

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
8/23/10

**ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT; H2020; 6TH & WAKARUSA
AREA PLAN (AAM)**

CPA-5-6-10: Consider Comprehensive Plan Amendment to *Horizon 2020*, including the 6th and Wakarusa Area Plan, to change the designated land use from residential/office to commercial for a portion of the Bauer Farm Development located along 6th Street between Folks Road and Champion Lane.

STAFF RECOMMENDATION: Staff recommends denial of this comprehensive plan amendment to *Horizon 2020*, including the 6th and Wakarusa Area Plan, to change the designated land use from residential/office to commercial for a portion of the Bauer Farm Development located along 6th Street between Folks Road and Champion Lane and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission with a recommendation of denial.

KEY POINTS

1. This is a request to accommodate a Lowe's home improvement store, as well as additional commercial retail space, at the 6th and Wakarusa commercial node, specifically located in the residentially approved portion of Bauer Farm east of Champion Lane.
2. The 6th and Wakarusa commercial node is designated as a CC200, but the 6th and Wakarusa Area plan acknowledges that the amount of retail square feet exceeds this designation and permits up to 440,000 gross square feet in the node. This request would add 153,050 retail square feet, bringing the total for the node to 603,351 retail square feet.
3. The applicant has stated that, "based on our demographic studies, this site is our only viable option in this market at this time", thus the impetus for the plan amendment; however, the request is challenged by the comprehensive plan policies, including specific land use designations of the 6th and Wakarusa Area Plan and also by a market study that staff believes does not support the request at this location.
4. The comprehensive plan designates locations that are more conducive to large retail development and that are, or will be, ripe for development in a reasonable time frame.
5. The current Bauer Farm plan and zoning approvals substantially comply with the comprehensive plan. The fact that significant development on both the commercial and residential portions of the site are underway indicates that the land use designations for the property are not unreasonable and can be implemented in due time.
6. If directed to accommodate the request, specific comprehensive plan language and amendments to the development code will need to be drafted and presented to the Planning Commission and City Commission for approval.

PROJECT HISTORY

Bauer Farm is a mixed use planned development located on the north side of 6th Street between Wakarusa Drive and Folks Road. It is part of the 6th and Wakarusa Area Plan that was adopted in 2003. This project was originally zoned in 2003 to PCD-2 (between Wakarusa Drive and Champion Lane), and PRD-2 (between Champion Lane and Folks Road). These zonings were subject to many conditions, but two of particular note to this application are the restriction that the maximum amount of gross retail square footage on the PCD-2 zoned portion could not exceed 62,000 square feet and the restriction that no one building could be larger than 50,000 square feet.

