

PLANNING COMMISSION REPORT
Regular Agenda – Action Item

PC Staff Report
6/25/12

ITEM NO. 3: COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 6 and to the Area Plan for the Intersection Area of West 6th Street and Wakarusa Drive (DDW)

CPA-4-3-12: Consider Comprehensive Plan Amendment (CPA) to *Horizon 2020 Chapter 6, Commercial Land Use*, to revise the western boundary of the Existing Commercial Area at W. 6th Street and Wakarusa Drive, and to amend the Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive. Requested by Barber Emerson, L.C. for Williams Management, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of this comprehensive plan amendment to *Horizon 2020 Chapter 6, Commercial Land Use*, to revise the western boundary of the Existing Commercial Area W. 6th Street and Wakarusa Drive, and to amend the *Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive* and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission with a recommendation for approval.

STAFF RECOMMENDATION: If appropriate, approve and sign Planning Commission Resolution PCR-12-00013.

KEY POINTS

1. This is a request to accommodate an approximate 2.42 acre commercial site at the southeast corner of W. 6th Street and Congressional Drive that is currently zoned RMO (Multi-Dwelling Residential – Office) District.
2. The request terminates the W. 6th Street and Wakarusa Drive commercial center's western boundary at a public street (Congressional Drive) and is not encouraging the "stripping out" of commercial uses along 6th Street because it is maintaining the nodal pattern of commercial development.
3. Approximately 10,000 square feet of commercial retail land use will be added to the W. 6th Street and Wakarusa Drive commercial center.
4. Terminating the western boundary of the commercial center on the south side of W. 6th Street at Congressional Drive aligns with the western boundary of the commercial development on the north side of 6th Street, which is also Congressional Drive.
5. Congressional Drive is to become the hard western boundary for the north and south sides of the W. 6th Street and Wakarusa Drive commercial node. Commercial uses should not cross Congressional Drive to expand farther west of the existing node.

SUMMARY

CPA-5-7-10: This is an applicant requested amendment to *Horizon 2020 Chapter 6, Commercial Land Use*, to revise the western boundary of the Existing Commercial Area at W. 6th Street and Wakarusa Drive, and to amend the *Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive*. The reason for this Comprehensive Plan Amendment is to allow for the expansion of the commercial center at W. 6th Street and Wakarusa by moving the western boundary of the commercial area south of 6th Street to Congressional Drive and designating the property at the southeast corner of W. 6th Street and Congressional Drive as commercial.

Items related to this CPA include:

- Z-4-6-12, a request to rezone approximately 2.42 acres from RMO (Multi-Dwelling Residential Office) to CN2 (Neighborhood Commercial Center), located at 650 Congressional Drive;
- SUP-4-3-12, a request for a Special Use Permit for an office/retail building with a drive-thru for an eating and drinking establishment use at 650 Congressional Drive.

STAFF REVIEW

The applicant is requesting a rezoning to CN-2 (Neighborhood Commercial) District and a special use permit to allow an office/retail building with a drive-thru for an eating and drinking establishment on the approximate 2.4 acre property at 650 Congressional Drive. The proposal includes approximately 10,000 s.f. of new commercial space.

The proposal does not comply specifically with *Horizon 2020 Chapter 6 Commercial Land Use* nor with the *Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive*. Thus, the applicant is requesting to amend both documents to align Comprehensive Plan policy with the requested rezoning and special use permit requests.

Staff reviewed this amendment based upon the comprehensive plan amendment review criteria listed below [identified in Chapter 17 (Implementation) of *Horizon 2020*]. The applicant's responses are also provided below.

Also included in this staff report is the proposed amendment to *Horizon 2020 Chapter 6 (Commercial Land Use)* and to the *Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive*. If approved, the amendments will revise the Existing Commercial Area W. 6th Street and Wakarusa Drive in *Horizon 2020 Chapter 6* to set the western boundary of the node at Congressional Drive. Additionally, the *Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive* will be amended to:

1. Designate the southeast corner of W. 6th Street and Congressional Drive as Commercial;
2. Add approximately 10,000 square feet of approved retail commercial space to the already approved retail commercial square footage for the area; and,
3. Add a paragraph explaining the recent updates to the Area Plan.

