

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

ITEM NO. 4: RM12 TO CR; 32.75 ACRES; 1900 W. 31ST STREET (SLD)

Z-13-00071: Consider a request to rezone approximately 32.75 acres located at 1900 W. 31st Street from RM12 (Multi-Dwelling Residential) District to the City of Lawrence CR (Regional Commercial) District to accommodate a regional commercial facility.

STAFF RECOMMENDATION: Staff recommends denial of the rezoning request for approximately 32.75 acres from RM12 (Multi-Dwelling Residential) District to CR (Regional Commercial) District and forwarding it to the City Commission with a recommendation for denial based on the findings of fact found in the body of the staff report.

ATTACHMENTS

- A. Permitted Use List
- B. Letter of Request for Commercial Zoning
- C. Preliminary concept plan
- D. Revised Southern Development Plan Map

PROPERTY OWNER'S REASON FOR REQUEST

Development of a Menards store in Lawrence. Refer to attached letter.

KEY POINTS

- This is a request to accommodate a Menards home improvement store, as well as additional commercial retail space, at the northeast corner of W. 31st St. and Ousdahl Rd.
- Proposed request will extend subject commercial zoning east along W. 31st Street.
- Request is inconsistent with land use recommendations for this area.

ASSOCIATED CASES/OTHER ACTION REQUIRED

ASSOCIATED ITEMS BEING CONSIDERED AT THE APRIL 2013 PLANNING COMMISSION MEETING:

- CPA-13-00067: Amendment to Chapter 6 of *Horizon 2020 / Revised Southern Development Plan*

OTHER ACTION REQUIRED:

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

OTHER ACTIONS REQUIRED PRIOR TO DEVELOPMENT

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

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Submitted for review by staff
- *Downstream Sanitary Sewer Analysis* – Not required at this time
- *Drainage Study* – Not Required at this time.
- *Retail Market Study* – Submitted to staff for review

PUBLIC COMMENT

- Email from resident and applicant response regarding concerns for additional commercial development.
- Request for bicycle connection between W. 31st Street and Naismith Park recreation path.

GENERAL INFORMATION

Current Zoning and Land Use:

RM12 (Single-Dwelling Residential) District; former mobile home park known as Gaslight Village.

Surrounding Zoning and Land Use:

To the North:

OS (Open space), RS7 (Single-Dwelling Residential) District, RM12 (Multi-Dwelling Residential) District and FP (Floodplain Management Regulations Overlay District); developed residential homes and Naismith Valley Park.

To the West:

CS (Commercial Strip) District, PD-[Home Improvement Center PCD] District, and PD-[Home Improvement Residential] District; Existing commercial uses. The open space to the west is part of the required detention area for the commercial development.

To the South:

RM15 (Multi-Dwelling Residential) District; existing apartment development.

To the East:

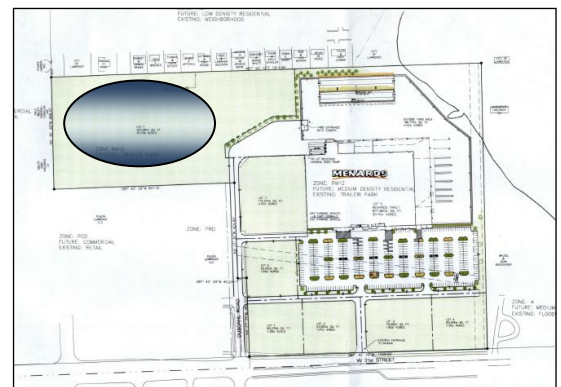
A (Agricultural) District and OS (Open Space) District; existing rural residence and south end of Naismith Valley Park.

Project Summary

This property is located on the north side of 31st Street. The proposed CR zoning is bounded on the west by Ousdahl Road and by Michigan Street (relocated Louisiana Street south of 31st Street) extended on the east. This request is for CR (Community Regional) District Zoning to accommodate a large format retail tenant and pad site development along W. 31st Street east of Ousdahl Road. A concept plan has been provided that shows a Menards located in the rear portion of the property and three pad sites located along 31st Street and Ousdahl Road. The rear, northwest 8.4 acres would be retained as RM12 zoning and dedicated for detention/open space use. The Menards location would include an area for outdoor lumber storage and a garden center.

The proposed concept plan includes the existing access drive to W. 31st Street and interior access drives from Ousdahl Road providing access to individual lots.

The northwest leg of the overall 41-acre site is being considered for detention/retention purposes. Additional design considerations are required to assess how such a feature would function with the existing floodplain in the area.



REVIEW & DECISION-MAKING CRITERIA

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Property Owner's Response:

"Menards is currently working through the process required to amend the comprehensive plan to change the future land use from high density residential to planned commercial. The change in the comp plan makes sense with the proximity to the Cities commercial corridor on Iowa Street and the similarities in the retail development that has taken place on 6th and 23^d Streets."

Iowa Street, between 23rd Street and the South Lawrence Trafficway, is an existing commercial area noted in *Horizon 2020*. Commercial Development is discussed in Chapter 6 of *Horizon 2020*. Key strategies of *Horizon 2020* state:

- *Establish and maintain a system of commercial development nodes at selected intersections which provide for the anticipated neighborhood, community and regional commercial development needs of the community throughout the planning period. (page 6-1)*
- *Require commercial development to occur in "nodes", by avoiding continuous lineal and shallow lot depth commercial development the city's street corridors and Douglas County Road.*
- *Encourage infill development and/or redevelopment of existing commercial areas with an emphasis on Downtown Lawrence and existing commercial gateways.*

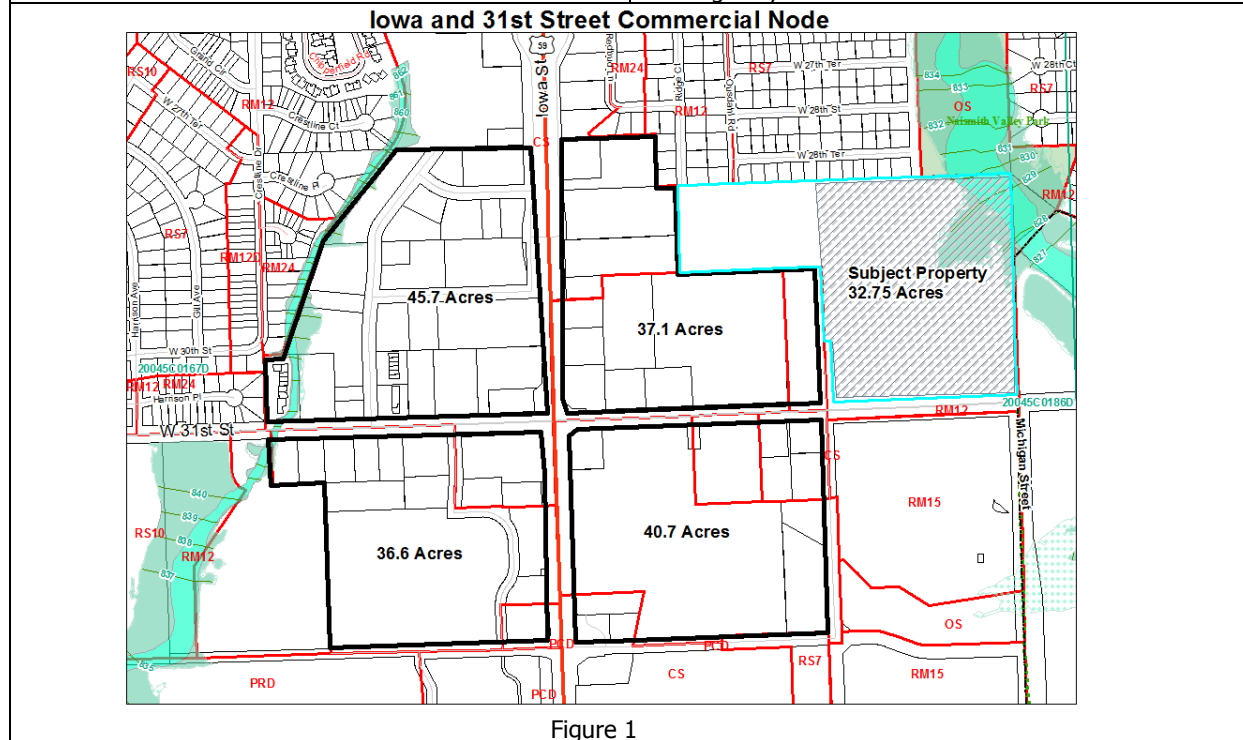
Nodal development is defined in part as *"the antithesis of 'Strip Development'"* and *"requires a clear termination of commercial development within near proximity of an intersection."* (Page 6-2). *Horizon 2020* identifies methods to establish the termination of a commercial node as:

1. *Placement of transitional uses, such as office and multi-family to buffer the adjoining neighborhood from the commercial area;*
2. *Restricting the extension of new commercial uses past established commercial areas; and*
3. *Defining the boundaries of the development through use of "reverse frontage" roads to contain the commercial development.*

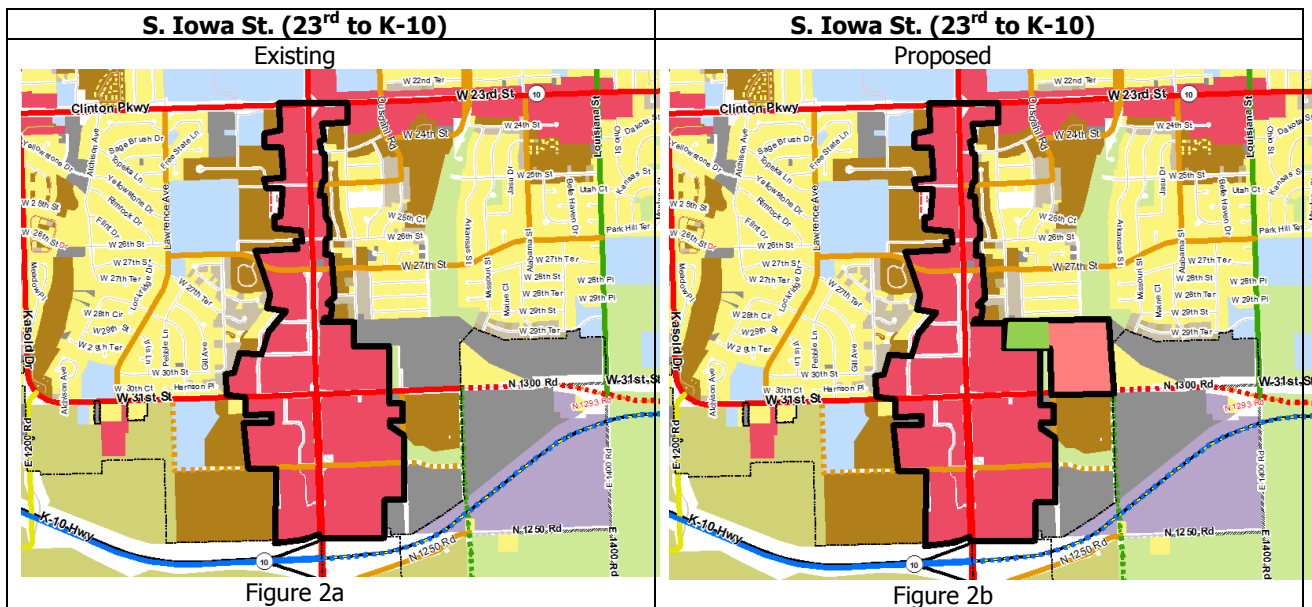
These strategies emphasize nodal development and infill development as a primary method to address new commercial uses.