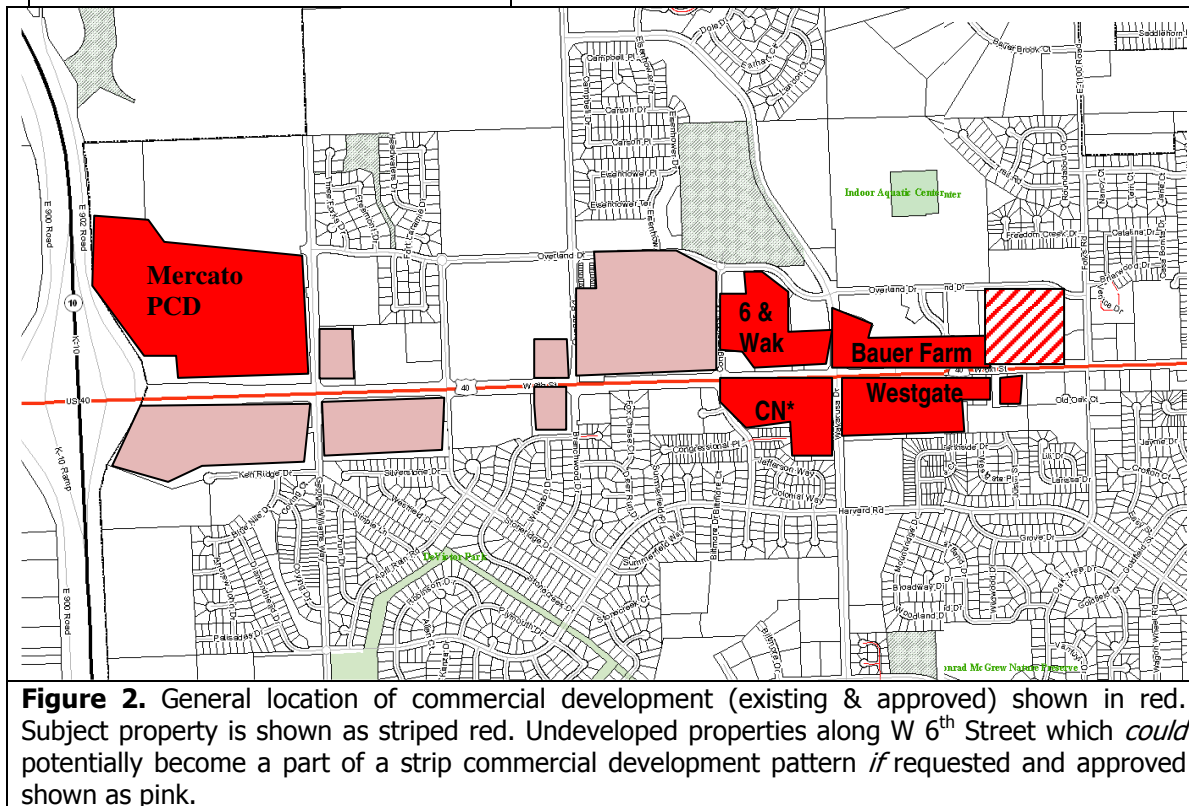
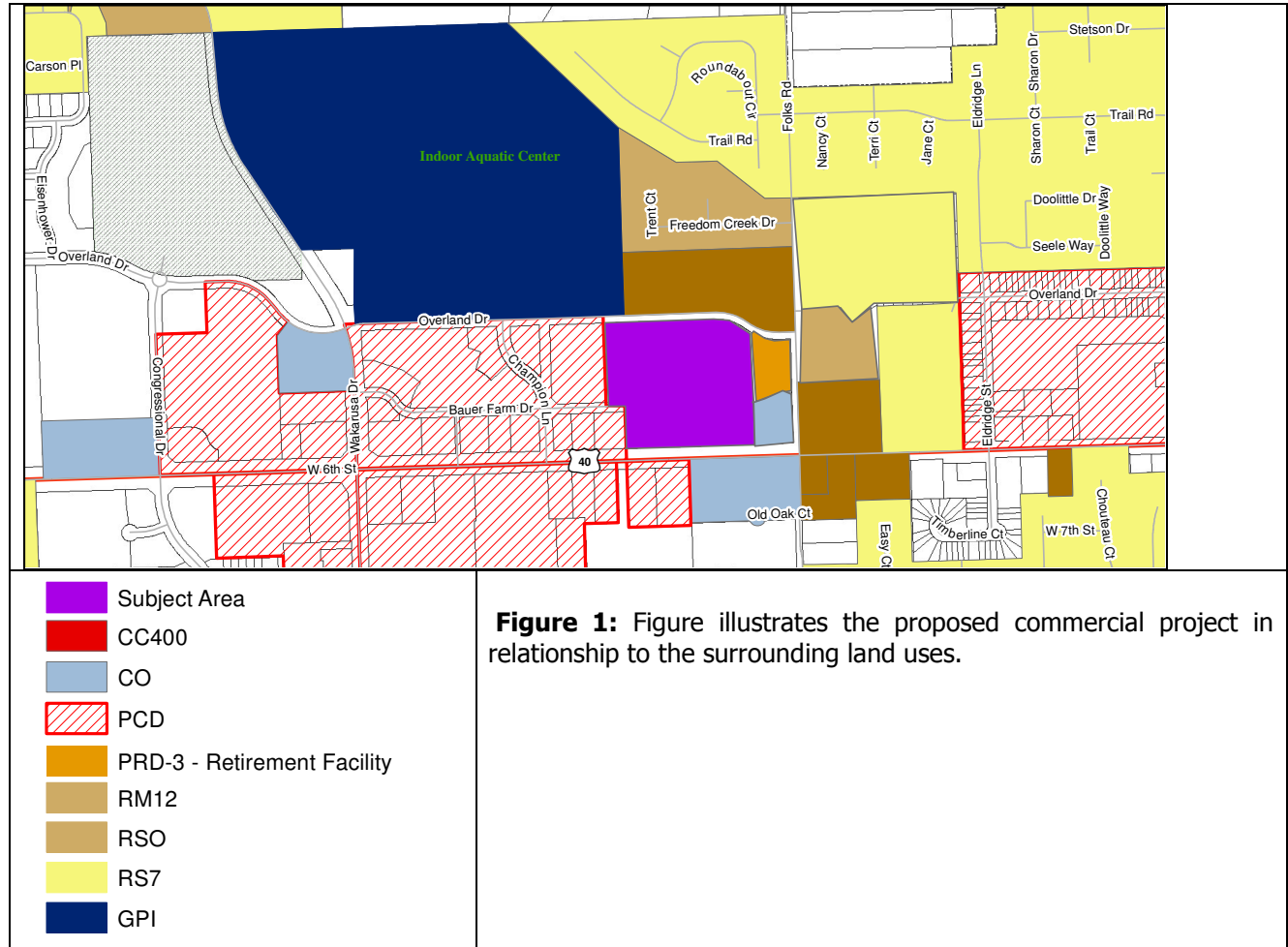
A subsequent zoning application for the PCD-2 portion increased the allowable gross retail space to 72,000 square feet. In 2005, the PRD-2 zoning was split with a rezoning application that put a portion of that into a POD-1 zoning category and the rest into a PRD-3 zoning category pending recordation of the final plat. As part of the approval process, this development obtained numerous waivers and variances, mostly having to do with lot size, setbacks, and street design.

