

# Memorandum

## City of Lawrence – Douglas County Planning and Development Services

**TO:** Lawrence Douglas County Planning Commission  
**FROM:** Planning Staff  
**DATE:** For February 25, 2013 Planning Commission Meeting  
**RE:** **CPA-4-2-12:** Comprehensive Plan Amendment to create CC600 District policies and revise area plans to designate the node of 6<sup>th</sup> Street and K-10 as a CC600.  
**TA-4-3-12:** Text amendment to the Development Code establishing the CC 600 District.  
**Z-4-5-12:** Rezoning request for approximately 146 acres located in the NW quadrant of the intersection of West 6<sup>th</sup> 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.

### **Background:**

The items listed above were considered together by the City and Planning Commissions at various meetings. A detailed history of those actions can be found in the staff memo that went to the City Commission at their January 15, 2013 meeting ([http://www.lawrenceks.org/assets/agendas/cc/2013/01-15-13/pl\\_cpa-4-2-12\\_ta-4-3-12\\_z-4-5-12\\_staff\\_memo.html](http://www.lawrenceks.org/assets/agendas/cc/2013/01-15-13/pl_cpa-4-2-12_ta-4-3-12_z-4-5-12_staff_memo.html)).

The City Commission considered the Planning Commission recommendations at their January 15, 2013 meeting and ultimately made the following motion:

**Moved by Cromwell, seconded by Carter**, to return item 2 (a through c) to the Planning Commission directing the PC to consider the appropriateness of designating this node as a CC600 node as it relates to other possible nodes that could support a CC600 designation, discuss the appropriate allocation of the 240,000 sq. ft. of retail use that is not currently allocated to the Mercato Development if it is determined that the node should be designated as a CC600 node, and discuss the appropriateness of allowing residential uses for the specific CC600 district on the property that is the subject of the rezoning application. Motion carried 4-1 with Dever opposed.

## **Discussion:**

In light of the City Commission's direction at their January 15, 2013 meeting, staff has prepared a detailed analysis, broken down into three parts based on the motion made at the meeting. Links are provided to three separate analysis memos for each item below:

- 1) Consider the appropriateness of designating this node as a CC600 node as it relates to other possible nodes that could support the CC600 designation.
- 2) Discuss the appropriate allocation of the 240,000 square feet of retail uses that is not currently allocated to the Mercato Development.
- 3) Discuss the appropriateness of allowing residential uses for the specific CC600 district on the property that is the subject of the rezoning application.

## **Recommended Actions:**

**The following is a summary of the staff recommendations for each of the three items noted above:**

- 1) Consider the appropriateness of designating this node as a CC600 node as it relates to other possible nodes that could support the CC600 designation.
  - a. Find that the 6<sup>th</sup> and K-10 node should be designated as a CC600 Commercial Center.
- 2) Discuss the appropriate allocation of the 240,000 square feet of retail uses that is not currently allocated to the Mercato Development.
  - a. Find that the 240,000 square feet of retail uses that are not currently allocated to the Mercato Development at the node be allocated as follows:
    - i. NW Corner – 155,000 square feet
    - ii. SW Corner – 25,000 square feet
    - iii. SE Corner – 60,000 square feet
- 3) Discuss the appropriateness of allowing residential uses for the specific CC600 district on the property that is the subject of the rezoning application.
  - a. Find that residential uses should be allowed as part of the CC600 district on the property that is the subject of the rezoning application per the limitations existing in the Development Code.

**In addition to the motions above, the Planning Commission must also make recommendations on the three agenda items, CPA-4-2-12, TA-4-3-12 and Z-4-5-12. Staff recommends the following actions:**

### **Comprehensive Plan Amendment CPA-4-2-12:**

- Approve the Comprehensive Plan Amendment as originally drafted and presented at the May PC Meeting, which establishes the CC600 policies in *H2020*, and designates the 6<sup>th</sup> St./K-10 node as CC600 Commercial Center. This also includes a modification to the West of K-10 Plan that revises the amounts of allowable retail square footage at the node as follows:
  - NW Corner – 155,000 square feet

- SW Corner – 25,000 square feet
- SE Corner – 60,000 square feet

The West of K-10 Plan as revised will also supersede *A Nodal Plan for the Intersection of West 6th Street & Kansas Highway 10 (K-10)*. The Planning Commission will also need to authorize the Chair to sign PCR-13-00060.

**Text Amendment TA-4-3-12:**

- Approve the text amendment establishing the CC600 zoning district in the Development Code as recommended by the PC at their May and October meetings.

**Rezoning Request Z-4-5-12:**

- Approve the Rezoning request with the following conditions:
  - 1) The amount of retail square feet on the subject property shall not exceed 155,000 square feet, and
  - 2) The uses shall be restricted to those uses included in the staff memo referenced above.

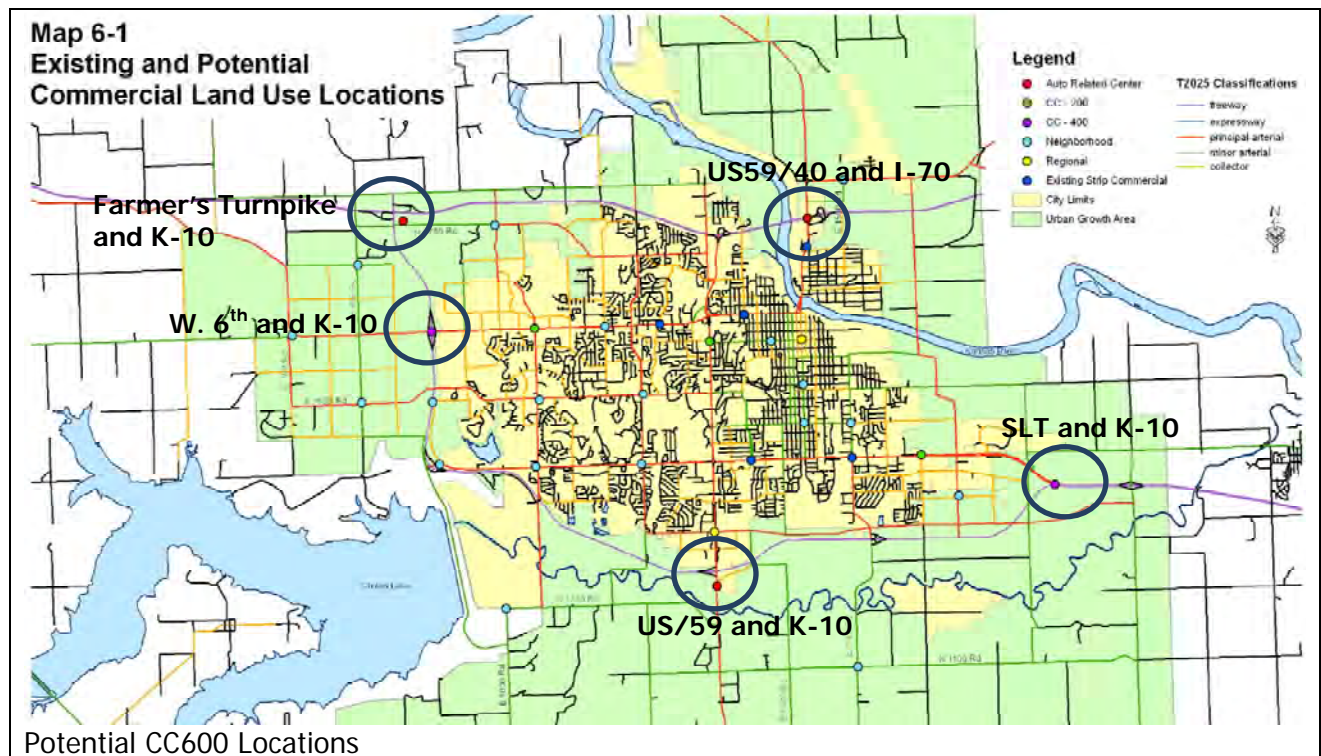
# Memorandum

## City of Lawrence – Douglas County Planning & Development Services

**To:** Lawrence-Douglas County Planning Commission  
**From:** Planning Staff  
**Date:** For February 25, 2013 Planning Commission Meeting  
**RE:** Review various sites for possible CC600 designation

### Purpose

The Lawrence City Commission directed staff to review the suitability of various highway intersections as CC600 Commercial Centers. Staff chose sites that are located at the intersections of two highways and are designated by *Horizon 2020* as Auto-Related or CC400 Commercial Centers. This report examines the proposed W. 6<sup>th</sup> Street and K-10 Highway location, in addition to four other locations.



### Recommendations Summary

- W. 6<sup>th</sup> Street and K-10 - Appropriate for the CC600 designation.
- Farmer's Turnpike and K-10 - Appropriate as an Auto-Related Center, but not appropriate for the CC600 designation.
- US59/40 and I-70 - Existing commercial center that is not appropriate for the CC600 designation.
- South Lawrence Trafficway and K-10 - Appropriate for the CC400 designation, but not

appropriate for the CC600 designation at this time.

- US59 (South Iowa) and K-10 – Appropriate as an Auto-Related Center or as a Regional Center, but not appropriate for the CC600 designation.

### **W. 6<sup>th</sup> Street and K-10 Highway**

This intersection is designated as a CC400 Commercial Center by *Horizon 2020*. The presence of the proposed regional recreation center adjacent to the commercial node is a large part of the request to designate this intersection as a CC600 Commercial Center.

The northeast corner has zoning approvals for commercial and residential uses. The southeast corner is developed with single-family and duplex uses and has zoning approvals for high density residential and office land uses. The portion of the intersection that fronts W. 6<sup>th</sup> Street is currently undeveloped and does not have zoning approvals, but is designated for commercial uses. The northwest portion of the intersection is undeveloped and is seeking CC600 zoning. The southwest portion of the intersection is developed with a church with the rest of the corner designated for future industrial/employment uses.

This intersection is located on a major commuter route and a large volume of traffic uses K-10 to access I-70 and to return to Lawrence from I-70. To a lesser extent, commuters also use Hwy. 40 to commute to and from Lawrence.

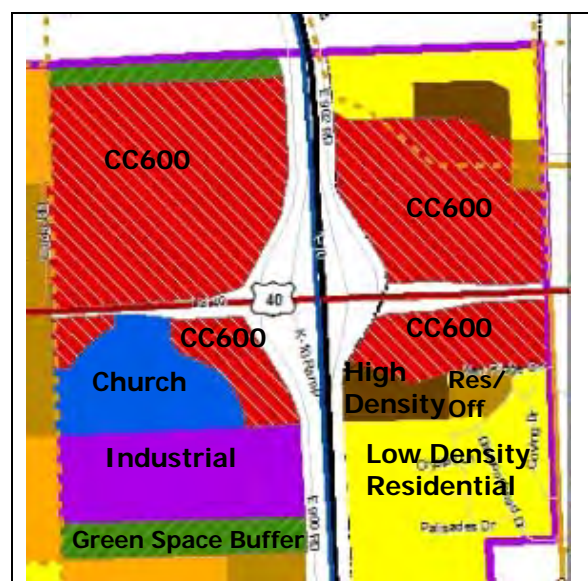
This intersection lies on the edge of Lawrence. As such, it is expected that Lawrence will continue to grow west, north and south of this intersection into the future. The intersection also is adjacent to the proposed recreation center, which is north of the northeast corner of the commercial node. The proposed recreation center has the potential to attract many visitors to this intersection, thus increasing the demand for retail in the area.

### **Recommendation**

It is appropriate to expand the CC400 Commercial Center designation of this intersection to the CC600 Commercial Center. This is a major intersection now and in the future, and should have a sufficient amount of commercial retail development. A review of the CC600 policies follows.



W. 6<sup>th</sup> Street and K-10 Highway



Proposed West of K-10 Plan Future Land Use



## Proposed

### 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. This is the US-40 and K-10 Highways intersection.
- 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. At this time, the node is designated for 400,000 square feet of commercial retail space. The CC600 proposal would limit the commercial retail space to 600,000 square feet, though non-retail commercial uses would also be permitted.
- 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. Currently the northeast corner has approximately 360,000 square feet of approved commercial retail square footage. The remaining 240,000 square feet would be allocated to the other corners. The subject proposal would meet this criterion.
- D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. The subject proposal, through conditional zoning, would meet this criterion.
- 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. The southwest corner currently has a religious institution use with the rest of the intersection planned for industrial/employment uses. The southeast corner currently has zoning for high density residential along with existing low and medium-density residential uses. There is also potential for office uses. Commercial uses are planned but zoning approvals are not currently in place. The northwest corner is currently undeveloped. In addition to the commercial zoning approvals for the northeast corner, there are also zoning approvals for a range of residential uses along with potential for office uses.
- 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. A Nodal Plan (*A Nodal Plan for the Intersection of West 6<sup>th</sup> Street & Kansas Highway 10*) and a Sector Plan (*West of K-10 Plan*) exist for this intersection. Designating the intersection as a CC600 requires changes to those plans. Proposed changes

have been considered by the Planning Commission at their May and October 2012 meetings.

- G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. Commercial Design review is required for all new commercial development.

### I-70 and K-10 Highway

*Horizon 2020* currently designates the northwest and northeast corners of this intersection as an Auto-Related Commercial Center.

Although there is no separation requirement for CC600 Districts, this intersection is approximately 1¾ miles from the W. 6<sup>th</sup> Street and K-10 intersection, which is currently designated a CC400 with a request to designate it as a CC600.

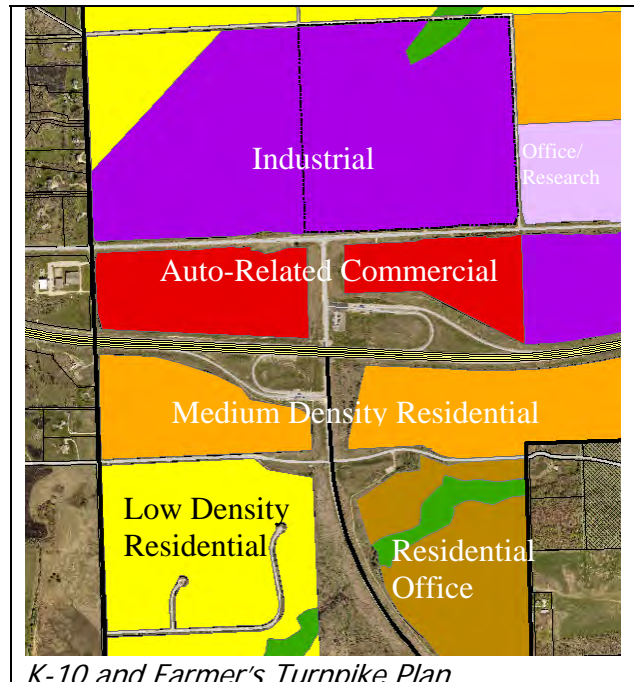
The size of the two corners of the intersection that are designated as a future Auto-Related Commercial Center are limited by an I-70 ramp and the close proximity to N. 1800 Road, which is a principle arterial. The two corners may not have the necessary land area to support a large commercial retail area. This may require the commercial retail uses to extend north or east of the intersection onto property which is currently designated for industrial uses by the *K-10 and Farmer's Turnpike Plan*. The concentration of industrial use in this area is important for community-wide economic development and should be protected from encroachment by commercial retail uses. Further, there is no planned use that is generating the need to re-designate this node.

### Recommendation

This intersection is not appropriate as a future CC600 Commercial Center. A review of the proposed CC600 policies follows.



K-10 and I-70



K-10 and Farmer's Turnpike Plan

### **Proposed**

#### **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. [This is the I-70 and K-10 Highway intersection.](#)



- 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. [The property is undeveloped. This criterion could be met if re-designated as a CC600.](#)
- 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. [The property is undeveloped. This criterion could be met if re-designated as a CC600.](#)
- D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. [The property is undeveloped. This criterion could be met if re-designated as a CC600.](#)
- 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. [The property is undeveloped. This criterion could be met if re-designated as a CC600.](#)
- 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. [A Sector Plan exists for this intersection. The Farmer's Turnpike and K-10 Plan designates the 4 corners for Auto-Related Commercial and Medium Density Residential future land use. The Plan would have to be amended to reflect the CC600 designation. There has been no change in circumstance to warrant such an amendment.](#)
- G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. [Commercial Design review is required for all new commercial development.](#)

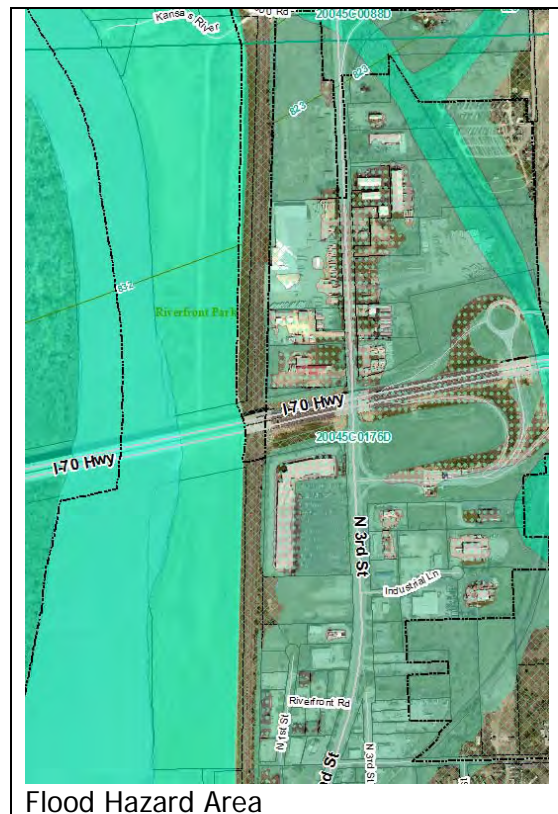
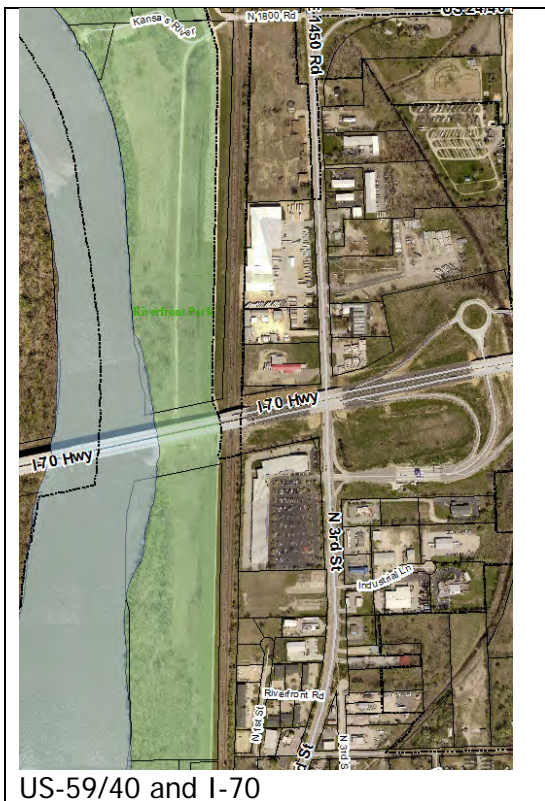
## US59/40 and I-70

*Horizon 2020* currently designates this intersection as an Auto-Related Commercial Center. The intersection is developed with commercial and industrial uses. There remains little available land to develop additional commercial uses.

Further, the vast majority of the intersection is located within the 100-year floodplain. Additional development in the area has implications for storm water management. The *Northeast Sector Plan* is a future land use plan for the Grant Township area north and east of this intersection. The *Northeast Sector Plan* recommends very limited future development due to a number of factors, including storm water concerns.

### Recommendation

This intersection is not appropriate as a CC600 Commercial Center. A review of the proposed CC600 policies follows.



### **Proposed**

#### **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. [This is the US-59/40 and I-70 intersection.](#)
- 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. [The intersection currently has less than](#)

600,000 gross square feet being used as commercial retail space. To reach that level of commercial retail development the intersection likely will have to redevelop with larger commercial buildings. Larger buildings, and their associated parking, could exacerbate the existing storm water issues in this area.

- 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. This is a developed intersection that wasn't originally planned as a commercial node. Therefore it is difficult to determine if it currently meets this criterion given the existing development.
- D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. Buildings of this size, and their associated parking, could exacerbate the existing storm water issues in this area.
- 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. While there are some non-commercial employment related uses, all of the corners contain some retail development. There is no residential in the immediate 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. There is no Nodal or Area Plan for the intersection. The *Northeast Sector Plan* is immediately adjacent to the area.
- G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. Commercial Design review is required for all new commercial development.

## **K-10 Highway and the South Lawrence Trafficway**

*Horizon 2020* currently designates this intersection as a CC400 Commercial Center. The intersection is currently undeveloped. The exact location of the commercial node is unknown at this time due to the lack of a developed transportation system in the area.