Regional Commercial Centers are also defined in *Horizon 2020* (Page 6-9 and 6-38). The following table summarizes the recommended characteristics and the existing development patterns.

Horizon 2020 recommended characteristic.	Existing land use characteristics.
<ul style="list-style-type: none"> Minimum frontage is 1,400. 	<ul style="list-style-type: none"> Existing frontage between Iowa Street and Ousdahl Road is 1,572'. Includes PRD detention area. Request would extend frontage an additional 1,094'.
<ul style="list-style-type: none"> Minimum area on any corner is 40 acres 	<ul style="list-style-type: none"> The northwest, southwest and southeast corners include 47 acres, 41 acres, and 41 acres respectively. The northeast corner includes 32 acres in its current configuration.
<ul style="list-style-type: none"> Shall not exceed 1.5 million GSF of retail space. 	<ul style="list-style-type: none"> Existing S. Iowa corridor includes 1.996 million GSF of retail space. Request would increase this to 2.25 million GSF.
<ul style="list-style-type: none"> Shall be located at the intersection of two highways (state or federal) or an intersection an arterial and highway (state or federal). 	<ul style="list-style-type: none"> Existing commercial extends to the east along 31st Street 1,572' and to the west along W. 31st Street 1,636', concentrating development at the intersection of a highway and an arterial street.



The design standards ensure that a new regional center is capable of development with a critical mass of uses including multiple big box buildings, parking, and other physical development considerations. S. Iowa (23rd Street to K-10) is an existing commercial center. Map 6-1 of *Horizon 2020* shows the existing and future commercial land use locations. *Horizon 2020* notes commercial uses exist both east and west of S. Iowa along W. 31st Street. "Emphasis shall be given to maintaining this commercial node and requests that extend the commercial corridor for additional retail development shall not be considered."



The comprehensive plan recommends that new commercial development occur in a node. The request represents an extension of the Iowa Street and W. 31st Street node to the east.

Commercial development goals are also identified in Chapter 6 of *Horizon 2020*. Goals for established commercial areas include the retention, redevelopment and expansion of established commercial areas in the community. (Page 6-24)

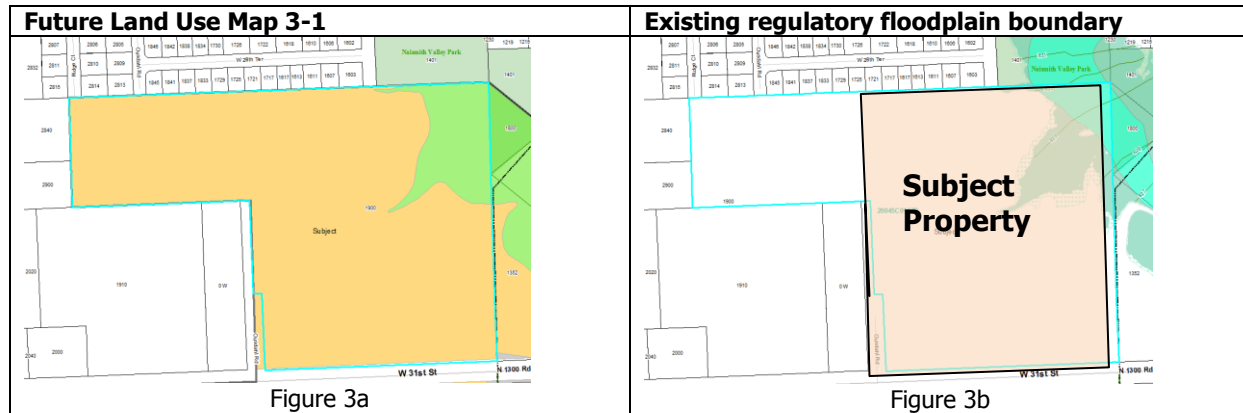
Other comprehensive plan goals include appropriate land use transition between commercial and residential neighborhood. These goals are applicable to the north and east sides of the proposed request. The commercial zoning boundary extends to the property lines that abut low-density residential development.

Specific recommendations regarding land uses in this area are contained within the *Revised Southern Development Plan* found in Chapter 14, *Horizon 2020*.

Revised Southern Development Plan

- The applicant requested a Comprehensive Plan Amendment concurrently with this zoning application.

The proposed request is located within the boundary of the *Revised Southern Development Plan* on the north side of W. 31st Street. Map 3-1 shows land use for this area as Medium-Density Residential and open space. The open space area coincides with the existing regulatory floodplain boundary.



The recently approved RM12 Multi-Dwelling Residential District was approved consistent with this recommended land use. This district provides a transition between the existing commercial development and the residential neighborhood to the north and east.

Staff Finding – The request for CR zoning in this location is not consistent with *Horizon 2020* goals and polices or specific land use recommendations included in the *Revised Southern Development Plan*. If the request to amend the planning documents to include this area as Regional Commercial is approved, then it would be consistent.

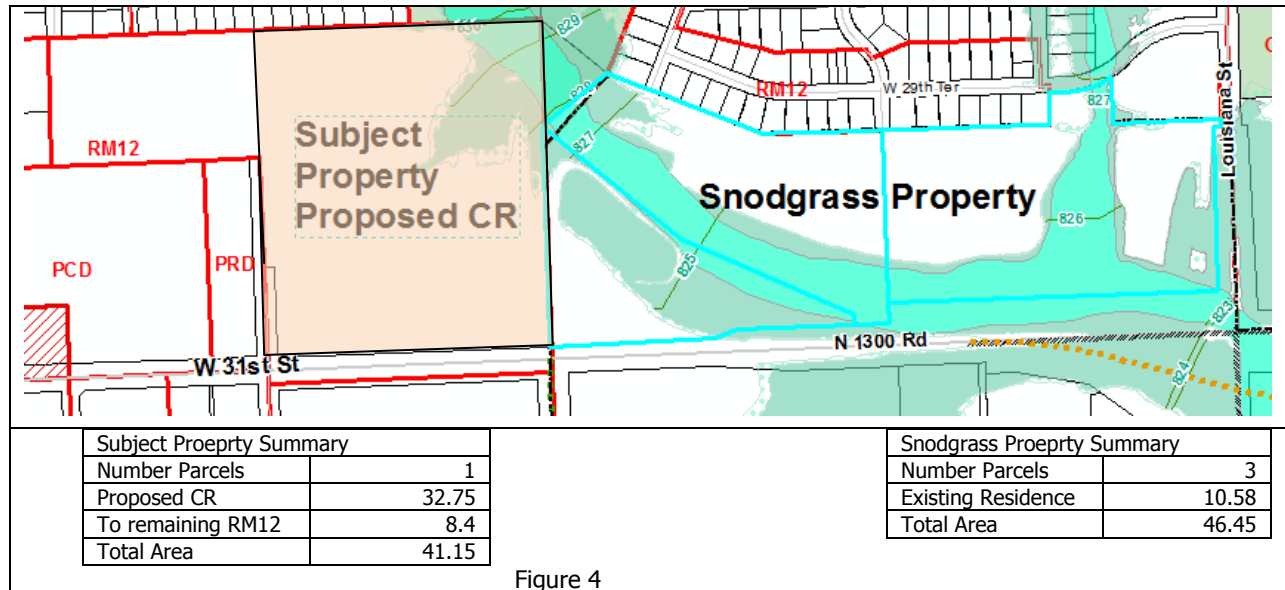
2. ZONING AND LAND USES OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

The predominate use of nearby property to the north, south and east is residential. The area along the north property lines includes RM12 zoning developed with duplexes; RS7 developed with detached residential lots, and OS zoning [Naismith Valley Park]. The development pattern along the north side of the subject property is low-density residential.

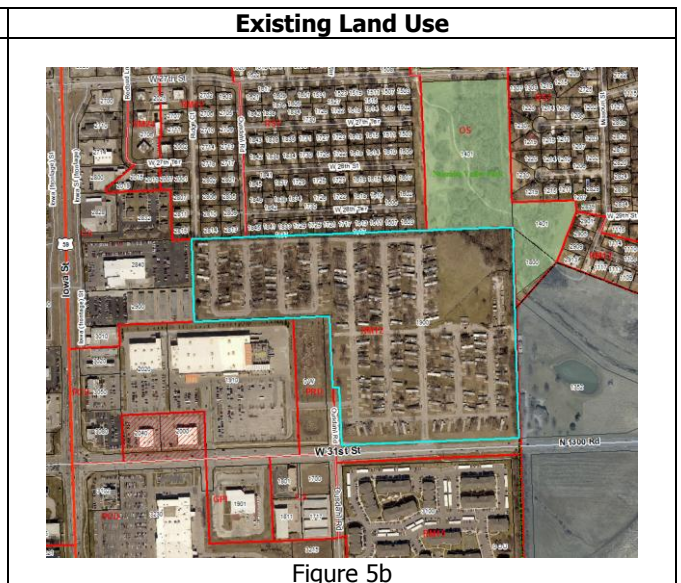
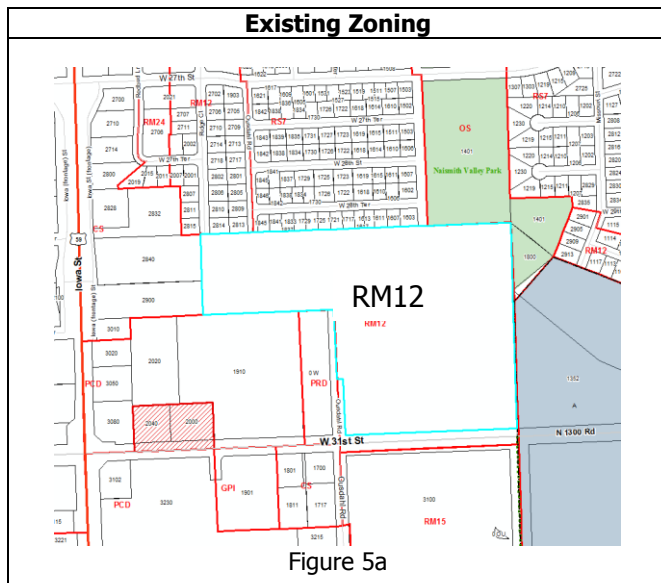
The property to the south includes RM15 Zoning and is developed with an apartment complex (The Connection).

The area to the west along the Iowa Street corridor is zoned and developed for commercial uses. See figure 2a. This commercial zoning and land use currently extends along W. 31st Street to the east to Ousdahl Road.