The Preliminary Development Plan (PDP) was represented as a New Urbanism style of development that incorporated commercial, community, residential and office uses in a cohesive format. Three Preliminary Development Plans (PDPs) and five Final Development Plans (FDPs) have been approved for this project. To date, approximately 20,525 square feet of retail space has been constructed on the PCD-2 portion of the project. On the PRD portion of this project, which is the subject of this Comprehensive Plan Amendment (CPA) request, there is a PDP that covers 16.44 acres that has preliminary approval for a mix of detached-, attached-, and multi-dwelling structures, and a fitness/recreation center. Later, a FDP was approved with conditions that placed a larger multi-dwelling component adjacent to W. 6th Street. In 2010, a PDP and FDP were approved, subject to conditions, that place a 115,000 square foot residential retirement facility on the southwest corner of the intersection of Folks Road and Overland Drive on a portion of the PRD-3 zoned property.

PROJECT SUMMARY

The applicant is requesting consideration of a comprehensive plan amendment to *Horizon 2020* and the 6th and Wakarusa Area Plan to change the designated land use from residential/office to commercial for a portion of the Bauer Farm development located north of 6th Street between Folks Road and Champion Lane. The applicant is proposing this change in order to place a 145,551 square foot commercial store (Lowe's) on the approximately 11 acre site. This proposal would also reconfigure some of the retail pad sites that were approved on the PDP, and add an additional 7,500 square foot commercial pad site. The total amount of retail square footage being requested is 153,051 square feet, which is in addition to the 72,000 square feet of retail already approved on the PCD-2 zoned portion of the site, bringing the total for just the northeast corner of this commercial node to 225,051).

The proposal does not comply with the current zoning of the site (PRD-3), the land use policies of *Horizon 2020* related to commercial development, or the adopted 6th and Wakarusa Area Plan. It was agreed by staff and the applicant that a comprehensive plan amendment to allow a review of the merits of the project, with specific relationship to the comprehensive plan, should proceed prior to a rezoning request being submitted.



STAFF REVIEW

This Comprehensive Plan Amendment request involves proposed changes to Chapter 6: Commercial Land Use of *Horizon 2020*, as well as Chapter 14: Specific Plans because of the adopted 6th and Wakarusa Area Plan.

Horizon 2020: Currently, *Horizon 2020* designates the area north of 6th Street at the intersection of Wakarusa Drive for commercial development but states that commercial development shall not extend east of Champion Lane. In addition, the comprehensive plan states that development proposals for the area north of 6th Street shall included a variety of uses including office, community, recreational and multi-family.

