

Speaker 1 ([00:05:04](#)):

Yep.

Speaker 2 ([00:05:05](#)):

Okay. Good evening and welcome to the May 20th, 2025 Lawrence City Commission meeting. First item on our agenda is an executive session and I need a motion to recess into executive session,

Speaker 3 ([00:05:18](#)):

Move to approve a motion. Let's see, move we recess in executive session for approximately 25 minutes to discuss employer-employee negotiations pursuant to the employer-employee negotiations exception as set forth in KSA 75 dash 43 19 B three. The justification for the executive session is to keep employer-employee negotiation matters is confidential. At this time, the C Commission will resume its regular meeting in the city commission room at approximately 5:25 PM after the executive session is concluded.

Speaker 2 ([00:05:50](#)):

Second. Okay. Motion by Fin Dye, seconded by Littlejohn. All in favor say aye.

Speaker 3 ([00:05:55](#)):

Aye. Aye.

Speaker 2 ([00:05:56](#)):

Motion passes. Five zero.

Speaker 1 ([00:31:38](#)):

Going to extend

Speaker 2 ([00:31:39](#)):

Our initial executive session Item one for additional five minutes. Can I have a motion for that

Speaker 3 ([00:31:46](#)):

Move to extend executive session one for five minutes? Second.

Speaker 2 ([00:31:51](#)):

Okay. Motion by Fin Dye, second by sellers. All in favor say aye. Aye. Aye was opposed. Motion passes. Five zero. We're back in for our second executive session. Can I get a motion for item two?

Speaker 3 ([00:39:04](#)):

We have nothing to report on.

Speaker 2 ([00:39:05](#)):

Oh yeah, there's nothing to report from our first executive session.

Speaker 3 ([00:39:08](#)):

A move to recess executive session for approximately 20 minutes to discuss privilege legal communications from city's attorneys regarding interpretation of laws affecting city operations pursuant

to KSA 75 dash 43 19 b2, the justification for the executive session is to keep attorney-client privilege matters confidential. At this time, the city commission will resume the regular meeting in the city commission room at approximately 5 45 after the executive session is concluded.

Speaker 2 ([00:39:37](#)):

Second. Okay. Motion by Fin Dye. Seconded by little John. All in favor say aye. Aye. Aye. Motion passes 3 0 2 Abstentions I

Speaker 1 ([01:02:31](#)):

Welcome back to

Speaker 2 ([01:02:32](#)):

The commission meeting. Our second executive session resulted in no action being taken, so we're going to go ahead and move on to asking our city clerk to read the rules in the meeting.

Speaker 4 ([01:02:43](#)):

Thank you Mayor. Good evening everyone. If you would please silence your cell phones to minimize distractions during the meeting. The primary format for accessing or participating in this meeting is in person at City Hall. Virtual access to view or participate in the meeting cannot be guaranteed. The chat function will not be monitored. If you have any trouble, the meeting can be viewed on the city's YouTube channel and cable Channel 25. When the mayor calls for public comment, please approach the podium to indicate you wish to speak. Virtual participants should use the raise hand function. When prompted, select join as panelist. There will be a brief delay as your role changes. Once your name is called Plead Up, please unmute and turn on your camera to provide your comments. All comments will be limited to three minutes. Please state your name and zip code before speaking. The city reserves the right to turn videos off or mute participants. Thank

Speaker 2 ([01:03:46](#)):

You Sherry. Okay, we're going to go ahead and move on to item B, which is to approve the agenda. The city commission reserves the right to amend, supplement, or reorder the agenda during the meeting. Is there a motion to approve the agenda as is

Speaker 5 ([01:03:58](#)):

Move to approve the agenda. Second.

Speaker 2 ([01:04:00](#)):

Okay. Very good. Motion approved by Commissioner Larson, seconded by Vice Mayor Finkel Dye. All in favor say aye. Aye. Aye. Motion passes. Five zero. Okay. Next we're going to move on to proclamations and we have four of them this evening, all of them associated with our different groups within our city organization and the first one is to proclaim the week of May 18th through the 24th of 2025 as National Public Works Week and we have Michael Leos here to speak to that. How are you sir?

Speaker 6 ([01:04:36](#)):

Trevor.

Speaker 2 ([01:04:36](#)):

Trevor. Trevor.

Speaker 6 ([01:04:37](#)):

I'm

Speaker 2 ([01:04:37](#)):

Sorry. Trevor. Hi, Trevor.

Speaker 7 ([01:04:39](#)):

Trevor. Yes,

Speaker 2 ([01:04:40](#)):

Director. I see that. Yeah, thank you. But I don't have my glasses on so Well

Speaker 7 ([01:04:44](#)):

That's okay. I don't have mine on either, so we'll see how I get through this. Appreciate you having us here tonight and I'll be brief with my comments this evening. As a proclamation that we're about to hear echoes much of my sentiment. This is an important week for the teams within our department and one we look forward to each year as we take time to reflect on the important service we all do to support our community and how our city functions. We'd like to thank the commission for this proclamation to celebrate our valued and committed team members within our municipal services and operations department and recognize and thank them for the critical work they do each and every day. Thank you.

Speaker 2 ([01:05:23](#)):

Thank you, sir. Okay, I'm going to go ahead and read this proclamation. Whereas the Public Works professionals employed the municipal services and operations department focus on programs and services that are vital importance to sustainable and resilient community and to public health, high quality of life and wellbeing of people of Lawrence, Kansas and where the city of Lawrence is well-maintained, functional and efficient infrastructure, facilities and other assets. Investments in those assets reflects the city's commitment to contribute to the wellbeing of all people and whereas these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals who are responsible for constructing, rebuilding, improving and protecting our city's transportation system, water supply, sanitary sewer, storm water, and solid waste systems, public buildings, municipal fleet, and other functions essential for our citizens. And whereas it is in the public interest for the residents and civic leaders of Lawrence Kansas to gain knowledge of and maintain an ongoing interest in the importance of public works in their community and whereas the year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association. Now therefore, I'm Mike Dever, mayor of the city of Lawrence, Kansas, to hereby designate the week of May 18th the 24th as National Public Works Week and encouraged the residents of Lawrence, Kansas to learn more about the valuable services our MSO employees deliver every day and to thank them for their dedication and service to the city of Lawrence.

([01:07:06](#)):

Okay, we next have a proclamation relative to Historic Preservation month and Lynn Ulner I think is here to speak to that. Thank you.

Speaker 8 ([01:07:14](#)):

Good evening Mayor, vice Mayor Commissioners with me this evening is Dennis Brown from the Lawrence Preservation Alliance and May is historic preservation month across the United States and usually when I bring you these proclamations so we can celebrate this important thing in our lives, I talk about the tangible aspects of history and how important that is to know our history and move forward with the character and the future that we all envision. But tonight I'm going to kind of take a little bit of a sidestep and talk just for one minute because we just recently got some numbers from the National Park Service and from the Kansas Historic Preservation Office about the economic impact of historic preservation. In 2024, over 6 billion in private investment in historic preservation took place using the tax credits in the United States. So that's a pretty significant number and when we break it down into the state level for the federal tax credit, we had over almost \$45 million and in the state tax credit we had over \$60 million.

(01:08:37):

One of the things that the historic preservation office has done working with the National Center for Preservation Technology and training is look at those numbers and see, well that's great, but what does that mean to a community? And so in Kansas for 2024, the over 60 million in investment projects resulted in the creation of 1009 jobs, 41 million in gross state product and generated over 12 million in total taxes and grew the Kansas economy \$73,496,000. So there is a good side to preservation too that does help encourage the economy and the growth of our communities and so we just wanted to kind of point that out. The other thing that I wanted you to know is that the state of Kansas has recently updated their state tax credit program. They divided it on the size of cities. Lawrence is considered a large city, so we don't get an extra benefit, but we are still at 25% state rehabilitation tax credit for the overall cost of the rehabilitation up to \$50,000. If your project goes over \$50,000, then you're allowed a 40% credit and 50% of the cost over \$50,000 also get 40% now. So I'm going to let Dennis tell you a couple of fun things that LPA has planned for preservation.

Speaker 2 (01:10:12):

Thanks Lynn.

Speaker 9 (01:10:17):

Thank you Mayor Dev. Good evening Commissioners. The Lawrence Preservation Alliance with over 200 paying household members is pleased to have been serving our community since 1984. We're celebrating preservation month this year with three community events where the public is invited. Tomorrow night there will be an open house, we call them old house warmings at the Judge Stevens house at three 40 North Michigan Street from five to 7:00 PM. There's no admission charge, but you have to register for a ticket. On Thursday, June 12th from five 30 to 7:00 PM there will be another old house warming at 1100 Rhode Island, a mixed use property that serves as the offices of Ley Associates. This property was condemned by the city in 2013 and restored by an LLC led by the leys. It was also a neighborhood revitalization Act property. It's nearing the end of its term, so it's worth checking out to see how that's worked out.

(01:11:28):

The big event though is our biannual achievement awards event Saturday morning, May 31st. That's a week from Saturday, 10:00 AM to noon at the W Banquet Hall at 704 Connecticut Street. We have so many great preservationists in this city to choose from for this award, but this year's honorees are design professionals, Stan and Joni Henley, Mason extraordinaire, Carl Berg and project Development professional Matt Gilhausen. We still have room for more folks to come out, hear their stories and make sure those award winners know how much they're appreciated in our community. There is a ticket charge for both the awards event and the HERLEY event. You don't have to be an LPA member to attend. Look for Lawrence Preservation on Facebook or Instagram to receive more information. Thank you.

Speaker 2 ([01:12:25](#)):

Thank you Dennis. Appreciate all that insight. It's good to hear the positive economic impact of our historical preservation efforts and how the state of Kansas is helping us, so thank you for that, Lynn. I'll go ahead and read the proclamation. Whereas historic preservation is an effective tool for economic development, sustainable development, tourism, promotion, revitalizing the neighborhoods, fostering local pride and maintaining community character while enhancing livability and whereas historical preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all racial and ethnic backgrounds. And whereas it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that have shaped us people. And whereas Preservation works, strengthens communities, breathes new life into neighborhoods, supports a healthier planet and builds a more just and connected society Now therefore, I'm Mike Dever, mayor of the city of Lawrence, Kansas. Due, hereby proclaim the month of May, 2025 is historical preservation month and call upon the people of Lawrence to join their fellow citizens across the United States in recognizing and participating in this special observation. Thank you, Lynn. Thank you.

([01:13:50](#)):

Okay, and our next proclamation is to proclaim the month of May also as affordable housing month and that seems to go with preservation and housing. Leah here to speak to this.

Speaker 10 ([01:14:02](#)):

No. Yes,

Speaker 11 ([01:14:27](#)):

Thank you Mayor. Good evening Commissioners. I'm Leah Roseland, affordable housing administrator for the city of Lawrence and I am so proud to be joined by the Affordable Housing Board chair and vice chair and former chair and the directors of Lawrence Douglas County Housing Authority tenant to homeowners, the Douglas County Housing Stabilization Collaborative Family Promise and then we have Habitat for Humanity there. Oh, I'm so sorry.

Speaker 10 ([01:14:59](#)):

It's okay.

Speaker 11 ([01:15:00](#)):

My phone turned off. Together we are working to create a community where there truly is a place for everyone to thrive, to enjoy life, and to feel at home through affordable housing. I am actually just going to save comments for the wonderful people that I have behind me and would like to go ahead and invite Christina and Mariel from the Affordable Housing Advisory Board to speak and they will be followed by some of our amazing community partners. Thank you so much.

Speaker 12 ([01:15:32](#)):

Thanks Leah. Good evening commissioners. I'm going to try to be brief even though I'm a very long-winded human, so I'm grateful to be here to represent the Affordable Housing Advisory Board and the community to support this, excuse me, proclamation of May as affordable housing month as this proclamation states safe, accessible, attainable and affordable housing is a fundamental human right, but to be a right, we have to have strong practices, policy, funding and collaboration that go beyond proclaiming. Now more than ever, we must commit to action. Action that furthers our goals of housing for all but also action that affirms as stated in this proclamation that we are committed to an equitable

future no matter what. We will certainly face challenges on this road. Funding streams will end, administrations will challenge our rights and the path as we know it will change. But all of this should call us into collaborative movement with and for the community, not compliance with those whose aims are to harm our communities.

