

*Commissioner Kelly abstained from Items 7A-7E and left the meeting.*

**ITEM NO. 7A CN2 TO OS; .193 ACRES; 6300 BOB BILLINGS PKWY (SLD)**

**Z-15-00244:** Consider a request to rezone approximately .193 acres from CN2 (Neighborhood Commercial Center) District to OS (Open Space) District, located at 6300 W Bob Billings Pkwy. Submitted by Tim A Herndon, for RSR Holdings LLP, property owner of record.

**ITEM NO. 7B OS TO CN2; .992 ACRES; 6300 BOB BILLINGS PKWY (SLD)**

**Z-15-00245:** Consider a request to rezone approximately .992 acres from OS (Open Space) District to CN2 (Neighborhood Commercial Center) District, located at 6300 W Bob Billings Pkwy. Submitted by Tim A Herndon, for RSR Holdings LLP, property owner of record.

**ITEM NO. 7C RM24, RM12D, RS7 TO RS5; 11.15 ACRES; 6300 BOB BILLINGS PKWY (SLD)**

**Z-15-00251:** Consider a request to rezone approximately 11.15 acres from RM24 (Multi-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District, RS7 (Single-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District, located at 6300 Bob Billings Pkwy. Submitted by Tim Herndon, for RSR Holdings LLP, property owner of record.

**ITEM NO. 7D RM12D TO RS5; 3.255 ACRES; 6304-6323 SERENADE CT (SLD)**

**Z-15-00252:** Consider a request to rezone approximately 3.255 acres from RM12D (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District, located at 6304-6323 Serenade Ct. Submitted by Tim Herndon, for RSR Holdings LLP, property owner of record.

**ITEM NO. 7E PRELIMINARY PLAT FOR LANGSTON COMMONS; BOB BILLINGS PKWY & LANGSTON WAY (SLD)**

**PP-15-00246:** Consider a Preliminary Plat for Langston Commons, located northwest of Bob Billings Pkwy and Langston Way. This subdivision includes 17.5 acres for neighborhood commercial development and 48 lots for residential development. Submitted by BG Consultants, for RSR Holdings LLP and KS Secretary of Transportation, property owners of record.

**STAFF PRESENTATION**

Ms. Sandra Day presented items 7A-7E together.

**APPLICANT PRESENTATION**

Mr. Tim Herndon was present for questioning. He said regarding the sidewalk, the Zoning Code required sidewalks on both sides of the street. He said they extended two sidewalks to the west from Langston Heights development to tie into the South Lawrence Trafficway recreation path.

**PUBLIC HEARING**

Mr. Michael Kelly said Mr. Herndon was 99% right about the sidewalk issue. He said there were great connections to pathways and sidewalks on both sides of the street. He was in favor of the project but felt there should be direct pedestrian access from all directions to the school. He felt the developer should dedicate a pedestrian easement and construct a concrete pathway. He referenced Transportation 2040 and Horizon 2020 and the best practices that were not being complied with from the documents.

Dr. Rick Doll, Lawrence School District Superintendent, agreed with the staff recommendation. He did not feel the playground greenspace west of Langston Hughes should be dissected by a sidewalk that was not needed.

Mr. Matt Crawford expressed concern regarding the RS5 zoning off Silver Rain and felt it should be zoned RS7. He felt the sidewalk access was good already.

### **APPLICANT CLOSING DISCUSSION**

Mr. Herndon felt there were plenty of sidewalks. He said Mr. Kelly was suggesting an additional 900 feet of unnecessary sidewalk that would not be lit or within the public view.

### **COMMISSION DISCUSSION**

Commissioner von Achen asked about crossing guards at Harvard.

Dr. Doll said there was a City provided crossing guard at the Harvard roundabout.

Commissioner von Achen asked if kids were running across the street where they shouldn't be crossing.

Dr. Doll said on the school property there were sidewalks for children to travel and cross safely. He said some parents park across the street and kids run across. He said he did not necessarily know how to stop that.

Mr. Crawford said parents parking on the north side of Diamondhead Drive was an issue that the community should address. He said the crossing guard on the southeast corner of the Harvard traffic circle was only 5'4" tall and that she could not see over the 6' vegetation to see the northwest corner where kids come down.

Commissioner Britton asked staff to respond to Mr. Kelly's description of Transportation 2040 stating there should be direct access to schools.

Mr. McCullough said staff respectfully disagreed with Mr. Kelly's interpretation of the Code issues. He said if the school didn't have the extension of Renaissance Drive from the west into the property on their capital improvement plan staff would likely be submitting the condition themselves. He said staff believed the connection outlined in Transportation 2040 was being filled through the future Renaissance Drive extension. He said in terms of the block length, if it exceeded 800' it would need to connect to another public way, not another property development. He stated staff believed the site was Code compliant as presented.

Commissioner Culver said he would support the recommendation by staff. He said from a safety standpoint the other two potential access points would not be lit or in plain sight.

Commissioner Britton agreed with Commissioner Culver.

### **ACTION TAKEN on Item 7A**

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the request to rezone (Z-15-00244) approximately .193 acres, from CN2 (Neighborhood Commercial) District to OS (Open Space) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

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

### **ACTION TAKEN on Item 7B**

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the request to rezone (Z-15-00245) approximately .992 acres from OS (Open Space) District to CN2 (Neighborhood Commercial

Center) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

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

**ACTION TAKEN on Item 7C**

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the request to rezone (Z-15-00251) approximately 11.15 acres from RM24 (Multi-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District and RS7 (Single-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

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

**ACTION TAKEN on Item 7D**

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the request to rezone (Z-15-00252) approximately 3.225 acres from RM12D (Multi-Dwelling Residential) District to RS5 (Single-Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

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

**ACTION TAKEN on Item 7E**

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the Preliminary Plat (PP-15-00246) of Langston Commons.

Commissioner Britton said to Mr. Crawford the difference between RS5 and RS7 was negligible enough that he trusted the developer with consistency issues that RS5 would be appropriate next to the already developed RS7.

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