COMPREHENSIVE PLAN AMENDMENT REVIEW

1. 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. When the City Commission originally adopted Horizon 2020 on January 28, 1997, and as evidenced by multiple amendments to Chapter 6 since that time, the exact size, scope and location of commercial areas in Lawrence had not been irrevocably determined. The subject property is a relatively small tract, and the proposed development of a 10,000gsf building will have a minimal impact on the size and geography of the existing West 6th Street/Wakarusa node. At the time the Nodal Plan and Horizon 2020 established the boundaries of the node, the areas north of West 6th Street were the focus of attention. The appropriateness of developing the last small parcel south of West 6th Street, located between the existing commercial development and Congressional Drive, was not expressly addressed or considered. Establishing Congressional Drive as the westernmost boundary of the entire node is an appropriate and reasonable determination.

Staff's response: While circumstances haven't necessarily changed, establishing Congressional Drive as the western boundary of the commercial center is a more appropriate boundary than locating it at the edge of a parking lot that helps serve the existing commercial center. The property in question is, for all intents and purposes, attached and related to the existing center by the shared parking lot that serves the center and which also provides access to and from the center from Congressional Drive. It is reasonable to have the western boundary of the commercial center be located at Congressional Drive.

2. Does the proposed amendment advance a clear public purpose?

Applicant's response: Yes. Classifying the subject property as a commercial tract within the node enables infill commercial development. The proposed amendment augments the clear public purpose of nodal development by adjusting the existing node's boundaries. There is little to no risk of "leap frog" development to the west, because the corridor on West 6th Street has, for the most part, already been developed.

Staff's response: The proposed amendment is an advancement of a clear public purpose in that it will allow for an additional 10,000 square feet of commercial space on vacant property that is immediately adjacent to the W. 6th Street and Wakarusa Drive commercial node. This proposal is a minor expansion of an existing commercial node and not a proposal to strip out commercial uses along W. 6th Street.

3. Is the proposed amendment consistent with the long-range goals and policies of the plan?

Applicant's response: Yes. The proposed amendment is consistent with the overall goals and policies of Chapter 6 of Horizon 2020. The amendment preserves Horizon 2020's central policy of encouraging nodal development. If approved, the western boundary of the West 6th Street/Wakarusa node will have a clear termination point at Congressional Drive, with office and high-density residential uses acting as a buffer to the medium and low density residences

located west and southwest of the subject property. Horizon 2020, p. 6.2. The amendment advances Policy 1.6 in Chapter 6 of Horizon 2020, by promoting an appropriate supply of commercial inventory. The project's commercial tenants are anticipated to be local businesses desiring to relocate and/or expand. The presence of adjacent office and high-density uses satisfies Policies 2.1, 2.3 and 2.5, by maintaining adequate buffering to minimize any impact on nearby residential areas. The building's intended orientation, at the northwest corner of the site, also aids in mitigating any impact on neighborhoods south of the intersection of West 6th Street and Congressional Drive. The project is consistent with the locational criteria contained in Policy 3.1.

Staff's response: The proposed amendment is consistent with the overall goals of *Horizon 2020*. The general thrust of *Horizon 2020 Chapter 6 Commercial Land Use* is to limit strip commercial development by concentrating commercial development in nodes at major intersections. This application proposes to expand the commercial center at W. 6th and Wakrusa Drive to the west by setting the hard western boundary of the center at Congressional Drive. The property in question is immediately adjacent to the existing commercial node. This proposal is a minor expansion of a node and is not a proposal to strip out additional commercial uses along W. 6th Street outside of the nodal development pattern.

4. Does the proposed amendment result from a clear change in public policy?

Applicant's response: The proposed amendment is consistent with existing public policy. The proposed amendment, which makes no attempt to alter the policy of nodal development as opposed to strip development, is a rational extension of public policy to a small tract that should have been included in the West 6th Street/Wakarusa node from the beginning.

Staff's response: There is no change in public policy. The proposal is to add commercial property that is immediately adjacent to the existing commercial center. The proposal maintains the existing node by staying east of Congressional Drive and does not strip out commercial development along W. 6th Street. The proposal is generally consistent with existing policy.

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

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

Applicant's response: No, there will be no impact on existing or planned facilities and services.

Staff's response: No. Infrastructure in the area is adequate to support this commercial development. It does not appear that facilities and services will be negatively impacted by this development. The traffic impact is discussed in the Special Use Permit application.