The area to the east, between the east property line of the subject property and Louisiana Street, is not currently located within the incorporated City boundary. It includes approximately 46 acres known as the Snodgrass property. The Snodgrass property is developed with a detached residence on the west end. The central and eastern portions of this property were used as a “fill” site in an effort to raise the base grade for future residential development.



A portion of the subject property in the northeast corner of the site is encumbered by the regulatory floodplain of the Naismith Creek that extends north and east of the subject property. A portion of this floodplain is located within the Naismith Valley Park adjacent to a portion of the north and east property lines of the subject property. See figure 3b.



Staff Finding – The existing zoning and land use in this area is a mix of residential uses that include detached housing as well as multi-dwelling housing and commercial development that is concentrated between Iowa Street and Ousdahl Road along W. 31st Street.

3. CHARACTER OF THE AREA

Property Owner’s Response:

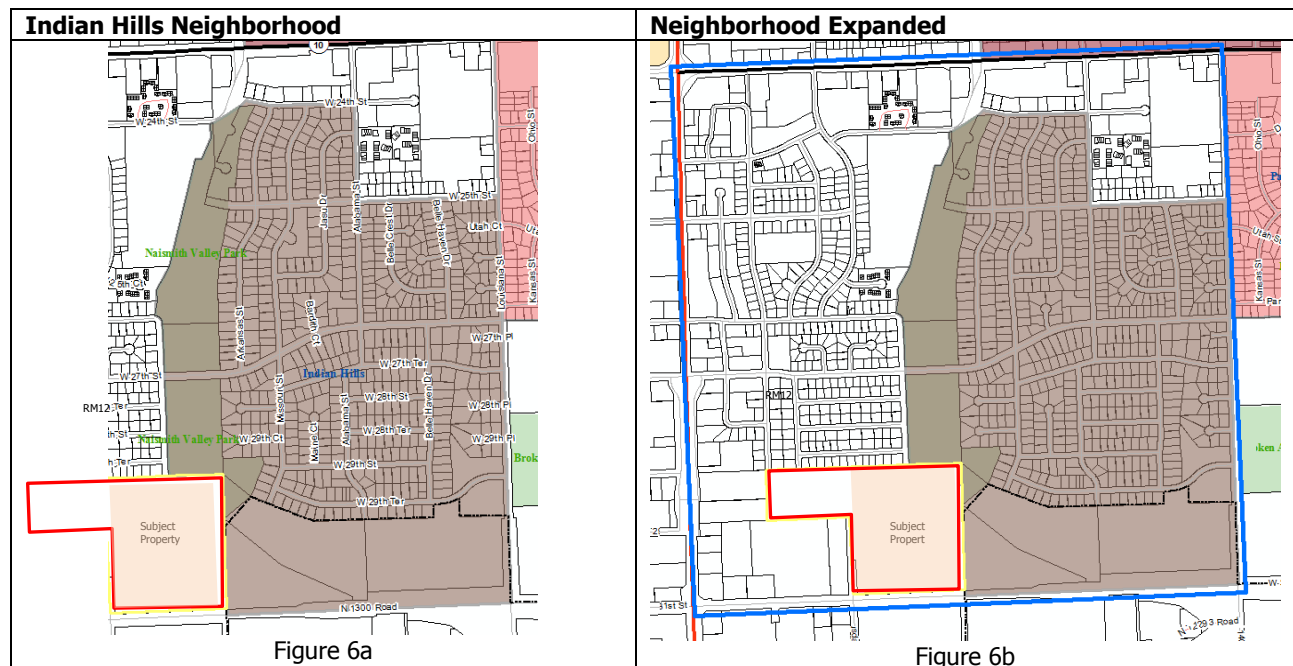
"The property location is on the fringe of several different zoning districts. To the west of the property along Iowa Street is commercial and planned commercial. North of the property is low-

density single family residential. The Residential to the north is surrounded by commercial on the west and north sides, the north side borders 23rd Street commercial corridor. East of the subject property is vacant agricultural land, this land is predominantly floodplain with floodway right through the center making it largely undevelopable.

The property is not located within a designated neighborhood boundary at this time. The property is adjacent to the Indian Hills Neighborhood along the east and northeast sides of the property. The area to the west is part of the South Iowa Street Commercial Corridor. This property is isolated from the adjacent residential uses to the north because of the lack of pedestrian and vehicular connectivity. Ridge Court and Ousdahl Road both dead-end on the north side of the property. A drainage course along the north property line contributes to the disconnected street patterns in this area. W. 31st Street, a major arterial street, bounds the south part of the neighborhood.

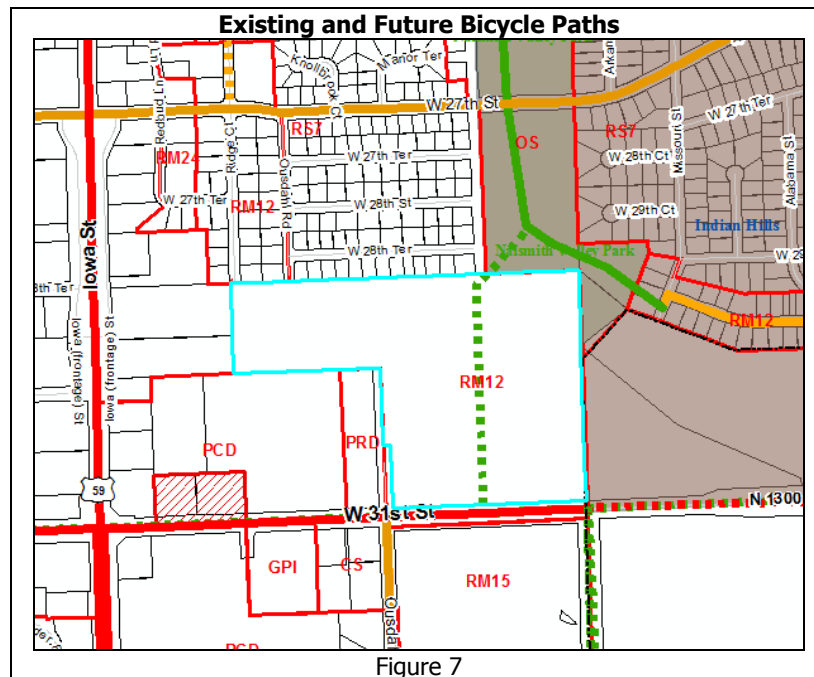
Expanding the definition of neighborhood to encompass the area bounded by Iowa Street to the west, Louisiana Street to the east, W. 31st Street to the south and 23rd Street on the north the property is located on the edge of a mixed-use neighborhood. Intensive uses are generally located along the arterial streets and low intensity uses are located interior to the larger neighborhood boundary.

The areas to the north, south, and east are developed residentially. The property to the immediate east along W. 31st Street/N 1300 Road is not currently annexed but is developed with a detached residence. Ousdahl Road is the demarcation of the eastern boundary of the Iowa Street Commercial Corridor/Node along W. 31st Street. The area south of W. 31st Street is a multi-dwelling complex.



Development of this property includes options for connectivity to the abutting residential uses to the north via Ridge Court and Ousdahl Road and through a future bicycle connection between W. 31st Street and Naismith Park recreation path. The graphic below shows the future

connection of a bicycle path between the existing recreation path and W. 31st Street. Staff received one comment from the public regarding support of a bicycle/recreation path connection through this property with future development. Refer to communications for public comment.



Staff Finding – The vicinity surrounding the subject property includes three distinct sub-neighborhood areas. The area to the north and east is an established low-density traditional neighborhood. The area along Iowa street and along the immediate W. 31st Street intersection is part of the S. Iowa commercial corridor. The area on the south side of W. 31st Street is developing commercially west of Ousdahl Road and residentially east of Ousdahl Road.

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

This property is included within the plan boundary of the *Revised Southern Development Plan* adopted in January 2008. This plan identifies the area located to the northeast of W. 31st Street and Ousdahl Road as suitable for medium density residential development. This land use could be implemented through the RS5, RS3, RM12, RM12D, RM15 and PD overlay zoning districts. A request for RM12 was approved in February 2012.

The only parcels of land included in the *Revised Southern Development Plan* located north of W. 31st Street are the subject property and area included in the 46.5 acres known as the Snodgrass Property, located between Louisiana Street on the east and the subject property on the west. Within the scope of the Area Plan, both areas, along the north side of W. 31st Street, were anticipated to be redeveloped in the future. Both the proposed CR zoning and the Snodgrass properties were specifically added to the area plan in 2008.

The common theme throughout Lawrence is commercial along the major roadways and the residential is on the interior, set behind the commercial buildings. Examples of this land use pattern can be found on Iowa Street, 23^d Street, and 6th Street."

This property was recently rezoned to RM12 (Multi-Dwelling Residential) District (Z-11-28-11). The planning Commission approved the rezoning on January 25, 2012. The City Commission approved the rezoning on February 14, 2012. This zoning application was made concurrent with a specific development application for multi-dwelling residential land use. A preliminary plat for a single lot and a special use permit for a multi-dwelling development project, known as Aspen Heights, were submitted with the 2011 rezoning application. This project was considered multi-dwelling because the complex included multiple buildings on a single lot. The residential development included building types that would consist of 2BR and 3BR duplexes and 4 BR detached homes. Buildings were proposed to be accessed via internal driveways with surface parking lots rather than by a public street network. The RM12 zoning district permits detached dwellings only as a special use. This specific project was designed to attract student residents. The design however, could be applicable to other segments of the community. Regardless of the specific development application for student housing, the application of RM12 zoning for this property was considered independent of the Aspen Heights proposal. The medium density proposed for the project complied with the land use recommendations stated in the *Revised Southern Development Plan*.

The Aspen Heights Development demonstrated that the property is suitable for medium density residential development. The zoning and site plan were approved with little to no public opposition as a development compliant with the *Revised Southern Development Plan*.

Staff Finding – The property is suitable for the medium density residential uses to which it is restricted with the current RM12 Zoning, as evidenced by the approved, but not constructed, Aspen Heights Development.

However, if the commercial node is extended along W. 31st Street to encompass this property then specific uses permitted in the CR district should be prohibited, as they are not compatible with the adjacent residential uses. Recommended use restrictions are listed in the attachment to this report.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Property Owner's Response:

"The property has been vacant for approximately 6 months. It was previously occupied by tenants of the Gas Light Village mobile home park but has been vacant since the apartment complex developers started working on the property. With little need for additional residential housing in Lawrence it is unlikely that this property would be developed soon and could remain a vacant lot or could continue as a trailer park."

A July 1969 staff report identified this property as a mobile home park.

This property is not vacant. The property includes a drainage easement between the north end of Ousdahl Road and the northeast corner of the property and a large gas line easement that crosses the property diagonally from Ousdahl Road to the southeast corner of the property. Property improvements include pad sites for mobile homes. Most of these improvements would be demolished or removed as part of a redevelopment of the property.