(01:16:38):

We cannot grasp for scraps, we cannot grasp for scraps and allow policy and practices that are foundational to our abundant future fall by the wayside. If sorry, if we go down that road, we will not get to the future. We are working toward one that this proclamation clearly outlines. We will fall short, lose trust and deepen the divide, but that's not the future we are choosing and we can already see that surrounding me are leaders, advocates, movers and shakers in the housing justice space and Lawrence, we have already committed to sustainable, affordable housing in perpetuity by investing in more affordable senior housing led by the housing authority, creating new paths to ownership through our community, land trust and habitat projects and are maintaining the commitment to reckoning with injustices of the past and present by being bold in our policy and to protect those who have historically been forced out of this conversation. This is our commitment and we must affirm and stand by it. We will have to be creative to move forward. We will have to learn to lean less on the spaces that do not stand for the same values we hold and lean into community. Calling everyone to see their stake in this work. We have to listen and be adaptive. We must always put those who are disproportionately impacted by these systems first and we must act to solve the right problems rather than getting lost in the wrong ones. Thank you. Thank

Speaker 13 (01:18:24):

Thank you Mariel and thank you commissioners. I am also very passionate about this and I'm here to talk a little bit about it. I hope you give me some time, but lack of stable housing makes people sick, access to safe, quality, affordable housing, and to the supports necessary to maintain that housing constitute one of the most basic and powerful social determinants of health. Research demonstrates that housing and health are inextricably linked. Housing is a key to reducing intergenerational poverty and increasing economic mobility. Research shows that increasing access to affordable housing is the most cost-effective strategy for reducing childhood poverty and increasing economic mobility in the United States. Yet despite the need to continue this work, the federal government in recent years has vacillated on its commitments to affirmatively furthering fair housing. In 2015, HUD published a final rule on affirmatively furthering affordable housing, establishing a standardized process known as an assessment of fair housing that recipients of certain HUD funding would use them to meet their long standing obligations to affordable or affirmatively furthering fair housing.

(01:19:41):

I'm just going to use A FFH with the change of the administration In 2016 came a change in the federal government's commitment to A FFH after an initial suspension of the 2015 A FFH rule by the Trump administration. The 2020 preserving community is a neighborhood choice rule, repealed the 2015 A FFH rule and allowed funding recipients to certify compliance provided they took some active steps to promote fair housing seeking to preserve flexibility for jurisdictions to take action based on the needs, the interests and means of the local community and respects the proper role and expertise of state and local authorities. As fair housing advocates have argued, state governments are well suited to help lead the country toward a more integrated and inclusive society. By adopting fair housing focused initiatives, I won't be much longer through encouraging a fair allocation of affordable housing across jurisdictions. We also help through helping recipients of housing vouchers through statewide anti-discrimination laws.

(01:20:55):

Advocates could help support continuously by housing mobility programs and by enacting enforceable state level affirmatively furthering fair housing laws. The Lauren City Sexual Violence Prevention Education work group is learning about solutions such as tenant screening protections such as eviction

ceiling policies and more that can protect people's housing futures access and stability. Our city goals need also to include assisting with home ownership for low income and first generation buyers. We are the authorities and leading experts in community health science with the focus on affordable housing. Disparities in housing are disparities in health and exposure to substandard housing is not evenly distributed across populations. We know that people of color and people with low income are disproportionately affected. For example, blacks and low income people are 1.7 times and 2.2 times more likely respectively to occupy homes with severe physical problems compared with the generational or the general population.

(01:21:58):

And people with low income are more likely to live in overcrowded homes as housing and energy prices continue to climb. Low and moderate income households make trade-offs between having enough food, seeing warm and living in adequate housing with resultant adverse effects on health. And so as leaders in community, your community health lens requires that you emphasize the importance of an intersectional approach that addresses the impact of overlapping forms of discrimination and bias experienced by historically marginalized communities. And so this proclamation is important to all. It's important to us and thank you for hearing and hearing and proclaiming. This month is affordable housing month. Thank

Speaker 10 (01:22:39):

You.

Speaker 14 (01:22:47):

Let's go.

Speaker 2 (01:22:47):

Thanks very much for the input. Anybody else want to say anything or do you want me to go and read the proclamation? Yeah.

Speaker 14 (01:22:53):

Good evening commissioners. Thank you for this. I'm Brenda Wall with Family Promise of Lawrence and I just want to emphasize all the wonderful statistics and facts that these women have brought to us, us tonight. And I just want to say that affordable housing is the solution to homelessness and housing instability. We applaud the city's decision to proclaim may as affordable housing month in order to draw attention to this great need in our community. In the past week, family Promise has received over a dozen calls from households in Douglas County seeking housing assistance. Some need rent or utility assistance. Others are seeking shelter or new housing because they're being evicted or forced to move or fleeing domestic violence. These are grandmothers caring for grandchildren, young families in graduate school, young adults aging out of foster care and single parents with children. The majority of them are employed and unable to afford housing. But when rent is set at rates that reflect the income levels of families like these or when subsidies are available to these households, families and households like these can find sustainable housing and can thrive in that housing. They can thrive in their financial status, they can thrive in their physical and mental health. Children can thrive in school. The work the city is doing to make affordable housing available in Lawrence is significant and we're thankful you're highlighting the great need for it this month.

Speaker 10 (01:24:19):

Thank you. Anyone else?

Speaker 15 ([01:24:27](#)):

Shannon Re, Lawrence Douglas County Housing Authority. I just want to say thank you to this body and to the historic body. The Housing Authority was formed in 1968 by this body and we've been committed as a community to affordable housing since 1968 and our commitment continues to grow. I also would like to thank the community for voting to tax itself to support this effort and so we are actually as a community on the cutting edge and unfortunately as we progress, our solutions are probably going to be more and more local and I just want to just point out that we are a committed community to affordable housing and to say thank you, I'm also delivering our annual report to you so that you can see the work that we've been doing. Thank you.

Speaker 3 ([01:25:28](#)):

Thank you

Speaker 10 ([01:25:28](#)):

Shannon

Speaker 16 ([01:25:34](#)):

And Rebecca Buford with Tenants to Homeowners. I want to thank you as well. Five years ago I think the commission challenged us to be on the west side and we heard what Christina said about how important it is to have mixed income neighborhoods and we have no subsidized affordable housing on the west side of town. We are so close to getting Flore Hill financed and ready for 122 units of rental and 12 units of home ownership and I challenge the commission to help me get across the finish line so that we can get that project on the west side of town and really act as we're talking and speaking about this proclamation and commitment to affordable housing. Thank you Rebecca.

Speaker 11 ([01:26:27](#)):

Thank you commissioners.

Speaker 2 ([01:26:28](#)):

Thank you Leah. Appreciate it. Those were a lot of really great information, but lots of words that make sense in when you frame the proclamation around it because when you read these paragraphs it really doesn't say what's happening and I think everyone's willing to give you the money and the time and the resources because we trust you and the effectiveness of the groups represented tonight and others who aren't here have really helped us move forward and trying to provide the kind of housing that we need and we appreciate the work that you're done and of course you're showing up tonight, so I'll go ahead and read the proclamation.

([01:27:03](#)):

Whereas affordable housing month affirms the fundamental human right of safe, accessible, attainable and affordable housing for all in our community. And whereas more than 50% of Lawrence renters and 17% of Lawrence homeowners are housing cost burdened causing housing insecurity and putting those households at increased risk for homelessness. And whereas black indigenous people of color and Lawrence residents are disproportionately impacted by housing insecurity, overcrowding, substandard housing and homelessness, and whereas the vast majority of the over 5,200 cost burden renters in Lawrence are vulnerable populations including seniors, persons with disabilities and single mothers who are further burdened by limited or fixed incomes in the unaffordability of childcare and healthcare and putting these populations at increased risk of abuse, homelessness, and unsafe living conditions. And whereas the city of Lawrence recognizes that housing is fundamental to its individual and community

health, economic prosperity and safety and has made a commitment to increasing affordable housing. Now therefore, I might de mayor of the city of Lawrence, Kansas due here by designate May, 2025 as affordable housing month and encourage all community members to support affordable housing throughout Lawrence to support a safe, diverse and thriving community where we all have the opportunity to enjoy life and feel at home. Thank you very much.

(01:28:33):

Okay, and our last proclamation of the evening is to proclaim this building safety month and I think Brian's supposed to be here or no. Matthew. Mr. Jimenez

Speaker 17 (01:28:46):

Was kind enough to give you the job this one out and let me come in.

Speaker 2 (01:28:51):

Appreciate it. Thank

Speaker 17 (01:28:52):

You. Introduce yourself, the comforts of his home. Thank you Mayor Commissioners. It's a privilege to accept this proclamation recognizing May as building safety month. If you'll indulge me a couple of minutes. I know I'm last on the list. I promise to be brief given the input I've received as recently as an hour ago. I have failed to do so, but five minutes was the best I can do so bear with me. In building safety, our purpose is simple but essential to make sure spaces that we all live, work and gather in Lawrence are safe, resilient, and built to last. But real safety doesn't happen in isolation. It depends on thoughtful processes, clear communication and close collaboration with the contractors, developers, architects, property owners, and the residents we serve. Our community is growing and we want it to staying on the leading edge of design, innovation and development is vital to Lawrence's future and that kind of progress must be grounded in safety.

(01:29:56):

The two do not compete. They depend on each other. I'm keenly aware that our role in building safety is not to hinder development, but to support and facilitate it responsibly while protecting the public and maintaining fairness and consistency. My name is Matt Schmidt. I serve as the deputy code official for the city of Lawrence. I was raised in Manhattan, Kansas. My father was stationed at Fort Riley. I went on to graduate from Kansas State University. My background is in architecture and over the last 20 years I've worked with some of the most demanding building departments in the country. As an architect, client rep and construction project manager, I've navigated challenging code environments, layered approvals, very involved historical and community boards, complex existing conditions, uncompromising design intentions, tight budgets and urgent timelines. I've worked with developers, vendors, contractors and clients from New York City where I lived and worked for 15 years to la, London, Paris, Madrid, and Hong Kong.

(01:30:59):

All to say I know exactly what it's like to be on the applicant's side of the counter trying to deliver a project under immense pressure. In fact, that perspective perhaps more than my current title, shapes how I approach this role. I understand the stress, the frustration, and the high stakes. I bring that understanding into every conversation I have with the applicants and every improvement we make to our processes. That experience has also shown me just how rare it is to find what we have here in Lawrence, a building department that is not only committed to safety but truly facilitatory in nature. Can we improve? Certainly it's my job to help grow that culture of partnership between our team, applicants developers, design

professionals, contractors, property owners, and the broader public to succeed. We need all parties to cooperate and engage as true partners in this process.

(01:31:56):

Building safety and economic development do not work independently. They thrive together when there's mutual respect and collaboration. It's also my responsibility to foster the spirit within our division and guide the broader development community toward working with us efficiently and openly. Only by working together can we keep Lawrence on the cutting edge, supporting growth and innovation without compromising code compliance or public safety. That perspective both as a public servant and a resident grounds my commitment to this work. My wife Austin grew up in Lawrence and we chose to move back here to raise our son together. We've lived in several neighborhoods throughout the city, getting to know the community firsthand. We've settled in East Lawrence on Rhode Island Street near seventh. We love being close to downtown, the levy, the train station, borough Creek Trail, the library, the parks and the arts. We adopted our son Leo in 2020.

