

PLANNING COMMISSION REPORT
Regular Agenda – Action Item

PC Staff Report
12/15/14

ITEM NO. 2: COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 14 (JSC)

CPA-14-00459: Consider a Comprehensive Plan Amendment to *Horizon 2020*: Chapter 14 (*West of K-10 Plan*) to change designations from Low Density Residential, High Density Residential, and Residential Office, to Commercial Center - CC600, located at 6200 W. 6th Street. Submitted by Steven B. Schwada and Timothy B. Fritzel, co-managers of K-10/40 Development LC on behalf of TAT Land Holding Company LC, JDS Kansas LC, Kentucky Place LC, Venture Properties Inc, Sojac Land Company LC, Scotsdale Properties LC, and Tanglewood LC, property owners of record.

STAFF RECOMMENDATION: Staff recommends approval of this Comprehensive Plan Amendment to *Horizon 2020* Chapter 14: Specific Plans, specifically to revise the future land use map in the *West of K-10 Plan* to expand the Commercial Center - CC600, and recommends forwarding this Comprehensive Plan Amendment to the Douglas County Commission and the Lawrence City Commission with a recommendation for approval.

STAFF RECOMMENDATION: If appropriate, approve and sign Planning Commission Resolution PCR-14-00489.

KEY POINTS

1. An amendment is requested by the applicant to change the current future land use of this parcel to Commercial Center - CC600 from the presently adopted Low Density Residential, High Density Residential, Residential Office, and Commercial Center - CC600.
2. The maximum amount of commercial/retail space (360,000 square feet for the northeast corner of the node) would not increase under this request.
3. This location is currently designated as a CC600 node within Chapter 6 of *Horizon 2020*.
4. The siting of Rock Chalk Park and Sports Pavilion Lawrence due north of this parcel across Rock Chalk Drive was not anticipated at the time of the plan's creation.

SUMMARY

The applicant has requested an amendment to *Horizon 2020*: Chapter 14, Specific Plans, amending the *West of K-10 Plan*, to revise the future land use map. This would remove the presently adopted Low Density Residential, High Density Residential, and Residential Office land uses, and expand the existing Commercial Center - CC600 designation over the remainder of

the existing parcel. The reason for this Comprehensive Plan Amendment is to provide the requested flexibility in use for the potential development of this parcel. This request does not increase the present 600,000 square foot commercial/retail cap for this node, nor the commercial/retail cap of 360,000 square feet allocated to this corner.



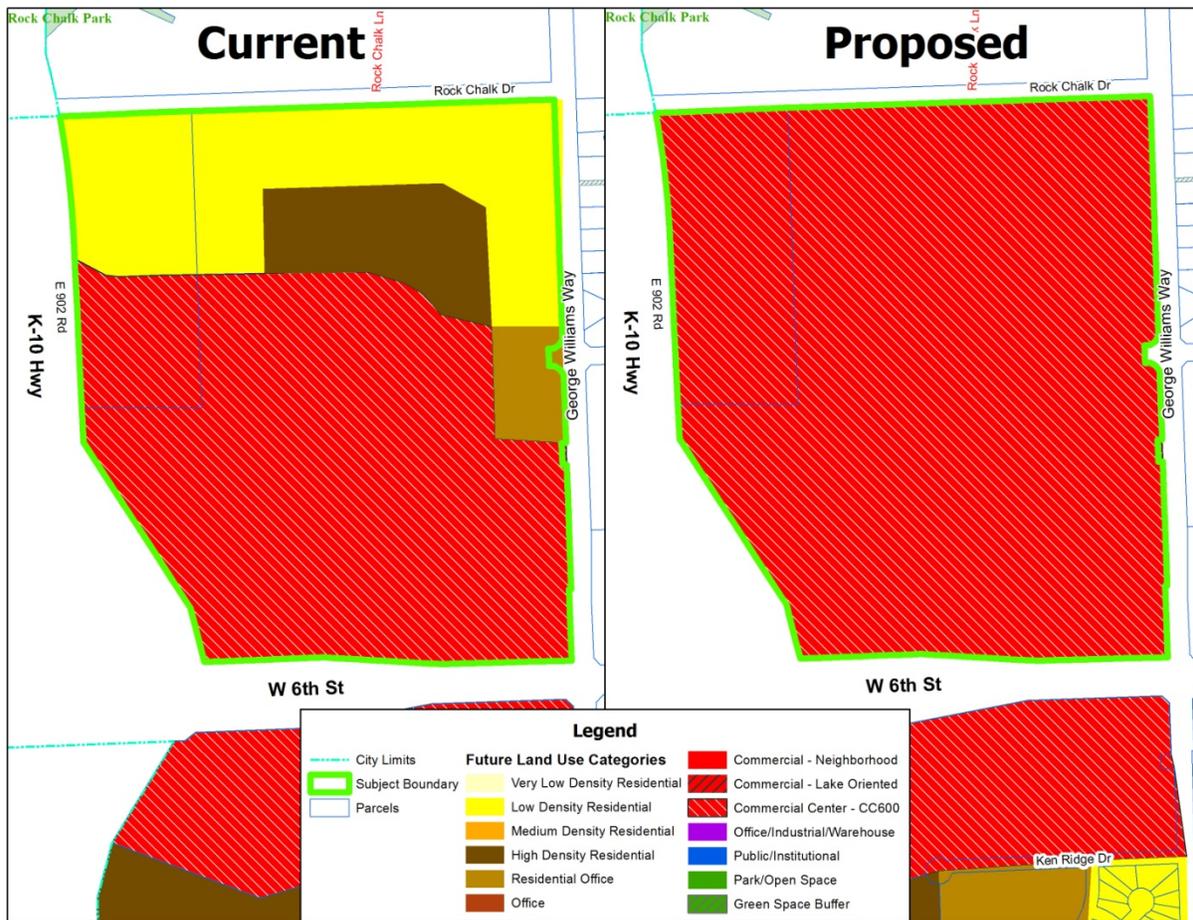
Figure 1: Portion requesting the change to the Future Land Use map