This area is poised to become a major transportation intersection upon completion of the South Lawrence Trafficway.

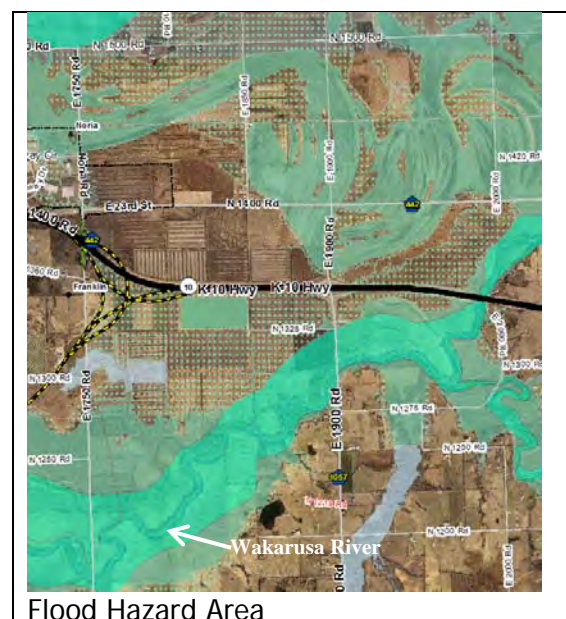
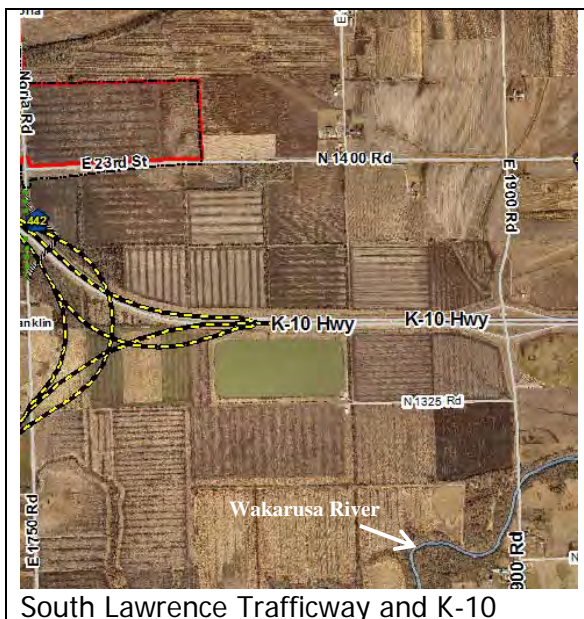
This area is less likely to see a large amount of residential development immediately adjacent to the intersection, compared with the W. 6<sup>th</sup> Street and K-10 node, due to the presence of the Wakarusa River, which is south of the intersection, and the regulatory flood hazard areas.

The *Southeast Area Plan* covers an area west of this intersection. The Plan designates a range of land uses for the area including low, medium and high density residential, industrial/employment uses, and Neighborhood and Community Commercial designations. The commercial designations are approximately 1 and 2 miles from this intersection.

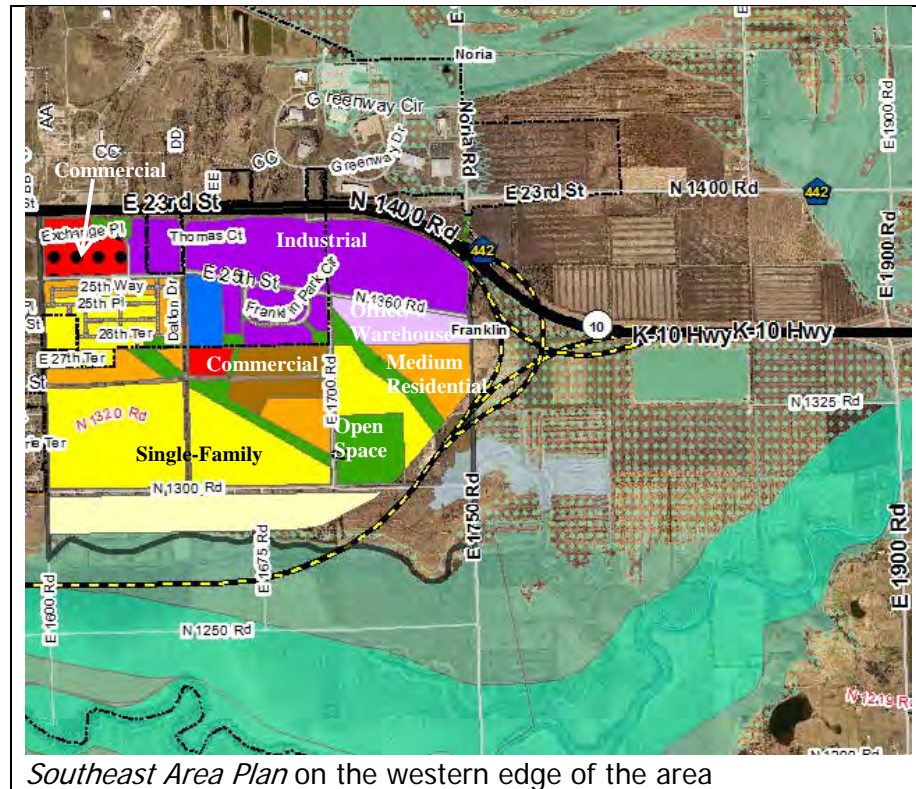
A lack of significant future residential development along with future commercial designations west of the area do not support expanding this node from a CC400 to a CC600 designation at this time, though the true impact of completing the South Lawrence Trafficway is unknown and this area may someday support the CC600 designation.

### **Recommendation**

While the intersection may be appropriate for the CC400 designation, it is not appropriate for expansion to a CC600 designation at this time. A review of the proposed CC600 policies follows.







## Proposed

### 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. This is the future intersection of the South Lawrence Trafficway and K-10 Highway.
- 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. The property is undeveloped. This criterion could be met if re-designated as a CC600.
- 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. The property is undeveloped. This criterion could be met if re-designated as a CC600.
- D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. The property is undeveloped. This criterion could be met if re-designated as a CC600.
- 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. [The property is undeveloped. This criterion could be met if re-designated as a CC600.](#)

- 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. [The is no Nodal or Area Plan for the intersection.](#)
- G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. [Commercial Design review is required for all new commercial development.](#)

## US59 (Iowa Street) and K-10

*Horizon 2020* currently designates the southern portion of the intersection as an Auto-Related Commercial Center. The southern portion of the intersection is currently undeveloped. The northern portion of the intersection is currently developed with strip commercial uses and is designated as a Regional Commercial Center (1.5 million square feet of retail).

The South Iowa corridor from 23<sup>rd</sup> Street to K-10 Highway is a strip commercial area with a large amount of commercial retail square footage. The area has essentially become a Regional Commercial Center, and *Horizon 2020* recognizes the area as such.

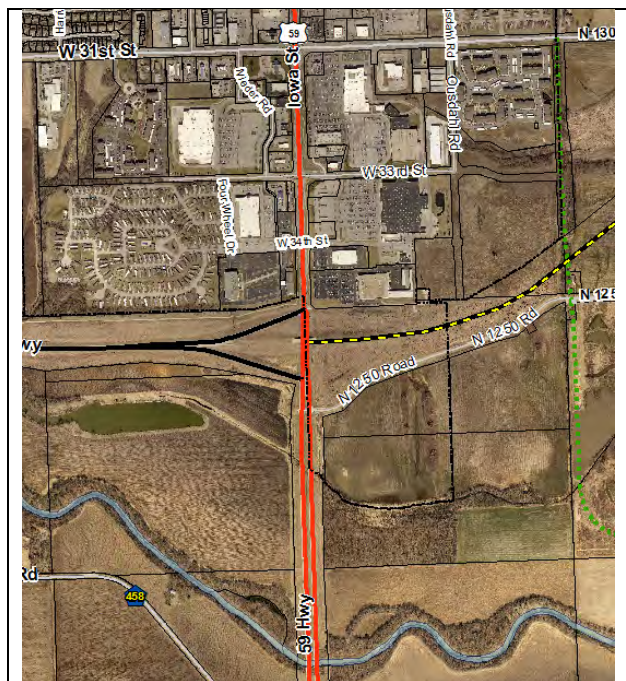
The Wakarusa River is south of the area and the portion of the intersection south of K-10 contains regulatory flood hazard area.

The *Revised Southern Development Plan* designates land uses for this intersection. The Plan designated the northwest and northeast corners as a Regional Commercial Center with the southwest and southeast corners designated as Auto-Related Commercial and open space.

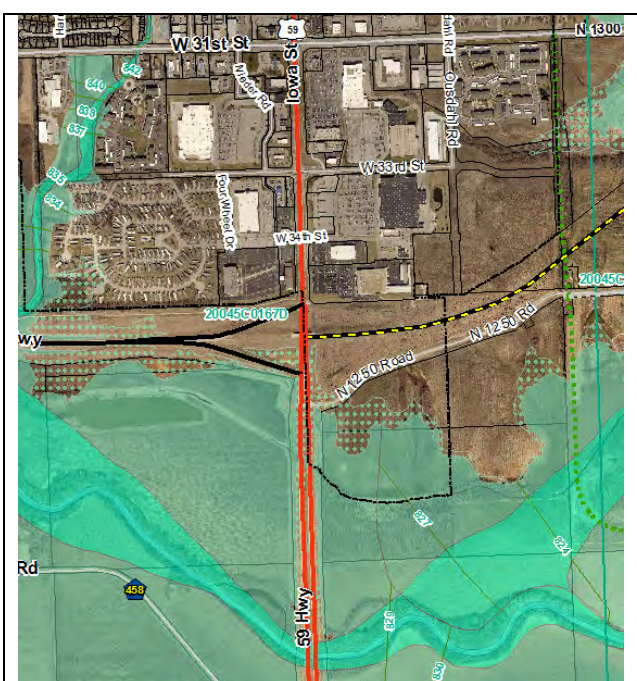
As Lawrence grows south of the Wakarusa River in the future, it may be appropriate to extend the regional commercial uses south of K-10 Highway, a designation that would surpass the CC600 designation as the north corners of the node, south of 31<sup>st</sup> Street, already have more than 900,000 square feet of commercial retail.

### Recommendation

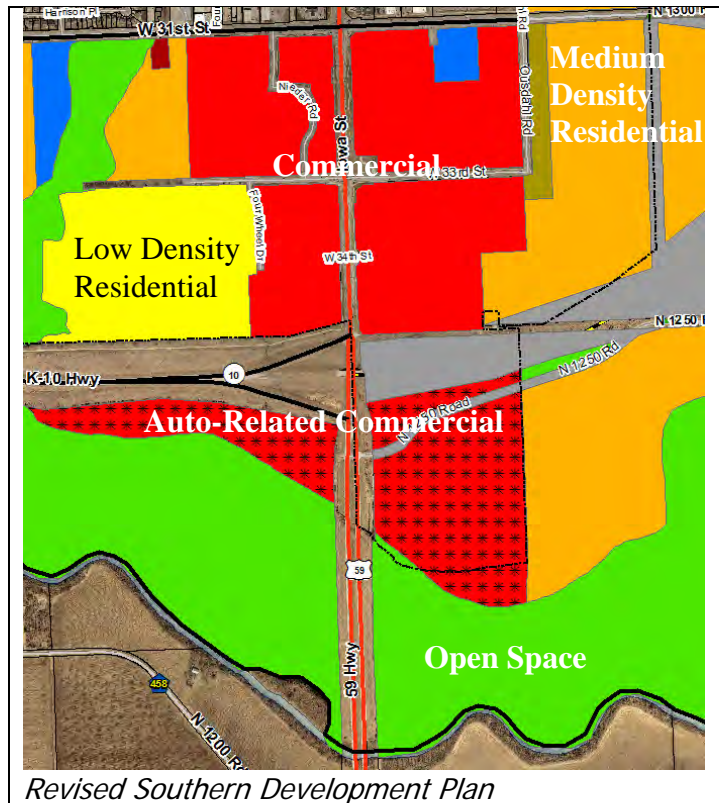
This intersection is not appropriate as a CC600 Commercial Center because the north corners south of 31<sup>st</sup> Street (the areas between 31<sup>st</sup> Street and K-10) already have in excess of 900,000 square feet of commercial retail. It may be more appropriate to designate the South Iowa corridor as a Regional Commercial Center that extends south of K-10 Highway interchange. A review of the proposed CC600 policies follows.



US-59 and K-10



Flood Hazard Area



**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. [This is the US-59 and K-10 intersection.](#)
- 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. [The north corners of the intersection, between 31<sup>st</sup> Street and K-10, already have more than 900,000 square feet of commercial retail.](#)
- 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. [The north corners of the intersection, between 31<sup>st</sup> Street and K-10, already have more than 900,000 square feet of commercial retail.](#)
- D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. [The existing development on the north corners may not comply with this criterion.](#)
- 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. [There are some residential uses within the northwest corner. Otherwise, the bulk of the uses in the northwest and northeast corners are commercial retail uses.](#)

- 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. [The Revised Southern Development Plan is the plan for the area. Designating the property south of K-10 as anything other than Auto-Related Commercial may require an amendment to the Plan.](#)
- G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. [Commercial Design review is required for all new commercial development.](#)



# Memorandum

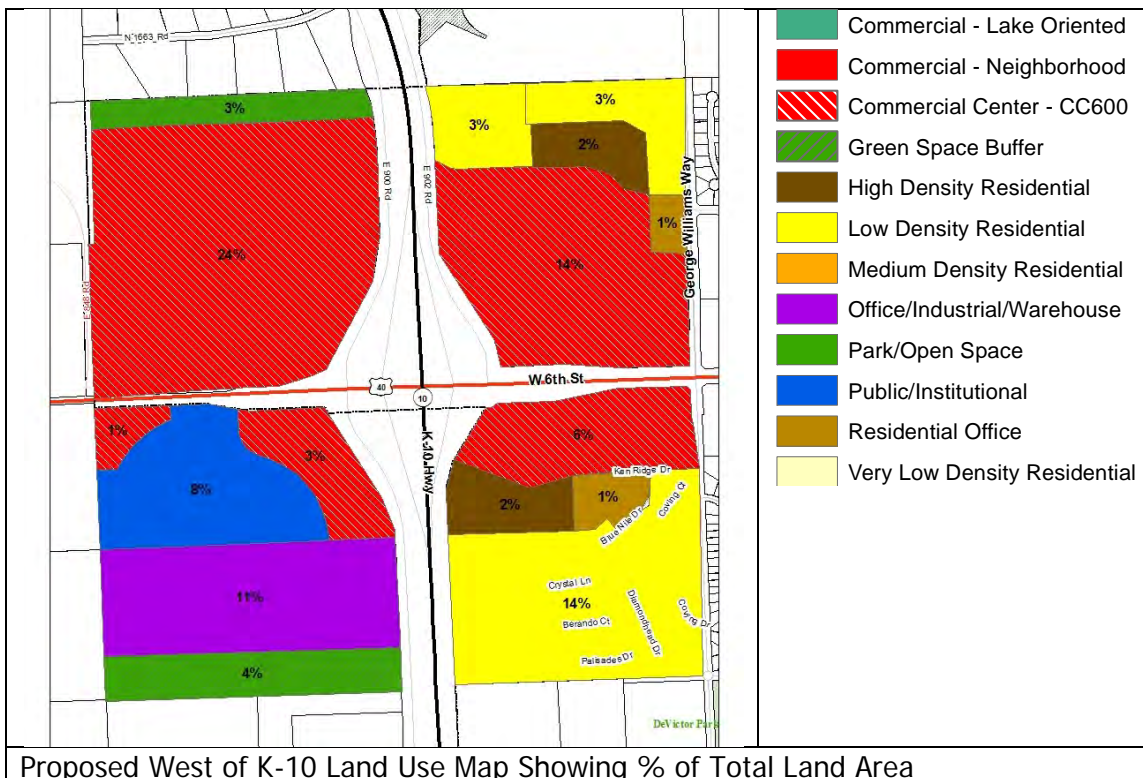
## City of Lawrence – Douglas County Planning and Development Services

**TO:** Lawrence Douglas County Planning Commission  
**FROM:** Planning Staff  
**DATE:** For February 25, 2013 Planning Commission Meeting  
**RE:** Analysis of Appropriate Allocation of Retail Square Footage at 6<sup>th</sup> and K-10 Node.

**Purpose:**

The City Commission directed the Planning Commission to analyze the appropriate allocation of the total amount of retail square footage at the 6<sup>th</sup> St. and K-10 commercial node that is not currently allocated to the Mercato development if the node were to be designated as a CC600 node.

Designating the node as a CC600 allows for a maximum of 600,000 square feet of retail space on the four corners of the node. The Mercato development has already been granted approximately 360,000 square feet of retail space, leaving 240,000 square feet of retail space to be split between the three remaining corners. The applicant for the rezoning of the northwest corner has requested 180,000 square feet of retail space be allocated to that corner, leaving 60,000 square feet to be divided between the southeast and southwest corners under the applicants scenarios.





**Analysis:**

At the January 15, 2013 City Commission Meeting, Comm. Dever introduced the idea that the retail square footage might be split taking into consideration the ratio of land designated as CC600 in the proposed West of K-10 plan at each corner to the total land area designated as CC600 for the node as whole. Staff undertook an exercise to determine what split of retail square footage that would amount to. This scenario takes into consideration that land use approvals have already been given to the Mercato development giving the northeast corner zoning approvals for 360,000 square feet of retail space. Splitting the remaining 240,000 square feet of retail space between the three corners of the node results in a distribution as follows:

<b>Analysis of Retail Sq. Footage Based on West of K-10 Plan Land Use Ratios</b>					
	Square Feet of Land Area	% of Total Land Area of Node	% of total area of CC600 with Mercato SQ FT Removed	If 600,000 was distributed based on land area with Mercato SQ FT Removed	% of CC600 Retail Space including Mercato
<b>NW Corner</b>					
<b>Commercial - CC600</b>	<b>5,683,684</b>	<b>24.2%</b>	<b>69.9%</b>	<b>167,745</b>	<b>28.0%</b>
Green Space Buffer	613,429	2.6%			
<b>SW Corner</b>					
<b>Commercial - CC600</b>	<b>1,043,243</b>	<b>4.4%</b>	<b>12.8%</b>	<b>30,790</b>	<b>5.1%</b>
Office/Industrial/Warehouse	2,517,669	10.7%			
Public/Institutional	1,845,825	7.9%			
Green Space Buffer	1,039,864	4.4%			
<b>SE Corner</b>					
High Density Residential	560,208	2.4%			
Low Density Residential	3,216,256	13.7%			
Residential Office	296,340	1.3%			
<b>Commercial - CC600</b>	<b>1,404,979</b>	<b>6.0%</b>	<b>17.3%</b>	<b>41,466</b>	<b>6.9%</b>
<b>NE Corner</b>					
High Density Residential	463,847	2.0%			
Low Density Residential	1,376,594	5.9%			
Residential Office	166,273	0.7%			
<b>Commercial - CC600</b>	<b>3,264,096</b>	<b>13.9%</b>		<b>360,000</b>	<b>60.0%</b>
<b>Total Land Area - CC600</b>	<b>11,396,002</b>				

Distribution based on total land area would amount to roughly 168,000 square feet of retail space being allocated to the northwest corner, 31,000 square feet being allocated to the southwest corner and 42,000 being allocated to the southeast corner after taking

into consideration the roughly 360,000 already allocated to the northeast corner through zoning approvals.

The above distribution scenario does not take into consideration the fact that while there is a cap on retail square footage that is associated with the CC600 zoning, other uses are permitted in the proposed CC600 zoning district and can be located on that land taking up some of the total land area designated as CC600. Only uses defined as retail businesses by Section 20-1107 of the Land Development Code count towards the cap of 600,000 square feet of retail space at the node. Those business are defined as ones whose primary coding under the North American Classification System (NAICS) are 44-45 (Retail Trade), 722 (Food Services and Drinking Places), 811 (Repair and Maintenance), and 812 (Personal and Laundry Services). Examples of uses that are not included in the 600,000 square foot retail allocation but are permitted in the CC6000 zoning district are hotels, banks, office uses, etc.

Other factors to consider when allocating retail square footage at this node include the location of the regional recreation center and the effect that “going home” transportation routes will have on the pattern of travel around the node. The locating of the regional recreation center north of the northeast corner of the node will increase the need for retail uses at this node, hence the staff recommendation that this node be designated as a CC600 instead of a CC400. In allocating retail square footage based on the location of the regional recreation center, consideration should be given to the idea that the easiest transportation route for users of the center to get to retail services would be to travel next door to the Mercato development or south on George Williams Way using the signaled intersection at 6<sup>th</sup> Street to the southeast corner of the node. The third easiest route will be to use the signalized intersection and travel west on 6<sup>th</sup> Street to the northwest corner.