The east portion of the mobile home park was rezoned in 2000 to accommodate the Home Depot development. The remaining portion of the mobile home park was rezoned in 2012 for a multi-dwelling residential development. The applicant's representative withdrew the preliminary plat and special use permit applications for Aspen Heights Development (previously approved subject to conditions) in March of this year.

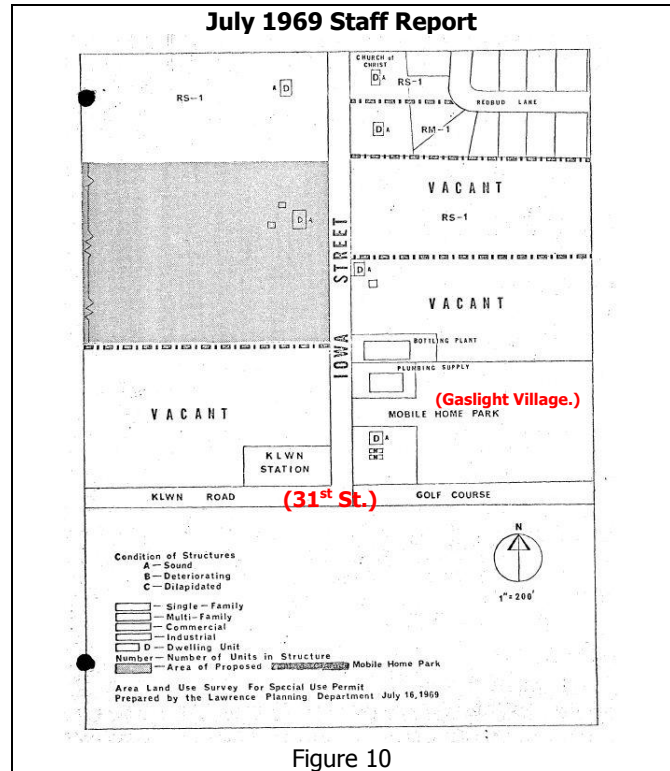


Figure 10

Staff Finding – The property is a former mobile home park dating back more than 40 years. The site is slowly being prepared for redevelopment through the removal of the mobile homes.

7. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Property Owner's response:

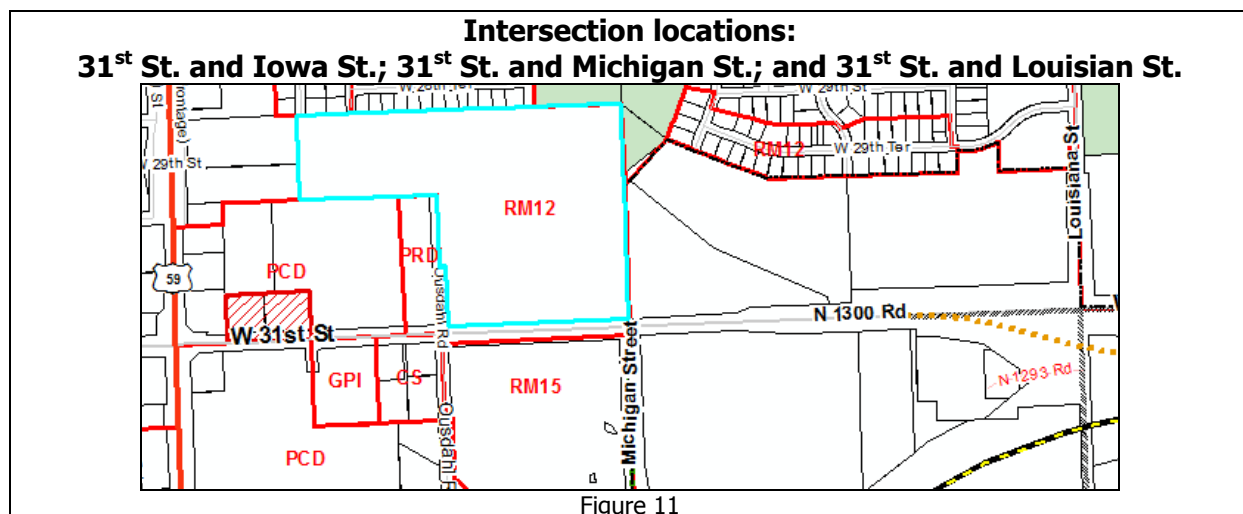
"The rezoning will have a positive effect on the neighboring properties compared to the existing conditions. There is nothing preventing the existing use of the property as a trailer park to continue indefinitely. After the previous contract on the property for residential units was terminated it is unlikely that another residential user will be interested in the property unless a strong demand for housing develops. Because there was no demand for apartments it is logical that the property zoning be amended to allow a user that is in demand to proceed with development so the property is not left vacant as it exists today."

The property, as currently zoned, permits residential development on this site. A variety of residential uses could be developed including multi-dwelling, extended care facilities, duplex and zero lot line development.

The development request does not include any land use transition between the commercial activity and low-density residential development to the north and east, therefore a type 2 buffer yard would be required. Approval of this request will precipitate at least one additional commercial request for an area immediately to the east, based on statements made by that landowner to staff.

Potential detrimental impacts on adjacent and nearby properties include light, truck traffic, commercial noise in the lumberyard area. These elements can be mitigated through fixture placement and shielding of fixtures. Nighttime and early morning activity of a commercial site is generally limited to product delivery and municipal solid waste service. Appropriate screening and building placement can mitigate these impacts.

Both KDOT and City Engineers have identified traffic concerns. Commercial development will be expected to participate in intersection improvements both immediately and in the future for W. 31st Street & Michigan Street (relocated Louisiana Street south of 31st Street) and W. 31st Street and Louisiana Street (north of 31st Street). The existing access to the property east of Ousdahl Road should not be assumed to remain. Direct site access will be development specific and evaluated in detail for separation and coordination with existing and planned intersections along the corridor.



Staff Finding – Approval of the request facilitates redevelopment of the site but will result in a development pattern that conflicts with the planned land uses along the W. 31st Street corridor. Impacts to adjacent residential uses will require substantial screening on the commercial side of the development. If approved, mitigation of the incompatible land uses may require that the development move toward W. 31st Street to accommodate the existing stream and necessary screening required per the Development Code and the Commercial Design Guidelines.

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

Property Owner's Response:

"The proposed project would constitute a gain to the health and safety of the community. The condition of the trailer park was in dire need of repair and potentially dangerous, the condition of the roads was hazardous to drivers with large potholes all over. The upkeep of the units was not consistent with the homes in the surrounding area and likely has a negative effect on home values. The proposed Menards store would create over 200 new jobs for local residents and a new multi lot retail development strengthening the local economy. Denial of the application would leave the property owner with a vacant trailer park because a residential developer

determined that Lawrence had no need for additional residential units. This would leave the owner with vacant residentially zoned property that would be unusable until the housing market picked up again. The only option left to the owner would be to reestablish the property as a trailer park.

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

Staff concurs with the applicant that the existing property is underutilized and should be appropriately redeveloped.

If the rezoning request were denied, the property could remain as a multi-dwelling residential district. This district allows a variety of residential uses including attached housing, detached housing with a special use permit, and multi-dwelling uses.

The RM12 district does not allow a mobile home park. To reestablish the previous manufacturing housing use, the property would need to be rezoned to at least RM15. Redevelopment as a manufactured housing development would require compliance with current design standards.

If the rezoning were approved, the uses allowed change from residential to commercial with a wide variety of commercial uses allowed. Limiting uses would serve to create a more compatible development with the adjacent low-density residential development to the north and east.

Approval of the request will facilitate redevelopment and reinvestment in existing property. However, denial of the request does not preclude a future redevelopment application consistent with the existing zoning and approved land use plans for the area.

Denial of the request would prohibit the ability to redevelop the property as a commercial extension of the existing node at Iowa and W. 31st Street, requiring Menards to pursue other locations in the city; a pursuit that Menards has stated is a hardship given that the other commercially zoned or designated properties in the City do not meet their needs at this time.

Staff Finding – Benefits to the community include the investment in property within existing utility, transportation and service districts. Denial of the request prohibits the applicant from redeveloping the property as a commercial use. If approved, staff believes the zoning should be restricted with conditional zoning.

PROFESSIONAL STAFF RECOMMENDATION

The focus of this report is the specific land use request for CR zoning. This application was made with a concept plan for a specific end user. This application reflects a trend in the review process whereby applicants are seeking zoning a specific end user versus speculative zoning applications. If approved, the concept plan for development of this site should not be considered as the ultimate development of the site. Several physical concerns of the proposed development will need revisions and additional consideration.

1. A portion of this property is encumbered by the regulatory floodplain. Development of property requires elevation 1-2 feet above the base flood elevation.
2. The conceptual grading plan provided shows an open borrow pit of 25' with no drainage. As designed in the conceptual plan, there are no improvements provided to accommodate the existing flooding challenges along the north side of the property.
3. Direct access to the arterial street (W. 31st Street) is not recommended. The existing drive access east of Ousdahl Road is not recommended.
4. Extension of right-of-way or a shared driveway along the Michigan Street alignment (east side of subject property) would be recommended if approved for commercial development.
5. Utility improvements including relocation of sanitary sewer across the site is required to remove a sewer line under an existing residence to the north regardless of the zoning or land use approved for this site.

The property was developed as a mobile home park in the late 1960's. This area of the community was in the unincorporated portion of Douglas County at that time and the mobile home park was a type of urban fringe development. Upon annexation, the property was assigned a low-density residential zoning designation. The 1966 Code permitted a mobile home park subject to the approval of a Special Use Permit in the RS districts. The adoption of the Development Code in 2006 created the non-conformity. A portion of the original mobile home park was removed for the Home Depot development. As part of the Home Depot approval, the boundary of the commercial node was established as the east side of Ousdahl Road and a requirement that a green space buffer be developed. This greenspace buffer is the portion zoned PRD and provides detention for the existing development.

The *Revised Southern Development Plan* anticipated that this property would be redeveloped with a higher intensity use as depicted in the land use map. The property was rezoned to RM12 in anticipation of redevelopment of the site consistent with the land use recommendation.

Staff recommends denial of the rezoning request based on the land use recommendations in Chapter 6 and 14 of *Horizon 2020* and the findings of fact listed in this staff report subject.

CONCLUSION

This existing RM12 zoning is appropriate for this location. Denial of the request does not preclude future redevelopment of the site. The proposed zoning is inconsistent with recommended land uses for the area.

If the Commission recommends approval the CR zoning, revised findings of fact will be required. Further, approval of the CR district should include use restrictions, conditional zoning, as discussed in the body of this report.