(01:32:57):

I left my architecture firm in New York City last year to perform a role more deeply rooted in this community. Six months into this position, I'm proud of that choice. I'm grateful for the opportunity and even more energized, but what lies ahead right now, we're leading the implementation of the 2024 International building codes, an enormous lift for our division. We've already begun working with the Building Court Board of Appeals, the Lawrence Home Builders Association, and other key stakeholders to ensure a smooth collaborative rollout. We're also evaluating improvements to our permitting and inspection processes, including simplified inspection, scheduling and potentially faster and more predictable review timelines. These changes are clearly still in progress, but our goal is clear to better align with real world project needs while upholding safety and integrity. Our department is typically aligned with the strong and welcoming neighbors hood's strategic outcome and rightly so, but the truth is our work supports all five of the city's goals.

(01:34:02):

Unmistakable identity, safe and secure, prosperity and economic security, and having a connected city, we don't operate in a silo, we don't serve just one function. Building safety plays a foundational role in how our community evolves and it's also my job to make sure that we not only evolve right alongside it, but help push us forward. Recognition should go not only to my staff of administrative professionals, permit techs, plans, examiners, our inspectors, but also the code compliance team who role in protecting health and safety often goes unseen and or underappreciated. Our people show up every day with professionalism and consistency. It's also my job to help grow and support that culture and to be sure the customers in the public we serve. See that commitment. I believe deeply in this work. I believe just as deeply in the idea that safety and progress partnership are not only compatible, they are essential to a thriving local economy and a resilient community. When we work together building professionals, property owners, and the public, we create an environment where businesses can succeed, neighborhoods can flourish, residents can feel safe, supported and proud of where they live. This collaborative spirit is how we strengthen Lawrence's future one project at a time. Thanks again for this recognition and for the opportunity to serve this remarkable community.

Speaker 2 (01:35:33):

Thank you, Matthew. That was very, very, very good. Learned a lot about you and I appreciate all the work that your group has done and is doing, and I understand the balance, the fine balance that you have to maintain and we appreciate the work that you do. I'm going to go ahead and read the proclamation. Whereas the city's continuing efforts to address the critical issues of safety, energy, efficiency, and resilience in the built environment that affect our citizens both in everyday life and in times of natural disaster, gives us confidence that our structures are safe and sound. And whereas our confidence is

achieved through the dedication of building safety and fire prevention officials, it should be dedication of building safety and fire prevention officials, architects, engineers, builders, design professionals, tradespeople, laborers and others in the construction industry who work year round to ensure the safe construction of buildings.

(01:36:31):

And whereas these dedicated members of our development community use a governmental process that brings together local, state and federal officials with expertise in the built environment to create and implement the highest quality codes to protect us in the buildings where we live, learn, work, worship, play. And whereas the international codes the most widely adopted building, safety, energy, and fire prevention codes in the nation are used by most US cities, counties, and states. These modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildfires, and earthquakes. And whereas the theme for building safety month 2025 is game on, encourages our residents to raise awareness of the importance of building safety and resilient construction, fire prevention, disaster mitigation, energy efficiency, and new technologies in the construction industry. Building safety month 2025 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship, and play are safe and sustainable. Now therefore, I'm Mike Dever, mayor of the city of Lawrence, Kansas, to hereby proclaim the month of May, 2025 as building safety month. Thank you, Matthew.

(01:37:55):

All right. Next item on the agenda is the consent agenda and the items on the consent agenda are considered under one motion and approved by one motion. Members of the governing body may remove items for separate discussion if desired, members of the public may remove items identified as quasi-judicial for separate discussion if desired, members of the public will be limited to three minutes for comments. And I know we have one item D nine, which is quasi-judicial. Is there an item that a member of the commission would like removed from the agenda? No. Does anyone from the public like item D nine removed for separate discussion? Jerry, anybody line?

Speaker 3 (01:38:41):

No?

Speaker 2 (01:38:41):

Okay, great. Is there a motion

Speaker 3 (01:38:44):

I move to approve the consent agenda?

Speaker 6 (01:38:46):

Second

Speaker 2 (01:38:47):

Motion by Fle dye second to by sellers. All in favor say aye. Aye. Aye. Motion passes. Five zero. Okay. Our first item on the regular agenda item is item one, which is related to RES 25 dash 0 3 2 2 1 0 0 7 Rhode Island Street, demolition State Preservation Law Review submitted by Patrick Watkins on behalf of Troy and Marcy Wallen, the property owners of record.

Speaker 8 (01:39:21):

Good evening again, mayor, vice Mayor, commissioners, Lynn Bradner. Historic resources administrator. Usually I'm up here with a happy face and telling y'all great things about history of Lawrence and today is a little bit of a Saturday for me. This property that we're discussing this evening at 1007 Rhode Island Street was constructed somewhere around 1900, as close as we can tell and has been architecturally significant for the East Lawrence neighborhood for some time now. The current property owners purchased the property with the ambition to rehabilitate it and to make it their home. Unfortunately, when they started getting into the property, there were some significant issues with the actual structure of the building. There's a structural analysis, including in your packet this evening that has some photographs along with it that shows where the structural issues are in my career, which has been rather lengthy. Now, this is one of the worst buildings I've seen and I was horrified that someone had been living in this structure because the walls are actually collapsing. It is basically the historic stucco that is holding those walls together right now, and as it fails, we have more deterioration.

(01:41:00):

They did apply for a demolition permit. Staff went out and inspected the structure. Our code official went out and inspected the structure and we both agreed that it is a significant safety issue for the community and that it needed to be removed as quickly as possible. In that vein, because it is in a historic district and within a context area, it required state preservation law review and it also required a certificate of approval to achieve that. Demolition permit staff enacted the new emergency clause in chapter 22 to allow for the certificate of approval to be approved so it could be demolished, but it still needed that state law review. It couldn't get to the HRC until later in June, and staff was of the opinion that we really need to see this building come down before then. So the State Historic Preservation Office did the required state law review and found that the demolition of the structure actually damages the historic listed historic district, and they're not saying that it needs to be fixed, they're just, they look at a very narrow scope.

(01:42:27):

The state preservation law does allow for demolition to proceed if the governing body finds that there are no feasible and prudent alternatives. And if all maximum planning has been done to protect the listed property, the staff has looked. I usually come to y'all with three or four ideas like this is feasible, but as I said, you can tell from the structural report, there really is no way to effectively save this structure. Anything that you would do would be a completely new structure. So staff is recommending that you find that there are no feasible and prudent alternatives. The possible planning that is taking place to reduce the overall harm to the historic district. The property owners anticipate building a single family home on the lot so there won't be a gap in the streetscape, which is one of the concerns for the historic district. So that is a good planning tool to put something back. It won't be a replica. I think they're looking at a more modern design, but that will go through the Historic Resources Commission. Usually we take those two things together, but like I said, this was kind of an emergency. We really need to get a structure down. So I do believe that all possible planning has been done and I would be happy to stand for any questions you might have.

Speaker 2 (01:44:00):

Thank you, Lynn. Any questions, Lynn? I don't think there are any right now. Thank you,

Speaker 18 (01:44:09):

Mayor. This is Randy Larkin, deputy city attorney. This is a judicial hearing, so we would need to disclose ex parte communications if there are any.

Speaker 2 (01:44:18):

Okay. Thank you very much. Commissioners, have you had any parte communications that are required to be default at this point in time?

Speaker 5 ([01:44:26](#)):

I have not. I have not.

Speaker 2 ([01:44:28](#)):

I have not. I have not.

Speaker 5 ([01:44:31](#)):

Okay.

Speaker 2 ([01:44:32](#)):

Very good. Randy, that's suffice,

Speaker 19 ([01:44:34](#)):

Patrick.

Speaker 2 ([01:44:35](#)):

Okay, so the applicant, would somebody like to speak to this request this evening?

Speaker 19 ([01:44:40](#)):

I can be very brief. Mayor. Thanks for the opportunity. Patrick Watkins on behalf of Marcy and Troy Wallen, Mike Myers is here with me. He's the project architect. This was not the plan or the goal with this house. The owners have hired Preservationists, they've got Josh Davis and Mike Myers and myself. We've all walked through it. I think if there was a chance to save this one, it would've been done. It's unfortunately needs to be demoed. It's not safe at this point and we support Lynn's findings and if you have any questions, let us know.

Speaker 2 ([01:45:10](#)):

Okay, thank you. Patrick, any questions? Okay, go ahead and open up a public comment. I see anybody in the room. Sherry, anybody online wants to speak to this item one. Okay, commissioners, we'll come back to this item. Any questions or comments regarding the request for demolition and any issues related to moving forward with this motion?

Speaker 3 ([01:45:48](#)):

I appreciate the reports and Mike and Patrick and Lynn and everyone that looked at it. It certainly looked like they tried, but I certainly support it.

Speaker 20 ([01:46:01](#)):

Yeah, it's pretty bad shape.

Speaker 3 ([01:46:07](#)):

Wait for motion?

Speaker 2 ([01:46:09](#)):

Good then. Okay. So would there be a motion for us to determine that

Speaker 3 ([01:46:12](#)):

Move? We determine based upon the consideration of all relevant factors, that there is no feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to such historic property resulting from such use.

Speaker 2 ([01:46:26](#)):

Second. Okay. Motion by fin. Goodbye. Seconded by Littlejohn. All in favor say aye. Aye. Opposed? Motion passes. Five zero. Okay. The next item on the regular agenda is to consider approving a request to rezone Z dash 25 dash one approximately 0.69 acres located at the southwest corner of West Third Street and Michigan Street from R two residential low density to R four residential high density district submitted by Land Plan Engineering on behalf of LMK Homes, LLC property owner of record, we will also need to declare any parte communications on this item.

Speaker 21 ([01:47:12](#)):

All right. Good evening commissioners. My name is Catherine Weak. I'm one of the planners. I'm going to present this item before you this evening. This is a rezoning request. It is at the location of third and Michigan. I'm going to do a brief slide presentation then we can go into details if there are questions. As this was presented to the planning commission, they had a tie vote when they heard this item, so there is no recommendation coming forward to you from the planning commission and any vote that you have at the end of this item either to approve or deny would be just a simple majority. So this is the location of the property. It is in the Pinkney area neighborhood. This is kind of the general layout as the property resides in that district or in that neighborhood, it's kind of an L-shaped parcel.

([01:48:04](#)):

The context before you this evening is this is a split zoned property. It currently resides in two zoning districts. On one parcel, when the planning commission heard this item, it was under the old 2006 land development code. So the staff report is written with the analysis from the RS seven, which is the single dwelling residential district from the old code and the RM 24, which is a multi-dwelling district. Those districts have since converted with the adoption of the new code that was adopted in April 1st in 2025. The analysis, however, still remains the same because it is a single dwelling district or a low density residential district and a high density multi-dwelling district or high density residential district. That S seven zoning designation converted to the R two in the new code and the RM 24 district converted to the R four, which is the high density residential.

([01:49:01](#)):

So the key points of this item before you is that the property, as I mentioned, is a split zone district, so it's one parcel under two zoning designations, which does make it difficult for someone to develop the parcel either way, either with residential or some other higher density use with two different designations. On one parcel, it is located in tier one of the urban growth area, so it is an area that is primed for infill development. It already has infrastructure. The property is not located in an approved area or sector plan. That means there's no guiding plan long range plan other than the comprehensive plan, which would be your guiding document. For review of the criteria points and a rezoning, the applicant reaches to rezone the R two district, which was formerly R seven to the R four district, with the intent to create that uniformity across the parcel and to facilitate the development of a multi-dwelling residential use.

([01:50:09](#)):

This property is not located in any regulatory floodplain historic district or have environmentally sensitive lands on it, which are identified in our new code as areas that have some other regulations that would pertain to development of the parcel. And this property does not have any of those on it. It is a platted lot of record, and so it is eligible for building permits after a site plan or rezoning. It does not need to be

replanted. Staff likes to put the zoning criteria up for either members in the audience who are participating or have comments. This is the review criteria that staff looks at and the planning commission look at when they're reviewing any rezoning item. And we go through those in the staff report. We outline each criteria point, and I can go through them in detail if we have questions, but just to itemize them briefly, they are the conformance with the comprehensive plan.

