

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
5/21/12

**ITEM NO. 5: COMPREHENSIVE PLAN AMENDMENT TO H2020 - CHP 6 and CHP 14;
CC600 (AAM)**

CPA-4-2-12: Consider a Comprehensive Plan Amendment to Chapter 6 of *Horizon 2020* to create CC600 District policies and to Chapter 14 Specific Plans, to revise the *West of K-10 Plan* and *A Nodal Plan for the Intersection of West 6th Street & Kansas Highway 10 (K-10)* designating the node of 6th Street and K-10 as a CC600. *Initiated by City Commission on 4/10/12.*

STAFF RECOMMENDATION: Staff recommends forwarding a recommendation of approval of this comprehensive plan amendment to *Horizon 2020*, to the Lawrence City Commission to amend Chapter 6: Commercial Land Use to create CC600 District policies, Chapter 14: Specific Plans to revise the *West of K-10 Plan* to change the designation of the 6th and K-10 node to a CC600 commercial center, and to remove *A Nodal Plan for the Intersection of West 6th Street and Kansas Highway 10 (K10)* from Chapter 14: Specific Plans.

STAFF RECOMMENDATION: If appropriate, approve and sign Planning Commission Resolution PCR-5-4-12.

KEY POINTS

1. This is a request to create a new commercial center designation in *Horizon 2020*, CC600, to accommodate an increase in allowable commercial square footage at the West 6th and K-10 node, currently designated as a CC400, to allow for a community recreational center and associated retail uses to be constructed on the northwest corner of the node.
2. In addition to adding the CC600 commercial center designation to Chapter 6: Commercial land Use, this amendment amends Chapter 14: Specific Plans to change the designation for this node in the West of K-10 plan to a CC600, to add the eastern corners of the node to the West of K-10 plan thereby incorporating the unbuilt portions of the property included in the plan titled *A Nodal Plan for the Intersection of West 6th Street and Kansas Highway 10 (K10)* (6th and SLT Nodal Plan), and removing the 6th and SLT Nodal Plan from Chapter 14: Specific Plans.

PROJECT SUMMARY

This comprehensive plan amendment (CPA) was initiated by the City Commission at their April 10, 2012 meeting and will create a new Commercial Center designation (CC600) in the Comprehensive Plan, *Horizon 2020* that would allow up to 600,000 square feet of commercial retail space at the West 6th Street and K-10 node through the modification of Chapter 6:

Commercial, increasing the permitted commercial retail space from 400,000 sq. ft. at this node to 600,000 sq. ft. While the commercial retail uses, as defined in the text of Chapter 6, would be limited in the node, non-retail commercial, office, recreation, utility, and other uses permitted in the Development Code would be permitted without an area limit.

In addition, this CPA will modify Chapter 14: Specific Plans to remove the 6th and SLT Nodal Plan, and modify the *West of K-10 Plan* to incorporate the area included in the 6th and SLT Nodal Plan and change the land use designation of the subject node to a CC600. The CPA is intended to accommodate a regional recreation facility on 50 acres of the subject 146 acres located at the northwest corner of the West 6th Street and K-10 node. The project will be a public /private partnership including the donation of 50 acres to the city to construct the facility. While many details need to be determined, the project is currently planned to include basketball courts, indoor recreation track, cardio facilities, recreation areas, an arena capable of holding sporting or entertainment events, potential uses for the University of Kansas, and other ancillary uses typical of such a facility – retail merchandise, food/drink, etc.

In addition to the 50-acre recreation facility, the remaining acreage on the northwest corner of the node is planned to support the facility with expansion opportunities, additional recreation uses, and commercial uses – restaurant, retail, hotel, etc. The current planning documents designate the entire property for industrial/warehouse/office uses. Commercial uses are generally viewed by the Development Code as equal to or lesser uses compared to industrial uses and so the project can feasibly be viewed as compatible with the comprehensive plan designation; however, there are specific policies and Development Code language that tie commercial zoning in the Development Code directly to the comprehensive plan and the plan and code need to be revised to accommodate the project as noted more specifically below. A text amendment to add the CC600 zoning district to the Land Development Code was also initiated by the City Commission at their April 10, 2012 meeting.

STAFF REVIEW

This Comprehensive Plan Amendment request involves proposed changes to Chapter 6: Commercial Land Use and Chapter 14: Specific Plans of *Horizon 2020*. The changes to Chapter 6 include:

1. Revising on pg. 6-3 how the term “commercial” is used in the chapter to clarify which commercial uses are included within the limitation of the 600,000 sq. ft. of permissible uses.
2. Adding a CC600 section on p. 6-9 under the Commercial Community Center description.
3. Moving the West 6th Street and K-10 node from the CC400 center designation to the CC600 designation on P. 6-21.
4. Adding Policy 3.10 regarding CC600 centers.
5. Revising 6-1 to show the West 6th Street and K-10 node as a CC600 and updating the transportation network on the map to reflect the T2030 Transportation Plan.
6. Three changes that involve chapter clean-up, not related to this specific request:
 - a. Re-numbering the policies in Goal 3.
 - b. Moving the policy “Criteria for Mixed-Use Districts” from the end of Goal 3 to its logical location at Policy 3.5
 - c. Changing Use Permitted Upon Review on p. 6-13 to reflect the current language in the Land Development Code of Special Use Permit.

The changes to Chapter 14 include:

1. Revising the West of K-10 plan to reflect current land use approvals for the West 6th and K-10 node, changing the nodal designation to a CC600 and adding land uses that had previously been in the 6th and SLT Nodal Plan east of K-10 into the West of K-10 plan.
2. Removing the 6th and SLT Nodal Plan from Chapter 14 since it is now incorporated into the West of K-10 Plan.

Copies of the revised Chapter 6: Commercial Land Use, Chapter 14: Specific Plans, and the West of K-10 Plan are attached to this staff report with the changes marked.

Retail Market Study: 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. Staff is reviewing this project for compliance with the Land Development Code, in addition to the criteria in *Horizon 2020*, based on the rezoning request, and because the criteria in the development code is the most recently adopted set of criteria. Staff is conducting this analysis taking the most recent citywide market study completed in Fall of 2010 (<http://www.lawrenceks.org/planning/documents/2010Retail.pdf>) and updating the supply figures based on this request to add roughly 180,000 sf of space commercial (retail) uses. This staff analysis is provided in lieu of an applicant supplied market study since the City of Lawrence is a party to this application.

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 figured the city-wide vacancy rate at 7%, slightly higher than the 2006 vacancy rate of 6.7%. The addition of this project, when completed and entirely vacant, will push the city-wide vacancy rate to 8.8%. Staff has also conducted further analysis that takes into consideration other commercial projects that have received approvals, but have not been constructed to date. The below table illustrates the impact that other major 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	9,120,567	8,478,372	642,195	7.0%
Requested Northwest corner – 6 th and K-10 Node	180,000	0	180,000	8.8%
Mercato	359,640	0	359,640	
Fairfield Farms	200,000	0	200,000	
North Mass	217,337*	0	217,337	
Total	10,077,544	8,478,372	1,599,572	15.9%

*This figure is taken from the project's market study and includes space that may not be truly retail in nature.

If all approved commercial space that has been approved were to be constructed and assumed vacant, the city-wide vacancy rate would rise to 15.9%. If all the approved commercial space that has been approved were to be constructed but assumed occupied, except for the subject of this request, the city-wide vacancy rate would be 8.2%.

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. While new commercial development can lead to vacancies in other parts of town, the current economic conditions have all but halted speculative commercial building in Lawrence. The current development trend is that buildings are built with known users or committed tenants and therefore, it is unlikely that the space will be vacant upon completion. In addition, this request for additional retail square footage at this node is being made with understanding that it will support the proposed recreational center. Therefore, the types of retail anticipated will be ancillary and supportive to the main use at the northwest corner of the node.

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 2010 Retail Market Report shows that since 2000, population has grown approximately 16%, while retail sales have only increased 3.3%, and income, adjusted for inflation, has only increased 3.9%. On the supply side of the market, retail stock has increased 69.7% since 2000, however, it is important to note that some of that increase is because of changes in the methodology for figuring total retail space. What is important to take away from the above number is that demand has not kept pace with supply as shown by the limited income, population, and retail sales growth.

Also important is 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 2011, states that Lawrence’s pull factor was 1.02 in 2010, which as noted in the market study, is a 9.7% decline over the last decade from a height of 1.13 in 2000. In addition, Douglas County’s pull factor has been below 1.00 for the last decade and recently has fallen to .86 in 2010. 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. In 2010 in Lawrence there were approximately 98 sf of retail space per capita. Using an average growth rate from 2000-2010 of 1250 people per year, Lawrence could add as much as 121,000 square feet of retail each year in order to keep the ratio of retail square feet to people at 98. 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 180,000 square feet of commercial space being requested with this project results in a ratio of 100 square feet per capita if the project were built today. However, this analysis does not take into consideration any of the other approved commercial development. The addition of commercial space at Mercato, Fairfield Farms and North Mass that is approved, but not constructed, would result in a ratio of 109 retail square feet per capita.

The analysis satisfies the requirements of the Land Development Code and *Horizon 2020* with respect to the submission of a Retail Market Study. 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. The proposed additional retail square footage at this node has a focus of drawing non-local visitors by providing retail space that is supportive in nature to the proposed recreational center. The project and associated retail square footage is also being designed in a way to focus on drawing regional or non-local visitors to the area, which in turn is presumed to bring more visitors to the area through spill-over. Even though this project will push the vacancy rate above the 8% threshold, it is unlikely that this development will be speculative in nature. The current economic conditions are showing a trend that buildings are built with committed tenants. It is presumed that this development will have a regional draw that results in a more favorable pull factor; therefore, the development should not have a detrimental impact on the community's retail market.

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?

Staff's response: Chapter 6 anticipates changes and additions to the commercial framework in the over time. The proposed amendment is a result of changing circumstances that have occurred. The comprehensive plan provides for two CC centers, CC200 and CC400 which would allow a maximum of 400,000 square feet of commercial space for the node. The Commercial Regional designation is the next larger district, allowing a maximum of 1.5 Million square feet of commercial space. Staff has identified that it would be useful to have a designation for certain locations between 400,000 and 1.5 million sq. ft., to permit a higher level of community commercial area to serve the community.

B. Does the proposed amendment advance a clear public purpose and is it consistent with the long-range goals and policies of the plan?

Staff's response: The proposed amendment is generally consistent with the goals and policies outlined in Chapter 6. The proposed amendment is an advancement of a clear public purpose in that it will allow a larger amount of commercial space at this node in order to accommodate commercial uses necessary to support the proposed community recreational facility. This amendment also helps to provide a framework to guide development of CC600 centers through specific policies.

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

Staff's response: While the proposed amendment is not a result of a clear change in public policy, it fits with the goals and policies already established in Chapter 6. In addition, plans for a regional recreation center at this node necessitate revisions to the comprehensive plan in order to accommodate the increase in commercial uses associated with that development.

While *Horizon 2020* currently designates this node as a CC400, and specifically the northwest corner of the node for industrial/warehouse/office uses, there are alternative land use patterns that would also be compatible at this intersection of two state highways.

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?

Staff's response: The east portion of the node is already served by city sewer, water, streets and other services, as it is annexed into the city and is the beneficiary of infrastructure projects constructed during the last decade. The west half of the node can be served by extending existing sewer infrastructure across K-10 and existing water across Hwy 40.

The current water and wastewater planning documents anticipate extensions of utilities to this area based on certain timing assumptions and adopted land use plans. While this amendment has potential to accelerate the timing of extending services and may place increased demand on the water and wastewater systems, infrastructure can serve the area but plans may need to be adjusted to account for the proposed uses.

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

Staff's response: This node is currently designated as a CC400, and this comprehensive plan amendment changes that designation to a CC600, increasing the allowable commercial square footage within the node. The current planning documents designate the northwest corner of the node for industrial/warehouse/office uses and this amendment would reclassify the northwest corner from industrial/warehouse/office to commercial with a limit on the amount of retail permitted. It also adds opportunity for additional commercial retail uses on the southwest and southeast corners where little exists under the current designation.

Commercial uses are generally viewed by the Development Code as equal to or lesser uses compared to industrial uses and so the project can feasibly be viewed as compatible with the land use relationships. The revised West of K-10 plan keeps an open space buffer on the north line of the northwest corner in the node in order to provide a transition to the established neighborhood to the north. Appropriate site design will also help to ensure reasonable compatible land use relationships for the area.

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?

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. The project has the potential to attract visitors to the city through tournaments at the proposed recreational center thereby contributing non-local dollars to the local economy.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends forwarding a recommendation of approval of this comprehensive plan amendment to *Horizon 2020*, to the Lawrence City Commission to amend Chapter 6:

Commercial Land Use to create CC600 District policies, Chapter 14: Specific Plans to revise the *West of K-10 Plan* to change the designation of the 6th and K-10 node to a CC600 commercial center, and to remove *A Nodal Plan for the Intersection of West 6th Street and Kansas Highway 10 (K10)* from Chapter 14: Specific Plans.

West of K-10

Plan

Lawrence-Douglas County Planning Department

**Lawrence-Douglas County Planning Commission –
Douglas County Board of County Commissioners –
Lawrence City Commission –**

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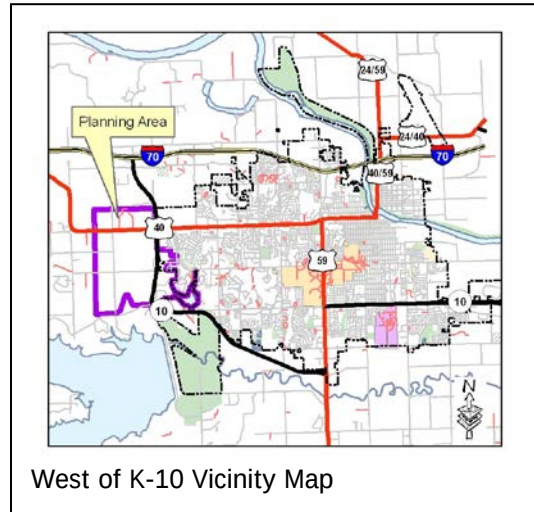
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I. Introduction and Purpose

Location

The West of K-10 planning area is located primarily west of K-10 Highway (South Lawrence Trafficway) and north and south of US Highway 40. The planning area also contains some land east of K-10.



Setting

The area is primarily rural in nature. It has access to two highways, US 40 and K-10. I-70 is nearby and north of the area. Clinton lake lies south of the area.

Earlier Planning Efforts

The *West 6th Street and K-10 Nodal Plan* was adopted by the City of Lawrence on November 11, 2003. The Plan addressed future land use for the four corners that make up the intersection of West 6th Street/US 40 and the South Lawrence Trafficway/K-10. This revision supersedes the *West 6th Street/K-10 Nodal Plan* and the land use policy guidance for the intersection of US40 and K-10 Highways is now found in this Plan. ~~The West of K-10 Future Land Use map (Map 4-1) deviates from The *West 6th Street/K-10 Nodal Plan* by designating land in the southwest corner differently. The alterations reflect changing conditions since the nodal plan was adopted. This Plan recommends updating the *West 6th Street/ K-10 Nodal Plan* following adoption of this Plan to reflect the new approved land uses.~~

The City of Lawrence hired PlaceMakers, a national consulting firm, to write a Traditional Neighborhood Design (TND) code that could be used to develop TND neighborhoods in the future. In early 2007, PlaceMakers held a design workshop in Lawrence. Part of the scope of work for PlaceMakers was to master plan a number of areas, inside and outside of Lawrence, including approximately two square miles west of K-10. The approximately two square miles were located directly west of K-10, south of US 40, north of Clinton Lake, and east of E. 800 Rd. All of the property owners in that area were invited to a number of meetings to gain their input on future development. PlaceMakers produced a TND master plan for the area that is based on the Lawrence SmartCode, which they also produced.

Purpose

The purpose of the West of K-10 Sector Plan is to plan for urban density growth in the area west of K-10. This Plan will act as the City's official land use guide for growth in the West of K-10 area.

Relation to Other Plans

This Plan constitutes an amendment to *Horizon 2020*. The Plan ~~deviates from the West 6th Street/K-10 Nodal Plan and~~ is consistent with Horizon 2020. Additional policy guidance has foundation in the following plans:

- *Transportation 2030*, Lawrence/Douglas County Long Range Transportation Plan. Lawrence/ Douglas County Metropolitan Planning Office and Parsons Brinkerhoff. March 26, 2008.
- Lawrence-Douglas County Bicycle Plan, Lawrence/Douglas County Metropolitan Planning Office. May 2004.
- City of Lawrence, Kansas Water Master Plan. Black & Veatch. December 2003.
- City of Lawrence, Kansas Wastewater Master Plan. Black & Veatch. December 2003.

Process

Planning Staff developed a 1st draft of the Plan with input from other City departments. The 2nd draft of the plan, revised after public comments were received on the 1st draft was made available for public comment. A third draft of the plan was made available for Planning Commission review on September 24, 2008. A 4th draft of the plan was produced based on Planning Commission direction. The Planning Commission and City Commission approved the 4th draft. The Board of County Commissioners directed staff to make changes to the 4th draft. The Planning Commission agreed with the changes suggested by the County Commission and approved the 5th draft March 25, 2009. The County Commission approved the 5th draft on May 6, 2009. The City Commission approved the 5th draft on June 6, 2009.

II. Existing Conditions

A. Current Land Use

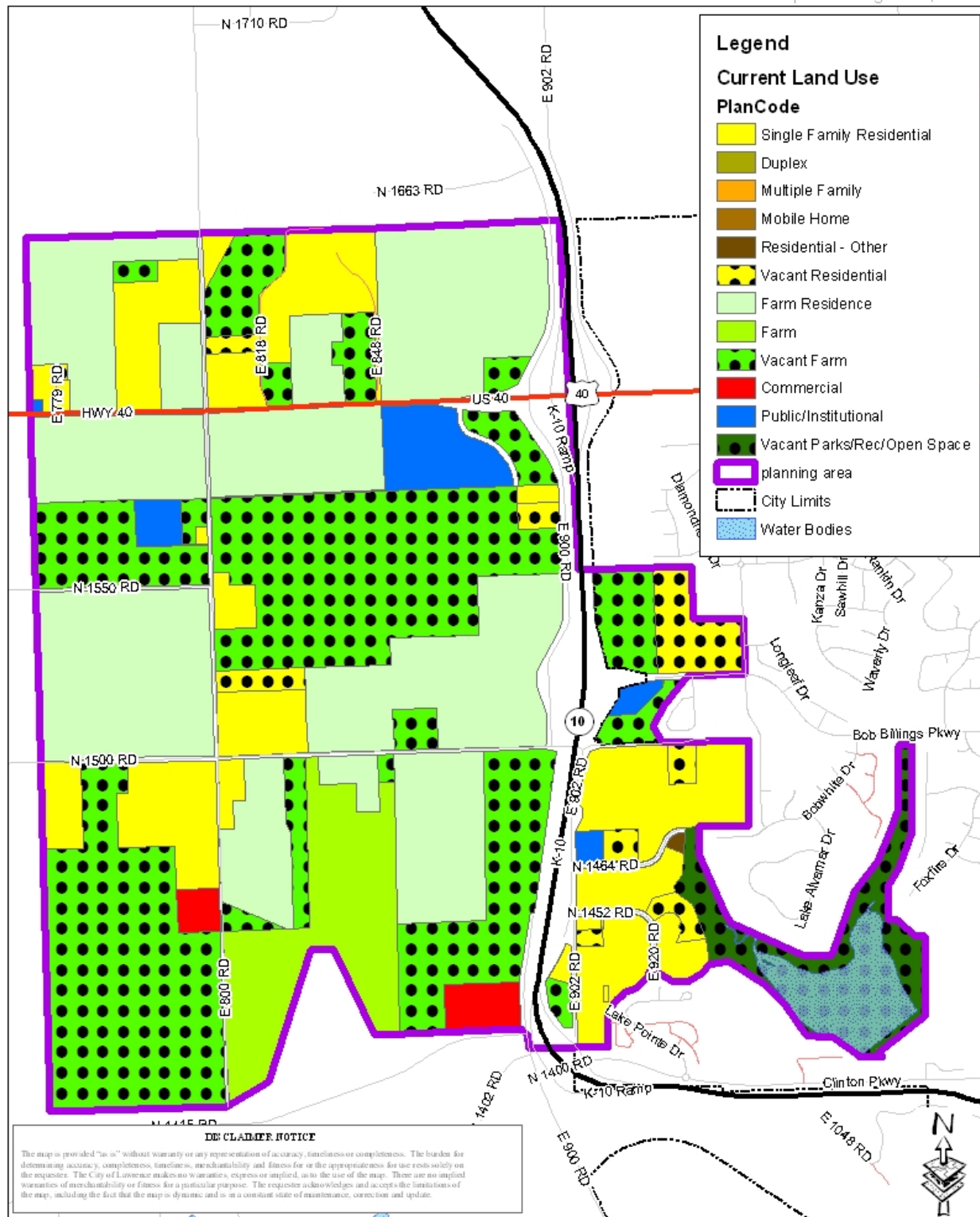
The current land uses in the planning area consist of approximately 2,438 acres of land, excluding street right-of-way, as shown in Table 2-1. The majority of the planning area, approximately 1,800 acres, is in farm use. Most of the remainder of the land uses are types of residential uses. Commercial, public/institutional and vacant parks/recreation/open space are also land uses included in the planning area. (See Map 2-1)

Table 2-1

Current Land Use	Total Acreage
Single Family Residential	381.49
Mobile Home	0.83
Residential - Other	1.40
Vacant Residential	77.94
Farm Residence	855.24
Farm	150.72
Vacant Farm	792.67
Commercial	28.11
Public/Institutional	22.44
Vacant Parks/Rec/Open Space	126.70
Total	2,437.55

West of K-10 Plan Map 2-1 Current Land Use

Map Date: August 15, 2008



B. Current Zoning

The City of Lawrence *Land Development Code* and the Douglas County *Zoning Ordinance* are intended to implement the goals and policies in *Horizon 2020* in a manner that protects the health, safety, and general welfare of the citizens. The *Land Development Code* and the Douglas County *Zoning Ordinance* establish zoning regulation for each land use category which development must follow.

The planning area is primarily located in the county and partially within the city limits. Map 2-2 shows the current zoning designations and the Tables 2-2 and 2-3 below describe the map designations.

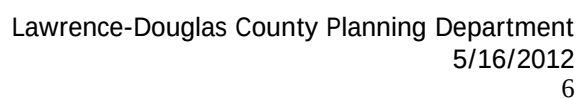
Table 2-2

City Zoning	District Name	Comprehensive Plan Designation
RS10	Single-Dwelling Residential (10,000 sq. feet per dwelling unit)	Low-Density Residential
RS7	Single-Dwelling Residential (7,000 sq. feet per dwelling unit)	Low-Density Residential
RM12	Multi-Dwelling Residential (12 dwelling units per acre)	Medium-Density Residential
PCD	Planned Commercial Development	N/A
UR	Urban Reserve	N/A

Table 2-3

County Zoning	District Name	Comprehensive Plan Designation
A	Agricultural	Agriculture
A-1	Suburban Home Residential	Very-Low Density Residential
B-1	Neighborhood Business	N/A
B-3	Limited Business	N/A

Map Date: June 26, 2008



C. Current Infrastructure

Water

City water is provided to very few properties in the planning area. There is a hydrant and a 16", PVC pipe line southeast of the intersection of US 40 and K-10 which is outside of the Lawrence city limits and another line east of K-10 along Bob Billings Parkway, within the City limits. All other properties obtain water either from private wells or from Rural Water District #1. The water lines are shown on Map 2-3.

Sanitary Sewer

City sanitary sewer is provided to the majority of the properties east of K-10 that are not within Lawrence city limits. There is one 10" and one 8" PVC City sanitary sewer line that cross K-10 to the north and to the south of N. 1500 Road. All other properties are serviced by private septic systems. The sanitary sewer lines are shown on Map 2-3.

Storm Sewer

City storm sewer provides a 24" corrugated metal pipe along Bob Billings Parkway within the planning area. The remainder of the planning area has streams for storm water drainage. The storm water pipes, streams and storm channels are shown on Map 2-4.

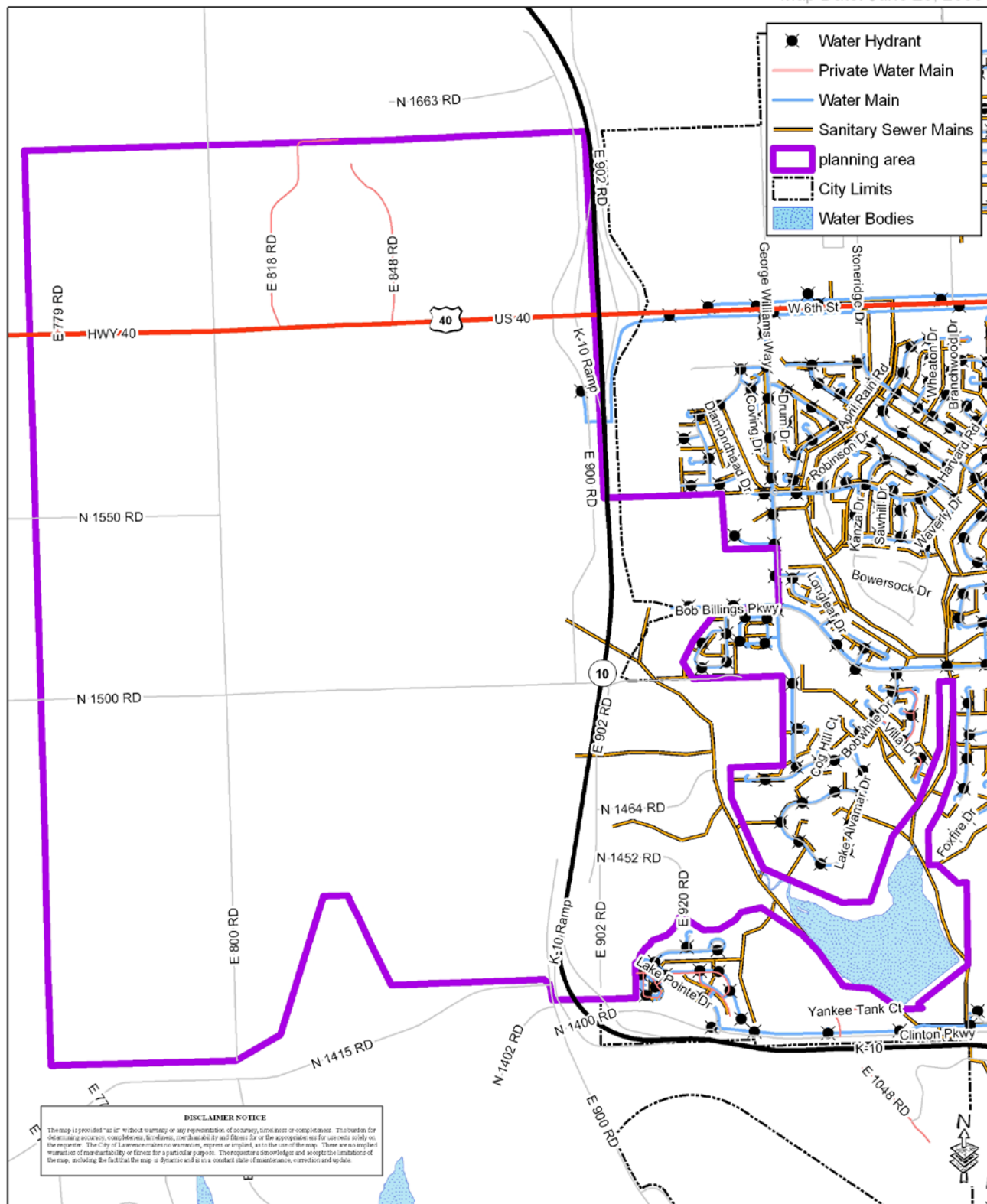
Gas

Southern Star Gas has two lines running through the planning area. One line crosses the planning area across the northeastern corner and the other line crosses at the southern portion of the planning area.

West of K-10 Plan

Map 2-3 City Water and Sanitary Sewer

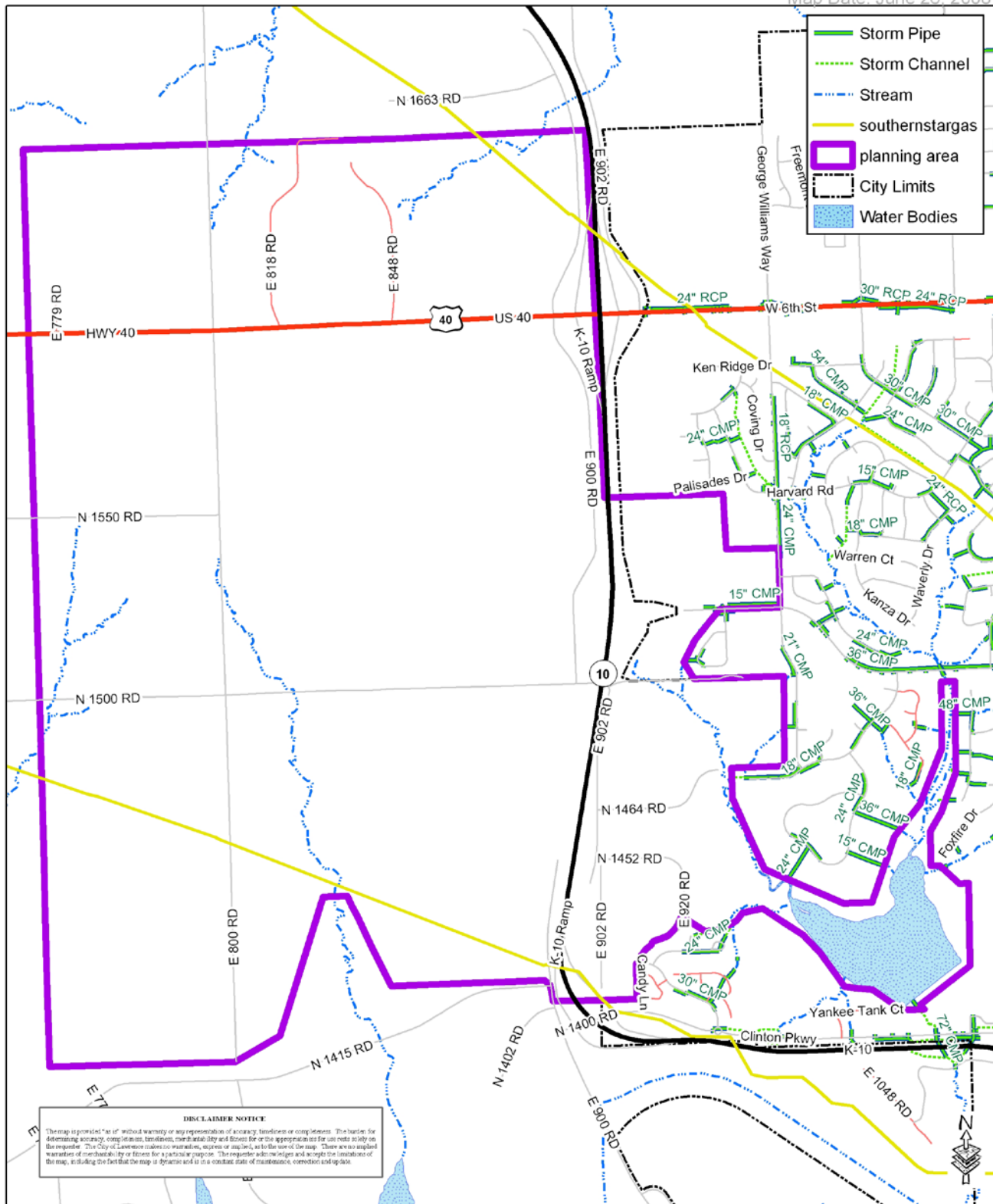
Map Date: June 26, 2008



West of K-10 Plan

Map 2-4 City Storm Water and Southern Star Gas

Map Date: June 26, 2008



D. Parks and Recreational Facilities

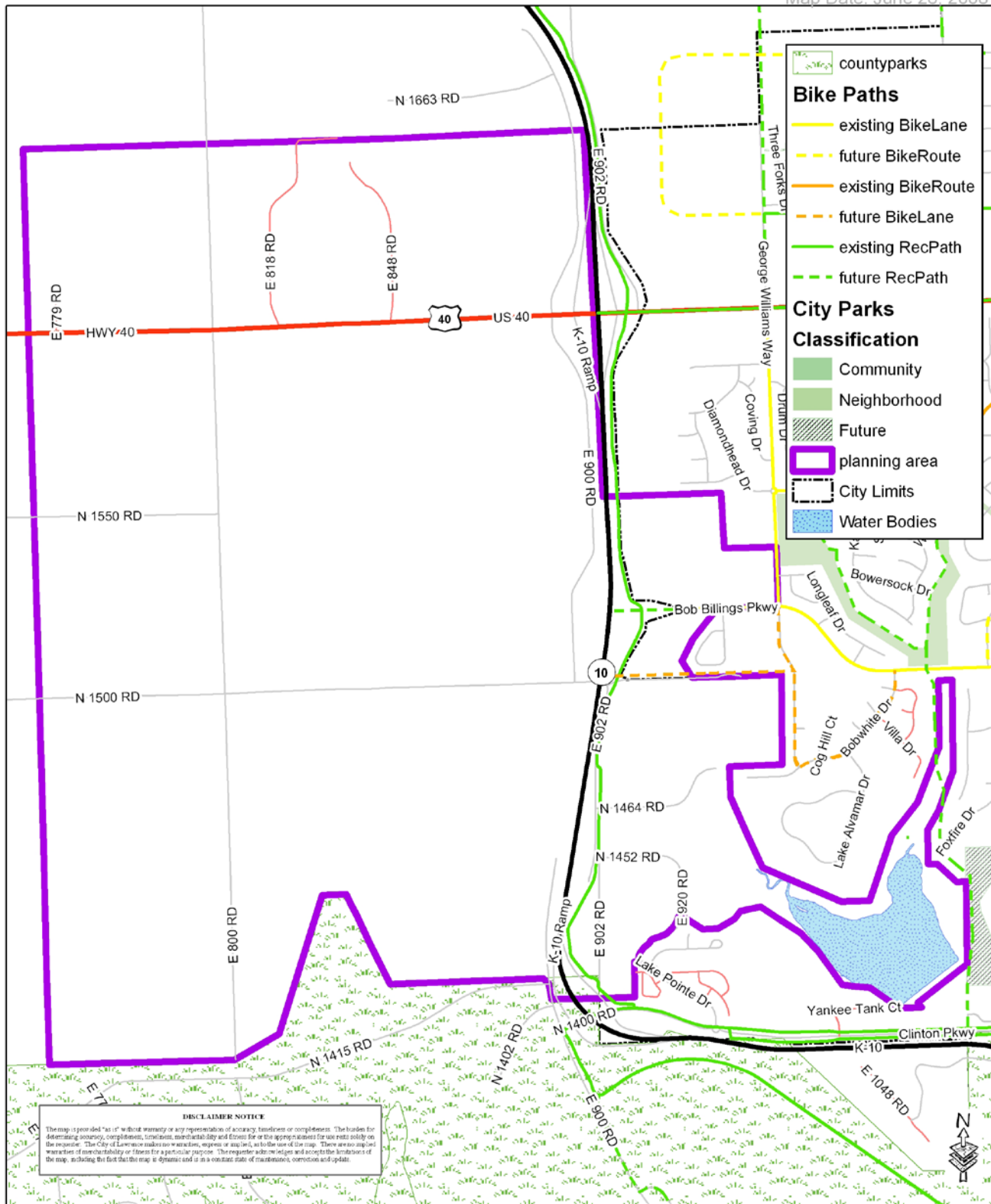
There are currently no existing parks and recreation facilities or park properties located in the plan area. Clinton Lake is directly south of the plan area.

The planning area includes existing and future bike routes, lane, and recreational paths and these are shown on Map 2-5. Bike lanes are a separate space designated with striping, signage or pavement markings for exclusive use by bicycles with a street or road. There is an existing bike lane along Bob Billings Parkway in the planning area and currently stops where the road ends. Bike routes are a network of streets to enable direct, convenient, and safe access for bicyclists. There is a future bike route identified in the planning area along N. 1500 Road. A recreational path is a separate path adjacent to and independent of the street and is intended solely for non-motorized travel. There are existing recreational paths located on the east side of the South Lawrence Traffic Way (SLT/K-10) and a future recreational path from where Bob Billings Parkway ends to the South Lawrence Traffic Way (SLT/K-10).

Different types of bicycle facilities are attached to a certain street classification. Recreational Paths are part of Arterials, Bike Lanes are part of Collectors, and Bike Routes are also part of Collectors.

West of K-10 Plan Map 2-5 Parks and Recreation Facilities

Map Date: June 26, 2008



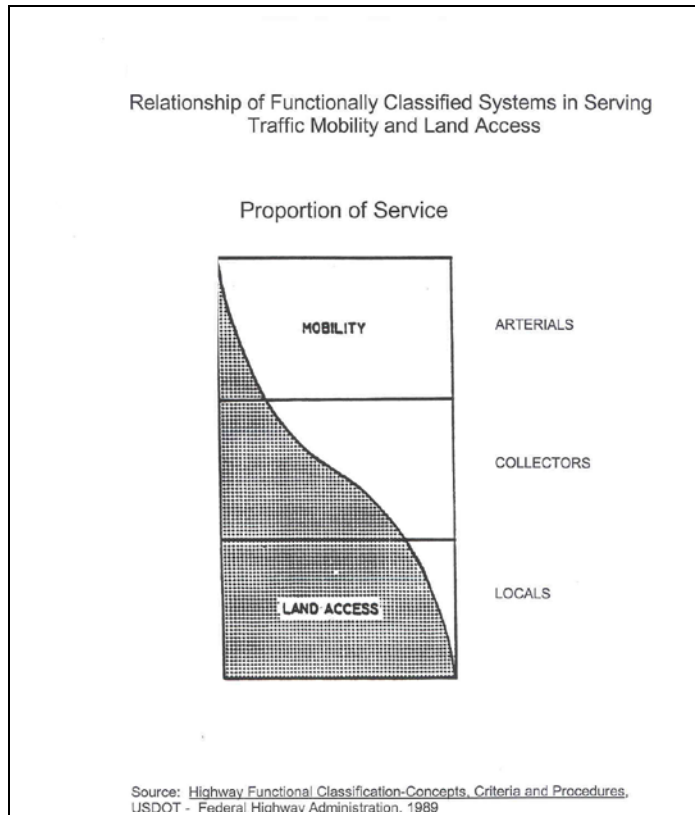
E. Transportation

Transportation 2030 (T2030) is the comprehensive, long-range transportation plan for the metropolitan area. T2030 designates streets according to their functional classification or their primary purpose. These functional classifications are shown on Map 2-6. The classification system can be described as a hierarchy from the lowest order, (local streets) that serve to provide direct access to adjacent property, to (collector streets) that carry traffic from local streets, to major thoroughfares (arterial streets) that carry traffic across the entire city. Freeways and expressways are the highest order of streets and are designed with limited access to provide the highest degree of mobility to serve large traffic volumes with long trip lengths.

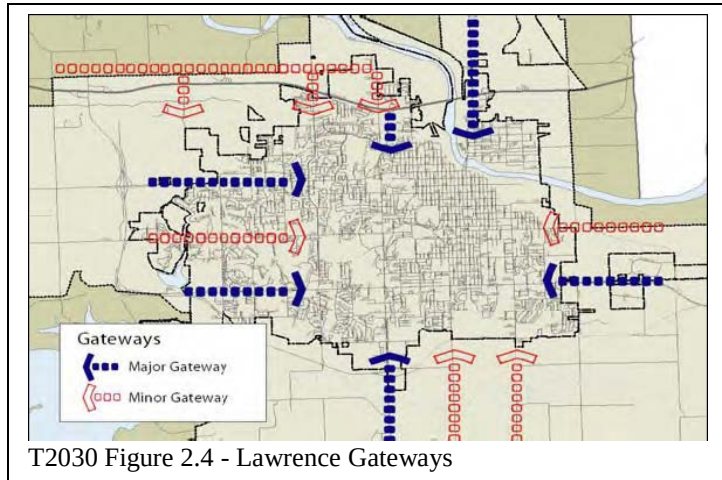
The graphic on the right helps explain the relationship between functional classification in serving traffic mobility and land access.

Chapter 2 of T2030 discusses and identifies minor and major gateways into and out of Lawrence. T2030 states, "Gateways are locations on transportation corridors that define the entrances to cities. These provide visitors with a first

impression of the city and often indicate the transition from rural to urban land uses. As such, cities desire to make these locations as attractive and informative as possible. As noted in T2030 in Figure 2.4, there are several roadways that represent gateways into the city of Lawrence or into smaller communities within the region that should be reviewed for aesthetic and informational enhancements when they are improved."



The planning area for the *West of K-10 Plan* includes three of the *Transportation 2030* identified gateways into Lawrence from the west. US Hwy 40 and Clinton Parkway are identified as major gateways to Lawrence and Bob Billings Parkway is identified as a minor gateway to Lawrence.



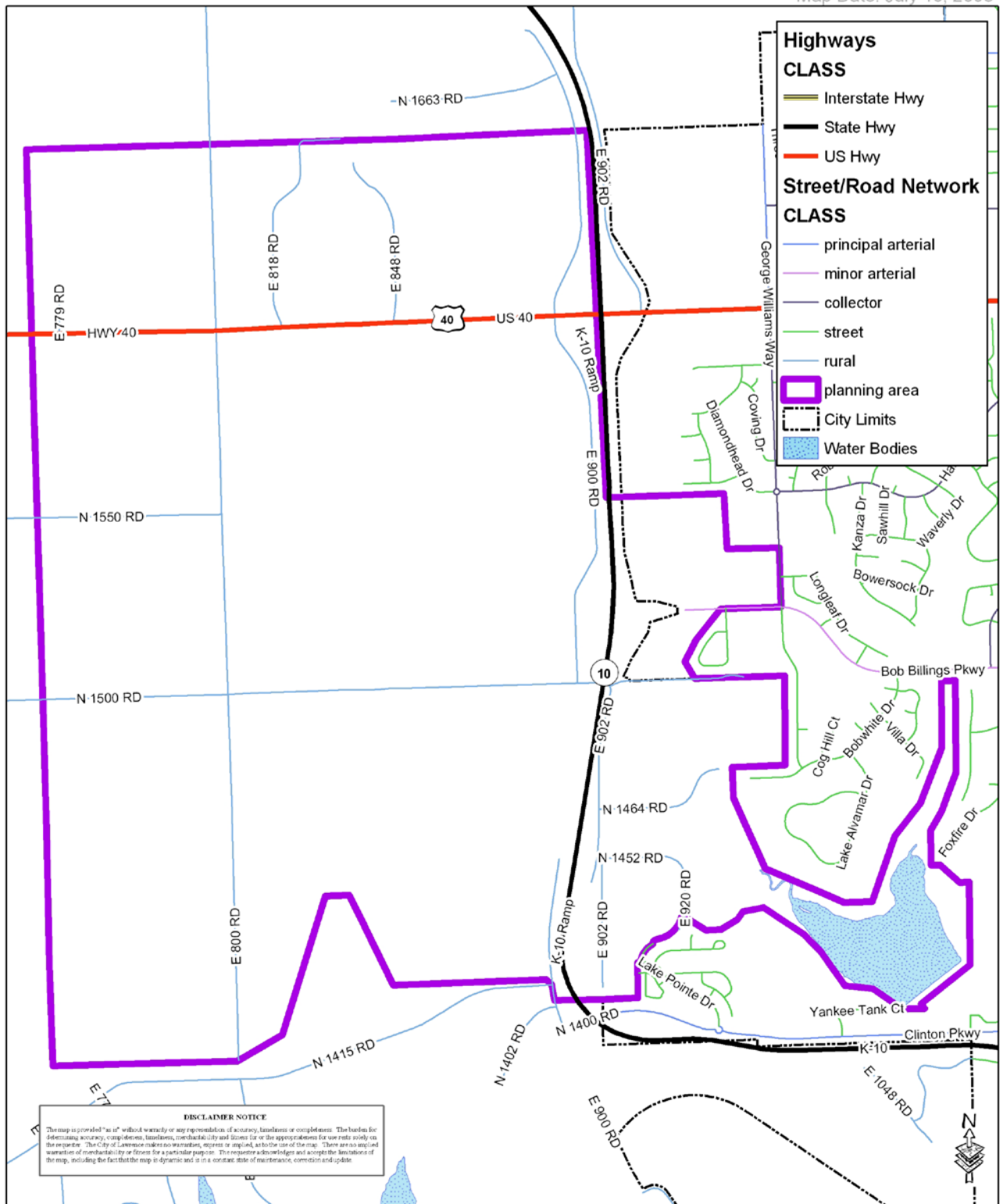
Transportation 2030 identifies the South Lawrence Traffic Way (SLT/K-10) and US Hwy 40 as truck routes.

