



City of Lawrence
Douglas County

PLANNING & DEVELOPMENT SERVICES

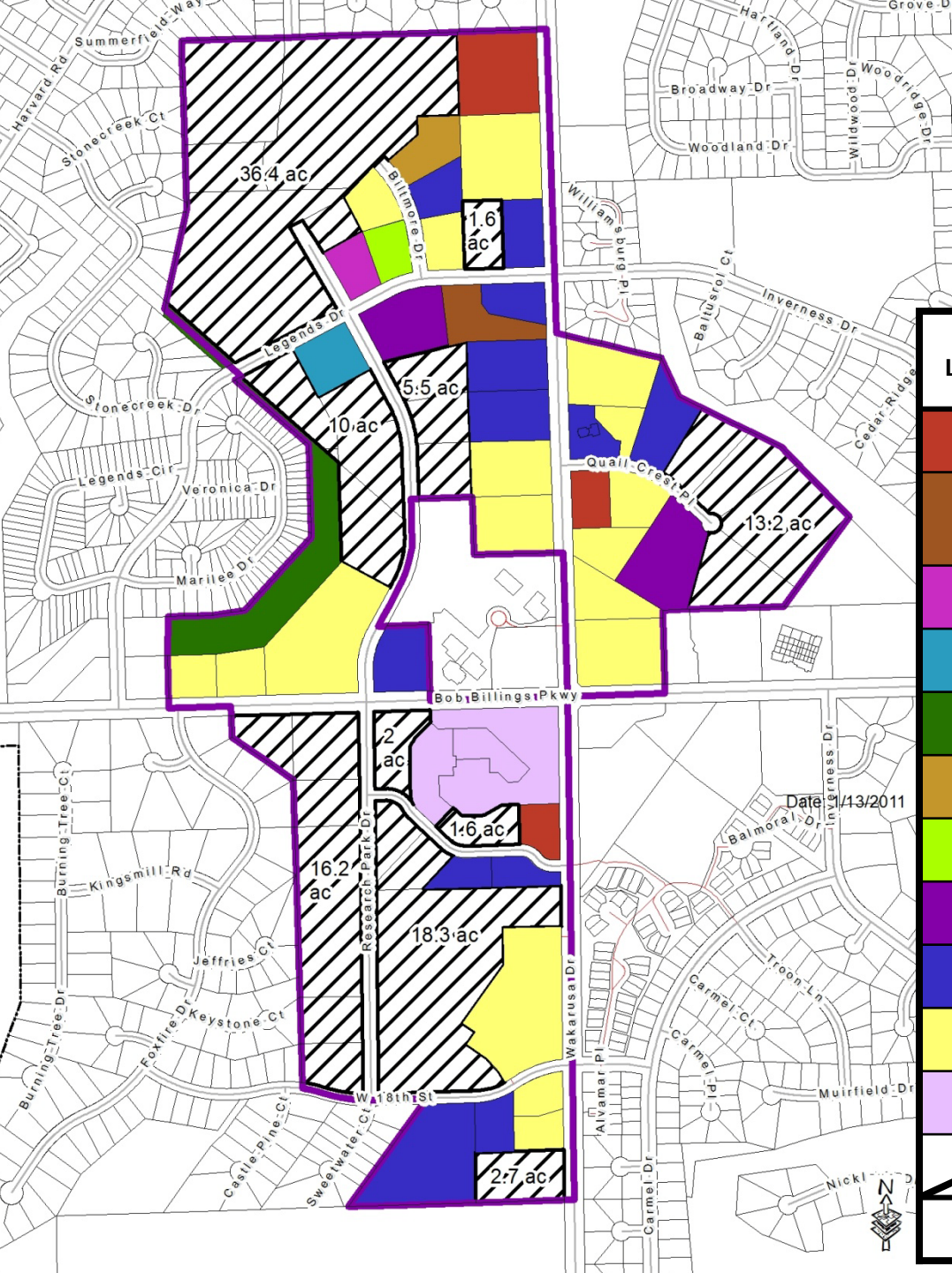
TA-4-4-10 Text Amendment to the Land Development Code; IBP District



Timeline

- April 2010: PC initiated text amendment
- June 2010: PC held a public hearing and voted 6-4 to recommend approval
- August 2010: CC voted 5-0 to return the text amendment to PC to consider standards for the hotel, motel and extended stay use in the IBP District to ensure compatibility with residential districts and distinguish Hotels in IBP from those in commercial districts
- October 2010: PC recommended approval of standards 7-1
- November 2010: CC requested more information regarding the west Lawrence IBP District