“Going home” transportation routes take into consideration that most people will make stops at retail stores on their way home from work, especially when that is convenient. For this intersection, those routes are the southeast corner and northwest corner.

### **Recommendation:**

In summary, several criteria were analyzed to refine the assessment of allocating the permitted retail uses at the subject node – distribution based on the amount of land proposed to be designated CC600, the impact of the planned regional recreation center, and taking into account the “going home” route of the traveling public.

In staff’s opinion, allocating additional square footage to the southeast corner addresses some of these identified factors, while maintaining a significant amount of retail at the northwest corner, a going home route itself upon build out of the West of K-10 area. Therefore, staff is recommending that retail square footage at this node be allocated as follows:

**Allocation of Retail Space in Original W. of K-10 Plan Revisions**

	<b>Retail Square Footage Allocation</b>	<b>% of CC600 Retail Space</b>
<b>NW Corner CC600</b>	180,000	30.0%
<b>SE &amp; SW Corner CC600</b>	60,000	10.0%
<b>NE Corner CC600</b>	360,000	60.0%

**Revised Staff Recommendation of Allocation of Retail Space**

	<b>Retail Square Footage Allocation</b>	<b>% of CC600 Retail Space</b>
<b>NW Corner CC600</b>	155,000	25.8%
<b>SW Corner CC600</b>	25,000	4.2%
<b>SE Corner CC600</b>	60,000	10.0%
<b>NE Corner CC600</b>	360,000	60.0%

# Memorandum

## City of Lawrence – Douglas County Planning & Development Services

**TO:** Lawrence-Douglas County Planning Commission

**FROM:** Planning Staff

**Date:** For February 25, 2013 Planning Commission Meeting

**RE:** Item No. 3: Rezoning Request from A & B1 to CC600; 146 acres;  
W 6<sup>th</sup> Street and K-10 and Discussion of Appropriateness of  
Residential Uses in the NW quadrant of the CC600 District.

**Purpose:**

The City Commission requested analysis of whether residential uses should be permitted in the proposed CC600 zoning for the project known as Gateway Addition located at the northwest corner of 6<sup>th</sup> St. and K-10 Highway.

### **RESIDENTIAL USE / MIXED USE DEVELOPMENT**

Residential uses are permitted in several commercial zoning districts (CN1, CN2, CD, CC, and CS) as a means to encourage mixed use development. Mixed use is a preferred development pattern as it allows the multi-use of buildings or properties thereby allowing the creation of denser development and limiting sprawl. Mixed use also provides live/work/shop opportunities within walking distance which reduces vehicle miles traveled and helps conserve energy.

One change made with the adoption of the 2006 Development Code was the inclusion of standards to ensure that areas that were zoned for commercial uses could not be developed solely with residential uses; thereby permitting a mix of uses without eroding the commercial nature of the development. This was done, in part, recognizing that multi-dwelling development could have a faster absorption rate than commercial development and certain intersections designated for commercial development should be preserved with sufficient capacity to accomplish the commercial needs of the community. Residential uses typically do not require the same level of transportation network as a high-intensity commercial area and the residential land use designation is more prevalent than the commercial use designation.

Residential uses which are permitted in the proposed CC600 District include *Multi-Dwelling Structures*, *Non-Ground Floor Dwelling Units* and *Work/Live Units*. Section 20-1734 contains the following definitions of these residential uses:

***Multi-Dwelling Structure:*** A structure that contains 3 or more dwelling units that share common walls or floor/ceilings with 1 or more units. The land underneath the structure is not divided into separate lots. A multi-dwelling includes structures commonly called garden apartments, apartments and condominiums.

***Non-Ground Floor Dwelling Unit:*** Residential dwelling(s) permitted in any vertical mixed use structure which are located above the ground level or first level of the structure or below the ground level or first level of a structure and do not have direct internal access to a nonresidential use.

***Work/Live Units:*** A space within a building that consists of a dwelling unit which is accessory to a nonresidential use and has direct internal access to the nonresidential use.

The residential uses permitted in the CC600 District include both apartments which are a part of a mixed use structure and stand-alone apartment buildings. Per Section 20-517 of the Development Code, residential uses are only permitted in the CC Districts when the residential units are constructed as part of a mixed-use project when at least 50% of the gross floor area is developed with nonresidential uses.

Concern has been raised for the opportunity that the code affords to permit 50% of the 146 acres to be developed with residential uses. While mixed use development is generally viewed as beneficial for a variety of reasons as noted above, a high-intensity commercial node at the intersection of two state highways may be better served with an even greater limitation on residential uses to take advantage of the auto-related transportation system by maximizing the amount of commercial uses at the site.

Residential development could also occur in this area through a rezoning to a multi-dwelling district. If residential uses were not permitted within the CC600 District, but were found to be appropriate in some areas of the corner it would be necessary to revise the area plan to designate areas for residential development. The benefit to allowing the residential uses to be included within the CC600 District is the amount of flexibility provided the developer. The project could develop with solely commercial uses or residential uses could be included as part of a mixed use project.

## **UNIFORMITY WITH OTHER QUADRANTS OF THE NODE**

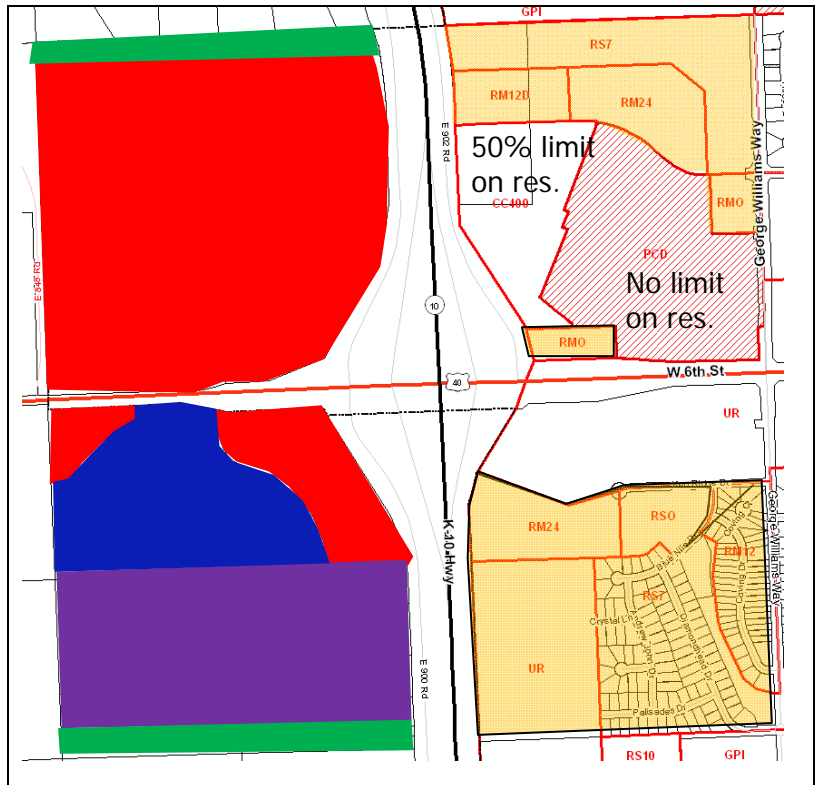
The NE corner of the W 6th Street/Hwy 40 and K-10 node (Mercato) is zoned CC400 and PCD as well as residential zonings of varying densities. (Figure 1) Residential dwelling units are permitted in the PCD District with a maximum density of 35 dwelling units per net residential acre, per the list of permitted uses in Section 20-1004 of the pre-2006 Code. The Mercato Development has an approved Preliminary Development Plan, but the specific uses of the non-commercial buildings are not noted on the plans. More information on the specific uses would be provided at the Final Development Plan stage.

The other commercial section of Mercato was rezoned to the CC400 District. This district permits the *Multi-Dwelling Structures*, *Work/Live Units*, and *Non-Ground Floor Dwelling Units* subject to the 50% limitation noted earlier. The CC400 zoned area has not yet been site planned.



The southeast quadrant of the node is partially developed with residential uses and has rezonings to residential districts recently approved. The area along W 6<sup>th</sup> Street is recommended for commercial uses in the area plan. The southwest quadrant of the node is developed with a *Religious Assembly* use and the area plan recommends Office/Industrial uses south of the church. CC600 is recommended adjacent to the church property along W 6<sup>th</sup> Street/ Highway 40. *Multi-Dwelling Structures, Work/Live Units* and *Non-Ground Floor Dwelling Units* would be permitted up to 50% of the gross floor area of a mixed use project.

The uses recommended in the May 21, 2012 staff report were uses which were compatible with the proposed regional recreation center. With the regional recreation use relocating east of K-10 Highway, the recommended uses are still appropriate to serve the demand generated by the recreation uses and also the demand generated by the normal growth of the city. Residential uses are viewed by staff as compatible with the existing and recommended uses of the node given their presence at the other corners of the node.



**Figure 1.** Distribution of zoning and land uses in the subject node. Zonings in place are shown for northeast and southeast quadrants. Area zoned UR in the southeast quadrant is recommended for CC600 Zoning. Zonings recommended in the long range plan shown for the northwest and southwest quadrants.

**OPTIONS**

- Permit residential uses in the proposed CC600 zoning district at this quadrant of the node as allowed by the Development Code.
- Place a condition on the proposed CC600 zoning that prohibits residential uses at this quadrant of the node.
- Place a condition on the proposed CC600 zoning that limits the amount of residential uses permitted at this quadrant of the node at a lower level than that provided by the Development Code.

In staff's opinion residential uses are appropriate in the northwest quadrant of this node to maintain uniformity with the other quadrants and provide the flexibility to allow developers to design mixed use developments.

**STAFF RECOMMENDATION**

Based on the discussion above, Staff recommends that residential uses be permitted in the proposed CC600 zoning as allowed by the Development Code.

**Attachments**

Attachment A: Revised Recommended Use Table

It was brought to staff's attention that the use *School* was not included in the recommended use table, Table 1 of the November 12, 2012 Staff Report for the rezoning request. The recommended use table has been revised to include this use and is attached with this memo. The first column of the table below shows the uses which are permitted in the CC600 District and those which staff recommends be restricted from this quadrant. (Restricted uses are shown as ~~struckthrough~~.)

Table 1: Recommended Uses	
Permitted Uses-- CC District	Uses Recommended For NW Quadrant
<b>Residential</b>	<b>Residential</b>
Multi-Dwelling Structure (mixed use, 50% non-residential)	Multi-Dwelling Structure (mixed use, 50% non-residential)
Non-Ground Floor Dwelling Unit (mixed use, 50% non-residential)	Non-Ground Floor Dwelling Unit (mixed use, 50% non-residential)
Work-Live Unit (mixed use, 50% non-residential)	Work-Live Unit (mixed use, 50% non-residential)
<del>Group Home (SUP)</del>	
<b>Community Facilities</b>	<b>Community Facilities</b>
<del>Cemetery</del>	
College/University	College/University
Cultural Center/Library	Cultural Center/Library
Day Care Center	Day Care Center
<del>Day Care Home</del>	
Lodge, Fraternal and Civic Assembly	Lodge, Fraternal and Civic Assembly
Postal and Parcel Service	Postal and Parcel Service
Public Safety	Public Safety
<b>School*</b>	<b>School*</b>
<del>Funeral and Internment</del>	
<del>Temporary Shelter (accessory or SUP)</del>	
Social Service Agency	Social Service Agency
<del>Community Meal Program (accessory or SUP)</del>	
Utility Minor	Utility Minor
<del>Utility Major</del>	
<b>Medical Facilities</b>	<b>Medical Facilities</b>
Health Care Office/Clinic	Health Care Office/Clinic
Outpatient Care Facility	Outpatient Care Facility

<b>Recreational Facilities</b>	<b>Recreational Facilities</b>
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
<b>Religious Assembly</b>	<b>Religious Assembly</b>
Religious Institution (Community or Neighborhood)	Religious Institution (Community or Neighborhood)
<b>Commercial Use Group</b>	<b>Commercial Use Group</b>
<b>Animal Services</b>	
Kennel	
Livestock Sales	
Animal Sales and Grooming	
Veterinary	
<b>Eating and Drinking Establishments</b>	<b>Eating and Drinking Establishments</b>
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
<b>Offices</b>	<b>Offices</b>
Administrative and Professional	Administrative and Professional
Financial, Insurance and Real Estate	Financial, Insurance and Real Estate
Other	Other
<b>Parking</b>	<b>Parking</b>
Accessory	Accessory
Commercial Parking Facilities	
<b>Retail Sales and Services</b>	<b>Retail Sales and Services</b>
<del>Building Maintenance</del>	
<del>Business Equipment</del>	
Business Support	Business Support
<del>Construction Sales and Service</del>	
Food and Beverage	Food and Beverage
<del>Mixed Media Store</del>	
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	
<b>Transient Accommodations</b>	<b>Transient Accommodations</b>
Campground	
Hotel Motel, Extended Stay	Hotel Motel, Extended Stay
<b>Vehicle Sales &amp; Service</b>	<b>Vehicle Sales &amp; Service</b>
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	
<b>Industrial Facilities</b>	<b>Industrial Facilities</b>
Laundry Service	
Manufacturing and Production Ltd (SUP)	Manufacturing and Production Ltd (SUP)
Manufacturing and Production Tech	Manufacturing and Production Tech
Research Service	Research Service
<b>Wholesale Storage and Distribution</b>	<b>Wholesale Storage and Distribution</b>
Exterior Storage (when accessory)	
Heavy (SUP)	
Light	Light
Mini-warehouse	
<b>Adaptive Reuse</b>	
Designated Historic Property	
<b>Agriculture</b>	<b>Agriculture</b>
Agricultural Sales	
Crop Agriculture	Crop Agriculture
<b>Communications Facilities</b>	<b>Communications Facilities</b>
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)
<b>Recycling</b>	<b>Recycling</b>
Large Collection	Large Collection
Small Collection	Small Collection

\* The use *School* was omitted from the original list of recommended uses provided in the May 21, 2012 staff report.

# **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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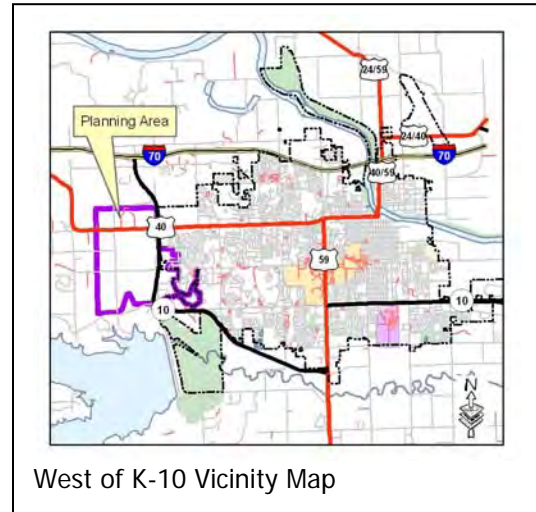


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## I. Introduction and Purpose

**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 6<sup>th</sup> 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 6<sup>th</sup> Street/US 40 and the South Lawrence Trafficway/K-10. This revision supersedes the *West 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 1<sup>st</sup> draft of the Plan with input from other City departments. The 2<sup>nd</sup> draft of the plan, revised after public comments were received on the 1<sup>st</sup> 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 4<sup>th</sup> draft of the plan was produced based on Planning Commission direction. The Planning Commission and City Commission approved the 4<sup>th</sup> draft. The Board of County Commissioners directed staff to make changes to the 4<sup>th</sup> draft. The Planning Commission agreed with the changes suggested by the County Commission and approved the 5<sup>th</sup> draft March 25, 2009. The County Commission approved the 5<sup>th</sup> draft on May 6, 2009. The City Commission approved the 5<sup>th</sup> draft on June 6, 2009.

## II. Existing Conditions

### A. Current Land Use

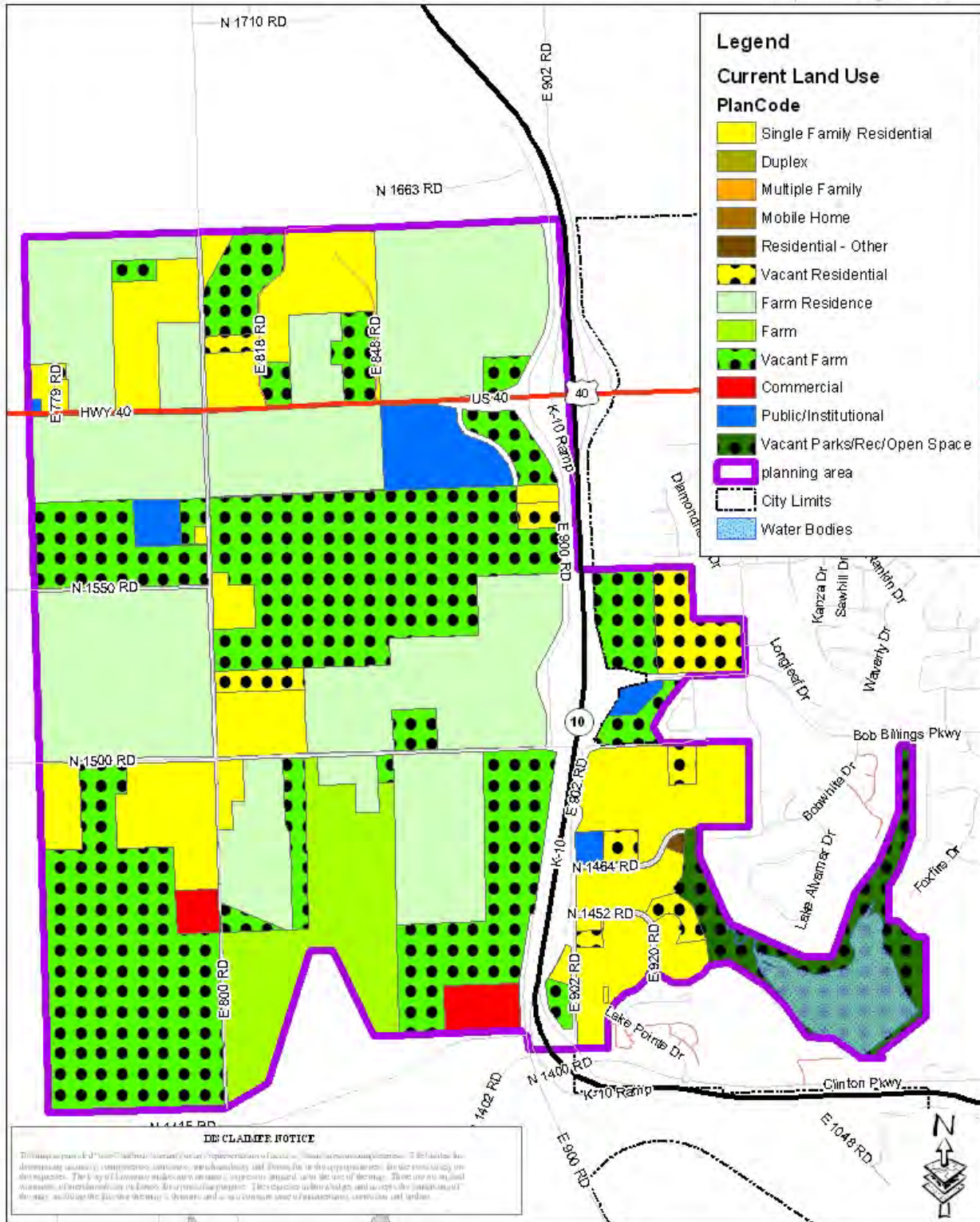
The current land uses in the planning area consist of approximately 2,438 acres of land, excluding street right-of-way, as shown in Table 2-1. The majority of the planning area, approximately 1,800 acres, is in farm use. Most of the remainder of the land uses are types of residential uses. Commercial,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

Table 2-1

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

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

Map Date: August 16, 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)	<b>Low-Density Residential</b>
RS7	Single-Dwelling Residential (7,000 sq. feet per dwelling unit)	<b>Low-Density Residential</b>
RM12	Multi-Dwelling Residential (12 dwelling units per acre)	<b>Medium-Density Residential</b>
PCD	Planned Commercial Development	<b>N/A</b>
<b>UR</b>	<b>Urban Reserve</b>	<b>N/A</b>