There are no immediate plans to widen K-10 Highway beyond the current two travel lanes.

Currently there are no transit routes that travel to or through the planning area.

West of K-10 Plan Map 2-6 Street Classification

Map Date: July 10, 2008



F. Schools

School Districts

The *West of K-10 Planning Area* is located entirely within the Lawrence USD 497 school district. The Perry-Lecompton USD 343 school district is located just to the southwest and northeast of the planning area. (See Map 2-7)

School Locations

Lawrence has one public and one private school located just east of the planning area. The public school is Langston Hughes Elementary School which includes grades kindergarten through sixth grade. Langston Hughes is located along George Williams Way, east of the planning area.

The private school is Corpus Christi Catholic School which includes grades kindergarten through sixth grade. Corpus Christi is located east of the planning area along Bob Billings Parkway.

The Lawrence School District has purchased property within the West of K-10 planning area. The school district has not identified what type of school is to be located at this site. The school district property is located southeast of the intersection of N. 1500 Road and E. 800 Road.

G. Stormwater

The sector plan area lies within The Baldwin Creek drainage basin on the north, the Yankee Tank Creek drainage basin on the east, and parts of the Upper Wakarusa Watershed on the west and south (see Map 2-8 for drainage basins and Map 2-9 for contours).

The Baldwin Creek drainage basin lies in the north central part of Douglas County, and encompasses approximately 5,470 acres (approximately 8.5 square miles). The drainage basin consists of two sub-basins. The first sub-basin is bounded on the south by a major ridge line (the Kanwaka Ridge) that generally follows US Highway 40/ West 6th Street and extends approximately 1 mile west of the South Lawrence Trafficway and one-quarter mile south of U.S. 40 Highway at its southwestern most extent. Land in this sub-basin drains northward toward the main channel of Baldwin Creek, which begins in the middle of sections 20 and 21 and drains northeastward toward the Kansas River. The creek channel and the associated floodplain broadens and flattens as the creek approaches the Kansas River. The second sub-basin of Baldwin Creek is a much more expansive land area with approximately 4,200 acres. It lies southwesterly and northerly of the smaller sub-basin, extending southwesterly beyond the west leg of the South Lawrence Trafficway and northward to Lakeview Lake. This sub-basin drains from southwest to northeast toward the Kansas River.

Parts of the West of K-10 plan area lie in the Yankee Tank Creek drainage basin. This basin generally lies south of US Highway 40, west of Wakarusa Drive, north of 31st street and east of E 650 Road. The west sub-basin was identified in the

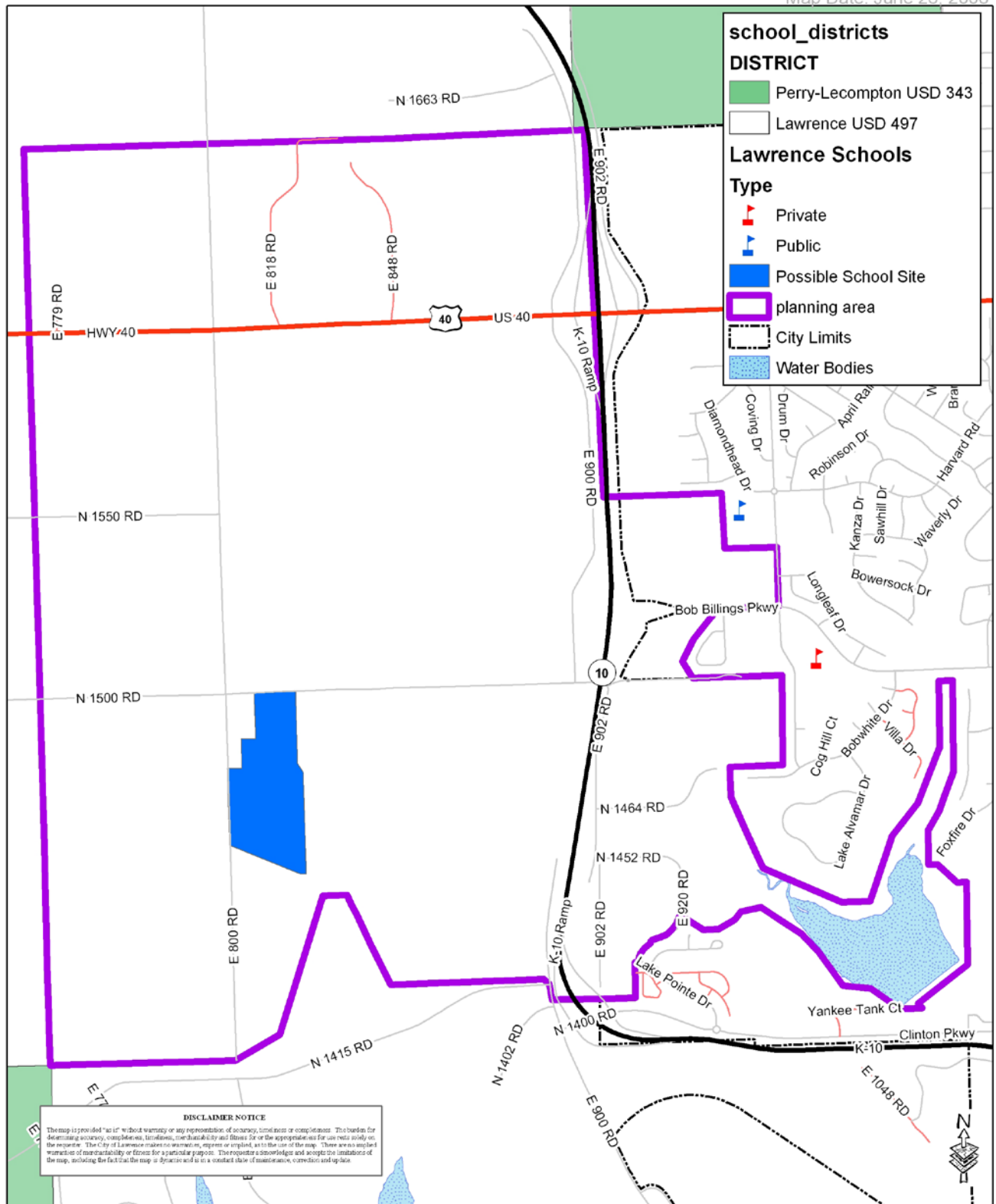
1996 Stormwater Management Master Plan as encompassing 756 acres and drains into Yankee Tank Lake (Lake Alvamar), a private lake just north of Clinton Parkway.

On the west and south of the plan area is part of the Upper Wakarusa Watershed which covers 367 square miles in total across Douglas, Shawnee, Osage and Wabunsee counties. The watershed drains into Clinton Lake, which serves as a major source of drinking water for the City of Lawrence. In 2003, the Upper Wakarusa Watershed Restoration and Protection Strategy (WRAPS) was completed, which identified thirteen water quality goals. Primary concerns include excess sediment, phosphorus, nitrogen and fecal coli form bacteria going from the watershed into the river and lake. The WRAPS strategy is based on a combination of riparian/stream bank restoration measures to reduce sediment and nutrient input. Specific care should be taken as lands in this watershed develop to have a positive impact on the water quality.

West of K-10 Plan

Map 2-7 School Districts and Possible School Location

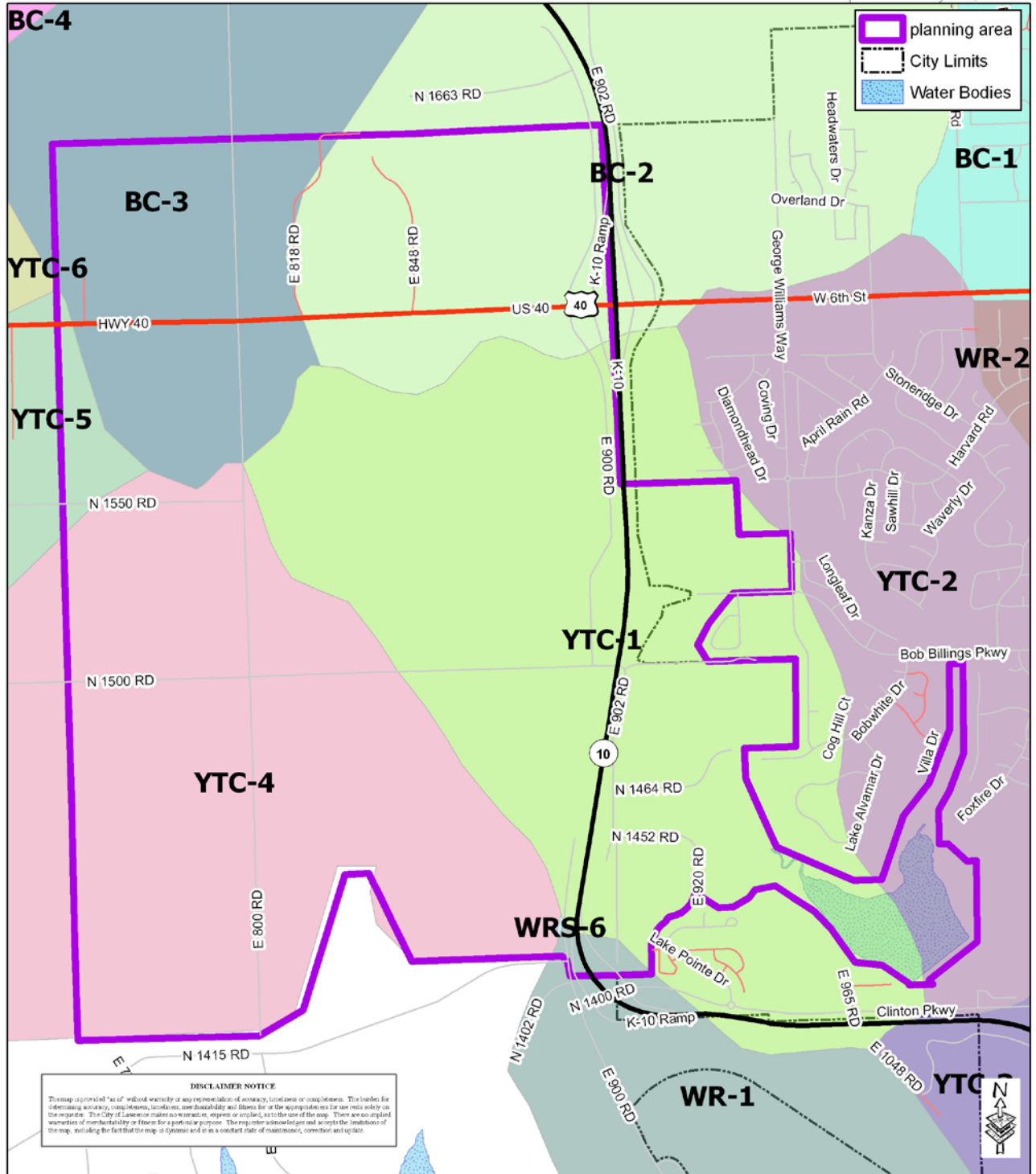
Map Date: June 26, 2008



West of K-10 Plan Map 2-8 Drainage Sub-Basins

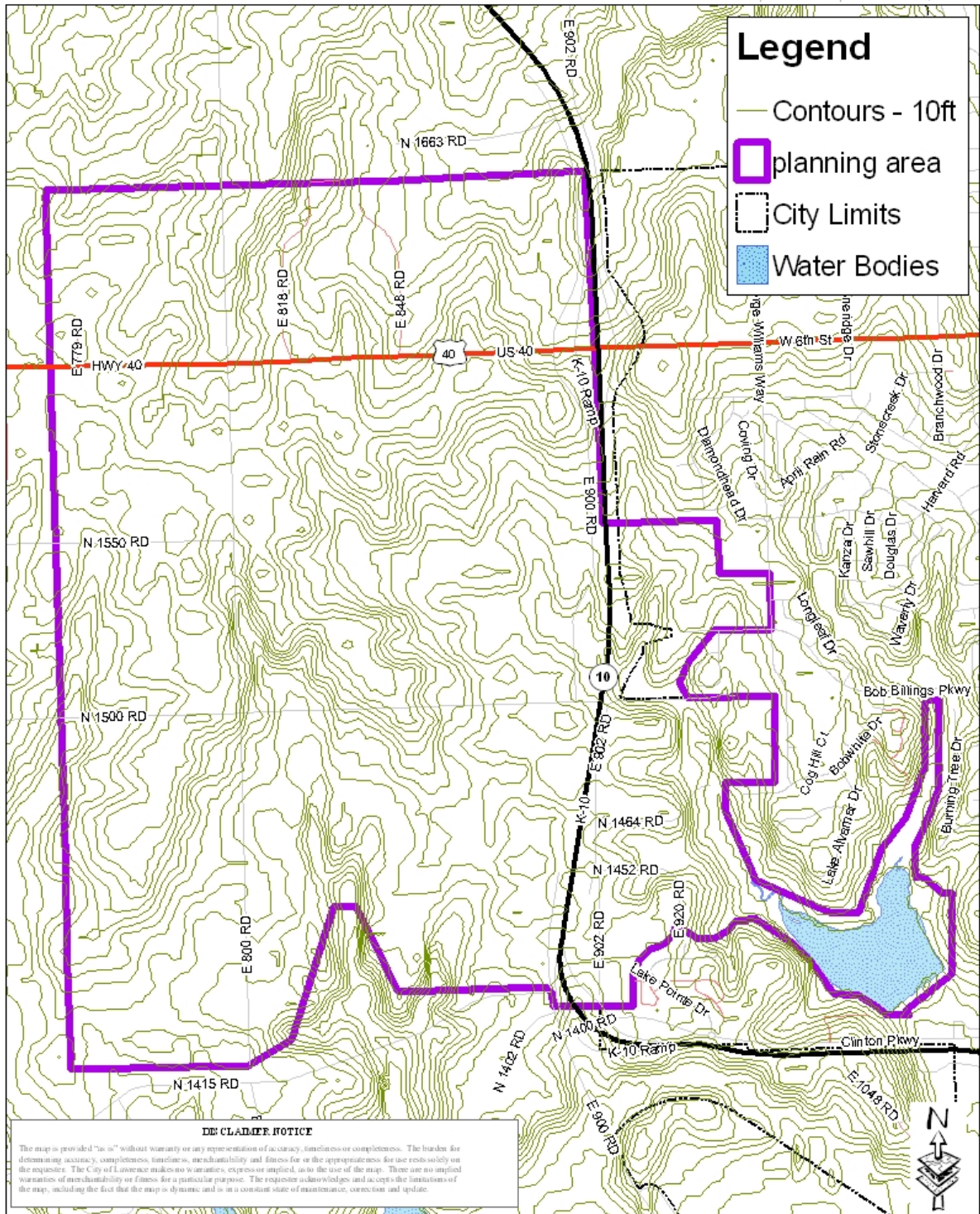
Map depicts drainage sub-basins of the planning area for Baldwin Creek (BC),
Yankee Tank Creek (YTC), and Wakarusa River (WRS).

Map Date: July 10, 2008



West of K-10 Plan Map 2-9 Contours

Map Date: September 30, 2008



III. Goals and Guiding Principles

The following policy statements in Sections III - VIII are for the development of the West of K-10 Plan area. "Shall" statements identify the items that are expected to be incorporated into development within the planning area. "Should" and "encouraged" statements identify the items that are strongly recommended to be incorporated into development within the planning area. "Shall" statements are stronger than "should" and "encouraged" statements.

LAND USE

Goal – Create unique mixed-use neighborhoods; encourage healthy development of commercial, office and employment uses; develop strong park/trail system.

Guiding Principles

- A mix of uses within neighborhoods is encouraged.
- A mix of housing types should be built within each neighborhood. Neighborhoods should not be developed with a single housing type, ie. single family.
- Allow for Traditional Neighborhood Design (TND) neighborhoods in the area. TND neighborhoods shall be properly integrated with adjoining suburban-style neighborhoods.
- Allow for large employment uses at appropriate locations in the planning area.
- Allow for neighborhood-level commercial activities within the planning area.
- Integrate parks and open space within the neighborhoods.

PUBLIC FACILITIES & INFRASTRUCTURE

Goal – Provide ongoing infrastructure and public facilities improvements as the area develops at urban densities.

Guiding Principles

- Improve K-10 and Bob Billings Parkway/15th Street to a separated grade intersection.
- Encourage trail connections to the existing regional trail system.
- Sewer and water system capacity shall be adequate prior to urban development.

- Create pedestrian friendly streetscapes (streets and sidewalks) that connect to a neighborhood's amenities and assets.
- Co-locate public facilities where feasible and appropriate.

NEIGHBORHOOD CHARACTER

Goal – Develop unique neighborhoods that are sustainable and remain viable over the long-term.

Guiding Principles

- Connectivity is a priority; neighborhoods should connect to each other and to amenities and focal points within the area.
- Visual corridors should be protected as development occurs in the planning area.
- Create an identity that gives residents and visitors a sense of the neighborhood (i.e. create gateways at neighborhood entrances).

ENVIRONMENT

Goal – Develop neighborhoods and new development with the natural layout of the land in mind.

Guiding Principles

- Neighborhoods should be built in ways that protect existing natural drainage and ecosystems.
- Priority should be given to stormwater measures that protect Clinton Lake from development run-off as this area reaches urban densities.

IV. Future Land Use

The West of K-10 Future Land Use Section illustrates conceptual guides for future development and redevelopment that embody the vision and goals presented in Section III. The future land use map in this Section is conceptual and should not be used to determine precise zoning boundaries. The following land uses, zoning districts, and densities are the “maximum recommended” and assume less intensive land uses, zoning districts, or densities are appropriate.

This section presents two future land use options for the planning area. One is a conventional development option and the other is a Traditional Neighborhood Design (TND) option. Property owners and developers have the option of choosing one of the options in order to develop in the planning area after the land becomes part of the city of Lawrence.

The West of K-10 Plan supersedes and replaces the West 6th Street/K-10 Nodal Plan. The Future Land Use Policies of the West of K-10 Plan now apply to the four corners of the West 6th Street and K-10 intersection.

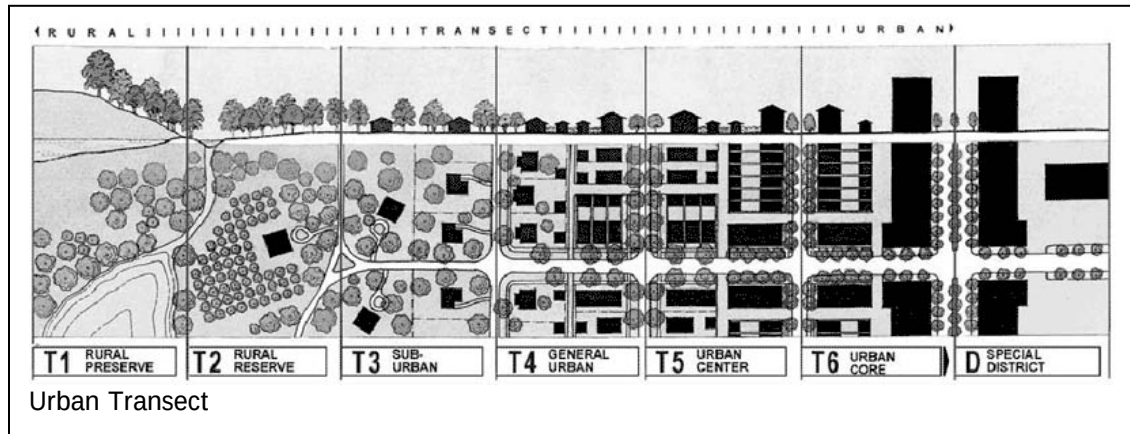
Conventional Future Land Use Option

The conventional future land use option for West of K-10 (Map 4-1) was developed using a combination of adopted policy, existing conditions including City zoning and stormwater considerations, projections based on past build-out patterns in west Lawrence, and comments from stakeholders and the Planning Commission. This option is predominantly a low density residential pattern that also allows for higher densities near commercial and employment uses and at the intersections of future major roads.

~~This option is predominately consistent with the adopted West 6th and South Lawrence Trafficway Nodal Plan. Land use designations have been changed in the southwest quadrant to reflect the existing church at 847 Hwy 40 and additional development considerations. The uses that carry over from the West 6th and South Lawrence Trafficway Nodal Plan are predominately employment related.~~

TND Option

The model for the TND option (Map 4-2) is built primarily around work the PlaceMakers firm did in early 2007. Through a week long charrette (design workshop) process, PlaceMakers, with the input from the area's landowners, produced a TND master plan based on the Transect method of organizing development. The model shows how TND neighborhoods could be organized in part of this planning area.



The *Lawrence SmartCode* is the regulatory tool that will be used to implement the TND option. The *Lawrence SmartCode* was calibrated by PlaceMakers based on the charrette and from collaboration with City staff after the charrette and public comment. The TND option of development in the area will only be available if the *Lawrence SmartCode* is adopted by the Lawrence City Commission.

The model is meant to provide a guide to future TND development in the planning area. Landowners/developers will have to develop their own plans that conform to the *Lawrence SmartCode* in order to develop TND neighborhoods. There are two community types allowed by the *Lawrence SmartCode* in a Greenfield development situation. One community type is a Cluster Land Development (CLD). The other community type is a Traditional Neighborhood Development (TND). A minimum of 60 acres is required to develop a new TND neighborhood. 40 acres is required to develop a CLD neighborhood.

Compatibility

An obvious challenge arises with providing two future land use options for the planning area. Compatibility issues will inevitably arise when placing a suburban development next to one designed to be a TND. The challenge is how to properly and effectively build new neighborhoods when one option is chosen next to a development that used the other design option.

Keys to increased compatibility:

1. New neighborhoods, whether of a suburban nature or TND, must connect to each other via the street and pathway system. Streets, sidewalks and trails must connect from one neighborhood to the next. The first neighborhood built, and each subsequent neighborhood, should stub out the streets intended for connection to adjoining neighborhoods that will be created later.

2. A street pattern created by a TND neighborhood should be followed as closely as possible in subsequent neighborhoods.
3. Compatible land uses should be located adjacent to each other where neighborhoods of different design characteristics adjoin.

Industrial/Office/Warehouse/Research Land Uses

Regardless of which land use option is chosen for development, the employment related land uses should be maintained. They can be developed conventionally under the Development Code or potentially with Special Districts under the Lawrence SmartCode.

Further, structures in these developments should be aesthetically pleasing from all sides and should incorporate quality building materials and other high quality architectural elements. Transitions between uses should be accomplished by buffer yards, landscaping, setbacks, scale and massing, and transition of uses to include low-intensity industrial uses along the perimeter of the areas identified as industrial or office/research. In addition, sites should incorporate a variety of landscaping treatments to alleviate the potential for monotonous perimeter buffering.

Access to major roads from the industrial or office/research development lots shall be limited. However, industrial users on large lots that are significant generators of traffic may directly access arterial roads if the size of the site is such that it allows internal circulation without the necessity of constructing local roads to direct that circulation to the arterial road. Such access shall be based on sound traffic engineering principles and shall be properly controlled with appropriate signalization and turn lanes. Smaller lots shall take access from local roads. Additional local roads that serve the site should be arranged to minimize development lot access to the future major roads.

Rural Subdivisions

Rural subdivisions are developments built under rural standards that often don't meet the requirements of urban development. They may be processing wastewater on-site, have undersized water lines and rural standard roads. Issues arise as urban development moves into the area in which the rural subdivision lies. One issue is that undersized water lines may not be appropriate to provide fire service from the City. Rural subdivisions shall not be accepted for annexation until such time that the appropriate urban infrastructure is in place to serve the subdivision upon annexation.

Additionally, development lots in rural subdivisions are often larger than the typical urban lot. Urban development adjacent to the rural subdivision may be of higher density than the rural subdivision. This plan encourages infill of the rural subdivisions to more urban densities. Dividing large lots to accommodate more than one principal structure will help to more efficiently provide urban services to an area. Existing rural subdivisions are primarily located in the area this Plan covers east of K-10 Highway.

This Plan encourages annexing the rural subdivisions east of K-10 Highway as development occurs in the surrounding or adjacent areas and infrastructure is brought to reasonable proximity. The goal is to help ensure urban services are being provided in a contiguous manner as the city grows westward.

E. 902 Rd

E. 902 Rd. is located in the southeast corner of the planning area. Transportation 2030 projects a future collector road built to urban standards that could in the future replace the existing rural E. 902 Rd. Map 4-1 designates future land uses in the area as High Density Residential west of the future road and Medium Density Residential east of the future road. Since the exact alignment of this road has not been determined, the future road will be the separation between High Density and Medium Density Residential land uses.

A. Conventional Future Land Use Option

Land Use Categories

Residential – Very Low Density

The intent of the very low-density residential use is to allow for large lot, single dwelling type uses.

Primary Uses: Detached dwellings, cluster dwellings, manufactured home residential design, zero lot line dwellings, group home, public and civic uses

Zoning Districts: RS40 (Single-Dwelling Residential), PD (Planned Development Overlay)

Density: 1 unit/acre

Residential – Low Density

The intent of the low-density residential use is to allow for single-dwelling, duplex, and attached dwellings but emphasis is placed on residential type uses. Development in this area should be compatible with single-family character, which could include such uses as churches, small-scale daycares and institutional uses.

Primary Uses: Detached dwellings, attached dwellings, duplex, group home, public and civic uses

Zoning Districts: RS10 (Single-Dwelling Residential), RS7 (Single-Dwelling Residential), RS5 (Single-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), PD (Planned Development Overlay)

Density: 6 or fewer dwelling units/acre

Residential – Medium Density

The intent of the medium-density residential category is to allow for a variety of residential options for the area at a greater density than the Low Density Residential category. This category can serve as a transition between low density and higher density uses.

Primary Uses: Detached dwellings, attached dwellings, duplex, multi-dwelling structures, group home, civic and public uses

Zoning Districts: RS5 (Single-Dwelling Residential), RS3 (Single-Dwelling Residential), RM12 (Multiple-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), RM15 (Multi-Dwelling Residential), PD (Planned Development Overlay)

Density: 7-15 dwelling units/acre

Residential – High Density

The intent of the high-density residential category is to allow for compact residential development. These developments are primarily located at the intersection of two major roads or adjacent to commercial or employment uses.

Primary Uses: Multi-dwelling structures, group home, civic and public uses

Zoning Districts: RM12 (Multiple-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), RM15 (Multi-Dwelling Residential), RM24 (Multi-Dwelling

Residential), RM32 (Multi-Dwelling Residential), and PD (Planned Development Overlay)

Density: 16+ dwelling units/acre

Residential Office

The intent of the residential/office use is to accommodate mixed use development of administrative and professional offices with varying degrees of residential. This category can serve as a buffer between higher intensity uses and major roads to lower intensity/density land uses.

Primary Uses: office, multi-family dwellings

Zoning Districts: RSO (Single Dwelling Residential-Office), RMO (Multi-Dwelling Residential-Office), MU (Mixed Use District), and PD (Planned Development Overlay)

Density/Intensity: 7-15 dwelling units/acre/medium

Office

~~The intent of the office use is to allow for general office uses that would be minimally invasive to nearby residential uses.~~

~~**Primary Uses:** office, multi-family dwellings~~

~~**Zoning Districts:** CO (Commercial Office), POD (Planned Office District)~~

~~**Intensity:** medium~~

Commercial – Neighborhood Center

The intent of the commercial use is to allow for retail and service uses. A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. This category is applied to the intersection of N 1500 Rd and E 800 Rd and to the intersection of K-10 and Bob Billings Parkway/15th Street. Horizon 2020 Chapter 6 – Commercial identifies these corners as future Neighborhood Commercial Centers. See Horizon 2020 Chapter 6 – Commercial for more policy regarding Neighborhood Commercial Centers.

Primary Uses: Non-ground floor dwellings, multi-dwelling structures, civic and public uses, medical facilities, eating and drinking establishments, general office, retail sales and services, fuel sales, car wash

Zoning Districts: CN1 (Inner Neighborhood Commercial District), CN2 (Neighborhood Commercial Center District), PD (Planned Development Overlay), and MU (Mixed Use District)

Intensity: medium-high

Commercial – Lake Oriented Community Center

Community Commercial Center provides goods and services to several different neighborhood areas. This category is applied to the existing commercial development located at K-10 and Clinton Parkway. This lake-oriented commercial development should serve the many visitors to Clinton Lake. Horizon 2020 identifies K-10 and Clinton Parkway as a future Neighborhood Commercial Center. This Plan recommends changing that designation to a Community Commercial Center to reflect the higher intensity of the lake oriented nature of the existing commercial uses. Many of those existing uses serving the lake, such as boat storage, are not appropriate for a Neighborhood Commercial designation.

This designation will be limited to the area of the exiting lake oriented uses adjacent to Clinton Lake and the approved commercial uses on Lake Pointe Drive, just east of the planning area along Clinton Parkway. No additional areas shall be approved for the Community Commercial Center. See Horizon 2020 Chapter 6 – Commercial for more policy regarding Community Commercial Centers.

Primary Uses: lake oriented commercial

Zoning Districts: CC200 (Community Commercial Center), MU (Mixed Use District)

Intensity: medium

Commercial Center – CC600

The intent of the CC600 Commercial District in this Plan is to allow for commercial, office, mixed use residential, and recreation uses, as well as up to 600,000 square feet of retail space to be located at the intersection of two state or federally designated highways, which in this case is the intersection of US40 and K-10 Highway. 90 percent of the retail space shall be located on the northwest and northeast corners of US40/6th Street and K-10 Highway, while the remaining 10 percent is to be shared between the southwest and southeast corners. See the K-10/US40 Node discussion below for additional information about the particular land uses on each of the intersection's corners. See Horizon 2020 Chapter 6 – Commercial for further policy guidance regarding CC600 Commercial Centers.

Primary Uses: retail, commercial, office, recreation center

Zoning Districts: CC600 (Community Commercial Center), CC400 (Community Commercial Center), CC 200 (Community Commercial Center), CN2 (Neighborhood Commercial Center), CO (Commercial Office), and PD (Planned Development Overlay) Districts

Intensity: medium

K-10/US40 Node

The following discussion provides additional policy detail regarding the four corners of the K-10/US40 intersection:

Northwest Corner

The northwest corner of US40/6th Street and K-10 Highway is expected to have a mix of uses including a regional recreation center along with retail and other commercial uses. The total allocated retail space for this corner is approximately 180,000 square feet. The location at the intersection of two highways makes this a prime location for commercial uses along with a regional recreation center. A green space buffer along the northern edge of the corner will help provide a transition to the residential neighborhood to the north. There are a number of ways to provide transitions to less intense land uses, such as berms with dense landscaping, open space, fences, etc. This green space buffer could accommodate passive uses such as walking trails, etc.

Northeast Corner

The northeast corner has received approval for a mixture of retail, commercial and residential uses. The retail and commercial uses are located towards the 6th Street and George Williams Way frontages, while the residential uses are in northern portion of the corner. The allocated retail space for this corner is approximately 360,000 square feet. This corner, along with the southeast corner, has the widest range of land use possibilities based on the planned improvements and ready access to city services and infrastructure. Residential development is limited to the northern half of the intersection and will be low and high-density neighborhoods. The residential area serves as transition area between the more intensive retail and commercial uses planned within this corner and the planned low density residential uses north and east of the study area.

Southwest Corner

The southwest corner is meant to ultimately have a mixture of land uses that includes religious, retail and commercial, and employment related uses. The corner currently has a religious use that is designated Public/Institutional. The southern portion of the intersection is designated Office/Industrial/Warehouse. This corner, along with the southeast corner of the intersection is allocated a share of the remaining 60,000 square feet of retail space (10% of the 600,000 square feet of retail for the entire CC600 intersection). As such, the northwest and northeast portions of the corner are designated CC600 to accommodate a share of the available 60,000 square feet of retail along with other commercial uses. A greenspace buffer is located along the southern edge of the intersection and is meant to provide a buffer to future residential uses. There are a number of ways to provide transitions to less intense land uses, such as berms with dense landscaping, open space, fences, etc. This green space buffer could accommodate passive uses such as walking trails, etc.

Southeast Corner

Like its northern counterpart, this corner provides opportunity for a variety of residential, commercial, retail, and office activities. The commercial and retail uses will be located along the northern side of the corner along the 6th Street frontage and are designated CC600. This corner, along with the southwest corner of the US40 and K-10 Highway intersection, is allocated a share of the remaining 60,000 square feet of retail space (10% of the 600,000 square feet of retail for the entire CC600 intersection). This corner currently has developed and planned low density residential uses along the south portion of the corner. A portion has also been rezoned RM24 (High Density Residential) District and is designated High Density Residential. Further, another portion has been rezoned to RSO (Single-Dwelling Residential – Office) District and is designated Residential Office.

Office / Industrial / Warehouse

~~The northwest and southwest corners of US 40/6th Street and K-10 were designated by the West 6th Street/K-10 Nodal Plan for office, research/industrial, and warehouse uses, except for a section designated appropriate for public/institutional activities. A portion of the southwest corner of US 40/6th Street and K-10 Highway node is designated Office/Industrial/Warehouse. The intent of the industrial use is to allow for moderate to high-impact uses including large scale or specialized industrial uses. The office and research uses are characterized by businesses involved in technology, research and scientific-related activities and/or office, office research activities that are designed in a campus like setting. A mixing of land uses is appropriate on this corner. See the K-10/US40 Node discussion above for additional information about the particular land uses on each of the intersection's corners.~~

Primary Uses: office, research, industrial and warehouse

Zoning Districts: IBP (Industrial/Business Park District), IL (Limited Industrial District), IM (Medium Industrial District) ~~IG (General Industrial District)~~ CO (Commercial Office District), and PD (Planned Development Overlay)

Intensity: medium to heavy

Public / Institutional

This designation recognizes an existing site owned by USD 497 for a future school in the area. It also recognizes an existing church near 6th and K-10 and another church at E 902 Rd. and N 1464 Rd.

Primary Uses: Cultural center/library, religious assembly, school, utilities, recreational facilities, utility services

Zoning Districts: RSO (Single Dwelling Residential-Office), RMO (Multi-Dwelling Residential-Office), and GPI (General Public and Institutional)

Intensity: medium

Park / Open Space

The intent of the park/open space use is to provide space for public recreational facilities and natural area preservation.

Primary Uses: Park and open space

Zoning Districts: GPI (General Public and Institutional District), OS (Open Space), UR (Urban Reserve)

Intensity: light

Green Space Buffer

This designation is provided on the northwest and southwest corners of West 6th Street and K-10. It is to provide a buffer for lower intensity uses that will be adjacent to the commercial, office, industrial, and warehouse areas. There are a number of ways to provide transitions to less intense land uses, such as berms with dense landscaping, open space, fences, etc. This green space buffer could accommodate passive uses such as walking trails, etc. This is another use category that is carried over from the West 6th Street/K-10 Nodal Plan.

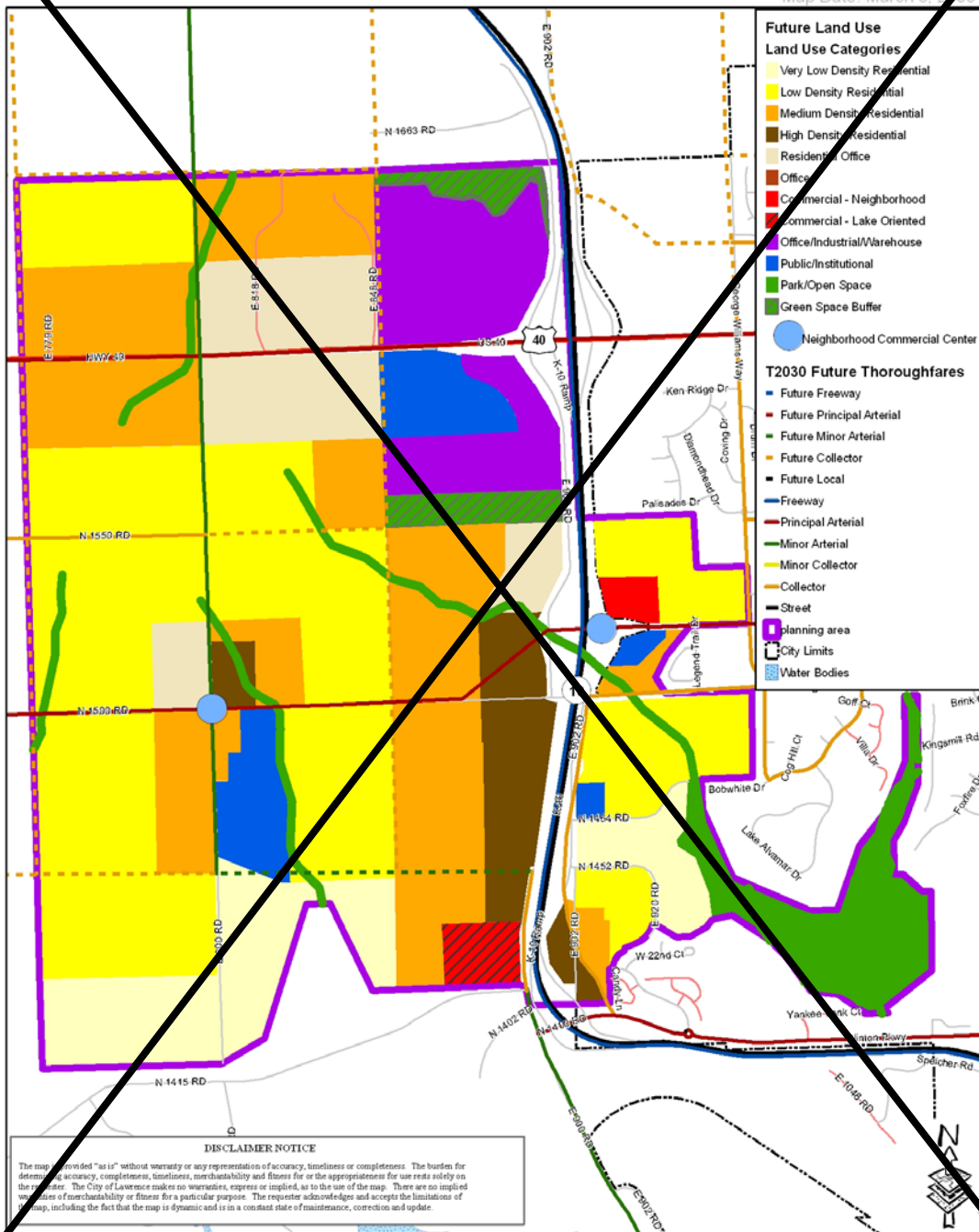
Primary Uses: Open Space

Zoning Districts: GPI (General Public and Institutional District), OS (Open Space), UR (Urban Reserve)

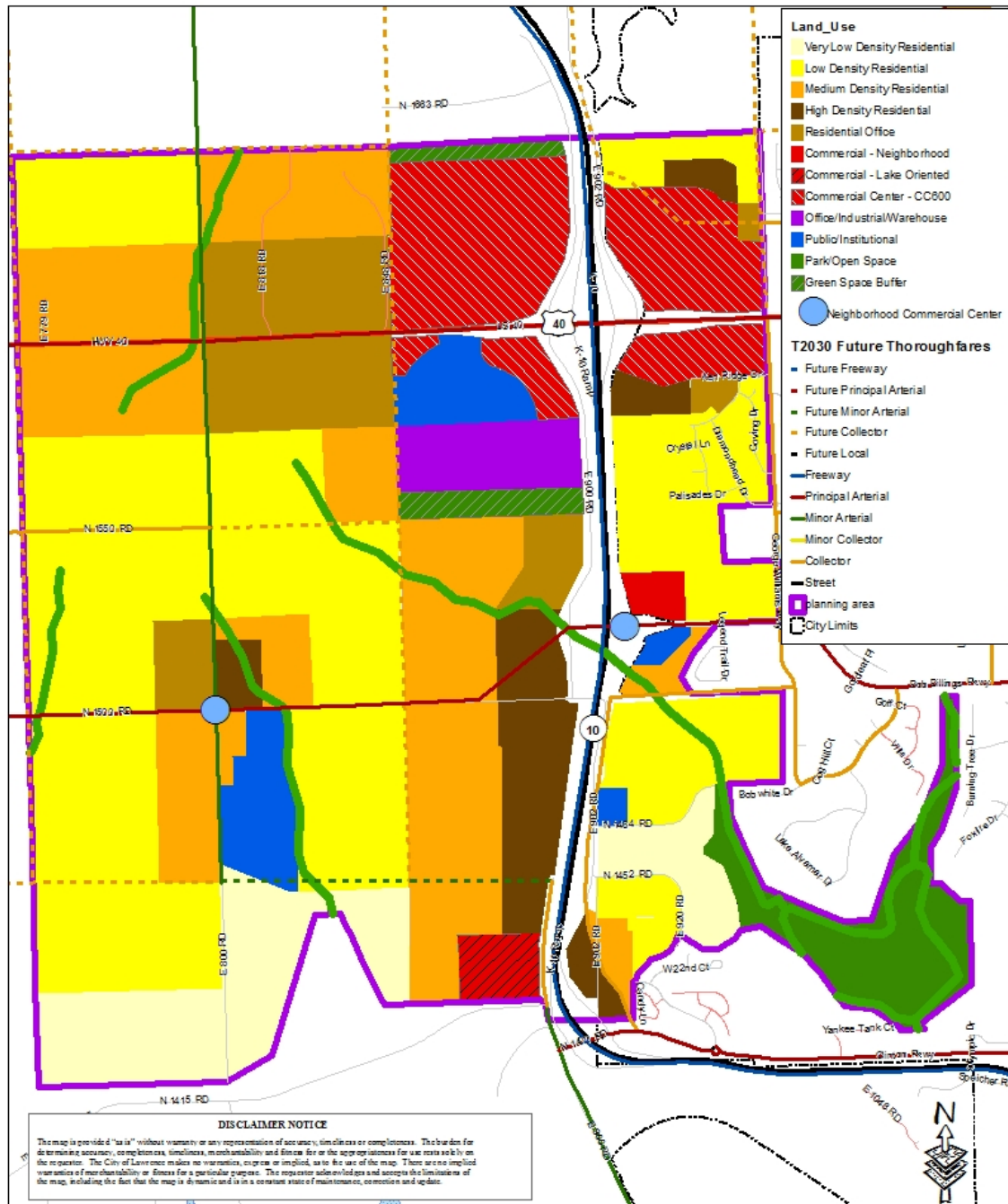
Intensity: light

West of K-10 Plan Map 4-1 Future Land Use

Map Date: March 3, 2009



West of K-10 Plan Map 4-1 Future Land Use



B. TND Future Land Use Model

Landowners/developers wishing to develop TND neighborhoods in the planning area will have to seek approvals for such development under the *Lawrence SmartCode*. The option for TND development will be available throughout the entire planning area. Map 4-2 provides a visual model of TND neighborhoods organized for the *Lawrence SmartCode*. The regulatory Transect categories of the Lawrence SmartCode are listed below.

