

PLANNING COMMISSION REPORT

Regular Agenda – Action Item

PC Staff Report
9/22/08

ITEM NO. 3 Amendment to the Southeast Area Plan (MJL)

CPA-2008-11: Consider amending the Southeast Area Plan to change the area designated for high-density residential north of 25th Terrace to Community Commercial and change the Land Use Descriptions in applicable areas to reflect the change.

STAFF RECOMMENDATION: Staff recommends approval of this comprehensive plan amendment to *Horizon 2020* to amend Chapter 14, Southeast Area Plan to change the high-density residential area designation north of 25th Terrace to the community commercial designation and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval and recommends authorizing the chair to sign PC Resolution 2008-08 regarding this amendment.

SUMMARY

An applicant requested an amendment to *Horizon 2020* to amend the *Southeast Area Plan* to change the designation for an area north of 25th Terrace between O'Connell Road and Exchange Place that is currently designated as high-density residential to community commercial.

STAFF REVIEW

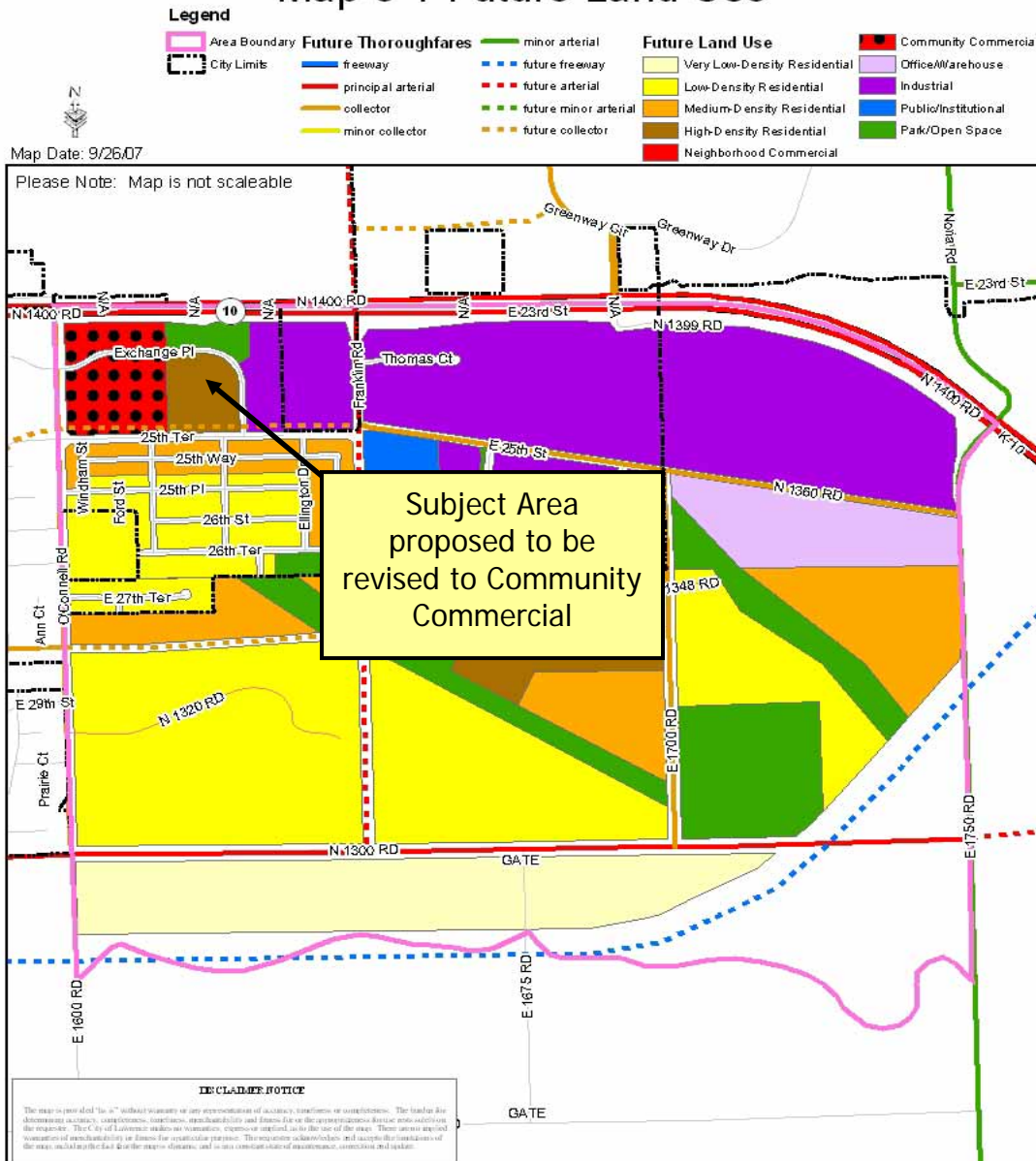
The applicant is requesting a rezoning at the southeast corner east of O'Connell Road, north of 25th Terrace and south of K-10 Highway to CC200 District. The recently completed *Southeast Area Plan* identifies this area as a mix of commercial, high-density residential and industrial uses and the applicant wishes to develop the commercial and high-density residential area into a community commercial center. Because of these plans, the applicant is requesting the high-density residential area to be redesignated as community commercial use. [See attached Southeast Area Plan future land use map] The designations for this area were based on pending and approved rezoning requests that were approved in 2006 that rezoned the area to industrial, commercial and high-density residential zoning districts.