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

Applicant's response: Yes, the multi-tenant commercial building will be similar in size and intensity as the commercial properties located east of the site, and is compatible with the office, high-density residential and medium-density residential areas to the west and south.

Staff's response: Yes. The project is proposing to rezone from the RMO District to CN2 District. The proposed CN2 zoning is a limited neighborhood commercial district that, while less intense, is consistent with the more intense existing commercial center to the east. The less intense CN2 will help provide a land use transition from the higher intensity commercial center east towards the RMO zoned property west of Congressional Drive and the multi-family use farther west, in addition to the duplex uses to the south and west. The project is compatible with the existing commercial center and also with the high and medium density residential uses in the immediate area.

7. 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? (Please explain)

Applicant's response: Yes. The proposed change benefits the citizens of Lawrence by providing compatible commercial development along a principal arterial roadway, offering services that are readily accessible and desirable for the entire population, not just those residing in northwest Lawrence.

Staff's response: The expansion of this commercial area will provide new opportunities for the community as a whole, as well as non-local visitors.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends approval of this comprehensive plan amendment to *Horizon 2020 Chapter 6, Commercial Land Use*, to revise the western boundary of the Existing Commercial Area W. 6th Street and Wakarusa Drive, and to amend the *Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive* and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission with a recommendation for approval.

Attachments:

- Proposed new text and figures
- Applicant's application

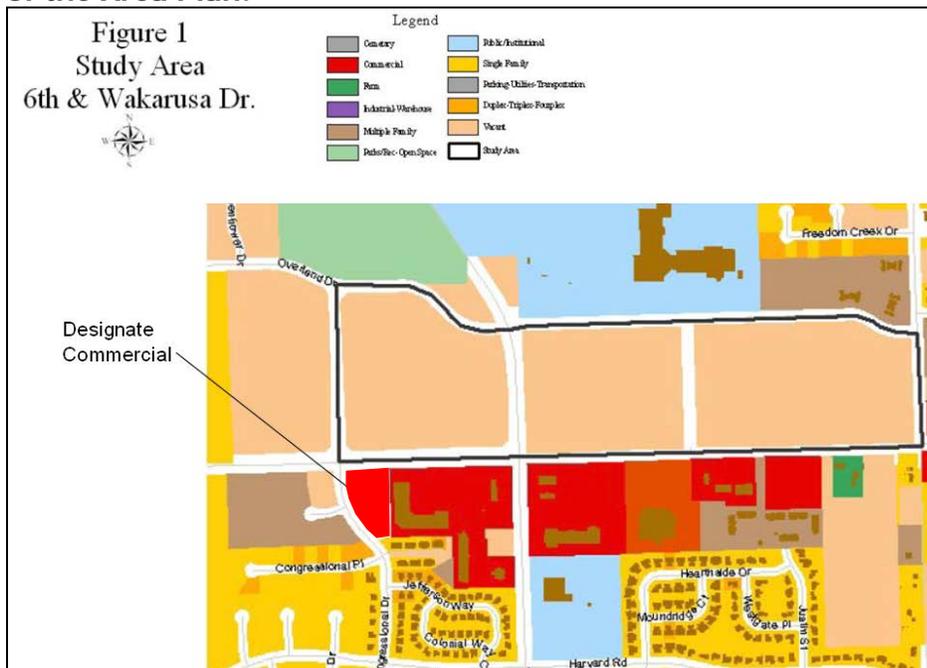
Amendment #1: Page 6-17, Chapter 6, Horizon 2020 (describing Existing Commercial Areas):