Lawrence SmartCode Transect Categories

T5: Urban Center

This category includes higher intensity with mixed use and significant retail. This zone is what we think of as Main Street.

Primary Uses: Retail, office, rowhouses, multi-family.

Zoning Districts: T5

Minimum Base Density: 24 units/acre

T4: General Urban

This category is mixed use, but primarily residential urban fabric.

Primary Uses: Urban residential.

Zoning Districts: T4

Minimum Base Density: 12 units/acre

T3: Sub-Urban

This category is low density, suburban areas that allow home occupations.

Primary Uses: Low density suburban residential – allows home occupations.

Zoning Districts: T3

Minimum Base Density: 4 units/acre

T2: Rural Reserve

This is land in open or cultivated state or sparsely settled.

Primary Uses: very low density residential

Zoning Districts: T2

Minimum Base Density: 1 unit/20 acre average

T1: Rural Preserve

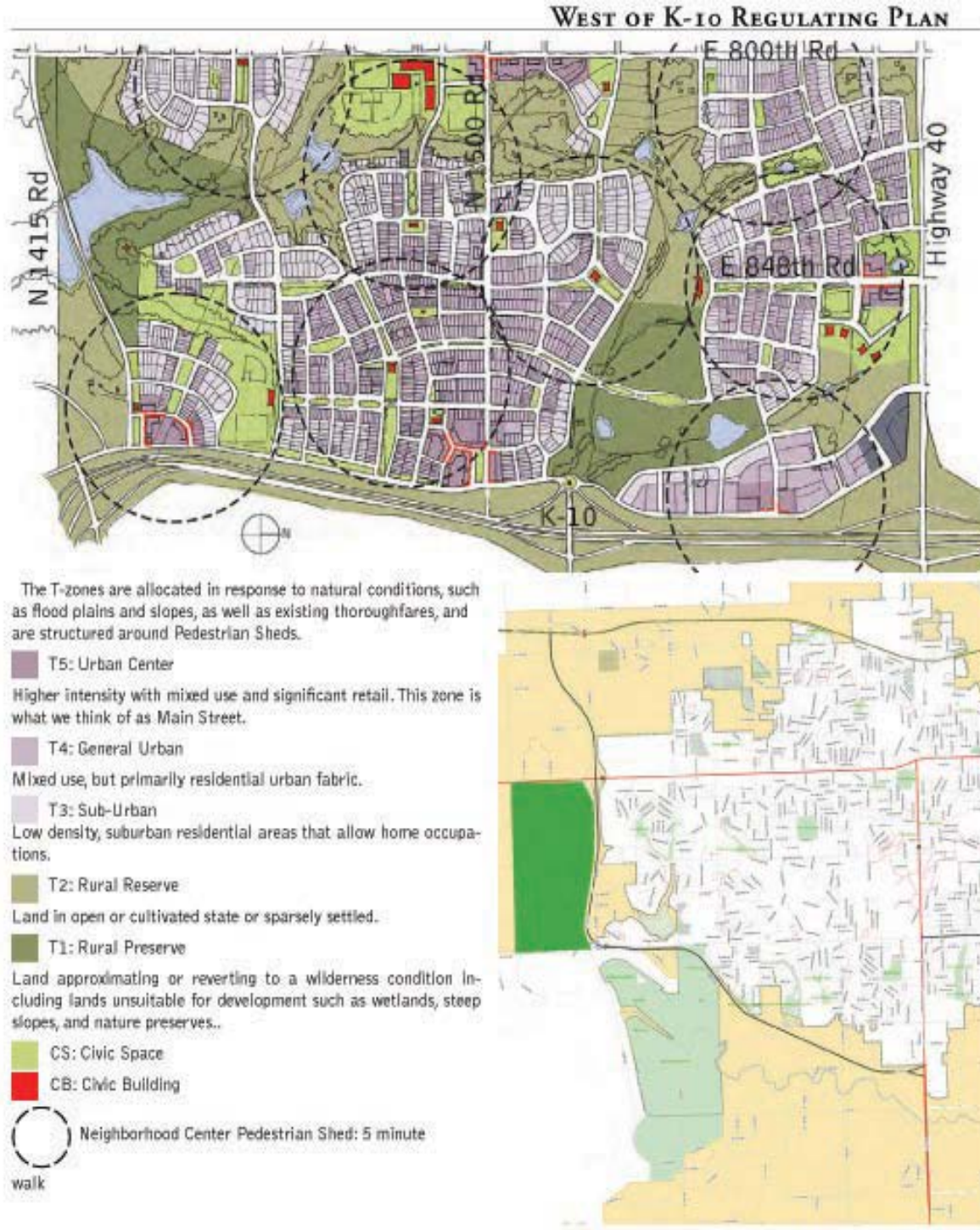
This is land approximating or reverting to a wilderness condition including lands unsuitable for development such as wetlands, steep slopes and nature preserves.

Primary Uses: natural area

Zoning Districts: T1

Minimum Base Density: By Variance Only

Map 4-2: TND Future Land Use Model



V. Great Neighborhoods

The opportunity to develop unique neighborhoods as Lawrence continues to grow westward is present in the area west of K-10. The key components that will create and knit the neighborhoods together are described below. The following policy language is intended to guide future urban development in a manner that will help create these new neighborhoods to have long lasting value to the community.

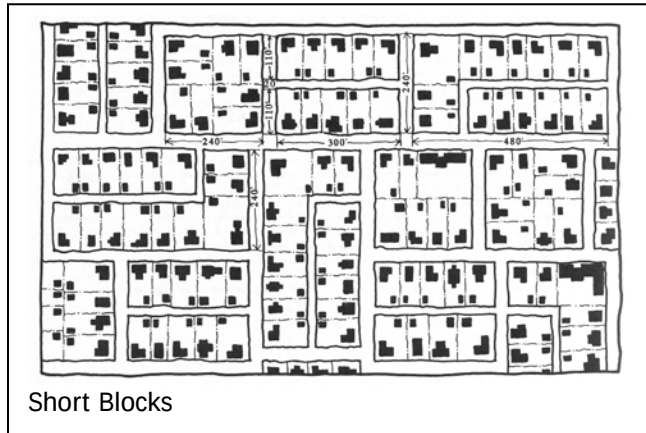
A. Neighborhood Connectivity

Streets

Streets within the various neighborhoods of this area shall be connected to each other. The street pattern within neighborhoods does not have to be a strict grid pattern. Streets can meander if terrain makes it necessary. Cul-de-sacs are discouraged, but are appropriate if terrain makes them necessary. The key is that streets connect to each other within neighborhoods and connect to other neighborhoods. Connected streets provide multiple route options for vehicles which can help eliminate the choke points that are created when cars are forced onto a limited amount of streets that carry traffic in and out of neighborhoods.

A key feature of some vital neighborhoods is short blocks. People utilize short blocks more frequently, and they just feel more alive. Short blocks tend to

encourage pedestrian activity, while long blocks can feel unsafe from a lack of pedestrian traffic. Blocks for neighborhoods in the area should be short.



Pedestrians

Neighborhoods shall also be connected with pedestrian pathways. This includes the most simple of connections of sidewalks on connected streets. Pathways and trails shall also connect neighborhoods. An extensive system of pedestrian and bike friendly paths could be created by connecting trails in linear parks to the paths on the major roads. Further, where civic uses exist within neighborhoods, all care should be taken to ensure there are safe pedestrian routes and connections to those civic uses. Civic uses include public parks and open space, schools, churches, etc. In addition, commercial development shall be designed to facilitate pedestrian and non-motorized access from abutting areas.

Streets should also be designed to enhance pedestrian safety. Sidewalks shall be placed on both sides of streets. Additionally, parking should be allowed on

one or both sides of the street. This will help to create a slower speed environment for traffic which will help make pedestrian travel safer.

Bicycles

Bicycles are another viable mode of transportation that should be accommodated in the new neighborhoods of this area. Bicycle facilities located on an existing road shall be continued as the road is extended or improved to urban standards. Designated bike routes should be established within this area with attention paid to connecting those routes to the established city system. Bike lanes shall be added to the appropriate streets. Further, multi-use paths that accommodate bicycles should be extended into the neighborhoods from the existing city system. Open space areas should be provided and/or acquired along major thoroughfares and along drainage ways for development of pedestrian and bicycle trails. Utility corridors can also be used in conjunction with trails and parks.



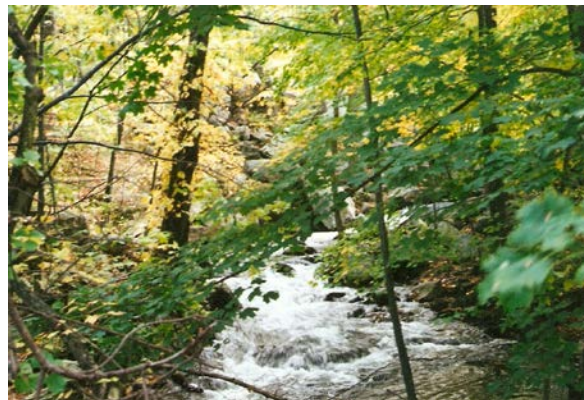
Bike Lane

B. Viewsheds

There are areas within the planning area that have great views of Lawrence to the east and rural Douglas County to the southeast. These areas deserve protection as they can be assets to future neighborhoods. Effort should be made to prevent these high points from being graded to a lower level. Further, adjacent development should step down or have height limits to protect the views of the higher points.

C. Environment

Care should be taken to design new neighborhoods and developments in this area with the natural layout of the land. Preserving the natural systems already in place prior to development should be a priority for the planning area. Streams should follow their natural paths and should not be rerouted or straightened.

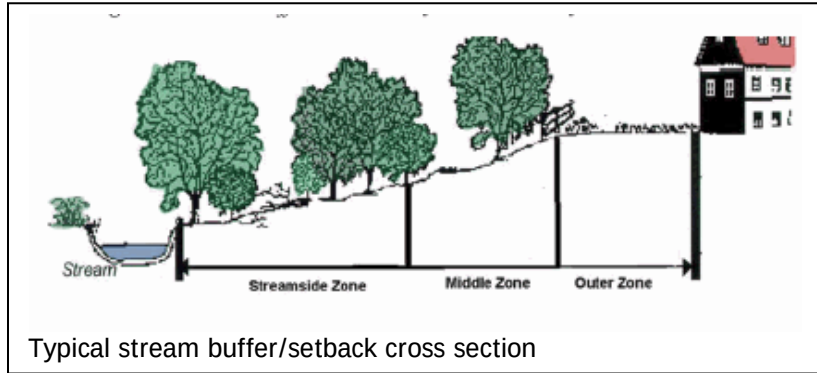


Stream

One way to accomplish the protection of natural systems is with stream buffer or stream setback regulations. The benefits of such regulations include the reduction of erosion and sediment entering the stream,

preserving the base flows of a stream, providing infiltration of stormwater runoff, and stabilizing stream banks.

This Plan encourages the adoption of a city-wide stream buffer or stream setback ordinance by the City of Lawrence. Setback widths will vary dependent upon land use as well as topography. Regional detention should also be encouraged to take advantage of existing natural geographic features when possible.



Clinton Lake is a major provider of water supply to 7 municipalities including Lawrence and 9 Rural Water Districts. Sediment erosion and runoff during urban development in the planning area poses a risk to that water supply. Sediment erosion control during development activities is a priority for the planning area. While the City of Lawrence has controls in place (Section 9-903 of the City Code), this is an important issue that bears extra emphasis in this Plan.

Sensitive lands, as designated by the *Land Development Code* should be preserved and protected per those standards identified in the code. Street rights-of-way, public utility corridors and building sites should be located so as to minimize their impact on environmentally sensitive areas. Where possible, environmentally sensitive areas to be protected should be located within designated public or private open space, either through dedication, a conservation easement, or control by a homeowner's association. If a review indicates that it is not possible or reasonable to protect sensitive features, mitigation should be incorporated.

D. Gateways

Development shall enhance the identified gateways of the planning area by creating aesthetically pleasing corridors. Aesthetically pleasing landscaped entry ways along gateways should be required. Both public and private property owners are responsible for achieving and maintaining this aesthetically pleasing landscaping.

Further, fencing installations shall incorporate continuous landscaping at the base and edges of the fence to integrate the fence with the site and landscaping. Finally, high quality, aesthetically pleasing building materials should be used.

Map 6-1 is derived from Transportation 2030 (T2030), the Long-Range Transportation Plan for Lawrence and Douglas County.

E 900 Rd currently functions as a frontage road to K-10 Highway, although not continuously. E 900 Rd currently extends from the south and stops near the self storage units near Clinton Lake. E 900 Rd also extends from N 1500 Rd north through the planning area. The road does not extend south from N 1500 Rd. This plan deviates from T2030 by recommending that E 900 Rd. connect between N 1500 Rd and where it stops near the self-storage units. This road will serve as future collector road to handle the new urban density in the area and to provide a connection to Clinton Lake.

B. US Highway 40/West 6th Street

Extraordinary setback

The 50-foot extraordinary setback, in place for most of W. 6th Street between K-10 Highway and Monterey Way, is rooted in the *Western Development Plan*, adopted in 1969. Policy 6 of the *Western Development Plan* states: “A 50 foot easement, in addition to right-of-way required for street and utility purposes, will be required for property being platted adjacent to and on each side of West Sixth Street. This easement will be used as greenspace easement to be landscaped and maintained by the developer or owner of the property”. The 50-foot extraordinary setback rule for West 6th Street is located in the joint Lawrence-Douglas County Subdivision Regulations.

This plan recommends establishing an extraordinary setback on US Highway 40 west of K-10 to Stull Road. Establishing the extraordinary setback of 50 feet before urban development begins will help ensure that the cost of right-of-way acquisition for the eventual widening of 6th Street will not be increased because of the added cost to acquire buildings that could be constructed before the widening of the roadway. The extraordinary setback should be repealed after 6th Street is improved to an urban 5-lane road.

Access Management

US Highway 40/West 6th Street is classified as a B Route in a developed area according to the KDOT published *Corridor Management Policy*. According to that policy, B Routes are to be protected by allowing for direct access only when alternative access is infeasible. When direct access is necessary, shared access will be required whenever possible.

The access management standards put in place on West 6th Street between K-10 and Wakarusa Drive only allow access to West 6th Street every ¼-mile. The access management standards were based on the 1998 West 6th Street Access Management Plan. The recommendation of this plan is to continue the access management standards of 6th Street east of K-10 as US Highway 40/6th Street west of K-10 is improved to an urban principal arterial in the future.

Multi-Use Path

A 10' multi-use path was constructed on one side of 6th Street between Wakarusa Drive and K-10 while a 6' sidewalk is on the other side of 6th Street. As 6th Street is improved west of K-10, it is recommended a 10' multi-use path be constructed on one side of the street and a 6' sidewalk on the other side.



Multi-Use Path on 6th Street

C. Bob Billings Parkway/15th Street

Bob Billings Parkway Extended

Bob Billings Parkway currently does not extend to K-10 Highway from the east. Bob Billings Parkway shall be extended to K-10 to provide another connection to K-10 and to provide a direct route to Kansas University from K-10. This connection will help to relieve traffic congestion on 6th Street.

K-10 Highway Intersection

From the east, E 1500 Road currently intersects K-10 Highway with an at-grade intersection. Bob Billings Parkway does not extend from the east to connect to K-10. Urban development will generate large amounts of traffic for which the existing at-grade intersection is not appropriate.

No urban density development west of K-10 Highway will be approved until the City of Lawrence, Douglas County and/or the Kansas Department of Transportation (KDOT) has approved a financing plan, along with a commitment to construct the improvements within a reasonable timeframe, that will

be implemented to address the K-10/15th Street intersection to make it safe to handle urban density traffic. The acceptable solution is a grade separated intersection. Properties north of US Highway 40/6th Street and within ½ mile south of US Highway 40/6th Street will not have to comply with this policy when they develop to urban densities in the future.



E 1500 Rd & K-10 – looking east toward Lawrence.

Possible financing mechanisms in the approved financing plan could include impact fees. An impact fee is a charge on new development to pay for the construction or expansion of off-site capital improvements that are necessitated

by and benefit the new development. Construction of a new interchange at K-10 Highway and Bob Billings/15th Street is a project that would directly benefit the new urban growth west of K-10 Highway.

Multi-Use Path

A 10' multi-use path should be constructed on one side of an improved Bob Billings/15th Street while a 6' sidewalk should be constructed on the other side of the street.

D. E 902 Rd.

T2030 identifies E 902 Rd. as a future collector street that will access Clinton Parkway. Providing this road and the connection to Clinton Parkway should occur as urban scale development happens in southeast corner of the planning area. This will help accommodate the additional traffic that will be generated with urban development.

T2030 shows this road going north from Clinton Parkway generally parallel to K-10 Highway. As shown in T2030, it turns east at N 1500 Rd and connects to George Williams Way, which will take traffic to Bob Billings Parkway. Providing this connection between Bob Billings Parkway and Clinton Parkway is important as the area urbanizes. The final alignment of the road and how that connection is accommodated will be determined when final design decisions are made. Alternative alignments to connect E 902 Rd directly to Bob Billings Parkway could be considered as well.

E. Transit

Future transit service for the planning area should be determined to be warranted or not based on the ultimate land use of employment and commercial activity.

VII. Community Facilities

A. Fire & Medical

A new fire and medical station is planned for 6th Street and K-10 Highway. The new station will serve some of the existing new growth east of K-10 and a good deal of the new growth west of K-10. It is programmed in the City's CIP budget for 2009.

B. Parks, Recreation, and Open Space

Clinton Lake

The west of K-10 area is adjacent to Clinton Lake, one of the cornerstone natural areas of the community. The Clinton Lake property contains the Clinton Lake reservoir and park, Sesquicentennial Plaza, Eagle Bend Golf Course, a sports complex and multi-use and nature trails, among other things. Clinton Lake is a regional attraction that is a jewel for the community.

Controlled access to Clinton Lake is vital for its operation and security. Consideration should be given to establishing a controlled vehicular and/or pedestrian connection to the north side of Clinton Lake. Any type of access, pedestrian or vehicular, would need to be planned accordingly and receive all the necessary approvals. Perhaps an opportunity exists to provide a connection by extending E 800 Rd to connect to N 1415 Road just east of the Clinton State Park office. A single point of controlled pedestrian or vehicular access to the lake at this location would benefit the residents in these new neighborhoods and would provide another entrance/exit to the lake.

Co-Located Facilities

USD 497 and the City of Lawrence co-located facilities when the school district built Free State High School and the City built the Indoor Aquatic Center next door to the school. This model of cooperation and service delivery should be continued west of K-10. USD 497 owns ground west of K-10 for a future school site. Planning for the future school site should happen in conjunction with the City's planning for new park and recreation facilities.



Indoor Aquatic Center

Parks and Open Space

Connecting parks and open space with pedestrian pathways is encouraged in this area. Each neighborhood must contain parks and open space. Parks and open space should be located on usable land that is easily accessible to the majority of the neighborhood in which it is located. Parks and open space may act as focal

points for neighborhoods and also act as edges for neighborhoods. Additional policy language regarding parks and open space is found in Chapter 9 of *Horizon 2020*.

Lake Alvarado is identified by this plan as open space. The importance of the lake to the planning area is its value as an open space amenity and also as a collection lake for stormwater flowing into it. Maintaining this lake for these purposes is important.

VIII. Utilities

Three master plans prepared for the City – 2003 Water Master Plan, 2003 Wastewater Master Plan, and the Stormwater Management Master Plan – form the policy basis for the necessary infrastructure elements that need to be in place prior to urbanizing the area west of K-10 Highway.

It is important to note from Section II (c) and (g) of this Plan that public utility infrastructure currently in place necessary for urbanizing the planning area west of K-10 Highway is scarce. The following details what infrastructure must be in place prior to urbanizing the area.

A. Water

There is a hydrant and a 16", PVC pipe line southeast of the intersection of US 40 and K-10 which is outside of the Lawrence city limits and another line east of K-10 along Bob Billings Parkway, within the City limits. All other properties obtain water either from private wells or from Rural Water District #1.

The 2003 Water Master Plan (see map 8-1) identifies several improvements designed to serve the area west of K-10 Highway. Due to areas of high ground west of K-10 Highway and an inability to adequately serve the area from the existing West Hills Service Level these improvements include a second water main crossing of K-10 Highway and booster pumping station in the vicinity of N 1500 RD and K-10. For redundancy it would be advisable to have a second water main crossing of K-10 Highway prior to development.

Per the 2003 Water Master Plan the improvements required to extend water service to the west side of K-10 Highway, with the exception of the noted booster pump station and future elevated water storage tank, were to be at the developer's expense.

The water distribution network in this area would be designed and constructed as urban development proceeds.

B. Sanitary Sewer

City sanitary sewer is provided to the majority of the properties east of K-10 that are not within Lawrence city limits. There is one 10" and one 8" PVC City sanitary sewer line that cross K-10 to the north and to the south of N. 1500 Road. A portion of the Yankee Tank Creek No. 3 drainage basin could potentially be served by these existing lines. The capacity of these lines as well as the system downstream of these lines including Pump Station PS09 would need to be evaluated based on proposed development.

Per the 2003 Wastewater Master Plan (see map 8-2) Sanitary Sewer Drainage Basins to the west of Yankee Tank Creek No. 3 will be collected by gravity within each basin and then pumped to the Yankee Tank Creek No. 3 system and conveyed via PS09 for treatment at the Wakarusa Water Reclamation Facility.

These areas will need to be evaluated along with the capacity in the receiving systems downstream to determine any necessary improvements.

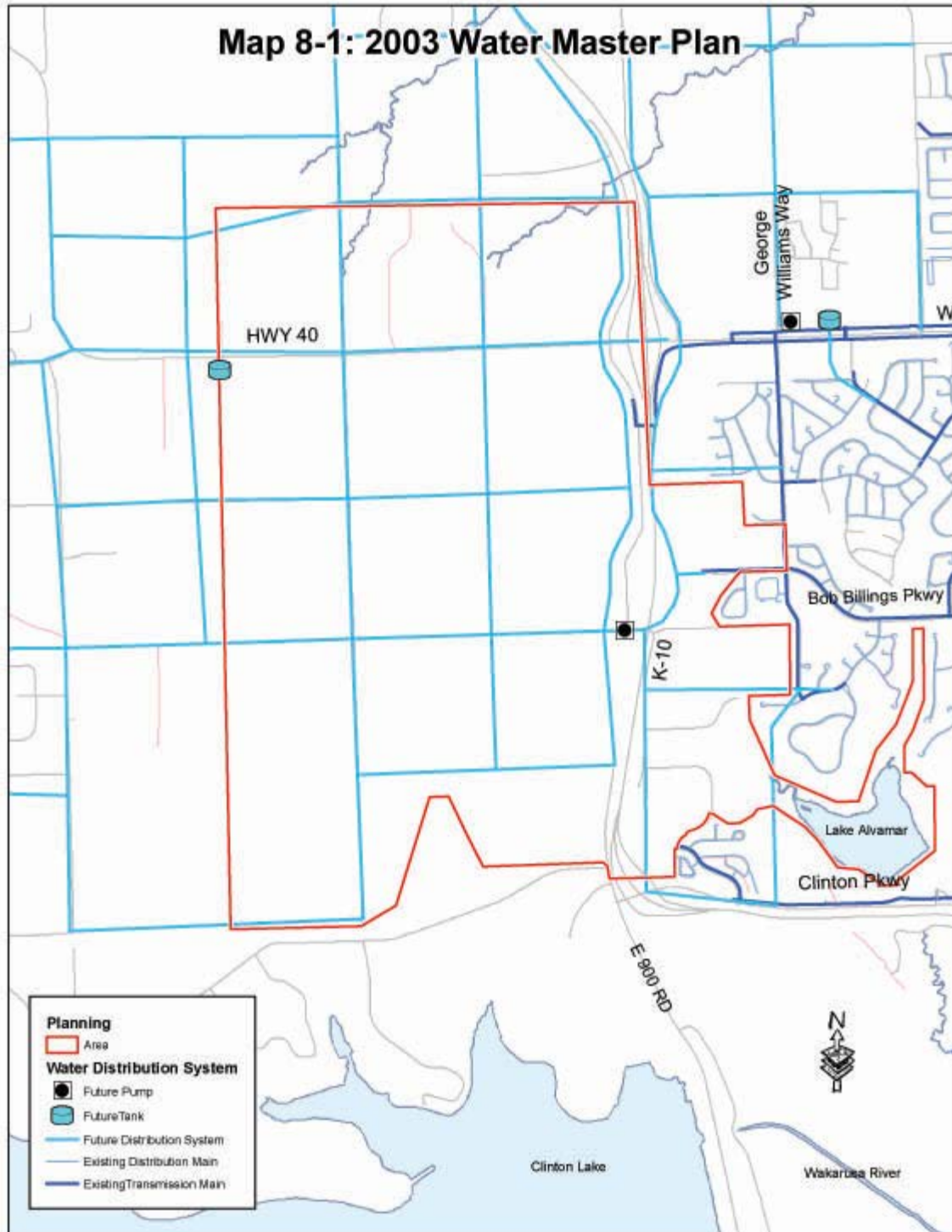
There is a limited area of the Baldwin Creek Drainage Basins immediately south of 6th Street. Per the 2003 Wastewater Master Plan these areas are to follow their natural drainage and flow to the north of 6th Street for further collection and conveyance.

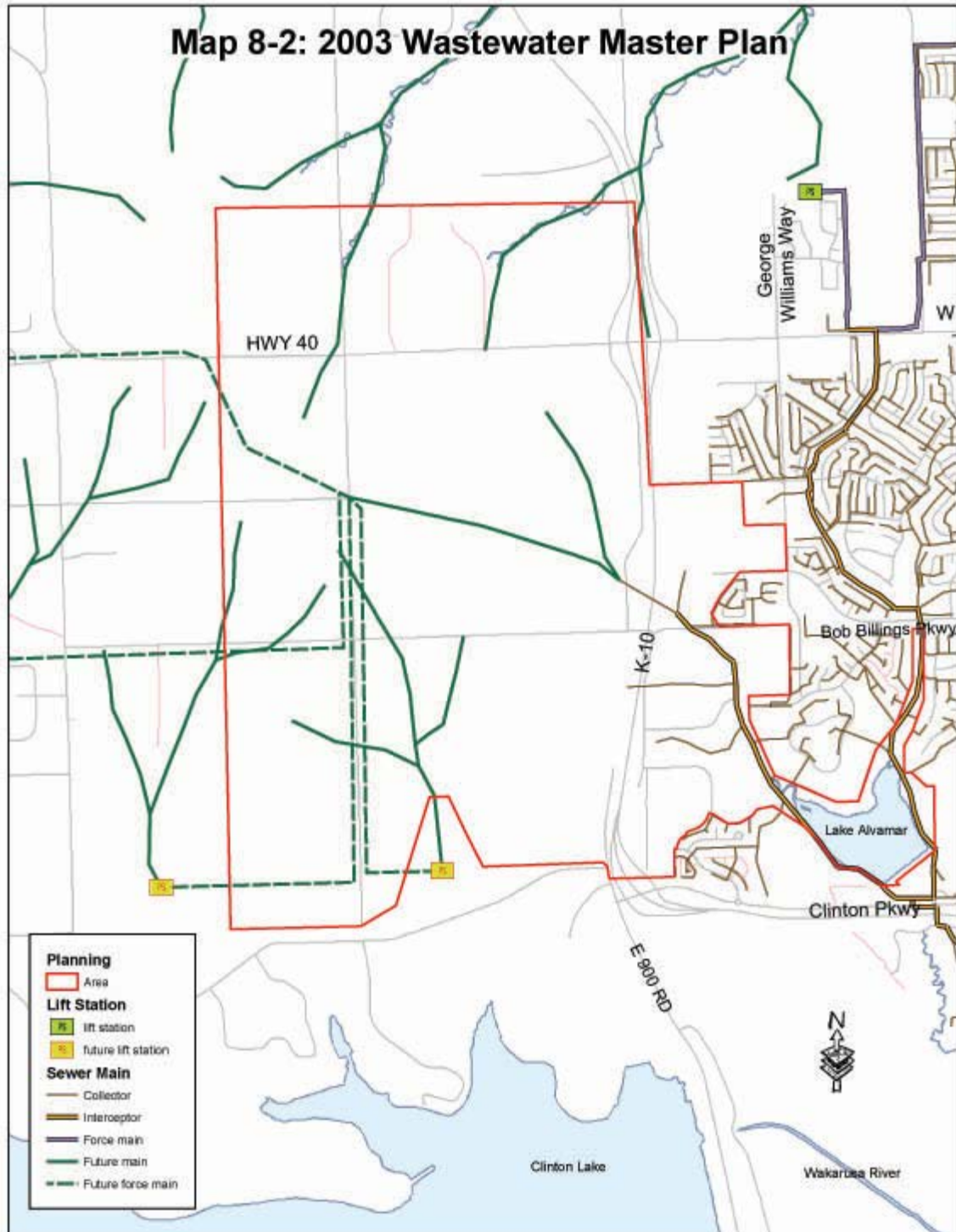
Per the 2003 Wastewater Master Plan the improvements required to extend sanitary sewer service to the west side of K-10, other than those identified as relief improvements to the existing system, were to be at the developer's expense.

C. Stormwater

The City of Lawrence completed its *Stormwater Management Master Plan* in 1996, which generated policy governing storm water management. Basically, the policy requires an engineering study to assure drainage systems are designed for the 10-year return period peak flow with overflow channels sufficient enough to convey the 100-year peak flow. Overflow channels are to be covered by drainage easements with land use restrictions, and natural channels are encouraged to remain in their original location. Detention is required where buildings in the drainage basin downstream from the proposed development are frequently flooded during storm events, or where the required engineering study indicates the proposed development would cause flooding of downstream structures not previously affected.

At the time that the *Stormwater Management Master Plan* was created, the majority of the Baldwin Creek drainage basin was outside of the city limits, but the plan did recommend that it be updated at a point in the future to include the Baldwin Creek drainage basin. The Yankee Tank west drainage basin was identified in the 1996 plan, and was found to have a satisfactory 10-year performance rating on the majority of its systems. The plan did note that the area was still developing at the time and the plan should be updated at some point in the future as development happens. Current City policies regarding stormwater management will affect all incorporated areas.





IX. Implementation

The purpose of this section is to provide actions that should happen as this Plan is adopted and urban development starts to occur in the planning area. Each implementation action is assigned a group or groups ultimately responsible for completing or approving the action.

- Amend Horizon 2020 Chapter 14, Specific Plans, to include the West of K-10 Sector Plan by reference.

Who: Planning Commission, City Commission, County Commission

- Amend Horizon 2020 Chapter 6, Commercial, to change the designation of K-10 and Clinton Parkway from Neighborhood Commercial Center to Community Commercial Center.

Who: Planning Commission, City Commission, County Commission

- Adopt the Lawrence SmartCode as a development option for new development and infill in Lawrence.

Who: Planning Commission, City Commission

- ~~• Update the *West 6th Street/ K-10 Nodal Plan* to reflect adopted Future Land Use designation of the *West of K-10 Plan*.~~

~~**Who:** Planning Commission, City Commission, County Commission~~

- ~~• Amend subdivision regulations to establish a 50' extraordinary setback on US 40/West 6th Street west of K-10 Highway.~~

~~**Who:** Planning Commission, City Commission, County Commission~~

- Develop a financing plan to improve the intersection of K-10 Highway and 15th Street/Bob Billings Parkway so that it can safely serve urban density development west of K-10.

Who: City Commission, County Commission, KDOT

- Amend Horizon 2020 Chapter 3, General Plan Overview, Map 3-1 Lawrence Urban Growth Area Service Areas & Future Land Use, to reflect the adopted future land use.

Who: Planning Commission, City Commission, County Commission

- Create and adopt a stream buffer or stream setback ordinance.

Who: Planning Commission, City Commission

Commercial Land Use

CHAPTER SIX - COMMERCIAL LAND USE

The Plan's goal is to strengthen and reinforce the role and function of existing commercial areas within Lawrence and Douglas County and promote economically sound and architecturally attractive new commercial development and redevelopment in selected locations.

STRATEGIES: COMMERCIAL DEVELOPMENT

The principal strategies for the development and maintenance of commercial land use areas are:

- Support downtown Lawrence as the Regional Retail/Commercial/Office/Cultural Center with associated residential uses through the careful analysis of the number, scale, and location of other mixed-use commercial/retail developments in the community. Downtown Lawrence is the cultural and historical center for the community and shall be actively maintained through implementation of the adopted design guidelines that regulate the architectural and urban design character of this regional center.
- Establish and maintain a system of commercial development nodes at selected intersections which provide for the anticipated neighborhood, community and regional commercial development needs of the community throughout the planning period.
- Require commercial development to occur in "nodes", by avoiding continuous lineal and shallow lot depth commercial development along the city's street corridors and Douglas County roads.
- Encourage infill development and/or redevelopment of existing commercial areas with an emphasis on Downtown Lawrence and existing commercial gateways. Sensitivity in the form of site layout and design considerations shall be given to important architectural or historical elements in the review of development proposals.
- Improve the overall community image through development of site layout and accessibility plans that are compatible with the community's commercial and retail areas.
- Require new Commercial Centers in the unincorporated portion of Douglas County to be located at the intersection of two hard surfaced County Routes or the intersection of a hard surfaced county route and a state or federally designated highway and no closer than four miles to another Commercial Center in the unincorporated portion of Douglas County.

NODAL DEVELOPMENT

The Goals and Strategies in this chapter center on the Nodal Development Concept for new commercial development and the definitions of the four different categories of commercial nodes: Neighborhood, CC200, CC400, and Regional Commercial. The Nodal Development Concept encompasses all four corners of an intersection, although all four corners do not need to be commercially developed. The concept of nodal development shall also be applied to the redevelopment of existing commercial areas when the redevelopment proposal enlarges the existing commercial area. The following text provides a detailed description of the appropriate uses and development patterns for each respective category of commercial development.

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. Commercial development that does not occur directly at the corner of an intersection must be integrated, through development plan design and platting with the property that is directly at the intersection’s corner. Termination of commercial development can be accomplished through a number of methods, including: 1) Placement of transitional uses, such as office and multi-family to buffer the adjoining neighborhood from the commercial area; 2) restricting the extension of new commercial uses past established commercial areas; and 3) defining the boundaries of the development through the use of “reverse frontage” roads to contain the commercial uses.

DESIGN STANDARDS

The city shall strive to improve the design of shopping areas. The objective will be to work with commercial developers to achieve compact, pedestrian-oriented centers versus conventional strip malls. The overall goal of these standards is to improve community aesthetics, encourage more shopping per trip, facilitate neighborhood identification and support, and make shopping an enjoyable event.

New design standards shall be developed and adopted which better integrate the centers into the surrounding neighborhoods and create a focal point for those that live nearby. They should include elements that reflect appropriate and compatible site design patterns and architectural features of neighboring areas. Site design and building features shall be reflective of the quality and character of the overall community and incorporate elements familiar to the local landscape. Using a variety of building incentives to encourage mixed use development will bring consumers closer to the businesses

Design elements of particular interest that will receive close scrutiny include:

1. Site design features, such as building placement, open space and public areas, outdoor lighting, landscaping, pedestrian and bicycle amenities, interfacing with adjacent properties, site grading and stormwater management, parking areas and vehicular circulation (including access management).
2. Building design features, such as architectural compatibility, massing, rooflines, detailing, materials, colors, entryways, window and door treatments, backsides

of buildings, service/mechanical/utility features and human-scale relationships.

COMMERCIAL CENTER CATEGORIES

The Comprehensive Plan includes recommendations for the improvement of existing commercial areas and the development of compatible new commercial areas. It establishes a system of commercial and retail development that applies to both existing and new development locations. This system involves the designation of different types of commercial areas to distinguish between the basic role and types of land uses and the scale of development. These include the neighborhood, community and regional commercial classifications. The following descriptions are based upon recognized standards formulated by the Urban Land Institute (ULI) and knowledge gathered by the community through past experiences.

An integral component in the description of each commercial center category is the designation of an amount of commercial gross square footage deemed appropriate for each center classification. However, this plan recognizes that there will be instances in which a rezoning request for a commercial district will not be accompanied by a development plan showing the total amount of gross square footage associated with the rezoning request. In such circumstances, part of the commercial rezoning request shall include a statement regarding the maximum amount of commercial square footage that will be permitted with each particular commercial rezoning request.

■ ***Commercial Uses***

For the purposes of this section of the Plan, the term “commercial” means retail businesses as defined as one whose primary coding under the North American Industrial Classification System (NAICS) falls into at least one of the following sectors:

- i. Sector 44-45: Retail Trade;
- ii. Subsector 722: Food Services and Drinking Places;
- iii. Subsector 811: Repair and Maintenance; and
- iv. Subsector 812: Personal and Laundry Services

~~that sell goods and services on-site for which sales tax is collected. This definition does not include offices uses.~~

■ ***Downtown Commercial Center***

The Downtown Commercial Center is the historic core of governmental, commercial, institutional, social and cultural activity. Transitions to adjacent neighborhoods are traditionally provided through alleyways or landscaping improvements rather than a change in use or density. The Downtown Commercial Center is restricted to the historic commercial core of Lawrence. The boundaries of Downtown Lawrence correspond with the boundaries outlined in the “Comprehensive Downtown Plan”, and are described as: *starting at the Kansas River, south along Kentucky Street to just south of Vermont Towers, then east to Vermont Street, south along Vermont Street to North Park Street, east along North Park Street to Rhode Island Street, north along Rhode Island Street to 11th Street, west along 11th Street to the alley east of New Hampshire Street, north along the New Hampshire Street alley to 9th Street, east on 9th Street*

to Rhode Island Street, then north on Rhode Island Street to the Kansas River.

The Downtown Commercial Center is the Regional Retail/Commercial/Office/Cultural Center for the community and is considered a destination driver that attracts and serves the area beyond that of the local community. The Downtown Commercial Center has an established development and architectural/urban design pattern. Unique among commercial centers in Lawrence, the Downtown Commercial Center combines a variety of land uses, including governmental, retail, office, public facilities, institutions, churches, and residential. Linear in design, the Downtown Commercial Center is focused along Massachusetts Street with New Hampshire and Vermont Streets serving as secondary activity areas. General building patterns are urban. Mixed-use, multi-story buildings are the most common building form and parking is provided on-street and through community parking lots and parking structures.

Building designs and public improvements are focused on providing a pedestrian-oriented commercial experience. Massachusetts Street has a distinct streetscape with sawtooth parking and a focus on first floor (pedestrian oriented) retail use. Vermont and New Hampshire Streets provide the major vehicular movement patterns and provide access to the majority of the community parking areas. Alleyways, which provide service access, are one of the main character-defining elements that distinguish the Downtown Commercial Center from other commercial centers. To ensure there are a variety of commercial uses, the maximum footprint for an individual store is limited to approximately 25,000 gross square feet. One of the keys to the success of the Downtown Commercial Center is the ability to provide a wide range of leasable square footage that is both flexible and capable of being tailored to a specific use. Construction within the Downtown Commercial Center is regulated by a set of design guidelines administered through an Urban Conservation Overlay Zoning District.

An important ingredient to ensuring the continued viability of Downtown is keeping it the center of the city's social and institutional activities. To maintain downtown as the city and County's hub of governmental functions; uses and buildings such as City Hall, the County Courthouse, Municipal Library, Douglas County Senior Center, Fire/Medical Department's Main Office, Police and Sheriff Offices, the Municipal Pool and the Municipal and District Courts shall remain located in Downtown.

■ ***Neighborhood Commercial Centers***

The typical nodal development concept for Neighborhood Commercial Centers includes commercial on only one corner of an arterial/collector street intersection or arterial/arterial street intersection. The remaining corners are appropriate for a variety of other land uses, including office, public facilities and high density residential. Commercial development shall not be the dominant land use at the intersection or extend into the surrounding lower-density residential portions of the neighborhood. The surrounding residential area shall be provided adequate buffering from the commercial uses through transitional zoning or lower-intensity developments. Transitions shall be accomplished by using a number of methods, such as intensive landscaping and berming, grouping of lower-intensity developments, incorporation of existing natural land features into site layout and design (ex. open space along a creek), or a combination of these methods.

Neighborhood Commercial Centers may contain a variety of commercial uses, including a grocery store, convenience store, and other smaller retail shops and services such as a barbershop or beauty salon. To insure there are a variety of commercial uses and that no one

use dominates a Neighborhood Commercial Center, no one store shall occupy an area larger than 40,000 gross square feet. The only exception is a grocery store, which may occupy an area up to 80,000 gross square feet.

A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. Neighborhood Commercial Centers shall contain no more than a total of 100,000 gross square feet of commercial space with the exception of Neighborhood Commercial Centers that include a grocery store. Neighborhood Commercial Centers that have a grocery store larger than 60,001 gross square feet may have up to a total of 125,000 gross square feet of commercial space.

To ensure that the commercial area in a new Neighborhood Commercial Center has adequate lot size and depth, any proposal for a commercial development shall have a length-to-depth ratio between 1:1 and 3:2.

In order to facilitate the orderly development of future commercial nodes, Lawrence shall attempt to complete "nodal plans" for each future commercial center in advance of development proposals.

If a nodal plan had not been created by the city, the need to create a nodal plan for a specific intersection shall be "triggered" by the first development request (rezoning, plat, preliminary development plan, etc.) submitted to the Planning Department for any portion of the node. The creation of the nodal plan may involve input from landowners within the nodal area, adjoining neighborhoods and property owners, and appropriate local and state entities. The appropriate governing body (City or County Commission) shall approve the nodal plan before development approval within the nodal area can move forward.

■ ***Mixed-Use Redevelopment Center***

The City of Lawrence includes areas where existing structures that have not been utilized for their original purposes for an extended period of time, have experienced a high turnover rate, or have remained vacant for an extended period of time and, therefore, are suitable for redevelopment. Such areas present potential opportunities for redevelopment into mixed-use centers, offering a mix of residential, civic, office, small-scale commercial, and open space uses. This mixed use is encouraged in individual structures as well as throughout the area.