The intersection of K-10 and O'Connell Road was previously identified as a neighborhood commercial center in *Horizon 2020*. As part of the implementation of the *Southeast Area Plan*, the designation of that intersection was changed to a community commercial center, CC200 center. A CC200 center allows up to 200,000 gross square feet of commercial use and a neighborhood commercial center allows up to 100,000 gross square feet of commercial use. The neighborhood commercial center stipulates commercial uses on one corner of the identified intersection and the CC200 center criteria do not stipulate the number of corners of the intersection which the commercial center can be located.

The applicant has stated that the current commercially designated 21 acres is not large enough to develop a CC200 center and is asking for the high-density residential use identified in the

Southeast Area Plan to be changed to community commercial center. The development will be required to obtain zoning and site plan approval and with these additional approvals needing to be completed, it will allow for review opportunities for the regulation of the gross square footage maximums set out in *Horizon 2020*, CC200 center criteria. The designation of additional land area will provide opportunities for site layout and landscaping amenities while still maintaining commercial uses with a maximum cap of 200,000 gross square feet.

Southeast Area Plan Map 3-1 Future Land Use



Staff reviewed this amendment based upon the comprehensive plan amendment review criteria listed below and identified in Chapter 13 (Implementation) of *Horizon 2020*.

COMPREHENSIVE PLAN AMENDMENT REVIEW

A. Does the proposed amendment result from changed circumstances or unforeseen conditions not understood or addressed at the time the Plan was adopted?

Applicant's response: Our current zoning, which has been in place for a few years, was granted without and area plan being in place. The amount of acreage does not provide enough room for a CC200 development.

Staff's response: The intersection of K-10 and O'Connell Road was previously identified as a neighborhood commercial center. As part of the adopted of the *Southeast Area Plan*, the designation of that intersection was changed to a community commercial center, CC200 center. Staff was unaware that the acreage previously approved to be zoned was not sufficient for a CC200 development and identified the area as originally proposed by the property owner. Currently the property identified as a community commercial center in the *Southeast Area Plan* is approximately 21 acres in size. The area identified as high-density residential is approximately 10 acres in size. If approved, the community commercial area would be approximately 31 acres in size and would need to develop under the criteria outlined in *Horizon 2020* for the CC200 center. *Horizon 2020* states that CC200 centers can have no more than 200,000 gross square feet of commercial space and no store shall occupy more than 100,000 gross square feet. (H2020 page 6-35)

B. Does the proposed amendment advance a clear public purpose and is it consistent with the long-range goals and policies of the plan?

Applicant's response: The CPA will allow zoning to be approved which will facilitate the *Southeast Area Plan*, and serve the interest of the community as a whole.

Staff's response: The plan identified, as part of the implementation, to change the designation of the intersection of O'Connell Rd and K-10 from a neighborhood commercial center to a CC200 center. This change was effective in July 2008. The change of this particular area of high-density residential would be consistent with the goals and policies of the plan.