The original Bauer Farm proposal, which covered the area north of 6th Street between Wakarusa Drive and Folks Road, included commercial, office, community and multi-family uses and generally complied with the 6th and Wakarusa Area Plan. This proposal would remove the multi-family use from the original development plan and replace it with a single 145,551 square foot store, with an additional commercial pad site of approximately 7,500 square feet. The original proposal was to have no more than 62,000 gross square feet of commercial square footage and no one building could be larger than 50,000 gross square feet. A subsequent zoning application was approved to increase the allowed the maximum gross commercial square footage to be 72,000 square feet for the northeast corner of the 6th and Wakarusa Drive intersection.

The comprehensive plan designates appropriate locations for commercial development based on many factors, including timing, adjacent land uses, and transportation considerations. The intersection of 6th and Wakarusa Drive is designated as a Community Commercial Center (CC200) with a nodal pattern, per *Horizon 2020*. At the time Chapter 6 in *Horizon 2020* was last revised, there already existed more commercial gross square feet at this intersection than is recommended for a CC200 center due primarily to properties developing prior to the initial adoption of *Horizon 2020*. 450,300 commercial gross square feet has been approved at the 6th and Wakarusa commercial node. Approving this request would bring the total to 603,351 at this designated CC200 site.

Because the current zoning applications existed under the previous code, the applicant will need to zone the property to a current base zoning district in the event that the comprehensive plan amendment is approved. The current base districts follow closely with the commercial designations within *Horizon 2020*. In addition to re-designating this intersection in *Horizon 2020* to something other than a CC200 center, the site would need to be zoned to a conforming district in the current Land Development Code. At the present time, no such zone exists that would appropriately fit the requirements of this application since the gross square footage of the intersection already exceeds 400,000 square feet. If this proposal were to proceed, text amendments to the Land Development Code to create a new commercial zoning district would be needed. Of the three largest centers, a CC200 center only allows 200,000 square feet of gross commercial square footage at the node, and a CC400 center only allows 400,000 square feet at the node. The largest commercial designation, Regional Commercial Center, has a minimum size requirement on any one corner of 40 acres and there are currently only two areas designated as Regional Commercial Centers in the comprehensive plan (Downtown and S. Iowa Street), with no new centers identified. Regional Commercial Centers permit up to 1.5 million commercial square feet.

Figure 3: Figure illustrates the proposed commercial project in relationship to the other commercial nodal developments located along W. 6th Street.

The 6th & Wakarusa Area Plan covered some of the same area that was in the Northwest Area Plan which was adopted in 1996. Under that plan, the Bauer Farm development area was identified for a mixture of commercial, office and institutional uses. The plan also recommended residential uses as a transition element.

Specifically, the 6th & Wakarusa Area Plan recommends the northeast corner of 6th and Wakarusa Drive for “less-intensive commercial development” and that it should be part of a planned development that incorporates a mix of pedestrian-friendly uses. The plan specifically mentions concerns over the close proximity of the Bauer Farm site to the Free State High

School complex to the north and the close proximity to the residential neighborhoods to the northeast. In addition, the plan places a limit of 440,000 gross square feet of commercial space for the entire node.

The 6th and Wakarusa Area Plan remains a valid plan and the approval of multiple PDP's for this site that depict the mix of uses, but most importantly the residential uses, provides evidence that this area can be developed per the approved 6th and Wakarusa Drive Area Plan. Approximately 20,525 square feet of retail space has already been constructed on the PCD portion of the development at 6th and Wakarusa Drive, and recently a Final Development Plan was approved for a retirement facility, Harvest, to be located on the PRD-3 portion of the property at the southwest corner of Overland Drive and Folks Road. Approving the addition of over 140,000 square feet of commercial uses, with the accompanying parking and traffic needs, is not a compatible use to the already approved residential or small format commercial uses.

Both the 6th & Wakarusa Area Plan and Chapter 6: Commercial Land Use have policies that relate to transportation networks, and more specifically site design. At this high altitude view it is difficult to analyze such issues without a set site design. However, transportation related issues are a part of the discussion as they relate to the appropriateness of the applicant's request. It is anticipated that the applicant will request an additional curb cut along 6th Street and that this type of use would generate a different type of traffic than the residential uses.