Mixed-use redevelopment centers shall include a mix of uses designed to maintain the character of the surrounding neighborhood, achieve integration with adjacent land uses, and be no larger than six acres in size. As such, retail uses within mixed-use redevelopment centers shall not exceed 25% of the net floor area within the subject area, and a single retail shop or tenant shall not occupy more than 16,000 square feet of a ground-floor level, net floor area. Neighborhood integration shall also be accomplished by providing transitions through alleyways and use and landscaping buffers, and by ensuring existing structures are incorporated into the new center where possible. New development shall respect the general spacing, mass, scale, and street frontage relationships of existing structures and surrounding neighborhoods. The City's Historic Resources Administrator shall be contacted if it is likely that historic structures exist within or near the project area.

Centers shall provide multi-modal services, allowing bicycle, pedestrian, vehicular, and, if

available, transit options. Pedestrians should be able to navigate the site safely and efficiently, and travel to and from the site with ease. Pedestrian-scaled street furnishings, plantings, and gathering places shall be utilized to allow for social activity in public places. Bicycle parking shall be provided when required by the Zoning Regulations, and transit services shall be incorporated into the design where necessary.

■ ***Mixed-Use Districts***

The City of Lawrence includes areas where infill and new development opportunities exist that would appropriately be developed or redeveloped as a mixed-use district. Such areas present potential opportunities for development and redevelopment as mixed-use districts, offering a mix of residential and non-residential uses. This mixed use is encouraged in individual structures as well as throughout the area. There are also areas that are currently mixed use in nature that should be preserved.

Mixed-use districts shall include a mix of uses designed to maintain the character of the surrounding neighborhood, achieve integration with adjacent land uses, and be no larger than 20 acres in size. Neighborhood integration may also be accomplished by providing transitions through alleyways, variation among development intensity, implementation of landscaping buffers, or by ensuring existing structures are incorporated into the development where possible. New development shall respect the general spacing, mass, scale, and street frontage relationships of existing structures and surrounding neighborhoods. The City's Historic Resources Administrator shall be included in the review process if it is likely that historic structures exist within or near the project area.

Mixed use districts shall provide multi-modal services, allowing bicycle, pedestrian, vehicular, and transit options. Pedestrians should be able to navigate the site safely and efficiently, and travel to and from the site with ease. Pedestrian-scaled street furnishings, plantings, and public spaces shall be planned to be utilized to allow for social activity. Bicycle parking shall be provided when required by the Zoning Regulations, and transit services shall be incorporated into the design where necessary.

■ ***Inner-Neighborhood Commercial Centers***

A subcategory of this section is Inner-Neighborhood Commercial Centers. Typically, this is an existing commercial area within an established neighborhood. Existing Inner-Neighborhood Commercial Centers are located at:

- Southeast corner of 12th Street and Connecticut Street
- West side of the intersection of 14th Street and Massachusetts Street
- Intersection of N. 7th Street and Locust Street
- 6th Street between Indiana Street and Mississippi Street
- E. 9th Street corridor starting at Rhode Island and going east
- Northeast corner of Barker Street and 23rd Street
- 7th Street and Michigan Street.
- Northeast corner of 13th and Haskell

Redevelopment of these existing Inner-Neighborhood Commercial Centers should be facilitated through the use of alternative development standards that allow for reductions in required parking, open space, setbacks, lot dimensions and other requirements that make it difficult to redevelop existing commercial areas

■ ***Community Commercial Center***

A Community Commercial Center provides goods and services to several different neighborhood areas. It requires a site of sufficient size to accommodate buildings, parking, stormwater detention and open space areas. Although it may include a food or drug store, it is likely to provide a broad range of retail uses and services that typically generate more traffic and require larger lot sizes than found in a Neighborhood Commercial Center. Community Commercial Center uses may include hardware stores, video outlets, clothing stores, furniture stores, grocery store, movie theaters, home improvement stores, auto supply and services, athletic and fitness centers, indoor entertainment centers, etc.

Community Commercial Center (under 200,000 square feet): CC200

The primary purpose of the CC200 category is to provide for the expansion and redevelopment of existing Community Commercial Centers. However, a new CC200 Center can be designated. Expansion of an existing CC200 Center shall not intrude into surrounding residential areas or lower-intensity land uses. Any proposal for commercial expansion or redevelopment occurring in an area designated as a CC200 Center shall include a plan for reducing curb cuts, improving pedestrian connections, providing cross access easements to adjacent properties, and creating and/or maintaining buffering for any adjacent non-commercial uses.

All corners of CC200 Center intersections should not be devoted to commercial uses. CC200 Centers should have a variety of uses such as office, employment-related uses, public and semi-public uses, parks and recreation, multi-family residential, etc.

To insure that there are a variety of commercial uses and that no single store front dominates the CC200 Center, no individual or single store shall occupy more than 100,000 gross square feet. A general merchandise store (including discount and apparel stores) that does not exceed 65,000 gross square feet in size may be located in a CC200 Center. The sum of the gross square footage for all stores that occupy space between 40,000 and 100,000 cannot exceed 50 percent of the gross commercial square footage for the corner of the intersection where it is located. To provide adequate access and adequate circulation, CC200 Centers shall be located at an arterial/collector street intersection or arterial/arterial street intersection.

CC200 Centers shall be located with primary access designed to occur from arterial or collector streets, with secondary access occurring from neighborhood feeder streets or reverse frontage roads. The purpose of the secondary access is to collect internal neighborhood traffic so that accessibility from the adjoining neighborhoods does not require exiting the neighborhood to access community shopping. These secondary access points are intended only for neighborhood traffic. The surrounding street design shall be done in a manner to discourage access to the Commercial Center by non-neighborhood traffic. Pedestrian and bike connection to the neighborhood shall be emphasized along the secondary routes.

In order to facilitate the orderly development of future commercial nodes, Lawrence shall

attempt to complete “nodal plans” for each future commercial center in advance of development proposals.

In the absence of a city created nodal plan, the need to create a nodal plan for a specific intersection will be “triggered” by the first development request (rezoning, plat, preliminary development plan, etc.) submitted to the Planning Department for any portion of the node. The creation of the nodal plan may involve input from landowners within the nodal area, adjoining neighborhoods and property owners, and appropriate local and state entities. The appropriate governing body (City or County Commission) shall approve the nodal plan before approval of the development within the nodal area can move forward.

Community Commercial Center (under 400,000 square feet): CC400

The second category of Community Commercial Centers is the CC400 Center. Although these centers usually average 150,000 gross square feet, they may be as large as 400,000 gross square feet of retail commercial space if justified by an independent market study. CC400 Centers shall be located at the intersection of two arterial streets that have at least a four-lane cross-section or the intersection of a four-lane arterial with a state or federally designated highway.

CC400 Centers shall be located with primary access designed to occur from arterial or collector streets, with secondary access occurring from neighborhood feeder streets or reverse frontage roads. The purpose of the secondary access is to collect internal neighborhood traffic so that accessibility from the adjoining neighborhoods does not require exiting the neighborhood to access community shopping. These secondary access points are intended only for neighborhood traffic. The surround street design shall be done in a manner to discourage access to the Commercial Center by non-neighborhood traffic. Pedestrian and bike connection to the neighborhood shall be emphasized along the secondary routes.

The nodal development concept for CC400 Centers includes the possibility of commercial development on more than one corner of an intersection. The non-commercial corners of a community commercial node are appropriate for a variety of non-commercial retail uses including office, public or religious facilities, health care, and medium- to high-density residential development. Community Commercial development shall not extend into the surrounding lower-density residential portions of neighborhoods. The adjoining residential area shall be provided adequate buffering from the commercial uses through transitional zoning or development. Transitions may be accomplished by using a number of methods, including extensive landscaping and berming, grouping of lower-intensity uses, incorporation of existing natural land features into site layout and design (ex. open space along a creek), or a combination of these methods.

To insure that a specific intersection complies with the CC400 Center nodal standards, a nodal plan for each new CC400 Center must be created. The nodal plan will define the area of the node and provide details including: 1) existing natural features; 2) appropriate transitional uses; 3) appropriate uses for each specific corner of the intersection; 4) access points for each corner; 5) necessary infrastructure improvements; 6) overall flow of traffic in and around the node and the surrounding area; and 7) any other necessary information.

A key element to a nodal plan is the designation of the appropriate uses for each corner of the

node, which shall be governed by the above-listed details. Those details will be used to analyze a potential node. The analysis of the node may readily reveal the appropriate use for each specific corner. However, the analysis may reveal that no one use is appropriate for each specific corner, but instead a variety of uses may be considered appropriate for a specific corner. In a situation where all the corners may be considered appropriate for commercial uses, the location of the commercial space will be dictated by the timing of the development application and the development standards located in this chapter.

In order to facilitate the orderly development of future commercial nodes; Lawrence shall attempt to complete "nodal plans" for each future commercial center in advance of development proposals.

If the city has not created a nodal plan, the need to create a nodal plan for a specific intersection will be "triggered" by the first development request (rezoning, plat, preliminary development plan, etc.) submitted to the Planning Department for any portion of the node. The creation of the nodal plan may involve input from landowners within the nodal area, adjoining neighborhoods and property owners, and appropriate local and state entities. The appropriate governing body (City or County Commission) shall approve the nodal plan before approval of the development within the nodal area can move forward.

At least 95 percent of the commercial gross square footage in a new CC400 Center shall be located on two corners of the intersection. The remaining five percent shall be located on one of the remaining two corners. To comply with the square footage maximum for a CC400 Center and to ensure that the commercial area has adequate lot size and depth, any commercial development proposal for a single corner shall have a length-to-depth ratio between 1:1 and 3:2 and be a minimum of 20 acres in size. Proposals in which the commercial gross square footage is less than ten percent of the total square footage of the proposal do not have to meet the minimum acreage and lot length-to-depth ratio requirements.

No one store in a CC400 Center shall occupy more than 175,000 gross square feet. The sum of the gross square footage for all stores that occupy space between 100,000 gross square feet and 175,000 gross square feet shall not exceed 70 percent of the gross commercial square footage for the corner of the intersection. If a proposal for a corner of the intersection includes more than 100,000 gross square feet of commercial space, the proposal shall include a single store building that has at least 40,000 gross square feet of commercial space.

Community Commercial Center (under 600,000 square feet): CC600

The third category of Community Commercial Centers is the CC600 Center. The primary purpose of the CC600 center is to provide opportunities for development of new Community Commercial Centers for fringe areas as neighborhoods grow and develop,

These centers allow a maximum of 600,000 square feet of commercial retail space and shall be located at the intersection of two state or federally designated highways. Other uses of a non-retail nature do not have a space limitation. A maximum of 90 percent of the commercial retail square footage in a CC600 center shall be located on two corners of the intersection. The remaining 10 percent shall be located on one or both of the remaining two corners.

CC600 centers should be developed in a nodal development pattern and be part of a specific land use plan that includes the node. The nodal plan shall also address surrounding land uses

| and provide for adequate transitioning of uses.

■ ***Regional Commercial Centers***

A Regional Commercial Center may provide the same services as a Community Commercial Center but should provide a greater variety and number of general merchandise, apparel and furniture stores, among other tenants. Because of the overall scale and mix of uses, a regional retail commercial center attracts and serves a population greater than and beyond that of the community.

The minimum area for a commercial development plan on any corner is 40 acres and the minimum street frontage is 1,400 linear feet. This will ensure a new Regional Commercial Center is capable of development with the critical mass mixture, including sites for multiple big box buildings, required parking, stormwater detention, and open space areas. A Regional Commercial Center node shall not contain more than 1.5 million gross square feet of retail commercial space. The only location for the next Regional Commercial Center is at the intersection of either two state or federal highways, or the intersection of a street identified on the Major Thoroughfares Map as an arterial street and a state or federal highway.

Development of another Regional Commercial Center will have significant impacts on the Lawrence/Douglas County community and its existing retail centers, and will place increased service demands on the community's infrastructure system. Due to these impacts, consideration of a Regional Commercial Center by the Planning and City Commissions shall utilize the best available information in the analysis, public hearing and decision making process. Therefore, when the next Regional Commercial Center is proposed, an independent market analysis shall be required at the review and analysis stage and prior to public hearing. The entity proposing the Regional Commercial Center shall provide the funds necessary for the city to hire an independent consultant, selected by the applicant from a list of approved consultants established by the city, to perform the market analysis study.

The market analysis study shall be required, at a minimum, to analyze the proposed Regional Commercial Center based on the following criteria: 1) the overall viability of the commercial proposal and the impact of the proposal on the economic vitality and health of the community in the form of impacts on existing commercial centers; 2) the appropriate phasing or timing of development of the ultimate center size based on the community's ability to absorb additional commercial square footage over a three year period; 3) a comparison of the private costs versus public infrastructure and services costs to develop the commercial center proposed; and 4) other factors identified as relevant impacts on the market by either the developer or the city. The three year time period is a typical cycle for a commercial development to go from a concept to the opening of a store.

As with the Community Commercial Center, in order to insure that a specific intersection complies with the Regional Commercial Center nodal standards, a nodal plan for a new Regional Commercial Center shall be created. The nodal plan shall define the area of the node and provide details, including: 1) existing natural features; 2) appropriate transitional uses; 3) appropriate uses for each specific corner of the intersection; 4) access points for each corner; 5) necessary infrastructure improvements; 6) overall flow of traffic in and around the node and the surrounding area; and 7) any other necessary information.

A key element to a nodal plan is the designation of the appropriate uses for each corner of the

node, which shall be greatly governed by the above-listed details. Those details will be used to analyze a potential node. The analysis of the node may readily reveal the appropriate use for each specific corner. However, the analysis may reveal that no one use is appropriate for each specific corner, but instead a variety of uses may be considered appropriate for a specific corner. In a situation where all the corners may be considered appropriate for commercial uses, the location of the commercial space will be dictated by the timing of the development application and the development standards located in this chapter.

If the city has not created a nodal plan, the need to create a nodal plan for a specific intersection shall be “triggered” by the first development request (rezoning, plat, preliminary development plan, etc.) submitted to the Planning Department for any portion of the node. The creation of the nodal plan may involve input from landowners within the nodal area, adjoining neighborhoods and property owners, and appropriate local and state entities. The appropriate governing body (City or County Commission) shall approve the nodal plan before development approval within the nodal area can move forward.

■ ***Existing Strip Commercial Developments***

Existing strip commercial development areas are characterized by developments that do not meet current standards for lot dimensions and area, lot frontage, curb cut location(s), or the presence of internal frontage roads for cross access. These areas developed at a time when development standards permitted smaller lots, shallower lot depth, minimum spacing between curb cuts and multiple access points from a site to an arterial street; traffic studies were also not required prior to development at that time. These strip commercial development areas have become obsolete as a result of their inability to adjust to increased traffic volumes and congestion, current needs for site area and depth for redevelopment, and the changing patterns of shopping of the motoring public. As these strip areas become less desirable locations, the ability to redevelop individual lots becomes a matter of both property owner and community concern. The community concern is primarily with the creation of vacant, undeveloped or underdeveloped commercial areas that have the potential to blight the city’s gateways.

A combination of innovative tools should be developed to assist owners of lots within the existing strip development areas to redevelop. These tools need to include regulations that provide accommodations for shallow lot depth, the combination of lots and access points, and the creation of cross access between lots to minimize the need for individual lot access to arterial streets. In addition, other tools of a policy nature which would be helpful to redevelopment need to be considered and, where appropriate, adopted by the appropriate governing bodies. These tools may include the ability for establishment of public/private partnerships, special overlay districts, modified development standards for redevelopment based on an adopted redevelopment plan, tools to assist in lot consolidation and purchase, adopted access management plans and access point relocations, special benefit districts for sidewalks and public transportation stops, assistance in acquiring cross access easements, and similar tools providing community benefit.

Existing Strip Commercial Development areas shall not be permitted to expand or redevelop into the surrounding lower-intensity areas. Redevelopment within Strip Commercial Development areas shall be approved only when the redevelopment complies with any adopted redevelopment plan or access management plan for the area. Cross access easements and curb cut consolidation should be considered a standard element of any redevelopment plan, as shall

a solid screen or buffer along all property lines that adjoin residentially zoned or developed areas.

■ ***Auto-Related Commercial Centers***

A unique type of commercial development is an Auto-Related Commercial Center. These centers include a wide variety of uses such as auto sales and repair, truck stops, restaurants, hotels, and other similar uses. However, these uses are not limited to Auto-Related Commercial Centers. A common feature of all these uses is that they typically have a small amount of commercial square footage under roof, but require a large amount of acreage.

Because these centers have a limited variety of uses and a relatively small amount of commercial square footage, Auto-Related Commercial Centers do not fit within the definition of a Community or Regional Commercial Center. These types of centers are very intensive and therefore need to be directed to areas that have an ability to handle the intensive nature of an Auto-Related Commercial Center.

Auto-Related Commercial Centers shall be located at the intersection of two state or federally designated highways. To ensure that the Auto-Related Commercial Centers develop in a planned manner that provides a positive benefit to the community, Auto-Related Commercial Centers shall have a lot length-to-depth ratio of 3:2 and must be a minimum of 20 acres in size.

All the potential locations of an Auto-Related Commercial Center are in areas that serve as "gateways" into the city. Since they are in "gateway" areas, any proposal for an Auto-Related Commercial Center shall be closely scrutinized for architectural appearance, landscaping, signage, etc.

■ ***Recreational Uses***

Commercial uses that are primarily physical recreation in nature (uses such as go-karts, skating rinks, bowling alleys, basketball arenas, soccer arenas, miniature golf, pitch and putt golf, etc.) may be located in the appropriate Commercial Center classification. High levels of noise and light can be generated by Recreational Uses. Because of this high level of noise and light, Recreational Uses shall be compatible with the surrounding existing or planned uses. Proposals for such uses do not need to meet the size or ratio requirements stated in the respective Commercial Center definitions. Proposals for Recreational Uses shall provide adequate buffering for adjacent non-commercial uses, shall use a minimal number of curb cuts, and provide cross access easements to adjoining properties.

If a Recreational Use is proposed in a Neighborhood or CC200 Center, the amount of commercial gross square footage occupied by the Recreational Use shall be counted toward the maximum amount of commercial gross square footage allowed. A Recreational Use located in a CC200 can occupy up to 50,000 gross square feet. The purpose of regulating the size of Recreational Uses in Neighborhood and CC200 Centers is to preserve and protect the smaller, neighborhood scale associated with these types of Centers.

The amount of commercial gross square footage occupied by Recreational Uses located in a CC400 or a Regional Commercial Center shall not be counted toward the maximum amount of gross commercial square footage allowed in the respective Commercial Center. The square

footage of a Recreational Use is not included in the total commercial square footage because CC400 and Regional Commercial Centers are typically larger-scale commercial developments. This reduces the impact of the Recreational Use on the scale and massing of the CC400 or Regional Center.

The acreage used to accommodate a Recreational Use may be used to meet the minimum acreage requirements for a respective Commercial Center, if the Recreational Use and additional commercial uses at the corner of the node are integrated together.

Community facility-type recreational facilities can be located in non-commercial areas if given the extra scrutiny that is associated with the issuance of a special permit such as a ~~Use Permitted upon Review~~ Special Use Permit.

LAWRENCE - EXISTING COMMERCIAL AREAS

Lawrence currently has a number of commercial and retail development areas:

- Downtown Lawrence
- N. 2nd Street and N. 3rd Street
- Iowa Street (Harvard Street to W. 6th Street)
- S. Iowa Street (23rd Street to the South Lawrence Trafficway)
- W. 23rd Street (Iowa Street to the existing commercial development east of Louisiana Street)
- E. 23rd Street (Learnard Street to Harper Street)
- W. 6th Street (Alabama Street to Iowa Street)
- W. 6th Street (Iowa Street to Kasold Drive)
- W. 6th Street and Monterey Drive
- W. 6th Street and Wakarusa Drive
- Clinton Parkway and Kasold Drive
- Clinton Parkway and Wakarusa Drive
- 19th Street and Massachusetts Street
- 19th Street and Haskell Drive
- 15th Street and Kasold Drive
- 15th Street and Wakarusa Drive
- 9th Street (Kentucky Street to Mississippi Street)

Existing commercial areas in Lawrence will need to be upgraded in the future to remain viable in the marketplace. The Plan calls for the incremental improvement of these existing developments through the addition of landscaping and aesthetic improvements as uses change. Some existing developments may be converted to other uses as needs change within the community. Specific land use recommendations for the existing commercial development areas are provided below.

• ***Downtown Lawrence***

Throughout the development of this Plan, the need to preserve, improve and enhance Downtown Lawrence has been shown to have broad community support. Goals and policies in the Plan are written to ensure Downtown Lawrence remains competitive and viable as a

Regional Retail Commercial Center. Downtown Lawrence shall remain the Regional Retail/Commercial/Office/Cultural Center because it is: 1) a physical and cultural symbol of the strength of the community; 2) a gathering point for many civic and cultural functions; 3) the "historic core" of the community which establishes a vital continuity between the past and the present community; and 4) the site of major public and private investment.

The Comprehensive Downtown Plan reiterates the specific functions of a downtown. These functions include provisions for a retail core, office space, entertainment services, peripheral residential development, cultural facilities (including performing arts, museums and libraries) community social needs (including club and organizational meeting facilities), government offices and facilities, health services, convention and hotel facilities. The Comprehensive Downtown Plan also states this area should provide, "the economic, physical and aesthetic environment around which the populace can develop an intense pride in the community, a focal point for identification and drawing together for common interests, a meeting place where people can communicate and relax -- the heart of the city".

To distinguish Downtown Lawrence from other commercial and retail areas, and to preserve and enhance its role in the community, Downtown Lawrence is designated as the Regional Retail/Commercial/Office/Cultural Center and shall be the only location within the planning area developed for such use. Gateways to Downtown Lawrence should be emphasized and enhanced to contribute to the "sense of place" of this unique area of the community.

The distinction as the Regional Retail/Commercial/Office/Cultural Center, above and beyond other commercial areas within the community, is significant. Downtown Lawrence serves the greater needs of the community as a focal point for social, community and governmental activities. The Plan's goals and policies encourage the continued development of a broad mix of uses in downtown Lawrence with an emphasis on retail as a major land use. It is vital to the community's well-being that Downtown Lawrence remain the viable Regional Retail Commercial Center.

For Downtown Lawrence to remain economically stable and vital there is a need to expand the boundaries beyond the current configuration illustrated in the adopted Comprehensive Downtown Plan. This anticipates the need to provide additional parking areas and locations for commercial and public-related development in the future. At this time, the Comprehensive Plan does not recommend areas for downtown expansion, but opportunities for expansion and redevelopment do exist within the current boundaries of Downtown Lawrence. Action to expand Downtown Lawrence can only be reasonably undertaken following a comprehensive re-evaluation of downtown needs, assets, growth potentials, use mix, and preferred locations for conservation and development. Re-study of the Comprehensive Downtown Plan should explore the following options to improve Downtown Lawrence: development of a comprehensive parking plan and implementation schedule, evaluation of transportation options, improvement of access to downtown from the east, west and south, and inclusion of more uses along the river and integration of these developments into downtown.

- ***N. 2nd Street and N. 3rd Street***

The Comprehensive Plan recommends that N. 2nd Street and N. 3rd Street play an enhanced role in the community as a commercial corridor, acting as an important entryway/gateway to Lawrence. This corridor is considered to be an Existing Strip Commercial area. The

Comprehensive Plan identifies the intersection of the N. 3rd Street and I-70 as a possible location for an Auto-Related Commercial Center.

Marginal, obsolete and underutilized sites and incompatible uses along this corridor should be redeveloped or reconstructed. For example, existing heavy industrial uses along the northern portion of the corridor should be relocated within the planning area and the sites redeveloped with compatible commercial, service or retail uses. New development and redevelopment shall include improved parking, signage and landscaping improvements that enhance the overall aesthetic and environmental conditions along the corridor. The city should encourage and work with land owners to undertake property improvement within the area. The city should consider special financing mechanisms, such as benefit districts or tax increment financing to assist in private and public improvement projects for the area.

Historically, the North Lawrence area including the N. 2nd and N. 3rd Street corridor has had repeated floodwater and stormwater problems. The Comprehensive Plan recommends that a comprehensive drainage study be completed as soon as possible and before any additional new development occurs along the N. 2nd Street and N. 3rd Street corridor. The study shall be a joint project between the city and private property owners. The drainage study shall provide a plan for addressing existing flooding and stormwater problems, as well as devising a plan for dealing with additional runoff from future development in the area.

- ***N. Iowa Street (Harvard Road to W. 6th Street)***

N. Iowa Street is considered an existing Community Commercial Center limited to 200,000 square feet of commercial gross square footage (CC200 Center). The N. Iowa Street area includes a variety of independent developments and the Hillcrest Shopping Center. Most parcels within the northern segment are already developed. Future development and redevelopment shall occur within the existing commercially zoned areas and shall emphasize coordinated access control and transition yard improvements with adjoining residential areas.

- ***S. Iowa Street (23rd Street to K-10)***

S. Iowa Street is considered an existing Regional Commercial Center. S. Iowa is a strip development that is intensely development between 23rd Street and K-10. The corridor connects with existing commercial development along 23rd Street. With recent development at the northeast corner of 31st Street and Iowa Street, and the location of several discount stores in close proximity to one another, this commercial corridor has evolved into a Regional Commercial Center, serving regional shopping and entertainment needs.

K-10 provides a physical barrier and edge to the commercial corridor that has developed. Additional retail commercial uses shall not occur south of the highway, except for the possible location of an Auto-Related Commercial Center. Two of the four corners of the intersection have existing auto-related uses. Located at the northwest corner is a hotel and an automobile dealership is located on the northeast corner. Because of access to two major highways (K-10 and US-59) the area south of K-10 could be a location for an Auto-Related Commercial Center. Both corners are an appropriate location for an Auto-Related Commercial Center, provided that the floodplain issues for the southwest corner can be addressed.

Commercial property exists both east and west of S. Iowa Street along 31st Street. Emphasis

shall be given to maintaining this commercial node and requests to extend the commercial corridor for additional retail development shall not be considered; however office and office research activities would be appropriate land uses along this arterial corridor.

In general, development and redevelopment along the Iowa Street segment shall emphasize consolidated access, frontage roads, coordinated site planning and design, and high quality development. Development signage should be in scale with sites and should complement and not compete with signage of adjoining parcels. Improved landscaping would enhance the visual appeal of the corridor. Landscaped transition yards should be established between residential and non-residential uses.

- ***W. 23rd Street (Iowa Street to the existing commercial development east of Louisiana Street)***

The W. 23rd Street corridor is an Existing Strip Commercial area. The commercial development along W. 23rd Street is the prototypical "strip development" that is centered on the automobile. This area was once considered to be one of Lawrence's most desirable locations for a retail business. However, the status of the W. 23rd Street corridor as a highly desirable retail location has been supplanted by retail developments at South Iowa and in the western portion of the city.

The 23rd Street corridor will remain an important commercial location in the city. For the segment of the corridor between S. Iowa Street and Tennessee Street, the Plan emphasizes visual site improvements related to signage, landscaping and development design. A key factor in the long-term stability of this area is the improvement of traffic access and operations as properties along this corridor redevelop. If access and circulation are not simplified and the area made comfortable to the motorist, shoppers may seek other portions of the community in which to do business. In cooperation with property owners, the city should undertake parkway landscaping improvements. This action, coupled with placing utility lines underground (wherever practical), will help to improve the physical image of the area. All new development or redevelopment occurring along this corridor shall be required to consolidate curb cuts and provide access easements to adjoining properties.

Landscape and screening improvements between commercial and residential areas are particularly important along this segment where development is compact and differing land uses are situated in close proximity.

- ***E. 23rd Street (Learnard Street to Harper Street)***

E. 23rd Street is an Existing Strip Commercial Development. Redevelopment and infill opportunities are available along the entire corridor and are emphasized along the older commercial segment of 23rd Street, east of the Santa Fe Railroad. This area has historically been a "fringe location" and has not been developed as intensively as the western section of 23rd Street. The Comprehensive Plan recommends the area maintain a community commercial focus. A substantial amount of property exists between Haskell Avenue and Harper Street that should be redeveloped to geographically balance commercial development occurring in other areas of the community. The area should become more retail and office in orientation. Future development and redevelopment shall include parcel consolidation and re-subdivision to establish properly sized and configured commercial sites to encourage a coordinated and unified

development pattern.

Like the Iowa Street corridor, emphasis is also placed on improved and coordinated signage in scale with development, as well as on minimizing curb cuts on 23rd Street.

- ***W. 6th Street (Alabama Street to Iowa Street)***

This is the oldest section of the W. 6th Street corridor and is an Existing Strip Commercial Development. There are a variety of uses along this corridor, but the primary two are fast food restaurants and medical offices and supplies. This section is typical strip development with small individual lots, each with a curb cut onto W. 6th Street. The Comprehensive Plan does not recommend the expansion of this area beyond the property currently zoned commercial or office. All new development or redevelopment occurring along this corridor shall be required to consolidate curb cuts and provide access easements to adjoining properties.

- ***W. 6th Street (Iowa Street to Kasold Street)***

This portion of the W. 6th Street corridor is an Existing Strip Commercial Development. The development patterns along this section of W. 6th Street are newer than eastern portion of W. 6th Street. However, the commercial area is still a "strip development", characterized by numerous curb cuts and intensive retail development fronting the majority of W. 6th Street. The Comprehensive Plan does not recommend the expansion of this area beyond the property currently zoned commercial or office. All new development or redevelopment occurring along this corridor shall be required to consolidate curb cuts and provide access easements to adjoining properties.

- ***W. 6th Street and Monterey Way***

The intersection of W. 6th Street and Monterey Way is an existing Neighborhood Commercial Center with a nodal development pattern. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property.

- ***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 completely developed and shall not be expanded beyond the existing commercially zoned property. 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.

- ***Clinton Parkway and Kasold Drive***

The intersection of Clinton Parkway and Kasold Drive is an existing Neighborhood Commercial Center with a nodal development pattern. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property.

- ***Clinton Parkway and Wakarusa Drive***

The intersection of Clinton Parkway and Wakarusa Drive is an existing Neighborhood Commercial Center with a nodal development pattern. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property.

- ***E. 19th Street and Massachusetts Street***

The intersection of 19th Street and Massachusetts Street is an existing Neighborhood Commercial Center with a nodal development pattern. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property. New development and redevelopment proposals for this area shall include plans for the consolidation of curb cuts and provision of cross access easements to adjoining properties.

- ***E. 19th Street and Haskell Avenue***

The southeast corner of the intersection of E. 19th Street and Haskell Avenue is an existing Neighborhood Commercial Center with a nodal development pattern. The commercial zoning at this intersection includes the city park property on the southwest corner of the intersection. The Comprehensive Plan does not recommend expanding the commercial uses beyond the current commercial zoning at the southeast corner. Enhancement of the corner's existing retail space is highly encouraged. Like the Inner-Neighborhood Commercial Centers, this area would benefit from a reduction in development standards that would increase the potential for redevelopment.

- ***W. 15th Street and Wakarusa Drive***

The intersection of W. 15th Street and Wakarusa Drive is an existing Neighborhood Commercial Center with a nodal development pattern. The southeast corner is commercially zoned. The current uses at this corner are a bank and small shopping center. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property.

- ***W. 15th Street and Kasold Drive***

The northeast corner of the intersection of W. 15th Street and Kasold Drive is an existing Neighborhood Commercial Center with a nodal development pattern. The commercial zoning at this intersection includes the southwest corner. The Comprehensive Plan does not recommend the expansion of commercial uses beyond the footprint of the existing retail uses on the northeast corner.

- ***W. 9th Street (Kentucky Street to Illinois Street)***

This area is an existing Neighborhood Commercial Center with a strip development pattern that

serves as a gateway into Downtown Lawrence. The group of buildings at the northeast corner of W. 9th Street and Indiana Street has a scale and configuration of structures similar to Downtown Lawrence. The majority of the development along this corridor is characterized by stand-alone structures with multiple curb cuts. New development and redevelopment proposals along this corridor shall include consolidation of curb cuts and cross access easements to adjoining properties. Because the corridor serves as a gateway to Downtown Lawrence, the Downtown Architectural Design Guidelines should be amended to specifically address this area.

Existing Commercial Areas	Strip	Nodal	Approximate Built Square Footage*	Neighborhood Commercial	Existing Strip Commercial	CC200	CC400	Regional Commercial
Downtown	X		1.3 million					X
N. 2 nd St and N. 3 rd St	X		225,000		X			
Iowa (Harvard Rd to W. 6 th St)		X	190,000			X		
S. Iowa (23 rd St to K-10)	X		1.3 million					X
W. 23 rd St (Iowa St to Louisiana St)	X		660,000		X			
E. 23 rd St (Learnard St. to Harper St.)	X		190,000		X			
6 th St (Alabama to Iowa St)	X		140,000		X			
W. 6 th St (Iowa to Kasold)	X		209,000		X			
W. 6 th St & Monterey Way		X	100,000	X				
W. 6 th St & Wakarusa Dr		X	400,000			X		
Clinton Pkwy & Kasold Dr		X	110,000	X				
Clinton Pkwy & Wakarusa Dr		X	28,000	X				
E. 19 th St & Massachusetts St		X	95,000	X				
E. 19 th St & Haskell Ave		X	27,000	X				
W. 15 th St & Kasold Dr		X	50,000	X				
W. 15 th St & Wakarusa Dr		X	19,000	X				
9 th St (Kentucky St to Illinois St)	X		40,000	X				

* This column includes all approved gross square footage of commercial space.

Linear and Nodal development definitions follow the definitions found on page 6-2.

The definitions of Neighborhood, Existing Strip Commercial, CC200, CC400, and Regional Commercial Centers are on pages 6-3 through 6-12.

A list of existing Inner-Neighborhood Commercial Centers is found on page 6-7.

LAWRENCE - NEW COMMERCIAL AREAS

All new commercial and office development shall occur in accordance with the plan recommendations. New commercial, retail and related uses shall be developed as a node with shared parking areas, common access drives, and related design and appearance. Nodes shall be positioned and oriented to the primary street intersections where they are located, avoiding a "strip" pattern as a result of extension of commercial uses along the streets from where the node originated.

Commercial nodes include other important community services and facilities, such as satellite post offices, police, fire and emergency services, religious facilities, community centers and other services and institutions. Inclusion of these uses assists the integration of the commercial area into the overall neighborhood, serving multiple communities and service needs in a single location, and creating physically distinctive use areas apart from traditional commercial areas.

The Comprehensive Plan includes recommendations for the location of new commercial development. As the community grows, it may be necessary to change the recommended location of a Commercial Center(s) or not use a designated intersection for a commercial uses. If there is a need to move the recommended location of a Commercial Center or downgrade the recommended size of a center, the Comprehensive Plan shall be amended. Through the amendment process, the proposed location and/or change in size of the Commercial Center will be reviewed based on the effects the change will have on infrastructure systems, the surrounding land uses, the neighborhood and the community-at-large.

The Comprehensive Plan does not support increasing the size or number of new Commercial Centers, however small, new inner-neighborhood centers are possible and/or anticipated as part of an overall new planned neighborhoods.

- ***Inner-Neighborhood Commercial Centers***

New Inner-Neighborhood Commercial Centers shall be allowed in very unique situations, such as when Center is part of an overall planned neighborhood development or can be easily integrated into an existing neighborhood. Inner-Neighborhood Commercial Centers are to be an amenity to the adjacent residents and serve only the immediate neighborhood.

A new Inner-Neighborhood Commercial Center shall have no gas pumps, drive-thru or drive-up facilities. The Center shall be pedestrian oriented and have no more than 3,000 gross square feet of commercial space. The Center shall be located on a local, collector or arterial street. It may also take access from an alley. Inner-Neighborhood Commercial Center uses may include book stores, dry cleaning services, food stores, beauty salons, etc. Inner-Neighborhood Commercial Centers may also include residential uses.

New Inner-Neighborhood Commercial Centers shall be designed as an integrated part of the surrounding neighborhood so that appearance of the commercial area does not detract from the character of the neighborhood.

Horizon 2020 does not specifically indicate the location of new Inner-Neighborhood Commercial Centers due to their unique situations.

- ***Neighborhood Commercial Centers***

The Comprehensive Plan recommends the following intersections as potential locations for new Neighborhood Commercial Centers.

1. Franklin Road extended and E. 28th Street extended
2. E 1500 Rd and N 1100 Rd
3. E 1000 Rd and N 1000 Rd
4. E 1000 Rd and N 1200 Rd
5. Clinton Parkway and K-10
6. W. 15th Street and K-10
7. E 800 Rd and at the potential east/west arterial 1 mile north of US-40
8. E 700 Rd and US-40
9. E 800 Rd and N 1500 Rd
10. E 1000 Rd and N 1750 Rd
11. E 1500 Rd and US Highway 24/40

These areas are all intended for development as small, compact commercial nodes that provide goods and services to the immediately adjoining neighborhood areas. They shall be developed in a manner that is consistent with the goals, policies and recommendations of the Comprehensive Plan.

- ***Community Commercial Centers (CC200)***

The Comprehensive Plan recommends the following intersection as potential location for a new CC200 Centers.

1. E. 23rd Street and O'Connell Road

- ***Community Commercial Centers (CC400)***

The Comprehensive Plan recommends the following intersections as potential locations for new CC400 Centers.

1. Eastern leg of the SLT and K-10 (southeast of the intersection of E 1750 Rd and K-10)
- ~~2. W. 6th Street and K-10~~
- ~~3.~~ 2. US-59 and N 1000 Rd

The development of these nodes shall carefully follow the commercial goals and policies. Commercial development shall not occur in advance of market conditions that would support such development, nor shall it be permitted to occur in a manner that is contrary to adopted city infrastructure plans.

- ***Community Commercial Centers (CC600)***

The Comprehensive Plan recommends the following intersection as potential location for a new CC600 Center.

1. W. 6th Street and K-10

- ***Auto-Related Commercial Centers***

The Comprehensive Plan recommends the following intersections as potential locations for new Auto-Related Centers.

1. I-70 and K-10
2. US-59/40 and I-70
3. US-59 and K-10

- ***Regional Commercial Centers***

The need for development of a new Regional Commercial Center within the community is not anticipated within the planning period. Consideration of requests to expand existing commercial areas shall include the potential for development of additional Regional Commercial Centers and the impact of such expansion and development on the existing commercial inventory. The need for additional regional commercial development within the community shall be evaluated on a regular basis, based upon updated land use and population data. Before a new Regional Commercial Center is considered, the Comprehensive Plan shall be amended to include the possibility of a new Regional Commercial Center.

UNINCORPORATED DOUGLAS COUNTY - EXISTING COMMERCIAL AREAS

Unincorporated Douglas County currently maintains a variety of commercial areas. Each of these areas provides neighborhood level retail goods and services to both farm and non-farm residents. As the rural areas of Douglas County continue to receive new non-farm residential development, demands will increase for retail goods and services.

It is recommended that these commercial locations be developed as small convenience service nodes, providing products to meet the day-to-day requirements of rural residents. The development of these nodes shall follow the basic principles described for commercial development or redevelopment. It is important that these commercial locations provide for adequate wastewater treatment facilities in the future. Any new or expanded developments shall utilize treatment systems that minimize potential environmental impacts.

The design of these locations should be consistent with the rural character of Douglas County. Therefore, design and development standards should promote larger, more spacious settings and encourage building and site design reflective of the unique characteristics surrounding each location.

UNINCORPORATED DOUGLAS COUNTY - NEW COMMERCIAL AREAS

Commercial locations in both unincorporated Douglas County and Douglas County communities together provide reasonable accessibility in terms of distance and the type of goods and services available. As Douglas County continues to urbanize, the need for additional commercial space in the unincorporated portions of Douglas County will increase. New commercial areas shall not be located within a four mile radius of any existing commercial area. There are already a number of existing commercially zoned areas in the unincorporated portions of Douglas County. Most of these locations are well placed at the intersection of a

hard surfaced County Route and a state or federally designated highway.

Areas that are already zoned commercially and are located at the intersection of a hard surfaced county route and state or federally designated highway should be expanded to serve any increased demand for commercial space in the county. The Comprehensive Plan recommends that only one new commercial area be created in the unincorporated portion of the county. The southeastern area of the county does not have any commercially zoned areas. To serve this area a commercial development could be located at the intersection of US-56 and K-33 or US-56 and County Route 1061.

A limiting factor to the size of any commercial development in unincorporated Douglas County will be the availability of utilities, particularly water and sanitary sewer. Any on-site treatment system shall be designed to minimize its impacts on the environment. The amount of gross square footage of a commercial development shall be limited to a total of 15,000 gross square feet to serve the surrounding rural area.

Commercial activities related to conference, recreational, or tourism uses associated with Clinton Lake, Lone Star Lake, or Douglas County Lake shall be exempt from the locational criteria applied to new commercial areas or expansions of existing commercial areas. A commercial area serving the recreational needs (boat rental, bait shop, lodging, etc.) of persons using the county's lake facilities may be located at an entrance point to a lake.

Conference, recreational, or tourism uses located in the Rural Area, and which include some significant level of urban development, shall satisfy the criteria listed in Chapter Four. Such uses shall also include a mandatory minimum 200' natural buffer area or other appropriate distance as determined by the Board of County Commissioners. Proposed conference, recreational, or tourism facilities shall include a site specific site plan with rezoning applications to demonstrate that the criteria listed in Chapter 4, and the 200' buffer area, have been met.

COMMERCIAL LAND USE GOALS AND POLICIES

Guidelines are needed to allow for the retention and expansion of the established commercial areas of the community.

GOAL 1: Established Commercial Area Development

Encourage the retention, redevelopment and expansion of established commercial areas of the community.

Policy 1.1: Recognize and Emphasize Downtown Lawrence as the Regional Retail/Commercial/Office/Cultural Center

- A. Encourage and support the development of a broad mix of land uses, with an emphasis on retail as a major land use, the provision of parking facilities, improved accessibility, and the expansion of Downtown Lawrence while maintaining the integrity of surrounding neighborhoods.
- B. Strengthen, define and support neighborhood residential areas adjacent to Downtown Lawrence in order to reinforce the safety, image and identity of Downtown Lawrence.
- C. Closely analyze (through Policies 1.7, 3.7 G, 3.9 E, and any other relevant Policies) the impact of requests for development of community and/or regional shopping areas to ensure that such development does not have a negative impact on the Regional Retail/Commercial/Office/Cultural Center. This analysis would be used to evaluate the potential impact on the future viability of the Regional Retail/Commercial/Office/Cultural Center as a whole and not the potential impact on individual businesses or properties.

Policy 1.2: Sustain Downtown Lawrence as a Mixed Use Activity Center

Continue to encourage a broad mix of uses in Downtown Lawrence, including retail, office, residential, entertainment, lodging, unique visitor attractions, expanded conference facilities, a core concentration of governmental, cultural and social facilities and services, as well as recreation, leisure and community events.

Policy 1.3: Assure Compatibility of Development

- A. Encourage new development and redevelopment to consider horizontal and vertical proportions, building forms, roof types, and exterior materials and details existing in the surrounding area.
- B. New development and redevelopment shall conform to the applicable adopted design guidelines.

Policy 1.4: Redevelopment of Existing Commercial Areas

- A. Existing commercial areas should be improved and upgraded. Particular emphasis should be given to existing commercial gateways. Overall storm water management, vehicular and pedestrian access, and site maintenance shall be undertaken.
- B. Upgrade the image and appearance of existing developments with new lighting, landscaping, signage and pedestrian access.
- C. Encourage public and/or private partnerships for redevelopment.
- D. Consider financial and development incentives to encourage re-use (renovation or redevelopment) of commercial properties.