C. Is the proposed amendment a result of a clear change in public policy?

Applicant's response: The *Southeast Area Plan* calls for the intersection of E. 23rd and O'Connell Rd. to be a CC200 Center. The CPA will allow zoning to be approved which will facilitate the *Southeast Area Plan*, and serve the interest of the community as a whole.

Staff's response: At the time the area at the southeast of the intersection of O'Connell Road and K-10 Highway was originally requested for rezoning, the intersection was identified by *Horizon 2020* as a neighborhood commercial center. A neighborhood commercial center allows for 100,000 gross square feet of commercial uses. As part of the adoption of the *Southeast Area Plan* the intersection was reclassified for a CC200 center and changed the public policy in

Chapter 6 of *Horizon 2020*. This proposal would be helping to implement that change in policy to allow development of a CC200 center.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends approval of this comprehensive plan amendment to *Horizon 2020* to amend Chapter 14, Southeast Area Plan to change the high-density designation north of 25th Terrace to the community commercial designation and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval and authorize the chair to sign PC Resolution 2008-08 regarding this amendment.

Below are the proposed changes to the *Southeast Area Plan*. Section 3 Recommendations starting in page 3-1 in the plan. Changes are made to the map below and the highlighted and struck through text is proposed to be removed.

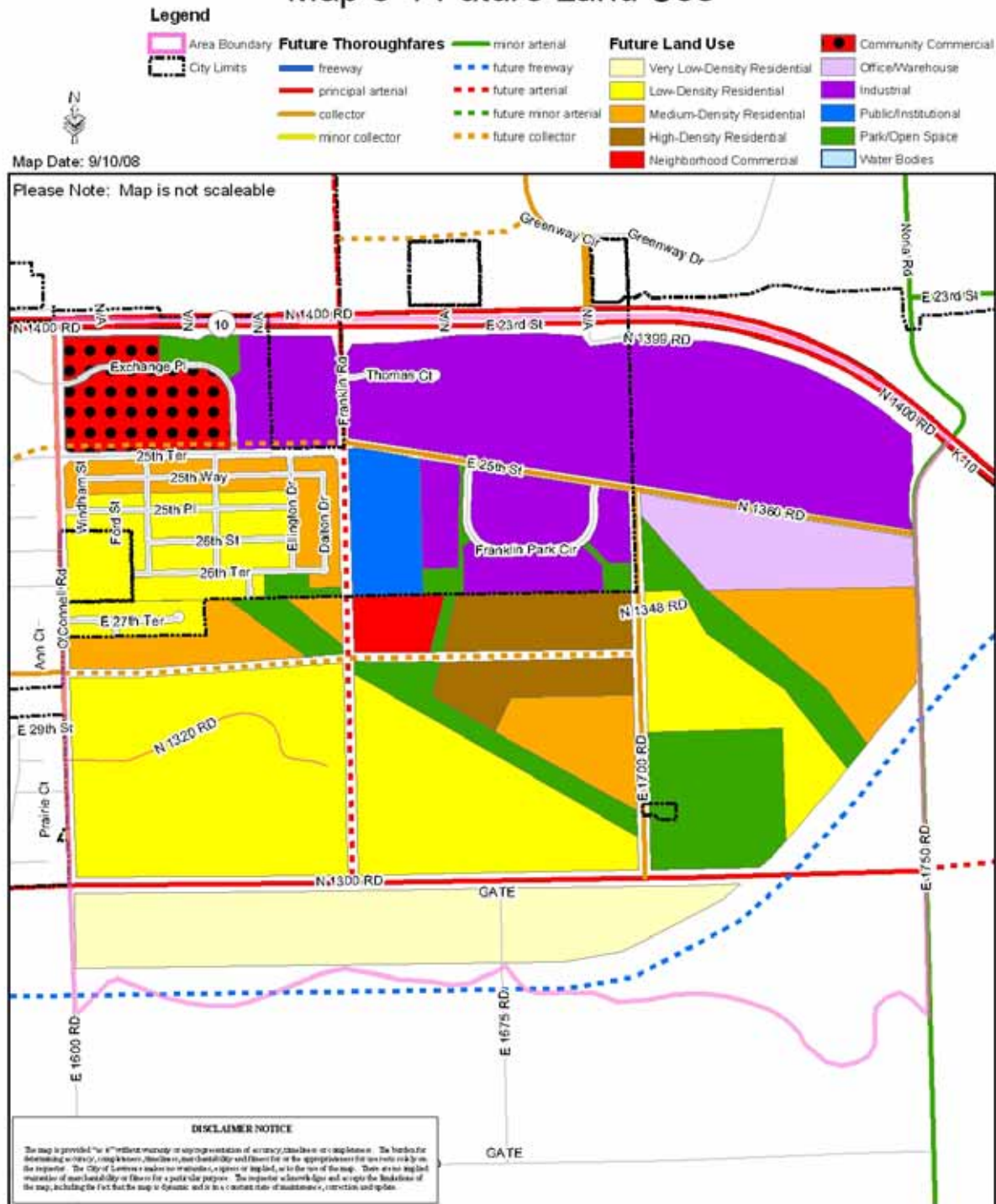
3.1 Land Use

This section outlines the recommended land uses for the planning area. The future land use map and land use descriptions are explained on the subsequent pages. The map is an illustration to help visually identify the different areas as they are designated. The land use descriptions are more detailed information regarding the different land use categories. These are recommended uses within the planning area. The official definitions and the permitted uses within each zoning district are outlined in the use tables that are located in the *Land Development Code* for the City of Lawrence. The map and text descriptions must be used in conjunction with one another in order to obtain the complete recommendation for each particular area.

