



City of Lawrence  
Douglas County  
PLANNING & DEVELOPMENT SERVICES

**Lawrence Douglas County  
Metropolitan Planning Office**  
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<http://www.lawrenceplanning.org>

## REQUEST FOR INITIATION of a TEXT AMENDMENT

### APPLICATION FORM

#### APPLICANT/AGENT INFORMATION

Contact Joy Rhea  
Company Paul Werner Architects  
Address 123 W. 8th Street, Suite B2  
City Lawrence State Kansas ZIP 66044  
Phone ( 785 ) 832-0804 Fax ( 785 ) 832-0890  
E-mail joyr@paulwernerarchitects.com Mobile/Pager (      )       
Pre-Application Meeting Date 12.16.09 Planner SM/SS

Are you submitting any other applications? If so, please state which one(s).

Rezoning Application

Please identify the section of the Development Code or Subdivision Regulations proposed to be amended. 20-403, 20-601(b), 20-601 (b)(1)

Please provide proposed amendment. (Attach additional sheets if needed)

See Attached Memo



**Please respond to the following questions to the best of your knowledge. In reviewing and making decisions on proposed text amendments review bodies shall consider the following factors. (Attach additional sheets if needed.)**

- 1. Does the proposed text amendment correct an error or inconsistency in the Development Code or Subdivision Regulations?** If so, please provide the specific error found and/or reference the specific section of the Development Code that is inconsistent with the section identified to be amended above.

See Attached Memo

- 2. Does the proposed amendment meet the challenge of a changing condition?**  
If so, please explain.

See Attached Memo

- 3. Is the proposed amendment consistent with Horizon 2020? Please explain.**

See Attached Memo

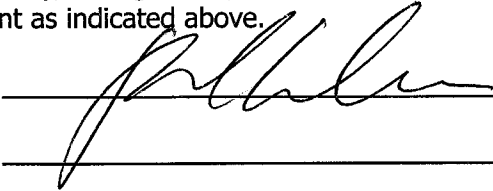
- 4. Is the proposed amendment consistent with the stated purpose of the Development Code? See Sec. 20-104 of the Development Code for the stated purpose.**

See Attached Memo



**SIGNATURE**

By execution of my/our signature, I/we do hereby officially apply to request initiation of the proposed text amendment as indicated above.

Signature(s):  Date 1-20-10  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STAFF USE ONLY**

Application No. \_\_\_\_\_

Date Received \_\_\_\_\_

Planning Commission Date \_\_\_\_\_

Fee \$ \_\_\_\_\_

Date Fee Paid \_\_\_\_\_

**paulwerner**  
ARCHITECTS

FROM: Joy Rhea  
TO: Michelle Leininger  
RE: Text amendment for IL zoning  
DATE: January 20, 2010

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**Please identify the section of the Development Code or Subdivision Regulations proposed to be amended.**

20-403, 20-601(b) and 20-601(b)(1)

**Please provide proposed amendment**

20-403 We are requesting that Hotel/Motel/Extended Stay use become an allowed use in the IL zoning.

20-601(b) Height limit for IL district should be changed to 45' to accommodate the Hotel/Motel/Extended Stay use being proposed in 20-403.

While we were looking at the IL zoning we were thinking the following setbacks should be looked at as well.

20-601(b)(1) The column for "Across from R Distracted" located under the "Abutting Street Right-Of-Way" heading should be changed to "Across from RS District" and all setback distances should remain the same.

A column should be added for "Across from RM District" located under the "Abutting Street Right-Of-Way" heading and the setbacks should be 40' for IBP, 25 for IL and 40' for IG.

Setbacks for zoning across from Non-R district along an arterial should be 30' for IBP, 25' for IL and 40' for IG.

Setbacks for zoning across from Non-R district along a collector should be 30' for IBP, 25' for IL and IG.

Setbacks for zoning abutting other lot lines adjacent to an R district or Lawrence Smart Code District should be 30' for IBP, 20' for IL and 40' for IG.

Setbacks for zoning abutting other lot lines for a Non-R District would remain at 15' for IBP, IL and IG.

20-601(b)[14]

Setback shall be 25 feet for all IL and IG properties zoned M-2 under the previous zoning code.

20-601(b)[15]

Setback shall be 20 feet of all IL and IG properties zoned M-2 under the previous zoning code.

**Does the proposed text amendment correct an error or inconsistency in the Development Code or Subdivision Regulations?**

20-403

This amendment does correct an error. Hotels can only be located in MU, CD, CR and CS zoning districts as the zoning code currently exists and they'd also be suited to serve other areas of Lawrence not currently zoned MU or commercial land use districts.

20-601(b)

This amendment does not correct an error it simply allows for the proposed use to be built.

20-601(b)(1)

This amendment does correct an error. The setbacks for IBP, IL and IG have been set at the extreme. This leaves very little buildable area for lots located across from R districts and for lots located next to an arterial. Such large setbacks don't encourage development in Lawrence when such a large percentage of the site is undevelopable.

20-601(b)[14] and [15]

This amendment does correct an error because if IG can have reduced setbacks if it was previously zoned M-2 why wouldn't that also apply to IL zoning which is less intense.

**Does the proposed amendment meet the challenge of a changing condition?**

20-403

Hotels can only be located in MU, CD, CR and CS zoning districts. The difficulty with these limited zoning districts is that not every place a hotel should be located can be zoned MU and the CD zoning district is limited to downtown. The next allowable place for a hotel, other than CS which is not allowed to expand, is CR which is limited in its locations as well. With that in mind it's not necessarily the changing condition that the amendment meets but it's important that the Development Code change to allow more flexibility in the location for hotels.

20-601(b)

If IL zoning changes to allow Hotels as a use then the height increase must change to accommodate the use.

20-601(b)(1)

The proposed changes to this section are not due to conditions changing but rather to allow land to be developed in a more useable manner.

20-601(b)[14] and [15]

The proposed changes to this section are not due to conditions changing but rather to allow land to be developed in a more useable manner.

**Is the proposed amendment consistent with Horizon 2020?**

20-403

Horizon 2020 says offices, office research, warehouse, and distribution and/or industrial business activities are allowed in industrial areas. A hotel located on the outskirts of the industrial areas in an IL district would certainly serve those uses as well as the rest of Lawrence.

20-601(b)

Horizon 2020 does not give a direct guidance on the allowable height but it states in Chapter 7, Policy 3.1 part d.2.c, The height and massing of industrial and employment-related building and accessory structures should be oriented away from residential neighborhoods to avoid creating a Negative visual effect. Industrial building height and massing should be complementary and reflect the residential architecture and neighborhood character when adjacent to such development.” This amendment does not conflict with Horizon 2020 but would be governed by the Development Code and the Planning Office.

20-601(b)(1)

The proposed amendment is consistent in the setback requirements being greater than the required setbacks of abutting residential uses with the exception of the IL setbacks being proposed differ due to the IL district being less intense.

20-601(b)[14] and [15]

This amendment is simply being proposed so that the current conditions provided for IG zoning would apply to IL zoning which is less intense.

**Is the proposed amendment consistent with the stated purpose of the Development Code?**

These text amendments in no way endanger health, safety and the general welfare of the citizens of Lawrence.