Policy 1.5: Provide Opportunities for Limited Commercial Development in the Unincorporated Areas of Douglas County

- A. Encourage redevelopment and limited expansion of existing commercial areas in the unincorporated areas of Douglas County.
- B. No new commercial development shall occur within the UGA.

Policy 1.6: Maintain an Inventory of Commercial Land

Maintain an appropriate supply of commercially zoned land so that site choices are available and infrastructure expansion can occur in an efficient and orderly manner. Annually evaluate current and approved planned land uses and land availability. The evaluation shall consider, but not be limited to: approved planned development not yet constructed, compatibility with existing nearby development, parcel size and infrastructure service delivery and phasing plans.

Policy 1.7 Monitor Economic Impact of Commercial Growth

- A. The amount of commercial space, the quality of commercial space, commercial space vacancy rates, and the size of commercial space shall be monitored for each quadrant of the city (15th Street shall be the north-south dividing line and Iowa Street the east-west dividing line). Each matrix cell shall include the total gross square footage of all the buildings in each respective size range and condition grade. Each cell shall also include the vacancy rate for buildings of each respective size and condition.
- B. These variables shall be placed in a matrix and used in analyzing any commercial rezoning request and/or development plan.
- C. The matrix shall be updated annually.

- D. Planning Staff shall be responsible for maintaining and revising the matrix. However some of the data for some of the variables, particularly vacancy rates, may have to be provided by outside sources.
- E. Planning Staff will provide an annual sales tax per square foot ratio. This data will be provided for different sectors within the city limits.
- F. Establish and implement a methodology for the annual collection of business use data in support of economic impact analyses.

Matrix

	<i>Condition of the Commercial Space</i>				
	Excellent	Good	Fair	Poor	Total
0 - 2,500 Sq. Ft.	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate
2,501 - 5,000	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate
5,001 - 15,000	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate
15,001 - 30,000	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate
30,001 - 60,000	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate
60,001 - 120,000	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate
120,001 - 200,000	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate
200,001 +	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate
Total	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate	total sq. ft./vacancy rate

The above matrix will be completed for each quadrant of the city, plus an additional table summarizing the totals for the entire city.

Guidelines are needed to allow for a compatible transition from commercial development to residential neighborhoods and other less intensive land uses. These guidelines are needed throughout the community, including both established commercial areas and anticipated development areas.

GOAL 2: Compatible Transition from Commercial Development to Less Intensive Uses

Ensure compatible transition from commercial development to residential neighborhoods and other less intensive land uses.

Policy 2.1: Use Appropriate Transitional Methods

- A. Commercial areas shall minimize adverse impacts on adjacent residential areas. Screening and buffering shall be provided which may include landscaped setbacks, berms and open space areas. Traffic and parking shall not adversely affect neighborhood quality. Noise, safety and overall maintenance of commercial properties shall be carefully monitored.
- B. Use landscaped transition yards between residential and non-residential uses that include additional lot depth, berms, landscape screening, and/or fences and walls to provide additional buffering between differing land use intensities.
- C. Compatible transition from commercial uses to less intensive land uses shall consider:
 - 1. Site Orientation
 - a. Vehicular access shall be from collector, arterial or access streets.
 - b. Pedestrian access shall be designed to provide internal and external circulation from adjacent neighborhoods.
 - c. Streets designed with elements to provide visual or physical buffering may serve as boundaries between different intensities of land uses.
 - 2. Building Relationships
 - a. A back-to-back relationship is preferable between uses.
 - b. Commercial buildings and parking lots shall not have lesser setbacks than those required of abutting residential uses.
 - c. The height and massing of commercial buildings and accessory structures shall be oriented to avoid creating a negative visual effect on residential neighborhoods.

- d. Vehicular access to commercial activities should be separated from pedestrian access.

3. Land Features

- a. Encourage the integration of mature trees, natural vegetation, and natural and environmentally sensitive areas whenever feasible to buffer commercial developments from other more or less intensive land uses.
- b. Encourage the use of existing topography to separate commercial developments and other more or less intensive land uses.

4. Screening and Landscaping

- a. Encourage creative and extensive use of landscaping and berming techniques for natural transitions between differing intensities of land uses.
- b. Fences shall not be used as a sole method of providing screening and buffering between differing intensities of land uses.
- c. Encourage site design that uses existing vegetation, such as stands of mature trees, as natural buffers or focal points.
- d. Encourage the use of high quality materials in the construction of screening and landscape areas to decrease long-term maintenance costs.

5. Lighting

- a. Lighting used to illuminate parking areas, signs or structures should be placed to deflect light away from adjoining properties or public streets through fixture type, height and location.

Policy 2.2: Locate Less Compatible Uses Toward the Interior of Commercial Areas

- A. The overall design and arrangement of commercial development shall be compatible with adjacent residential uses.
- B. Ensure adequate screening of unsightly views of commercial developments (such as loading docks, rooftop equipment, service entrances, trash containers, parking areas, exterior storage) through the extensive use of elements such as landscaping, berms, fencing, architectural design, open space, setbacks, and/or building orientation.
- C. In order to ensure that parking lots are not the dominant visual feature associated with commercial areas, buildings shall be located adjacent to the public rights-of-way and parking located toward the interior of the development.

Policy 2.3: Higher-Density Residential Development as Transitional Use

Use higher-density residential development as a transitional land use between commercial developments and the surrounding low-density residential neighborhoods.

Policy 2.4: Provide Sufficient Site Area for the Design of Transitional Elements

Site improvements within commercial areas such as lighting, signage and landscaping shall be designed and coordinated in order to create a positive identity and visual image throughout the development area.

Policy 2.5: Office, Research and Semi-Public Development as Transitional Use

- A. Encourage using low-intensity office, research and semi-public development as a transition between commercial development and low-density residential neighborhood. The development shall include:
 - 1. Design elements such as height, massing, and scale compatible with the surrounding low-density residential uses;
 - 2. Site design that is compatible with surrounding residential neighborhoods with consideration given to extensive screening, building and parking orientation, and preservation of natural site amenities; and
 - 3. Site access provided from arterial, collector or access streets, with traffic directed away from surrounding residential areas.

Policy 2.6: Parks, Recreation and Open Space as Transitional Use

Encourage the use of medium- to low-intensity recreational facilities such as neighborhood parks, bike/hike trails and natural areas as transitional areas.

Guidelines are needed to provide direction on how much, where and at what scale commercial development is appropriate for the market it is intended to serve.

GOAL 3: Criteria for Commercial Development

Provide regional, community and neighborhood shopping opportunities to meet the commercial and retail needs of the community.

Policy 3.1: Utilize Locational Criteria for Commercial Development

- A. **Commercial Nodes:** Nodes shall occur at arterial/collector or arterial/arterial intersections depending on the type of commercial center.
- B. **Strip Commercial Development:** Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern.
- C. **Assembling of Land:** Encourage the assembling of small tracts to form larger, more cohesive parcels to enable well-planned and orderly development to occur.
- D. **Vehicular Access:** Limit the principal vehicular access of commercial development to arterial, collector or frontage (access) streets.
- E. **Site Layout:** Commercial development shall be located to avoid substantial disruption of natural drainage and vegetation.
- F. **Compatibility with Adjacent Land Uses:** Encourage the location of commercial nodes where they can efficiently utilize local resources, where their adverse impacts on adjacent uses are minimized, and where they will effectively provide the community with desired products, services and employment opportunities.
- G. **Public Improvements:** Construction of a new commercial center cannot begin until all infrastructure improvements serving the center have been completed.

Policy 3.2: Establish Design Standards for Commercial Development

- A. The city shall develop reasonable design standards for new and redeveloped commercial areas which improve:
 - 1. Integration with the surrounding neighborhoods;
 - 2. Pedestrian movement to and within the commercial areas;
 - 3. The aesthetics of the districts from the surrounding street system; and
 - 4. The design to create attractive focal points for the surrounding populations.
- B. Incentive systems shall be developed to encourage commercial areas to provide

mixed use projects that include residential and office uses integral to the design.

- C. These design standards and incentives shall be adopted into HORIZON 2020 and implemented through zoning, subdivision and the Capital Improvements Plan.

Policy 3.3: Criteria for Inner-Neighborhood Commercial Centers

- A. Encourage redevelopment of existing Inner-Neighborhood Commercial Centers through alternative standards for:
 - 1. Required parking;
 - 2. Open space requirements;
 - 3. Required setbacks; and
 - 4. Required lot size.
- B. Do not encourage the expansion of existing Inner-Neighborhood Commercial Centers.
- C. Inner-Neighborhood Commercial Centers may be located on local, collector, or arterial streets. They may also take access from an alley.
- D. Standards for New Inner-Neighborhood Commercial Centers:
 - 1. Inner-Neighborhood Commercial Centers shall be allowed only in those situations where the center is an integral part of an overall planned neighborhood or if the Center can be integrated into an existing neighborhood;
 - 2. Centers shall not have gas pumps, drive-thru or drive-up facilities;
 - 3. Centers may include residential uses;
 - 4. Centers shall no more than 3,000 gross square feet of commercial space; and
 - 5. Centers shall be designed as an integrated part of the surrounding neighborhood so that their appearance does not detract from the character of the neighborhood.

Policy 3.4: Criteria for Mixed-Use Redevelopment Centers

- A. Encourage redevelopment of areas where existing structures are underutilized, have experienced a high turnover rate, or have remained vacant for an extended period of time.
- B. Mixed-Use Redevelopment Centers shall be no larger than six acres in size.
- C. Mixed-Use Redevelopment Centers shall include a mix of the following uses within the subject area and where possible, include mixed-use structures:
 - 1. Residential;
 - 2. Civic;
 - 3. Office;

4. Small-scale commercial:
 - a. Total commercial spaces shall not exceed 25% of the net floor area within the subject area, and
 - b. A single retail space shall not occupy more than 16,000 square feet of ground-floor level, net floor area of a structure; and
 5. Open space.
- D. Mixed-Use Redevelopment Centers shall maintain the character of the surrounding neighborhoods by:
1. Achieving integration with adjacent land uses by providing transitions between uses through alleyways and use and landscape buffers;
 2. Incorporating existing structures wherever possible;
 3. Maintaining general structure spacing, massing, scale, and street frontage relationship when incorporating new structures.
- E. Mixed-Use Redevelopment Centers shall provide multi-modal services to include the following options:
1. Pedestrian, including pedestrian-scaled street furnishings, plantings and gathering spaces;
 2. Bicycle, including bicycle parking;
 3. Vehicular; and
 4. Transit, if available.

Policy 3.5: Criteria for Mixed-Use Districts

- A. Encourage preservation of areas that are mixed use in nature, as well as development and redevelopment of areas with vacant land, or where existing structures are underutilized, have experienced a high turnover rate, or have remained vacant for an extended period of time.
- B. Mixed-Use Districts shall be no larger than 20 acres in size.
- C. Mixed-Use Districts shall include a mix of the following uses within the subject area and where possible, in mixed-use structures:
 - a. Residential;
 - b. Non-residential.
- D. Mixed-Use Districts shall maintain the character of the surrounding neighborhoods by:
 - a. Achieving integration with adjacent land uses by providing transitions through alleyways, variation among development intensity, and implementation of landscape buffers;
 - b. Incorporating existing structures wherever possible;
 - c. Maintaining general structure spacing, massing, scale, and street frontage relationship when incorporating new structures.

E. Mixed-Use Districts shall provide multi-modal services to include the following options:

- a. Pedestrian oriented public spaces, which shall include pedestrian-scaled street furnishings, and plantings;
- b. Bicycle, including bicycle parking;
- c. Vehicular; and
- d. Transit.

Policy 3.65: Criteria for Neighborhood Commercial Centers

- A. Neighborhood Commercial Centers shall be located at the arterial/arterial or arterial/collector street intersections.
- B. Limit the commercial uses in neighborhood centers to one corner of the intersection.
- C. New Neighborhood Commercial Centers shall be at least one (1) mile from any existing or new Commercial Center.
- D. Neighborhood Commercial Centers shall contain no more than 100,000 gross square feet of commercial space with the exception of Neighborhood Commercial Centers that include a grocery store. Neighborhood Commercial Centers with a grocery store of 60,001 or more gross square feet may have up to a total of 125,000 gross square feet of commercial space.
- E. No one commercial use in a Neighborhood Commercial Center shall occupy an area larger than 40,000 gross square feet. The only exception is a grocery store, which may occupy an area up to 80,000 gross square feet.
- F. A nodal plan shall be completed before a proposal for a Neighborhood Commercial Center goes before the Planning Commission.
- G. Locate office, public, semi-public, parks and recreation or medium- and higher-density residential developments on remaining corners of intersection to avoid excessive concentrations of commercial traffic and unnecessary duplication of commercial services.
- H. Low-density residential uses may be located at the remaining corners of the intersection if sufficient screening measures are provided to offset noise and views of the intersection are provided.
- I. Integrate neighborhood commercial centers into the surrounding residential neighborhoods by including pedestrian access, appropriate transitional elements and, if possible, the location of public or semi-public uses or parks and recreation uses adjacent to the commercial development.
- J. Neighborhood Commercial Centers shall be designed with pedestrian mobility as a top priority.

1. Pedestrians shall be able to easily walk to all stores in a neighborhood center without using a vehicle.
 2. Parking lots shall provide pedestrian accessways to reduce the potential of pedestrian/vehicle conflicts.
- K. Façades shall have a variety of textures, colors, shapes, etc. such that the buildings in a Neighborhood Center do not have a single uniform appearance.
 - L. Neighborhood Centers should have dedicated open space areas that useable by the Center's employees and shoppers.
 - M. Neighborhood Commercial Centers shall not expand into the surrounding portions of the neighborhood.
 - N. Any commercial development proposal for a corner in a new Neighborhood Commercial Center shall have a length-to-depth ratio between 1:1 and 3:2.
 - O. Neighborhood Commercial Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.76: Criteria for Existing Strip Commercial areas

- A. A redevelopment plan should be made for each existing Strip Commercial Center
- B. Tools such as public/private partnerships, special overlay districts, reduced development standards, lot consolidation and purchase, access management plans, cross access easements, etc. should be used to enhance redevelopment opportunities for existing Strip Commercial areas.
- C. Existing Strip Commercial areas shall not expand into surrounding lower-intensity zoning areas.
- D. Curb cut consolidation and cross access easements shall be included when an existing site plan is revised or a new site plan proposed.
- E. Existing Strip Commercial areas shall develop or redevelop in a manner consistent with the city's adopted design guidelines.

Policy 3.78: Criteria for Community Commercial Centers (under 200,000 square feet) CC200

- A. CC200 Centers shall be located at the intersection of arterial/arterial streets.
- B. CC200 Centers shall have no more than 200,000 gross square feet of commercial space.
- C. No single store shall occupy more than 100,000 gross square feet.

- D. A general merchandise store (including discount and apparel stores) shall not exceed 65,000 gross square feet.
- E. The sum of the gross square footage for all stores occupying space between 40,000 and 125,000 shall not be more than 75 percent of gross commercial square footage for the corner of the intersection.
- F. Corners of the node not developed with commercial uses shall have extensive on-site screening and shall be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area.
- G. New or existing CC200 Centers shall not encroach or expand into the surrounding residential or lower-intensity uses.
- H. A proposal requiring a revised or new site plan for property in a CC200 Center shall include plan for reducing curb cuts, providing cross access easements to adjacent properties, and buffering for adjacent non-commercial uses.
- I. A nodal plan shall be completed before proposals for the redevelopment or expansion of an existing CC200 Center that include more than 50 percent of the existing gross commercial square footage or plans to expand the center by more than 20 percent go before the Planning Commission.
- J. Proposals for the redevelopment or expansion of an existing CC200 Center that include more than 50 percent of the existing gross commercial square footage or plans to expand the center by more than 20 percent shall include a building with at least 40,000 gross square feet of commercial space.
- K. A nodal plan shall be completed before a proposal for a new CC200 Center goes before the Planning Commission.
- L. Proposals for a new CC200 Center shall include a building with at least 40,000 gross square feet of commercial space.
- M. CC200 Centers shall develop or redevelop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.98: Criteria for Community Commercial Centers (under 400,000 square feet) CC400

- A. CC400 Centers shall be located at the intersection of two arterial streets that both have at least a four lane cross-section or the intersection of a four-lane arterial and a state or federally designated highway.
- B. CC400 Centers must be a minimum of 3.75 miles apart.

- C. CC400 Centers shall have a maximum of 400,000 gross square feet of commercial space.
- D. At least 95 percent of the commercial gross square footage in a new CC400 Center shall be located on two corners of the intersection. The remaining five percent shall be located on one of the remaining two corners.
- E. No single store in a CC400 Center shall occupy more than 175,000 gross square feet.
- F. The sum of the gross square footage for all stores occupying between 100,000 and 175,000 cannot be more than 70 percent of the gross commercial square footage for the corner of the intersection.
- G. If the proposal for a corner of the intersection includes more than 100,000 gross square feet of commercial space, the proposal shall include a single building that has at least 40,000 gross square feet of commercial space.
- H. Proposals in which the commercial gross square footage is less than ten percent of the total square footage of the project do not have to meet the minimum acreage and lot depth.
- I. Any commercial development proposal for a single corner in a new CC400 Center shall be a minimum of 20 acres in size.
- J. Any commercial development proposal for a single corner in a new CC400 Center shall have a length-to-depth ratio between 1:1 and 3:2.
- K. Access points into a new CC400 Center shall be from the two points furthest from the intersection.
- L. CC400 Centers shall be designed with feeder and/or reverse frontage streets to collect internal traffic and for easy access from the surrounding community.
- M. CC400 Centers shall be designed with pedestrian mobility as a top priority.
 - 1. Centers shall be designed to facilitate the movement of pedestrians from store to store and building to building.
 - 2. Parking lots shall provide pedestrian accessways to reduce the potential of pedestrian/vehicle conflicts.
- O. Facades shall have a variety of textures, colors, shapes, etc. such that the buildings in a CC400 Center do not have a single uniform appearance.
- P. CC400 Centers should have dedicated open space areas that useable are by the center's employees and shoppers.

- Q. Buildings shall not be separated from adjacent street rights-of-way by large expanses of parking.
- R. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area.
- S. Existing CC400 Centers shall not expand into areas with existing less intensive uses (low-intensity residential, institutional uses, office, multi-family residential, etc.).
- T. A nodal plan must be completed before a development proposal for any corner of CC400 Center is forwarded to the Planning Commission.
- U. CC400 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.10: Criteria for Community Commercial Centers (under 600,000 square feet) CC600

- A. CC600 Centers shall be located at the intersection of two state or federally designated highways.
- B. CC600 Centers shall have a maximum of 600,000 gross square feet of commercial retail space as defined in this chapter. Other uses of a non-retail nature shall not have a space limitation.
- C. A maximum of 90 percent of the commercial square footage, as defined in this chapter, in a new CC600 Center shall be located on two corners of the intersection. The remaining commercial square footage, as defined in this chapter, shall be located on one or both of the remaining corners.
- D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node.
- E. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area.
- F. A nodal or area plan must be completed before a development proposal for any corner of a CC600 Center is forwarded to the Planning Commission. Expansion of

the CC600 center shall require amendment of the nodal or area plan.

G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.119:Nodal Plan Criteria

- A. The city should attempt to complete a nodal plan for newly designated Commercial Center before there is pressure to develop the node.
- B. A nodal plan shall be completed for any new Commercial Center before a development proposal for the node can go before the Planning Commission.
- C. A nodal plan shall include the following information:
 - 1. Existing natural features;
 - 2. Appropriate transitional uses;
 - 3. Appropriate use for each specific corner of the intersection;
 - 4. Access points from each location;
 - 5. Necessary infrastructure improvements;
 - 6. Overall traffic flow in and around the node and the surrounding area;
 - 7. The "ultimate geometric design" for the intersection based on the proposed land uses for the intersection; and
 - 8. Any and all other necessary information needed to create the nodal plan.

Policy 3.120:Criteria for the Regional Retail/Commercial/Office/Cultural Center

- A. Recognize and emphasize Downtown Lawrence as the Regional Retail/Commercial/Office/Cultural Center -- which is an intensely developed, large-scale, mixed use location that serves as an activity center for the community.
- B. Continue to encourage a broad mix of uses in downtown Lawrence, including retail, office, residential, entertainment, lodging, unique visitor attractions, expanded conference facilities. Maintain the core concentration of governmental, cultural/social facilities and services and recreation, leisure and community events in this area.
- C. Encourage the continuation of community social activities (Art in the Park, holiday parades, etc.) to occur in Downtown Lawrence.
- D. Continue to support the building design criteria set forth in the "Downtown Architectural Design Guidelines".
- E. The "Downtown Architectural Design Guidelines" should be amended to include the W. 9th Street area that serves as a gateway into Downtown Lawrence.

- F. Maintaining and protecting the vitality of Downtown Lawrence is important to the citizens of Lawrence. Because of its high importance as an asset to the community, any new proposal for a new Regional Commercial Center must demonstrate that it will not have a substantial impact on Downtown Lawrence.

Policy 3.131: Criteria for Regional Commercial Centers

- A. The Comprehensive Plan does not anticipate the need for a new Regional Commercial Center within the planning period.
- B. Designating a new Regional Commercial Center will require an amendment to the Comprehensive Plan.
- C. Design Criteria
 - 1. The commercial development plan for a corner shall have a minimum of 40 acres;
 - 2. The development shall have a minimum of 1,400 linear feet of frontage on a public street;
 - 3. A Regional Commercial Center shall not have more than 1.5 million gross square feet of commercial space; and
 - 4. A Regional Commercial Center shall be located at the intersection of two state or federally designated highways or the intersection of an arterial street and a state or federally designated highway.
- D. A nodal plan shall be completed before a development proposal for a Regional Commercial Center is forwarded to the Planning Commission.
- F. Parking lots shall be designed to minimize conflicts between pedestrians and vehicles.
- G. Centers shall be designed to facilitate the movement of pedestrians from store to store and building to building.
- H. Buildings shall be placed near adjacent street right-of-way.
- I. The majority of parking for the center shall be behind the front building line.
- J. A proposal requiring a revised or new site plan for property in an existing Regional Commercial Center shall include a plan for reducing curb cuts, providing cross access easements to adjacent properties, and buffering for adjacent non-commercial uses.
- K. New or existing Regional Commercial Centers shall not intrude or expand into the surrounding residential or lower-intensity uses.
- L. CC400 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.1~~4~~²: Criteria for Commercial Development in Unincorporated Areas

- A. Existing commercial areas that are located at the intersection of a hard surfaced County Route and a state or federally designated highway should be allowed to expand if the necessary infrastructure (water, road, approved wastewater treatment facility, etc.) is available.
- B. Encourage new commercial development at key access points on major corridors only if served by adequate infrastructure, community facilities and services.
- C. The commercial gross square footage of a development shall be limited to a total of 15,000 gross square feet.
- D. The only new commercial area shall be located at the intersection of either US-56 and K-33 or US-56 and County Route 1061.

Policy 3.1~~5~~³: Require a Market Impact Analysis

- A. Proposals to create any shopping district that, when considering the entire node, will result in greater than 150,000 gross square feet of commercial building space shall include an independent market analysis. Initial development proposals of 50,000 gross square feet or less on any single corner are exempt from this market analysis requirement, but will be limited to one exemption per corner of the intersection. The market analysis shall adhere to all of the following criteria:
 - 1. The entity proposing the commercial project shall provide the funding of the study.
 - 2. The independent consultant that performs the market study shall be chosen by the city and agreed upon by the entity submitting the proposal for the shopping center.
 - 3. The study shall analyze the commercial proposal and provide at least the following information:
 - a. The overall viability of the proposal;
 - b. The validity of the proposal considering any community retail vacancy, sales/square foot and square footage/capita data as outlined in Policy 1.7;
 - c. How the proposal will impact existing commercial development in the community;
 - d. How the mix and sizes of proposed uses of the development will impact the viability of Downtown Lawrence;
 - e. A building phasing schedule based upon the community's ability to absorb the additional commercial square footage; and

- f. Any other additional information required by the Planning Commission.
- B. 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 of greater than eight percent.

Policy 3.14: Criteria for Mixed-Use Districts

- ~~A. Encourage preservation of areas that are mixed-use in nature, as well as development and redevelopment of areas with vacant land, or where existing structures are underutilized, have experienced a high turnover rate, or have remained vacant for an extended period of time.~~
- ~~B. Mixed-Use Districts shall be no larger than 20 acres in size.~~
- ~~C. Mixed-Use Districts shall include a mix of the following uses within the subject area and where possible, in mixed-use structures:
 - ~~a. Residential;~~
 - ~~b. Non-residential.~~~~
- ~~D. Mixed-Use Districts shall maintain the character of the surrounding neighborhoods by:
 - ~~a. Achieving integration with adjacent land uses by providing transitions through alleyways, variation among development intensity, and implementation of landscape buffers;~~
 - ~~b. Incorporating existing structures wherever possible;~~
 - ~~c. Maintaining general structure spacing, massing, scale, and street frontage relationship when incorporating new structures.~~~~
- ~~E. Mixed-Use Districts shall provide multi-modal services to include the following options:
 - ~~a. Pedestrian-oriented public spaces, which shall include pedestrian-scaled street furnishings, and plantings;~~
 - ~~b. Bicycle, including bicycle parking;~~
 - ~~c. Vehicular; and~~
 - ~~d. Transit.~~~~

Traffic impacts continue to be a major concern in commercial developments. Ensure safe and efficient access and circulation within and around commercial areas.

GOAL 4: Transportation Considerations

Promote a multi-modal transportation system that provides or improves access and circulation within and adjacent to commercial areas.

Policy 4.1: Levels of Service

The expansion of existing or new commercial development shall not occur until the surrounding street system can provide an acceptable level of service.

Policy 4.2: Evaluate Traffic Impacts

An evaluation of the traffic impacts of a development on the surrounding area shall consider the existing and projected traffic conditions in relation to the existing transportation system. This evaluation should be based on planned improvements identified in the *Capital Improvement Plan (CIP)*, the *Comprehensive Plan*, and/or the *Long-Range Transportation Plan*. These plans shall be updated periodically to recognize changes in priorities and to add new projects with designated priorities.

Policy 4.3: Minimize Traffic Diversion

- A. Prohibit direct vehicular access from commercial developments to local residential streets.
- B. Discourage commercial traffic through residential neighborhoods.

Policy 4.4: Ensure Adequate Ingress and Egress

- A. Limit the principal access of commercial development to arterial, collector or access/frontage streets.
- B. Develop ways to improve access to downtown and other commercial centers within the community through improved bike and pedestrian paths, bus access (loading/unloading) and parking areas, public transportation, and vehicular access.

Policy 4.5: Limit Access

- A. Minimize curb cuts along arterial and collector streets.
- B. Encourage shared access between adjacent commercial developments and coordinated traffic circulation within proposed development areas.

- C. Lot access and street configurations shall be designed to avoid curb cuts and local street intersections on arterial streets and to coordinate access with adjacent developments.

Policy 4.6: Provide Vehicular Circulation

- A. Development proposals shall provide adequate internal circulation within commercial developments that allows access to adjacent commercial buildings and commercial or mixed-use centers.
- B. Development proposals shall ensure that vehicular circulation related to a specific proposal does not rely on public streets for internal traffic circulation needs but provides circulation within the development.

Policy 4.7: Provide Pedestrian Access

- A. The city should develop a pedestrian/bicycle pathway system that provides access from the University of Kansas campus to Downtown Lawrence.
- B. Development proposals should provide safe, convenient pedestrian access to concentrated retail areas from parking areas.
- C. Development proposals should include sidewalks on one side of local streets (public and private) and both sides of collector and arterial streets.
- D. Development proposals should include pedestrian access linking developments to neighborhoods while ensuring physical separation from vehicles along both public and private streets and within parking areas.
- E. Development proposals shall give consideration to providing a safe, reasonable method for pedestrian access across major intersections.

Policy 4.8: Provide Bicycle Access

- A. Commercial development proposals should provide for interior bicycle access.
- B. The city should develop a plan to provide bicycle links between major activity generators within the community.

Policy 4.9: Encourage Convenient Parking within Commercial Areas

- A. Development proposals shall provide convenient parking for retail areas.
- B. The city and property owners should work together to develop convenient parking for short-term visitors and long-term parking areas for employees.

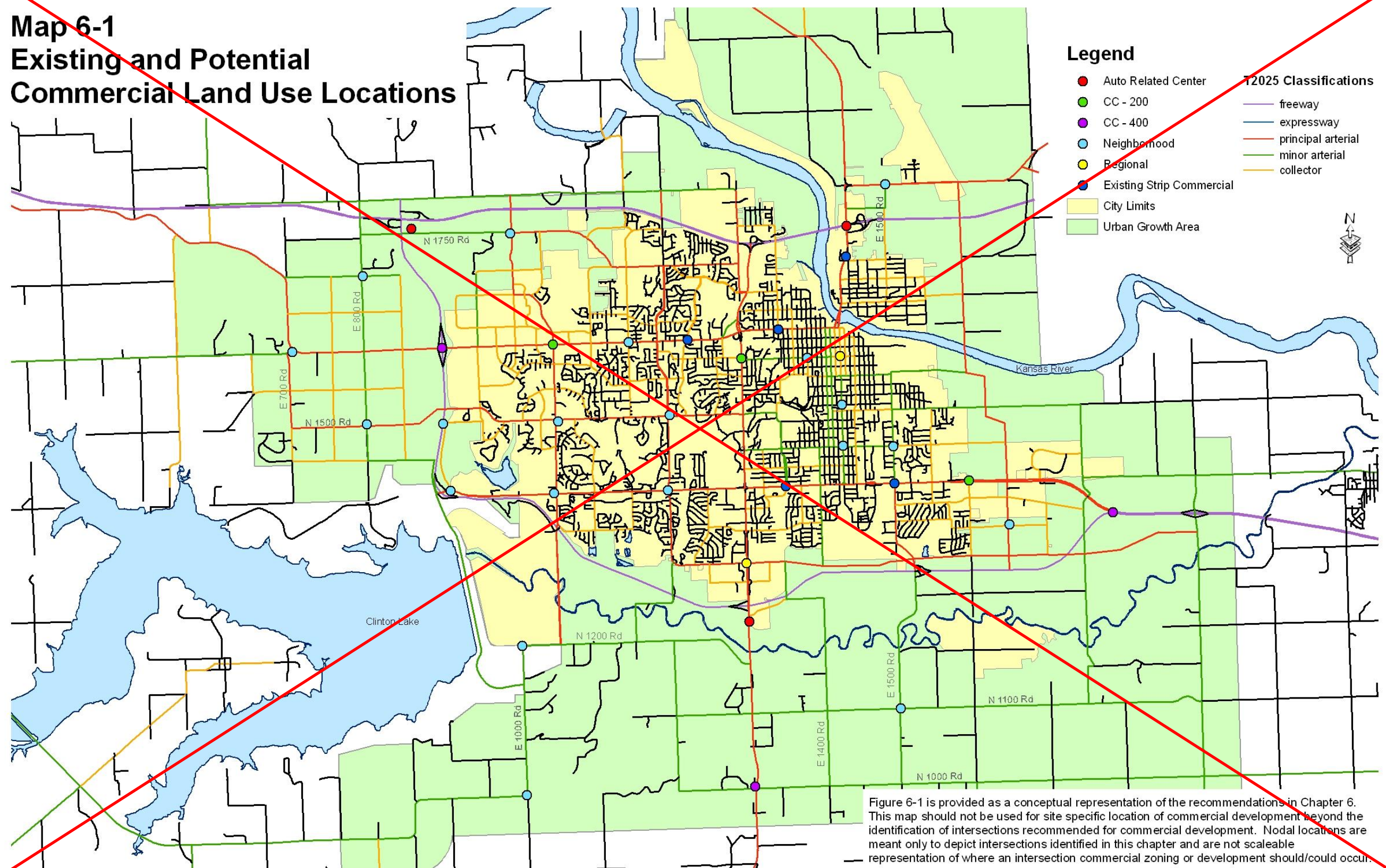
Policy 4.10: Utilize Outlying Parking Lots

Identify potential parking areas which can serve mass transit and carpooling.

Policy 4.11: Ensure Adequate Truck Loading and Maneuvering Areas

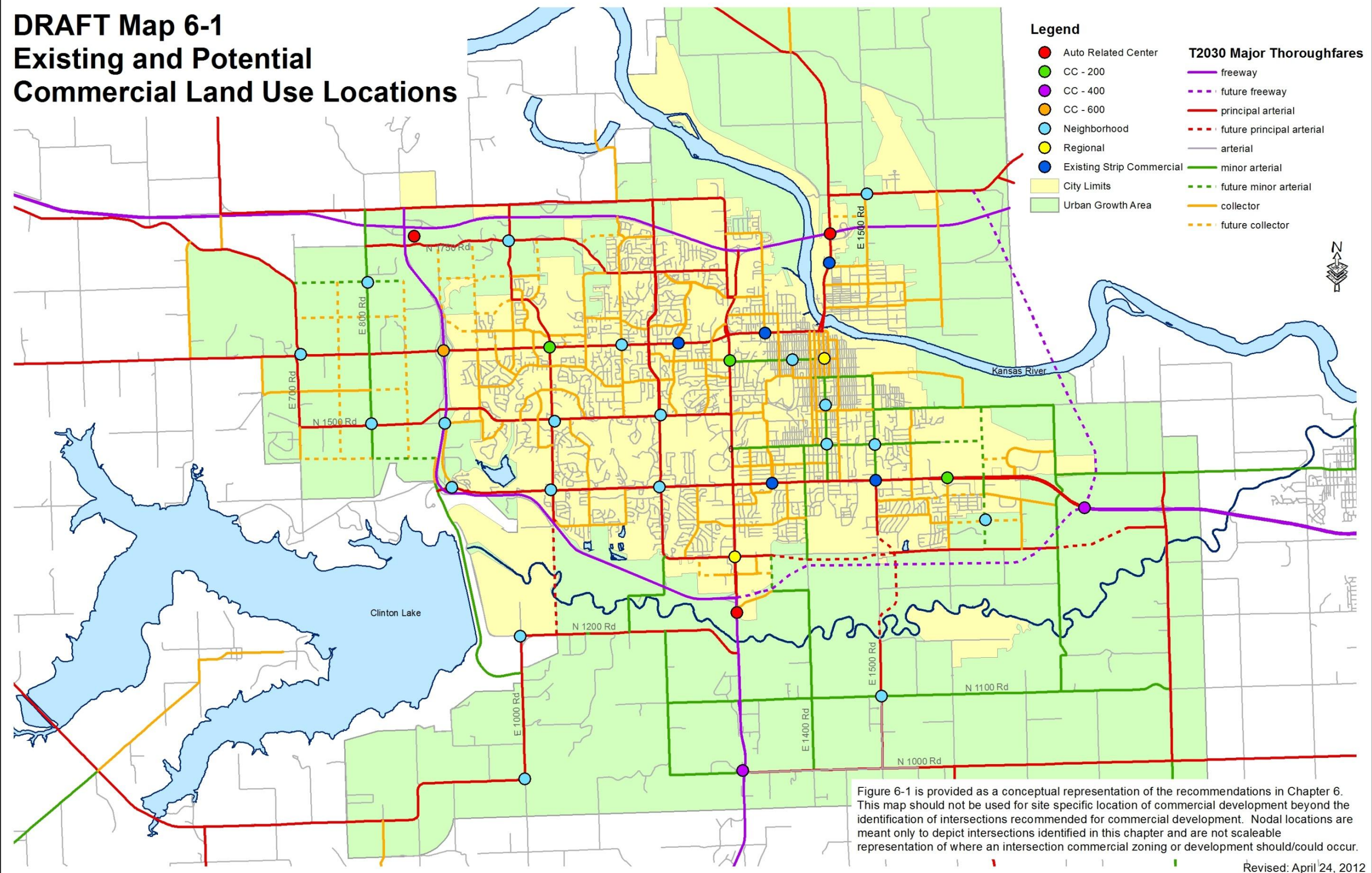
Development proposals shall provide adequate loading space within a building or a side or rear yard, designed in such a way that all storage, standing and maneuvering of trucks will take place solely on private property.

Map 6-1 Existing and Potential Commercial Land Use Locations



Revised May 21, 2008

DRAFT Map 6-1 Existing and Potential Commercial Land Use Locations



SPECIFIC PLANS

CHAPTER FOURTEEN – SPECIFIC PLANS

Purpose

Long-range planning in an area specific manner is an important aspect of the overall community planning process. Specific plans provide the focused guidance necessary for proper decision making regarding an area's future. Chapter 14 references adopted specific plans and provides guidance, through the Hierarchy of Plans, for completing the proper type of plan for an area.

The plans referenced below have been adopted through a Comprehensive Plan process, as described on pages 17-8 and 17-9. As such, these plans are considered Comprehensive Plan policy and are an element of *Horizon 2020*. The plans are separate documents from *Horizon 2020* and can be accessed online at <http://www.lawrenceplanning.org> or copies can be obtained by contacting the Lawrence-Douglas County Planning Department.

Plans prepared for specific areas, whether they are areas within the City of Lawrence or areas within unincorporated Douglas County contain detailed policy guidance for those areas. The plans, when adopted through a Comprehensive Plan process, and referenced in this chapter, become the official Comprehensive Plan policy for the respective areas. The policy contained in the plans take precedence over other policy found in *Horizon 2020*, unless specifically stated otherwise in the Plans.

Plan Review

Plans can eventually lose their relevance to a specific area. Additionally, some plans will require review to confirm if policies are being followed, goals are being met, and implementation is occurring.

Therefore, it is necessary to ensure plans are reviewed on a regular basis to update them or to rotate them out of the Comprehensive Plan if they have lost their relevance. Each plan listed below has a date which will trigger a review of that plan. Planning Staff will review the plan to determine if it meets one of the following criteria and needs the required action:

1. Plan remains relevant - no action necessary.
2. Plan has been superseded by another plan - remove from Chapter 14.
3. Plan is out of date and no longer relevant – remove from Chapter 14.
4. Plan requires updating – staff will update and forward recommendations for Commission consideration.

Staff will report on the review of a specific plan to the Planning Commission along with a recommendation for action, if necessary. If an update is required, staff will provide the Planning Commission a plan to complete the update. A Comprehensive Plan Amendment will be required to remove a specific plan from Chapter 14 or to update a specific plan.

Specific Plans

- ~~**6th and SLT Nodal Plan**~~

~~**Location:** The intersection of 6th Street (US Highway 40) and the SLT (South Lawrence Trafficway)~~

~~**Adoption Date:** November 11, 2003 by Lawrence City Commission~~

~~**Review Date:** 2009~~

- **6th and Wakarusa Area Plan**

Location: The intersection of 6th Street and Wakarusa Drive

Adoption Date: December 2, 2003 by Lawrence City Commission

Review Date: 2009

- **HOP District Plan**

Location: Bordered by W. 5th St. on the north, California St. on the west, W. 7th St. on the south and Alabama St. on the east.

Adoption Date: May 10, 2005 by Lawrence City Commission

Review Date: 2010

- **Burroughs Creek Corridor Plan**

Location: Area around the former BNSF railroad corridor between E. 9th St. and E 31st St.

Adoption Date: February 14, 2006 by Lawrence City Commission

Review Date: 2011

- **East Lawrence Neighborhood Revitalization Plan**

Location: Bordered by the Kansas River on the North; Rhode Island Street from the Kansas River to E. 9th Street, New Hampshire Street from E. 9th Street to approximately E. 11th Street, Massachusetts Street from approximately E. 11th Street to E. 15th Street on the west; E. 15th Street on the south; BNSF railroad on the east.

Adoption Date: November 21, 2000 by Lawrence City Commission

Review Date: 2010

- **Revised Southern Development Plan**

Location: Bounded roughly to the north by W. 31st Street and the properties north of W. 31st Street between Ousdahl Road and Louisiana Street; to the west by E. 1150 Road extended(Kasold Drive); to the south by the north side of the Wakarusa River; and to the east by E. 1500 Road (Haskell Avenue).

Adoption Date: December 18, 2007 by Lawrence City Commission

January 7, 2008 by Douglas County Board of Commissioners

Review Date: 2017

- **Southeast Area Plan**

Location: Bounded roughly to the north by E. 23rd Street/K-10 Highway; to the west by O'Connell Road; to the south by the northern boundary of the FEMA designated floodplain for the Wakarusa River; and to the east by E. 1750 Road (Noria Road).

Adoption Date: January 8, 2008 by Lawrence City Commission
January 28, 2008 by the Douglas County Board of Commissioners
REVISED
June 14, 2008 by Lawrence City Commission
July 24, 2008 by Douglas County Board of Commissioners
REVISED
October 7, 2008 by Lawrence City Commission
November 10, 2008 by Douglas County Board of Commissioners
UPDATED
September 27, 2011 by Lawrence City Commission
November 11, 2011 by Douglas County Board of Commissioners

Review Date: 2021

- **Farmland Industries Redevelopment Plan**

Location: The former Farmland Industries property is located east of Lawrence along K-10 Highway and just west of the East Hills Business Park. It is approximately one half mile south of the Kansas River.

Adoption Date: March 11, 2008 by Lawrence City Commission
March 31, 2008 by Douglas County Board of Commissioners

Review Date: 2013

- **K-10 & Farmer's Turnpike Plan**

Location: Generally located around the intersection of I-70 and K-10 and to the east approximately four miles.

Adoption Date: December 9, 2008 by Lawrence City Commission
January 7, 2009 by Douglas County Board of Commissioners

Review Date: 2019

- **Lawrence SmartCode Infill Plan**

Location: General areas are: 19th St. and Haskell Ave., 23rd St. and Louisiana St.

Adoption Date: January 27, 2009 by Lawrence City Commission
February 23, 2009 by Douglas County Board of Commissioners

Review Date: 2019

- **West of K-10 Plan**

Location: Generally located north and south of Highway 40 and west of K-10 Highway. It does contain some land east of K-10 Highway

Adoption Date: June 9, 2009 by Lawrence City Commission
May 6, 2009 by Douglas County Board of Commissioners

REVISED

XXXX by Lawrence City Commission

XXXX by Douglas County Board of Commissioners

Review Date: 2019

- **Oread Neighborhood Plan**

Location: Generally located between W. 9th Street and W. 17th Street and between the KU campus and Massachusetts Street.

Adoption Date: September 28, 2010 by Lawrence City Commission

Review Date: 2020

- **Inverness Park District Plan**

Location: Generally located south of Clinton Parkway between Inverness and Crossgate Drives, and north of K-10 Highway.

Adoption Date: September 20, 2011 by Lawrence City Commission

November 12, 2011 by Douglas County Board of Commissioners

Review Date: 2021

Hierarchy of Plans

The following Hierarchy of Plans describes the types of plans that can be used for the long-range planning of the community. The Hierarchy also provides guidance as to when it is appropriate to use each type of plan and the typical process used to complete a type of plan. The Hierarchy of Plans was adopted by the Lawrence-Douglas County Planning Commission on June 26, 2006, by the Lawrence City Commission on August 15, 2006, and by the Board of County Commissioners on September 11, 2006. Figure 14-1 provides an abbreviated description of each type of plan.