West Lawrence IBP District Land Use Summary



Legend Color	Land Use	Parcels	Acreage	%
	Bank	3	6.6	3.1%
	Computer Software Development	1	2.2	1.0%
	Dance School	1	1.3	0.6%
	Daycare Center	1	1.9	0.9%
	Easement (gas & drainage)	1	7.4	3.5%
	Extended Care Facility	1	1.9	0.9%
	Gymnastics School	1	1.3	0.6%
	Manufacturing	2	6.7	3.1%
	Medical Office	12	23.7	11.2%
	Office	16	42.5	20.1%
	Research/Manufacturing	1	8.9	4.2%
	Vacant	10	107.6	50.7%
	TOTAL	50	212.0	100.0%



Land Use Summary

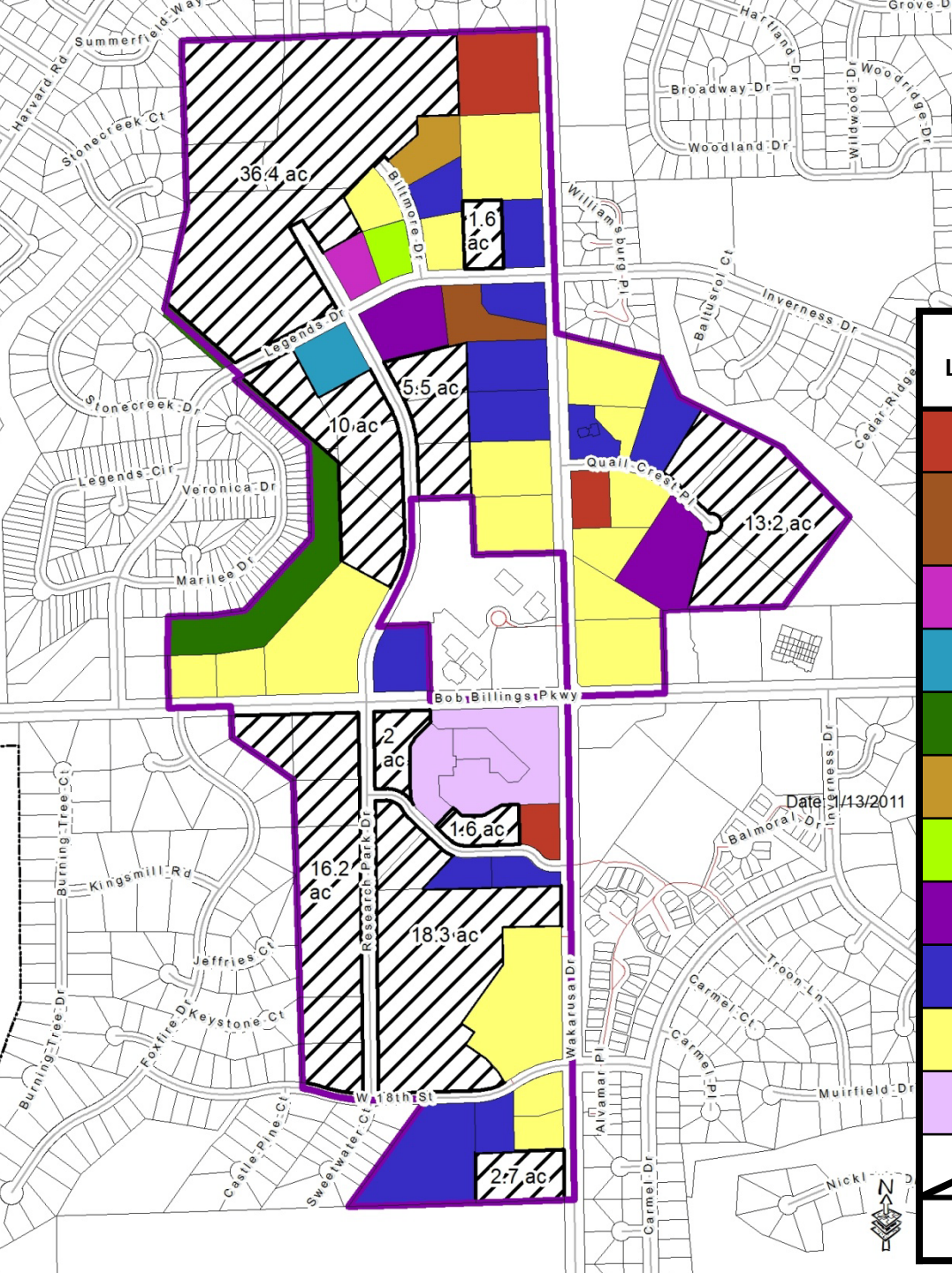
- Undeveloped – 51%
- Office (bank, medical, general) – 34%
- Research / manufacturing / computer software – 8%
- Open space / easement – 4%
- Other (dance, daycare, extended care, gymnastics) – 3%



Memo Key Points

- IBP zoning is intended to provide space for low-impact employment and manufacturing uses in a business park setting
- Industrial districts typically take longer to develop
- *Horizon 2020* identifies this area as Industrial and Employment-Related Land Use
- Average hotel size in Lawrence is about 2 acres
 - Holidome: 9.6 acres
 - New Comfort Inn (McDonald Dr): 1.66 acres

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Key Points Cont.