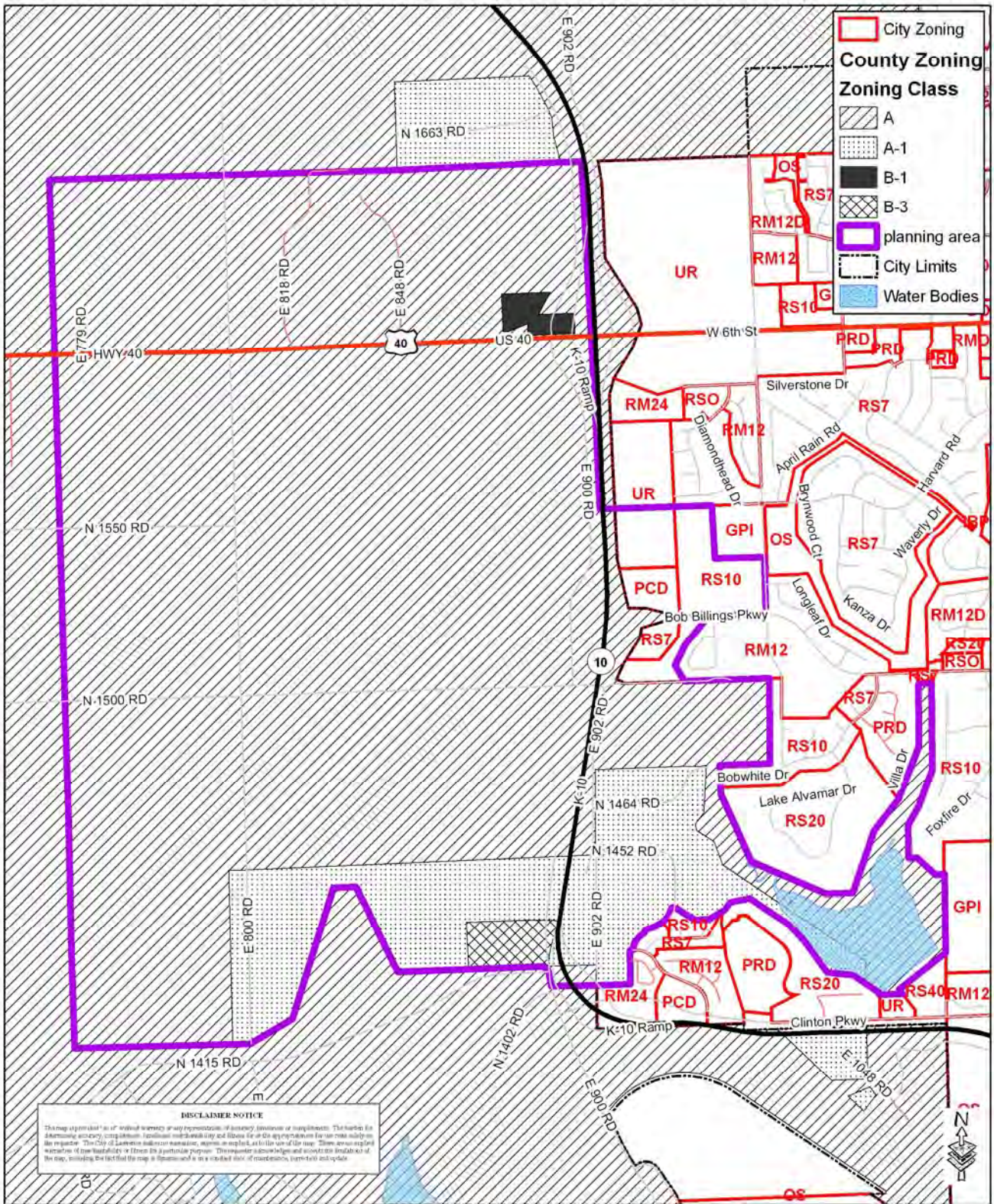
Table 2-3

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



# West of K-10 Plan Map 2-2 Current Zoning

Map Date: June 26, 2013



**DISCLAIMER NOTICE**  
 This map is provided as an advisory service only. It is not intended to be used as a legal document. The user is responsible for determining the accuracy, completeness, and reliability of the information shown on this map. The user is also responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user is also responsible for obtaining all necessary information from the appropriate authorities. The user is also responsible for obtaining all necessary information from the appropriate authorities. The user is also responsible for obtaining all necessary information from the appropriate authorities.

## 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

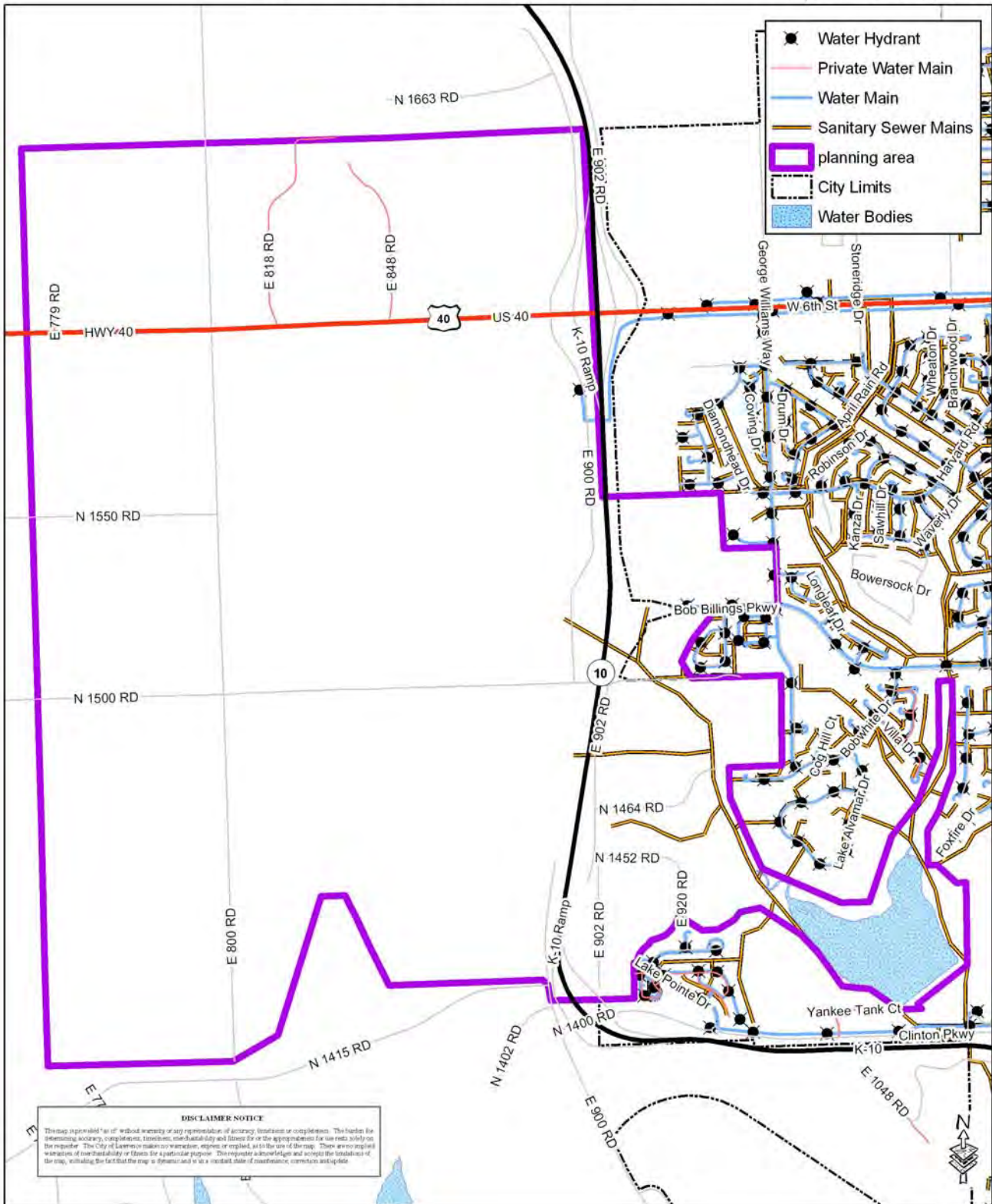
Southern Star Gas has two lines running through the planning area. One line crosses the planning area across the northeastern corner and the other line crosses at the southern portion of the planning area.



# West of K-10 Plan

## Map 2-3 City Water and Sanitary Sewer

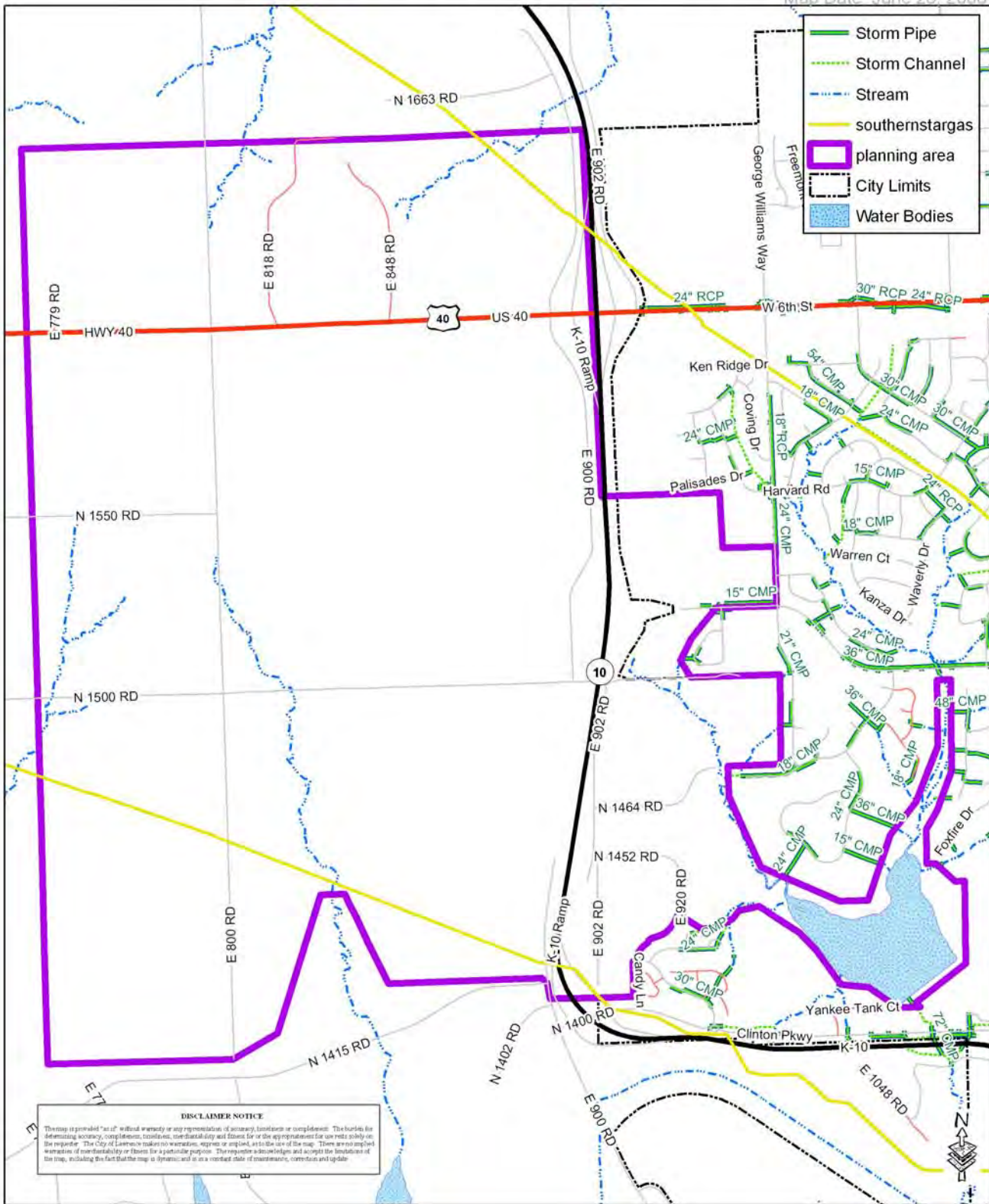
Map Date: June 26, 2008



# West of K-10 Plan

## Map 2-4 City Storm Water and Southern Star Gas

Map Date: June 26, 2008



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## **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 long 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).

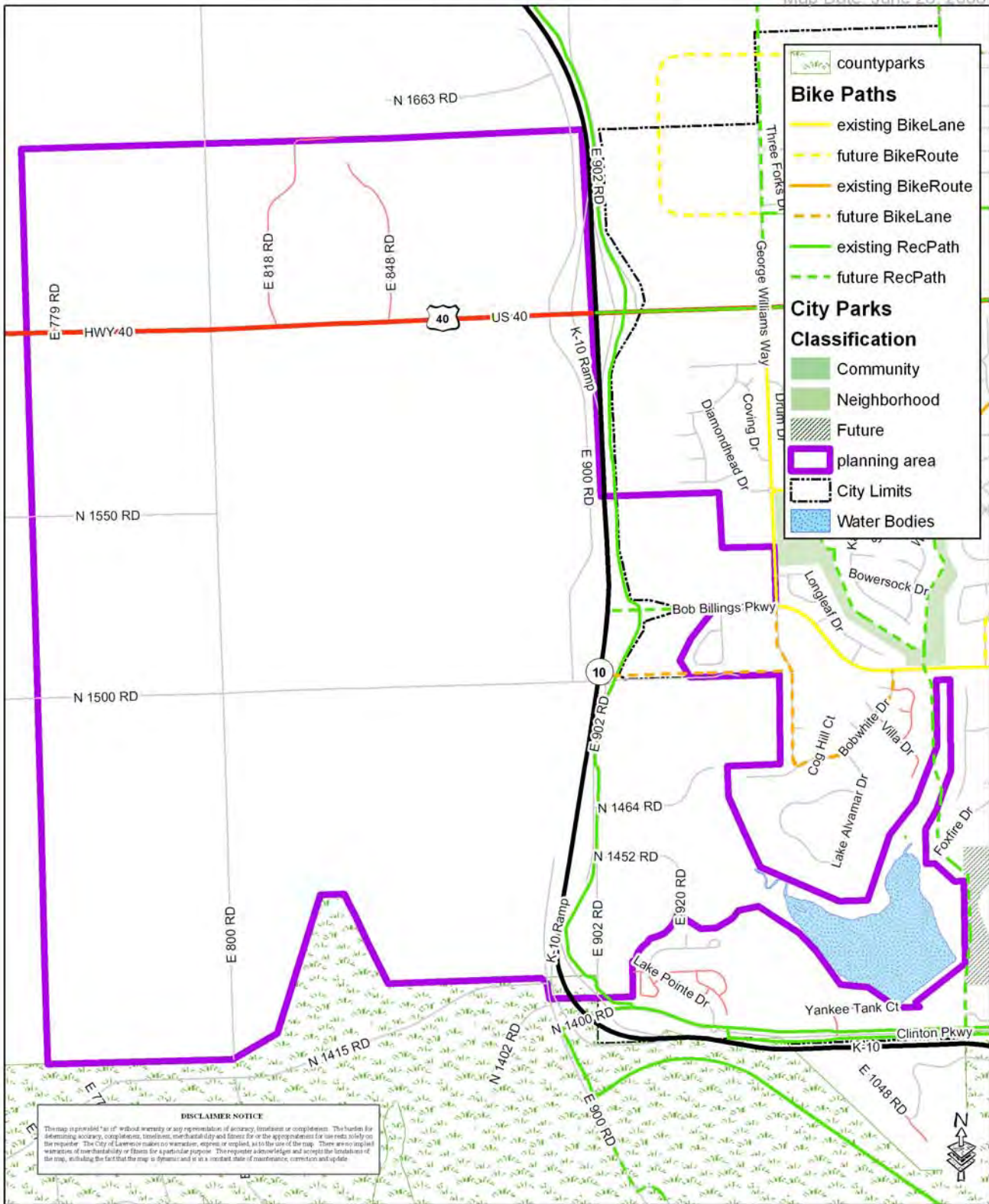
Different types of bicycle facilities are attached to a certain street classification. Recreational Paths are part of Arterials, Bike Lanes are part of Collectors, and Bike Routes are also part of Collectors.



# West of K-10 Plan

## Map 2-5 Parks and Recreation Facilities

Map Date: June 26, 2008



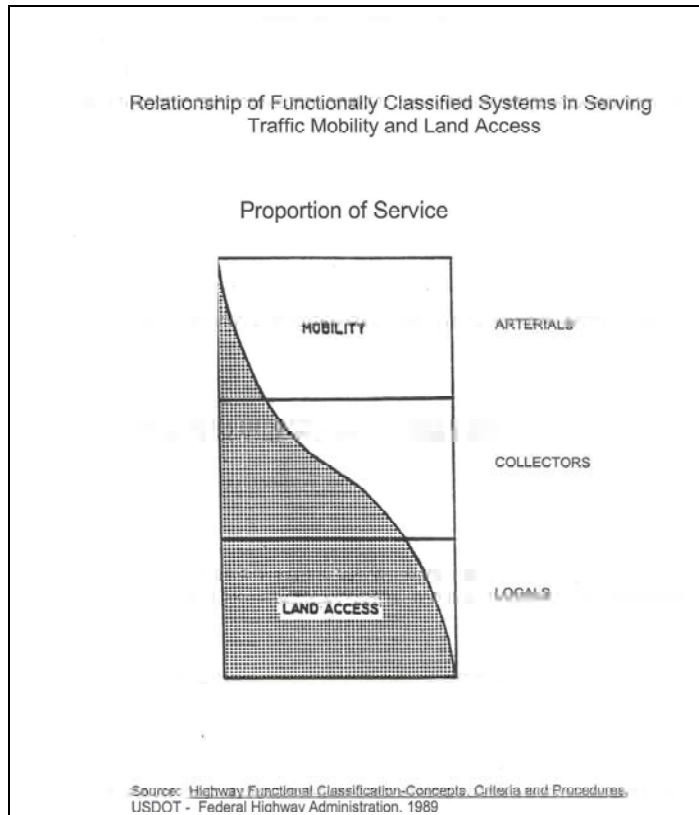
## E. Transportation

*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.

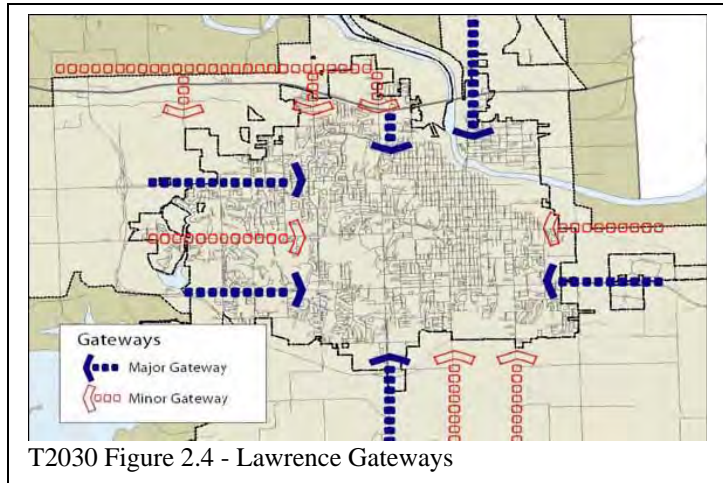
The graphic on the right helps explain the relationship between functional classification in serving traffic mobility and land access.

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.