Comprehensive Plan

A Comprehensive Plan expresses a community's desires about the future image of the community. It provides the foundation and framework for making physical development and policy decisions in the future. The Comprehensive Plan is a policy guide which describes in text and displays in graphics the community's vision for directing future land development. A Plan includes several components:

- It is a policy plan, stating the community's desires for directing land use decisions through the identified goals and policies.
- It provides a physical plan component by mapping generalized land uses and describing in policies the relationships between different land uses.
- It is long-range, considering a community's expected growth in the future. Future land use maps graphically display the potential development of the community.
- It is comprehensive, considering issues such as demographic, economic and transportation factors which have shaped and will continue to influence land development in a community.

How is the comprehensive plan used?

The Comprehensive Plan provides a vision for the community. It is used as a policy guide that identifies the community's goals for directing future land use decisions. The Plan is also used by property owners to identify where and how development should occur; by residents to understand what the city and county anticipates for future land uses within the community; and by the city, county and other public agencies to plan for future improvements to serve the growing population of the community.

Specifically, the city and county use the Comprehensive Plan to evaluate development proposals; to coordinate development at the fringes of the county's cities; to form the foundation for specific area plans; to project future service and facilities needs; and to meet the requirements for federal and state grant programs. The Comprehensive Plan is used most often as a tool to assist the community's decision makers in evaluating the appropriateness of land development proposals. The Comprehensive Plan allows the decision makers to look at the entire community and the effects of land use decisions on the community as a whole to determine whether individual proposals are consistent with the overall goals of the community.

Typical Process

The typical process of a comprehensive plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Watershed or Sub-basin Plan

A watershed or sub-basin plan is a document that studies stormwater runoff and the potential for flooding and environmental impact of a particular watershed or sub-basin, before and after potential development, which drains into a river or other body of water. This plan has boundaries defined by the natural watershed basin or sub-basin of the area. It uses multiple layers of information pertaining to the natural and built environment to develop a comprehensive picture of the carrying capacity of the land for urban densities of development.

This is the second largest and most challenging type of plan to develop. A watershed or sub-basin plan is similar to the development of a comprehensive land use plan in its level and intensity of work. This type of plan could take 24 to 36 months to complete.

When is a watershed or sub-basin plan appropriate?

This type of plan is commonly used to study greenfield, undeveloped, natural, or agriculturally used areas on the fringe of urban development. A watershed or sub-basin plan is used to determine the long-term future (potential) for urban densities of development and their impact on the natural environment.

Purpose or reasons to use a watershed or sub-basin plan are to:

1. Provide information regarding the impact of the natural environment on the potential for future development.
2. Determine any environmental constraints and hazards for future development.
3. Provide a shared vision for area's residents/owners and local government entities.
4. Provide information regarding the area's needs, priorities, and proposed projects.
5. Provide guidance on matters of land use, development, and site layout to possible area residents or investors.
6. Determine if development proposals and land use changes are in accordance with the community's long term vision.
7. Provide implementation recommendations for coordination of development with adequate public facility's goals.
8. Provide a framework to guide an area's development efforts and track development trends and progress.
9. Provide maps showing existing information and proposed information.

Typical Process of a Watershed Plan

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process

Sector Plan

A sector plan covers one or more sections of land and uses geographic and demographic information to develop a detailed land use vision for future development or redevelopment of the study area. Boundaries are generally based on physical features such as arterial thoroughfares, rivers, or other natural geographic elements.

In the hierarchy of plans, a sector or area plan is the third tier. Based on the size of the area being studied, one or more sections of land, it could take between 18 and 24 months to develop.

When is a sector plan appropriate?

This type of plan is used to forecast development trends or future development patterns for building out or redeveloping an area. This planning tool is most useful when an area is largely undeveloped and/or on the edges of current development.

Purpose or reasons to use a sector plan are to:

1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
2. Provide implementation recommendations for coordination of development with adequate public facility's goals.
3. Provide information regarding the area's needs, priorities, and proposed projects.
4. Determine if development proposals and land use changes are in accordance with the community's long term vision.
5. Provide a shared vision for area's residents/owners and local government entities.
6. Provide a framework to guide an area's development efforts and track development trends and progress.

Typical Process

The typical process of a sector plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Neighborhood Plan

A neighborhood plan is a document that studies the issues of a specific, established neighborhood association, or an area that could be covered by a neighborhood association. If a neighborhood association exists, the boundaries of the neighborhood plan shall conform to those of the neighborhood association. If no neighborhood association exists, the boundaries of the neighborhood plan shall be defined using other methods such as natural features and/ or streets. Neighborhood plans use geographic and demographic information to develop a detailed land use vision for the future development or redevelopment of the neighborhood.

A neighborhood plan is the fourth tier in the hierarchy of plans. Depending on the amount of current development, a neighborhood plan could take from 9 to 12 months to develop.

When is a neighborhood plan appropriate?

A neighborhood plan is appropriate when there are traffic issues or significant development, redevelopment, or infill development in a neighborhood.

Purpose or reasons to use a neighborhood plan are to:

1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
2. Provide implementation recommendations for coordination of development with adequate public facility's goals.
3. Provide information regarding the area's needs, priorities, and proposed projects.
4. Determine if development proposals and land use changes are in accordance with the community's long term vision.
5. Provide a shared vision for area's residents/owners and local government entities.
6. Provide a framework to guide an area's development efforts and track development trends and progress.

Typical Process

The typical process of a neighborhood plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Nodal Plan

A nodal plan is a document based on a prescribed radius around the intersection of two or more major thoroughfares. This plan studies specifically defined criteria such as vehicular and pedestrian circulation and connectivity in association with the density and intensity of proposed land uses.

In the hierarchy of plans, a nodal plan is under the category of “special area” plans. This plan’s level of study and detail is restricted because the boundaries are restricted. The process could take 6 to 12 months.

When is a nodal plan appropriate?

Examples when this type of plan is useful are:

- The study of major road intersections where large-scale commercial developments are proposed.
- A siting study is requested for a public facility, branch libraries or community building, where the service area radiates outward from the site.

Purpose or reasons to use a nodal plan are to:

1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
2. Provide implementation recommendations for coordination of development with adequate public facility’s goals.
3. Provide information regarding the area’s needs, priorities, and proposed projects.
4. Determine if development proposals and land use changes are in accordance with the community’s long term vision.
5. Provide a shared vision for area’s residents/owners and local government entities.
6. Provide a framework to guide an area’s development efforts and track development trends and progress.

Typical Process

The typical process of a nodal plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Traffic counts
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Corridor Plan

A corridor plan is a document that studies a linear development, natural or man-made, and the adjacent area bounding this feature. A corridor plan is used to develop an integrated vision that coordinates multiple planning disciplines such as transportation, environmental, and/or land use.

The corridor plan is a type of a “specific issue” plan because it is predominately used to assess transportation and land use planning issues. The timeline of completion of this type of plan varies depending on the length of the corridor and the level of development that have already occurred along the corridor. This process could take 9 to 24 months.

When is a corridor plan appropriate?

Examples when this type of plan is useful are:

- Along major arterial streets
- When studying access management
- When studying riverine, riparian, and wildlife habitat areas
- Along abandoned railroad corridors for rails-to-trails applications

Purpose or reasons to use a corridor plan are to:

1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
2. Provide implementation recommendations for coordination of development with adequate public facility’s goals.
3. Provide information regarding the area’s needs, priorities, and proposed projects.
4. Determine if development proposals and land use changes are in accordance with the community’s long term vision.
5. Provide a shared vision for area’s residents/owners and local government entities.
6. Provide a framework to guide an area’s development efforts and track development trends and progress.

Typical Process

The typical process of a corridor plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Specific Issue/District Plan

A specific issue or district plan is a document that is developed to address a defined geographic area, development proposal, the coordination of the extension of public services, or infrastructures as part of a unilateral annexation, or land use issue that does not clearly fall in one of the other plan categories.

In the hierarchy of plans, a specific issue/district plan falls under “special area” plans. The level of detail in this plan is concentrated on a specific subject based on the study issues identified. This type of plan could take 6 to 12 months to develop.

When is a specific issue or district plan appropriate? Examples where these types of plan are useful are:

- When the study of a sub-area of a neighborhood is needed to evaluate a rise in housing types [rental housing vs. owner-occupied]
- When there is significant redevelopment in an established neighborhood
- When there is a request for a predominate change in land use
- When a major redevelopment plan is proposed
- When there is a conflict between land use and zoning
- Where there is concern that an area is underserved by parks or other public facilities

Purpose or reasons to use a specific issue or district plan are to:

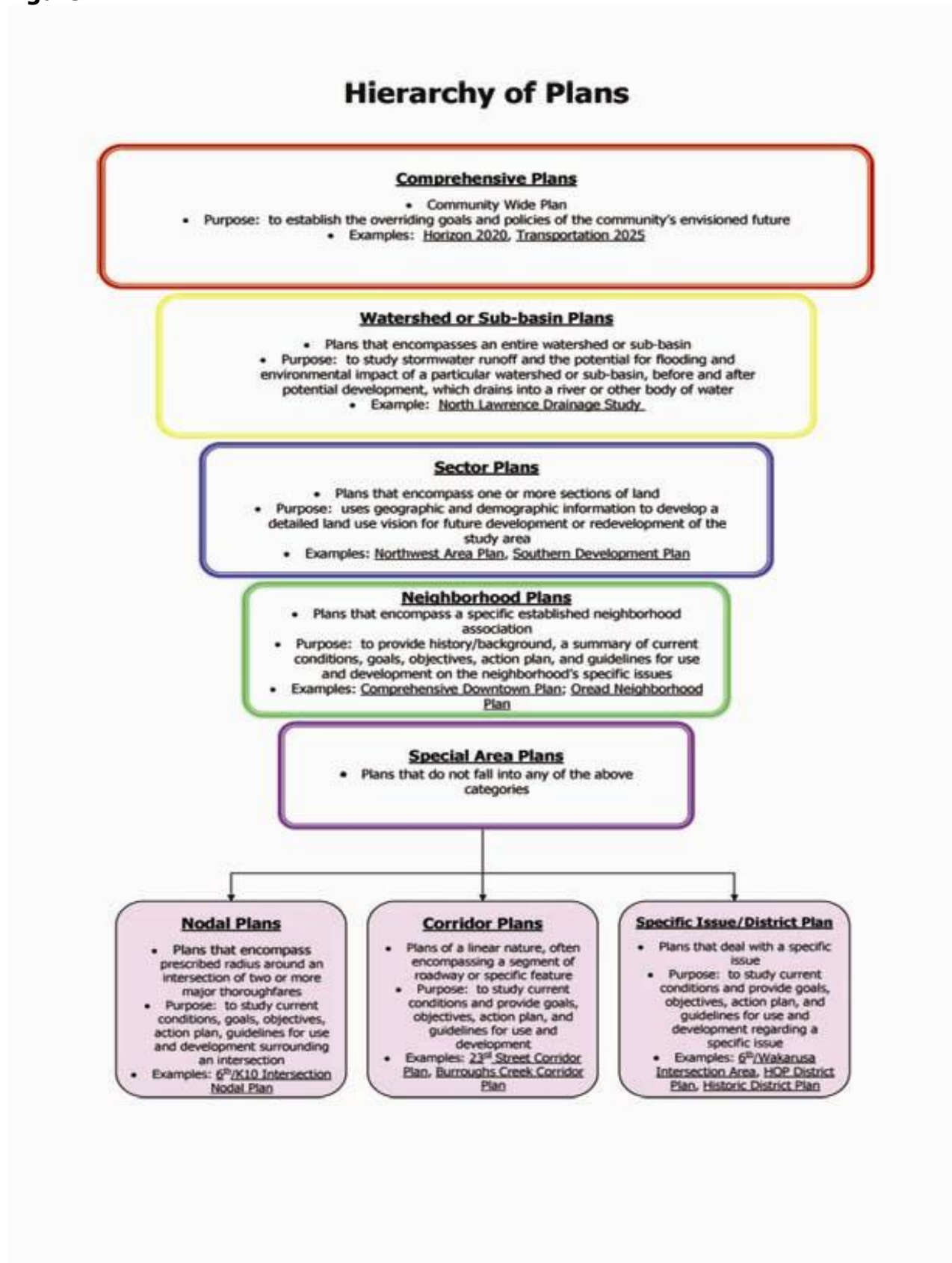
1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
2. Provide implementation recommendations for coordination of development with adequate public facility's goals.
3. Provide information regarding the area's needs, priorities, and proposed projects.
4. Determine if development proposals and land use changes are in accordance with the community's long term vision.
5. Provide a shared vision for area's residents/owners and local government entities.
6. Provide a framework to guide an area's development efforts and track development trends and progress.

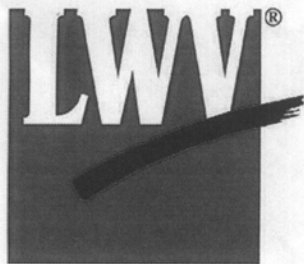
Typical Process

The typical process of a specific issue/district plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Figure 14-1





League of Women Voters Lawrence-Douglas County

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City County Planning Office
Lawrence, Kansas

May 20, 2012

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Web sites
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www.lawrenceleague.com

STATE:
www.lwvk.org

NATIONAL:
www.lww.org

Email:
league@sunflower.com

Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: Item No. 5: Comprehensive Plan Amendment to H2020 – Chp. 6 And Chp. 14; CC600
Item No. 6: Text Amendment to City Of Lawrence Development Code; Amending Various
Sections to Add A CC600 District
Item No. 7: A & B1 To Cc600; 146 Acres; W 6th St & K-10

Dear Chairman Hird and Planning Commissioners:

We urge you to deny all of Items No. 5, 6, and 7.

We are asking this for the following reasons:

1. There are some serious procedural problems occurring here. First, the comprehensive plan (Item 5) needs to be officially amended and approved, not only by the Planning Commission but also by both the City and County Commissions. Only then should zoning text amendments be adopted that are dependent on the comprehensive plan, as is Item No. 6, the new CC600 District. Following the adoption and official incorporation of the new CC600 District into the City Code, only then should the process for a public hearing to amend the zoning district properly proceed (Item No. 7).

2. A major consideration that is driving all of these deliberations is whether the city should actually approve the location for and participate in building a recreational facility of the proposed intensity in the suggested location. *The issue is not whether the facility is needed or appropriate, but whether that particular location for that facility is appropriate.*

Furthermore, it would be surrounded by 100 or more acres of unplanned commercial land. If the proposed development were to occur in that location the traffic impact on 6th Street, and the potential effect of shifting the “center of activity” from the Downtown to that location, could have a very negative impact on the city as a whole.

3. Horizon 2020 should be followed, and the city should consider hiring a consultant to do an independent market analysis of the impact that this use in this location would have on the city as a whole, especially the Downtown. (Horizon 2020, Chapter 6, **policy 3.13**)

- a. City staff analysis is not a proper substitution for an “independent market analysis. [...performed by an] **independent consultant** chosen by the city...” The analysis is **supposed to be** unbiased and done by qualified professional consultants. The planning staff has seemingly justified the additional commercial land that would be added to the currently overstocked inventory of available commercial area and vacant buildings.

The thought seems to be, *don't worry, no one will use the land unless there is a demand (which admittedly doesn't exist).* **Wouldn't it be better to preserve the land for an employment-related and manufacturing use that the studies up to now have proposed for the area?**



4. We request that an independent traffic analysis also be undertaken:

a. The Staff Report (Item No. 5) states that "Commercial uses are generally viewed by the Development Code as equal to or lesser uses compared to industrial uses and so the project can feasibly be viewed as compatible with the comprehensive plan designation." The traffic impact analysis that the staff report mentioned indicating that industrial and commercial traffic impacts are interchangeable, or commercial uses are lesser in intensity than industrial uses, may have come from the Lesser Change Table. In this table the three categories of Residential, Commercial and Industrial cannot be compared with each other in intensity. Only within each category is this comparison intended. (20-1301(k)). Therefore, based on the source in the Staff Report, it is not a valid comparison to say that the traffic intensity of commercial land use and industrial land use are the same

b. According to a study that was made in 2006 by the consultants, TischlerBise, hired by the City for their study, "The Cost of Land Uses and Fiscal Impact Analysis," the uses of manufacturing and commercial retail are **quite different in their impact** on traffic intensity. The vehicle trip rates per 1000 square feet **are much higher with commercial land use than with industrial land use** (page 11, Figure 4, TischlerBise).

c. Consider that the Transportation Plan for that node, which was recently presented to you by the MPO (Lawrence-Douglas County Metropolitan Planning Organization), must be studied by them before any changes to it are considered. Also, all of the other considerations that need to be made regarding the improvements to that intersection, to 6th Street, and to Highway 40 extended, must take into consideration the increased traffic intensity that will occur with the change in use from manufacturing to recreation and commercial uses.

5. Once the CC600 District is actually incorporated into the zoning text (assuming that it is), it should have some method to actually control the maximum size and use of retail buildings. We suggest that any retail establishment that meets the requirement for a CC600 should also require a Special Use Permit or a Planned Development Overlay District.

Thank you for your patience in reading this material. We hope that you will carefully consider these points.

Sincerely yours,

A handwritten signature in cursive script that reads "Carrie Lindsey".

Carrie Lindsey
President

A handwritten signature in cursive script that reads "Alan Black".

Alan Black, Chairman
Land Use Committee

**RONALD SCHNEIDER
ATTORNEY AT LAW, P.A.**

900 MASSACHUSETTS ST., SUITE 600
LAWRENCE, KANSAS 66044
TELEPHONE: (785) 841-2040
FACSIMILE: (785) 856-0243

RONALD SCHNEIDER

OF COUNSEL:
CURTIS BARNHILL
MARGARET FARLEY

May 18, 2012

Richard Hird
Chairman of Lawrence-
Douglas County Metropolitan
Planning Commission
FAX: 832-3160

RE: CPA -4-2-12
TA -4-3-12
Z-4-5-12

Dear Mr. Rick:

I represent a number of landowners who live near or adjacent to the 146 acres associated with Z-4-5-12, change of zone request.

As you know, the City Commissioners recently voted to annex this property. During the annexation hearing, all City Commissioners expressed their intentions to devote extra-ordinary time and consideration to the zoning issues and contemplated land of the entire project and development due the importance and scope of this proposed project. The City Commissioners confirmed that this project requires time and thoughtful consideration. The Commission expressed its desire **NOT** to rush the zoning and land use components of this project.

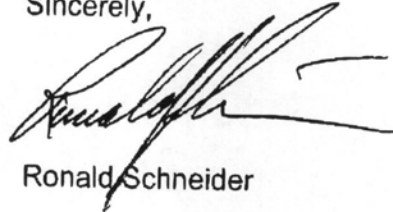
It is my opinion that the proposed public hearing on this rezoning and related planning matters is premature. Public opinion will be greatly affected by the information and dialogue at the public forum in June scheduled by the City. The proposed rezoning, changes to the code, and revision to the Nodal Plan should be considered only after this forum and additional information and reliable plans are available to the public.

On behalf of my clients, I respectfully request that the Planning Commission continue the hearing on these matters to enable the City to provide answers to the many unanswered questions on this immense and important project. I am confident that this request is consistent with the consensus and statements made by the Mayor and other Commissioners at their hearing on May 21, 2012.

Page 2
May 18, 2012

I await your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Schneider", with a stylized flourish at the end.

Ronald Schneider

RS:cw

cc: Scott McCullough, VIA FAX
Mayor Robert Schumm, VIA FAX
City Commissioners, VIA FAX

May 20, 2012

Scott and Jodi Bouyack
887 N. 1663 Road
Lawrence, KS 66049

Lawrence City Hall
City Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

Ms. Miller,

As a resident and landowner in Northwood Estates with property bordering on the north end of the 146 acre tract of land that is being considered for CC600 zoning, I write today to make a few comments which I hope the Planning Commission will consider as it determines its recommendation on this issue during the May 21, 2012 meeting.

My wife and I purchased our home in early 2010. Prior to making a decision to purchase our home, I conducted a fair amount of research with regard to future development plans in the vicinity of Northwood Estates. Of particular interest to me was the future plans for the acreage now referred to as the Northwest Quadrant of the intersection of W. 6th Street/Highway 40 and Kansas Highway 10 (K-10). My research indicated to me that we should expect that at some point the Northwest Quadrant would become developed. Thus, it has always been my expectation that as much as we enjoy having vacant fields and cows behind us, that at some point that would become developed territory.

Although I could have no way of definitively knowing in 2010 what sort of development might be built behind our house, there were two expectations my research uncovered that I felt I could count on relative to any future development, and thus provided me the assurance I was looking for to proceed with the purchase of our home. The first expectation was that the City of Lawrence desired for the future development of the W. 6th Street/Highway 40 and K-10 intersection to become an attractive "gateway" entrance for the city. This expectation provided me the assurance that whatever development would eventually be built behind our house would be done so in an attractive, well-planned, well-maintained manner, and would most likely not include unattractive business uses that the city would not be proud to display at such a prominent gateway.

The second expectation my research uncovered that gave me comfort was the designation in the Nodal Plan of a green space buffer along the northern edge of the Northwest Quadrant to help preserve the Baldwin Creek drainage basin and to "act as a transitional buffer for the lower-density residential development and agricultural activities for unincorporated Douglas County adjacent to this corner."

As of today, I am reasonably confident that the first expectation above will be adhered to in this future development. It seems clear that the City Commissioners, City Staff, City Planners, and Developers all still strongly desire for the development on this Northwest Quadrant to maintain the attractive characteristics of a prominent city gateway as described in the Nodal Plan and other planning documents. Further to that point, I can envision that the proposed development of a regional recreation center on this property could result in a more desirable development than many alternatives. For example, the fact that the Planning Staff, in its recommendation to the Planning Commission, has restricted several uses from the proposed CC600 zone because such uses would not enhance the site as a regional recreation facility is a positive benefit for adjoining neighbors, as it helps to assure us that we will not have business such as big box retail, vehicle sales, mini-warehouses and several other uses that would be considered undesirable to the neighborhood.

However, at this point in the process, I am not certain that the second expectation, the green space buffer, will be adequately met. Although city officials have stated on several occasions that they recognize the need for such a buffer, and further recognize that the Nodal Plan calls for such a green space buffer, the specifics of such a buffer are lacking. To that point, the City has recently provided an initial rendering of the site plan for the recreation center, and the lack of any green space buffer is highly conspicuous by its absence. In fact, I cannot even consider such a rendering to be a viable first draft, as it does not include this very important component, and look forward to the City and Developers providing a true, viable first draft in the very near future.

Considering the above, I would like to make one simple request of the Planning Commission as it considers its recommendation relative to this zoning question. My request is that should the Planning Commission go forward in recommending this property in question be zoned to CC600, that it do so with the condition that a green space buffer, one which reflects the spirit of such an element as described in the Nodal Plan, be required to be part of the future development.

Once again, we appreciate the City's willingness to engage us in this process and listen to our concerns. I will be attending the meeting on May 21, and any such subsequent relevant meetings, and look forward to being a part of the process. If at any time you would like to talk to me directly, I can be reached via phone at (678) 778-0797 or email at scott.bouyack@gmail.com.

Sincerely,

Scott Bouyack

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

May 21, 2012

City of Lawrence
Attn: Mary Miller - City Planning Office
6 East Sixth Street
Lawrence, KS 66044

Dear Ms. Miller:

As residents of the Estates of Northwood, we are writing to formally express our concerns regarding the proposed development of the land located at 6th street and E. 900 road.

Following the recent City Council meeting, we were provided a concept plan for the proposed development. This proposal raised significant red flags for residents of our neighborhood.

First, the concept plan does not honor the green space originally outlined in the nodal plan. Placing the recreation center, stadium and parking lots directly adjacent to our property provides no buffer between our backyards and the development. The resident of our neighborhood purchased land and built homes based on an understanding of green space outlined in the City's nodal plan.

Second, the concept plan does not appear to preserve the natural drainage system provided by the Baldwin Creek drainage basin. While the city may plan to remove this naturally occurring pathway, several of the properties on the south side of our neighborhood have this creek continuing through their property. This could result in significant drainage issues in the future. Additionally, other properties on the south side currently have flooding concerns during heavy rains and this development could further exacerbate this issue.

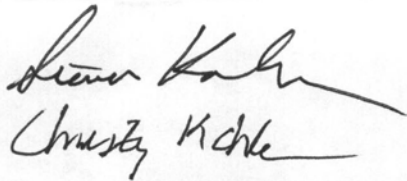
Third, the concept plan does not appear to have addressed the traffic issue through our neighborhood sufficiently. Requiring our neighbors to proceed through the new development to reach our homes is not a satisfactory solution. Given times of heavy activity in the area, this could place us in the middle of significant event traffic. As discussed at the meeting held at the Indoor Aquatic Center in April, we would prefer to have access to our neighborhood to the west of the development with proper signage to discourage non-residents from entering N. 1663 Road. This could be accomplished by alternating the dead end on N. 1663 from the west end to the east end.

Finally, without the proper market studies to understand the needs of the community, it is premature to determine the appropriate zoning for this area.

The City has a unique opportunity for this development. Unlike most instances, there is sufficient space to plan the site in a way that can truly accommodate the needs of the city and the surrounding community. We encourage you to take advantage of this opportunity to create a "gateway" for our city in a manner that is acceptable to all parties involved.

Thank you in advance for considering our concerns. We look forward to continued dialogue as the process progresses.

Sincerely,

The block contains two handwritten signatures. The first signature, "Steven Kahle", is written in dark ink with a fluid, cursive style. The second signature, "Christy Kahle", is also in dark ink and cursive, positioned directly below the first.

Steven & Christy Kahle
875 N. 1663 Road

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

Kenneth and Anna Oliver
873 N. 1663 RD
Lawrence, KS 66049

785-550-7746

May 21, 2012

Mary Miller
City/County Planner
Lawrence City Hall
6 East 6th St
Lawrence, KS 66049

Dear Ms. Miller,

Please include this letter regarding the rezoning of the NW corner of K-10/US-40 in the packet to be presented during your May 21 Planning Commission meeting. We will not be able to attend the meeting because of our work schedules, but would appreciate your taking our concerns into consideration.

We appreciate your notifying us of the completed staff report and at first blush, we are generally in agreement with the conditional zoning restrictions you are recommending. We also want to thank you for your time and effort in restricting uses that would not be complimentary to the proposed recreation center and that would be detrimental to our neighborhood.

We are however, frustrated that a new zone designation (CC600) is being proposed for the first time and recommended for this property with conditions, while the City does not know the size, scope and cost of their portion of the project and no sight plans have been submitted. There are many unanswered questions as to whether the rezoning and proposed development complies with the Nodal and Horizon 2020 plans. We received the staff report for the CC600 rezoning on Thursday the 17th, tried to research the hundreds of pages of reports and plans, formulate and draft comments to be delivered prior to 10:00am the following Monday morning. That's hardly enough time for the residents of our neighborhood to cipher through all the information and provide meaningful input, which is what the Mayor, City Commissioners, Planning Commission and City Manager have requested. We are not grasping for stalling tactics, as we firmly believe this project could be very good for the community. We are however very concerned that this project has not been given due diligence and many requirements for development are being overlooked. For example, considering the proposed uses, has the necessary traffic and marketing studies been completed, and has the Nodal and other planning documents been updated?

Along with our neighbors, we purchased our property and built our home after reviewing the Nodal Plan and learning the property in question was planned for low-density industrial/warehouse/office uses with a large green zone buffer between our homes and future development. After seeing examples around town of similar buildings, we found them acceptable, purchased our property and built our homes. Now the uses being proposed would have significantly more traffic, noise and light pollution. For this reason, as the project moves forward we are strongly encouraging the city to exceed the standards for mitigating the negative effects to surrounding neighborhoods per the following plan excerpt:

20-1101

PROTECTION STANDARDS FOR RESIDENTIAL DISTRICTS

(a) Design and Operational Compatibility Standards—Discretionary Approvals

As a condition of approval of any Special Use Permit, Map Amendment, site plan or other discretionary approval of any multi-Family use or nonresidential use located within 500 feet of any less intensive residential district, the City Commission, Planning Director, Planning Commission or other review body may impose conditions that exceed the minimum requirements of this Chapter and that, in the opinion of the review body, are necessary to reduce or minimize any potentially adverse impacts on residential property, including, but not necessarily limited to, the following:

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City Council Planning Office
Lawrence, Kansas
- (1) location on a site of activities that generate potential adverse impacts on adjacent uses, such as noises and glare;
 - (2) placement and buffering of trash receptacles;
 - (3) location of loading and delivery areas;
 - (4) lighting location, intensity, and hours of illumination;
 - (5) placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities;
 - (6) additional Landscaping and buffering;
 - (7) Height restrictions to preserve light and privacy and views of significant features as viewed from public property and rights-of-way;
 - (8) preservation of natural lighting and solar Access;
 - (9) ventilation and control of odors and fumes; and
 - (10) paving or other surface treatment for dust control.
- (b) Height Limit on Projects Adjoining Certain Residential Zoning Districts
See Section 20-701(g) for Height limits in the PD district.

Consideration needs to be given to the neighbors for the significant negative effects of the rezoning and subsequent development in the form of a green space buffer, additional large caliper trees, directional and timed exterior lighting, and a large berm. An acceptable berm would be similar to the one immediately behind the Walmart on 6th Street. However, because of the direction and location of the proposed street into the recreation center, stadiums and the proximity to our homes, an even taller berm would be necessary.

There is a significant grade from our property line up to US-40. Because the proposed stadium would be situated on the hill, we think an in-ground stadium would be beneficial for several reasons. An in-ground stadium would reduce the height of the structure and make it more visually appealing. The noise and light pollution would be contained significantly and the dirt removed for the stadium could be used for a berm to further reduce those negative effects. It is also my understanding that track and field events need to be sheltered from excessive wind for the competitor's results to be recognized as records. An in-ground stadium would go a long way in making it an elite track and field venue.

Our other concerns have not changed since our last correspondence as we are anxious to maintain the dead end access to N.1663 RD. The concept plan that was recently released proposed a convoluted route to our neighborhood. We would rather have a dead end entrance on the west side of 1663 RD to US 40 in lieu of the entrance shown on the concept drawing. In addition, we are very concerned that the manipulation of the Baldwin Drainage basin would potentially flood our property during seasonal heavy rains.

Thank you again for taking our concerns into consideration. We know a lot of questions will come to light when sight plans are eventually submitted, and we are hopeful that this will be a great development for our community, but the City needs to take a step back and complete the processes that are in place to ensure all involved (The City, Taxpayers, Developers, and Neighbors) are on the same page and protected before moving forward. The public forum on June 6th is a great start, and we are hopeful that more information will flow between the city and the public at that time.

Sincerely,



Kenneth and Anna Oliver

PLANNING COMMISSION REPORT
Regular Agenda -- Public Hearing Item

PC Staff Report
05/21/12

**ITEM NO. 6 TEXT AMENDMENT TO CITY OF LAWRENCE DEVELOPMENT CODE;
AMENDING VARIOUS SECTIONS TO ADD A CC600 DISTRICT (SMS)**

TA-4-3-12: Consider a text amendment to the City of Lawrence Land Development Code, Articles 1, 2 and 13, to provide for a CC600 (Community Commercial) District. *Initiated by City Commission on 4/10/12.*

RECOMMENDATION: Staff recommends that the Planning Commission forward a recommendation for approval of the proposed amendment TA-4-3-12 to the Land Development Code to the City Commission based on the analysis in the staff report.

Reason for Request: To create a commercial center that permits an amount of commercial development between the 400,000 square feet allowed in a CC400 District and the 1.5 million square feet allowed in the CR District.

RELEVANT GOLDEN FACTOR:

- This text amendment will implement proposed revisions to the comprehensive plan.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

– None

OVERVIEW OF PROPOSED AMENDMENT

The amendment proposes creation of an additional Community Commercial District which would allow up to 600,000 gross square feet of commercial development at a CC600 designated commercial node. Such nodes would be limited to locations at the intersection of two state or federal highways. Uses permitted in the CC200 and CC400 Districts would be allowed in the new district.

Horizon 2020 currently states on page 6-3: “... the term ‘commercial’ means retail businesses that sell goods and services on-site for which sales tax is collected. This definition does not include offices or similar uses.” The related Comprehensive Plan Amendment (CPA-4-2-12) proposes to modify this definition and substitute the definition used in Section 20-1107 of the Land Development Code. The proposed CPA includes the following:

For the purposes of this section of the Plan, the term “commercial” means retail businesses as defined as one whose primary coding under the North American Industrial Classification System (NAICS) falls into at least one of the following sectors:

- Sector 44-45: Retail Trade;*
- Subsector 722: Food Services and Drinking Places;*
- Subsector 811: Repair and Maintenance; and*
- Subsector 812: Personal and Laundry Services*

Therefore, a CC600 designation would permit more than 600,000 square feet of overall development, but would set the maximum square footage of retail uses at that designated node.

The proposed Comprehensive Plan Amendment (CPA-4-2-12) includes the criteria that a new CC600 Center must be located at the intersection of two state or federal highways. The CPA proposes the designation of the intersection of US-40/(W 6th Street) and K-10 as a CC600 node. Additional CC600 sites are not identified at this time.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

This request accompanies a related Comprehensive Plan Amendment to provide for CC600 nodes in *Horizon 2020* and to specifically designate the intersection of West 6th Street & K10 as such a node. This Development Code amendment would provide the implementation tool for the proposed revision to *Horizon 2020*.

CRITERIA FOR REVIEW AND DECISION-MAKING

Section 20-1302(f) provides review and decision-making criteria on proposed text amendments. It states that review bodies shall consider at least the following factors:

1) Whether the proposed text amendment corrects an error or inconsistency in the Development Code or meets the challenge of a changing condition; and

Horizon 2020, Chapter 6 anticipates changes and additions to the commercial framework over time. The proposed Comprehensive Plan Amendment is a result of changing circumstances that have occurred. The comprehensive plan provides for two CC centers, CC200 and CC400 which would allow a maximum of 400,000 square feet of commercial space for the node. The Commercial Regional designation is the next larger district, allowing a maximum of 1.5 million square feet of commercial space. Staff has identified that a designation is needed somewhere in the middle, one that would reasonably accommodate roughly 600,000 square feet of commercial space.

This proposed amendment to the Land Development Code would implement the proposed revision to *Horizon 2020*.

2) Whether the proposed text amendment is consistent with the Comprehensive Plan and the stated purpose of this Development Code (Sec. 20-104).

If the related Comprehensive Plan Amendment (CPA-4-2-12) is approved, the proposed text amendments will implement the policies related to the new Community Commercial Center designation, CC600.

Staff Review

The City Commission has initiated various changes to the *City Code* and the *Land Development Code* to add

The proposed changes are located in Article 1 – Introductory Provisions, Article 2 – Base Districts and in Article 13 – Development Review Procedures. Descriptions of the proposed changes are below.

- Article 1 – Introductory Provisions. The revision adds the CC600 District to the table of Zoning District Names.

20-110 TRANSITIONAL PROVISIONS

(e) Zoning District Names

The [Official Zoning District Map](#) designations in effect before the [Effective Date](#) are converted as follows:

Previous Map Designation	New Map Designation
RS, Single-Dwelling Residential Districts	
RS-A	RS40
RS-E	RS20
RS-1	RS10
RS-2	RS7
None (New)	RS5
None (New)	RS3
RSO Single-Dwelling Residential-Office Districts	
RO-1B and RO-2	RSO
RM, Multi-Dwelling Residential Districts	
RMD	RM12D
RM-1	RM12
None (New)	RM15
RM-2 and RM-2A	RM24
RM3 and RD	RM32
None (New)	RMG
RMO, Multi-Dwelling Residential-Office Districts	
RO-1 and RO-1A	RMO
C, Commercial Districts	
C-1	CN1
O-1	CO
C-2	CN2
C-3	CD
C-4	CS
C-5	CS
C-4A	CD
None (New)	CC200
None (New)	CC400
<u>None (New)</u>	<u>CC600</u>
None (New)	CR
I, Industrial Districts	
M-1	IBP
M-1A	IL
M-2	IG
M-3	IG
M-4	IG
Special Purpose Base Districts	
None (New)	GPI
None (New)	H
None (New)	OS
None (New)	UR

Previous Map Designation	New Map Designation
None (New)	U/U-KU
Planned Unit Development (All: PUD, PRD, PCD, PID, POD)	PUD[name], PRD[name], PCD[name], POD [name] or PID[name]
Overlay Districts	
Airspace Control Overlay	-ASO
Floodplain Overlay District	-FP
None (New)	-PD
South Lawrence Trafficway Overlay	-TC(SLT)
Downtown Urban Conservation Overlay	-UC(Downtown)

- Article 2 – Base Districts

The proposed changes to Article 2 are to Section 211. The Community Commercial District description is revised to include the CC600 District. In addition, site and street access requirements reflecting the CC600 policy statements proposed in Horizon 2020 are identified in this section.

20-211 CC, COMMUNITY COMMERCIAL DISTRICT

(a) Purpose

(1) The CC, Community Commercial Centers District, is primarily intended to implement the [Comprehensive Plan](#)'s Community Commercial Centers policy for commercial development at a community scale to serve multiple neighborhoods. Within the Community Commercial Center classification there are ~~two~~ **three** categories of commercial centers; the CC200 Center, ~~and the CC400 Center~~ **and the CC600 Center**. Permitted uses are the same in **all three** categories. ~~Density and dimensional standards are greater in the CC400 Center than in the CC200 Center.~~

(2) The Primary Purpose of the CC200 Center is to provide for the redevelopment of existing Community Commercial Centers and to provide an alternative for the existing highway strip commercial areas.

(3) The Primary Purpose of the CC400 **and CC600** Centers is to provide opportunities for development of new Community Commercial Centers for fringe areas as neighborhoods grow and develop.

(b) Principal Uses

[Principal Uses](#) are allowed in CC Districts in accordance with the Use Table of Article 4.

(c) Accessory Uses and Accessory Structures

[Accessory Uses](#) and [Structures](#) are permitted by right in connection with any lawfully established [Principal Use](#), except as otherwise expressly provided in this Development Code. Additionally, [Accessory Uses](#) are subject to the same regulations as the [Principal Use](#). [Accessory Uses](#) and [Structures](#), including [Home Occupations](#) are subject to the regulations of Section 20-532 et seq.

(d) Density and Dimensional Standards

Unless otherwise expressly stated, all development in CC Districts shall comply with the City's [Comprehensive Land Use Plan](#) and [Density](#) and Dimensional Standards of Article 6, as modified by the design standards set forth in Section 20-526. The following additional [Density](#) and Dimensional Standards shall apply in the CC District:

(1) Site Requirements

- (i) Not all corners of a CC200 **Commercial Node** shall be devoted to commercial uses. For a Center that has **Buildings** between 40,000 and 100,000 gross square feet in size, the maximum gross square feet of the Center shall not exceed 50% of the allowable commercial square feet for a CC200 **Commercial Node**.
- (ii) A minimum of 95% of the commercial gross square feet of a new CC400 Center shall be located on two (2) or fewer corners of the **Commercial Node** intersection. If there are remaining allowable square feet at a **Node** (intersection) after two or fewer corners are developed, one of the remaining corners may have 50% or less of the remaining 400,000 gross square feet of allowable commercial space. Any corner of an intersection where the gross square feet of commercial space is 20,000 or more shall have a minimum site area of 20 acres and a width to depth ratio between 1:1 and 3:2.
- (iii) **A maximum of 90% of the commercial gross square feet of a new CC600 Center shall be located on two (2) corners of the Commercial Node intersection.**

(2) Lot Requirements

Lot Area of any development within the CC Centers District shall maintain a width-to-depth ratio between 1:1 and 3:2. ~~A maximum **Building** coverage of 25% shall apply to all development within the CC Centers District.~~ **Site Area and Lot Area requirements within the CC Districts are provided in 20-601(b).** (Staff note - this building coverage change is in TA-8-12-11 which is on hold at city commission.)

(3) Floor Area Requirements

- (i) CC200 Centers: CC200 Centers shall contain no more than 200,000 gross square feet of the entire **Node's** commercial space as provided in Chapter 6 of Horizon 2020. **Floor Area** of any **Structure** for a **Principal Use** within a CC200 Center shall not exceed 100,000 gross square feet. Within a **Large Retail Establishment**, no more than 15% of the **Floor Area** may be devoted to ancillary uses separate in management or operation from the principal retail use. Ancillary uses shall take their public **Access** internally from the larger Retail Establishment. General retail stores (including general merchandise and apparel) shall not exceed 65,000 gross square feet.
- (ii) CC400 Centers: CC400 Centers shall contain no more than 400,000 gross square feet of the entire **Node's** commercial space as provided in Chapter 6 of Horizon 2020. **Floor Area** of any **Structure** for a **Principal Use** within a CC400 Center shall not exceed 175,000 gross square feet. Within a **Large Retail Establishment**, no more than 15% of the **Floor Area** may be devoted to ancillary uses separate in management or operation from the principal retail use. Ancillary uses shall take their public **Access** internally from the larger Retail Establishment.
- (iii) **CC600 Centers: CC600 Centers shall contain no more than 600,000 gross square feet of the entire Node's commercial space as provided for and defined in Chapter 6 of Horizon 2020 and Article 11 of this Development Code.**
 - a. **No more than two commercial buildings containing more than 100,000 gross square feet may be located on a single corner of the node.**

(e) Street Access

Development in the CC Centers District shall take **Access** from a **Collector Street**, **Arterial Street**, or designated highway. CC200 Centers shall be located at **Collector/Arterial Street** intersections or **Arterial/Arterial Street** intersections. CC400 Centers shall be located at the intersection of two **Arterial Streets** that have at least a four-lane cross section or at the intersection of a four-lane **Arterial Street** with a State or Federally designated highway. **CC600 Centers shall be located at the intersection**

of two State or Federally designated highways. Whenever possible, CC Centers development shall share direct or indirect [Access](#) through common curb cuts or private [Access](#) roads. When the CC Center site abuts a controlled intersection, [Access](#) shall be directed to a side street with adequate distance between the intersection and the site [Access](#) point(s).

(f) Other Regulations

There are a number of other Development standards that may apply to development in [Base Districts](#), including but not limited to the following:

- | | |
|--|-----------------------------|
| (1) General Development Standards | See Article 11. |
| (2) Landscaping | See Article 10. |
| (3) Off-Street Parking and Loading | See Article 9. |
| (4) Outdoor Lighting | See Section 20-1103. |
| (5) Overlay Districts | See Article 3. |

(g) Occupancy Limits

In non-RS Districts, no more than one [Family](#), as that term is defined in Section 20-1701(1), (2), and (3)(b), shall occupy a [Dwelling Unit](#).

- Article 13 – Development Review Procedures. The Lesser Change Table is modified to include the CC600 District option.

20-111 ZONING MAP AMENDMENTS (REZONINGS)

(c) Public Hearing Notice

Newspaper, posted and mailed notice of the [Planning Commission](#)'s public hearing shall be provided in accordance with Section 20-1301(p)(3). For purposes of K.S.A. §12-757, any [Zoning District](#) listed in the right-hand column of the Lesser Change Table that follows shall be considered a "lesser change" than a change to the [Zoning District](#) listed in the left-hand column of the same row of the table; in accordance with the cited section, a recommendation or action to amend the zoning map to assign the "lesser change" [Zoning District](#) to the land, rather than the [Zoning District](#) advertised in the notice, shall not require further notice. A recommendation or action to amend the Zoning Map to assign any [Zoning District](#) other than the one advertised in the notice or one included in the corresponding right-hand column of the Lesser Change Table will be inconsistent with the advertised hearing and shall require re-advertising and the holding of a new hearing, after proper notice. Such recommendation or action by the [Planning Commission](#) or the City Commission shall be construed as an instruction to the [Planning Director](#) to set a new hearing and to give notice of the proposed hearing, including the new [Zoning District](#) in the notice.