- If not adopted into IBP, what other districts accommodate Hotels/Motels/Extended Stay uses? What would a property need to rezone to?
 - MU, CD, CC, CR, CS, IL permit the use
 - Of these, the commercial districts would permit additional commercial uses that may not be compliant with H2020 at this location (H2020 – Industrial - Employment), unless limited through conditions.
 - IL could accommodate a request but would permit higher intensity industrial uses and commercial uses, unless limited through conditions.
 - Under current code, no districts are restricted in terms of bars and nightclubs.



Section 20-403 Proposed Changes

Key:		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GP	H	
	Repair Service, Consumer	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	-	523
	Retail Sales, General	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	A*	525
	Retail Establishment, Large	-	-	-	-	-	P*	P*	S*	-	-	-	-	-	-	526
	Retail Establishment, Medium	-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	526
	Retail Establishment, Specialty	-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	526
Sexually Oriented Businesses	Sexually Oriented Media Store	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	528
	Physical Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	528
	Sex Shop	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	528
	Sexually Oriented Theater	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	528
Transient Accommodation	Bed and Breakfast	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	20-504
	Campground	-	-	-	-	-	P	P	P	-	-	-	S	-	-	
	Hotel, Motel, Extended Stay	-	-	P	-	P	P	P	P	P*	P	-	-	-	A	20-509



Section 20-509 Proposed Changes

20-509 EATING AND DRINKING ESTABLISHMENTS

The restrictions in (1) and (2) shall apply to a Licensed Premises use. The Fast Order Food establishments in 3 and 4 are not permitted to be a Licensed Premise:

(1) Accessory Uses to Hotels

- (i) A hotel with 50 or more rooms may have a restaurant as an Accessory Use; ~~a restaurant may be permitted as a second Principal Use on the same property as a smaller hotel~~, subject to all of the other conditions applicable to the use and the district in which it is located, including separate Parking requirements.
- (ii) A hotel with 100 or more rooms may have a Bar or Lounge as an Accessory Use, subject to all of the other conditions applicable to the use and the district in which it is located, including separate Parking requirements. A Bar or Lounge is not permitted as an Accessory Use to a Hotel, Motel, Extended Stay use in the IBP District.
- (iii) A hotel with 150 or more rooms may have a Nightclub or other live entertainment as an Accessory Use. A Nightclub is not permitted as an Accessory Use to a Hotel, Motel, Extended Stay use in the IBP District.



Section 20-509 Proposed Changes

20-509

(2) Accessory Bars

In any Zoning District allowing a ~~R~~restaurant as a permitted use and allowing an Accessory Bar, the Accessory Bar shall be allowed only subject to the following standards:

- i. the Accessory Bar shall not constitute more than 25% of the Floor Area of the eating & drinking establishment;
- ii. the Accessory Bar shall not have a separate Street entrance; and
- iii. if at any time the sales of alcoholic beverages in the eating & drinking establishment constitute more than 55% of gross sales for any two months or longer measuring period, the Bar shall be deemed to be a Principal Use and the operator shall be subject to penalties under this Development Code for operation of an unlawful use.



Section 20-1724 Proposed Changes

20-1724 EATING AND DRINKING ESTABLISHMENTS

Sale of prepared food and beverages for on- and off-Premises consumption. The following are eating and drinking establishment use types:

(1) Accessory Restaurant

An accessory restaurant is not required to be separated by a permanent wall from the Principal Use to which it is accessory, and generally shares one or more entrances, as well as restrooms, coatrooms and other facilities, with the restaurant. No sales of alcoholic beverages shall be permitted. Accessory restaurants include, but are not limited to, snack bars, school cafeterias, and supermarket delicatessens.

(2) Accessory Bar

An accessory bar is a part of a ~~Quality Restaurant~~ or ~~high-turnover restaurant~~ Fast Order Food establishment offering alcoholic beverages. An accessory bar is not separated by a permanent wall from the restaurant to which it is accessory, and generally shares one or more entrances, as well as restrooms, coatrooms and other facilities, with the restaurant. An establishment with an accessory bar will generally characterize itself in its signs, advertising and other promotions as a restaurant or food-service establishment rather than as a bar.



PC Recommendation

- June 2010: Planning Commission recommended approval 6-4 for the addition of the Hotel, Motel, Extended Stay use to the IBP District
- October 2010: Planning Commission recommended approval 7-1 of the proposed additional text to address the Commission's direction of whether use standards should be employed to ensure compatibility of the hotel use in IBP with residential districts and distinguish it from commercial districts



Action Requested

- Approve Text Amendment (TA-4-4-10) and adopt on first reading, Ordinance No. 8543, if appropriate.