

**ITEM NO. 5 CPA-2008-6; AMENDMENT TO H2020, CHAPTER 14 (DDW)**

**CPA-2008-6:** Consider amending Horizon 2020, Chapter 14 Specific Plans, to add a reference to and incorporate the West of K-10 Plan.

**STAFF PRESENTATION**

Mr. Dan Warner presented the fourth draft of the West of K-10 Plan.

Commissioner Harris inquired about why the southeast area of the plan needed to be high density residential.

Mr. Warner said there is Highway K-10, a major arterial Clinton Parkway, major intersection, and then the transition with the medium density, commercial, high density, and then the high density would run up E 902 Road a little farther. There are property owners in the area that are asking for higher density. Staff thinks it makes sense if the assumption is that the area will urbanize in the future.

Commissioner Harris said that the land owners want high density to get the best value for their land, but it may not fit the needs of the overall plan. She asked why the area next to this low density residential needs to be high density.

Mr. Warner said there is an urban pattern that has started to develop in that area with commercial and high density and it is on a highway and arterial road. He said the area should be balanced and the high density serves the plan as well as the property owners.

Commissioner Finkeldei asked if that area was high density now.

Mr. Warner said it is approved for high density, RM24 zoning.

Commissioner Harris asked if the red area on the map was designated as commercial.

Mr. Warner said that was correct, about 5 acres, and it is not developed yet.

Commissioner Dominguez asked if that was enough commercial.

Mr. Warner said there is also commercial on the other side of the highway.

Commissioner Rasmussen asked if part of that existing high density area has been developed.

Mr. Warner said that was correct.

Commissioner Moore said there high density compact homes, West of Lakepointe.

Commissioner Rasmussen said E 902 Road is showing connecting into Clinton Parkway and he wondered about the likelihood that E 902 Road would change.

Mr. Warner said if there is urban development in the area it will become a city street and that the information comes from Transportation 2030.

Commissioner Hird asked if the commercial area on the south edge labeled commercial-lake oriented was different than just commercial.

Mr. Warner said yes, there are lake oriented uses there, including boat storage.

Commissioner Hird asked if that was a separate type of land use.

Mr. Warner said in this plan yes, it is to accommodate the existing situation out there now.

Commissioner asked if the designation of lake-oriented precluded other types of development.

Mr. Warner said no, it would allow the zoning CC200.

## **PUBLIC HEARING**

Ms. Lee Radar, 916 N 1452 Road, pointed on the map where she lives. She thanked the Planning Commission and staff for listening to what the neighbors had to say. She said she is one of the neighbors that wants to stay living in the area and the neighbors wanting high density along Highway K-10 are the neighbors that intend to leave. She said it seemed like they were trying to cram a lot into a small space. She proposed a plan in keeping with the unique beauty of this portion of the city by leaving it as a mix of low and very low density. She did not feel there was a need for high density in the area. She was concerned about safety issues with the transition of N 1500 Road and E 902 Road with the bypass. She said that adding more density to the area will increase traffic. She said her property is the lowest property in the area and drainage goes through her property so she was worried about adding more density to the area. She said this area is unique and felt that it would be ruined by the proposed fourth draft of the West of K-10 Plan.

Commissioner Dominguez asked far the distance was from her house to high density.

Ms. Radar said maybe about ½ mile.

Commissioner Finkeldei asked if the plan proposed closing the South Lawrence Trafficway entrance.

Mr. McCullough said yes, longterm that is what Transportation 2030 calls for. He said Ms. Radar's house is less than 1,000 feet away from high density.

Commissioner Finkeldei asked Ms. Radar's thoughts about closing the intersection.

Ms. Radar said it would be a catawampus way for her to get home.

Commissioner Finkeldei said if it would be high density it should really be oriented to Clinton Parkway and K-10. To orient it any other way would send people on a wild goose chase.

Mr. Francois Henriquez, 1436 E 920 Road, thanked Planning Commission and staff for their work. Felt that the fourth draft was a good step forward. He felt that medium density should be used as transition on the east side of E 902 Road. He was not sure that the small area on the west side should be high density. He asked for a more reasonable transition.