In addition, Bauer Farm was developed with traditional neighborhood design elements that contained a main street, Bauer Farm Drive, as a link between the residential and commercial uses. Placing a large format retail store in the middle of the development would interrupt this specifically designed street network. Additionally, the intersection of Overland and Folks will need careful review to determine how semi-truck traffic will impact the intersection.

Retail Market Study: The applicant has submitted a project specific retail market study as required by Section 20-1107 of the Land Development Code and Chapter 6, Commercial Land Use of *Horizon 2020*, specifically Policy 3.13. That market study includes all of the required information, including analysis based on vacancy rates, income trends, population trends, mix of businesses, etc. The market study includes this analysis for the addition of a Home Improvement Store (145,551 sf) to be located in the Bauer Farm development.

Policy 3.13 in *Horizon 2020* requires a project specific retail market study for projects that would create 150,000 square feet or more of commercial space. Section 20-1107 of the Land Development Code applies to zoning or site plan applications that could create 50,000 square feet of retail space. Even though the applicant has yet to submit for a zoning or site plan application, staff is reviewing the market study based on the Land Development Code, in addition to the criteria in *Horizon 2020*, based on the anticipation of those applications, and because the criteria in the development code is the most recently adopted set of criteria.

Horizon 2020, Policy 3.13 (b) states that, "The project shall not be approved if the market study indicates the commercial project or any proposed phase cannot be absorbed into the community within three years from the date of its estimated completion, or that it would result in a community-wide retail vacancy rate greater than eight percent." The Development Code uses a vacancy rate threshold of 8% as one factor in order to determine market health, and the most recent citywide market study completed in Fall of 2007 figured the city-wide vacancy rate at 6.7%. (<http://www.lawrenceplanning.org/documents/2006Retail.pdf>) The market study for this project shows that, when completed and entirely vacant, the project will push the city-wide vacancy rate to 8.3%. Staff requested additional analysis from the applicant to take into

consideration other commercial projects that have received approvals, but have not been constructed to date. The below table illustrates the impact that other projects that have been approved will have on the overall vacancy rate:

	Total Square Feet	Total Occupied Square Feet	Total Vacant Square Feet	City-wide Vacancy Rate
Total Current Retail Inventory	7,720,015	7,210,184	509,831	6.6%
Requested Bauer Farm Square Footage	145,551	0	145,551	8.3%
Bauer Farm – yet to be constructed	51,475	0	51,475	
Mercato	359,640	0	359,640	
Fairfield Farms	200,000	0	200,000	
Total	8,476,681	7,210,184	1,266,497	14.9%

If all approved commercial space that has been approved were to be constructed and assumed vacant, the city-wide vacancy rate would rise to 14.9%.

While the market study shows that the project, upon completion, will push the city-wide vacancy rate above 8%, this figure alone is not an adequate representation of the impact of this development. This figure is computed by assuming that the project will either be entirely vacant upon completion, or that it will cause the same amount of space to become vacant in other areas of town. Because the majority of the retail space is being built to satisfy a specific tenant, the applicant has stated that there is “no possibility” that the space will be vacant upon completion. While this particular proposal might not be vacant upon completion, another development proposal and market study for the Mercato development located at 6th Street & the SLT was recently approved based in part on their market study showing a “Home Improvement Use” occupying 175,000 square feet. In the event that this proposal moves forward, it is highly unlikely that a store of same nature will be built at the Mercato site approximately 1.5 miles west on 6th Street. The Mercato project has already gained zoning approval based on the market study that identified a specific use, and the expectation that the space would not be vacant upon completion.

The applicant has also provided information on the mix of business types and the potential impact on the downtown area. While the main proposed use exists elsewhere in Lawrence, it is expected to have a limited impact on downtown. The only similar use downtown is a small scale hardware store that is not a direct comparison to the large home improvement store being proposed. It is possible that a large store of this use might pull some business away from other mixed-use or smaller scale hardware stores in the area. In addition, the “Home Improvement Use” that the applicant is proposing will compete with the other already anticipated use identified to be located at the Mercato development, as discussed above.