Items related to this Comprehensive Plan Amendment include:

- **Z-14-00458:** Consider a request to rezone approximately 120.6 acres from CC400 (Community Commercial Centers) District, RS7 (Single-Dwelling Residential) District, RM12D (Multi-Dwelling Residential) District, RM24 (Multi-Dwelling Residential) District, PCD (Planned Commercial Development) District, and RMO (Multi-Dwelling Residential–Office) District to CC600 (Community Commercial Centers) District, located at 6200 W 6th St. Submitted by Steven B. Schwada and Timothy B. Fritzel, co-managers of K-10/40 Development LC on behalf of TAT Land Holding Company LC, JDS Kansas LC, Kentucky Place LC, Venture Properties Inc, Sojac Land Company LC, Scotsdale Properties LC, and Tanglewood LC, property owners of record.

STAFF REVIEW

The applicant is requesting a revision to the *West of K-10 Plan* future land use map to replace the presently adopted Low Density Residential, High Density Residential, and Residential Office land uses by expanding the Commercial Center - CC600 into this vacated area. This would expand the Commercial Center - CC600 designation to encompass the entire parcel located at 6200 W. 6th Street. The purpose for this request is to align the applicable Sector Plan with the designation in *Horizon 2020* to ensure the future land use matches the requested rezoning for this parcel as proposed in Z-14-00458.



The allocated commercial retail space for this corner, a total of 360,000 square feet, would remain unchanged. Also, the node limitation of 600,000 square feet would remain unchanged, as would the boundaries of the existing *West of K-10 Plan*.

Staff reviewed this amendment based upon the Comprehensive Plan Amendment review criteria listed below, as identified in Chapter 17 (Implementation) of *Horizon 2020*. The applicant's responses are also provided below:

COMPREHENSIVE PLAN AMENDMENT REVIEW

- Does the proposed amendment result from changed circumstances or unforeseen conditions not understood or addressed at the time the Plan was adopted?**

Applicant's response: Yes. As more particularly described in the Applicant's rezoning application, the Area Plan incorrectly assumed that the current zoning of the northeast corner of Highway 40 and K-10 Highway remains appropriate following the development of Rock Chalk Park and the City's Recreation Center. However, those high intensity developments (as

opposed to the single-family uses originally proposed in the Northwest Area Plan) have made single family districts unnecessary and undesirable. The Area Plan should have designated the entire corner as CC600, because that zoning district is the only district that affords the flexibility needed to attract and promote investment at the site.

Staff's response: When the *West of K-10 Plan* was created and adopted, the construction of Rock Chalk Park and Sports Pavilion Lawrence was not anticipated due north of this location. The location of Rock Chalk Park and Sports Pavilion Lawrence is not within the boundary of an adopted Area/Sector plan, and this portion of Douglas County was anticipated to be residential under the advisory *Northwest Area Plan*. The adopted future land use was anticipated to help buffer and provide adequate transitioning of uses into residential uses, but is arguably no longer necessary with the development of Rock Chalk Park.

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

Applicant's response: Yes. The City and the Applicant have both committed significant resources to the development of the intersection, and the development of the node promotes increased tourism and westward population growth.