Commissioner Dominguez asked if the plan is approved as it stands would a traffic study have to be done before any type of development is built.

Mr. McCullough said that was correct, a traffic impact study would be considered with any development proposal. He said the issue of West of K-10 is more of a policy decision versus a technically based decision whether it is safe or not to access K-10. He did not disagree with the merits of the discussion because there will have to be hard look taken at the traffic improvements for any future development to occur in the area.

Commissioner Carter said ultimately 1500 Road may have an intersection well after development at this corner because development is already heading there. He said it would be likely that it would be

developed prior to 902 Road connecting to Clinton Parkway and he thought it would have to happen before development.

Mr. McCullough said staff does not have enough information to say when the improvements would be made but that he would anticipate that the intersection would receive a good look with traffic impact studies. He said the sector plans lay out the end game, except for street patterns, staff generally know where collector and arterial streets will need to be in an area but do not say exactly when or where they will connect to other street patterns. He said he would anticipate that knowing the neighbors concern for safety it will be given careful consideration when and if development occurs along 902 Road. The technical studies with facts for safety is where staff gets judgments on what improvements need to be made before development goes in.

Commissioner Carter said he was confident that the traffic impact studies would require improvements before high density is built in that area.

Mr. Henriquez, said the plan says that there ought to be an interchange there and it also says that before any further development that this ought to be planned and financing provided. He said the planning professionals recognize that there is a significant strain on this intersection and they call for the completion of the intersection before further development.

Commissioner Dominguez asked if once the plan is approved and before development could start a traffic impact study would have to be completed to make sure the intersection could handle the traffic.

Mr. McCullough said that was correct. Any development proposal requires a traffic impact study. It is a policy decision about improving that intersection.

Ms. Jeanie Bronoski, 1428 E 902 Road, showed pictures on the overhead of the commercial development she sees out of her window and said it was a vast improvement over the junk yard that used to be there. She said the other commercial section was on Clinton Parkway and there might be a bank, a drive-thru place to get coffee, and maybe a boat repair shop. She said behind her house are more houses. She was concerned about safety because the new houses are only 10' apart and the driveways are only 10' from farm equipment. She said she was aware that future development was coming and supports higher density for her property.

Ms. Kristel Lewis, 1430 E 902 Road, thanked Planning staff and the Planning Commission for their work. She said that high density would help her and the surrounding neighbors to sell their homes and be able to afford to relocate. She said the area is about 25 acres which includes both the east and west side of 902 Road. She would like the land to remain high density.

## **COMMISSION DISCUSSION**

Commissioner Finkeldei asked where the collector street connects.

Mr. Warner said the road connects to Clinton Parkway.

Commissioner Carter said the lake oriented commercial is across the street and he wondered if there was room for more development.

Mr. Warner said it is not completely developed and the assumption is that it would redevelop in some manor in the future.

Commissioner Hird asked if some of the neighbors want to maximize their value and move from the area.

Mr. McCullough said that was a fair statement from what we have heard from some of the neighbors.

Commissioner Hird asked if medium density was considered for east of 902 Road.

Mr. Warner said no, probably not.

Mr. McCullough said staff thinks this reflects the Planning Commissions direction at the last meeting where there was discussion to bring the designation around and create it as a transition

Commissioner Moore said at the last meeting the Planning Commission eliminated commercial off of the piece that is now high density and got rid of medium density off of 1452 Road. He felt this was a good plan.

Commissioner Harris asked if there was an area in town that has 25 acres of high density.

Commissioner Moore said Ironwood and Aspen.

Commissioner Harris said that is a pretty significant development.

Mr. McCullough said the Exchange was pretty high density but he did not know the acreage right off the top of his head. He said they would try to find examples.

Commissioner Harris said she was inclined to go with a compromise of having medium density that gives some value to the homeowners, but also felt that they should be thinking about what is needed in the area apart from the wishes of the home owners.

Commissioner Finkeldei said he was still caught up on how traffic would flow out of the area.

Commissioner Dominguez asked if the streets and traffic issues would be taken care of before development occurs.

Mr. McCullough replied yes, that is the typical process.