(01:51:11):

We look at the zoning in the area and the uses of nearby property and whether or not there's any overlay zoning district. We look at the character of the neighborhood, any area or sector plans as I've mentioned that have been adopted for this area and including property or adjoining property, the suitability of the subject property for the uses to which it has currently been restricted, and that would be for the two zoning districts that are currently residing on the property. The length of time the subject property has remained vacant as zoned the extent to which approving the rezoning would detrimentally affect nearby properties and any gain, if any, to the public health safety and welfare if you were to deny the application for rezoning as compared to the hardship imposed to the landowner. And then staff is required to make a recommendation, which we have done after analyzing the criteria points, staff feels that it can meet the criteria points for rezoning and presented that recommendation to the planning commission as well.

(01:52:21):

So going into the zoning designations that are in this particular area. As I mentioned, the split zoning, the smaller piece or the lower southern portion is residing in that R four residential zoning designation or the high density residential district. And that yellow is the upper portion which the property only, which is to rezone and it currently resides in the R two or low density residential. And as you can see in the area, there is large swaths of both residential districts to the north, it is primarily R two and to the south and west, it is primarily that R four and then the mix of other zoning designations in the area that civic and public institution where LMH Hospital currently resides and some other small mixed zoning districts to the east into the south, which blends into our commercial districts, which are towards sixth Street. So it's a mix in the neighborhood, but at this location it's primarily the R four, a R two, which does match the site.

(01:53:35):

This is a map of the current land use in the area. The yellow pattern is primarily either detached or two unit dwelling uses. So the yellow is more the lower density residential uses, whereas the brown, which is scattered more towards the southwest and in some spots throughout the neighborhood is the more medium to high density residential. Here in this neighborhood, the multi-dwelling structures are primarily two or three story structures. They're not high rise or larger structures than that in this neighborhood. This is how the zoning area would lay out on the property. This is the older map with the two zoning designations of R seven MR 24, but the shape has not changed. So that top or north portion of the parcel, the L shape would be what the applicant is proposing to rezone to the R four designation. And zoning districts typically expand out to the center line of the right of ways. So this is the rezoning area that's being proposed.

(01:54:47):

So in comparing uses, I've updated this slide from the staff report because as I mentioned the staff report listed the uses for the previous zoning designations. The uses or titles of uses have changed slightly for the R two and R four zoning districts. The first category is that R two or low density residential. And as you can see in that list there, those are primarily geared towards either attached detached small lot dwellings or two unit dwellings. Group home limited would be permitted cultural library type use or religious neighborhood scale assembly would also be permitted passive recreation, extended care limited and crop agriculture would be permitted in that R two district. Currently in the R four or high density residential district that expands out. Some of the uses are still permitted, but we also have courtyard development, which would be like a cluster of maybe detached one units with common outdoor space assisted living, congregate living, the larger religious assembly or community religious assembly, minor

utilities, the larger extended care facility, bed and breakfast, passive recreation transit terminals or again agriculture crop.

(01:56:10):

So similar uses, but a few expansions with a little bit higher intensity uses. Also, I put caveats down at the bottom, there is not a lot of difference between the accessory uses that are permitted in those two districts. The only accessory use difference between either of those districts is that any parking based used, either parking as its standalone or parking as an accessory use is not permitted in the R two. That would only be permitted by, well, those would be permitted by special use in the R two or R four district. And then the difference short-term rental in the R two is required to be owner occupied in the R four that would be permitted to be non-owner occupied. So that would be the difference there. And then special uses in those districts, the differences there, again, not many, but a few special use use process would permit manufactured home communities, entertainment and spectator sports categories. And participant sport uses could be permitted in the R four but only through a special use permit process. So that again, those are two public hearing processes that would be under review, goes to the planning commission and city commission for those any special uses. And then extended care facility, general bed and breakfast and urban farm could be permitted in the smaller or lower density residential in the R two district, again by special use only. So those are the differences in the two zoning designations.

(01:57:48):

And then some of the discussion points, again, we can highlight these if you have specific questions. But currently the hardship for the owner here, and the reason for the request is that the property does reside in two districts and they've chosen as is their right because they have two designations on their property, they've chosen to unify it with the R four district to create that uniform dimensional standard across the property. And then that proposed rezoning is to allow for their proposed concept, which is a multi-dwelling structure with approximately 24 dwelling units, which has been presented with the concept. And again, we outline all the criteria for review in that staff report and I'd be happy to answer questions specific to those if you have them. We did have communications for this particular item, both for planning commission and after we've included the communications from the planning commission meeting and also added the communications in the packet that came after the planning commission meeting. So all of that was in your packet. A staff is recommending approval based on the findings in the staff report and the analysis even for the change after the change, the analysis did not same, so we still change. So we're still recommending approval. And then again, just a reminder that because there is no recommendation from the planning commission coming before you have a simple majority of vote to either approve or deny if you so chose. And I would be happy to stand for any questions if you have them.

Speaker 2 (01:59:28):

I have one that I'd like to ask about the use of this parcel with the conflicting zoning designations in particular, how could a person use it in its current state if one wanted to use the portion that's 24 on one side and seven on the other, can you tell me about what kind of manifestation B

Speaker 21 (01:59:51):

For

Speaker 2 (01:59:51):

The owner or developer?

Speaker 21 (01:59:53):

Yeah, so as you saw, the uses are slightly different and once you apply the use or decide what the use is, you also have to apply the dimensional standards for the district and any requirements that district has. So if you are trying to develop on one portion of it, you may have one set of dimensional standards. And even though they may not vary a lot, they do vary some. And then the other portion would have different dimensional standards such as setbacks or depending on the use, it could limit that property owner. For residential uses, we still have minimum parking requirements and those minimum parking requirements would be tough to be met on a smaller portion when your entire site is divided in thirds basically. So that creates a different, it creates a hardship for the property owner to develop a portion of it in compliance with one zoning district and a portion of it in compliance with another.

Speaker 3 ([02:00:55](#)):

Okay, thank you. Just a follow-up question, how would you calculate density in a situation like that? Or could you build a structure that straddle the two zoning districts?

Speaker 21 ([02:01:08](#)):

So I think you could build a zoning potentially if you were to seek variances for particular things. I don't think it would be a straightforward process. It would definitely require some variances for possibly reducing an interior side setback down to zero in the new code. We have options for adjustments to things like dimensional standards, but those adjustments are only permitted. Administrative adjustments are only permitted to be 20%, so they would still have to seek variances if it was to be beyond the 20%. So for instance, the setback would not be able to be adjusted to the fold zero. If that would be the case, they would have to seek a variance for that. So it would add another process, another public hearing. So it does make it a challenge when you have two designations across a property.

Speaker 5 ([02:02:05](#)):

Thanks. A question. How many dwelling units can be on that property if it were to be zoned?

Speaker 21 ([02:02:13](#)):

Zoned

Speaker 5 ([02:02:13](#)):

R four.

Speaker 21 ([02:02:14](#)):

So in the new code, we have minimums and maximums for our zoning districts now. So if it were to be rezoned to R four, they must meet the minimum, which the minimum in R four would be 16 dwelling units per acre and the maximum would be 32. They still have to meet differential standards to calculate the developable area of the parcel, whether or not they have setbacks or if they have landscaping areas. But we would still calculate that density. So potentially if they can meet all of the dimensional standards and get the parking they require and all of that still stay under the height requirement for the density, the maximum would be 32 for the R four district.

Speaker 20 ([02:03:06](#)):

I'm sorry, did you, oh, just curious to piggyback. I had two questions. The first one on the piggyback on vice Mayor Finkel DA's question, that was only if it straddled the property line, right? If it was enclosed within the property line, it would

Speaker 21 ([02:03:24](#)):

Depend on what they proposed. It's hard to, I mean, or

Speaker 20 ([02:03:27](#)):

Not the property line. But

Speaker 21 ([02:03:28](#)):

Yeah, there's lots of options that they can present, but in theory, they would need to meet the setbacks for each district. So if they're proposing something less than what the dimensional standard required, they would either need to request an adjustment, administrative adjustment if that 20% would cover it, or if that didn't, they would have to request a variance, which has five specific criteria points for the board of zoning appeals to grant a variance. So they would have to request that variance.

Speaker 20 ([02:03:59](#)):

I was just curious, just about R three, what was the maximum? I

Speaker 21 ([02:04:06](#)):

Don't have that in front of me right now. Becky's here, so she may have the code up pull up, but

Speaker 3 ([02:04:13](#)):

I believe it's 15. I believe it's 15.

Speaker 21 ([02:04:16](#)):

And the reason that wasn't requested is because that doesn't currently reside on the property, so they're trying to utilize the zoning district that is on the property currently, but I think it is, Becky may weigh in here in a second. What the maximum and minimum, I think it's seven and 15, but again, I'm not sure, seven and 15. Okay.

Speaker 3 ([02:04:36](#)):

Okay. Is the concept plan five different buildings or is that one building? I can't quite tell the concept.

Speaker 21 ([02:04:45](#)):

Yeah, I think it's one building and the applicant is here. I think they can answer that concept. The concept questions for you. Yeah,

Speaker 2 ([02:04:56](#)):

The questions for her right now,

Speaker 6 ([02:04:58](#)):

Catherine, real quick on the slide where it kind of breaks down the R two and R four

Speaker 21 ([02:05:05](#)):

In

Speaker 6 ([02:05:06](#)):

The R four area, what housing types are we seeing that are that high density?

Speaker 21 ([02:05:11](#)):

Yeah, mostly like I mentioned, those, the ones that are actually multi-dwelling structures are primarily two, and there might be a three story structure in there, but they're primarily the smaller multi-dwelling apartments or fourplex, triplex, those type of units. And they're scattered kind of throughout. Yeah.

Speaker 10 ([02:05:37](#)):

Okay.

Speaker 2 ([02:05:37](#)):

I think that's it for now.

Speaker 4 ([02:05:39](#)):

You had asked about ex parte, but I

Speaker 2 ([02:05:40](#)):

Didn't, yes, go ahead and do any of us have any parte conversations to report this evening? I'll start down with Commissioner Larson. Yeah,

Speaker 3 ([02:05:48](#)):

I do not. Okay. I do not have any to report.

Speaker 2 ([02:05:51](#)):

I don't have any to report either.

Speaker 20 ([02:05:53](#)):

I do. I talked to some folks from the neighborhood a long time ago about

Speaker 2 ([02:05:57](#)):

This. Very good. I have a mayor. Okay. Thank you very much. Alright, so we'll go ahead and ask the applicant or somebody who is a part of this request to come forward and kind of answer a few questions I think we have. If you have anything to bring up, please start. If you'd like us to just ask you questions, you just let me know.

Speaker 22 ([02:06:19](#)):

Just go over a few things real quick. Hi, commission, Corby Rust Land Plan Engineering. I have completed or nearly completed a site plan on this project, so I do have a lot of answers as to what's going to happen here. I will start by saying that I did a quick calculation on the existing zoning, split zoning and I got where we could come up with the new code to 23 units per acre. This site's a little over an acre. We're asking for 24 units. It is one building, two stories, 24 units, that's 12 single bed and 12 two bedroom apartments.

([02:06:59](#)):

Really happy with the way the site plan came out. It started with the proposed building is designed specifically for this site. It's an L-shaped piece of property. It's an L-shaped building. With that, I was able

to internalize the parking, so the parking's all kind of in the middle of the property and it flows very well with that. I was able to have access only off of Florida and only off of third, so no access, no new access to the busier Michigan Street along Michigan Street is a big part of that and the entire property has 40%, almost 40% green space. So it's not like this project is, I'm trying to squeeze a huge building onto a small piece of property. It fits very well.

(02:07:59):

That green space includes bio retention for stormwater treatment as well on the low side of the property. So as you're driving down Michigan, you see a nice, beautiful green space parking lot, two story apartment building. This project adds public sidewalk that doesn't exist along Third street and along Florida Street proposed are 15 new street trees as well as all the necessary buffer yards. So it's a heavily landscaped site plan and yeah, only 25% green space is required. We're able to hit 40 on this one, so real happy with how it came out. As you look at the adjacent R four zoning at 70 plus acres within that area, I found 39 other multifamily apartment buildings that already exist mixed in with the single family residential areas. So the project fits within the neighborhood also, it's in my eyes, it's a fair buffer between the hospital and the single family. Additionally, it fits with Lawrence's stated desire for mixed use and infill neighborhoods. So with that I'll turn it over to the developer to add a little bit and I'm here to answer any questions. Thank you. Colby.