Map 3-1 provides a general concept for the location of recommended land uses in the Southeast Area. It is not intended to provide a scaleable map for determining specific land use/zoning boundaries within this area.

Southeast Area Plan

Map 3-1 Future Land Use



3.11 Land Use Descriptions

Very Low-Density Residential:

The intent of the very low-density residential use is to allow for large lot, single-dwelling type uses.

Density: 1 or fewer dwelling units per acre

Intensity: Very low

Applicable Area:

- Area south of N. 1300 Road (E. 31st Street) between O'Connell Road and E. 1750 Road (Noria Road).

Zoning Districts: RS40 (Single-Dwelling Residential), PD (Planned Development Overlay)

Primary Uses: Detached dwellings, group home, public and civic uses

Low-Density Residential:

The intent of the low-density residential use is to allow for single-dwelling, duplex, and attached dwellings but emphasis is placed on type uses.

Density: 6 or fewer dwelling units per acre

Intensity: Low

Applicable Areas:

- Area east of O'Connell Road, generally along the following streets: 25th Place, 26th Street, 26th Terrace, E. 27th Terrace, Ralston Street, Fairfield Street, and Ellington Drive.
- Area surrounded by O'Connell Road, E. 28th Street extended, Franklin Road extended, and N. 1300 Road (E. 31st Street).
- Area east of Franklin Road extended, north of N. 1300 Road (E. 31st Street), west of E. 1700 Road, and south of the Kitsmiller tributary.
- Area east of E. 1700 Road, north and east of the city future park property, and south of the tributary green space.

Zoning Districts: RS10 (Single-Dwelling Residential), RS7 (Single-Dwelling Residential), RS5 (Single-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), PD (Planned Development Overlay)

Primary Uses: Detached dwellings, attached dwellings, duplex, group home, public and civic uses

Medium-Density Residential:

The intent of the medium-density residential use is to allow for a variety of types of residential options for the area.

Density: 7-15 dwelling units per acre

Intensity: Medium

Applicable Areas:

- Area east of O'Connell Road, generally along the following streets: 25th Way, Ralston Street, Windham Street, Ellington Drive, and Dalton Drive.
- Area east of O'Connell Road, north of E. 28th Street extended, and west of Franklin Road.

- Area west of E. 1700 Road, north of the Kitsmiller Tributary, and just south of E. 28th Street extended.
- Area west of E. 1750 Road (Noria Road), north of the future alignment of the SLT/K-10 Highway, and east of the tributary green space.

