

Memorandum

City of Lawrence

Planning & Development Services

TO: David L. Corliss, City Manager

FROM: Sheila M. Stogsdill, Assistant Director

CC: Scott McCullough, Director
Cynthia Boecker, Assistant City Manager
Diane Stoddard, Assistant City Manager

Date: For October 13, 2009 City Commission Agenda

RE: Minor revisions to TA-6-10&11-09

The City Commission approved TA-6-10 &11-09 related to standards for development of Multi-Dwelling Structures, Non-Ground Floor Dwelling Units and Work/Live Units in various zoning districts on October 6, 2009. Subsequent to the first reading, staff determined that the proposed amendment may not clearly indicate the intent due to a difference in wording among the standards. Clarification of the text amendment is necessary to include consistent text that states that these types of residential units are only permitted in RMO, CN2, CC and CS Districts when part of mixed use projects.

This language clarifies that residential units may be developed in each of these districts, but only as part of a mixed-use project, not as a stand alone residential development. This addition does not change the intent of the language that the Planning Commission recommended, but serves to clarify the standards of the Development Code.

The clarification staff proposes to make is to substitute the following *red text* and delete the *green text* in each section so that the standards are stated in the same manner:

20-517 MULTI-DWELLING STRUCTURE, NON-GROUND FLOOR DWELLING UNITS AND WORK/LIVE UNITS

(1) Standards that Apply in RMO District

A Multi-Dwelling Structure, Non-Ground Floor Dwelling Units and Work/Live Units shall *only* be permitted in the RMO District *provided that the residential units are constructed* ~~only~~ as part of a Mixed-Use project ~~containing at least 1 square foot of office Floor Area for each 2 square foot of residential Floor Area for each phase of development.~~ when at least 25% of the Gross Floor Area is developed with nonresidential uses.

(2) Standards that Apply in CN1 District

~~A Multi-Dwelling Structure shall be permitted in the CN1 District provided that it is situated above the Ground Floor. Density standards for the RM12 District shall apply for this use in the CN1 district.~~

(2) Standards that Apply in CN2 District

- (i) A Multi-Dwelling Structure, *Non-Ground Floor Dwelling Units and Work/Live Units* shall **only** be permitted in the CN2 District provided that ~~it is~~ **the residential units are** constructed as part of a *Mixed-Use* project ~~containing no more than one (1) Dwelling Unit per 2,000 square feet of nonresidential Gross Floor Area.~~ **when at least 50% of the Gross Floor Area is developed with nonresidential uses.**
- (ii) ~~A Special Use Permit is required for densities greater than one (1) Dwelling Unit per 2,000 square feet of non-residential Gross Floor Area. However, no project shall exceed the RM15 District Density limit.~~

(3) Standards that Apply in CD District

- (i) A Multi-Dwelling Structure, *Non-Ground Floor Dwelling Units and Work/Live Units* shall be permitted in the CD District provided that ~~it is~~ **the residential units are** situated above the Ground Floor when located on Massachusetts Street.
- (ii) A Multi-Dwelling Structure *and Work/Live Units* requires a Special Use Permit in the CD District when Ground Floor residential uses are proposed along numbered streets, Vermont or New Hampshire Streets.

(4) Standards that Apply in CC and CS District

A Multi-Dwelling Structure, *Non-Ground Floor Dwelling Units and Work/Live Units* ~~is~~ shall **only be** permitted **in the CC and CS Districts provided that the residential units are constructed** as part of a multi-use *Mixed-Use project* development in the CC and CS Districts ~~provided that the total~~ **when at least 50% of the Gross Floor Area of the residential units do** ~~does not exceed 10 percent (10%) 50% of the total Gross Floor Area of the office/commercial Building or of all Buildings in the office/commercial complex in which the use is located.~~ **is developed with nonresidential uses.**

Revisions are also noted in **red, bold, italicized, underlined** and ~~strikethrough green text~~ in the accompanying ordinance.