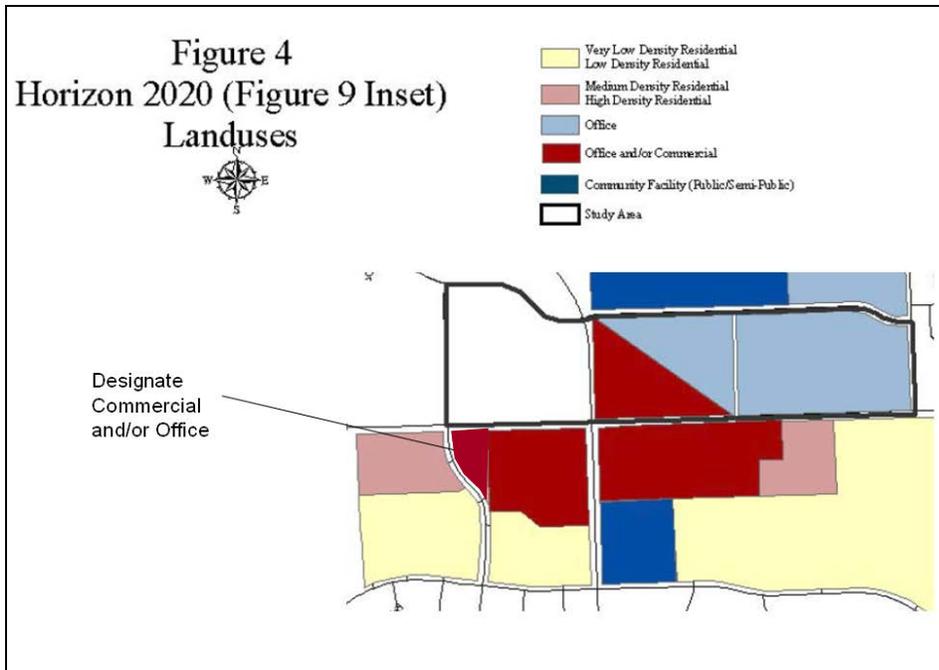
- **W. 6th Street and Wakarusa Drive**

The intersection of W. 6th Street and Wakarusa Drive is an existing Community Commercial Center limited to 200,000 square feet of commercial gross square footage (CC200 Center) with a nodal development pattern. While this intersection is designated a CC200 Center, there already exists more commercial gross square footage at the intersection than is recommended for a CC200 Center.

Portions of the intersection of W. 6th Street and Wakarusa Drive are still developing. However, the southern half of the intersection is almost completely developed and shall not be expanded beyond ~~the existing commercially zoned property~~ Congressional Drive to the west. The northern half of the intersection is undeveloped. Commercial development of this portion of the intersection shall not extend beyond Overland Drive (extended) to the north, Congressional Drive (extended) to the west; and Champion Lane (extended) to the east. Development proposals for the northern portions of the intersection shall include not only commercial uses, but also a variety of other uses including office, community, recreational and multi-family uses.

Amendment #2: Figure 1 and Figure 4; pages 4 and 9 of the Area Plan; and page 19 of the Area Plan:





Page 19:

Additional Recommendations

It is also recommended that the total allowable approved retail commercial square footage be limited to ~~440,000~~444,600gsf for the four corners of the West 6th Street/Wakarusa Drive intersection. ~~In the event the approved development plan for 154,000gsf on the northwest corner of West 6th Street and Wakarusa Drive expires or otherwise becomes null and void, the total square footage allowed at the intersection will be reduced to 420,000gsf.~~ A breakdown of square footage allocation is illustrated in the table below.

Total Square Footage Allowed	440,000gsf*	420,000gsf+
Southside of West 6 th Street (existing development)	224,000gsf	224,000gsf
Northwest Corner of West 6 th Street/Wakarusa Drive	154,000gsf	136,000gsf
Northeast Corner of West 6 th Street/Wakarusa Drive	62,000gsf	60,000gsf

*Note: * = with approved development plan on northwest corner; + = without approved plan*

Total Approved Retail Commercial Square Footage	444,600gsf
Southeast side of West 6 th Street (existing development)	157,017 gsf
Southwest side of West 6 th Street (existing development)	78,096 gsf
Northwest Corner of West 6 th Street/Wakarusa Drive	127,487 gsf
Northeast Corner of West 6 th Street/Wakarusa Drive	72,000 gsf
Southwest side of West 6 th Street (new development)	10,000 gsf

2012 Plan Update Notes:

The 2012 modifications to this Plan designate the southeast corner of the W. 6th Street and Congressional Drive as a commercial use. The changes also make Congressional Drive the western boundary of the W. 6th Street and Wakarusa Drive commercial center.

The approved retail commercial square footage updates to the Additional Recommendations section are derived from the most recent approved development plans for the four corners of the intersection. Non-retail square footage numbers from the development plans are not included in the approved retail commercial square footage numbers. The table on page 19 was revised to reflect the existing approvals and to provide information for all four corners.

The revision to Figure 4 will also mean a revision to Map 3-2 Lawrence Future Land Use in *Horizon 2020*. An amendment has been initiated previously for Map 3-2 and this revision will be included with that amendment.