Recommended Uses	
Residential	Retail Sales and Services
Not permitted in the CR district with the exception of Group Homes approved with a Special Use Permit.	Building Maintenance
Community Facilities	Business Equipment
College/University	Business Support
Cultural Center/Library	Construction Sales and Service
Day Care Center	Food and Beverage
Lodge, Fraternal and Civic Assembly	Mixed Media
Postal and Parcel Service	Personal Convenience
Public Safety	Personal Improvement
Social Service Agency	Retail Sales, General (65,000 sq ft limit)
Utility Minor (P or SUP)	Retail Establishment, Large
Utility Major (SUP)	Retail Establishment, specialty
Medical Facilities	Sexually Oriented Business – [would not be allowed on W. 31st Street] but is allowed in the CR District]
Health Care Office/Clinic	Sex Shop
Outpatient Care Facility	Sexually Oriented Theater
Recreational Facilities	Transient Accommodations
Active Recreation	Campground
Entertainment and Spectator Sports (General and Limited)	Hotel Motel, Extended Stay
Participant Sports and Recreation (Indoor and Outdoor)	Vehicle Sales & Service
Passive Recreation	Cleaning (car wash)
Nature Preserve / Undeveloped	Fleet Storage
Private Recreation	Gas and Fuel Sales
Religious Assembly	Truck Stop [undesirable use in this location because of proximity to residential neighborhood]
Religious Institution (Community or Neighborhood)	Heavy Equipment Repair [undesirable use in this location because of proximity to residential neighborhood]
Animal Services	Heavy Equipment Sales/ Rental
Kennel	Inoperable Vehicles Storage [undesirable use in this location because of proximity to residential neighborhood]
Livestock Sales [Use not recommended]	Light Equipment Repair
Sales and Grooming	Light Equipment Sales/Rental
Veterinary	RV and Boats Storage
Eating and Drinking Establishments	Industrial Facilities
Accessory Bar	Laundry Service [undesirable use in this location because of proximity to residential neighborhood]
Bar or Lounge	Manufacturing and Production Ltd (SUP)
Brewpub	Manufacturing and Production Tech
Fast Order Food	Research Service
Fast Order Food with Drive-In	Wholesale Storage and Distribution
Private Dining Establishments	Heavy (SUP)
Quality Restaurant	Light
Offices	Mini Warehouse
Administrative and Professional	Agriculture
Financial, Insurance and Real Estate	Agricultural Sales
	Crop Agriculture
	Communications Facilities

Other	Amateur and Receive Only (accessory)
Parking	Communications Service Establishment
Accessory	Telecommunication Antennae (accessory)
Commercial	Telecommunication Tower (SUP)
	Satellite Dish (accessory)
	Recycling
	Large Collection
	Small Collection



February 1, 2013

Menards Lawrence KS Rezoning Request

Menard, Inc. has been working diligently for the last two years to secure a location in Lawrence that is large enough for our store and connected to the cities exiting commercial nodes. Several locations were identified as viable options and perused with no positive outcome for reasons such as small size, high price, or poor location. In the fall of 2011 Menards was presented the Gas Light Village mobile home park and began contract negotiations with the owners. For business reasons the park owner elected to move forward with another user proposing to build student housing. Over the last year Menards remained interested in that site while pursuing other locations in the city. During the residential deal the majority of tenants elected to vacate the park when they learned the park would be sold. When that deal was ended the park was left very empty with a few holdout residents and a number of vacant trailers. The owner had the choice of restoring the park to its former use, sitting on the vacant property until another residential user pursue the property, or moving forward with Menards. Menards is a motivated purchaser with a strong desire to establish a store in Lawrence and this is the premier location to do so.

The trailer park property is currently zoned RM-12, a multi-family zoning with a density of 12 units per acre. The site is bordered by Agricultural land to the east, RS-7 and designated Open Space to the north, Commercial and Planned Commercial to the west, and RM-15 to the south. This zoning configuration leaves the property on the edge of the commercial district as an island of residential. It is very typical for commercial zoning to line major roadways and residential to sit between the commercial areas. Along with 31st St similar situations have occurred in Lawrence along 23rd street and 6th street. The commercial areas provide a nice buffer from the sights, sounds, and smells associated with a well traveled roadway. The traffic counts along 23rd St range from 1710-4950 during the AM peak and 1526-3000 during the PM peak. The 6th St counts are similar with 1178-2495 during the AM peak and 1178-3159 during the PM peak. The proposed Menards site on 31st St has an AM peak of 1800-2156 and 2138-3344 during the PM peak. The provided traffic counts show almost identical conditions along all three corridors. All three corridors are also designated as principal arterial streets, one of the largest road classifications in the city. Just as it makes sense for like businesses to be located next to each other it makes perfect sense that like zonings are located next to each other for the same reasons. Shoppers can make multiple visits during shared trips, saving on gas and pollution. Increasing visits to multiple commercial areas at once increases the economic impacts as they are likely to spend more when retail is nearby.

The proposed rezoning for the Menards project will not conform with the future land use laid out in Horizon 2020. We are working on an amendment to the comprehensive plan based on the same justification explained in this letter.

Rezoning from RM-12 to Planned Commercial will not detriment the neighboring properties as commercial zoning is present adjacent to the project area. The redevelopment from a dated and mostly abandoned trailer park to a new multi lot

commercial development will increase the aesthetics of the property and the view from neighboring properties. According to the Lawrence Police Department interactive map there have been a high number of police calls to the property each year. If the rezoning was not granted there is nothing preventing the property owners from reestablishing the property as a trailer park and the previous conditions could continue. The Menards project would prevent that use from continuing and would assure the neighboring residents that the activities that took place at the property in the past would be eliminated. The proposed Menards project would also prevent the property from remaining a vacant eyesore to the neighborhood.

The character of the neighborhood is solid commercial to the west, made up of similar big box uses with Home Depot, and Best Buy directly west on 31st St and Target, Wal-Mart, and Kohl's to the south on Iowa St. East of the property the zoning designation is Agricultural but is predominantly the floodway for the same river that runs through Naismith Valley Park, this land is undevelopable due to the floodway. South of the property is a newer multifamily apartment complex. This apartment complex stands alone with no adjacent residential development, however the future land use plan places more residential to the south of the apartments and agricultural to the east. North of the site is the Indian Hills neighborhood made up of single family homes, and open space. The residents to the north would be the most impacted by the new Menards development however with the proper screening and considering the existing conditions the new project will fit well within the context of the neighborhood and will increase the value and quality of life for the residents.

The property has remained vacant for several months, a few tenants remained in the park until late fall but have since vacated leaving the park 100% vacant. Under the existing zoning the project would not be able to move forward and the property would remain vacant until a residential user purchased it or the owners could start over with a new trailer park.

The gains to the public health, safety, and welfare have been presented throughout the above letter. The former operations at a trailer park were hazardous to the safety and health of the public, many of the above mentioned police calls were dangerous and potentially harmful to nearby residents or pedestrians. These types of activities negatively impact surrounding neighborhoods. A Menards store and development would benefit the community with a new aesthetically pleasing store with a large investment into the community. The new store would bring 200 new jobs to Lawrence and promote economic growth through sales generated by the Menards store and outlots. Menards is a regional destination and attracts shoppers from a large distance and will bring in consumers that normally do not shop in Lawrence. The nearest Menards store is in Topeka 40 miles away and while we are planning on several Kansas City locations there are not any sites selected on the west side of the city. The property owner began vacating the park as part of the previous purchasers approval process was underway, when that user backed out the owner was left with a mostly empty trailer park. Based on existing conditions in the city it makes sense that this property is converted to a commercial zoning, it is adjacent to similar retail and is along a well-traveled roadway, both are characteristics of a commercial node.

Granting the variance would allow Menards to continue its approval process with city staff and proceed with detailed design of the store. The new store would be an asset

to the community and fit well within the South Iowa Street commercial node. If there are any questions please do not hesitate to contact me at 715-876-2143.

Answers to the application questions are below.

1. How does the request conform with the Comprehensive Plan, Horizon 2020?
 - a. Menards is currently working through the process required to amend the comprehensive plan to change the future land use from high density residential to planned commercial. The change in the comp plan makes sense with the proximity to the cities commercial corridor on Iowa Street and the similarities in the retail development that has taken place on 6th and 23rd streets.
2. To what extent will approving the rezoning detrimentally affect the nearby properties?
 - a. The rezoning will have a positive effect on the neighboring properties compared to the existing conditions. There is nothing preventing the existing use of the property as a trailer park to continue indefinitely. After the previous contract on the property for residential units was terminated it is unlikely that another residential user will be interested in the property unless a strong demand for housing develops. Because there was no demand for apartments it is logical that the property zoning be amended to allow a user that is in demand to proceed with development so the property is not left vacant as it exists today.
3. Describe the character of the neighborhood.
 - a. The property location is on the fringe of several different zoning districts. To the west of the property along Iowa Street is commercial and planned commercial. North of the property is low density single family residential. The residential to the north is surrounded by commercial on the west and north sides, the north side borders the 23rd street commercial corridor. East of the subject property is vacant agricultural land, this land is predominantly floodplain with floodway right through the center making it largely undevelopable.
4. What is the suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations?
 - a. The property would only be suitable to multifamily housing if there was enough demand in the city to establish 40 acres worth of apartments or townhomes and a developer with enough financing to make the project work. The property is currently an island of residential property in the cities commercial district. Compared to the cities other land use layouts this property is an outlier with residential abutting an arterial roadway.

The common theme throughout Lawrence is commercial along the major roadways and the residential is on the interior, set behind the commercial buildings. Examples of this land use pattern can be found on Iowa Street, 23rd Street, and 6th Street.

5. What is the length of time the subject property has remained vacant as zoned?
 - a. The property has been vacant for approximately 6 months. It was previously occupied by the tenants of the Gas Light Village mobile home park but has been vacant since the apartment complex developers started working on the property. With little need for additional residential housing in Lawrence it is unlikely that this property would be developed soon and could remain a vacant lot or could continue as a trailer park.

6. What is the gain, if any to the public health, safety, and welfare if this application were approved as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application?
 - a. The proposed project would constitute a gain to the health and safety of the community. The condition of the trailer park was in dire need of repair and potentially dangerous, the condition of the roads was hazardous to drivers with large potholes all over. The upkeep of the units was not consistent with the homes in the surrounding area and likely had a negative effect on home values. The proposed Menards store would create over 200 new jobs for local residents and a new multi lot retail development strengthening the local economy. Denial of the application would leave the property owner with a vacant trailer park because a residential developer determined that Lawrence had no need for additional residential units. This would leave the owner with vacant residentially zoned property that would be unusable until the housing market picked up again. The only option left to the owner would be to reestablish the property as a trailer park.

Sincerely,
Menard, Inc.