Other demand factors, such as income, employment and population need to be taken into account as well, when looking at the overall impact of this project on the market as a whole. The market study does show that since 2000, population has grown 13%, while retail sales have only increased 1.8%, and income, adjusted for inflation, has only increased .3%. On the supply side of the market, retail stock has increased 22.6% since 2000. Therefore, while supply

has increased approximately 23%, demand has not kept pace as shown by the limited income, population, and retail sales growth.

The market study also provides an analysis of “pull factors” or a measure of local commerce based on a comparison of local spending to the state as a whole. A pull factor above 1.00 indicates that a community attracts retail sales, while a factor below 1.00 indicates that the community is losing retail sales to outside areas. The Kansas Department of Revenue issues pull factor reports for all of Kansas. The most recent, issued in November 2009, states that Lawrence’s pull factor was .99 in 2008. Lawrence’s pull factor was 1.02 in 2007, which as noted in the market study, is a 14.3% decline over the last decade from a height of 1.19 in 1998. In addition, Douglas County’s pull factor has been below 1.00 for the last decade and recently has fallen to .85 in 2008. The declining Lawrence and Douglas County pull factors indicate that the City is losing more and more retail sales to other areas outside of Douglas County. There is potential to recapture this leakage by increasing the demand factors mentioned above, as well as increasing the types of appropriately located retail stock.

The market study also provides a demand analysis based on the amount of square feet of retail space per capita. Currently, in Lawrence there are approximately 85 sf of retail space per capita. Using an average growth rate from 2000-2008 of 1300 people per year, Lawrence could add as much as 110,000 square feet of retail each year in order to keep the ratio of retail square feet to people at 85. In Section 20-1107 (c)(3)(iv) of the Land Development Code, a maximum threshold of 100 square feet per resident is established to help maintain market health. The 145,551 square feet of commercial space being requested with this project keeps the ratio of 85 square feet per capita after a year and a half. However, this analysis does not take into consideration any of the other approved commercial development. The addition of Mercato, Fairfield Farms and the remainder of the Bauer Farm development that is approved, but not constructed, would result in a ratio of 94 retail square feet per capita.

The market study satisfies the submission requirements of the Land Development Code and *Horizon 2020*. In staff’s opinion, proposals to add retail space should be carefully scrutinized with respect to the indicators associated with demand not keeping pace with supply and because vacancy rates are arguably reaching unhealthy levels. In light of the availability of a suitable commercially zoned site located nearby (Mercato), the fact that retail demand is not keeping pace with supply, and a vacancy rate that is approaching unhealthy levels, this project is not supportable based on the market study.

Other Policy Considerations: The comprehensive plan, and the development of specific area or nodal plans, identifies areas that are suitable for this type of development. The plans go through an extensive public process, complete with public meetings held before both the Planning Commission and the City Commission. These long range planning documents give an expectation to residents, developers, utility providers and planners as to how pieces of land will be developed in the future. Small variations from the plans are expected. Large departures, especially when a node is nearing build out, should be scrutinized for their benefit over the current land use designations. Staff is of the opinion that this request is too great of a departure from the existing plan and, as such, will undermine the expectation that these long range planning documents provide. Further, reasonable alternatives exist in other locations to accommodate the proposed use. The currently zoned vacant land at 6th Street and K-10 has been designated as a CC400 Community Commercial Center which would accommodate this large format retail store and is one such alternative.

In addition, the existing Bauer Farm development was conditioned to not have a single commercial store with a footprint larger than 50,000 square feet. Not only would this large format store that is the subject of this request be almost 3 times the size of that restriction, it would also alter the look, feel and operation of the existing development that already exists.

A copy of Chapter 6: Commercial Land Use from *Horizon 2020* and the 6th & Wakarusa Area Plan are attached to this document. Both plans have been highlighted to show text, policies, and goals that this proposal is not in compliance with and highlights the degree to which the plans would need to be revised to accommodate the use at the subject property.

Staff reviewed this amendment based upon the comprehensive plan amendment review criteria listed below [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: Yes, retail market conditions in Lawrence and Douglas County have changed since the Comprehensive Plan was adopted in 1998. The City's retail pull factor has declined by 20 percent and Douglas County's pull factor has declined by 13 percent. These declines are in contrast to the City's population growth and the increase in KU student enrollment since adoption of the Plan. Further, the residential market demand has ceased and is not expected to return for several more years. With the reduction in housing expansion, commercial retail is seeking to remain closer to current residential rather than construct new projects based on expected future residential growth.

