, seconded by Commissioner Hird, to approve the rezoning request for 31.7 acres from I-4 (Heavy Industrial) and VC (Valley Channel) to UR-FP (Urban Reserve-Floodplain 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.

Motion carried 6-0-1, with Commissioner Lamer abstaining.

ACTION TAKEN on Item 4B

Motioned by Commissioner Jossierand, seconded by Commissioner Hird, to approve the rezoning request for 170.4 acres from I-4 (Heavy Industrial) to UR (Urban Reserve) 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.

Motion carried 6-0-1, with Commissioner Lamer abstaining.

ACTION TAKEN on Item 4C

Motioned by Commissioner Josserand, seconded by Commissioner Burger, to approve the rezoning request for 170.7 acres from I-4 (Heavy Industrial), I-1 (Limited Industrial), A (Agricultural) and CC-200 (Community Commercial) to IG (General Industrial) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report.

Commissioner Hird said he would vote in favor of the rezoning but felt there should be commercial zoning of some sort. He hoped they weren't creating a potential situation where employees would have to use motor vehicles to go out and get essential services.

Commissioner Burger appreciated Commissioner Hird's comment. She said the industrial park was designed similar to what had already been developed in other regional cities that Lawrence competes with. She felt having IG on K-10 could get significant industrial partners in the community and long term visibility that Lawrence was industrial friendly. She said many times the essential services, commercial component, goes faster in development so she would promote the idea to preserve the IG as is but with a caveat that the landscape planning should be detailed.

Commissioner Josserand asked if a gas station was allowed in IG zoning.

Mr. McCullough said there were areas of commercial in the Southeast Area Plan, and even adjacent to this property, so it was possible that those lots could be conglomerated and redeveloped into something walkable for this. He said if there was a need for commercial in this part of town they would have given it heavier thought but that there was currently commercial on 23rd Street.

Motion carried 6-0-1, with Commissioner Lamer abstaining.

ACTION TAKEN on Item 4D

Motioned by Commissioner Josserand, seconded by Commissioner von Achen, to approve the rezoning request for 59.0 acres from I-1 (Limited Industrial), B-1 (Neighborhood Business), A (Agricultural) and IG (General Industrial) to IM (Medium Industrial) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report

Motion carried 6-0-1, with Commissioner Lamer abstaining.

ACTION TAKEN on Item 4E

Motioned by Commissioner Josserand, seconded by Commissioner Culver, to approve the Preliminary Plat of the former Farmland Industries Property subject to the following conditions:

1. Provision of a revised plat including:
 - a. Dedication of full 50' of right-of-way for E 15th Street;
 - b. Dedication of a 15' utility easement along the south side of Lots 1 & 2, Block B to accommodate the planned sanitary sewer separate from the proposed 30' landscape easement, if needed;
 - c. Provision of a utility easement crossing Lots 7 & 8, Block C and Lot 1, Block D if the existing overhead power lines are not relocated;
 - d. Provision of actual minimum FFE on all lots adjacent to drainage easements once those elevations are determined; and
 - e. Provision of street names for all internal park streets and E 1575 Road.

2. Execution of revised access control agreements with KDOT prior to recording of a Final Plat.

Motion carried 6-0-1, with Commissioner Lamer abstaining.

ACTION TAKEN on Item 4F

Motioned by Commissioner Josserand, seconded by Commissioner Hird, to approve SUP-12-00-100, a Special Use Permit for, a Minor Utility, based upon the findings presented in the body of the staff report and subject to the following condition:

1. Review and approval of a landscape screening plan to be provided prior to final inspection of the substation improvements.

Motion carried 6-0-1, with Commissioner Lamer abstaining.

Mr. McCullough responded to Commissioner Josserand's earlier question regarding gas stations. He said the Development Code does allow, permitted by right, gas and fuel sales and truck stops in IG. He stated it was not the City's intent today to entertain those kind of uses. He said all eating and drinking establishments were not prohibited in IG.

Commissioner Hird said he was not endorsing truck stops but rather trying to keep them off 23rd Street. He said from a sustainability standpoint it might be more efficient to have fuel located where the trucks were.