Tyler Edwards
Real Estate Representative
Menard, Inc. – Properties
5101 Menard Drive
Eau Claire, WI, 54703
P: 715-876-2143
C: 715-579-6699
F: 715-876-5998
tedwards@menard-inc.com

CH2 Engineering
 Landscape Architecture
 Community Planning
 Surveying

Landplan Engineering, P.A.
 110 Parkway Drive
 Lawrence, Kansas 66044
 Phone: (785) 842-4110
 Fax: (785) 842-4110
 Email: info@landplan.com
 www.landplan.com

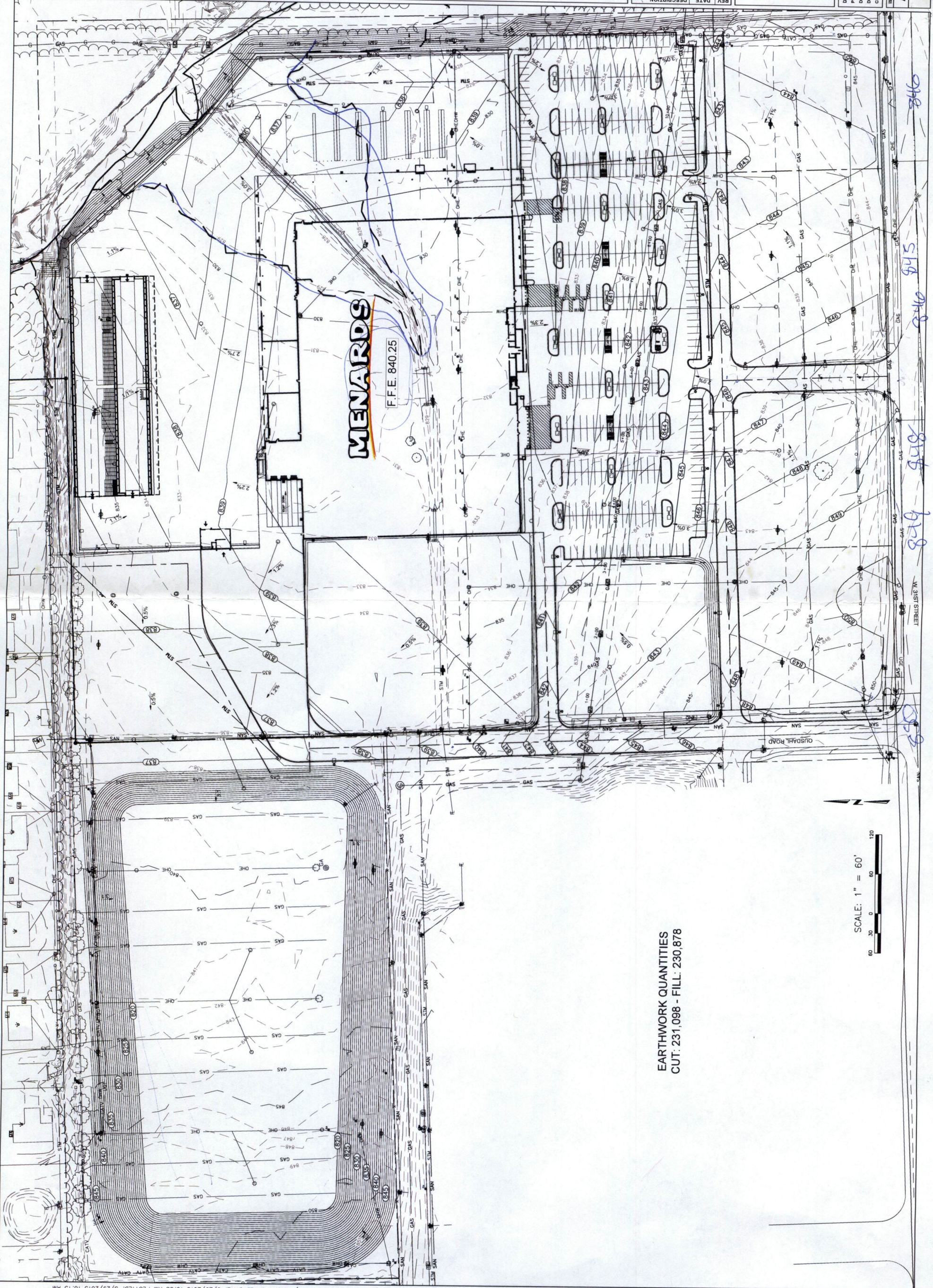
The Woodlands, TX • Farmington Hills, MI
 Lawrence, KS • Kansas City, MO • Columbus, OH

PRELIMINARY - NOT FOR CONSTRUCTION
 GRADING PLAN

REV	DATE	DESCRIPTION

DATE: 01.28.13
 PROJECT NO.: 2013001
 DESIGNED BY: LFE
 DRAWN BY: LFE
 CHECKED BY: LFE

SHEET NO.
A C300
 OF 4 SHEETS



EARTHWORK QUANTITIES
 CUT: 231,098 - FILL: 230,878



840 845 848 849 850 855 860 865 870 875 880 885 890 895 900 905 910 915 920 925 930 935 940 945 950 955 960 965 970 975 980 985 990 995

LAWANDA GLEASON & JESSICA WHITE DENISE WYATT SCHULER BAXTER

LANDSCAPE LEGEND

SYMBOL	SCIENTIFIC, COMMON NAME	SIZE	QTY.	MATURE SIZE
	DYMOCLADUS DIOICA, KENTUCKY COFFEE TREE	2 1/2" #	4	60'-0" TO 75'-0" TALL 40'-0" TO 50'-0" WIDE
	CERCIS CANADENSIS 'ALBA', 'ALBA', EASTERN REDBUD	2 1/2" #	23	20'-0" TO 30'-0" TALL 25'-0" TO 30'-0" WIDE
	FRAXINUS 'PRAIRIFIRE', 'PRAIRIFIRE'	2 1/2" #	28	20'-0" TALL
	FRAXINUS 'PRAIRIFIRE', 'PRAIRIFIRE'	2 1/2" #	5	30'-0" TO 70'-0" TALL 30'-0" TO 70'-0" WIDE
	GLADSTONIA 'SKYLINE', 'SKYLINE'	2 1/2" #	11	40'-0" TO 60'-0" TALL WIDTH VARIES
	ACER RUBRUM 'RED SUNSET', 'RED SUNSET', RED MAPLE	2 1/2" #	14	20'-0" TO 25'-0" TALL 20'-0" TO 30'-0" WIDE
	CRATAEGUS PHAENOPYRUM, WASHINGTON HAWTHORN	2 1/2" #	6	8'-0" TO 10'-0" TALL 9'-0" TO 12'-0" WIDE
	BETULA NIGRA 'LITTLE KING', FOX VALLEY RIVER BIRCH	2 1/2" #	30	40'-0" TO 50'-0" TALL 8'-0" TO 10'-0" WIDE
	JUNIPERUS VIRGINIANA, EASTERN RED CEDAR	6"-0" TALL	36	6'-0" TALL
	SPREAIA JAPONICA 'LITTLE PRINCESS', LITTLE PRINCESS SPREAIA	3 GALLON	23	2'-0" TO 2'-0" TALL 2'-0" TO 2'-0" WIDE
	BERBERIS THUNBERGII 'PYGMY', 'CRIMSON PYGMY', JAPANESE BARBERY	1 GALLON	35	1'-6" TALL 7'-0" WIDE
	MICROBIOTA DECOUSSATA, SIBERIAN CYPRESS	3 GALLON	35	4'-0" TALL 4'-0" WIDE
	POTENTILLA FRUTICOSA 'ABBOTTSMOOD', 'ABBOTTSMOOD', POTENTILLA HYDROSEED AS NEEDED			
	1 1/2" WASHED RIVER ROCK (PLANTERS BY FRONT OF BUILDING) 4" TO 8" ROCK RIP-RAP (BEHIND WAREHOUSE)			

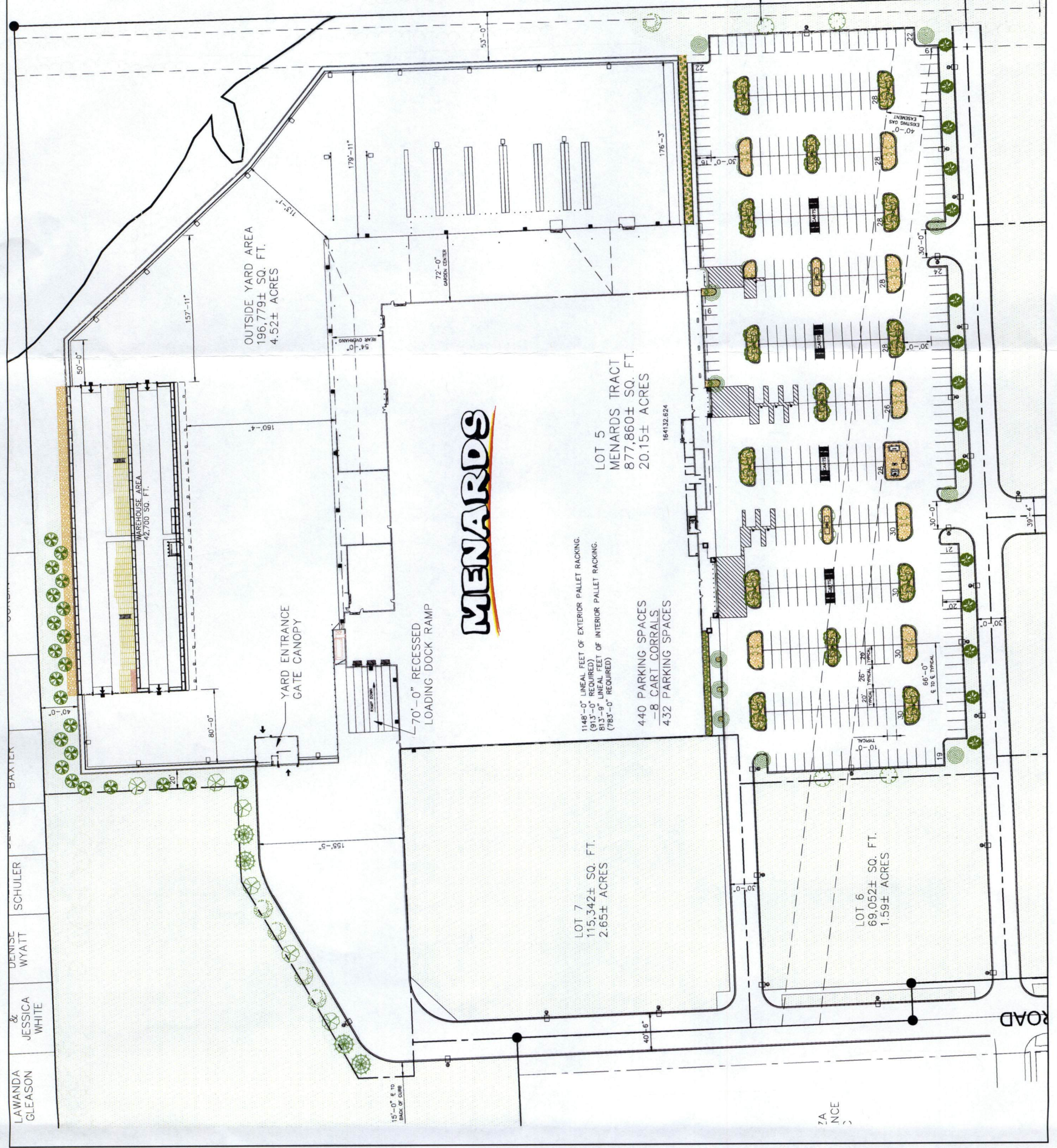
GREENSPACE PERCENTAGE:
 877,860± SQ. FT. LOT SIZE
 164,133± SQ. FT. GREENSPACE
 164,133± / 877,860± = 18.7%