Staff's response: Staff agrees that all market conditions (residential, commercial, industrial) change over time; however, market conditions, by nature, are dynamic and therefore that is not a significant reason to significantly modify plans. Chapter 6: Commercial Land Use was last updated in 2004 and the 6th & Wakarusa Area Plan was adopted in 2003. The adoption of these long range planning documents is recent enough that the market conditions today were close to the same market conditions at the time of adoption. In addition, the fact that there are development plans approved for both the commercial and residential portions of this development and that both the commercial and residential portions of the property have begun to be implemented per the plans, indicates that both of these plans are still valid. A significant portion of long range planning is based on appropriate timing and identifying appropriate land uses far enough in advance to provide an expectation.

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: Yes, the proposed amendment will generate substantial new tax revenue for the City while requiring fewer municipal service costs than if the land was developed as multi-family residential. The amendment will also result in the utilization of existing infrastructure that has not been previously used to its fullest extent. Yes, the proposed amendment is consistent with the stated goals and policies of Horizon 2020 including the following: encouraging the retention, redevelopment, and expansion of established commercial areas in the community; maintaining an appropriate supply of commercially zoned land; providing regional and community shopping opportunities to meet retail needs; locating retail at

the intersection of arterial or collector streets; and ensuring that commercial projects will not have a substantial negative impact on Downtown Lawrence.

Staff's response: The proposed amendment is in conflict with many of the policies of Chapter 6 regarding Community Commercial Centers and Regional Commercial Centers. In addition, depending on the classification of the commercial proposal, the proposal would not be in compliance with policies relating to location, size, street frontage and retail square footage.

The subject area between Champion Lane and Folks Road, north of 6th Street is approximately 1.65 miles from the already approved CC400 development (Mercato) located at the intersection 6th Street and K-10. As mentioned above, since this 6th and Wakarusa Node has already been approved for over 440,000 square feet of commercial space, the majority of which is already constructed, it is difficult to place the proposed development into an appropriate zoning category. The closest commercial category in the Comprehensive Plan would be the Community Commercial Center (CC400). Community Commercial Centers (CC400) must be 3.75 miles apart and have a length-to-depth ratio between 1:1 and 3:2 in order to maintain the nodal development pattern. This proposal does not meet the separation or the length-to-depth ratio requirements.

To accommodate this request, a new comprehensive plan land use designation will need to be considered. One option is to draft language for a CC600 (600,000 square feet of commercial retail) Commercial Center with accompanying Development Code amendments to implement the plan designation. Specific language will need to be drafted if staff is directed to accommodate the request at this requested location.

The proposal is inconsistent with numerous other goals and policies in *Horizon 2020*, specifically in Chapter 6: Commercial Land Use and Chapter 14: Specific Plans.

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

Applicant's response: Yes, the current economic conditions have reduced the need for speculative housing and have increased the need for additional local commercial services.

Staff's response: This policy from pg. 6-2 states: *Nodal Development is the antithesis of "Strip Development". "Strip Development" is characterized by high-intensity, auto-oriented uses, shallow in depth and extending linearly along a street corridor, with little consideration given to access management and site aesthetics. The Nodal Development concept requires the clear termination of commercial development within near proximity of an intersection.* Further, Policy 3.1B states: *"Strip Commercial Development: Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern".*

Despite recessionary economic conditions, public policy has not changed regarding nodal commercial development versus strip commercial development within the conventional zoning framework. The policy directs stand alone commercial uses to commercial nodes. In this case, a mostly built commercial node already exists at this intersection, and there is a CC400 Community Commercial Center designated less than 2 miles to the west. Expanding the existing commercial center is not appropriate considering the original intent of the development and its relationship to the adjacent institutional and residential uses to the north and the recently approved residential use on the east portion of Bauer Farm. Dynamic economic conditions do not represent a clear change of public policy.