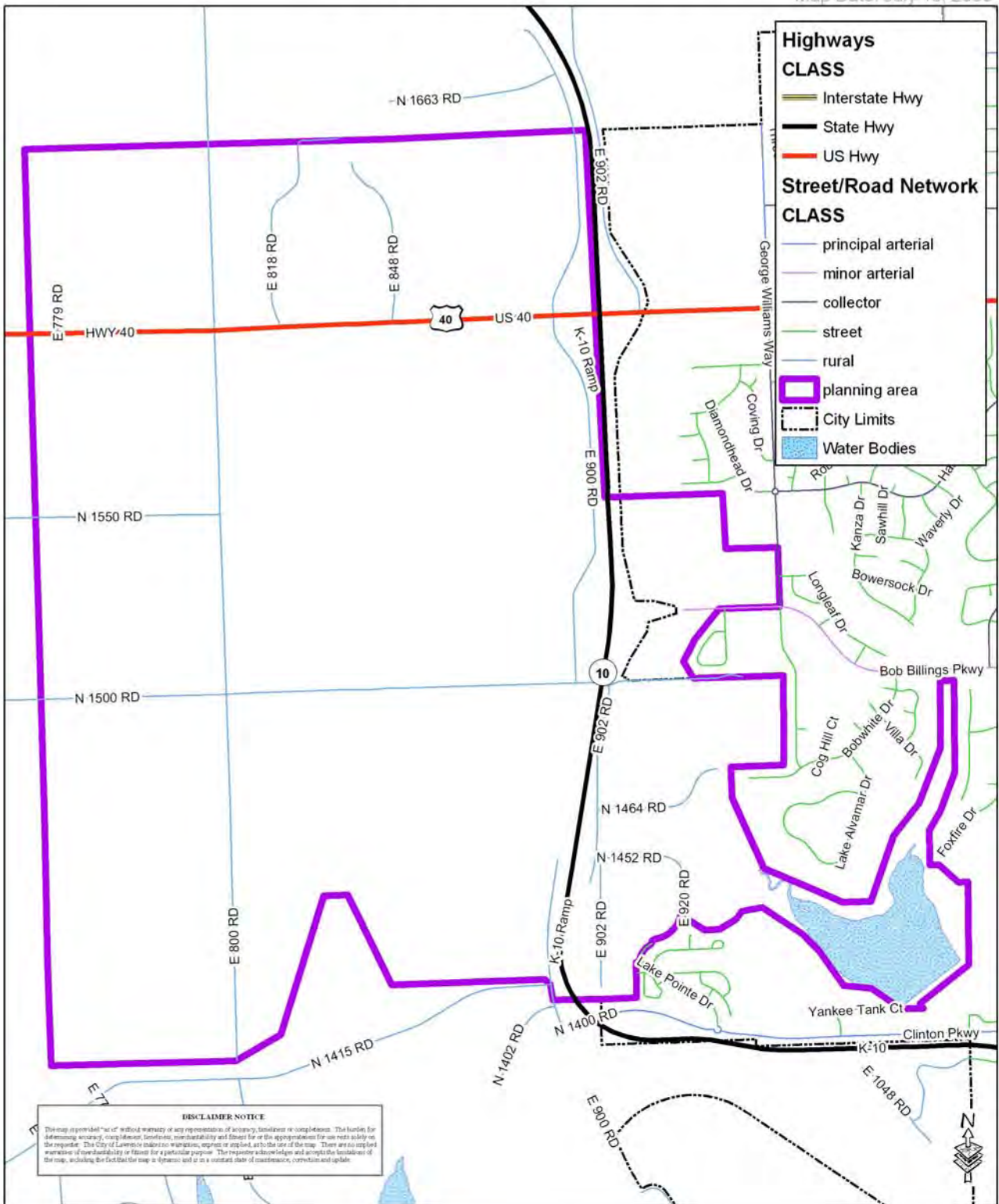
There are no immediate plans to widen K-10 Highway beyond the current two travel lanes.

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



**DISCLAIMER NOTICE**  
 This map is provided "as is" without warranty of any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness and fitness for use rests solely on the user. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The user assumes all responsibility and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

## **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 6<sup>th</sup> 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 31<sup>st</sup> 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.

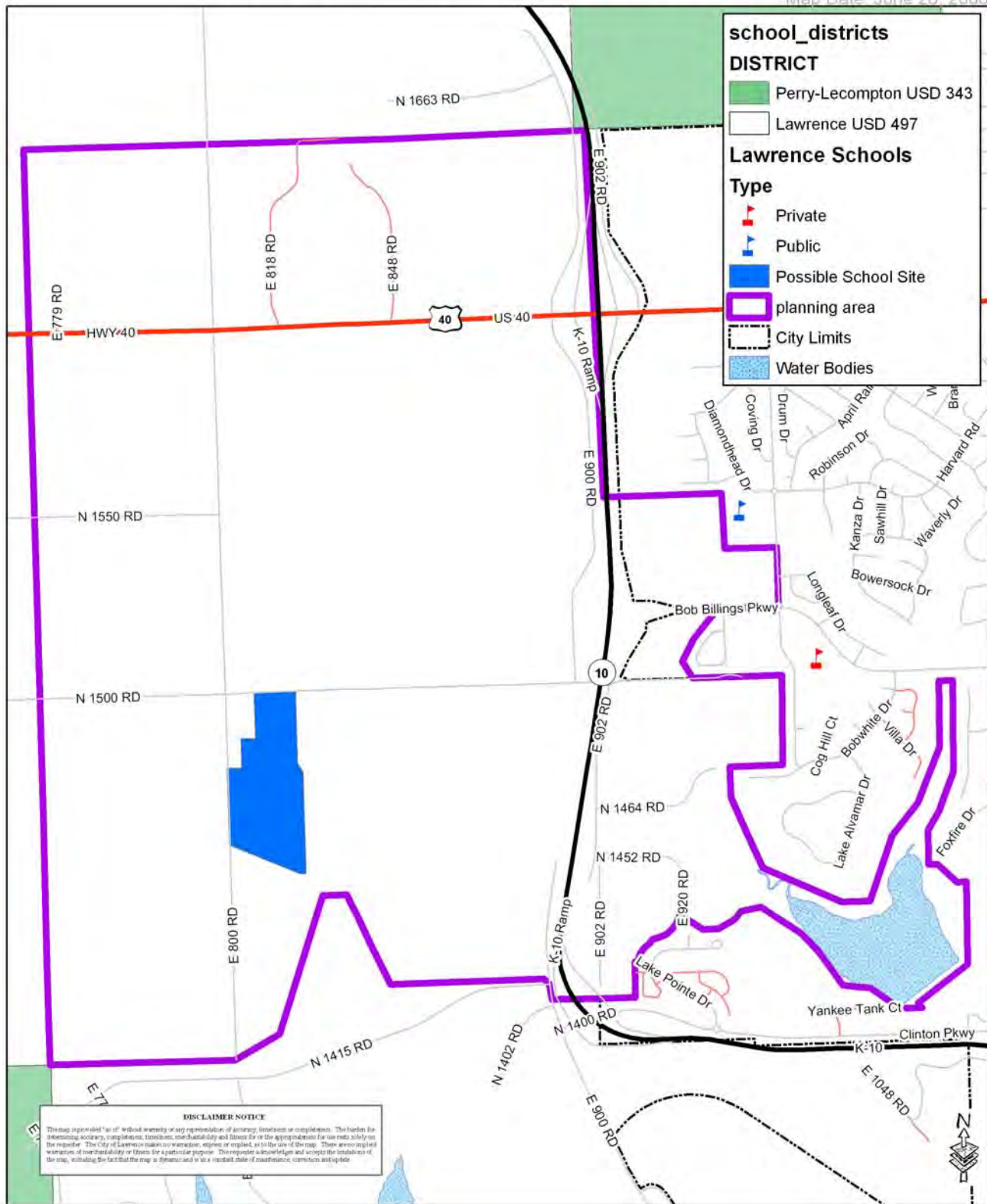
On the west and south of the plan area is part of the Upper Wakarusa Watershed which covers 367 square miles in total across Douglas, Shawnee, Osage and Wabunsee counties. The watershed drains into Clinton Lake, which serves as a major source of drinking water for the City of Lawrence. In 2003, the Upper 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

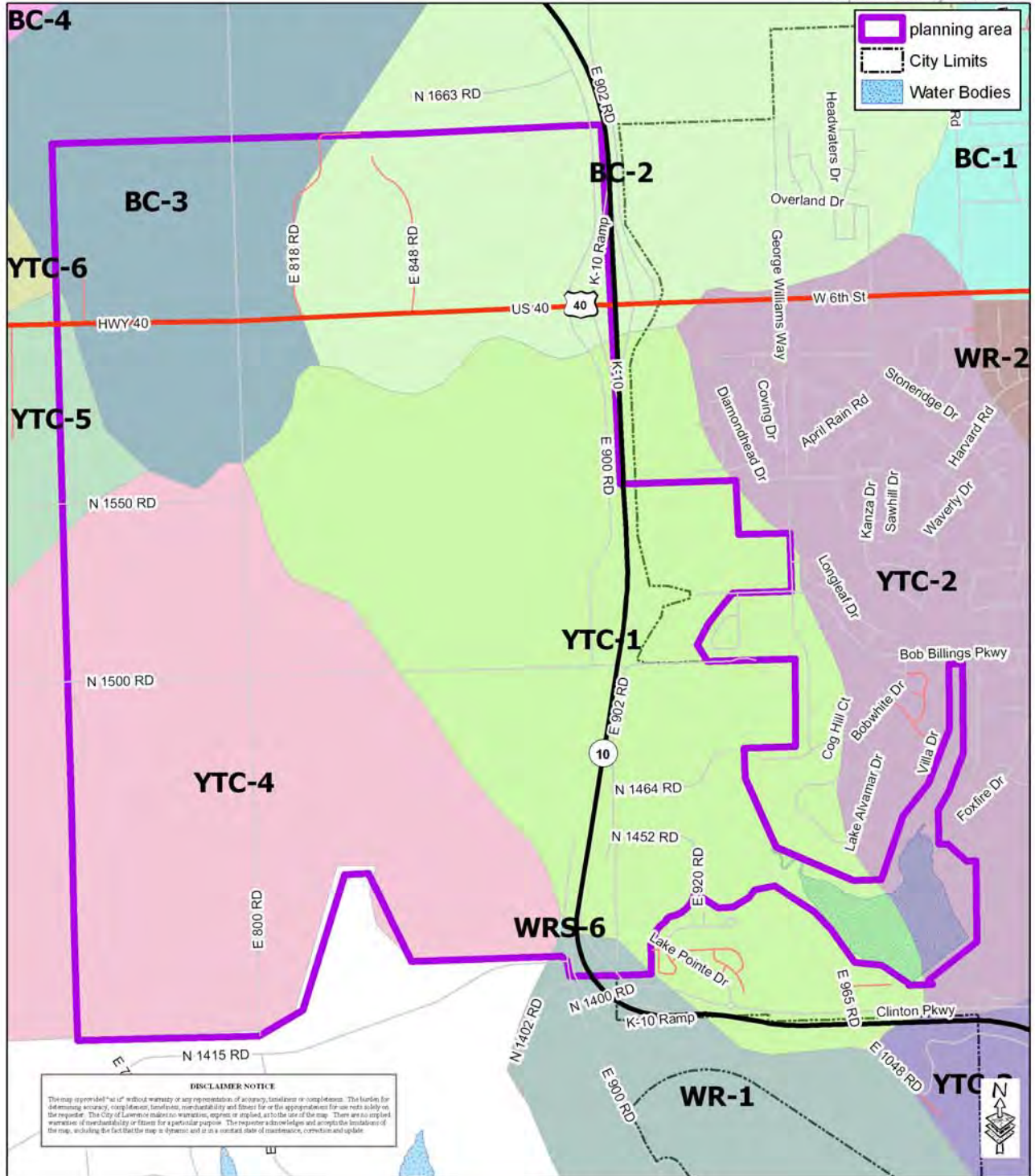


# West of K-10 Plan

## 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).

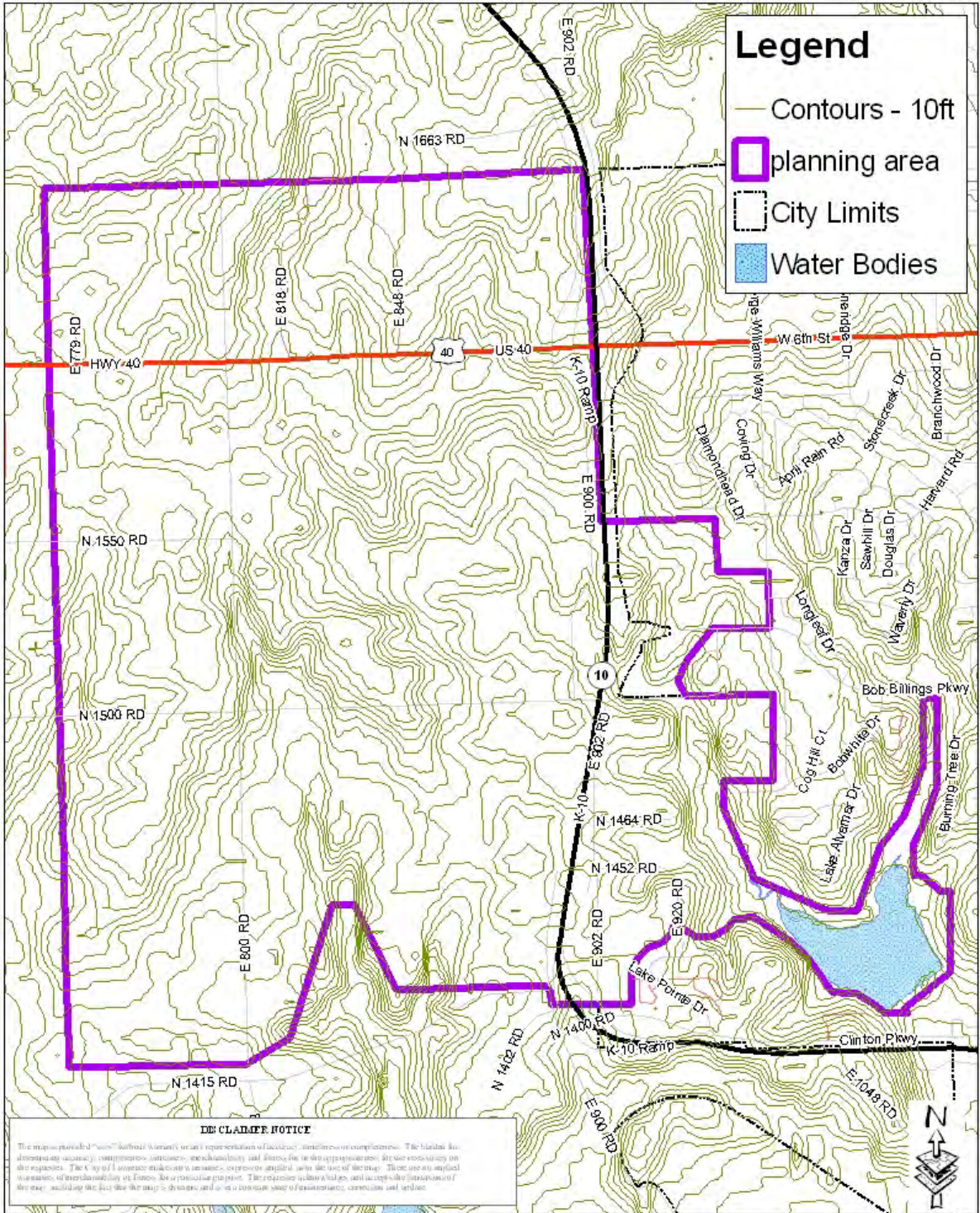
Map Date: July 10, 2008





# 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/15<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> and South Lawrence Trafficway Nodal Plan* are predominately employment related.~~





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/15<sup>th</sup> 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 employment 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. See the K-10/US40 Node discussion below for the allocation of the commercial retail space, along with 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), CC200 (Community Commercial Center), CN2 (Neighborhood Commercial Center), CO (Commercial Office), and PD (Planned Development Overlay) Districts

***Intensity:*** medium to heavy

### **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 US40/6<sup>th</sup> Street and K-10 Highway is expected to have a mix of uses including retail and other commercial uses. The total allocated retail space for this corner is 155,000 square feet. 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 6<sup>th</sup> Street and George Williams Way frontages, while the residential uses are in the northern portion of the corner. The allocated commercial retail space for this corner is 360,000 square feet. 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 recreation center and 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 is allocated 25,000 square feet of commercial retail space. 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 6<sup>th</sup> Street frontage and are designated CC600. This corner is allocated 60,000 square feet of retail space. 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 40/6<sup>th</sup> Street and K-10 were designated by the *West 6<sup>th</sup> 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 40/6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> Street/K-10 Nodal Plan.