Speaker 23 (02:09:34):

I'm not the developer, but I did want to make some comments that I do believe that in the vein of what the city's stated goals have been of increased density infill development, that this meets those criteria. It is going to be a very nicely designed building that will fit in well with the neighborhood. It will be a nice buffer property between the hospital space and the neighborhood around and I think it'll be a nice addition to the city. Thank

Speaker 10 (02:10:02):

You.

Speaker 2 (02:10:08):

Okay, if that's it, then I'll go ahead and open up for public comment.

Speaker 24 (02:10:20):

Hello, David Baston. Just listening to what they proposed to you guys, I mean that's what you've been wanting anyway. You want a higher density that pretty much checks that off. We're in a housing shortage. I mean it's going to add more housing right there, so I totally support approving this. Thank you

Speaker 2 (02:10:43):

David. Any other public comment?

Speaker 25 (02:10:55):

Hi, Mr. Mayor, city Commissioners. Thank you for my time to speak. My name is John Turner. I live at 1526 West third Street, approximately two blocks from the proposed rezoning site with my wife Allison and son Arlo. We have lived there for just over nine years. I'm here to ask you to deny the request to rezone the partial in question from R two to R four. In the interest of my time, I'll bring only the supporting argument that this rezoning and the following development will have a significant impact on the character of the immediate surrounding neighborhood, which is developed largely with detached dwelling and duplex residential type homes. While the R four designation might reflect what is nearby on

a map, it does not reflect what is on the ground in that nearby area. Granting this request means trading the opportunity for additional modest, attainable, affordable, single or double family type housing in an area that already exists. As such for multifamily 24 unit housing that will forever change the nature of this neighborhood. Also, as you heard, the planning commission could not come to a majority decision on this issue and split the vote four to four. Thus, in the interest of essentially what is a no decision vote, I ask that you deny the request as submitted and allow for continued dialogue between the developer, the neighborhood, and both commissions to find a wholly agreeable solution for all parties involved. Thank you, John.

Speaker 26 ([02:12:41](#)):

Hello, my name is Katie Kraus. Can you hear me? Yeah, just as a rebuttal, I want to say that he brings up some good points. The gentleman just before me. Sure, we want to worry about the neighborhood around, but right now we are in a situation in this country. I mean we have a housing crisis and I think that nobody here denies that even here in the city of Lawrence we're having an issue with housing the homeless and so on and so forth. I mean, quite frankly, we need more housing and I urge the council or the commission to please consider those that are less fortunate. Thank you. Thank you Katie.

Speaker 27 ([02:13:28](#)):

Hi, my name is Mary Perkins McInnis and I am a 35 year resident of Lawrence. Approximately 27 of those years I lived in Deerfield and we have owned our home at 1502 West third for 10 years this year we've invested in that home, we've invested in that neighborhood and while I am neither a sociologist nor a demographer, and I do not speak city government or rezoning at all, common sense and logic and a bit of math tells me that we are putting upwards of 35 to 55 people in a place that is already a, I would not call the infrastructure fragile in our neighborhood, but I would call it a little bit delicate. We have people from the hospital, we have people from all over everywhere. Just crossing Michigan Street, we were taking my sister to the hospital for PT and to go from third street across Michigan, you are literally sitting there for upwards of three minutes because there's so much traffic either way.

([02:14:59](#)):

Our street is one of third street and Florida perpendicular to us. Both of those streets are a couple of the most quiet and relatively peaceful streets. We often have people who are unhoused coming through the neighborhood, particularly in the summer when the weather's warm. But we know our neighbors, we know who belongs and who fits. And while I am entirely sympathetic to the plight of homelessness and under housing, I would argue that that putting, adding 60 people to a corner lot, which I have the dubious distinction of looking at every day of my life from my living room, I'm kitty corner, is unsustainable to me. I agree with everything that John said. The fabric, the culture, the values of the neighborhood, which is what, 50 to 70 years old in the various places. I don't know that we can absorb that much. I don't know if that would break the fabric of what that neighborhood has cultivated and what it means to the people who live there. And I time thank you.

Speaker 28 ([02:16:31](#)):

Thank you, Mary.

([02:16:36](#)):

Hello, I'm William Guinness. I live at 1502 West third Street. I'm married to a beautiful lady. Those streets don't have sidewalks. You guys are going to have to build some sidewalks on all those streets all around that property. There are only single houses or duplexes. There is a fourplex about a block away. That's about it. This is a place where it's an old school neighborhood where kids learn to ride bike on that street. I have little of videos here of kids learning how to ride bike scooters, old people taking their steps there, people on walkers, people with dogs.

(02:17:28):

This project is going to increase the number of vehicles in this area by double. All of these kids are not going to be able to play on that street anymore. This is what all neighborhoods look like, where you go visit your neighbor and where you go bring a pie to a next door neighbor because you have too much and that's not going to be anymore. Kids are going to have to stay indoors and play with their computers or iPads because the streets are not going to be safe for them anymore. Keep Lawrence the way it's supposed to be, a neighborhood place where families can cross the street and meet each other and sorry, I'm not a speaker, but this is what it is right now and a block from where this project is across the street, there is another property that was the same shape, L-shaped about the same size. They built eight duplexes. Those duplexes became homes to families. This is going to be an apartment building where people lived there for a while and move live there for a while and move. This is not going to improve the housing in Lawrence, it's just going to continue adding to the apartments, so thank you very much. Okay, thank you.

Speaker 29 (02:19:17):

Kevin Elliot, 6, 6, 0 4 4. We're talking about how to build our neighborhoods and build our communities. We build them with houses and with homes, not cramming as many people as we can into a community, but single and duplex homes. We built Lawrence to have a neighborhood with homes, schools and parks. We cram as many people as we can into a neighborhood. It becomes unlivable. We need small homes that people can afford. Thank you. Thank you, Kim.

Speaker 30 (02:19:54):

Hi, my name is Sherry Ellen Becker and I, should I put this down? Yeah,

Speaker 3 (02:19:59):

You can hold that a little bit. Please put

Speaker 30 (02:20:03):

Push and hold.

Speaker 3 (02:20:09):

That's better.

Speaker 30 (02:20:10):

I'm not very tall.

(02:20:13):

Sorry. I don't live in Pinkney and I heard about this because I attend the land meetings, the Lawrence Association of Neighborhood Meetings and it was discussed there, so I thought I'd find out about it. I went over there to that site about 8 31 morning just to kind of get the vibe and I parked and I walked around and then a couple of days later I went back about three 30 and did the same thing just because I wanted to see what the neighborhood was like. And Pinkney is a really special place with that Clinton Park. Unfortunately they lost their school and they aren't protected by any covenants or homeowners association. See all that stuff from Pink Neon East? When you look at the register of deeds and look under covenants, they aren't there. In my own neighborhood it says this lot shall be a single family residential lot only.

(02:21:18):

So we couldn't be talking about this and Pinkney has been very gracious because as I recall, they hosted at the Woody Park, the Covid homeless site. Then they host the pallet village. Their gracious about it so far as I understand, and they also have the largest homeless encampment there by that Sandra Shaw Park with the one with little pond in the middle. So they are real team players here and the vibes I got from that neighborhood, this is not a good thing. This is quiet if you want to call duplexes, multifamily structures. Yeah, when you walk around three blocks they do have that, but maybe a fourplex or two, but nothing like this. And I think that it's more than they can absorb, but it's also going to affect the resales of the surrounding properties. I think that those will then go into something more like rentals if they're homeowners now or they'll go into something like split up into duplexes. I've heard about that being done where you take a home and turn it into two dwellings. I just think that there's no need for this. I think that it's more than the neighborhood can absorb and it's going to be a bad thing in the long run. Thanks.

Speaker 10 ([02:22:51](#)):

Thank you Chair.

Speaker 31 ([02:23:00](#)):

Hi, my name is Christy Bickie. I live Cat Corner there at 1508 West third Street. This is an old peaceful neighborhood. We have hardly any through traffic. We just had a daughter and it's a great place for us to raise her. Right now it is. We should want to preserve our old neighborhoods in Lawrence and if this proposal goes forward and it's enacted, it's going to fundamentally change the character of this nature, of this neighborhood and I don't think for the better of those already living there. So these are single families, some duplexes, so I would ask that you vote no on this proposal. Thank you. Thank you.

Speaker 32 ([02:23:59](#)):

Hello, I'm Martin Siegel. I live about a hundred meters from the property. I think that the existing zoning as is completely adequate. I think it could be developed as townhouses or duplexes and single family. I don't know if the developer or the land planning company did any research as to what would fit on it as it is and it seems obvious that the mix of current multifamily of doing an apartment building there doesn't exist in the area. It might be zoned for in the higher area, but within blocks there's nothing so duplexes single family would be complete, would be matched with what's there. So I would support keeping it as it is zoning wise. Thank you Martin.

Speaker 33 ([02:24:53](#)):

Good evening. Shannon Eller. Also 239 Michigan resident with the commercial developer and commercial architect who just spoke about lower density. I grew up in Lawrence, Kansas, had the opportunity to come back in the lockdown an opportunity and we have resided there on Michigan Avenue and certainly my background is planning urban sustainability at the master's and PhD level. I am all for a plan. I'm all for working the plan and this property was just acquired recently with obviously the intent to develop it. I think there is a confounding issue here about the long range plan and the short term. I've worked on affordable housing plans for Chicago for development redevelopment without displacement and reconciling the multiple demands that are here. This is a very busy street I know by neighbors because I'm out there talking to their dogs and working on my garden there, right on Michigan pretty much every day in the summer.

([02:25:48](#)):

So I do think there's some difficulties here in this conundrum, but my question and suggestion for the commission is to ask why the majority of the body that has authority over as rezoning was not uniform in their opinion about what should happen here. A majority did not exist who believed that this was the right thing to rezone despite the inherent challenges of duplicate zoning or more than one zoning on an existing

previously on split parcel, the developers purchased it with that knowledge. You can ask for anything you want. Sure. This is their second request to up zone at a lower density. Again, it's a challenging site. What has not been mentioned is that it is right there at the intersection that last night is flooded eight inches still. So you've got a lot of water that still runs through that intersection at third in Michigan.

(02:26:37):

This will be contiguous. The statement on this current site plan scheme is 40% would be green space. I don't know if that includes rain garden. We certainly did a lot of work in Portland on water retention, keeping that for beneficial use and meeting our environmental goals at the same time. So I would really encourage this group to consider what you may or may not be considering or need to know from your peers at the group that ended up with a hung decision and what you've learned here today that if anything that they didn't know that would've swayed them to universally recommend that this be zoned up because it persuasively fit the needs of your plans that have been adopted at a very high level with a lot of input. Thank you.

Speaker 34 (02:27:25):

Which one of your strategic goals matters the most? That's your question right now. Are you going to house people or are you going to keep the zoning the way everybody wants it here, which one of your strategic goals is matters the most? Because we know that he can make anything fit into your strategic goals so you have an opportunity here to build housing. When we've been screaming about a homeless issue for how long now?

Speaker 10 (02:27:52):

Forever,

Speaker 34 (02:27:53):

And I'm sorry, but if I'm sitting in here and I'm listening to people, I'm hearing nothing but not in my backyard. That's what I'm hearing and I'm personally offended by a homeless advocate coming up here talking about we shouldn't do this because as a homeless advocate, we need housing, we need affordable housing and it's going to have to be density because the single family homes and the two bedroom homes, the three bedroom homes that everybody talks about them wanting is unaffordable to those people. Density's. The only way they're going to be able to afford a place to live in this town and we all know that speaking to the flooding, the normal part of any kind of development plan is to mitigate any existing issues. Speaking to the developer back here, just for a quick moment back here, there's already plans to mitigate the flooding issues at that intersection. If I'm understanding him correctly. Maybe people need to look into the plans a little more to see those things, but we need housing. Are we going to put it out next to the police station? How about we put it out on Brett Drive? Think those neighbors have come in here saying they want it out there. You're not going to get a neighborhood that says they want this, just add it and it's a local developer. It's going to be local dollars. Can't get much better, sir.