IMPERVIOUS AREA PERCENTAGE:
 877,860± SQ. FT. LOT SIZE
 713,722± SQ. FT. IMPERVIOUS AREA
 713,722± / 877,860± = 81.3%

Tyler Edwards
 Menard, Inc.
 Real Estate Representative
 5105 Menard Drive
 Eau Claire, WI 54703



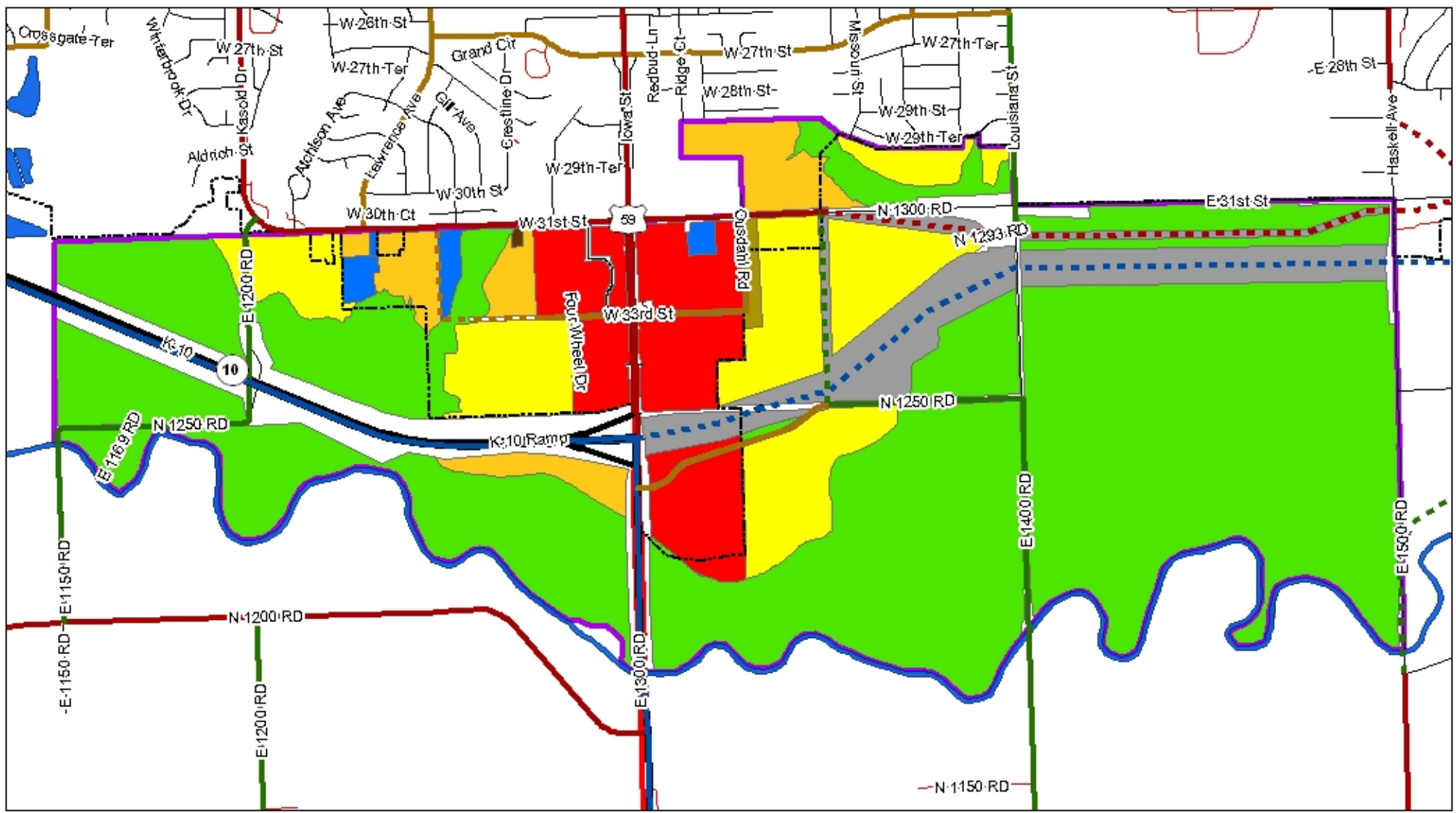
Lawrence, Kansas
 Menards Site Plan
 March 13, 2013
 Scale: 1" = 50'-0"
 kwk
 CT1m



Legend

- | | | | | |
|---------------|-----------------------|--------------------|----------------------------|---------------------------------|
| City Limits | future arterial | freeway | Low-Density Residential | Commercial |
| Water Bodies | future minor arterial | collector | Medium-Density Residential | Open Space |
| Planning area | future freeway | principal arterial | Residential/ Office | Public/Institutional |
| | future collector | minor arterial | Office | Transport/Communication/Utility |

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Map 3-1 Future Land Use Map
Revised Southern Development Plan

From: Gaziyeh@aol.com
To: [Sandra Day](#)
Subject: Fwd: Item Z-13-00071 Rezoning request 1900 W 31st
Date: Monday, April 08, 2013 11:09:04 AM

Hi Sandy

Interestingly, you were in my AOL address database. Here is the email I sent. Feel free to call or return message for follow up.

Thanks

Jo Anne

785.842.3010

From: Gaziyeh@aol.com
To: amalia.graham@gmail.com, cblaser@sunflower.com, jonjossrand@gmail.com, laraplancomm@sunflower.com, bculver@bankingunusual.com, rhird@pihlawyers.com, squampva@aol.com, clay.britton@yahoo.com, chadlamer@gmail.com, bruce@kansascitysailing.com
CC: gaziyeh@aol.com
Sent: 4/7/2013 2:48:18 P.M. Central Daylight Time
Subj: Item Z-13-00071 Rezoning request 1900 W 31st

Ladies and Gentlemen

I work on Monday nights and might not get to the April 22 meeting before this agenda item is opened for discussion. I have been the homeowner at 1618 W 28th Terrace for 25 years.

Considering that Menard, Inc. already owns the property in question, it would seem that this is a "done deal". Nonetheless, here's my "say".

1: I don't believe Lawrence is big enough to support this venture. If a Menard's store is built next to Home Depot it is likely that in 3-5 years one of them will go out of business. If that happens, how long will the building sit empty? If the Home Depot is abandoned, will the Best Buy fail? What will happen to the small struggling and yet empty storefronts in the shopping area surrounding the Home Depot and Best Buy if shopping traffic to the area is reduced?

2. In the 1980's there were commission and planning meetings with hand wringing about the "cornfield mall" that would draw business away from downtown. Is this patchwork of pseudo-malls and second string chain and fast food restaurants the alternative Lawrence needed for managed growth? Certainly no threat to downtown, but definitely a downgrade to the value of adjacent residential properties.

3. Consider: within a few years of the closing of the Indian Springs Mall in KCK, neighborhood home values plummeted, many home owners moved and rented their properties, and State Avenue became an urban blight of deserted strip malls. There is much unused and underused commercial real estate in the South Iowa St corridor. The commissions seem to be planning toward the northwest side of the city with no care for other neighborhoods or the opposite end of town based on ...what???. Is there any direction for the southern part of town or is it just willy-nilly and all about dollars in the tax base?

4. My neighbors across the street whose property abuts the proposed site think there is some agreement that will provide improvement for the "creek" (ditch), including privacy and noise barriers. Is there a plan of record to support their assumption? They are not opposing this because of that supposed provision.

5. The stub street of Ousdahl (south from 27th) feeds our neighborhood. Will it remain a dead

end or will it be opened through to the new development? If so, is there a plan to widen the road or to keep cars from parking on it? It is often impassable due to duplex tenants parking along the west side of the street, across from the intersections, etc. In addition, when traveling north on Ousdahl, there is a driveway directly across from the intersection. Scares me to think a vehicle will miss the stop sign and crash into that garage...

I would love to talk to anyone about this project to determine what it will do to the value of my home and the quality of my neighborhood. I can be reached at this email address, or at 785.842.3010.

I do hope to see you at the April 22 meeting to discuss further..

Jo Anne Zingo

From: [Tyler Edwards](#)
To: Gaziyeh@aol.com
Cc: [Sandra Day](#); [Scott McCullough](#)
Subject: RE: Item Z-13-00071 Rezoning request 1900 W 31st
Date: Wednesday, April 10, 2013 8:54:16 AM

Ms. Zingo,

I have responded to your questions below and I have included the city staff on the email to they can forward the responses to the appropriate parties. If you have more questions please feel free to send them over or give me a call. I prefer email so the city planners and planning commission has a record that you received a response and that response can be forwarded to the planning commission.

1: I don't believe Lawrence is big enough to support this venture. If a Menard's store is built next to Home Depot it is likely that in 3-5 years one of them will go out of business. If that happens, how long will the building sit empty? If the Home Depot is abandoned, will the Best Buy fail? What will happen to the small struggling and yet empty storefronts in the shopping area surrounding the Home Depot and Best Buy if shopping traffic to the area is reduced?

Menards does not select sites hoping to put someone out of business, if we thought either the Menards or Home Depot would fail we would not spend the 10+ million dollar investment on a new store location. Just as car dealerships and restaurants draw more business by locating near each other we feel the same way about home improvement. Sure Home Depot might lose some customers here and there but Menards does a great business by drawing consumers from 50+ miles away. This is evident by the number of people that travel from Lawrence to the Topeka store. Traffic to this portion of 31st street will not be reduced by Menards at all but increased as the shoppers could now shop Menards, Best Buy, and stop at a restaurant in one trip. Lawrence is definitely large enough to support such a venture. There are cities across the Midwest that are home to a Menards and Home Depot or Lowes or both within a half mile of each other and they all function just fine.

2. In the 1980's there were commission and planning meetings with hand wringing about the "cornfield mall" that would draw business away from downtown. Is this patchwork of pseudo-malls and second string chain and fast food restaurants the alternative Lawrence needed for managed growth? Certainly no threat to downtown, but definitely a downgrade to the value of adjacent residential properties.

I would argue just the opposite. Property adjacent to a rundown trailer park would have a much lower property value as opposed to having a new commercial building and green space next door. Additionally the peace of mind knowing that the store is only open from 7-10 and all the activities will have quite a bit of screening to prevent any sounds or light from reaching the residential properties. Many of the residents that attended Monday nights neighborhood meeting preferred the commercial use to a student housing complex or trailer park because they knew there would be no noise or damage or police after the store closed. It is very difficult to relate the planning of Lawrence today to plans from the 1980's because so much has changed in the retail world and economically. Consider how many changes have been made to the comprehensive plan and zoning code since then and how many will need to be made in the future to adapt to the ever changing world of community and regional planning.