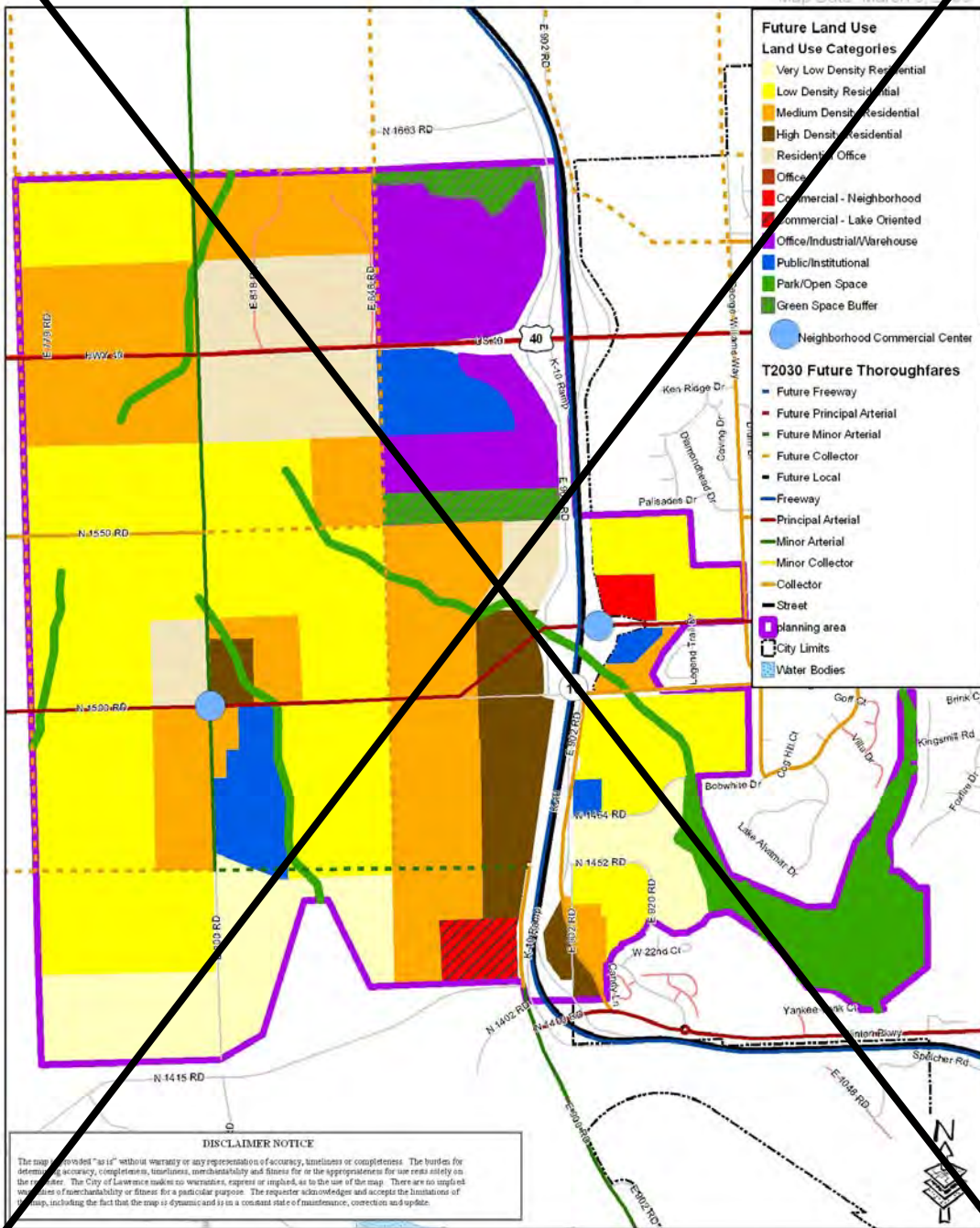
**Primary Uses:** Open Space

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

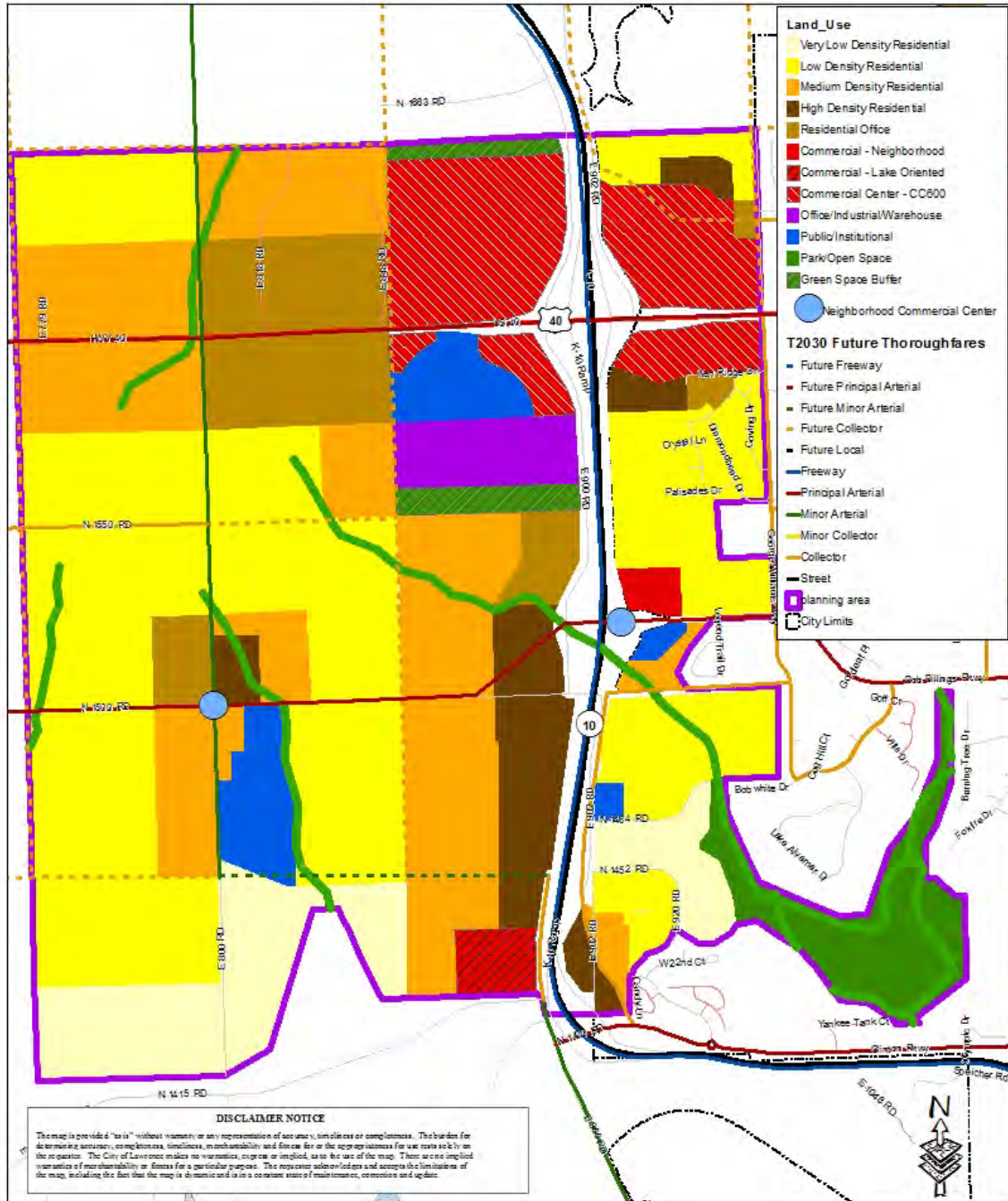
**Intensity:** light

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

Map Date: March 3, 2013



# 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.

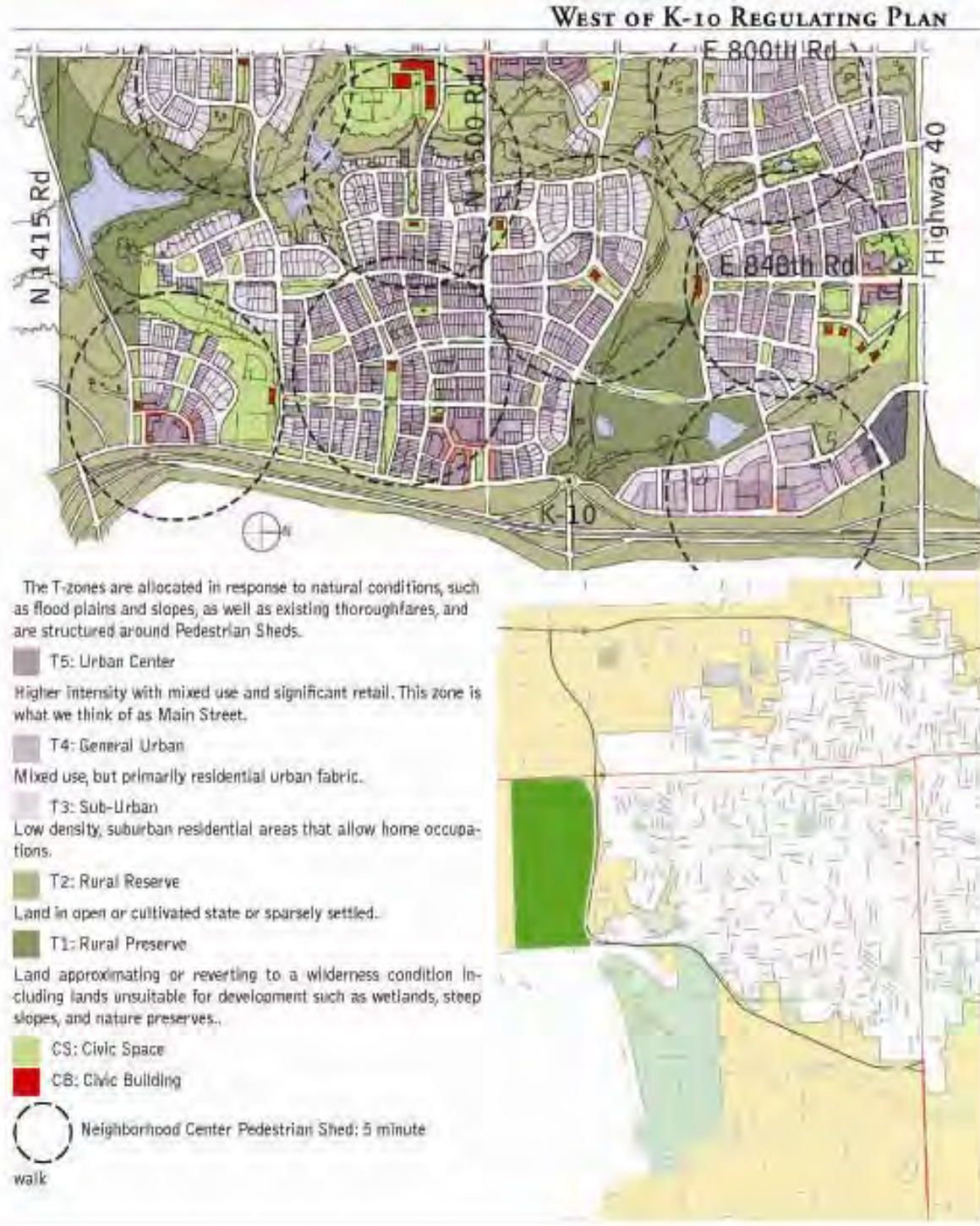
**Primary Uses:** natural area

**Zoning Districts:** T1

**Minimum Base Density:** By Variance Only



Map 4-2: TND Future Land Use Model



## V. Great Neighborhoods

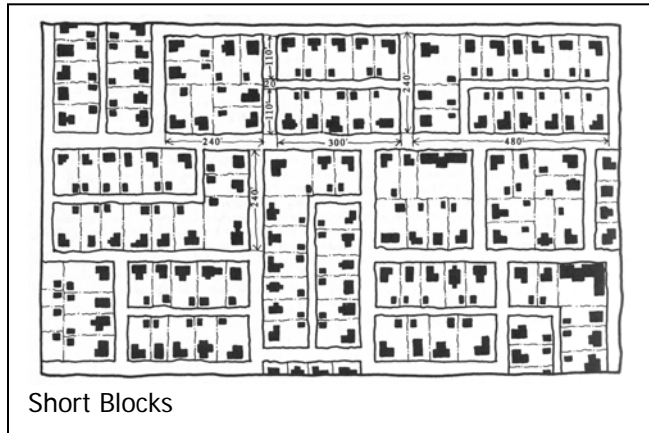
The opportunity to develop unique neighborhoods as Lawrence continues to grow westward is present in the area west of K-10. The key components that will create and knit the neighborhoods together are described below. The following policy language is intended to guide future urban development in a manner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



Bike Lane

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.

### **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.

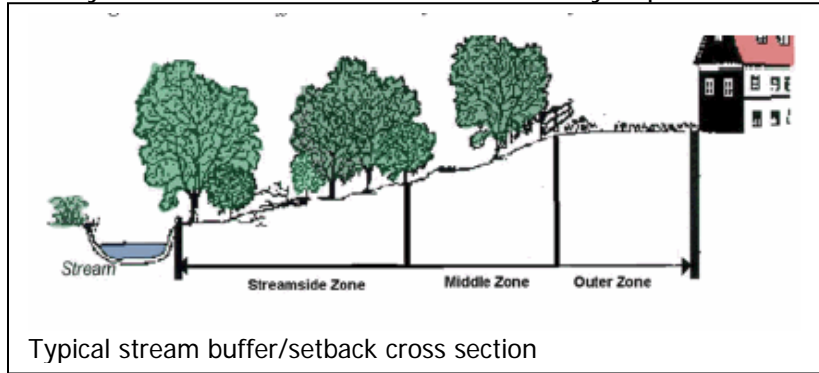


Stream

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.

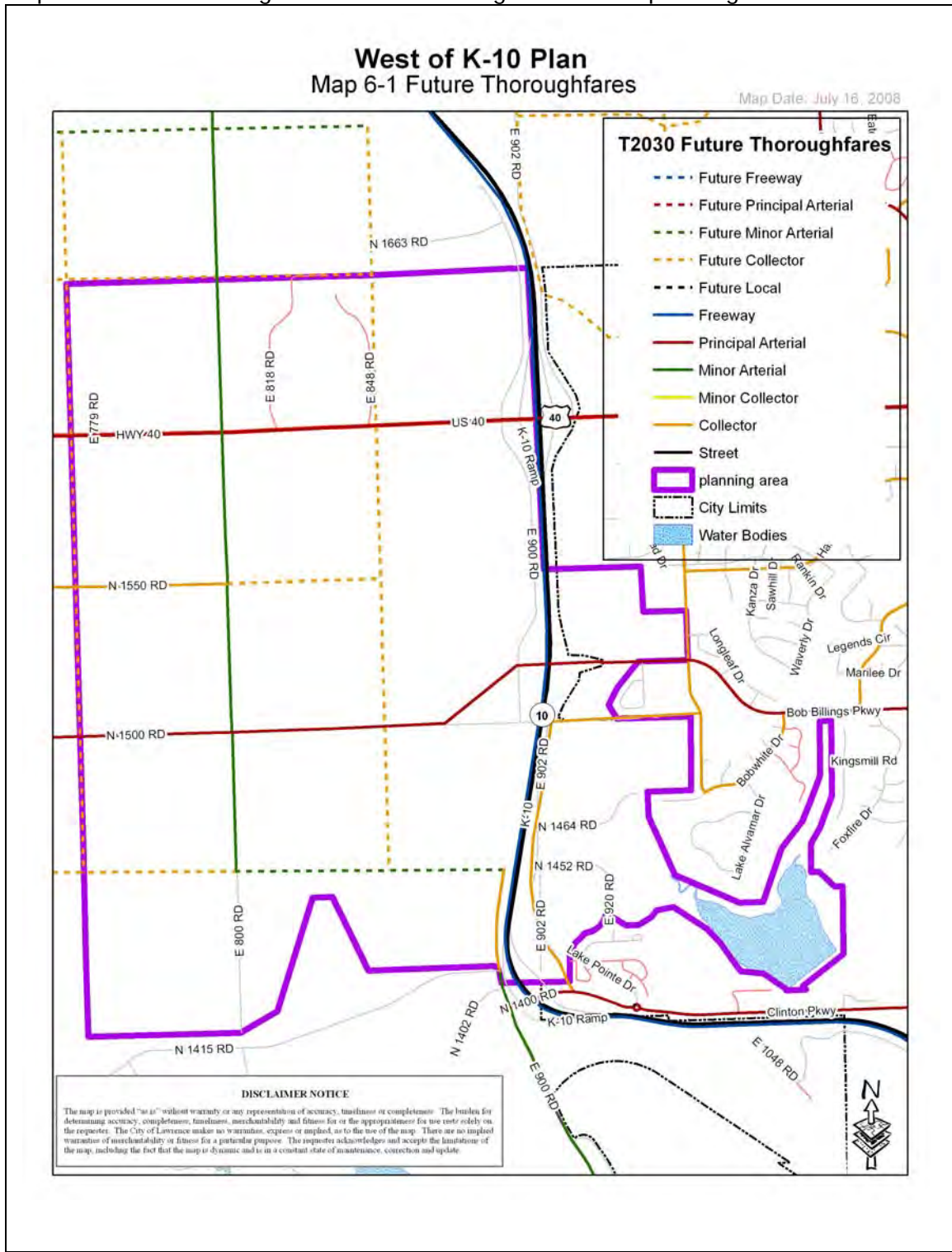
Further, fencing installations shall incorporate continuous landscaping at the base and edges of the fence to integrate the fence with the site and landscaping. Finally, high quality, aesthetically pleasing building materials should be used.



## VI. Transportation

### A. Future Thoroughfares

Map 6-1 shows the designated Future Thoroughfares in the planning area.





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 6<sup>th</sup> Street**

### **Extraordinary setback**

The 50-foot extraordinary setback, in place for most of W. 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> Street is improved to an urban 5-lane road.

### **Access Management**

US Highway 40/West 6<sup>th</sup> 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 6<sup>th</sup> Street between K-10 and Wakarusa Drive only allow access to West 6<sup>th</sup> Street every ¼-mile. The access management standards were based on the 1998 West 6<sup>th</sup> Street Access Management Plan. The recommendation of this plan is to continue the access management standards of 6<sup>th</sup> Street east of K-10 as US Highway 40/6<sup>th</sup> 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 6<sup>th</sup> Street between Wakarusa Drive and K-10 while a 6' sidewalk is on the other side of 6<sup>th</sup> Street. As 6<sup>th</sup> 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 6<sup>th</sup> Street

### **C. Bob Billings Parkway/15<sup>th</sup> 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 6<sup>th</sup> 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.



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

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

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/15<sup>th</sup> 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/15<sup>th</sup> 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 6<sup>th</sup> 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 Alvamar 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 6<sup>th</sup> Street. Per the 2003 Wastewater Master Plan these areas are to follow their natural drainage and flow to the north of 6<sup>th</sup> Street for further collection and conveyance.

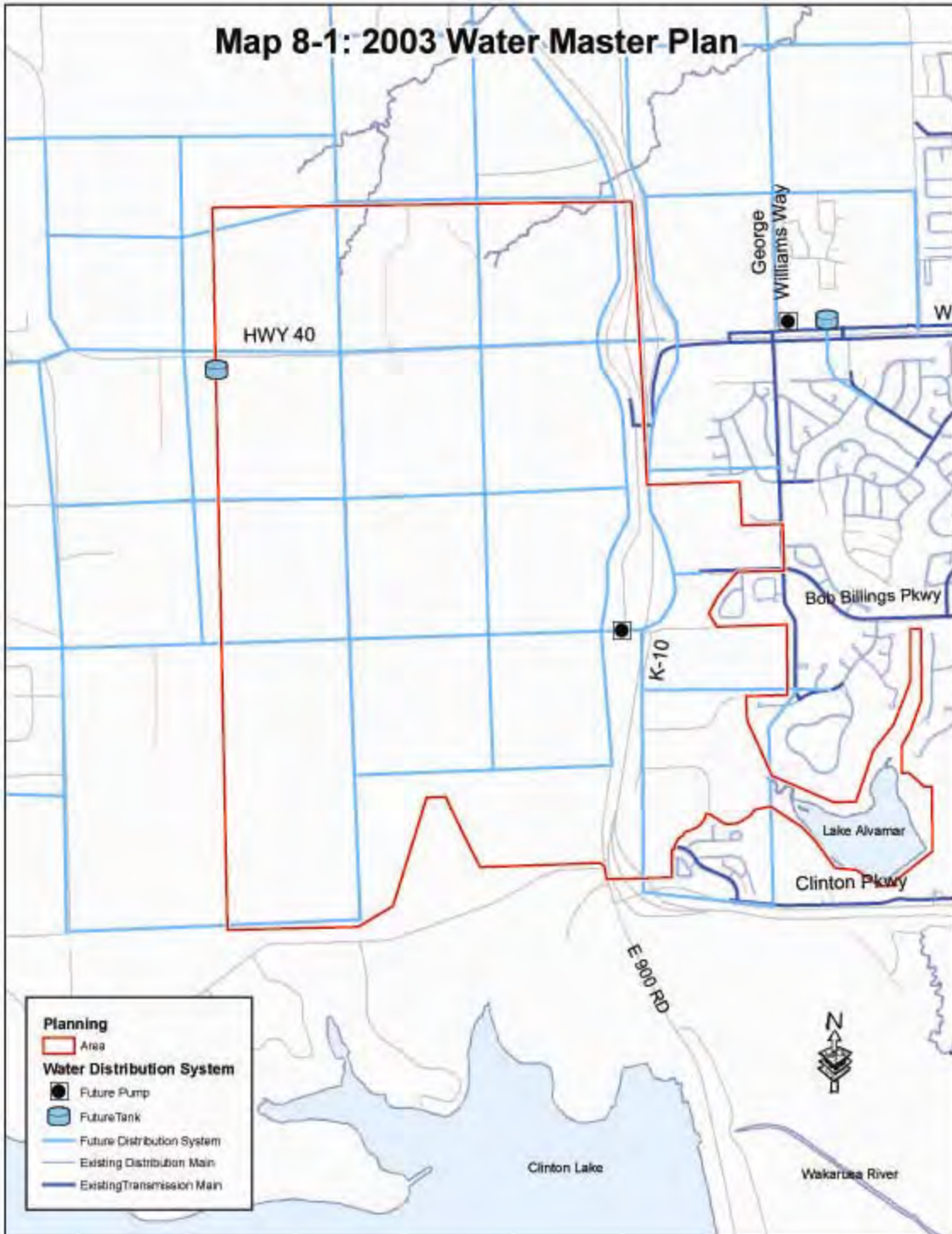
Per the 2003 Wastewater Master Plan the improvements required to extend sanitary sewer service to the west side of K-10, other than those identified as relief improvements to the existing system, were to be at the developer's expense.

### **C. Stormwater**

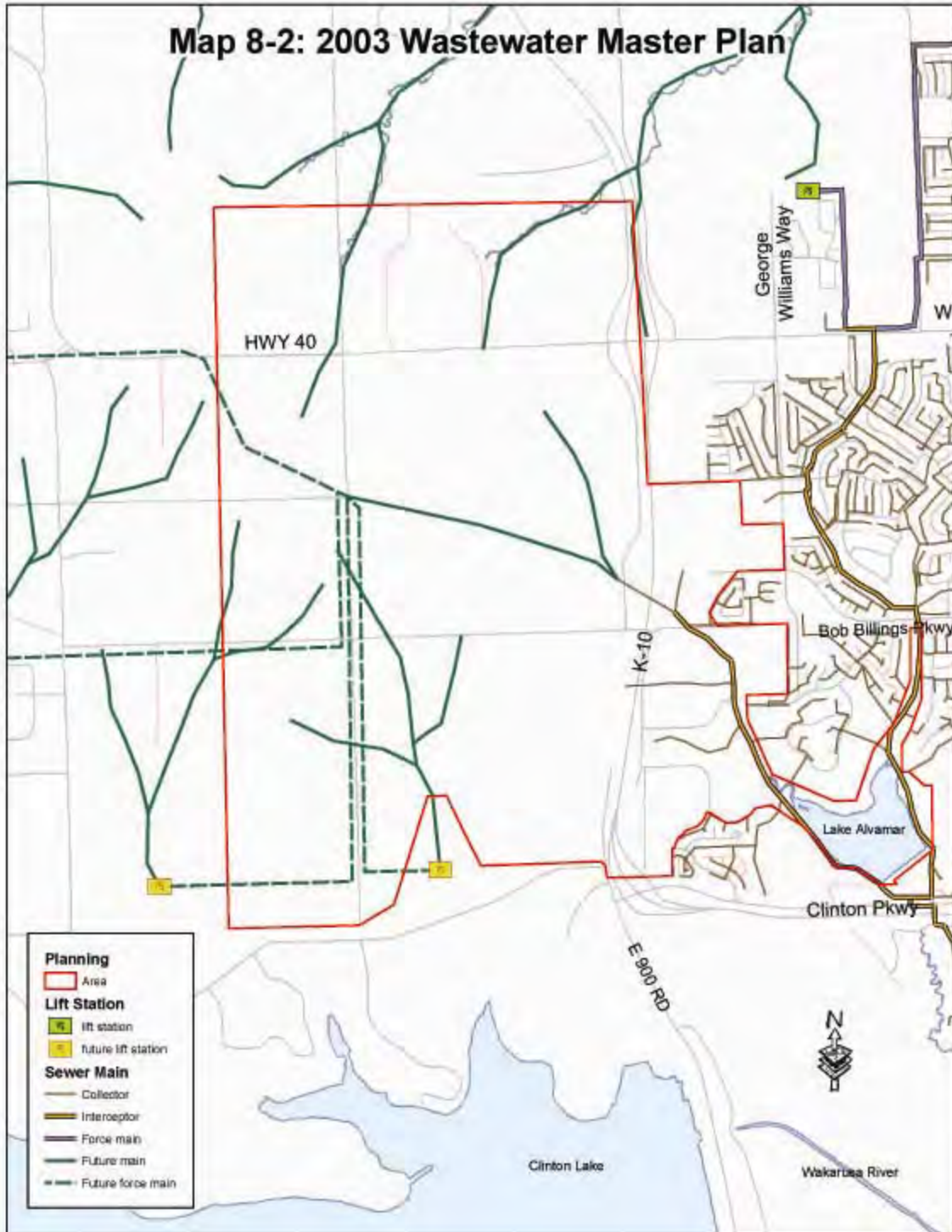
The City of Lawrence completed its *Stormwater Management Master Plan* in 1996, which generated policy governing storm water management. Basically, the policy requires an engineering study to assure drainage systems are designed for the 10-year return period peak flow with overflow channels sufficient 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.