Speaker 2 (02:29:11):

Okay. Lemme try to keep the pause down to a minimum. Thank you. Thank you.

Speaker 35 (02:29:15):

Hi, my name is Shirley Brodick. I've lived in Lawrence since 1985 and I love Lawrence, but for somebody to come up and be loud and try to intimidate and it feels like bullying and I want everybody to remember how many empty buildings there are in Lawrence. Why are we not taking advantage of all of the abandoned property around Lawrence rather than building on green space? What happened to being kind to the rest of the living animals that are sharing this space? Why are we trying to build on every

square inch of Lawrence when we have empty buildings up and down Massachusetts Street that could easily be transformed into housing? Thank you. Thank you.

Speaker 36 ([02:30:33](#)):

I am Derek Bailey. I'm 34 year Lawrence resident. I love this place too. I would question you guys and everybody in here, how many other lots are like this in town where they have a split zoning down the center of their property. I mean this seems unfathomable that he has to deal with this and the higher density, if so he chooses, should not prevail anyway. Again, I wouldn't want this for anybody. If I'm looking at a property to buy, I don't know. There has to be a reason. There has to be some way we can go out and find out the other properties like this. This should be a non-issue. The hired zoning should trumpet. Somebody drew that line there right through the property at one point the line can be moved to match the property. Additionally, we have housing needs, significant housing needs. We're adding density.

([02:31:24](#)):

We have two of the largest employers in Lawrence, Kansas. Two or three blocks from this facility. This would be full with young nurses who don't have a growing family yet that are just trying to get started in that area. There's no houses for sale in that area. They're not going to be able to go live there. Right now you go drive down north on Indiana from sixth Street. There are some massive homes down there that don't fit the neighborhood, but those got built and they're beautiful homes. The variety, the diversity in Lawrence, that's what we are now. We say we can't have it because it doesn't match. Well, that's not Lawrence. Let's see. He's going to add sidewalks. We love sidewalks. Improve that to the two people ago. This is a Lawrence builder. I don't know how long Link has lived in Lawrence, but he builds a phenomenal home, high end construction. Again, you're not going to have crap in the street every day he will be on site daily. Again, I want him building in Lawrence, Kansas, not in Kansas City. I don't want him to have to go north, Tongan Oxy or west to Topeka or even Eudora even though it's in Douglas County. I want him building right here. We expect a good product and he's going to build one. So thank you guys. Thank you dear.

Speaker 37 ([02:32:39](#)):

Hello, my name is Lyle. I live a block from where this is going to come in. I don't think that we're trying to debate here. We do want housing there. We do support that in the neighborhood, but some of the scale that we're speaking of is rather large for that corner because we won't be able to dump out onto Michigan Street, but Florida Street and third Street is going to be, it is going to be really hairy around there. We're not saying that we don't want affordable housing. I think we all do, but we want it to a form that will fit within the community, a large scale that they're talking about. If we could downsize that a little bit, I think that would be more conformative to our neighborhood. We're not saying that we don't want housing, we do want a portable housing, but we want it to the size that fits our neighborhood. That's all I have to say. Thank you.

Speaker 10 ([02:33:38](#)):

Thank you.

Speaker 38 ([02:33:46](#)):

Hello, I'm Peggy Inglehart. I live within the 200 foot boundaries surrounding the parcel in question and I'm here to ask you to deny the request for change of zone. The reason is is that the greater density doesn't fit what's in the area. It's too dense. Changing the label from the lower density to the higher density makes a pretty neat map, but it doesn't take into consideration the land use of what's there. You've heard a little bit about that already and the areas surrounding this parcel is single family and duplex structures or forms.

If you want to use the fancy title, the current land use hasn't been given enough weight to date. If you use the criteria to evaluate a proposed change, I took this from your documents. This request is not compatible in density. It's not compatible in form or structure. It's not compatible in pattern or character of what has been built.

(02:35:07):

These criteria are set forth to protect the value and the quality of the area and I argue that this higher density threatens both that value and that quality of life, which in turn causes harm and that's another thing that is a benchmark harms caused by changing the housing values of the current structures by decreasing safety and livability due to increases in the traffic and congestion by increasing noise and light pollution. The idea that the whole area should be this higher density and can be further developed as such may look good to you on paper, but it is not desired by the residents. If this request is granted, it will forever change the nature of this modest established neighborhood. Don't trade an area with attainable housing and the potential to add modest, sensible number of units for the offer of a multi-unit complex that doesn't fit the current land use. Thanks.

Speaker 39 (02:36:30):

Hello, my name is Peregrine. I'm in high school. My grandparents have grown up on Third Street. I mean almost my whole life I learned how to ride a bike like he brought up. I mean I've worked on my cars in the driveway. You can't really have what, 24 houses or apartments and then have what? You have two cars per house and you have 40 cars leaving at 8:00 AM in the morning for work. I mean my knowledge, that just doesn't really make much sense to clog a three-way. I guess not. You have three roads on third street. You have one with Florida, you have third street and then you have one that goes up the road where you guys are trying to build the building and you just can't have 40 cars going on a three-way. Really? That's all I got to say. Thank you. Thank you.

Speaker 40 (02:37:33):

We call Hi everyone. My name is Brittany Hall. Some of you already know me. I live right across the street from this development and we are in opposed of this for multiple reasons. My letters are sent to the planning commissioners. I am opposed twice and I still continue. My son is the only young one on the street and this will be detrimental to families. I do believe in affordable housing and I still stand by those values. I do think that we need to have more townhouses and home ownership for families and for elders, but again, this will not be safe for our families. Across the street, there is already a house that's being modeled into two duplexes. There'll be four bedrooms each on the top and bottom levels and that has caused a lot of traffic already across the street and the owner of that house is very pleasant. He's very kind and I do believe that they're going to bring in more families and that's what I believe we should have is more duplexes for families and elders but not a housing complex. It will not fit our community and being there almost four years, I am still opposed to this and it will ruin the wildlife. There are hawks in our area and that is sacred to us as native people and you guys will be taken away from that. Thank you. Hi.

Speaker 41 (02:38:56):

Hi. Good evening. Phil Engelhart, my lovely wife, spoke before. I've turned this dag on development issue over my mind every day for the last several months and frankly I'm sick of thinking about it. Therefore, I'm going to give you the real shorthand deal. For more info, look at the agenda packet and look particularly at the first staff report to the planning commission that recommended denial, proper development path here. Clearly R two uses increasing density compatible with the existing physical and social environment. Use the new R two land development code possibilities. They're out there. That's what they spent 15 months doing. Okay, I hopefully commissioner Fle day would agree with me on that.

At least this can be a positive development. It can be scaled appropriately. Make it work for the lion's share of the affected parties.

(02:39:58):

Don't equivocate, okay, don't. Don't come back with R 3 2 8 plex units on that 1.04 acres given the physical and social infrastructure of the neighborhood is not good. It won't work. Make a clear statement tonight. Keep it R two. A vote for R four is an anti neighborhood vote. Modest neighborhoods like the one we're talking about here are the principal source of attainable housing, two and three bedroom slab on grade, single family attached with the common wall. Personal designations, legal descriptions. We have a lot of those in our neighborhood. They're great. Make sensible decisions. You all can talk about three bedrooms, two baths, two car garages west of K 10. That's a development path that you're encouraging have at it. What you need to remember here though is that the modest forms that this neighborhood possesses, these are critical capital resources. As we move in the 21st century, we have to keep that attainable housing stock. You've got to have opportunities to make the filtering model work. You've got to have opportunities for people to move into home ownership. We're not NIMBYs, okay? We want development, but it has to be sensible. Infield development. Please do the right thing. Our two's the way to go. Thank you for your attention. Thank you Mr. Englehart.

Speaker 2 (02:41:54):

Anybody else in the room? Sherry, anybody online?

Speaker 4 (02:42:01):

We have a few. I'll get them moved over. Romero Murray.

Speaker 42 (02:42:24):

Hi. Yeah, can you hear me?

Speaker 2 (02:42:26):

Yes. Yes sir.

Speaker 3 (02:42:32):

Go ahead.

Speaker 42 (02:42:32):

Hi, my name is Daniel Murray. I'm a resident of Deerfield 5 39 Millstone Drive to be exact. I've lived in Lawrence for over 20 years. I grew up here. I guess I wanted to address a couple of things. A lot of this reminds me of the parable of the Good Samaritan. I'm a priest's son, so our deacon son, so this is something that we grew up with a lot and in the parable of the Good Samaritan, there's the man who's on the road and the two people walk by him. The third man takes care of him and the disciples ask Jesus, who is my neighbor that I guess I want to ask everyone who's opposed here? Who is my neighbor? Because your neighbor is not just the people who are in the single or the duplicates or maybe the four square housing. Your neighbor is the people who are unhoused. Your neighbor is the people who would like to be in Lawrence, but they can't afford it, right? Your neighbor is not just the people in your immediate vicinity. It's not just the people whose names.

(02:43:46):

I grew up in this house. I grew up 5 39 Millstone Drive. We are literally right catty corner to an apartment complex. I don't understand what people are talking about when they say, oh, we can't learn to ride our

bikes. I learned to ride my bikes in the apartment complex when it burned down. I rode my bike on the rubble of the apartment complex. I rode my bike on the new apartment complex. The people who live in that apartment complex, they're my neighbors. They know my dog's names. They come out, they pet my dog. They're safe people. Just because somebody lives in an apartment complex doesn't mean they're a danger to your child or to you. I want be able to think about what happens if you don't do this right? Because there's this tendency to think, okay, you're not harming anybody if you don't do anything, but that's not true. I mean, every day that we persist in this self-imposed housing shortage, people suffer every day that we don't build more housing, people suffer. I would like to ask the city to approve the rezoning to our four to help our neighbors, both the ones whose names we know and the ones whose names we don't. Thank you very much. Thank

Speaker 10 ([02:45:09](#)):

You.

Speaker 4 ([02:45:19](#)):

Kirby Evers.

Speaker 43 ([02:45:25](#)):

Can you hear me?

Speaker 2 ([02:45:26](#)):

Yes sir.

Speaker 43 ([02:45:28](#)):

Alright. Yeah, you got one heck of a decision here. I think you're at a place where either way we get housing out of this, which is nice. That being said, if it's going to be high density, y'all better do it right? We need to think about city walkability and it's more than just putting in sidewalks. We need to think about whether there can be corner stores attached to something that creates a third place that people can go to within the neighborhood to enjoy or somewhere that has some utility to it. There's that as an aspect. If you can't really incorporate something like that into this high density planning, I'd say yield to the neighborhood. That being said, we do have a housing crisis here in Lawrence. We have the issue of homelessness in Lawrence and we can't have the city kind of scratching his chin whether to ban camping or not or something like that and not then have increased shelter for people. So I don't envy your position here. I'm not going to lie. It feels like a incredibly difficult decision to make, but I think that's what needs to be considered. I have a good one.

Speaker 2 ([02:46:48](#)):

That's all the comments. Okay, thanks for all the comments. Commissioners. Back to item two. Any questions for staff or things that came up while we got public comment that you'd like

Speaker 3 ([02:47:02](#)):

A couple full staff? First question, I guess just so everyone knows what would happen regardless of what we do with the zoning, but what's the next processes for someone to develop this on site planning and so forth? What's the process?

Speaker 21 ([02:47:27](#)):

So if the property is rezoned or even if the property is not rezoned, they have to file for a site plan application that has to go through the site planning process, which does include all of the relevant studies. Those are not required for rezoning, but they are required for the site planning process. That would include a traffic study, drainage study downstream, sanitary sewer. All of those things would be required in that site planning process. Once site planning is approved, then building permits would be required as well. So that's the process for this.