Commissioner Harris noted that Planning Commission did approve a large apartment complex, the Exchange, that is currently close to a failed intersection, 31st Street and Louisiana, and construction is proceeding without intersection improvements.

Mr. McCullough said there was a lot of discussion about the traffic with the Exchange and there was also recognition that there needed to be improvements, a particular stretch of roadway was in the County. The City hopes that funds become available to make those improvements.

Commissioner Rasmussen asked Mr. Warner to show the original proposal was for the area.

Mr. Warner showed the original proposal on the overhead map.

Commissioner Rasmussen asked if they were just trying to appease everyone or is this good planning.

Mr. Warner said they were trying to do both.

Commissioner Carter said he was confident that high density in the area will require some changes. He said he was comfortable letting the traffic engineers control that aspect. He said it is an interesting challenge, even if we go forward with the plan as is, if high density does not work there then it would not be developed until it is ready.

Ms. Stogsdill gave examples of high density: The Exchange at 31<sup>st</sup> Street and Ousdahl, Colony Woods on the west side of Naismith Valley Park, Legends at KU on 24<sup>th</sup> Place, Aberdeen on 6<sup>th</sup> Street and Stoneridge, Aberdeen South at 27<sup>th</sup> Street and Wakarusa, Highpointe at 6<sup>th</sup> Street and Iowa.

Commissioner Dominguez wondered that if they went with medium density would it encourage other people to invest. He said eventually the property would be high density so he did not want to say it is medium density now and then come back later and say it is high density.

Mr. McCullough said that some of the locations Ms. Stogsdill gave could be medium or high density.

Commissioner Harris asked if Commissioner Dominguez was suggesting not planning the area and that it could be higher.

Commissioner Dominguez said that was correct.

Commissioner Harris said her interpretation is that they are planning for what they want it to be.

Mr. McCullough said that was correct.

### **ACTION TAKEN**

Motioned by Commissioner Harris, seconded by Commissioner Finkeldei, to approve the comprehensive plan amendment to *Horizon 2020* by amending Chapter 14 – list of specific plans to add the West of K-10 Plan description, changing the high density east of the future road to medium density, and also approving the plan for the City of Lawrence and unincorporated Douglas County 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

Mr. Warner asked if the medium density would be on the east side of the future road and the high density would be on the west side and the future road would be the divider.

Commissioner Harris said that was correct.

Commissioner Carter said the switch is more stair-stepping and he could not recall what they talked about in last meeting.

Mr. Warner said the Planning Commission talked about extending the high density to the north.

Commissioner Dominguez asked if they vote yes how many acreage of high density would it be.

Commissioner Finkeldei said about 8 acres.

Commissioner Rasmussen asked how many units per acre of medium versus high density.

Mr. Warner said medium density is 7-15 units per acre and high density of 16 units per acre and above.

Commissioner Moore said he would vote against the motion because he felt a compromise was reached.

Motion failed 3-5, with Commissioners Finkeldei, Harris, and Hird voting in favor. Commissioners Carter, Chaney, Dominguez, Moore, and Rasmussen voted in opposition.

Motioned by Commissioner Moore, seconded by Commissioner Carter, to approve the comprehensive plan amendment to *Horizon 2020* by amending Chapter 14 – list of specific plans to add the West of K-10 Plan description and also approving the plan for the City of Lawrence and unincorporated Douglas County 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.

Commissioner Harris said she would vote against the motion because the decision was being based on what the neighbors want instead of what may be in the best interest of the plan.

Commissioner Dominguez said he would vote in favor because he was assured that whatever development occurs a traffic impact study would have to be done first.

Commissioner Hird said he would vote in favor but felt that maximizing value for landowners is probably not one of the factors that Planning Commission should use in land use decisions. He said it is an area that will be developed into high density and he would have preferred a more extensive buffer but could support the plan as a compromise. He said the plan was not perfect but better than it was.

Motion carried 6-2, with Commissioners Finkeldei and Harris voting in opposition.

Motioned by Commissioner Moore, seconded by Commissioner Hird, to approve and have the Planning Commission Chair sign Resolution 2008-11.

Motion carried 6-2, with Commissioners Finkeldei and Harris voting in opposition.