3. Consider: within a few years of the closing of the Indian Springs Mall in KCK, neighborhood home

values plummeted, many home owners moved and rented their properties, and State Avenue became an urban blight of deserted strip malls. There is much unused and underused commercial real estate in the South Iowa St corridor. The commissions seem to be planning toward the northwest side of the city with no care for other neighborhoods or the opposite end of town based on ...what???. Is there any direction for the southern part of town or is it just willy-nilly and all about dollars in the tax base? This question seems more suited for the Planning Commission or city planning staff. I can tell you as the applicant for the rezoning and comp plan amendment there is an extensive amount of published planning and guidance in place regarding the southern part of town and it is no way "willy-nilly". We understand that the city has invested a lot into the NW side of the city because it is the flashy new area in town. However it is not up to the city to decide where businesses should locate or restrict them based on location that's why we have the public process and businesses have the option to make a case to change the zoning regulations or request variances. Not many planning or code documents are designed to be static documents, they recognize that conditions can change even the day after they are published. That's why planning documents are used as a tool to guide development.

4. My neighbors across the street whose property abuts the proposed site think there is some agreement that will provide improvement for the "creek" (ditch), including privacy and noise barriers. Is there a plan of record to support their assumption? They are not opposing this because of that supposed provision.

Your neighbors are correct. From the very first meeting I had with the city engineers they made it clear that that drainage ditch needed to be addressed and upgraded as part of the property development. We are currently working through those plans with our engineers. Many of the neighbors in attendance at Monday night's neighborhood meeting not only supported the project for that reason but even went as far as saying they feel this is the best place for the store in town. It is hard to argue this will hurt the neighborhood if the people closest to the store strongly support it. I would suggest talking with your neighbors in the next two weeks, maybe it will help ease some concerns.

5. The stub street of Ousdahl (south from 27th) feeds our neighborhood. Will it remain a dead end or will it be opened through to the new development? If so, is there a plan to widen the road or to keep cars from parking on it? It is often impassable due to duplex tenants parking along the west side of the street, across from the intersections, etc. In addition, when traveling north on Ousdahl, there is a driveway directly across from the intersection. Scares me to think a vehicle will miss the stop sign and crash into that garage...

We have no intention of connecting the proposed commercial development to the neighborhood to the north. Menards designs its parking lots to accommodate its guests at the busiest of times and they should be no need to park anywhere but on the street.

Tyler Edwards

Real Estate Representative
Menard, Inc. – Properties
5101 Menard Drive
Eau Claire, WI 54703
715-876-2143 - Direct
715-579-6699 - Cell
715-876-5998 - Fax

tedwards@menard-inc.com
www.menardsrealestate.com

From: Gaziye@[aol.com](mailto:Gaziye@aol.com) [mailto:Gaziye@aol.com]
Sent: Monday, April 08, 2013 11:19 AM
To: Tyler Edwards
Subject: Fwd: Item Z-13-00071 Rezoning request 1900 W 31st

email as discussed

From: Gaziye@aol.com
To: amalia.graham@gmail.com, cblaser@sunflower.com, jonjosserand@gmail.com,
laraplancomm@sunflower.com, bculver@bankingunusual.com, rhird@pihlawyers.com,
squampva@aol.com, clay.britton@yahoo.com, chadlamer@gmail.com,
bruce@kansascitysailing.com
CC: gaziye@aol.com
Sent: 4/7/2013 2:48:17 P.M. Central Daylight Time
Subj: Item Z-13-00071 Rezoning request 1900 W 31st

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Jo Anne Zingo

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From: [Sheila Stogsdill](#)
To: ["Clark Coan"](#)
Cc: [Sandra Day](#)
Subject: RE: Menards Site Plan
Date: Monday, April 08, 2013 12:11:58 PM

Clark –

Not a problem. Sandra Day is the lead planner on this project in case you have other comments or questions.

Sheila M. Stogsdill, *Assistant Director* - sstogsdill@lawrenceks.org
Planning & Development Services Department | www.lawrenceks.org/pds
City Hall, 6 E. 6th Street
P.O. Box 708, Lawrence, KS 66044-0708
office (785) 832-3157 | fax (785) 832-3160

*"Your opinion counts! Customer feedback helps us serve you better. Please tell us how we're doing by completing this short online Customer Satisfaction Survey:
<http://lawrenceks.org/pds/survey/satisfaction>."*

From: Clark Coan [mailto:clarkcoan@yahoo.com]
Sent: Monday, April 08, 2013 11:51 AM
To: Sheila Stogsdill
Subject: Menards Site Plan

Ms. Stogsdill:

Could you please forward this to the planner who is doing the site plan for the Menards store on 31st Street? Thank you.

Hello!

As you recall, the previous developers of the site on 31st St. agreed to extend the Naismith Path to 31st. Street. I hope you will recommend that the developers of Menards also extend the path to 31st St. which will be near the new SLT Hike and Bike Path. As you know, connectivity increases trails use and multiplies the values of trails.

Thank you for paying attention to my comments.

Clark Coan, MUP

Public Information Specialist
Sunflower Rail-Trails Conservancy

From: Burress, David A. [mailto:d-burress@ku.edu]

Sent: Tuesday, April 16, 2013 10:37 AM

To: Denny Ewert

Subject: RE: ITEM NO. 3 SOUTHERN DEVELOPMENT PLAN; REGIONAL COMMERCIAL CENTER and ITEM NO. 4 RM12 TO CR; 41.5 ACRES; 1900 W 31ST ST

April 16, 2013

To: Dr. Bruce Liese, Chair, and Lawrence/Douglas County Planning Commission

Dear chairman Liese and Planning Commissioners:

Re: ITEM NO. 3 SOUTHERN DEVELOPMENT PLAN; REGIONAL COMMERCIAL CENTER (MJL)
ITEM NO. 4 RM12 TO CR; 41.5 ACRES; 1900 W 31ST ST (SLD)

The League asks that you not change the Southern Development Plan to expand the existing designated area for a Regional Commercial Center and that you deny the request for a 41.5 acre tract to permit the development of a Menards store. We ask this for the following reasons:

We question whether the current 23rd and South Iowa designated Regional Commercial area has the capacity for any additional commercial zoning beyond that already designated and zoned for commercial use. The amount of commercial zoning existing now in this Horizon 2020 designated CR has been listed as 1.3 million square feet and the date on this is April, 2012.

The Revised Southern Development Plan does not recommend that this area be expanded for commercial use and designates it for medium residential use. The commercial zoning to the west of this was intentionally given a buffer of residential zoning so that the commercial area would not expand to the east to create a continuous commercial strip to Louisiana.

If this 41-acre parcel, or even a portion of it is rezoned CR, it will be the only so-zoned property in Lawrence. The CR District is a conventional district and strictly speaking was not intended to be conditioned to limit the uses. The fact that only a portion of the property has been configured to include the Menards store (and parking) creates a major uncertainty on how this property would actually develop. Because this is a CR District request, the potential for high intensity uses located here exists and because it is surrounded by residential uses on three sides makes the potential negative impact even more serious.

For these and many other reasons, we urge that the Planning Commission not change the Southern Development Plan to accommodate the CR District and not grant the current **Z-13-00071** request for CR Zoning.

Thank you for considering our letter.

Sincerely,

David Burress

/s/

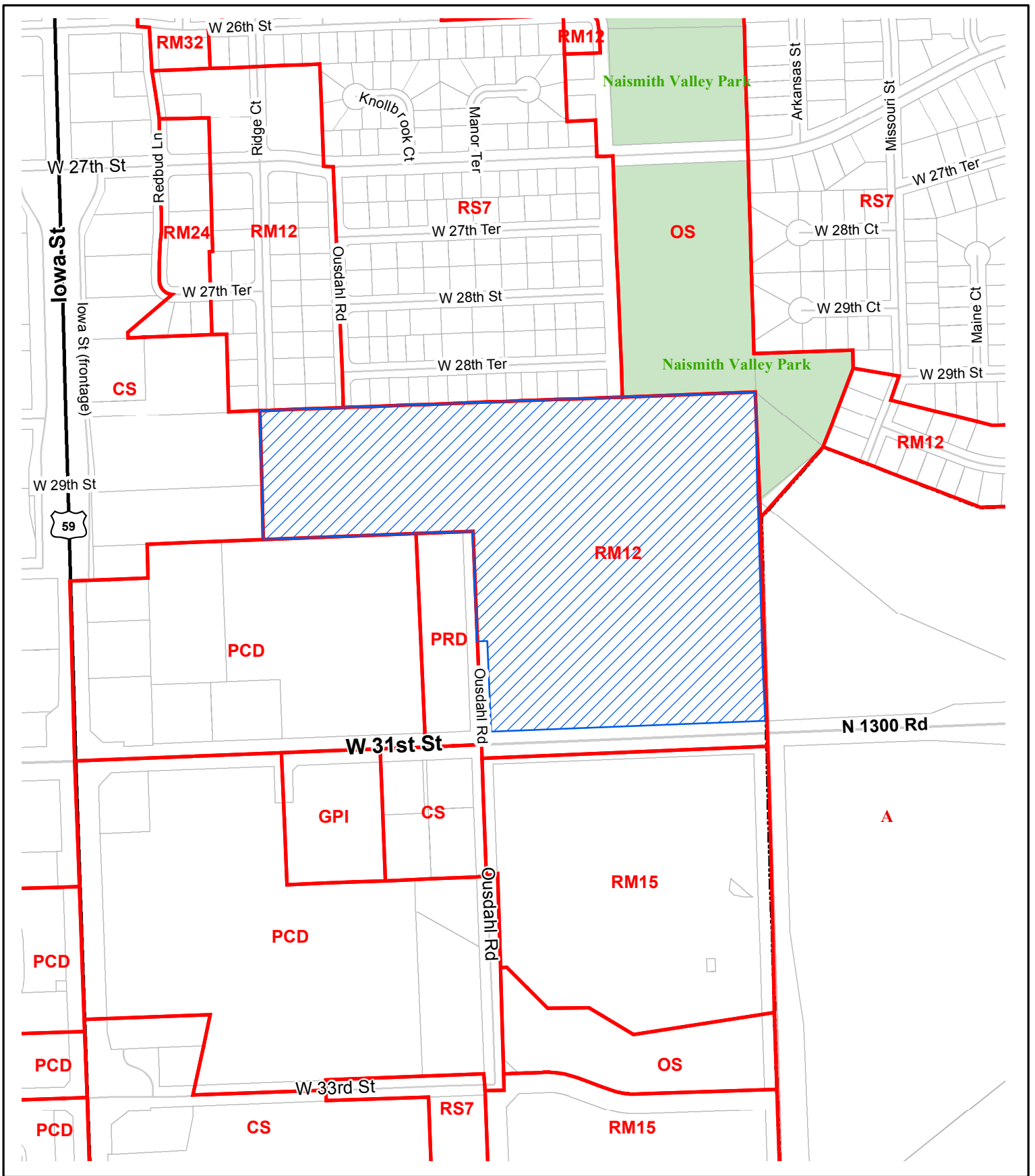
President-Elect

League of Women Voters of Lawrence/Douglas County

Cille King

/s/

Land Use Committee



**Z-13-00071: Rezone 41.5 acres from RM12 to CR
1900 W 31st St**