In addition, the following shall be considered for any map amendments:

A. Will the proposed amendment affect the adequacy of existing or planned facilities and services?

Applicant's response: No, both the existing and proposed services associated with the proposed amendment are adequate in this area. A substantial amount of infrastructure was constructed in conjunction with development of a Wal-Mart in this same area, so many of the necessary street improvements are already in place to accommodate additional commercial square footage. The proposed amendment will allow for future facilities and services to be provided within the City by creating jobs and generating additional tax.

Staff's response: At the comprehensive plan level, it is difficult to anticipate the impact of the change in the designated land use at this location from multi-family residential to retail sales. Since there is an already approved preliminary development plan on file, facilities and services have already been planned based on the expectation of mixed uses, including residential uses on the east portion of Bauer Farm. If approved, further review will be needed to determine whether changes will be necessary to the facilities and services in the area. It is assumed that an additional access point on 6th Street will be requested and that semi-trucks will need to be accommodated on Overland Drive and throughout the Bauer Farm street network.

B. Will the proposed change result in reasonably compatible land use relationships?

Applicant's response: Yes, the proposed amendment will only expand what is already a commercial area.

Staff's response: Considering this project within the larger context of W. 6th Street, this development conflicts with the nodal development policy by extending an already existing commercial node and transforming it into strip development. Further, this project does not satisfy the separation requirements for commercial developments. Staff does not believe the change will result in compatible land use relationships, particularly with respect to the residential and public institutional uses to the north and the recently approved residential use to the adjacent east on Bauer Farm.

C. Will the proposed change advance the interests of the citizens of Lawrence and Douglas County as a whole, not solely those having immediate interest in the affected area?

Applicant's response: Yes, the expansion of the commercial node will provide new shopping opportunities for all local and trade area consumers. Further, as stated above, the City and its citizens will benefit from the creation of new jobs and new tax revenues.

Staff's response: The expansion of this commercial area will provide a new shopping opportunity for residents, but is not, in staff's opinion, in the best interest of the community. While the community would benefit from the creation of sales tax revenues and new jobs, this development could be located in a different location better suited to this type of development. Site specific considerations, including the original mixed-use pedestrian friendly intent of this development and the location adjacent to Free State High School and the residential neighborhoods to the north and east, make the proposal not in the best interest of the citizens of Lawrence and Douglas County as a whole.

PROFESSIONAL STAFF RECOMMENDATION

While staff welcomes the opportunity to accommodate Lowe's at an appropriate location, the request is not, in staff's opinion, compatible with the existing land use designations of the 6th and Wakarusa Area Plan and revising the plan is not appropriate for the reasons outlined in this report and when the comprehensive plan policies are reviewed as a whole.

Staff recommends denial of this comprehensive plan amendment to *Horizon 2020*, including the 6th and Wakarusa Area Plan, to change the designated land use from residential/office to commercial for a portion of the Bauer Farm Development located along 6th Street between Folks Road and Champion Lane and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission with a recommendation of denial.

Findings for recommendation of denial:

1. Proposal is in conflict with several *Horizon 2020* policies as outlined in this report, including: "The Comprehensive Plan does not support increasing the size or number of new Commercial Centers".
2. Proposal is in conflict with *Horizon 2020* policy 3.1B which states: "Strip Commercial Development: Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern".
3. This development does not comply with the 6th and Wakarusa Area Plan which is adopted as part of *Horizon 2020*, Chapter 14: Specific Plans and the proposed revisions are not compatible with the adopted concepts of this plan.
4. The submitted market study does not support increasing the amount of commercial use available at this node when other approved locations are taken into account.

In the event that the City Commission desires to accommodate the proposed project, staff should be directed to make the necessary changes to *Horizon 2020*, including the 6th and Wakarusa Area Plan, to change the designated land use from residential/office to commercial for a portion of the Bauer Farm Development located along 6th Street between Folks Road and Champion Lane and bring the comprehensive plan amendment, as well as any associated text amendments to the Land Development Code, to the Planning Commission for a public hearing.

Attachments:

- Applicant's application and letter
- *Horizon 2020* Chapter 6, Commercial Land Use – Highlighted to show text that this proposal is not in compliance with.
- 6th & Wakarusa Area Plan - Highlighted to show text that this proposal is not in compliance with.
- Retail Market Study provided by the applicant for the additional commercial square footage
- Concept site plan