Table of Lesser Changes	
Advertised/Proposed Zoning District	Districts to be Considered a "Lesser Change"
RS40	None
RS20	RS40
RS10	RS20 or RS40
RS7	RS10, RS-20 or RS40
RS5	Any other RS except RS3 or RSO
RS3	Any other RS except RSO
RSO	Any other RS except RS-3
RM12, RM12D	Any RS except RSO
RM15	RM12 or any RS except RSO

Table of Lesser Changes	
Advertised/Proposed Zoning District	Districts to be Considered a "Lesser Change"
RM24	RM15, RM12 or any RS except RSO
RM32	Any RM or any RS
RMG	Any RM or any RS
RMO	RM15, RM12 or any RS
CN1	None
CN2	CN1, RSO or RMO
CD	CN1, CN2 or CC200
CC200	CN1 or CN2
CC400	CC200 or CN2
<u>CC600</u>	<u>CC400, CC200, CN2</u>
CR	<u>CC600</u> , CC400 or CC200
CS	CN1, CN2 or CO
IBP	None
IL	IBP or CN2
IG	IL, IBP, or CN2
Other Zoning Districts	Not Applicable

Memorandum
City of Lawrence
Douglas County
Planning Department

TO: Planning Commission

FROM: Amy Miller, Long Range Planner

CC: Scott McCullough, Director; Sheila Stogsdill, Assistant Director

Date: May 21, 2012

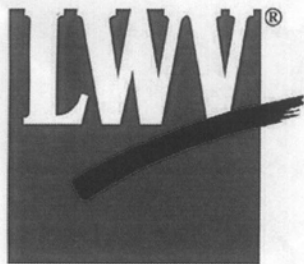
RE: Agenda Items No. 5 and 6:
Clarification of Retail vs. Non-Retail Uses

The following North American Industry Classification System (NAICS) codes are included in the definition of “**retail**”:

Code	2002 NAICS Title
44-45	Retail Trade
441	Motor Vehicle and Parts Dealers
442	Furniture and Home Furnishings Stores
443	Electronics and Appliance Stores
444	Building Material and Garden Equipment and Supplies Dealers
445	Food and Beverage Stores
446	Health and Personal Care Stores
447	Gasoline Stations
448	Clothing and Clothing Accessories Stores
451	Sporting Goods, Hobby, Book, and Music Stores
452	General Merchandise Stores
453	Miscellaneous Store Retailers
454	Nonstore Retailers
722	Food Services and Drinking Places
811	Repair and Maintenance
812	Personal and Laundry Services
	* Two-digit codes are <i>Sectors</i> ** Three-digit codes are <i>Sub-sectors</i>

The following NAICS codes are examples of uses that are **not considered retail in nature**, but that are frequently located in and around retail centers:

Code	2002 NAICS Title
42	Wholesale Trade
52	Finance and Insurance
53	Real Estate and Rental and Leasing
54	Professional, Scientific, and Technical Services
561	Administrative and Support Services
61	Educational Services
62	Health Care and Social Assistance
71	Arts, Entertainment, and Recreation
721	Accommodation (including hotels)



League of Women Voters Lawrence-Douglas County

P.O. Box 1072 • Lawrence, Kansas 66044-1072

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

May 20, 2012

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Email:
league@sunflower.com

Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: Item No. 5: Comprehensive Plan Amendment to H2020 – Chp. 6 And Chp. 14; CC600
Item No. 6: Text Amendment to City Of Lawrence Development Code; Amending Various
Sections to Add A CC600 District
Item No. 7: A & B1 To Cc600; 146 Acres; W 6th St & K-10

Dear Chairman Hird and Planning Commissioners:

We urge you to deny all of Items No. 5, 6, and 7.

We are asking this for the following reasons:

1. There are some serious procedural problems occurring here. First, the comprehensive plan (Item 5) needs to be officially amended and approved, not only by the Planning Commission but also by both the City and County Commissions. Only then should zoning text amendments be adopted that are dependent on the comprehensive plan, as is Item No. 6, the new CC600 District. Following the adoption and official incorporation of the new CC600 District into the City Code, only then should the process for a public hearing to amend the zoning district properly proceed (Item No. 7).

2. A major consideration that is driving all of these deliberations is whether the city should actually approve the location for and participate in building a recreational facility of the proposed intensity in the suggested location. *The issue is not whether the facility is needed or appropriate, but whether that particular location for that facility is appropriate.*

Furthermore, it would be surrounded by 100 or more acres of unplanned commercial land. If the proposed development were to occur in that location the traffic impact on 6th Street, and the potential effect of shifting the “center of activity” from the Downtown to that location, could have a very negative impact on the city as a whole.

3. Horizon 2020 should be followed, and the city should consider hiring a consultant to do an independent market analysis of the impact that this use in this location would have on the city as a whole, especially the Downtown. (Horizon 2020, Chapter 6, **policy 3.13**)

- a. City staff analysis is not a proper substitution for an “independent market analysis. [...performed by an] **independent consultant** chosen by the city...” The analysis is **supposed to be** unbiased and done by qualified professional consultants. The planning staff has seemingly justified the additional commercial land that would be added to the currently overstocked inventory of available commercial area and vacant buildings.

The thought seems to be, *don't worry, no one will use the land unless there is a demand (which admittedly doesn't exist).* **Wouldn't it be better to preserve the land for an employment-related and manufacturing use that the studies up to now have proposed for the area?**



4. We request that an independent traffic analysis also be undertaken:

a. The Staff Report (Item No. 5) states that "Commercial uses are generally viewed by the Development Code as equal to or lesser uses compared to industrial uses and so the project can feasibly be viewed as compatible with the comprehensive plan designation." The traffic impact analysis that the staff report mentioned indicating that industrial and commercial traffic impacts are interchangeable, or commercial uses are lesser in intensity than industrial uses, may have come from the Lesser Change Table. In this table the three categories of Residential, Commercial and Industrial cannot be compared with each other in intensity. Only within each category is this comparison intended. (20-1301(k)). Therefore, based on the source in the Staff Report, it is not a valid comparison to say that the traffic intensity of commercial land use and industrial land use are the same

b. According to a study that was made in 2006 by the consultants, TischlerBise, hired by the City for their study, "The Cost of Land Uses and Fiscal Impact Analysis," the uses of manufacturing and commercial retail are **quite different in their impact** on traffic intensity. The vehicle trip rates per 1000 square feet **are much higher with commercial land use than with industrial land use** (page 11, Figure 4, TischlerBise).

c. Consider that the Transportation Plan for that node, which was recently presented to you by the MPO (Lawrence-Douglas County Metropolitan Planning Organization), must be studied by them before any changes to it are considered. Also, all of the other considerations that need to be made regarding the improvements to that intersection, to 6th Street, and to Highway 40 extended, must take into consideration the increased traffic intensity that will occur with the change in use from manufacturing to recreation and commercial uses.

5. Once the CC600 District is actually incorporated into the zoning text (assuming that it is), it should have some method to actually control the maximum size and use of retail buildings. We suggest that any retail establishment that meets the requirement for a CC600 should also require a Special Use Permit or a Planned Development Overlay District.

Thank you for your patience in reading this material. We hope that you will carefully consider these points.

Sincerely yours,

A handwritten signature in cursive script that reads "Carrie Lindsey".

Carrie Lindsey
President

A handwritten signature in cursive script that reads "Alan Black".

Alan Black, Chairman
Land Use Committee

**RONALD SCHNEIDER
ATTORNEY AT LAW, P.A.**

900 MASSACHUSETTS ST., SUITE 600
LAWRENCE, KANSAS 66044
TELEPHONE: (785) 841-2040
FACSIMILE: (785) 856-0243

RONALD SCHNEIDER

OF COUNSEL:
CURTIS BARNHILL
MARGARET FARLEY

May 18, 2012

Richard Hird
Chairman of Lawrence-
Douglas County Metropolitan
Planning Commission
FAX: 832-3160

RE: CPA -4-2-12
TA -4-3-12
Z-4-5-12

Dear Mr. Rick:

I represent a number of landowners who live near or adjacent to the 146 acres associated with Z-4-5-12, change of zone request.

As you know, the City Commissioners recently voted to annex this property. During the annexation hearing, all City Commissioners expressed their intentions to devote extra-ordinary time and consideration to the zoning issues and contemplated land of the entire project and development due the importance and scope of this proposed project. The City Commissioners confirmed that this project requires time and thoughtful consideration. The Commission expressed its desire **NOT** to rush the zoning and land use components of this project.

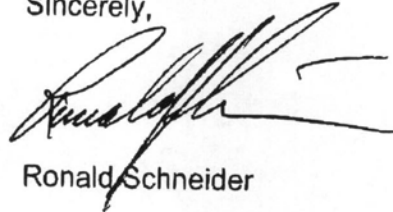
It is my opinion that the proposed public hearing on this rezoning and related planning matters is premature. Public opinion will be greatly affected by the information and dialogue at the public forum in June scheduled by the City. The proposed rezoning, changes to the code, and revision to the Nodal Plan should be considered only after this forum and additional information and reliable plans are available to the public.

On behalf of my clients, I respectfully request that the Planning Commission continue the hearing on these matters to enable the City to provide answers to the many unanswered questions on this immense and important project. I am confident that this request is consistent with the consensus and statements made by the Mayor and other Commissioners at their hearing on May 21, 2012.

Page 2
May 18, 2012

I await your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Schneider", with a stylized flourish at the end.

Ronald Schneider

RS:cw

cc: Scott McCullough, VIA FAX
Mayor Robert Schumm, VIA FAX
City Commissioners, VIA FAX

May 20, 2012

Scott and Jodi Bouyack
887 N. 1663 Road
Lawrence, KS 66049

Lawrence City Hall
City Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

Ms. Miller,

As a resident and landowner in Northwood Estates with property bordering on the north end of the 146 acre tract of land that is being considered for CC600 zoning, I write today to make a few comments which I hope the Planning Commission will consider as it determines its recommendation on this issue during the May 21, 2012 meeting.

My wife and I purchased our home in early 2010. Prior to making a decision to purchase our home, I conducted a fair amount of research with regard to future development plans in the vicinity of Northwood Estates. Of particular interest to me was the future plans for the acreage now referred to as the Northwest Quadrant of the intersection of W. 6th Street/Highway 40 and Kansas Highway 10 (K-10). My research indicated to me that we should expect that at some point the Northwest Quadrant would become developed. Thus, it has always been my expectation that as much as we enjoy having vacant fields and cows behind us, that at some point that would become developed territory.

Although I could have no way of definitively knowing in 2010 what sort of development might be built behind our house, there were two expectations my research uncovered that I felt I could count on relative to any future development, and thus provided me the assurance I was looking for to proceed with the purchase of our home. The first expectation was that the City of Lawrence desired for the future development of the W. 6th Street/Highway 40 and K-10 intersection to become an attractive "gateway" entrance for the city. This expectation provided me the assurance that whatever development would eventually be built behind our house would be done so in an attractive, well-planned, well-maintained manner, and would most likely not include unattractive business uses that the city would not be proud to display at such a prominent gateway.

The second expectation my research uncovered that gave me comfort was the designation in the Nodal Plan of a green space buffer along the northern edge of the Northwest Quadrant to help preserve the Baldwin Creek drainage basin and to "act as a transitional buffer for the lower-density residential development and agricultural activities for unincorporated Douglas County adjacent to this corner."

As of today, I am reasonably confident that the first expectation above will be adhered to in this future development. It seems clear that the City Commissioners, City Staff, City Planners, and Developers all still strongly desire for the development on this Northwest Quadrant to maintain the attractive characteristics of a prominent city gateway as described in the Nodal Plan and other planning documents. Further to that point, I can envision that the proposed development of a regional recreation center on this property could result in a more desirable development than many alternatives. For example, the fact that the Planning Staff, in its recommendation to the Planning Commission, has restricted several uses from the proposed CC600 zone because such uses would not enhance the site as a regional recreation facility is a positive benefit for adjoining neighbors, as it helps to assure us that we will not have business such as big box retail, vehicle sales, mini-warehouses and several other uses that would be considered undesirable to the neighborhood.

However, at this point in the process, I am not certain that the second expectation, the green space buffer, will be adequately met. Although city officials have stated on several occasions that they recognize the need for such a buffer, and further recognize that the Nodal Plan calls for such a green space buffer, the specifics of such a buffer are lacking. To that point, the City has recently provided an initial rendering of the site plan for the recreation center, and the lack of any green space buffer is highly conspicuous by its absence. In fact, I cannot even consider such a rendering to be a viable first draft, as it does not include this very important component, and look forward to the City and Developers providing a true, viable first draft in the very near future.

Considering the above, I would like to make one simple request of the Planning Commission as it considers its recommendation relative to this zoning question. My request is that should the Planning Commission go forward in recommending this property in question be zoned to CC600, that it do so with the condition that a green space buffer, one which reflects the spirit of such an element as described in the Nodal Plan, be required to be part of the future development.

Once again, we appreciate the City's willingness to engage us in this process and listen to our concerns. I will be attending the meeting on May 21, and any such subsequent relevant meetings, and look forward to being a part of the process. If at any time you would like to talk to me directly, I can be reached via phone at (678) 778-0797 or email at scott.bouyack@gmail.com.

Sincerely,

Scott Bouyack

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

May 21, 2012

City of Lawrence
Attn: Mary Miller - City Planning Office
6 East Sixth Street
Lawrence, KS 66044

Dear Ms. Miller:

As residents of the Estates of Northwood, we are writing to formally express our concerns regarding the proposed development of the land located at 6th street and E. 900 road.

Following the recent City Council meeting, we were provided a concept plan for the proposed development. This proposal raised significant red flags for residents of our neighborhood.

First, the concept plan does not honor the green space originally outlined in the nodal plan. Placing the recreation center, stadium and parking lots directly adjacent to our property provides no buffer between our backyards and the development. The resident of our neighborhood purchased land and built homes based on an understanding of green space outlined in the City's nodal plan.

Second, the concept plan does not appear to preserve the natural drainage system provided by the Baldwin Creek drainage basin. While the city may plan to remove this naturally occurring pathway, several of the properties on the south side of our neighborhood have this creek continuing through their property. This could result in significant drainage issues in the future. Additionally, other properties on the south side currently have flooding concerns during heavy rains and this development could further exacerbate this issue.

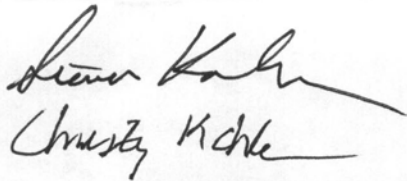
Third, the concept plan does not appear to have addressed the traffic issue through our neighborhood sufficiently. Requiring our neighbors to proceed through the new development to reach our homes is not a satisfactory solution. Given times of heavy activity in the area, this could place us in the middle of significant event traffic. As discussed at the meeting held at the Indoor Aquatic Center in April, we would prefer to have access to our neighborhood to the west of the development with proper signage to discourage non-residents from entering N. 1663 Road. This could be accomplished by alternating the dead end on N. 1663 from the west end to the east end.

Finally, without the proper market studies to understand the needs of the community, it is premature to determine the appropriate zoning for this area.

The City has a unique opportunity for this development. Unlike most instances, there is sufficient space to plan the site in a way that can truly accommodate the needs of the city and the surrounding community. We encourage you to take advantage of this opportunity to create a "gateway" for our city in a manner that is acceptable to all parties involved.

Thank you in advance for considering our concerns. We look forward to continued dialogue as the process progresses.

Sincerely,

The block contains two handwritten signatures. The first signature is 'Steven Kahle' and the second is 'Christy Kahle'. Both are written in a cursive, flowing style.

Steven & Christy Kahle
875 N. 1663 Road

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

Kenneth and Anna Oliver
873 N. 1663 RD
Lawrence, KS 66049

785-550-7746

May 21, 2012

Mary Miller
City/County Planner
Lawrence City Hall
6 East 6th St
Lawrence, KS 66049

Dear Ms. Miller,

Please include this letter regarding the rezoning of the NW corner of K-10/US-40 in the packet to be presented during your May 21 Planning Commission meeting. We will not be able to attend the meeting because of our work schedules, but would appreciate your taking our concerns into consideration.

We appreciate your notifying us of the completed staff report and at first blush, we are generally in agreement with the conditional zoning restrictions you are recommending. We also want to thank you for your time and effort in restricting uses that would not be complimentary to the proposed recreation center and that would be detrimental to our neighborhood.

We are however, frustrated that a new zone designation (CC600) is being proposed for the first time and recommended for this property with conditions, while the City does not know the size, scope and cost of their portion of the project and no sight plans have been submitted. There are many unanswered questions as to whether the rezoning and proposed development complies with the Nodal and Horizon 2020 plans. We received the staff report for the CC600 rezoning on Thursday the 17th, tried to research the hundreds of pages of reports and plans, formulate and draft comments to be delivered prior to 10:00am the following Monday morning. That's hardly enough time for the residents of our neighborhood to cipher through all the information and provide meaningful input, which is what the Mayor, City Commissioners, Planning Commission and City Manager have requested. We are not grasping for stalling tactics, as we firmly believe this project could be very good for the community. We are however very concerned that this project has not been given due diligence and many requirements for development are being overlooked. For example, considering the proposed uses, has the necessary traffic and marketing studies been completed, and has the Nodal and other planning documents been updated?

Along with our neighbors, we purchased our property and built our home after reviewing the Nodal Plan and learning the property in question was planned for low-density industrial/warehouse/office uses with a large green zone buffer between our homes and future development. After seeing examples around town of similar buildings, we found them acceptable, purchased our property and built our homes. Now the uses being proposed would have significantly more traffic, noise and light pollution. For this reason, as the project moves forward we are strongly encouraging the city to exceed the standards for mitigating the negative effects to surrounding neighborhoods per the following plan excerpt:

20-1101

PROTECTION STANDARDS FOR RESIDENTIAL DISTRICTS

(a) Design and Operational Compatibility Standards—Discretionary Approvals

As a condition of approval of any Special Use Permit, Map Amendment, site plan or other discretionary approval of any multi-Family use or nonresidential use located within 500 feet of any less intensive residential district, the City Commission, Planning Director, Planning Commission or other review body may impose conditions that exceed the minimum requirements of this Chapter and that, in the opinion of the review body, are necessary to reduce or minimize any potentially adverse impacts on residential property, including, but not necessarily limited to, the following:

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City Council Planning Office
Lawrence, Kansas
- (1) location on a site of activities that generate potential adverse impacts on adjacent uses, such as noises and glare;
 - (2) placement and buffering of trash receptacles;
 - (3) location of loading and delivery areas;
 - (4) lighting location, intensity, and hours of illumination;
 - (5) placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities;
 - (6) additional Landscaping and buffering;
 - (7) Height restrictions to preserve light and privacy and views of significant features as viewed from public property and rights-of-way;
 - (8) preservation of natural lighting and solar Access;
 - (9) ventilation and control of odors and fumes; and
 - (10) paving or other surface treatment for dust control.
- (b) Height Limit on Projects Adjoining Certain Residential Zoning Districts
See Section 20-701(g) for Height limits in the PD district.

Consideration needs to be given to the neighbors for the significant negative effects of the rezoning and subsequent development in the form of a green space buffer, additional large caliper trees, directional and timed exterior lighting, and a large berm. An acceptable berm would be similar to the one immediately behind the Walmart on 6th Street. However, because of the direction and location of the proposed street into the recreation center, stadiums and the proximity to our homes, an even taller berm would be necessary.

There is a significant grade from our property line up to US-40. Because the proposed stadium would be situated on the hill, we think an in-ground stadium would be beneficial for several reasons. An in-ground stadium would reduce the height of the structure and make it more visually appealing. The noise and light pollution would be contained significantly and the dirt removed for the stadium could be used for a berm to further reduce those negative effects. It is also my understanding that track and field events need to be sheltered from excessive wind for the competitor's results to be recognized as records. An in-ground stadium would go a long way in making it an elite track and field venue.

Our other concerns have not changed since our last correspondence as we are anxious to maintain the dead end access to N.1663 RD. The concept plan that was recently released proposed a convoluted route to our neighborhood. We would rather have a dead end entrance on the west side of 1663 RD to US 40 in lieu of the entrance shown on the concept drawing. In addition, we are very concerned that the manipulation of the Baldwin Drainage basin would potentially flood our property during seasonal heavy rains.

Thank you again for taking our concerns into consideration. We know a lot of questions will come to light when sight plans are eventually submitted, and we are hopeful that this will be a great development for our community, but the City needs to take a step back and complete the processes that are in place to ensure all involved (The City, Taxpayers, Developers, and Neighbors) are on the same page and protected before moving forward. The public forum on June 6th is a great start, and we are hopeful that more information will flow between the city and the public at that time.

Sincerely,



Kenneth and Anna Oliver

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

ITEM NO. 7: A & B1 TO CC600; 146 ACRES; W 6TH ST & K-10 (MKM)

Z-4-5-12: Consider a request to rezone approximately 146 acres located in the NW quadrant of the intersection of West 6th Street/Hwy 40 and Kansas Hwy 10 (K-10) from County A (Agriculture) District and County B1 (Neighborhood Business) District to the pending City of Lawrence District CC600 (Community Commercial) District to accommodate a regional recreation facility. *Initiated by City Commission on 4/10/12 with property owner's consent.*

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request for approximately 146 acres from A (County-Agriculture) District and B-1 (County-Neighborhood Business) District to CC600 (Community Commercial) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report and subject to the following condition:

The permitted uses in this District shall be limited to those listed in Table 1 of this staff report.

ATTACHMENTS

- A:** Comparison table of uses permitted in the CC District and those recommended for this district through conditional zoning.
- B:** Statement from City regarding the recreation center/wellness center.
- C:** Communications regarding the development proposal which were submitted by neighboring property owners with the annexation request.
- D:** Preliminary concept plan – the property owner submitted a concept plan on May 15th to aid in reflecting and discussing the possibilities for the recreation center site. This concept plan serves for illustrative purposes only and is a starting point for discussing the potential development of the site as a regional recreation center with surrounding neighbors and stakeholders of the recreation facility.

PROPERTY OWNER'S REASON FOR REQUEST

"To permit the strategic alliance of private and public entities who wish to join for the purpose of developing a first class regional recreation center for multiple sports and activities, a health and wellness center, fitness facilities, amenities including concessions, lodgings, trails, and parking."

KEY POINTS

- The subject property complies with locational criteria for the CC600 District included in a Comprehensive Plan Amendment which is scheduled for consideration at the May Planning Commission.
- The property is currently located outside the city limits. An annexation request for the subject property was initiated by the City Commission on March 27, 2012 and recommended for approval by the Planning Commission at their April 23, 2012 meeting. The annexation request and ordinance was approved by City Commission on May 15, 2012.

GOLDEN FACTORS TO CONSIDER

CHARACTER OF THE AREA

- This is currently a rural area in the City of Lawrence Urban Growth Area with predominately agricultural and rural residential uses. A church with an accessory day care center is located to the south across Highway 40. The area has good access to the transportation network, with the intersection of KS Hwy 10 Bypass and US Hwy 40 located at the east of the area and Hwy 40 travelling through the area from east to west.

CONFORMANCE WITH *HORIZON 2020*

- The proposed rezoning request from A (Agriculture) District and B-1 (Neighborhood Business) District to CC600 (Community Commercial) District is consistent with land use recommendations found in *Horizon 2020*, with revisions being proposed.

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated items being considered at the May Planning Commission meeting:

- CPA-4-2-12: Amendment to Chapter 6 of Horizon 2020 to create CC600 District policies and to Chapter 14 Specific Plans, to revise the West of K-10 Plan and A Nodal Plan for the Intersection of West 6th Street & Kansas Highway 10 (K-10) designating the node of 6th Street and K-10 as a CC600. *Initiated by City Commission on 4/10/12.*
- TA-4-3-12: Text Amendment to the City of Lawrence Land Development Code to create a CC600 Zoning District. *Initiated by 4/10/12.*

Other action required:

- Publication of annexation ordinance.
- City Commission approval of rezoning and adoption of ordinance.
- Publication of rezoning ordinance.

OTHER ACTIONS REQUIRED PRIOR TO DEVELOPMENT

- Platting of the property through the Major Subdivision process.
- Site plan approved prior to release of building permits.

PUBLIC COMMENT

- No public comments were received prior to the printing of this staff report; however, several public communications were received in regards to this development with the annexation request. These public communications were provided with the annexation request, but will also be included as communications in Attachment C since they speak to the rezoning of the property as well as the annexation.

GENERAL INFORMATION

Current Zoning and Land Use: A (County-Agriculture) and B-1 (County-Neighborhood Business) District; undeveloped land with a communications tower.

Surrounding Zoning and Land Use: To the north:
A-1 (County-Suburban Home); 13-lot platted rural subdivision partially developed with detached homes.

To the west:

A (County-Agriculture) District; rural residences.

To the east:

CC 400 (Community Commercial) District and UR (Urban Reserve) District with rezonings to the RS7, RM12D, RM24, RMO, and PCD-Mercato pending publication of ordinances; undeveloped property in the process of being platted. Preliminary Development Plan approved for the PCD-Mercato property.

To the south:

A (County-Agriculture); Hwy 40 and a church with accessory day care center.

Project Summary

The subject property is owned by Tanglewood LC and Hanover Place LC. The project will be a public /private partnership including the donation of 50 acres to the city to construct a regional recreational center. While many details need to be finalized, the recreation center project may include basketball courts, indoor recreation track, cardio facilities, recreation areas, an arena capable of holding sporting or entertainment events, potential uses for the University of Kansas, and other ancillary uses typical of such a facility – retail merchandise, food/drink, etc.

In addition to the 50-acre recreation facility, the remaining acreage is planned to support the facility with expansion opportunities, additional recreation uses, and commercial uses – restaurant, retail, hotel, office etc.

The property owner had originally requested rezoning to the IL, IG, and CN2 District; however, not all the uses being proposed with this project are permitted within these districts; therefore, commercial zoning was necessary to accommodate this project. The City initiated a rezoning to the CC600 District at their April 10, 2012 meeting with the property owner's consent.

With the uses being proposed for the regional recreational center, the use would fit the definition of *Active Recreation*, *Participant Sports and Recreation*, and *Entertainment and Spectator Sports*. These uses are permitted in the CC (Community Commercial Center), the CR (Regional Commercial) and the CS (Commercial Strip) Districts. The other complementary/associated uses being suggested would also be permitted within these Commercial Districts.

The Development Code prohibits the zoning of any new undeveloped parcel to the CS District except in the case where an undeveloped parcel is adjacent to an existing CS District to allow the expansion of an existing use. The CR District is intended to accommodate up to 1.5 million gross square feet of commercial space. The scale and intensity of the development associated with a Regional Commercial Center may not be appropriate for this location. An amendment to the Comprehensive Plan to create the CC600 Zoning District was initiated by the City Commission and will be considered by the Planning Commission at their May 2012 meeting.

While the property may be appropriate for the CC600 District based on its proximity to the intersection of a State and Federal Highway, not all uses permitted in the CC600 District may be appropriate and complementary to the project being proposed. In order to insure the development of a regional recreational facility with complementary or associated uses, staff recommends that the CC600 Zoning be conditioned to prohibit uses which may not be compatible with the project. The list of permitted uses being recommended for this District is included in Table 1.

REVIEW & DECISION-MAKING CRITERIA

CONFORMANCE WITH THE COMPREHENSIVE PLAN

Property Owner's Response:

- "A. The announced opportunity to create a first class regional recreation center with the support of private and public entities meets the Horizon 2020 General Goal, "to provide within the range of democratic and constitutional processes, for the optimum in public health, safety, convenience, general social and physical environment and individual opportunities for all the residents of the community, regardless of racial, ethnic, social or economic origin." Horizon 2020, p 1-3*
- B. The regional recreation center and its amenities will epitomize the goal of "Pursuit of Quality...with and emphasis on increased efficiency, improved service and stronger interrelationships among public and private organizations." Horizon 2020, p 1-3*
- C. It is consistent with the visionary goals of the Parks and Recreation chapter of Horizon 2020, which emphasizes the need for coordinated and cooperative planning and development (Goal 1, p. 9-11); the need to expand the existing park and recreation opportunities to stay ahead of growth and meet anticipated community demand (Goal 3, p. 9-16) and the area is identified as a future park and recreation area (Map 9-1).*

The Lawrence Future Land Use Map in *Horizon 2020* (page 3-4) shows this property in the Urban Growth Area. This area is included in both the Nodal Plan for the Intersection of West 6th Street and Kansas Highway 10 (K-10) adopted 2003, and the West of K-10 Plan Area Plan, adopted 2009.

Specific recommendations regarding land uses in this area are contained within these nodal and area plans found in Chapter 14, *Horizon 2020*.

Nodal Plan for Intersection of W 6th Street and Kansas Highway 10 (K-10)

This nodal plan looked at properties surrounding the intersection of W 6th Street and K-10 Highway and recommended specific land uses and policies for the development of the node. This plan recommended that 95% of the commercial rezoning be provided on the eastern corners of the intersection due to the following: *"As part of the recommendations in this plan, it should be noted that the eastern half of the nodal study area is currently within the city limits of Lawrence. Both the northeast and southeast corners of the West 6th Street/k-10 intersection area are under pressure to develop. The majority of commercial uses have been allocated on the eastern edges of the nodal study area in recognition of this development pressure. Also, as indicated in the inventory and analysis portion of this plan, city services, including substantial infrastructure improvements, are more readily available to serve the*

eastern portion of the nodal study area in the immediate future compared to the western portion.” (Page 23)

As city services are now available, or can be made available, to serve the property west of the K-10 Highway development to the west of K-10 is appropriate. A Comprehensive Plan Amendment to revise the long-range plans in Chapter 14 to accurately reflect the status of the western corners of this intersection and to deal with the increasing development pressures at this area was initiated and is part of the Comprehensive Plan Amendment being considered at the May Planning Commission meeting.

Chapter 6 of *Horizon 2020* is being revised to include recommendations for the CC600 District. The following is a review of the proposed rezoning with the recommendations for the CC600 District:

1. The purpose of the CC600 Center is listed as “*to provide opportunities for development of new Community Commercial Centers for fringe areas as neighborhoods grow and develop.*”
2. The center is limited to no more than 600,000 sq ft of commercial retail space.
3. The center shall be located at the intersection of 2 state or federally designated highways.
4. Chapter 6 specifically recommends the intersection of K-10 and W 6th Street (Highway 40) as a location for a CC600 District.

The rezoning request is in conformance with these recommendations in the comprehensive plan.

Staff Finding – The proposed rezoning request conforms with *Horizon 2020* policies in the West of K-10 Plan and in Chapter 6, as amended. The area has been planned for urbanization and city sewer and water are available to be extended to serve the property.

ZONING AND LAND USES OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

The predominate use of nearby property is agriculture and rural residential, a platted rural residential subdivision in the A-1 (County-Suburban Home) Zoning District to the north which is developed with residences and rural residences to the west of the subject property in the A (Agricultural) Zoning District. A church and accessory day care center are south of Hwy 40 in the A District. The land to the east of the K-10 is within the city limits of Lawrence and has commercial zoning (CC400 published, and



Figure 2. Land use of nearby properties. Subject property is outlined.

PCD pending adoption of ordinance), multi- and single-dwelling residential zoning and multi-dwelling residential-office zoning approved pending adoption of ordinance.

Staff Finding – Zoning in the area consists of A (County Agriculture), A-1 (County Suburban Home) and B-1 (County-Neighborhood Business) Districts and CC400 (Community Commercial Center) District. Zonings to the RM24, RS7, RM12D, PCD-Mercato, and RMO Districts have been approved for property east of the K-10 and are pending adoption and publication of ordinances. Land uses in the area consist primarily of rural residences, agriculture, and a church. With appropriate site design, the proposed use would be compatible with the surrounding land uses.

CHARACTER OF THE AREA

Property Owner's Response:

"It is predominately rural that is urbanizing. There is one residence to the west, a few to the north, a church to the south, and the rest is vacant agricultural land with broadcast tower. The subject property is at the intersection K-10 and US 40."

The subject property abuts the Lawrence city limits on the east and is being annexed into the City. The area consists of agricultural land with rural residences with a church to the south of Highway 40. The area has good access to the transportation network with the K-10 and Highway 40 intersection. The character will change as urbanization occurs. Beyond the commercial note, office and multi-dwelling uses are planned. Hwy 40 will be improved and city sewer and water will be extended.

Staff Finding – The area contains a mix of agriculture and rural residences as well as a major transportation network in the form of the intersection of K-10 and US Hwy 40. The character of the area will change with more urbanized development over time given its location in the UGA.

PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

The subject property is included in the West of K-10 Plan. An amendment to the West of K-10 Plan is before the Planning Commission at their May 2012 meeting. The plan, as amended, recommends a mix of retail, office and recreation center uses, with up to 600,000 sq ft of retail space to be located at this intersection. The intensity of these uses is anticipated to be 'medium'. The total allocated retail space for the northwest corner of the intersection is approximately 180,000 sq ft; though other non-retail commercial, office, and recreation uses can be developed without this area restriction.

Staff Finding – The proposed rezoning is in conformance with plans for the area as reflected in the revised West of K-10 Plan.

SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Property Owner's Response:

"The property has been suitable for its current restrictions, but it is the only large size tract on the edge of or within Lawrence that is suitable for a major regional recreation center for multiple sports and activities and other amenities that can also provide for expansion and support of those activities to create a regional destination as well as a community recreation facility."

The property is currently zoned A (Agricultural). The Agricultural District is intended to provide for a full range of agricultural activities. Uses permitted within the A District include agricultural uses, animal hospitals, commercial dog kennels, commercial riding stables, detached dwellings, schools, and churches. The property is suited for uses permitted within the A District; but is also suited for more urban uses given the proximity to the transportation network, the pending annexation into the City, and the availability of City services.

Staff reviewed the uses which are permitted in the CC600 District based on the following criteria:

- uses which could complement or enhance a regional recreation center
- uses which would have intensity of activity which would be compatible with the surrounding area.

Given the type of development that is being proposed and the development that currently exists in the area, staff recommends restricting the uses permitted in the CC600 District for this property as noted in the table below.

Several uses may not meet the criteria noted above, in staff's opinion. For example, Large Retail Establishments ("big box"), certain Vehicle Sales and Services uses, Animal Services uses, and the Mini-warehouse use, to name just a few, would not enhance the site as a regional recreation facility. The property owner is in agreement with this list of uses. A comparison of the uses permitted in the CC600 District and the recommended uses is provided in Attachment A.

TABLE 1. Recommended Uses	
Residential	Offices
Multi-Dwelling Structure (mixed use, 50% non-residential)	Administrative and Professional
Non-Ground Floor Structure (mixed use, 50% non-residential)	Financial, Insurance and Real Estate
Work-Live Unit (mixed use, 50% non-residential)	Other
Community Facilities	Parking
College/University	Accessory
Cultural Center/Library	Retail Sales and Services
Day Care Center	Business Support
Lodge, Fraternal and Civic Assembly	Food and Beverage
Postal and Parcel Service	Personal Convenience
Public Safety	Personal Improvement
Social Service Agency	Retail Sales, General (65,000 sq ft limit)
Utility Minor (P or SUP)	Transient Accommodations
Utility Major (SUP)	Hotel Motel, Extended Stay
Medical Facilities	Vehicle Sales & Service
Health Care Office/Clinic	Cleaning (car wash)
Outpatient Care Facility	Gas and Fuel Sales
Recreational Facilities	Industrial Facilities
Active Recreation	Manufacturing and Production Ltd (SUP)

Entertainment and Spectator Sports (General and Limited)	Manufacturing and Production Tech
Participant Sports and Recreation (Indoor and Outdoor)	Research Service
Passive Recreation	Wholesale Storage and Distribution
Nature Preserve / Undeveloped	Light
Private Recreation	Agriculture
Religious Assembly	Crop Agriculture
Religious Institution (Community or Neighborhood)	Communications Facilities
Eating and Drinking Establishments	Amateur and Receive Only (accessory)
Accessory Bar	Communications Service Establishment
Bar or Lounge	Telecommunication Antennae (accessory)
Brewpub	Telecommunication Tower (SUP)
Fast Order Food	Satellite Dish (accessory)
Fast Order Food with Drive-In	Recycling
Private Dining Establishments	Large Collection
Quality Restaurant	Small Collection

Staff Finding – The property is suitable for the uses to which it is restricted with the current A Zoning. However, given the proximity of 2 major highways, the pending annexation of the property into the City of Lawrence, the adopted plans for urbanizing this area, and the availability of City utilities to serve this property, the property is also suited to the uses permitted within the CC600 District. The permitted uses are recommended to be restricted as shown in Table 1, to maintain the character of the project as proposed as a Regional Recreational Facility with associated or complementary uses.

LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Property Owner's Response:

"It has been farmed and been the site of a rural residence since it was zoned."

Staff Finding – The subject property is undeveloped with the exception of a communications tower and a storage building.

EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Property Owner's response:

"There may be some activity that could affect the rural residences that are north and west of the subject area."

The property, as currently zoned, would permit uses that are allowed in the Agricultural District. The commercial uses being recommended are those which are considered to be associated with or complementary to a regional recreational facility. Outdoor activity, lighting, and parking could have impacts on nearby properties. These impacts should be addressed during the site planning stage with sensitive site design and appropriate screening and buffering from adjacent residential properties.

Staff Finding –Impacts to nearby properties may be possible from the proposed commercial and recreational development. These should be addressed through appropriate site design and layout, buffering, and screening.

THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Property Owner's Response:

"See statement from City of Lawrence on March 8, 2012." (Attachment B)

Evaluation of these criteria includes weighing the benefits to the public versus the benefits of the owner of the subject property. Benefits are measured based on the anticipated impacts of the rezoning request on the public health, safety and welfare.

If the rezoning request were denied, the property could remain in agricultural uses or other uses which are permitted in the A District. This may help alleviate the negative impacts which could occur from urbanization of the area; however, the list of permitted uses were restricted to permit only uses which would enhance the recreational facility and would be of an intensity that would be compatible with the area. If the rezoning were approved, the limited uses would serve to create a more compatible development. Communities are striving to provide more opportunities for their citizens to exercise and participate in recreation. These activities provide health benefits which would benefit the community as a whole.

Staff Finding – Uses which are considered incompatible, or may be of too great an intensity for the area are restricted with the conditional zoning. The denial of the rezoning request, as conditioned, would have no beneficial impact for the public. Approval of the rezoning request could result in a high-quality, recreational/wellness center that could be a major amenity to the community and will make health benefits available to the community.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends the approval of the rezoning request from A and B-1 to the CC600 District based on the recommendations in Chapter 6 and 14 of *Horizon 2020* and the findings of fact listed in this staff report subject to the condition that the uses be restricted to those included in Table 1 of this report.

USE COMPARISON CHART	
Permitted Uses-- CC District	Uses Recommended For this District
Residential	Residential
Multi-Dwelling Structure (mixed use,50% non-residential)	Multi-Dwelling Structure (mixed use,50% non-residential)
Non-Ground Floor Structure(mixed use,50% non-residential)	Non-Ground Floor Structure (mixed use,50% non-residential)
Work-Live Unit (mixed use,50% non-residential)	Work-Live Unit (mixed use,50% non-residential)
Group Home (SUP)	
Community Facilities	Community Facilities
Cemetery	
College/University	College/University
Cultural Center/Library	Cultural Center/Library
Day Care Center	Day Care Center
Day Care Home	
Lodge, Fraternal and Civic Assembly	Lodge, Fraternal and Civic Assembly
Postal and Parcel Service	Postal and Parcel Service
Public Safety	Public Safety
Funeral and Internment	
Temporary Shelter (accessory or SUP)	
Social Service Agency	Social Service Agency
Community Meal Program (accessory or SUP)	
Utility Minor	Utility Minor
Utility Major	Utility Major
Medical Facilities	Medical Facilities
Health Care Office/Clinic	Health Care Office/Clinic
Outpatient Care Facility	Outpatient Care Facility
Recreational Facilities	Recreational Facilities
Active Recreation	Active Recreation
Entertainment and Spectator Sports (General and Limited)	Entertainment and Spectator Sports (General and Limited)
Participant Sports and Recreation (Indoor and Outdoor)	Participant Sports and Recreation (Indoor and Outdoor)
Passive Recreation	Passive Recreation
Nature Preserve / Undeveloped	Nature Preserve / Undeveloped
Private Recreation	Private Recreation
Religious Assembly	Religious Assembly
Religious Institution (Community or Neighborhood)	Religious Institution (Community or Neighborhood)
Animal Services	
Kennel	
Livestock Sales	
Animal Sales and Grooming	
Veterinary	
Eating and Drinking Establishments	Eating and Drinking Establishments
Accessory Bar	Accessory Bar

Bar or Lounge	Bar or Lounge
Brewpub	Brewpub
Fast Order Food	Fast Order Food
Fast Order Food with Drive-In	Fast Order Food with Drive-In
Private Dining Establishments	Private Dining Establishments
Quality Restaurant	Quality Restaurant
Offices	Offices
Administrative and Professional	Administrative and Professional
Financial, Insurance and Real Estate	Financial, Insurance and Real Estate
Other	Other
Parking	Parking
Accessory	Accessory
Commercial Parking Facilities	
Retail Sales and Services	Retail Sales and Services
Building Maintenance	
Business Equipment	
Business Support	Business Support
Construction Sales and Service	
Food and Beverage	Food and Beverage
Mixed Media Store	
Personal Convenience	Personal Convenience
Personal Improvement	Personal Improvement
Repair Service, Consumer	
Retail Sales, General (65,000 sq ft limit)	Retail Sales, General (65,000 sq ft limit)
Retail Establishment, Large (100,000 sq ft or more)	
Retail Establishment, Medium (less than 100,000 sq ft)	
Retail Establishment, Specialty	
Sex Shop	
Sexually Oriented Theater	
Transient Accommodations	Transient Accommodations
Campground	
Hotel Motel, Extended Stay	Hotel Motel, Extended Stay
Vehicle Sales & Service	Vehicle Sales & Service
Cleaning (car wash)	Cleaning (car wash)
Fleet Storage	
Gas and Fuel Sales	Gas and Fuel Sales
Heavy Equipment Repair	
Heavy Equipment Sales/ Rental	
Inoperable Vehicles Storage	

Light Equipment Repair	
Light Equipment Sales/Rental	
RV and Boats Storage	
Industrial Facilities	Industrial Facilities
Laundry Service	
Manufacturing and Production Ltd (SUP)	Manufacturing and Production Ltd (SUP)
Manufacturing and Production Tech	Manufacturing and Production Tech
Research Service	Research Service
Wholesale Storage and Distribution	Wholesale Storage and Distribution
Exterior Storage (when accessory)	
Heavy (SUP)	
Light	Light
Mini-warehouse	
Adaptive Reuse	
Designated Historic Property	
Agriculture	Agriculture
Agricultural Sales	
Crop Agriculture	Crop Agriculture
Communications Facilities	Communications Facilities
Amateur and Receive Only (accessory)	Amateur and Receive Only (accessory)
Communications Service Establishment	Communications Service Establishment
Telecommunication Antennae (accessory)	Telecommunication Antennae (accessory)
Telecommunication Tower (SUP)	Telecommunication Tower (SUP)
Satellite Dish (accessory)	Satellite Dish (accessory)
Recycling	Recycling
Large Collection	Large Collection
Small Collection	Small Collection

EXHIBIT D

-----Original Message-----

From: City of Lawrence KS [<mailto:mailinglist@ci.lawrence.ks.us>]

Sent: Thursday, March 08, 2012 1:29 PM

To: Jane M. Eldredge

Subject: A statement from the City of Lawrence concerning recreation center discussions

NEWS RELEASE

FOR IMMEDIATE RELEASE

Thursday, March 8, 2012

Contact: David L. Corliss, city manager, (785) 832-3400 OR Erin Zimney, Assists Foundation, (785) 218-2310

/The following is a statement from the City of Lawrence concerning recreation center discussions:/

The Lawrence City Commission has recently been presented with a wonderful opportunity to significantly advance our community, particularly in the area of recreation facilities for our citizens, sports event hosting, and economic development. This proposal envisions a public-private partnership that, if approved, would create facilities far beyond the city's ability by itself.