# Map 8-1: 2003 Water Master Plan



# Map 8-2: 2003 Wastewater Master Plan



## 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 6<sup>th</sup> 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 6<sup>th</sup> 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 15<sup>th</sup> 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



**Moved by Cromwell, seconded by Dever,** to refer back to the Building Code Board of Appeals the amendments to the International Codes suggested by the Lawrence Homebuilders Association. Motion carried unanimously.

**Moved by Dever, seconded by Amyx** to refer to staff and the appropriate board(s) consideration of permitting requirements for wells within the city limits. Motion carried unanimously.

2. **Reconsider the following items related to the NW quadrant of the intersection of W. 6<sup>th</sup> Street/Hwy 40 and Kansas Hwy 10 (K-10):**

- a) **Reconsider Comprehensive Plan Amendment, CPA-4-2-12, 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. (PC Item 9; approved with modifications 7-0 on 10/24/12)**
- b) **Reconsider Text Amendment, TA-4-3-12, to the City of Lawrence Land Development Code, Articles 1, 2 and 13, to provide for a CC600 (Community Commercial) District. (PC Item 10; on 10/24/12)**
- c) **Reconsider rezoning, Z-4-5-12, approximately 146 acres located in the NW quadrant of the intersection of West 6<sup>th</sup> Street/Hwy 40 and Kansas Hwy 10 (K-10) from County A (Agriculture) District and County B1 (Neighborhood Business) District to the pending district CC600 (Community Commercial) District to accommodate a regional recreation facility. (PC Item 11; on 10/24/12)**

Scott McCullough, Director of Planning and Development Services, presented the staff report.

Schumm said when McCullough mentioned in addition to the retail 600,000 square feet there were other uses allowed, was there was a cap on those other uses?

McCullough said no, just the zoning boundaries itself would cap.

Dever asked about originally allocating the 180,000 square feet of retail on the 146 acre parcel.

McCullough said essentially the policies allowed the maximum of 90 percent and at the time Rock Chalk Park was proposed, it was believed and analyzed by staff that the majority of the commercial use should be adjacent to Rock Chalk Park to support it. It left 600,000 square feet to go to the south parcels as well and reached that maximum 90 percent maximum because of the desire to place the commercial as close to Rock Chalk Park as possible.

Jane Eldredge said at the May Planning Commission meeting, when the Planning Commission initially approved all three requests, staff was asked specifically whether those request would be recommended by staff, if the Recreation Center did not land at this location. Staff was clear that this would be recommended with or without the recreation center. Later, at a Planning Commission meeting it was elaborated on to make it clear that the growth of the City was going to the west and that the need for identifying additional commercial and retail existed at this location and this would be an appropriate time to implement the comp plan, text amendment and zoning. Furthermore, after the City Commission had deferred this request 3 or 4 times and ultimately referred the request without indicating an approval or disapproval to the Planning Commission, the Planning Commission had some significant changes with only 7 members present, 3 of whom were new and did not have the background information. They did make recommendations regarding the appropriateness of the comp plan, text amendments and the zoning issues. Those recommendations were before the City Commission. She said she also wanted to appreciate staff pointing out in their memorandum to the City Commission that the reason the Planning Commission only had 1 night to consider what the effect of the move of the rec center, because it was not in the interest of the applicant or the neighbors to have multiple and long term visits back and forth. Both the applicant and these neighbors had many meetings with the Planning and City Commissions and they believed it was now time for

the City Commission to act. They requested not having a new set of criteria to send back to the Planning Commission and vote this item up or down this evening.

Mayor Schumm called for public comment.

Price Banks said the proposal was a rezoning request, it had nothing to do with City Planning or good urban design, but simply following the recent pattern of replacing good planning principles with "let's make a deal." He said today plans mean nothing. Land use decisions depend on who owned the land and what the developer and landowner were willing to bring to the table. Whenever a proposal was contrary to the plan or frequently contrary to the plan, the plan was amended or a new plan was drafted and in this area was a virtual ping pong game between all the parties. Decision makers no longer consider the plans as part of the process prior to the decision. Plans were considered to be mere necessary encumbrances and obstacles to be dealt with after the decision was made. Our professional planners were charged with not planning, but with creating mechanisms to navigate the maze of obstructions placed by regulation and to do so without embarrassing the Commissioners. Too often land use decisions were accomplished with a wink and a nod outside of the planning process. City planning ought to create stability in the community. Folks should be able to invest in homes and businesses with reasonable expectation of what the future would bring for their investments and what the surrounding environment would be. That would no longer be the case in Lawrence if continuing to eschew planning principles in favor of "let's make a deal." The City was losing the opportunity to create inviting gateways along major transportation routes leading into Lawrence and instead, continuing to create trashy gauntlets of strip commercial development and big box stores that need to be painfully navigated before a visitor arrived at the jewel that was the City of Lawrence. He said he implored the City Commission to bring this concern to a halt and to

again establish good planning principles. In the current situation, that would mean denying the rezoning of this property.

Melinda Henderson, President of the League of Women Voters, said in October they had asked the Planning Commission to consider this location, identified in some of the previous plans for employment related zoning, as part of the gateway to the community. In their cover letter she made the point that they wanted the City Commission to be aware of what they had asked the Planning Commission because this northwest corner could be the ideal future location for employment related land uses. They heard over and over again that there was not enough land designated for primary jobs and commercial/retail did not provide primary jobs. If they lost this area, she asked where would all those jobs go or would they not get those jobs because there was not a good location. One party she had not heard from or seen any comments regarding this particular area and its potential uses or zonings, was either the Joint Economic Development Council, which their mission was to help provide an overall vision of future economic development, or whoever was doing economic development right now. That silence told her that they're not concerned about the possibility of not utilizing this area for primary jobs for the future which told her that the City must be doing okay as far as planning for the future. She asked if it was okay to lose this acreage.

Mary Jo Shaney said she was a lawyer with the White, Goss, Bowers, March, Shulte and Weisenfels, KCMO, on behalf of Steve and Duane Schwada and their connection to the gateway project. She said on behalf of the Schwadas she asked that the City Commission approve the rezoning that had been considered by the City and Planning Commissioners. She said this project could be approved because it was a fit in the Planning Commission sense. The Planning Commission in May 2012 and more recently October and December 2012, had considered, analyzed and looked at whether or not this northwest quadrant was appropriate for a portion of

the CC600 zoning, the approximate 180,000 square feet of retail. The Planning Commission had determined without regard whether the Rec Center appeared at that location, in very much tandem, with the Rock Chalk Project that was approved. Also she said she would identify commitment as part of the reason she asked this body to approve the rezoning. By commitment she meant a couple of things, there was a sense of a bargain that was implicit in what was going on with the gateway project. She said back in October of 2011, when the Schwadas first approached the City Commission and offered to donate property to make a go of things with a recreation center that changed course in February of 2012, KU became involved as well of other parties and the Schwadas with their part of the bargain which was with their property at the northwest quadrant. The Schwadas had faith in the process of this City and went with the City through the annexation and Planning Commission process and had been waiting and committed to this project, property and City as good citizens individually and as good corporate citizens.

Finally, the delay of the project, but could not understate the importance to the property owner and its expectations of certainty as to what was going to happen with this piece of property. She said based on the things she read, it was working and working quite well in tandem with the gateway project. She asked the City Commission to approve the rezoning and the other items on the gateway project.

Michael Kelsoe, resident living north of the proposed CC600 land, said their neighborhood was dubious about that land being taken out of agriculture and put into some commercial retail zoning when it was being annexed. Legal counsel was sought and hired to represent the neighborhood rights so that they would feel comfortable with the final result. He said the residents and legal counsel came to the Planning and City Commission meetings, attended countless neighborhood meetings and also met with the landowner. He said they decided to end their legal counsel and to agree that CC600 would probably be the best fit for



their neighborhood which was approximately 60 acres. He said they had been looking at this issue for over 6 months and it was their belief that CC600 gave them piece of mind knowing what would be at that location and would be a good fit for a gateway into Lawrence from the west and hopefully support the other 3 quadrants in that nodal area. He said they were just 12 lots, but had done a lot of critical thinking and were in total support of CC600.

Schumm asked about the 60 acres and if it was the land to the north

Kelsoe said yes. There were 5 to 7 acres lots.

Schumm asked if Kelsoe was speaking for the entire neighborhood.

Kelsoe said in his discussions with the neighborhood property owners, a majority, if not all of those property owners, were comfortable with CC600. Other neighbors that live elsewhere, he could not speak for. He said this decision had not been arrived at by some quick guess, the neighborhood felt it would be a good fit.

Ron Crawford, Lawrence, said he was active in this town, including being a member of the Chamber of Commerce studying different issues associated with zoning and gateways into this City. He said the Chamber at that time talked about careful planning on the gateway locations coming into the City. He said his encouragement was to make sure they were doing appropriate planning for that area. He said the Planners needed to make sure that was a true fit in light of the development from a gateway and neighborhood prospective. The concern he had was with the primary job location and he did not think this was a good primary job location. He said he wanted to make sure the City Commission understood, as a property owner, he wanted this project to be done well and be carefully planned out and not have amendment after amendment making it come out totally different than what everybody, at first, worked really hard to come up with. He said they thought they were on the right track, but might not be which would be a challenge to the City Commission in taking this extremely

seriously to decide what was the best use as a gateway. He said it might cost more time and delays, but it was an important piece and would be the only time to touch this node.

Schumm asked if Crawford had the pasture to the west.

Crawford said all his land was directly west on 40 Highway.

Dever said in looking over items for Regular Agenda Item No. 2, A, B and C, he did not see any specific language that specified the amount of retail square footage that was being discussed for allocation with the zoning 146 acre parcel located at the northwest quadrant.

McCullough said the recommendation was changed at the November Planning Commission meeting, but the original proposal contained language in Horizon 2020 that created the overarching policies that established the location at 2 State Highways as a minimum and no greater than 90% be allocated to two corners. Staff took those policies, applied those policies to the 6<sup>th</sup> and K-10 Node and in the west of K-10 Plan which was also up for revision, created language that assigned the 360,000 square feet to Mercato and 180,000 square feet to the northwest area and that was implemented further in the rezoning request that was conditioned and capped at 180,000 square feet.

Carter said on the residential component, he asked McCullough to clarify what type of residential.

McCullough said in the CC600 District there were only a few residential uses. In a CC600 District, by the way the code was drafted, the CC District can't become a primarily apartment district and wanted it to be commercial in nature, but it did permit certain limits of apartment units and were capped as a mixed use structure at 50% residential/50% non-residential. Apartments could have absorption rates that go rather quickly. Staff did not want a CC node to be developed primarily as an apartment complex and that was why there was some use standards associated with those housing types.

Carter said where it stated 50% on both non-ground floor structure and the multi-dwelling structure, he asked if it meant 50% of any given structure which could be apartments versus retail or the actual development.

McCullough said he had to review the use standard more specifically, but the idea was that it was per-structure or project and that it was no greater than 50%

Carter said he was trying to get a handle on how many apartments they would be opening themselves up to, in this development, with those being allowed.

McCullough said it could be quite a few. It was a product type that they didn't see a lot of in the community, but it did exist. Therefore, the benefit was trying to get some mixed use in commercial areas as well.

Amyx asked McCullough to go over the actions that the City Commission could take.

McCullough said one of the issues to review was what the Planning Commission recommended to the City Commission in October 2012. Essentially there were items before the City Commission, if breaking down the parts were language in Horizon 2020, Chapter 6, which created the policies and tool for CC600. As part of the Comprehensive Plan Amendment, they applied that CC600 to the node itself, to the West of K-10 Plan, a sector plan. The Planning Commission originally approved that package of applications and in November and October when the Planning Commission reconsidered it, they divorced those two items. They recommended to the City Commission to approve placing the tool in Horizon 2020, but not employing it on the node itself. It would be put into Horizon 2020, but none of their nodes would be designated as a CC600. They would have the ability to use that in the future, even at this site, but the Planning Commission recommended not using it at this site in October. He said there was the development code application which essentially created the district in the City's zoning code and the Planning Commission recommended approval in May and October and then

the rezoning application on 146 acres, a specific site, that the Planning Commission initially approved and recommended approval and then in October, based on the process frustration, recommended denial by a split vote on that issue. The memo laid out all of the different options available to the City Commission which essentially the City Commission could approve the original recommendation as presented by the Planning Commission which was the entire set of applications; approve it as the Planning Commission recommended in October giving the City the tool of CC600, but not employ it at this node and don't rezone the property; and, return one or more of the applications to the Planning Commission which was their last request to the City Commission in November. Also, the City Commission could deny any or all the request, or withdraw the request. The rezoning did require a 4-1 vote because of the valid protest petition.

Amyx said in the memo, one of staff's recommendations was that the City Commission supported the CC600 and send it back asking the Planning Commission to make a recommendation to this body on that split of what that use should be on those four corners.

McCullough said yes, that was one option.

Dever said he kept harping on this square foot allocation because he tried to analyze how the City Commission could go about moving forward with the creation of the CC600 district, applying this district to this important gateway to this community. Also, trying to create a way or place for appropriate development to occur that would coincide with its tremendous investment that the University of Kansas planned on making within 500 feet of this site. He said he was initially in favor of moving forward and appreciated the decision to withdraw and reconsider this matter. He said he wanted to do the math since he looked at land and try to figure out a good way to plan it based on the best of his abilities. He said if the City Commission were going to send this matter back, McCullough mentioned that the City Commission could agree to two of the items and send it back to the Planning Commission for

their assessment on how to properly allocate the remaining 240,000 square feet of retail. He said basically there was 600,000 square feet total, 360,000 square feet spoken for, and 240,000 square feet to divvy up and asked how that should be done. He said he added up the total acreage of that quadrant that was available for development and come up with a completely random and mathematical way of distributing the square footage based on the acreage of land. He said he wanted to point out a couple of issues. One issue was that Henderson spoke about the City Commission making choices and the City Commission had to make choices about moving forward, but he didn't think the City Commission was compromising their ability to have any jobs at this location. The total square footage of land, at this location, was over 8 ½ million square feet of land. They were talking about designating 240,000 square feet of that land for retail which equated to roughly 2.5% of the land being designated for retail. He said for him, that was not a huge commitment because that was less than 10% and what they were talking about was not going to discourage other types of land use or development at that location and would not hinder additional office job creating opportunities. By agreeing to this district and assigning this square footage of land for retail purpose, for him it was a drop in the bucket and would be a good start. He said there was 8 ½ million square feet of land and divide 240,000 square foot by that 8 ½ million square feet, he came up with the number of .028 square feet. The bottom line was that the math added up to about each acre would receive about 1,227 square feet of retail. He said when he did the math backwards, he came up with 179,142 square foot of retail based strictly on acreage on the land that was available, for the northwest quadrant 22,822 square feet, southwest quadrant 38,000 square feet. He said it was a little off because it was a tiny parcel to the west. He said if he was going to ask the Planning Commission to consider how to allocate that land, he wanted to try and do the math to see where they stood. It seemed like the 180,000 square foot allocation, he wondered how they got



there, but it was strictly based on 90% of the retail being in two quadrants and that number added up to 180,000 square feet, but based on the 146 acres of land on that corner, he thought the number supported at least 178,000 or 179,000 square feet of retail, if just assessing based on square foot or based on total acreage of each parcel. He said he wanted to try and do this in a way that would make sense to him and how to distribute fairly among the landowners and stay true to some of the original recommendations which was to allocate a lion's share to two quadrants and the remaining square footage to the remaining acreage. He said he did not know how the Planning Commission could sit down and divvy up this land any differently than this, not to mention he believed that would be a reasonable allocation based on the support from the neighbors, based on the size of the piece of land, and the access available on that side of the property once KDOT was done with the intersection. He said what he anticipated the Planning Commission would do, he did not know, but he wanted to be fair with the landowners and allocate this in a fair basis and numbers added up to what the Planning Department came up with to begin with. He said he was fairly convinced this was a reasonable application and planning that would be necessary to create the kind of development this City needed to support this over \$50 million dollar investment in this community by Kansas Athletics. He said he was open to ideas, but wanted to share how he analyzed this issue and whether they should give this back to planning and start over again, or whether or not the City Commission would ultimately make that decision.

Schumm asked if 8 ½ million equaled the three intersections

Dever said yes.

Schumm said the Schwada property looked like it had 5 ½ million square feet.

Dever said he came up with 6,359,000.

Schumm said he had not changed from where he started out at. He listened to people comment, the City Commission voted to withdraw it, voted to rescind the withdrawal, and sent it back to the Planning Commission. He said he was still of the opinion, based on commentary made tonight that this should be planned and the Planning Commission should be the Commission that stated this was the way it should be. The Planning Commission did say it should be a certain way when the regional recreation center was on that side of K-10, but that had changed and with that change, he thought it was important to include them in the mix in terms of what they felt it should be. He appreciated Dever's analysis on the ratio and proportion of zoned land and retail versus total acreage, but he did not know that meant that was the best placement for each tract of land in terms of its total amount. There might be geographical features that alter that analysis and it might be the access that was available. He said sometimes there could be a parcel of land too small to where it didn't effectively do much and there was 60,000 square feet left over for 2 intersections that were small in terms of the regional type center and the types of businesses that might go in at that location. He said it might effectively preclude much of anything on the south side of that intersection based on just the small amount of land that was available to not go over the 600,000 square foot that was allowed at that intersection. He said his opinion had not changed and he wanted to see the Planning Commission do their work. He said he didn't see that anyone would get hurt in the mean time because there wasn't exactly a land rush going on right now. He said he would feel better if the Planning Commission had a chance to look at this issue in light of the change from the west side to the east side of the regional recreation center.

Carter said the point made by the Mayor, as far as the change of location, in that May meeting when the Planning Commission voted 9-0, they had a recap of that at the last Planning Commission meeting and had 5 discussion points for the Commission to consider and item no.

5. The Planning Commission with a 9-0 vote indicated that CC600 was a valid land use pattern versus industrial warehouse, regardless of whether the rec center was to be placed at that location. He said he felt bad for those Planning Commissioners because they were caught off guard and some of that group wasn't present for the last discussion. There were only 3 or 4 of the original Planning Commissioners that spent the time on this issue that were at that last meeting. He said the rec center was not at that location, but adjacent and felt they had a good recommendation and didn't think it would hurt to go back if that was the City Commission's desire. He said in the latest Planning Commission meeting, the Commission struggled and were caught off guard, but the process said they had to make a decision quickly. He appreciated that the Planning Commission grappled with that issue and wanted to take more time for review. One of the things that contributed to their concerns was that the City Commission asked the Planning Commission to revisit the May decision and look at appropriateness of whether it was an appropriate land use, based on where the rec center had moved to. He said within those same discussion points, the Commission asked that they provide an innovative idea that set this area apart from other nodes. He said he saw in the Planning Commission minutes that a lot of them struggled and were saying they were sent back not just to look to see if this was an appropriate language, but to come up with an innovation idea.

He said he heard from one or two Commissioners that they needed to come up with something that limited the number of vehicle trips and while that was noble, it was not necessarily what they were looking for, but appropriate land use. He said he was not sure they needed to go back and start from scratch, but he was not necessarily opposed to that idea. He said he was comfortable moving forward. He said it was a very significant change with the Rock Chalk Park having moved and there were varying opinions on how significant that change was. It was virtually an adjacent property and was very close in proximity. When looking at the

Mercato site, it had 360,000 square feet, but that would be mostly used up with a couple of big box stores. He said Bauer Farm would be a beneficiary of this and hoped that would drive some infill at that location, but there were very appropriate uses closer to Rock Chalk Park at that intersection that would make sense. Losing the island zoning was a bit of a concern, but as he thought about it, administrative and professional positions and offices were certainly allowed in this designation and thought there was great opportunity for primary jobs. He said to Mr. Banks points, he said that area plans, like the northwest sector plan, were not zoning but long-term plans. He said for any community good planning was to maintain flexibility as conditions change whether it was the economy or something as significant that was just done adjacent to this property. He said Lawrence values neighborhood input as part as good planning and in this case, they had so many months of the stakeholders being at the table and the neighborhood input. What they came up with was this zoning. He said further, when looking at the effect of this change versus having an IL District at that location, for instance, if they left it at IL zoning, this was protecting the gateway and improved the gateway. He said approved uses for IL included cemeteries, shelters, community meal programs, mobile homes, a jail - which were uses that were stricken per agreements with neighbors and stakeholders involved. He said the Schwadas had done quality work and were innovative. They sparked this whole discussion with the Rec Center by coming up with a very out-of-the-box idea. He said he wasn't sure what would go in at that location, but of the approved uses, he had confidence that it would add value to the community, add value and supplement the Rec Center, and would be a gateway. He said this area might not develop for quite some time, but what was said at the last Planning Commission meeting was that development did not happen all at once or overnight, but they needed to get somewhere ahead of the market and ensure the commercial areas were available when the market needs it. He said what they had just done with Rock Chalk Park was

extremely exciting and there was no question it would spur some demand, but might be many years down the road, but the truth was that zoning could always be changed. He said for those reasons, he would be comfortable moving forward with all three of the agenda items at this time. The 180,000 square feet of retail was on 146 acres and left an awful lot of room for other great things to happen, including jobs.