Speaker 3 ([02:48:01](#)):

And how would that process include when you mentioned the traffic study? I would ask about that next, but what about the stormwater issues?

Speaker 21 ([02:48:12](#)):

Yes, that would all be part of that site planning and the applicant might be able to answer some questions in more detail. We have not seen the site plan. It has not been submitted yet, so we have only seen the concept, but it sounds like they maybe have fleshed out some of the drainage issues, but that would all be reviewed through the engineering division or MSO, our municipal services and operation as part of that site planning review.

Speaker 3 ([02:48:36](#)):

Now, if the owner of the lot decided they wanted to build a bunch of duplexes and they wanted to subdivide the lot into a bunch of duplexes, would there be any traffic studies or addressing the water issues after a subdivision?

Speaker 21 ([02:48:56](#)):

So a couple of things there. If you mentioned two things, if they were going to duplex, just do duplexes potentially on the lot as it exists as maybe a courtyard development or something of that nature. Again, they have the challenge of the multi zoning districts. If they were to subdivide the property, that is a platting action. If it's more than four lots, then it would be a preliminary and final process. If it is four lots or less, that is a minor subdivision process. The minor subdivision process is administrative, unless there are dedications of easements or right of way that would come before the city commission if it is a preliminary and final plat process. For instance, if they're trying to get multiple lots on there, more than four, that the preliminary development, preliminary plat process is a public hearing item. So that goes before the planning commission and the city commission. And then the final plat is the administrative piece.

Speaker 3 ([02:49:54](#)):

Okay. Traffic study. We do have a lot of apartment complexes next to single family and often the question is having the parking lot go towards the busiest street as opposed to going towards the residential street. Has the city looked at all about the concept plan says no exit onto Michigan, has the city looked at that at all as whether or not that's the appropriate design?

Speaker 21 ([02:50:25](#)):

Yeah, again, so there is not an intensive review for a concept plan associated with the rezoning that would come later with the site planning process, but they do look at those things where access is feasible, what is the street category that's adjacent to? Is it a local street or is it a collector street? Those things are all analyzed during that site planning process. Collector Street Michigan is a collector street that is a busier street. So as far as one of the criteria points for the rezoning is whether or not access is for the higher districts. Those higher intensity districts, they're intended to have locations adjacent to those collector

streets. So this already exists, so that is a collector street next to that one side of the property. So that is also one thing they would look at as far as access and parking and how to get that parking in and out of the site.

Speaker 3 ([02:51:20](#)):

Okay. I have a couple of questions for the developers, but if others have questions for Please go ahead, Catherine. No, go ahead.

Speaker 20 ([02:51:28](#)):

Go ahead. No, I was just wondering, kind of curious, would it be possible, I mean granted it would be up to the developer itself if they could go all to R three on this.

Speaker 21 ([02:51:44](#)):

So we do have what is called the lesser change table, which does give the governing body the authority to reduce the ask from what is being asked for the rezoning to any district lesser than. I would caution you that on this particular ask that the ask is only for a portion of the property. So if you were to go with the lesser change table, it is only relevant to that portion that they are asking for. So you would still have that split zoning designation. If you're going to an R three designation, again, you may want to check in with the applicant. I think planning staff would recommend that they either withdraw the application and reapply if that's the route that they want to go, or you would have to deny this application and then they would have to reapply if that's the route you would want to go. Because the legal notice that we sent out is only for that

Speaker 20 ([02:52:40](#)):

Piece

Speaker 21 ([02:52:41](#)):

PSA that not the P of it, not the entire parcel.

Speaker 2 ([02:52:44](#)):

Okay. Mr. Larson, do you have any questions? That was actually I was going to ask you. Okay, cool. I think that's it for now.

Speaker 3 ([02:52:54](#)):

Okay. I have a question For the developer land plan maybe have you looked at exiting onto Michigan Street as opposed to exiting onto the residential street?

Speaker 22 ([02:53:09](#)):

My initial design started with an exit. It's awfully close to third Street anyway. Any way you cut it in the driveway to the south, you'll see a similar distance with LMH, but in my head it'd be a variance request and it'd be just another hurdle. And to me it made more sense to circle traffic through the lot the way it's designed, circle basically from the north and then out to Florida Street.

Speaker 3 ([02:53:46](#)):

Okay. And have you looked at any of the drainage issues? I mean I know you have a drainage pond in the concept plan.

Speaker 22 ([02:53:53](#)):

Yeah, to the previous point. I will add that part of my design is circling fire department and sanitation through and everything just worked better the way the lot lays the low spots in the northeast corner.

([02:54:06](#)):

And so every design I experimented with several designs and everything made a lot more sense to have the access off of third and Florida. So of course we are responsible for all mitigating all onsite storm water and treating it before it hits the city system. And so by eliminating our access to Michigan Street, I was able to have a large enough area for our bio retention as we recently started moving into this water treatment, which I'm a huge fan of, you have to leave room for it in your design. And so that room was left to have a nice bio retention area before it enters the city system.

Speaker 3 ([02:54:53](#)):

Okay, thank you.

Speaker 2 ([02:54:56](#)):

I wanted to ask you one question if that's okay. I thought I had asked this question before, but had you studied the current lot with its existing zoning designations based for density and did you come up with a number that you could build on here? I think I asked that one to make sure I would clarify that. Was it

Speaker 22 ([02:55:13](#)):

24? Yeah, I came up with 23 units. We have, of course, a third of the property is already zoned in the R four. Correct. So using that and then using the new code with the dwelling units and accessory dwelling units and just kind of adding everything up.

Speaker 2 ([02:55:31](#)):

Currently, I didn't lay it out probably more or less to develop between 20 and 24 units on the land as is

Speaker 22 ([02:55:38](#)):

As it sits. And my thinking is instead of just a bunch of cut up puzzle pieces, one pretty nice building and a lot that functions for sanitation and fire and stormwater, and I think we reached that. So

Speaker 2 ([02:55:58](#)):

Does the number of units you have, I guess this is the last question relative, I think we've created 24 on this site plan 24, okay. This is just, you're just throwing an idea here. None of this means anything from a legal standpoint really. I want to make sure everyone's clear on that. But from what you've shown, what else could you do with the existing zoning? How would you arrange this layout to speak to that? Because since you can build more or less 20 to 24 units on the land as is, how would you create that density?

Speaker 22 ([02:56:35](#)):

What it could look like is a four story building in the existing R four zoning. So you could go up and then you're getting into some real code here, but then you splitting lots up around and you probably driveways on all three streets

Speaker 2 ([02:56:58](#)):

For ingris and egress. Okay.

Speaker 22 ([02:57:00](#)):

Yeah. Alright. I mean I didn't get that far, but you'd have to get real creative on how you laid the lots out and meet minimum width and basically just pack a bunch of stuff in there and you kind of lose the open space and

Speaker 2 ([02:57:16](#)):

Thank you very much. I think that was what I was trying to get at.

Speaker 5 ([02:57:19](#)):

I did have one question for land plan. So you're saying that the way the property is today that you could get 23 to 24, is that what you said?

Speaker 22 ([02:57:28](#)):

I did a basic density calculation using the split zoning and so I basically took the acreage of the existing R four and calculated how many units we could get and then how many units I could get in the existing R two based on density. And within those zonings

Speaker 5 ([02:57:47](#)):

On the R four it would require a four story you say?

Speaker 22 ([02:57:51](#)):

I think you can go up to four story. Ask my planning friends. Yeah, so please can you answer there? Yeah, so basically on the existing R four you'd be building up instead of out. So I liked this because it's just a two story attractive building.

Speaker 10 ([02:58:16](#)):

Thank you.

Speaker 22 ([02:58:17](#)):

Fits within the property.

Speaker 10 ([02:58:20](#)):

Thank you. That's it.

Speaker 2 ([02:58:29](#)):

I think we had a question about density. I think, did you want to get that answer

Speaker 5 ([02:58:35](#)):

From

Speaker 2 ([02:58:35](#)):

Staff? About what

Speaker 21 ([02:58:38](#)):

Height?

Speaker 2 ([02:58:39](#)):

Yes. On the height. I think it was four story question. Yeah.

Speaker 21 ([02:58:42](#)):

Yeah. So the R four district does permit 45 feet in height, which is basically four stories. So I think what Corby is describing is that they could potentially subdivide the parcel, use the squareish area that is already R four, do a four story building there, maximize the density, and then they could subdivide the north portion. That's currently the R two, potentially getting six or seven lots there. And so he was saying he could either do duplexes there or single dwelling or attached. Those are all permitted in the R two district. And then they would have access multiple access points off of third street. I think that's what he was describing. Thank you. Yep. That would require the platting process though.

Speaker 2 ([02:59:31](#)):

Thank you. Okay. Any other questions for me? No, from the commissioners, not from the public, sorry. Alright, did you

Speaker 20 ([02:59:49](#)):

No, I'll just kind of, I think everybody knows where I lie on this. I'm not entirely comfortable given the rest of the neighborhood to the west is zoned R four, but there are no R four buildings there. They're not. So I just thought that R three would be a happy medium between the two, between the R two and R four if that could somehow be possible. Now granted, what developers said is they'd have to go up and subdivide the subdivided, put the tall building on R four and that is if it was staying at the current split of R four R two. Now if it was R four, R three, it's some sort of changes being made. But right now as it is, I can't see myself approving it. Appreciate that. Thank you.

Speaker 3 ([03:00:46](#)):

I guess I'll jump in and certainly the tricky part of this to a certain extent is that you have a large RM 24 now what we call R full district that is currently being used with a lot of single family detached. And as the time I've been on the planning commission for six years and then since I've been on the city commission, when I look at zoning issues, I really want to look at the compatible zoning next to it. I mean it's very common to say I live next to an R 24 zone. This has happened in lots of places along in the city, right? There's a single family neighborhood and then there's the house. They buy a house that's right next to an arm 24 empty lot and for 10 years it's green space and it's an empty lot. And someone says, Hey, I wanted to build an apartment complex.

([03:01:52](#)):

And the neighbors come in and say, one, it's an empty lot and I like the empty lot. And two, hey, we have single family houses, why would you build an apartment complex right next to my single family house? And the answer is, well, it's zoned all 24. That's what you build apartment complexes and it is next to your house. But it was that way when you purchased it. So I mean I look a lot at the zoning that is there. And this is not going to make something, I don't say this to scare the neighbors I guess, but along Tennessee and Kentucky you have an arm 24 zone whether people are taking small single family starter homes and putting in very large full story three story apartment buildings there right around 19th and Kentucky and that's perfectly legal and they're taking very small houses and putting very large properties on there.

([03:03:01](#)):

That could happen on any lot in that arm 24 neighborhood. Now on four, I should use the right term for neighborhood. It could happen on any of those lots. So if someone did that across the street from this

would then be appropriate. Where do you draw the line between what's allowed and what is there? And so I tend to look at the zoning that is there in what is possible more so than I look at the use and in particular on this lot because it is part of it is RM 24 already and I tend to say it should be all M 24.

(03:03:50):

I do think, again, there's lots of engineering reasons not to be the case, but generally speaking when we hear about concerns about street traffic, it is because where are you exiting the people from the apartment complex? And I think it definitely should be looked at to whether or not you should exit the folks on Michigan onto a collector. Maybe that's not engineering the possible, maybe the city wouldn't agree with that, but I do think that's an issue that we often hear from neighbors. Don't exit them into my neighborhood. I have small children going down these quiet streets. So I do think that's something we want to look at. And I guess finally I would say I am in the camp, my lot is catty to adjacent and touches an apartment complex.

(03:04:43):

There's a lot of kids in that apartment complex. They ride their bikes, they great people. I do think the fact that this is across from the hospital, I think you have a shot that you'd have traveling nurses, you would have folks who wanted to work at the hospital. You're close to the school district, you're close to the turnpike. I do think this is a place where you could get lots of great neighbors who their kids would be riding down third street and their kids, they'd be looking to invest in the neighborhood. So I'm going to support this project.

Speaker 5 (03:05:28):

Okay.

Speaker 2 (03:05:31):

Mr. Sellers, do you want to?