The public-private partnership would involve the possible donation of real estate at the northwest corner of West 6th Street (Highway 40) and K-10 Highway. The proposal would make the site a regional recreation center - established through a public-private partnership - providing opportunities for multiple sports and activities. The public-private partnership includes Bill and Cindy Self's Assists Foundation. The Assists Foundation provided the following quote from Bill Self:

"Cindy and I founded Assists out of the desire to help our community meet a need for recreational and wellness space. It has been our goal to be a part of a project that benefits our community and that is accessible and beneficial to everybody, especially our youth.

This particular project has the potential to be even more impactful than anything we've been working towards to date.

Through the generosity of partners, we believe we've been given an avenue to help make Lawrence not only a great place to live for our citizens but also a destination. In terms of recreational space, public accessibility and economic impact for our community, this project is very, very exciting and far exceeds our original goals."

As proposed, the facility would include multiple basketball courts which could be converted into half courts or used for volleyball providing the opportunity to host large tournaments and allow open-play for community members, a large arena, indoor elevated track, indoor turf area, health and wellness center, fitness facility and amenities including concessions, trails and walking areas, and parking.

The University of Kansas and Kansas Athletics are currently exploring the opportunity to also locate certain KU facilities at this site as well. The city views the possible location of KU facilities and events at this location as an exciting opportunity and greatly welcomes their participation.

This is a truly exciting opportunity for the Lawrence community. If the proposed facility proceeds, Lawrence could be the host of national and regional sports tournaments and events for all ages and abilities.

Such events would provide outstanding economic benefits to Lawrence.

We would have a first-class recreation and event facility providing substantially more opportunities than our current facilities allow.

In the coming weeks and months, the city will consider several matters related to the proposed project, including agreements governing the design and city financial participation in the facility, management of the facility, donation of the property, city infrastructure installation and receiving necessary land use approvals for the project.

April 16, 2012

RECEIVED

APR 18 2012

Scott and Jodi Bouyack
887 N. 1663 Road
Lawrence, KS 66044
City of Lawrence
County Planning Office
Lawrence, Kansas

Lawrence City Hall
City Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

Ms. Miller,

As our address above would indicate, my wife and I are residents of Northwood Estates, the development just north of the land where the proposed recreation center and ancillary developments are being discussed. I am writing you today to express some areas of concern that we have, as directly adjacent residents, with this proposed annexation, rezoning, and development.

Prior to purchasing our home in Northwood Estates in 2010 I researched future development plans, and the Nodal Plan, closely. The following excerpt from the Nodal Plan resonated very strongly with me, as it spoke most directly to address potential impact of development on my property:

"Such uses are encouraged at the gateways to the City and it's anticipated the West 6th Street/K-10 intersection will evolve into one of the community's most prominent and attractive entryways. This nodal plan also designates a green space buffer along the northern edge of the corner to help preserve the southwestern portion of the Baldwin Creek drainage basin and will likely function in a stormwater management capacity. The green space also acts as a transitional buffer for the lower-density residential development and agricultural activities for unincorporated Douglas County adjacent to this corner.

Specifically, as our southern property line is a direct border the land that is proposed to be annexed and developed, we are expecting that the city will adhere to its own recommendations of a "green zone" or "buffer" to provide a natural transition. The drainage basin that runs through the land is not only directly behind my lot, but also cuts through the southeast corner of my lot, thus future plans for the drainage basin could have very direct impact on my lot.

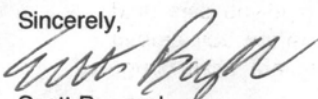
We have some concerns about the recreation center itself. As this is being described as a fairly large building, designed to attract significant crowds, I would like to express our expectation that the city will be addressing such concerns as security, pollution, and traffic control for the adjacent neighborhood, all of which can become problems when frequent crowds are involved. Additionally, as the recreation center project, as has been described, will include some outdoor elements, we have concerns over what sort of lighting may be used, the positioning of the lighting, and the amount of time the lighting might be used in the nighttime hours.

Another considerable area of concern for us is the street plan. As you know, E. 900 Road is currently the only access to our neighborhood, and because N. 1663 Road is a dead end, we have very little traffic other than resident traffic. It would certainly be our hope to maintain that as much as possible, but do have concerns that if we share a road or access point with the recreation center and ancillary developments, it could result in significantly increased traffic on our street, as well as upon entering or exiting our development.

We appreciate the City's willingness to engage us in this process and listen to our concerns. My wife and I will be attending the meeting on April 19, and any such subsequent relevant meetings, and look forward to being a part of the process. If at any time you would like to talk to me directly, I can be reached via phone at (678) 778-0797 or email at scott.bouyack@gmail.com.

We look forward to being a cooperative part of this process, as long as the city returns the favor.

Sincerely,


Scott Bouyack

RECEIVED

APR 20 2012

City County Planning Office
Lawrence, Kansas

Kenneth and Anna Oliver
873 N. 1663 RD
Lawrence, KS 66049
785-550-7746

April 18, 2012

Mary Miller
City/County Planner
Lawrence City Hall
6 East 6th St
Lawrence, KS 66049

Dear Ms. Miller,

I recently visited with you twice over the phone regarding the proposed annexation, rezoning and development of the parcel of land on the NW corner of the intersection of HWY 40 and K-10. As I mentioned during our conversations, as adjacent property owners, our family is very concerned about the development and its effect on our quality of life and the value to our property. Our hope is that the planning commission and developers actively engage with the residents in our neighborhood, exchange ideas, and address our concerns. We agree that this intersection could potentially be a wonderful gateway to our city, and being long time Lawrence residents, we fully understand the need for thoughtful and meaningful development. We are writing this letter to formally express some of our concerns.

When we purchased our lot, we reviewed the Lawrence City Commission approved Nodal Plan. It recommended an office and research park facility, and the plan designated a green space buffer between our property and any development to preserve storm water drainage and provide a transitional buffer from the commercial/industrial/public use areas and our neighborhood. The necessity for the green space is no different today than it was a few years ago and we trust that you will maintain the green space for these reasons.

The 'Horizon 2020' plan included a goal of: "Neighborhood Conservation. The character and appearance of existing low-density residential neighborhoods should be protected and improvements made where necessary to maintain the values of properties and enhance the quality of life." As you know, the entire north side of the land being considered for annexation would fall under this stated goal. We hope the City Commission, planners and developers hold to their stated goals and the intent of 'Horizon 2020' and the approved Nodal Plans that were in effect when we purchased our property.

We are concerned about the Baldwin Creek drainage basin which is located immediately behind our property. Although we have yet to have serious water drainage issues, the pond and culvert on our property overflow several times a year, usually after seasonal storms pass through the area. With the significant development of the acreage behind us, it's an obvious concern that the runoff is not impeded and can freely flow downstream. Although our neighborhood is not located in a FEMA designated floodplain, there is a floodplain only 1/8 of a mile downstream from our subdivision, therefore, water drainage must be addressed in the zoning, planning and development.

Another concern is access to our property. The current access to our neighborhood is only from E. 900 RD. The KDOT long range plan calls for the improvement of E. 900 RD and for adding another road on the west side of our neighborhood to join 1663 RD with HWY 40. We are very concerned about the increased traffic and safety issues with the added thru traffic caused by two entrances to our subdivision. We would very much like to maintain a single entrance into our subdivision to lessen traffic and noise and to keep the country feel of the property we purchased. I would imagine this would also save the city a considerable sum of money in not having to build additional access roads and associated infrastructure.

It is my understanding that the planning commission is considering conditional zoning for the property. We would like to be involved in this process to limit the future commercial use and make it more compatible with our existing residential neighborhood. The proposed CC600 zone is already a significant increase in the scope and size of the proposed commercial use for this area. Our hope is that responsible conditional zoning would make that significant increase adequate for commercial use while mitigating the negative effects of noise and traffic on the surrounding property owners.

We purchased our property and built our home here because of the quiet, country feel and proximity to the city's amenities. We were aware the property under your consideration was going to eventually be developed, but on a smaller scale than what is currently being proposed. We ask that through this process the planning commission act on our requests and lessen the negative impacts of the rezoning and subsequent development by:

1. Insuring adequate flow of storm water run off through the Baldwin drainage basin.
2. Insuring the mitigation of light and noise pollution that would negatively effect our quality of life and property value through the thoughtful placement of buildings and berms, landscaping, etc. Although we have some trees on the back of our property, from September to April, there are no leaves on the trees and we have a very clear view of the sloped property all the way up to and including US 40.
3. Reclaiming the green zone that was initially addressed in the Lawrence City Commission approved Nodal plan in 2003.
4. Easing the negative view of large buildings and structures with landscaping, berms and building placement to maintain the country feel. This 'country feel' is why we built our homes here.
5. Maintaining the one way street access to our neighborhood to minimize traffic.
6. Being partners with area residents to create meaningful conditional zoning to limit the commercial uses of the property being developed, therefore maintaining our property values and quality of life.

Thank you in advance for addressing our concerns and we look forward to being a partner in making this development a true asset to our city.

Sincerely,



Kenneth and Anna Oliver

Scott and Sharolyn Robinson

850 N 1663 Road, Lawrence, KS 66409

RECEIVED

APR 19 2012

City County Planning Office
Lawrence, Kansas

April 16, 2012

Lawrence City Hall
City Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

R.E.: Land use proceedings for the northwest corner of Hwy 40 and K-10

Mary Miller,

We are in receipt of your letters regarding the land use proceedings. As residents of Northwood Estates directly north of that land, we have some major concerns about how that it might be utilized, accessed, and developed.

When making a decision to build in this area we were provided a nodal plan for the area and from what we have been able to gather at this point, it seems that the current discussions for development are a long stretch from that plan.

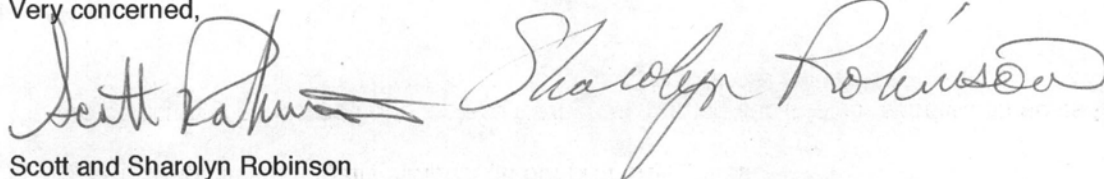
We have major concerns that would affect our current lifestyle here in Northwood Estates that could have a significant negative impact on our property values.

We are particularly concerned about plans for ingress and egress into our subdivision so as to keep it as private as it is today, lighting issues for the commercial activity as well as the proposed outdoor track, visual "pollution" that would destroy our current views, drainage issues, and privacy with the extra potential traffic just to mention a few.

Our point is that we were here FIRST - Douglas County approved this sub-division to create the environment that we currently have and we have MAJOR investment in it. If the City of Lawrence is to annex the adjoining land and change its zoning, they have a responsibility to maintain and preserve, as much as possible, the living environment we invested in to create.

Adverse use (or poor implementation of approved use) of the adjacent land could cause serious financial loss to a whole sub-division of residents. I'm sure the developers have great plans for personal and business profits, but they should not come at our expense.

Very concerned,



Scott and Sharolyn Robinson

Mary Miller

From: Carolyn Crawford [ccjava2cups@yahoo.com]
Sent: Monday, April 23, 2012 8:39 AM
To: Mary Miller
Cc: Carolyn Crawford
Subject: Annexation of Northwest Corner of W. 6th Street (US-40) and K-10

Mary,

My wife and I have owned the property adjacent to the northwest corner of US 40 Highway and K-10 for 32 years. Over those we have watched Lawrence grow west from 6th and Kasold, sometimes gracefully and sometimes not, over taking farms and rolling hills. We have watched as sometimes the city controlled the development and sometimes the developers did. Still we have believed in Lawrence and its people, joining them in developing Lawrence into the best it can be.

We share the concerns of the neighbors regarding traffic, light pollution, noise, trash, and property security related to this annexation. Additionally, as owners of expensive purebred cattle and horses, we are further concerned for their safety.

Here are the points that we have regarding the annexation that we would like you to address:

- We are concerned about losing the open, quite, beautiful nature of the neighborhood. This has always been an agricultural area that was held in large land blocks lending a beautiful entry into the city.
- High traffic most hours of the day and night will change the quite peaceful nature of the neighborhood.
- We are concerned about new structures fitting into the beautiful landscape.
- We are concerned that the development of commercial real-estate as a result of this may not be done with quality.
- Light and noise pollution can be very disruptive to the neighborhood
- Trash associated with a new development can have an impact on the area, soil and run off water.
- Our purebred Limousin cattle and quarter horses are accustomed to a quick secure area. People coming up to pet them, feed them or throw things at them can be dangerous to them and the animals.
- We do not favor forced annexation.
- We are concerned about what impacts the annexation will have on current and future zoning.
- We should not be included in a benefit tax district for sewer, water, signalization, and streets.

Over the years raising our five children on this farm, we have tried to be good citizens and neighbors to Lawrence by being a founding family of Kaw Valley Soccer Association in 1980, St. Margaret's Church in 1989, Raintree Lower Elementary in 1994 and Bishop Seabury

Academy in 2001 as well as being leaders in Douglas County 4H, Boy Scouts, serving in LINK and Family Promise, and being in the Chamber of Commerce. It is our hope that the city can be as good of a neighbor to us as we have been to them.

Sincerely,
Ron and Carolyn Crawford

From: Mary Miller <mmiller@lawrenceks.org>
To: "ccjava2cups@yahoo.com" <ccjava2cups@yahoo.com>
Sent: Friday, April 20, 2012 3:51 PM
Subject: permitted use table

Carolyn,
It was very nice talking to you today. I've attached the permitted use table which lists the uses which are permitted in the CC Districts. As I mentioned, we are considering recommending 'conditional zoning', which means only uses which are seen as being associated or compatible with a regional recreational facility would be permitted on this property. You could look the permitted use table over and see if there are any uses that you feel should not be permitted on this property.

The Planning Commission is considering the annexation this Monday, but will be considering the rezoning at their May meeting. You can provide your comments regarding the permitted uses directly to Planning and you can also provide written comments to the Planning Commission on the proposed rezoning as well as the proposed plan and development code amendments. You will receive a notification letter of the amendments and the rezoning about 20 days before the Planning Commission meeting.

The next step will be to plat the property. With platting, street right-of-way is dedicated and decisions on street improvements are made. The preliminary plat will be considered by the Planning Commission and you will be notified of this meeting as well.

The site plan can be submitted in conjunction with the plat. The applicant will provide property owners within 1000 ft notification of the site plan, and you can contact the Planning Office for copies of the plans that have been submitted. Once again, your comments on the layout and design of the site plan will be very helpful.

I just wanted to outline the development process, since there are several steps. Please feel free to contact me if you have any questions.

Thanks,
Mary

Mary K Miller, AICP, City/County Planner- mmiller@lawrenceks.org
Planning Division | www.lawrenceks.org/pds
P.O. Box 708, Lawrence, KS 66044
Office (785) 832-3147 | Fax (785) 832-3160

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APR 17 2012

City County Planning Office
Lawrence, Kansas

April 16, 2012

City of Lawrence
Attn: Mary Miller - City Planning Office
6 East Sixth Street
Lawrence, KS 66044

Dear Ms. Miller:

As residents of the Estates of Northwood, we are writing to formally express our concerns regarding the proposed development of the land located at 6th street and E. 900 road.

Two years ago we built our home at 875 N. 1663 road. This represented years of planning and saving to be able to secure the perfect location for our "forever" home. The Estates of Northwood combines an amazing country setting with the convenience of being located close to town. We clearly researched this location before purchasing the lot and discovered that the land to the south of the neighborhood was zoned for agriculture only and included a green space adjacent to our property. Additionally, the long-term nodal plan indicated only plans for light research type facilities in the future. Over the past two years we have developed such an appreciation for our setting, neighbors and new way of life. As a result, we were clearly concerned to hear of the proposed recreation center and other sports facilities being discussed for the land directly behind our neighborhood.

We will be attending the public meeting on April 19th to learn more about the land use proposal and to share our concerns, but we wanted to provide them in writing as well.

Drainage & Visual Concerns

The Estates of Northwood is located at a grade significantly below Sixth Street. In fact, despite 35 ft+ trees that span the back of our property, we can clearly see the traffic on Sixth Street. This is even more evident during the winter when the leaves have fallen. Given this, any construction on the land between Sixth Street and our neighborhood will be easily seen from our home. Light and noise pollution control as well as proper landscaping will be very important to those who live adjacent to the property. Additionally, the slope creates significant drainage issues for several of our neighbors when it rains heavily. There is great concern about the impact construction may have on the drainage down to our neighborhood.

Traffic & Safety

Currently, N. 1663 is a no outlet road. The amount of traffic in our neighborhood is minimal and almost solely from residents. Adding facilities such as those proposed could generate significant traffic to the corner of West 6th Street and K-10. It is extremely important to us that N. 1663 remains a no outlet road. We understand from attending a recent KDOT meeting that there are future plans to open the west end of N. 1663 for an access road that would run from Sixth Street north, but it was shared that the east end of N. 1663 would then become the dead end. Regardless of the location of the cul-de-sac, it is imperative that N. 1663 does not become a thru street. If this would occur, the traffic generated would create noise and safety concerns for the families in our neighborhood.

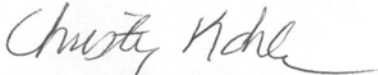
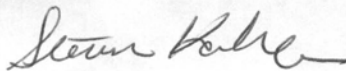
Green Space

Providing a buffer between the south lots of Northwood and the adjacent property may only provide a small level of separation, but will be important given the high traffic volume these types of proposed facilities could generate.

Admittedly, at this point we can only react to the land use proposals we have heard discussed in the local media. We understand the significance these types of facilities could have for our community, as this intersection could truly become a critical "gateway" to Lawrence. As Lawrencians we want to support development that will be meaningful for our city, but we also ask to have a voice in the planning that could greatly impact our way of life.

Thank you in advance for considering our concerns. We look forward to continued dialogue as the process progresses.

Sincerely,



Steven & Christy Kahle
875 N. 1663 Road

April 17, 2012

Lawrence Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

RE: Development of the area South of Northwood Estates

Dear Ms Miller,

We appreciate your willingness to consider our concerns regarding future development to the area that is behind our neighborhood..

We have worked very hard for 40 years to save money to "retire" in Lawrence. A couple of years ago, that dream came true when we built our wonderful home in Northwood Estates. We were aware of the future plans for along 40 highway (behind our property) which were similar in nature to Wakarusa and was described as a wonderful entrance from the West to the City of Lawrence. Those plans were acceptable to us.

We are now receiving information that due some negotiating, things are on the fast track to change these plans. We have been advised that 50 acres have been "donated" to the city for a recreation center. At first this sounded great as we "assumed" it would be similar to the East Side recreation center. Now we are hearing of the magnitude of the plan which includes Kansas relays, concerts, etc. We are very concerned about not only the recreation center, but future development that may affect our way of life as we know it.

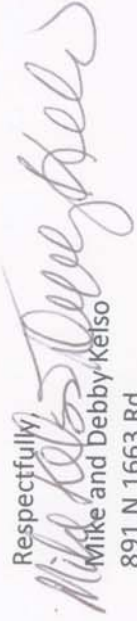
Our concerns that we have at this time are::

- Green space needs to be left between our properties
- Lighting interfering with our outdoor evening enjoyment needs to be addressed
- Noise affecting our outside enjoyment needs to be addressed
- Excessive traffic through our quiet dead end street now and in the future if the street is opened up as a thru street. Major signage needs to be added on 900 Rd. to keep traffic out of our neighborhood. KDOT has plans in the future to exit our neighborhood to the West. This will also need to be addressed in the planning.
- Security effecting our safe neighborhood needs to be addressed
- The effect of the development on wildlife (owls, deer, opossums, frogs, coyotes)
- Storm drainage needs to be addressed
- What method of sewage disposal will be used needs to be addressed
- A clear boundary needs to be established with a wrought iron fence with signage along the property line to help eliminate trespassing.

We want very much to work toward a mutually agreeable plan that will allow our neighborhood keep its "country" feel while allowing a reasonable expansion of the land to our South.

We will look forward to meeting with you and the other parties who are involved in the future plans.

Respectfully,

A handwritten signature in cursive script, appearing to read "Mike and Debby Kelso".

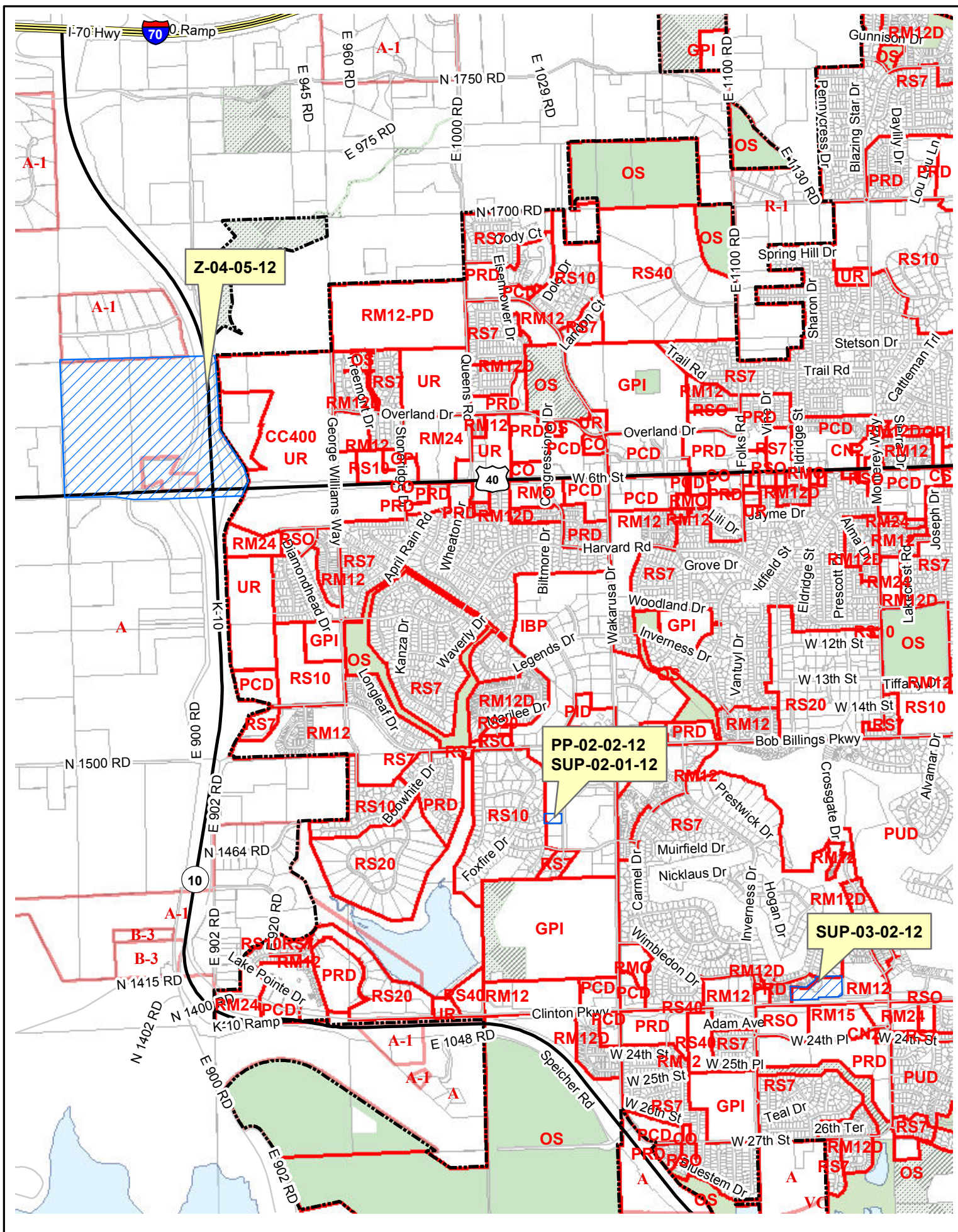
Mike and Debby Kelso

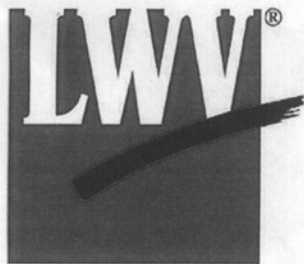
891 N 1663 Rd

Lawrence, KS 66049

kukelso@gmail.com







League of Women Voters Lawrence-Douglas County

P.O. Box 1072 • Lawrence, Kansas 66044-1072

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

May 20, 2012

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www.lawrenceleague.com

STATE:
www.lwvk.org

NATIONAL:
www.lww.org

Email:
league@sunflower.com

Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: Item No. 5: Comprehensive Plan Amendment to H2020 – Chp. 6 And Chp. 14; CC600
Item No. 6: Text Amendment to City Of Lawrence Development Code; Amending Various
Sections to Add A CC600 District
Item No. 7: A & B1 To Cc600; 146 Acres; W 6th St & K-10

Dear Chairman Hird and Planning Commissioners:

We urge you to deny all of Items No. 5, 6, and 7.

We are asking this for the following reasons:

1. There are some serious procedural problems occurring here. First, the comprehensive plan (Item 5) needs to be officially amended and approved, not only by the Planning Commission but also by both the City and County Commissions. Only then should zoning text amendments be adopted that are dependent on the comprehensive plan, as is Item No. 6, the new CC600 District. Following the adoption and official incorporation of the new CC600 District into the City Code, only then should the process for a public hearing to amend the zoning district properly proceed (Item No. 7).

2. A major consideration that is driving all of these deliberations is whether the city should actually approve the location for and participate in building a recreational facility of the proposed intensity in the suggested location. *The issue is not whether the facility is needed or appropriate, but whether that particular location for that facility is appropriate.*

Furthermore, it would be surrounded by 100 or more acres of unplanned commercial land. If the proposed development were to occur in that location the traffic impact on 6th Street, and the potential effect of shifting the “center of activity” from the Downtown to that location, could have a very negative impact on the city as a whole.

3. Horizon 2020 should be followed, and the city should consider hiring a consultant to do an independent market analysis of the impact that this use in this location would have on the city as a whole, especially the Downtown. (Horizon 2020, Chapter 6, **policy 3.13**)

- a. City staff analysis is not a proper substitution for an “independent market analysis. [...performed by an] **independent consultant** chosen by the city...” The analysis is **supposed to be** unbiased and done by qualified professional consultants. The planning staff has seemingly justified the additional commercial land that would be added to the currently overstocked inventory of available commercial area and vacant buildings.

The thought seems to be, *don't worry, no one will use the land unless there is a demand (which admittedly doesn't exist).* **Wouldn't it be better to preserve the land for an employment-related and manufacturing use that the studies up to now have proposed for the area?**



4. We request that an independent traffic analysis also be undertaken:

a. The Staff Report (Item No. 5) states that "Commercial uses are generally viewed by the Development Code as equal to or lesser uses compared to industrial uses and so the project can feasibly be viewed as compatible with the comprehensive plan designation." The traffic impact analysis that the staff report mentioned indicating that industrial and commercial traffic impacts are interchangeable, or commercial uses are lesser in intensity than industrial uses, may have come from the Lesser Change Table. In this table the three categories of Residential, Commercial and Industrial cannot be compared with each other in intensity. Only within each category is this comparison intended. (20-1301(k)). Therefore, based on the source in the Staff Report, it is not a valid comparison to say that the traffic intensity of commercial land use and industrial land use are the same

b. According to a study that was made in 2006 by the consultants, TischlerBise, hired by the City for their study, "The Cost of Land Uses and Fiscal Impact Analysis," the uses of manufacturing and commercial retail are **quite different in their impact** on traffic intensity. The vehicle trip rates per 1000 square feet **are much higher with commercial land use than with industrial land use** (page 11, Figure 4, TischlerBise).

c. Consider that the Transportation Plan for that node, which was recently presented to you by the MPO (Lawrence-Douglas County Metropolitan Planning Organization), must be studied by them before any changes to it are considered. Also, all of the other considerations that need to be made regarding the improvements to that intersection, to 6th Street, and to Highway 40 extended, must take into consideration the increased traffic intensity that will occur with the change in use from manufacturing to recreation and commercial uses.

5. Once the CC600 District is actually incorporated into the zoning text (assuming that it is), it should have some method to actually control the maximum size and use of retail buildings. We suggest that any retail establishment that meets the requirement for a CC600 should also require a Special Use Permit or a Planned Development Overlay District.

Thank you for your patience in reading this material. We hope that you will carefully consider these points.

Sincerely yours,

A handwritten signature in cursive script that reads "Carrie Lindsey".

Carrie Lindsey
President

A handwritten signature in cursive script that reads "Alan Black".

Alan Black, Chairman
Land Use Committee

**RONALD SCHNEIDER
ATTORNEY AT LAW, P.A.**

900 MASSACHUSETTS ST., SUITE 600
LAWRENCE, KANSAS 66044
TELEPHONE: (785) 841-2040
FACSIMILE: (785) 856-0243

RONALD SCHNEIDER

OF COUNSEL:
CURTIS BARNHILL
MARGARET FARLEY

May 18, 2012

Richard Hird
Chairman of Lawrence-
Douglas County Metropolitan
Planning Commission
FAX: 832-3160

RE: CPA -4-2-12
TA -4-3-12
Z-4-5-12

Dear Mr. Rick:

I represent a number of landowners who live near or adjacent to the 146 acres associated with Z-4-5-12, change of zone request.

As you know, the City Commissioners recently voted to annex this property. During the annexation hearing, all City Commissioners expressed their intentions to devote extra-ordinary time and consideration to the zoning issues and contemplated land of the entire project and development due the importance and scope of this proposed project. The City Commissioners confirmed that this project requires time and thoughtful consideration. The Commission expressed its desire **NOT** to rush the zoning and land use components of this project.

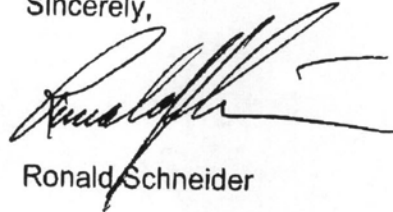
It is my opinion that the proposed public hearing on this rezoning and related planning matters is premature. Public opinion will be greatly affected by the information and dialogue at the public forum in June scheduled by the City. The proposed rezoning, changes to the code, and revision to the Nodal Plan should be considered only after this forum and additional information and reliable plans are available to the public.

On behalf of my clients, I respectfully request that the Planning Commission continue the hearing on these matters to enable the City to provide answers to the many unanswered questions on this immense and important project. I am confident that this request is consistent with the consensus and statements made by the Mayor and other Commissioners at their hearing on May 21, 2012.

Page 2
May 18, 2012

I await your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Schneider", with a stylized flourish at the end.

Ronald Schneider

RS:cw

cc: Scott McCullough, VIA FAX
Mayor Robert Schumm, VIA FAX
City Commissioners, VIA FAX

May 20, 2012

Scott and Jodi Bouyack
887 N. 1663 Road
Lawrence, KS 66049

Lawrence City Hall
City Planning Office
Attn: Mary Miller
6 East Sixth Street
Lawrence, KS 66044

Ms. Miller,

As a resident and landowner in Northwood Estates with property bordering on the north end of the 146 acre tract of land that is being considered for CC600 zoning, I write today to make a few comments which I hope the Planning Commission will consider as it determines its recommendation on this issue during the May 21, 2012 meeting.

My wife and I purchased our home in early 2010. Prior to making a decision to purchase our home, I conducted a fair amount of research with regard to future development plans in the vicinity of Northwood Estates. Of particular interest to me was the future plans for the acreage now referred to as the Northwest Quadrant of the intersection of W. 6th Street/Highway 40 and Kansas Highway 10 (K-10). My research indicated to me that we should expect that at some point the Northwest Quadrant would become developed. Thus, it has always been my expectation that as much as we enjoy having vacant fields and cows behind us, that at some point that would become developed territory.

Although I could have no way of definitively knowing in 2010 what sort of development might be built behind our house, there were two expectations my research uncovered that I felt I could count on relative to any future development, and thus provided me the assurance I was looking for to proceed with the purchase of our home. The first expectation was that the City of Lawrence desired for the future development of the W. 6th Street/Highway 40 and K-10 intersection to become an attractive "gateway" entrance for the city. This expectation provided me the assurance that whatever development would eventually be built behind our house would be done so in an attractive, well-planned, well-maintained manner, and would most likely not include unattractive business uses that the city would not be proud to display at such a prominent gateway.

The second expectation my research uncovered that gave me comfort was the designation in the Nodal Plan of a green space buffer along the northern edge of the Northwest Quadrant to help preserve the Baldwin Creek drainage basin and to "act as a transitional buffer for the lower-density residential development and agricultural activities for unincorporated Douglas County adjacent to this corner."

As of today, I am reasonably confident that the first expectation above will be adhered to in this future development. It seems clear that the City Commissioners, City Staff, City Planners, and Developers all still strongly desire for the development on this Northwest Quadrant to maintain the attractive characteristics of a prominent city gateway as described in the Nodal Plan and other planning documents. Further to that point, I can envision that the proposed development of a regional recreation center on this property could result in a more desirable development than many alternatives. For example, the fact that the Planning Staff, in its recommendation to the Planning Commission, has restricted several uses from the proposed CC600 zone because such uses would not enhance the site as a regional recreation facility is a positive benefit for adjoining neighbors, as it helps to assure us that we will not have business such as big box retail, vehicle sales, mini-warehouses and several other uses that would be considered undesirable to the neighborhood.

However, at this point in the process, I am not certain that the second expectation, the green space buffer, will be adequately met. Although city officials have stated on several occasions that they recognize the need for such a buffer, and further recognize that the Nodal Plan calls for such a green space buffer, the specifics of such a buffer are lacking. To that point, the City has recently provided an initial rendering of the site plan for the recreation center, and the lack of any green space buffer is highly conspicuous by its absence. In fact, I cannot even consider such a rendering to be a viable first draft, as it does not include this very important component, and look forward to the City and Developers providing a true, viable first draft in the very near future.

Considering the above, I would like to make one simple request of the Planning Commission as it considers its recommendation relative to this zoning question. My request is that should the Planning Commission go forward in recommending this property in question be zoned to CC600, that it do so with the condition that a green space buffer, one which reflects the spirit of such an element as described in the Nodal Plan, be required to be part of the future development.

Once again, we appreciate the City's willingness to engage us in this process and listen to our concerns. I will be attending the meeting on May 21, and any such subsequent relevant meetings, and look forward to being a part of the process. If at any time you would like to talk to me directly, I can be reached via phone at (678) 778-0797 or email at scott.bouyack@gmail.com.

Sincerely,

Scott Bouyack

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

May 21, 2012

City of Lawrence
Attn: Mary Miller - City Planning Office
6 East Sixth Street
Lawrence, KS 66044

Dear Ms. Miller:

As residents of the Estates of Northwood, we are writing to formally express our concerns regarding the proposed development of the land located at 6th street and E. 900 road.

Following the recent City Council meeting, we were provided a concept plan for the proposed development. This proposal raised significant red flags for residents of our neighborhood.

First, the concept plan does not honor the green space originally outlined in the nodal plan. Placing the recreation center, stadium and parking lots directly adjacent to our property provides no buffer between our backyards and the development. The resident of our neighborhood purchased land and built homes based on an understanding of green space outlined in the City's nodal plan.

Second, the concept plan does not appear to preserve the natural drainage system provided by the Baldwin Creek drainage basin. While the city may plan to remove this naturally occurring pathway, several of the properties on the south side of our neighborhood have this creek continuing through their property. This could result in significant drainage issues in the future. Additionally, other properties on the south side currently have flooding concerns during heavy rains and this development could further exacerbate this issue.

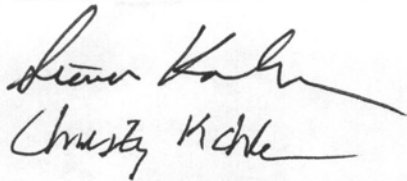
Third, the concept plan does not appear to have addressed the traffic issue through our neighborhood sufficiently. Requiring our neighbors to proceed through the new development to reach our homes is not a satisfactory solution. Given times of heavy activity in the area, this could place us in the middle of significant event traffic. As discussed at the meeting held at the Indoor Aquatic Center in April, we would prefer to have access to our neighborhood to the west of the development with proper signage to discourage non-residents from entering N. 1663 Road. This could be accomplished by alternating the dead end on N. 1663 from the west end to the east end.

Finally, without the proper market studies to understand the needs of the community, it is premature to determine the appropriate zoning for this area.

The City has a unique opportunity for this development. Unlike most instances, there is sufficient space to plan the site in a way that can truly accommodate the needs of the city and the surrounding community. We encourage you to take advantage of this opportunity to create a "gateway" for our city in a manner that is acceptable to all parties involved.

Thank you in advance for considering our concerns. We look forward to continued dialogue as the process progresses.

Sincerely,

The block contains two handwritten signatures. The first signature is 'Steven Kahle' and the second is 'Christy Kahle'. Both are written in a cursive, flowing style.

Steven & Christy Kahle
875 N. 1663 Road

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MAY 21 2012

City County Planning Office
Lawrence, Kansas

Kenneth and Anna Oliver
873 N. 1663 RD
Lawrence, KS 66049

785-550-7746

May 21, 2012

Mary Miller
City/County Planner
Lawrence City Hall
6 East 6th St
Lawrence, KS 66049

Dear Ms. Miller,

Please include this letter regarding the rezoning of the NW corner of K-10/US-40 in the packet to be presented during your May 21 Planning Commission meeting. We will not be able to attend the meeting because of our work schedules, but would appreciate your taking our concerns into consideration.

We appreciate your notifying us of the completed staff report and at first blush, we are generally in agreement with the conditional zoning restrictions you are recommending. We also want to thank you for your time and effort in restricting uses that would not be complimentary to the proposed recreation center and that would be detrimental to our neighborhood.

We are however, frustrated that a new zone designation (CC600) is being proposed for the first time and recommended for this property with conditions, while the City does not know the size, scope and cost of their portion of the project and no sight plans have been submitted. There are many unanswered questions as to whether the rezoning and proposed development complies with the Nodal and Horizon 2020 plans. We received the staff report for the CC600 rezoning on Thursday the 17th, tried to research the hundreds of pages of reports and plans, formulate and draft comments to be delivered prior to 10:00am the following Monday morning. That's hardly enough time for the residents of our neighborhood to cipher through all the information and provide meaningful input, which is what the Mayor, City Commissioners, Planning Commission and City Manager have requested. We are not grasping for stalling tactics, as we firmly believe this project could be very good for the community. We are however very concerned that this project has not been given due diligence and many requirements for development are being overlooked. For example, considering the proposed uses, has the necessary traffic and marketing studies been completed, and has the Nodal and other planning documents been updated?

Along with our neighbors, we purchased our property and built our home after reviewing the Nodal Plan and learning the property in question was planned for low-density industrial/warehouse/office uses with a large green zone buffer between our homes and future development. After seeing examples around town of similar buildings, we found them acceptable, purchased our property and built our homes. Now the uses being proposed would have significantly more traffic, noise and light pollution. For this reason, as the project moves forward we are strongly encouraging the city to exceed the standards for mitigating the negative effects to surrounding neighborhoods per the following plan excerpt:

20-1101

PROTECTION STANDARDS FOR RESIDENTIAL DISTRICTS

(a) Design and Operational Compatibility Standards—Discretionary Approvals

As a condition of approval of any Special Use Permit, Map Amendment, site plan or other discretionary approval of any multi-Family use or nonresidential use located within 500 feet of any less intensive residential district, the City Commission, Planning Director, Planning Commission or other review body may impose conditions that exceed the minimum requirements of this Chapter and that, in the opinion of the review body, are necessary to reduce or minimize any potentially adverse impacts on residential property, including, but not necessarily limited to, the following:

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City Council Planning Office
Lawrence, Kansas
- (1) location on a site of activities that generate potential adverse impacts on adjacent uses, such as noises and glare;
 - (2) placement and buffering of trash receptacles;
 - (3) location of loading and delivery areas;
 - (4) lighting location, intensity, and hours of illumination;
 - (5) placement and illumination of outdoor vending machines, telephones, and similar outdoor services and activities;
 - (6) additional Landscaping and buffering;
 - (7) Height restrictions to preserve light and privacy and views of significant features as viewed from public property and rights-of-way;
 - (8) preservation of natural lighting and solar Access;
 - (9) ventilation and control of odors and fumes; and
 - (10) paving or other surface treatment for dust control.
- (b) Height Limit on Projects Adjoining Certain Residential Zoning Districts
See Section 20-701(g) for Height limits in the PD district.

Consideration needs to be given to the neighbors for the significant negative effects of the rezoning and subsequent development in the form of a green space buffer, additional large caliper trees, directional and timed exterior lighting, and a large berm. An acceptable berm would be similar to the one immediately behind the Walmart on 6th Street. However, because of the direction and location of the proposed street into the recreation center, stadiums and the proximity to our homes, an even taller berm would be necessary.

There is a significant grade from our property line up to US-40. Because the proposed stadium would be situated on the hill, we think an in-ground stadium would be beneficial for several reasons. An in-ground stadium would reduce the height of the structure and make it more visually appealing. The noise and light pollution would be contained significantly and the dirt removed for the stadium could be used for a berm to further reduce those negative effects. It is also my understanding that track and field events need to be sheltered from excessive wind for the competitor's results to be recognized as records. An in-ground stadium would go a long way in making it an elite track and field venue.

Our other concerns have not changed since our last correspondence as we are anxious to maintain the dead end access to N.1663 RD. The concept plan that was recently released proposed a convoluted route to our neighborhood. We would rather have a dead end entrance on the west side of 1663 RD to US 40 in lieu of the entrance shown on the concept drawing. In addition, we are very concerned that the manipulation of the Baldwin Drainage basin would potentially flood our property during seasonal heavy rains.

Thank you again for taking our concerns into consideration. We know a lot of questions will come to light when sight plans are eventually submitted, and we are hopeful that this will be a great development for our community, but the City needs to take a step back and complete the processes that are in place to ensure all involved (The City, Taxpayers, Developers, and Neighbors) are on the same page and protected before moving forward. The public forum on June 6th is a great start, and we are hopeful that more information will flow between the city and the public at that time.

Sincerely,



Kenneth and Anna Oliver