Staff's response: The proposed amendment is consistent with the zoning, size, and location of the node indicated in *Horizon 2020: Chapter 6* (p. 6-21). The expansion of the Commercial Center - CC600 future land use would increase the anticipated commercial land use at this intersection by 61%, but that does not directly correlate to an increase in the permissible amount of commercial/retail space permitted at this particular location. This alteration to the future land uses does present a different gradation to the uses, specifically the decrease in intensity transitions as the development would progress to the northwest. However, the development anticipated at the time of the *West of K-10 Plan's* adoption was for low density residential to be the predominant land use to the north and east of this site, which is not the existing development pattern seen today.

Also, the change to Commercial Center - CC600 future land use, and rezoning to CC600 does not preclude residential uses within the site, as some forms of residential living are permitted under CC600 zoning within the Land Development Code.

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

Applicant's response: Yes. The proposed amendment is consistent with the overall goals and policies of Chapter 6 of *Horizon 2020*, which designates only the intersection of West 6th Street (40 Highway) and K-10 Highway as a CC600 district.

This proposal is aligned with the currently adopted commercial node policies in Chapter 6 of *Horizon 2020*, and the proposed alteration to Chapter 14, and the *West of K-10 Plan*, is consistent with this anticipated CC600 node presently designated on Map 6-1, "Existing and Potential Commercial Land Use Locations." (*Horizon 2020*, p. 6-45) The request by the applicant specifically seeks to revise the future land use in the *West of K-10 Plan* to be in conformance with the requested change in zoning also being sought by the applicant.

Given the recent projects within the adjacent vicinity, the amendment is more suited for the development pattern that is present today than the one previously envisioned during the creation and adoption of the *West of K-10 Plan*.

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

Applicant's response: The proposed amendment is consistent with existing public policy. The amendment does not attempt to increase the allotted retail commercial square footage at the northeast corner. The amendment, which is consistent with the Applicant's rezoning request, acknowledges the change of circumstances that justifies the elimination of an RS7 district. The permitted uses in the remaining zoning districts are generally permitted in the CC600 district, but only the CC600 district promotes the flexibility and proactive approach that optimally encourages appropriate development.

Staff's response: There has not been change in public policy. The proposal does not require an amendment to Chapter 6 of *Horizon 2020*, nor does it require the reclassification of an adopted node. The request also does not modify the existing retail space amount permitted at any quadrants of the intersection of W. 6th Street and K-10 Highway, or within the node as a whole. The proposal modifies the existing node future land use while staying within the existing anticipated node area, and does not directly perpetuate commercial strip development along W. 6th Street, as long as the boundaries of the planned retail area are not expanded.

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

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

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

Staff's response: Infrastructure is present within the area. Capacity cannot be determined at this time since there is not a definite construction project proposed for this location. Further analysis regarding the specifics towards capacity will be addressed in the subsequent rezoning (Z-14-00458) and at the time a construction plan is put forward for evaluation.

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

Applicant's response: Yes, the affected property is buffered by multi-family zoning districts to the east, planned commercial uses to the west and south, and Rock Chalk Park and Recreation Center to the north.

Staff's response: The proposed change is consistent with the existing development patterns and intensity to the north of the subject site, and is also consistent with the envisioned land uses adjacent to the site. This proposal will continue the anticipated development pattern at this node. This amendment does not seek to change the permissible amount of commercial/retail at this node, only to expand the Commercial Center - CC600 to be consistent with the corresponding rezoning request and parcel boundaries.

7. Will the proposed change advance the interests of the citizens of Lawrence and Douglas County as a whole, not solely those having immediate interest in the affected area?

Applicant's response: Yes. The proposed change benefits the citizens of Lawrence by creating more opportunity for tourism-related and commercial development in northwest Lawrence, thereby augmenting the positive economic impact caused by Rock Chalk Park and the Recreation Center.

Staff's response: This proposed amendment does not necessarily advance the interests of the citizens of Lawrence and Douglas County as a whole, but neither does it harm them. This change seeks to modify the future land use, and subsequently the corresponding zoning, for this area. This application does not seek to modify the boundary of the node, or the amounts of commercial/retail that may locate at this node. Potential development at this node may shorten their shopping trips to other various shopping destinations throughout Lawrence.

PROFESSIONAL STAFF RECOMMENDATION

Considering the current designation as a CC600 node location, the applicant's request brings the future land use of this location into conformance with the currently adopted node intensity within *Horizon 2020: Chapter 6*. The request also takes into consideration the change in anticipated development patterns which occurred due north of the parcel, and the expansion of the Commercial Center - CC600 will be contained within the existing parcel and existing plan boundaries.

Staff recommends approval of this Comprehensive Plan Amendment to *Horizon 2020: Chapter 14: Specific Plans*, and the *West of K-10 Plan* to revise the future land use map changing designations from Low Density Residential, High Density Residential, and Residential Office, to Commercial Center - CC600, at 6200 W. 6th Street, and recommends forwarding this Comprehensive Plan Amendment to the Douglas County Commission and the Lawrence City Commission with a recommendation for approval.