Speaker 5 (03:05:33):

Yeah, boy, this is a tough decision. The idea that you can still get basically the same number of units in there as the property is currently zoned. I'm going to not support this for that reason because getting the same number of housing.

Speaker 2 (03:05:52):

Okay. Commissioner sellers, do you want to speak to anything before we,

Speaker 6 (03:05:56):

Catherine real quick From with the four decision I was trying to remember, I didn't get to watch that one. What were some of the pain points in that four four decision?

Speaker 21 (03:06:12):

So again, I think it came down to half the commission was in favor of the progress and half the commission had the similar concerns that the neighbors had presented. I think all of the talking points from the planning commission had been presented tonight. It was traffic in density and character of the neighborhood the applicant has addressed, tried to address some of those. The initial proposal that came before the planning commission that was denied. They did reduce what was asked at that planning commission meeting. So I think some of the talking points were addressed, but again, the commission was just split. I don't know that any particular talking point has not been mentioned tonight. So yeah,

Speaker 6 ([03:07:04](#)):

I appreciate that. Looking at this, I know we've gone back and forth a little bit about infill development and what that means. And I don't think we've had an infill development project come before us that didn't come with some concern and use of language around neighborhood and character and things of that which are valid points for renters and homeowners and those of would like to make infield developers is not easy development. If it was, then municipalities would've been doing it a long time ago and we wouldn't be talking about how much of a dire need for housing this whole entire nation needs. Not just little unmistakable identity. Lawrence as a renter, as someone that lives in an apartment, I too like neighborhood. I like to watch folks walk their dogs. I walk the path where I live, I see folks riding their bikes. We don't have a lot of kids where I live, but we have a lot of older folks aging in place.

([03:08:19](#)):

So I see all these things and I think what I'm dissecting from some of the conversations and talking points that have come up is a lot of assumption of a what if. And there were some points that Commissioner Finkel spoke to that I am in agreeance of that we get to this point that for some reason apartment we're capping it around density, yes. But that this type of housing, not only is it not in character with the neighborhood, but then it's not in character with the neighborhood because of who would potentially live there. And I've heard talking points from the whole to speak to that. And I think there's value in that. I don't weigh that as much because I'm a renter, so I like quiet too. I understand there's congestion. I would love to be in a neighborhood. I think that speaks to the mix use of housing in a community and how we should have been building.

([03:09:26](#)):

Pinkney is a older neighborhood. It was an older, predominantly black neighborhood where there are many families that still live here that once own homes in those neighborhoods that don't own them anymore. And so the idea of I am looking at not just the map, but just looking at character and opportunity for infill development projects. This is for some may not be considered an easy one. I'm not saying that it's easy. I think what we can learn from this is when a developer comes in recognizing the potential to what they can do and how we can balance that and create something that as the process continues to go along, that we rerun the final say of what the aesthetics will look like, the character will look like, so that it does speak to that of those who currently live there as well as those who could potentially make that place home. So this is our first test where we intersect development code with infill. And I am proud of what this work can do and how we can continue to move it forward. So we need more projects like this that I believe is not going to take away from the character and charm of the neighborhood. I don't believe that. I don't believe it's going to take away from values of neighborhoods. I think there's a way to look at this as revitalization and not necessarily as the world closing in on home ownership. Is it perfect? No.

([03:11:10](#)):

Could I ask for something a little bit less? Maybe, but I don't know if less would make this even better for everyone, but I think this was something that was presented to us where there was a drop, there was an opportunity to say we put 24 units here. These are 24 units that could house a family, an elderly couple, a nurse, a firefighter, whoever. But it is a project that I support and I think that it is an infill project that could really help be a model for other projects that I hope we can see as a commission. So I'm going to support a vote on this.

Speaker 2 ([03:11:47](#)):

Thank you. I think I just want to address two things. Most of the commissioners have done a really good job of sharing the pros and the cons on this. But the fundamental idea that this land is sitting vacant and has sat vacant for 60 years, more longer since it's been platted, the northern section and the smaller section, only one time had a six or 700 square foot home on it in the past, I believe. So this land's been

sitting empty for many, many years and we need to strive to build housing where jobs are. And if this is not a definition of that template, I cannot imagine what is. The developers already indicated that they could do some brutal development here, building taller than we might like as neighbors, but in order to gain the necessary density to make the project work, I mean that's a possibility as is.

(03:12:37):

But I believe that the fact that at some point in time the city drew a line down these parcels and said, this is this and this, that does not really indicate that this parcel's ready for development. So the line needs to be removed. I think that's one of the reasons why it's set empty for this long. That's just my speculation based on my historical review. And then the most important thing we need to know is that people talked about what the planning commission has to consider and what the city commission has to consider. And I hadn't had the opportunity to serve on the planning commission, but I know that Vice Finkel die has, and I have other people that I do know who they need to consider different items and we need to consider, our goal is as commissioners is to take advice and hopefully good, good advice from our commissions and then use that in formulating our opinions that are based on other guidelines.

(03:13:33):

And so although I agree with some of the comments made about this split decision on the planning commission, ultimately what they afforded us was to make a decision on this without a super majority. And that's about it. So for me, as a person who would like to see this land developed near one of our largest employers in our community with the type of housing that will serve the type of people that need it the most, I feel like this is an opportunity for us to walk the walk on density. And I think Mr. Seller said it right. We need more of these opportunities where people can get the job done. And I would be in favor of the change because from what I'm hearing, if we allow the change, we may get a more friendly lower rise and more aesthetically pleasing site plan along with leaving some green space, some trees and other things open that we may not get through other brute force tactics.

(03:14:23):

So for me, as a leader of the city, I feel like I need to look at that and consider that as an opportunity to do a better job on this development if we do this, as opposed to trying to force this or shoehorn this into a parcel and then try to make it work down the road. So for me, I'd like the houses as soon as possible. I'd like the density where the jobs are. And for me, the fact that this lot is set empty for more than 50 years, the northern portion of it tells me that there's either difficulty in developing this site that the developers don't know about or this is just a tough place to put single family housing, I guess. So here we are. And so I think I'd like to move in favor of the changes.

Speaker 3 (03:15:05):

Ready for a motion?

Speaker 2 (03:15:07):

Yes.

Speaker 3 (03:15:08):

I move to approve the request to rezone z dash 25 dash zero one approximately 0.69 acres located on the southwest corner of West Third Street in Michigan Street from all two district to all four district based on the findings presented in the staff report and adopt on first reading ordinance number 1 0 1 3 2.

Speaker 6 (03:15:26):

Second

Speaker 2 ([03:15:28](#)):

Motion by Vice Mayor Finkel Deis, second by Commissioner Sellers. All in favor say aye. Aye. Aye. Those opposed? Nay. Nay. Okay. The motion passes three, two with Littlejohn and Larson. Oh, right.

Speaker 20 ([03:15:46](#)):

I think so.

Speaker 2 ([03:15:47](#)):

Yeah, sorry. Okay. Thank you for sticking. We're going to take a five minute or 10 minute break. Five minutes. Five minutes. Five minute break. We'll reconvene here in about 1116, or excuse me, eight 16. Okay, we're back. I'm going to go ahead and start the meeting again. We're going to move on to item G, which is the commission items. Thank you. Commission items. Do any commissioners have anything they want to bring up at this point? No. Okay. And then we've got a future agenda item report.

Speaker 3 ([03:22:08](#)):

Sherry, just a question on the future agenda. The June 10th?

Speaker 4 ([03:22:12](#)):

Yeah.

Speaker 3 ([03:22:14](#)):

Has that been moved to June 10th and we just have it in two places, or

Speaker 4 ([03:22:17](#)):

Do

Speaker 3 ([03:22:17](#)):

We know yet? It's

Speaker 4 ([03:22:18](#)):

An error and I'm sorry, I didn't catch that. The community health plan is moved to the 10th, which would mean that those other items are on the last meeting in June. One 18th.

Speaker 2 ([03:22:29](#)):

Oh, okay.

Speaker 4 ([03:22:31](#)):

Sorry about that.

Speaker 2 ([03:22:32](#)):

See, this should be June 3rd. I haven't noticed it.

Speaker 4 ([03:22:36](#)):

We don't have any regular agenda items. It's just consent items at this point, but we're working on it.

Speaker 3 ([03:22:42](#)):

Okay, got it. There's a small chance I will not be here on June 10th, but I'll let you know soon. My daughter gets married that week

Speaker 20 ([03:22:55](#)):

Trying

Speaker 3 ([03:22:55](#)):

To decide where I'm leaving town in Wyoming. So.

Speaker 10 ([03:23:01](#)):

Nice.

Speaker 3 ([03:23:01](#)):

My wife's daughter and I might have differences of opinion about when we leave, when to leave, but we'll find out. Okay, that sounds

Speaker 2 ([03:23:09](#)):

Good.

Speaker 6 ([03:23:10](#)):

And then just as I'll confirm the first part of June, Sherry?

Speaker 11 ([03:23:16](#)):

Yes,

Speaker 6 ([03:23:18](#)):

But I probably won't be in person for the July 15th meeting.

Speaker 4 ([03:23:24](#)):

Okay.

Speaker 6 ([03:23:26](#)):

But I should be remote, but I'll confirm that.

Speaker 2 ([03:23:34](#)):

Okay. Alright. All right. Let's look at city manager's report.

Speaker 44 ([03:23:45](#)):

Thanks Mayor. There's two items on this report, what is now a recurring report from the police department as well as our utility billing report.

Speaker 2 ([03:23:57](#)):

Okay. Any questions for the city manager on his city manager report?

Speaker 6 ([03:24:02](#)):

I a mayor, I had a quick question. I didn't know if the chief was on answer

Speaker 2 ([03:24:11](#)):

This monthly report.

Speaker 6 ([03:24:15](#)):

Yes. And I was looking for it. Oh, okay. So on page four, under safe and secure number five. So that chart that shows a total of calls that were alternative serviced, is that number reflected in the total number calls on page three in that first line of total CFS? That was my question.

Speaker 10 ([03:25:02](#)):

Okay.

Speaker 2 ([03:25:06](#)):

Is chief online

Speaker 10 ([03:25:10](#)):

Maybe?

Speaker 44 ([03:25:19](#)):

I'm not sure we have the answer for you tonight, but we will reflect that and that's an update that we can include regularly and so we differentiate in those total numbers each time.

Speaker 2 ([03:25:29](#)):

Thank you. Is that all? Okay. Thanks. Alright. Public comment on the city manager's report,

Speaker 34 ([03:25:40](#)):

I noticed a glaring discrepancy in that report. Less than half of the crimes committed in this town get solved. I mean to see the police department's page and all the media they put out, boy, they catch everybody. Less than half of the crimes that get committed here are solved. And that was a city manager's report. Your city manager should be able to answer the question. It's too bad that he can't do his job.

Speaker 2 ([03:26:08](#)):

Thank you. Any other comments on the city manager's report? Okay, anybody waiting online?

Speaker 4 ([03:26:22](#)):

There is not. And can I clarify, I just wanted to double check since they're on the agenda. Future agenda items, they're all on the 10th,

Speaker 10 ([03:26:33](#)):

So

Speaker 2 ([03:26:33](#)):

We

Speaker 4 ([03:26:33](#)):

Just got two headings in there. So those are all the 10 items.

Speaker 2 ([03:26:40](#)):

Very good. So all items that are listed will be on the same day on June 10th?

Speaker 21 ([03:26:43](#)):

That's correct.

Speaker 2 ([03:26:44](#)):

Okay.

Speaker 21 ([03:26:45](#)):

I'm sorry about the confusion.

Speaker 2 ([03:26:47](#)):

Okay. Alright, so we'll go ahead and move on to the commission calendar, no comments then go ahead and end the live broadcast at this point in time and give anyone who needs to lead the room an opportunity to do so. And we will go ahead and open public comment up in just a minute. And I'm going to read some comments about open public comment. The public is allowed to speak on issues or items not scheduled for discussion on the agenda. Comments should be limited to issues and items germane to the business of the governing body.