Cromwell said there was a major change as far as planning and then they had that regional recreation center that wasn't conceived as a possibility back when they were drafting this planning document. He said he didn't think it was a "wink and a nod" and resented the tone that implied a backroom deal. He said the City Commission was working with what they had along with the changing scenario, trying to do the best they could and would hope to have that much respect for what they were trying to accomplish. He said it could be that the CC600 was an appropriate potential use at that site and he respected the Planning Commission's desire to take a look at the allocation of the retail. He said he would support sending it back to planning indicating that the CC600 designation was probably a good use.

Amyx asked about the Mayor's comment regarding the Planning Commission review with the City Commission's support of the proposed CC600.

Schumm said he felt that they should look toward the CC600 as being established at that intersection, based on what the City Commission presumed would happen in that area which was the Regional Recreation Center that would be finalized in February. However, if they sent it back with those ideas and it did not materialize, then they would have time to make an adjustment again if it came back from the Planning Commission. He said he firmly believed that the Recreational Center was driving the additional 200 square foot of retail that they were contemplating.

Amyx said he appreciated Commissioner Dever's work on the ratios for those properties. He said he had concern about sending this item back directly with the support of the City Commission in saying that CC600 should be at this location because he did not want to preclude a better place in this community. If they were allowing the Planning Commission to review this site and would come back as a strong CC600 recommendation, it would be hard not to support it. He said his main concern was the effect on other parts of the community, specifically downtown. He said planning staff had done a great job, but it was a lot of square footage. He said he appreciated Commissioner Carter's comments about preparing for the future and what that would look like, but there had been a lot of investment made for public improvements and infrastructure in the area, realizing they were waiting on that building permit to be pulled. He said he was willing to send this item back to the Planning Commission, but had a concern about City Commission support for the CC600 at this time.

Carter said Commissioner Amyx brought up a good point about infrastructure. He said they looked at the Rec Center being at that location before, thus participating significantly in getting the infrastructure at that location. He said he assumed that was all off the table and to be determined. As far as that goes, if it was retail that was for another Commission to decide and did not see them wanting to do a lot with infrastructure, which fell on the developer. He said residential was his one concern about that use and with being a 50% ratio that equated to a lot of apartments. As far as the highest and best use, they did a good job in excluding certain uses for the City's gateway into this community. If an owner wanted residential and the neighbors approved, he was not one that was big on stepping into the free market and saying they didn't need more apartments. He said he was not excited about residential being part of that plan.



McCullough said that issue didn't receive a lot of discussion at the Planning Commission meeting. They reviewed a list of uses, recommended uses and what was being struck, but that particular category of uses didn't get the kind of discussion that Commissioner Carter brought to the table.

Schumm said staff's memo indicated that they believed the Planning Commission could look at this in the context of the legal requirements of one meeting and possibly come up with the allocation of this square footage across the node.

McCullough said if this item was returned to the Planning Commission with that specific comment, then it could be accomplished in what they believed was state law limitations on how many meetings they could have to review the City Commission's comments and come up with a recommendation.

Schumm asked if the scenario would be presenting the Commissioners with a variety of different options in terms of allocations.

McCullough said they would look at analyzing it along the lines that Commissioner Dever pointed out and other ways to look at the allocation of use, taking into account other principles such as how much land was available on those different corners, what the going home routes would be on traffic patterns because that sometimes affected retail use, and provide other options for the Planning Commission to consider.

Schumm said by returning this item to the Planning Commission this allowed the applicant and application to stay alive at this point.

McCullough said correct. He said if the application were denied or withdrawn there would be a 12 month waiting period unless there was a significant change to the rezoning application.

Schumm said the only difference was that it would make the applicant sit out for a year unless there was substantial change before they could ask for rezoning.

McCullough said if it was denied and the Planning Commission was tasked with spending this year to completely review this item on a clean slate, then they would essentially have the opportunity to implement whatever new plan came from that exercise, ask for rezonings compliant with that plan which they would assume would be different than the CC600 which was significantly different and they would be able to come in before that 12 month window.

Amyx said they had a one-time chance of developing this area or making a recommendation of what that area would look like, and he asked if the Planning Commission had to accomplish a recommendation in one meeting.

McCullough said they shouldn't lose sight of the effort that had gone into this item. Even with any adoption that was done today, it was only as solid as you understand comprehensive planning and zoning to be because any owner had the ability to come in and request a new planning designation. He said they talked to the Planning Commission as sector plans were developed, that was what they considered at that time under those circumstances, the best land use pattern. It was not the only land use pattern, but the best one given those circumstances. Several years ago when the West of K-10 Plan was developed, they made a very good decision about what the land use was going to be at that node. Since then, they did things with industrial development and the Rock Chalk Park that changed circumstances. He said when they had discussions about this proposal, they talked about the current plan being valid, but also agreed that this plan also served the community and the gateway well. He said they would always be faced with changing circumstances and the ability to be flexible in planning to meet those demands.

Schumm said it sounded as though this item would be sent back to the Planning Commission and the City Commission needed to decide if it was in the best interest of the City to keep this application viable or to withdraw this application and let the process start over.

McCullough said those were two options. If the City Commission withdraws the application and initiated a new plan amendment, the Planning Commission would not be bound by one night to get it done.

Schumm said they had conversation at the staff meeting about there being a lot of conversation and neighbors with input. There was a lot of agreement already then it was not like starting new.

Dever asked if a simple majority was needed in order to approve the Comprehensive Plan amendment or was the zoning the only thing that required a super majority.

McCullough said yes.

Dever said the City Commission could vote on items A and B which only require a simple majority as to whether or not the City Commission believed that there was merit to the CC600 zoning district in the City's policy and whether or not this was an appropriate location. He said the Planning Commission needed some guidance from the City Commission as to whether or not they believed that the City was in need of a CC600 zoning district.

McCullough said there was some language that that option would impact. If the City Commission chose to defer the rezoning or the allocation of uses, in particular, his recommendation was to go ahead and return all those items back, even though they seemed to have an apparent agreement in the Horizon 2020 policies and the Development Code Text Amendment language. He said it was more efficient for the ordinance language and the language in West of K-10 Plan that they send it back and look at those items all together again.

Dever said the correspondence that was given to the City Commission didn't say that and was more specific to that one item.

McCullough said the recommendation was to return the entire set of land use applications back to the Planning Commission.

Dever said he understood.

Schumm asked if Commissioner Amyx was still up in the air about whether they should have the Planning Commission come back with a decision on if the CC600 zoning district would be a good decision.

Amyx said he would like the Planning Commission decision on whether this was the right place for a CC600 zoning district. If the Planning Commission determines this is the area for the CC600 zoning district then they could continue with the allocation of the 240,000 square feet.

Schumm asked if Amyx wanted the Planning Commission to address the CC600 question and if it was appropriate at 6<sup>th</sup> and K-10. If so, then the Planning Commission could spread the excess square footage across the remaining 3 intersections

Amyx said correct. He asked if that was an appropriate consideration.

McCullough said yes. He said they would establish the tools in the comprehensive plan for other nodes to make that request to be analyzed. There were no other nodes before the City Commission at this time to undergo that analysis.

Carter said they would not be withdrawing, but sending it back to the Planning Commission. He said they had already gone through a change in the Planning Commission and the minutes reflected that this was the appropriate zoning. He said they had a new Planning Commission, but would hate to see a new City Commission start over with this item as well.

He said he did not know what kind of timeline there was for this item to come back to the City Commission.

Schumm said this item would be back in March.

Carter said he thought they were saying something about one meeting not being adequate.

Schumm said if they kept the application in play, the Planning Commission had one meeting. If they withdraw or deny the application, then the Planning Commission could take six months.

Carter said he wanted to make sure the Planning Commission looked at the allocation of the retail and also reconfirm it this was the intersection for a CC600 District versus somewhere else. He said he wanted to see if the Commission would support revisiting residential

Schumm said that was a valid point and there should be discussion about the amount of permissible residential dwellings at that intersection.

Carter said he wanted to be clear about what the City Commission was asking.

Schumm said the motion would be to return items 2 (a-c) to the Planning Commission recognizing that the City Commission requested a determination as to the appropriateness to have a designation of CC600 district at 6<sup>th</sup> and K-10 and to discuss the allocation of the 240,000 sq. ft. of retail to be allocated across the other 3 intersections, plus the question on the residential units.

**Moved by Cromwell, seconded by Carter,** to return item 2 (a through c) to the Planning Commission directing the Planning Commission to consider the appropriateness of designating this node as a CC600 node as it relates to other possible nodes that could support a CC600 designation, discuss the appropriate allocation of the 240,000 square feet of retail use that is not currently allocated to the Mercato Development if it is determined that the node

should be designated as a CC600 node, and discuss the appropriateness of allowing residential uses for the specific CC600 district on the property that is the subject of the rezoning application. Motion carried 4-1 with Dever opposed.

The City Commission recessed for a short break at 8:32 p.m.

The City Commission resumed the regular session at 8:40 p.m.

**3. Consider approving the 2013 Comprehensive Street Maintenance Program.**

Mark Thiel, Assistant Director of Public Works, presented the staff report.

Corliss said he wanted to make sure the Commission knew that he had asked Chuck Soules, Public Works Director, to work on design work for 6<sup>th</sup> and George Williams Way. Staff hasn't identified the funding source yet and we'll come back with a recommendation. With Rock Chalk Park proceeding staff thought that was appropriate to signalize this year.

Schumm asked if the program included striping of roads.

Thiel said yes.

Schumm said it was important to catch up on that striping.

Corliss said the Commission increased resources for that last year and were stepping up on it.

Amyx said on the 2013 projects, he noticed the projects around 9<sup>th</sup> and Pennsylvania, and asked if they were the same streets related to the next agenda item?

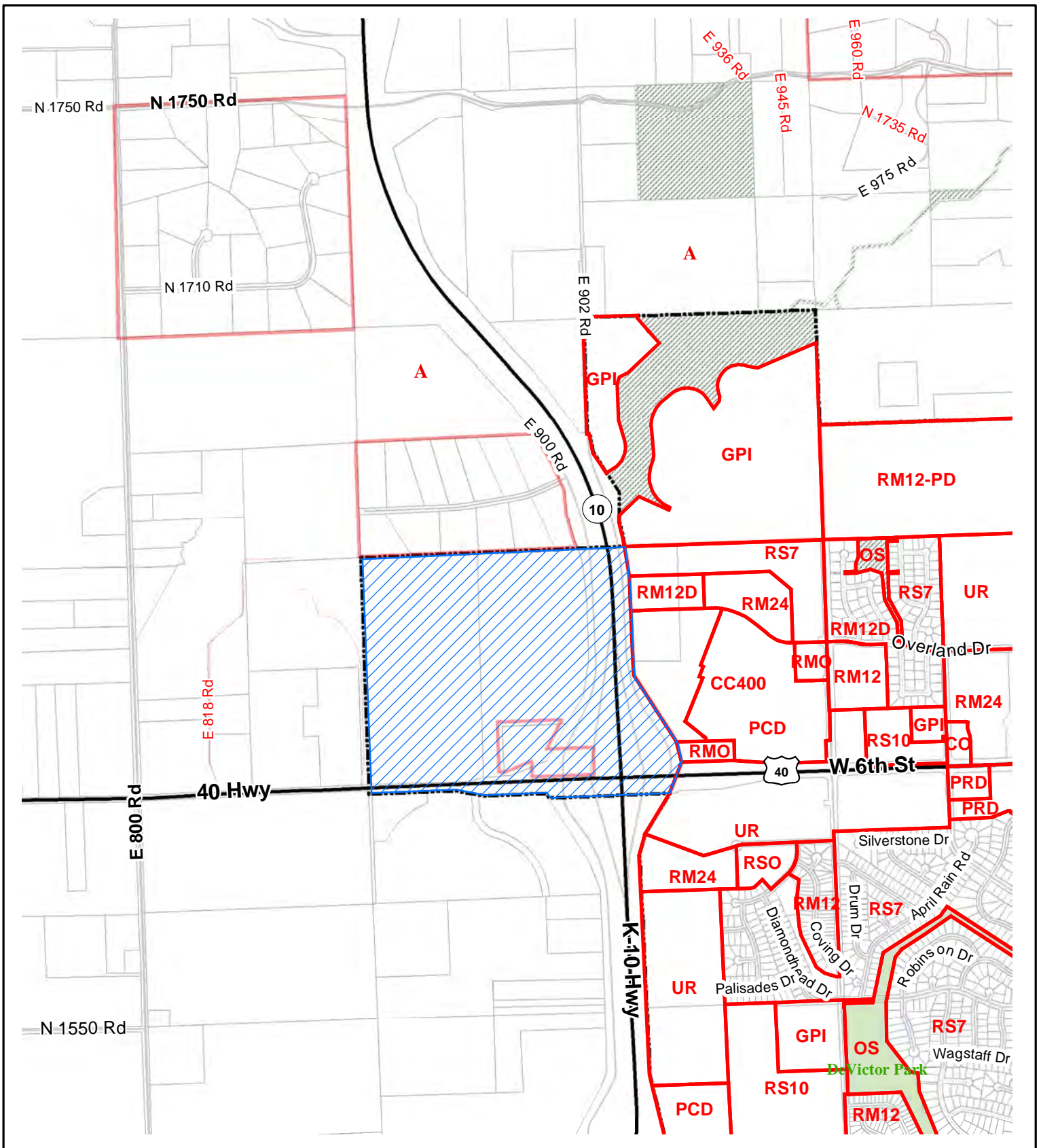
Thiel said yes.

Amyx asked if they were bonded.

Corliss said no.

Dever said they were talking about 2, 4 or 5 million dollars of City money. He asked how much money was actually being spent based on the roads and KDOT's federal participation. He asked how much money would be spent on our roads this year.





**Z-04-05-12: Rezone 146 acres from A & B1 to CC600 for a regional recreation facility  
NW Quadrant of W. 6th St. & Hwy 10**



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OF COUNSEL

\*ADMITTED IN KANSAS AND MISSOURI

February 22, 2013

Matthew S. Gough  
Email: mgough@barberemerson.com

*Via E-Mail*

Dr. Bruce Liese, Chair  
Lawrence Douglas County Metropolitan Planning Commission  
City Hall  
6 East Sixth Street  
Lawrence, Kansas 66044  
bruce@kansascitysailing.com

*Re: February 25, 2013 Planning Commission  
Item No. 1 CPA-4-2-12 (comprehensive plan amendment)  
Item No. 2 TA-4-3-12 (text amendment)  
Item No. 3 Z-4-5-12 (rezone 146 acres to CC 600)*

Dear Dr. Liese:

The Planning Staff recommends approval of the above-described agenda items, related to the designation of a CC600 district at the 6<sup>th</sup> and K-10 Interchange and the zoning of the northwest corner to CC600, but has recommended a reduction in the allocation of retail square feet at the northwest corner from 180,000 to 155,000. For the following reasons, we request that the Planning Commission approve the above-referenced agenda items with the original allocation of 180,000 retail square feet:

- The original request for 180,000 square feet was based upon the assumption that 50-60 acres of the northwest corner would be used as a recreation center, stadiums and related facilities. The allocation of retail square footage at the northwest corner has already been diluted because such facilities will be located on the east side of the Interchange, and a reduction to 155,000 square feet would further reduce the ratio of allocated retail square feet per acre.
- The permitted uses on the northwest corner are more restrictive than the permitted uses in the CC600 district, as summarized in the Staff Reports. These restrictions, coupled with the size of the tract and a reduction of allocated retail, may cause the northwest node to be underutilized.

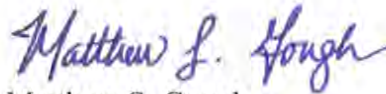
Liese, Dr. Bruce  
February 22, 2013  
Page 2

- The Planning Staff's use of "going home" routes is overly influenced by assumed departing recreation center traffic, and does not adequately take into consideration inbound recreation center traffic and the large number of Lawrence commuters that already travel K-10 southbound to West 6<sup>th</sup> Street each day. Traffic at that intersection will only increase upon completion of the eastern SLT connection, and as our City expands westward. Local and inbound traffic patterns weigh favorably towards the original allocation of retail space at the northwest corner.

We request that the Planning Commission recommend approval of CPA-4-2-12, TA-4-3-12 and Z-4-15-12 with the original allocation of retail square footage (i.e., 180,000 square feet to the northwest, and the remaining 60,000 square feet to be determined among the southerly nodes at a later time).

Sincerely,

BARBER EMERSON, L.C.



Matthew S. Gough

MSG:plh  
Attachments  
cc: Planning Commissioners  
Planning Staff





LEAGUE OF WOMEN VOTERS®  
OF LAWRENCE/DOUGLAS COUNTY

February 24, 2013

Mr. Bruce Liese, Chairman  
Members  
Lawrence-Douglas County Metropolitan Planning Commission  
City Hall  
Lawrence, KS 66044

RE: ITEM NO. 1 W OF K-10 PLAN & NODAL PLAN FOR W 6TH ST & K-10; CC600  
ITEM NO. 2 TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE; CC600  
ITEM NO. 3 A & B1 TO CC600; 146 ACRES; W 6TH ST & K-10

Dear Chairman Liese and Planning Commissioners:

The League has sent you several letters on the issue of changing *Horizon 2020* text for the West of K-10 intersection Sector Plan and the Nodal Plan for the W 6<sup>th</sup> St. that includes this quadrant portion of the four corners. Included in one of the Staff Reports was the required Market Analysis of this 146 acres on the potential effect of adding more retail zoning to the city. The analysis (from the Staff Report of the May 2012 Planning Commission Agenda) acknowledges that currently there is more retail zoning in Lawrence than the current demand will absorb based on the commercial land already zoned, vacancy rate and population. The justification for more retail zoning is based on the anticipation that developers will not build unless there are committed users or tenants. The purpose of the analysis was to determine whether the additional commercial area would be detrimental to the existing Lawrence businesses.

Our League position supports the Central Business District as our primary retail center and views any land use action that would tend to harm the viability of our Downtown as unwise and undesirable. Furthermore, we view this specific location of W 6th St. and K-10 as very special because of its unique access to local and regional transportation. We believe it would be a very beneficial parcel that

would have much more potential as a **planned** employment park. It could be a "techni-village," for example, a combination of technical school-apprentice-system-high tech manufacturing-research center, as one example. However, accomplishing it would take the same approach and support as the retirement village that some citizens are proposing. Therefore, we question whether adding the recommended amount of commercial zoning would be beneficial to the City, because it would orient the market for this land in one narrow direction.

- President*  
Melinda Henderson
- President-Elect*  
David Burress
- Vice President*  
Milton Scott
- Secretary*  
Caleb Morse
- Treasurer*  
Marjorie Cole
- Directors*
- Margaret Arnold
- Bonnie Dunham
- James Dunn
- Sally Hayden
- Cille King
- Ruth Lichtwardt
- Marlene Merrill

As an alternative to designating the entire 146-acre tract for commercial use and then rezoning it to that, we suggest the following:

1. Create a new designation for employment-related land use in the Comprehensive Plan that is not as inclusive as manufacturing, in order to open more uses to that area.
2. Apply it to the remainder of this 146-acre tract that would not be utilized for retail use.
3. Rezone this portion of the tract as Urban Reserve.
4. Suggest to the City that it seek this type of mixed use and methods to encourage it at this location, such as cooperation with the University and the Chamber of Commerce in seeking possible sponsors.

One of the situations that has not been considered here is how to make actually binding the restrictions that are recommend by staff to be included in the conditioning of the CC600 zoning. The two provisions in the Land Development Code that specifically allow conditioning zoning are the Special Use Permit and the Planned Development Overlay District. The other alternative is to write the conditions into the language that adopts the specific zoning ordinance on this property.

The second situation that has not been considered is the proposal that has been **initiated as a Text Amendment** of the Land Development Code that would eliminate the requirement to adhere to the Comprehensive Plan and, instead, treat it as an optional guide. If you adopted that text amendment, then all of the recommended restrictions on the commercial zoning and CC600 for this area in the Comprehensive Plan would have no effect.

We ask that you carefully consider our suggestions before rezoning this 146-acre tract.

Sincerely yours,

James Dunn  
League of Women Voters  
of Lawrence/Douglas County

Alan Black, Chairman  
Land Use Committee