Zoning Districts: RS5 (Single-Dwelling Residential), RS3 (Single-Dwelling Residential), RM12 (Multiple-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), RM15 (Multi-Dwelling Residential), PD (Planned Development Overlay)

Primary Uses: Detached dwellings, attached dwellings, duplex, multi-dwelling structures, group home, civic and public uses

High-Density Residential:

The intent of the high-density residential use is to allow for compact residential development.

Density: 16+ dwelling units per acre

Intensity: High

Applicable Areas:

- ~~Area northwest of the intersection of Exchange Place and 25th Terrace.~~
- Area northwest of the intersection of E. 28th Street extended and E. 1700 Road.
- Area southwest of the intersection of E. 28th Street extended, E. 1700 Road, and east of the Kitsmiller Tributary.

Zoning Districts: RM24 (Multi-Dwelling Residential), RM32 (Multi-Dwelling Residential), PD (Planned Development Overlay)

Primary Uses: Multi-dwelling structures, group home, civic and public uses

Commercial:

The intent of the commercial use is to allow for retail and service uses. A Community Commercial Center provides goods and services to several different neighborhood areas. A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level.

Intensity: Medium-High

Applicable Areas:

- Area southeast of the intersection of E. 23rd Street/K-10 Highway and O'Connell Road. (Community Commercial Center)
- Area northeast of the intersection of Franklin Road extended and E. 28th Street extended. (Neighborhood Commercial Center)

Zoning Districts: CC200 (Community Commercial District), CN2 (Neighborhood Commercial Center District), PD (Planned Development Overlay)

Primary Uses: Civic and public uses, medical facilities, eating and drinking establishments, general office, retail sales and services, fuel sales, car wash

Office/Warehouse:

The intent of the office/warehouse use is to allow for low-impact employment and warehouse uses that would be minimally evasive to nearby residential uses.

Intensity: Low-Medium

Applicable Area:

- Area south of N. 1360 Road between E. 1700 Road and E. 1750 Road (Noria Road).

Zoning Districts: IBP (Industrial and Business Park District), IL (Limited Industrial District), PD (Planned Development Overlay)

Primary Uses: Civic and public uses, health care offices/clinics, animal services, general office, business equipment sales, business support services, communication sales and services, building maintenance sales and services, construction sales and services, vehicle sales and services, research services, manufacturing and production limited and technology, light wholesale, storage and distribution, mini-warehouse

Industrial:

The intent of the industrial use is to allow for moderate to high-impact uses including large scale or specialized industrial uses geared toward utilizing E. 23rd Street/K-10 Highway for materials transportation.

Intensity: Medium-High

Applicable Area:

- Area northwest of the intersection of 25th Terrace and Franklin Road.
- Area east of Franklin Road, north of E. 25th Street and N. 1360 Road, west of E. 1750 Road (Noria Road), and south of E. 23rd Street/K-10 Highway.
- Area north and south of Franklin Park Circle.

Zoning Districts: IL (Limited Industrial District), IG (General Industrial District), PD (Planned Development Overlay)

Primary Uses: Civic and public uses, animal services, general office, building maintenance services, business support services, construction sales and service, vehicle sales and service, industrial facilities, general office, wholesale, distribution, and storage

Public/ Institutional:

The intent of the public/institutional use is to allow for public, civic, and utility uses.

Intensity: Variable

Applicable Area:

- Area southeast of the intersection of Franklin Road and E. 25th Street. (Douglas County Jail)

Zoning Districts: GPI (General Public and Institutional)

Primary Uses: Cultural center/library, school, utilities, recreational facilities, utility services

Park/ Open Space:

The intent of the park/open space use is to provide space for public recreational facilities and natural area preservation.

Intensity: Low

Applicable Areas:

- Area at the northeast intersection of E. 1700 Road and N. 1300 Road (E. 31st Street).
- Kitsmiller Tributary and the unnamed tributary, east of E. 1700 Road.
- Platted drainage easements.

Zoning Districts: GPI (General Public and Institutional District), OS (Open Space), UR (Urban Reserve)

Primary Uses: crop agricultural, cultural center, schools, active recreation, passive recreation, nature preserve, entertainment and spectator sports, participant sports and recreation outdoor, private recreation