

ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 14 (JSC)

CPA-14-00516: Consider a Comprehensive Plan Amendment to *Horizon 2020: Chapter 14 (An Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive)* to revise the maximum retail cap from 127,487 square feet to 137,490 square feet to permit a commercial/retail development, located at 525 Wakarusa Drive. Submitted by Schwerdt Design Group, Inc., for CPC Ventures, Inc., property owner of record.

ITEM NO. 4A CO TO CC600-PD; 2.982 ACRES; 525 WAKARUSA DR (MKM)

Z-14-00515: Consider a request to rezone approximately 2.982 acres from CO (Office Commercial) District to CC600-PD (Community Commercial with Planned Development Overlay) District, located at 525 Wakarusa Drive. Submitted by Schwerdt Design Group, Inc. for CPC Ventures, Inc., property owner of record.

ITEM NO. 4B PRELIMINARY DEVELOPMENT PLAN FOR A RESTAURANT & RETAIL USE; 525 WAKARUSA DR (MKM)

PDP-14-00517: Consider a Preliminary Development Plan for a Restaurant and Retail use located on approximately 2.982 acres at 525 Wakarusa Dr. Submitted by Schwerdt Design Group, Inc., for CPC Ventures, Inc., property owner of record.

STAFF PRESENTATION

Mr. Jeff Crick presented item 3.

Ms. Mary Miller presented items 4A and 4B together.

APPLICANT PRESENTATION

Mr. Mike Hampton, Schwerdt Design Group, agreed with the staff recommendation.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner von Achen asked staff about allowable square footage for each quadrant.

Mr. Crick said traditionally the values for quadrants were divided up to provide adequate spacing of square footage for the node. He said in the case of the CC600 the 600,000 square feet would be divided in some measure among the four quadrants. He said with this particular node when it was designated as a CC200 it was already in excess of 200,000 square feet. He said the number was derived from what was built already and what was expected to be built and was then rounded to the best guess.

Commissioner Jossierand asked if the parcel was in the transportation district.

Mr. McCullough said no, it was not in the TDD for Bauer Farm.

Commissioner Britton asked if Wal-Mart was already there when it was zoned Commercial-Office in 2009.

Mr. McCullough said yes.

Commissioner Denney asked if this would bring it into line with the surrounding properties.

Mr. McCullough said in terms of zoning, yes.

Commissioner Denney asked what the area west of Wal-Mart was zoned.

Ms. Miller said it was zoned RM24 and RM15.

Commissioner Josserand said when the intersection was first designated to be a commercial node with limitations on property it was for CC200.

Mr. McCullough said that was the tool in the tool belt they had at the time.

Commissioner Josserand asked if it ever received a CC400 designation.

Mr. McCullough said no.

Commissioner Josserand said there was a node at 6th & K-10 and another node at 6th & Wakarusa. He said this would get them close to halfway between the two nodes.

Mr. McCullough said it was fully within the current node.

Commissioner Josserand said they were in some ways commercializing it more.

Mr. McCullough said the northwest corner of the node was called out in the nodal plan as the corner best suited for commercial retail uses. He said they were very careful on the Bauer Farm side to divide that property up with Champion Lane where there was a west commercial part and an east residential-office part. He said the southern corners of the node were essentially built out at the time of the planning exercises. He said they added a little bit to Congressional Way because they felt that boundary was a reasonable boundary.

Commissioner Josserand said single-family residential was wiped out on the east side.

Mr. McCullough said there was still a residential component east of Champion Lane.

Commissioner Josserand said it was all high-density multi-family. He said the development of the intersection and node caused him heartburn. He said he would make a symbolic vote against the project.

Commissioner Britton inquired about the proximity of the bar use to Free State High School.

Ms. Miller said the bar use was far enough away from the school.

ACTION TAKEN on Item 3

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the Comprehensive Plan Amendment, CPA-14-00516, to *Horizon 2020*, Chapter 14: Specific Plans, and *An Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive* to revise the retail/commercial square-footage cap from 127,487 square feet to 143,637 square feet, and recommends forwarding this Comprehensive Plan Amendment to the Lawrence City Commission with a recommendation for approval.

Motion carried 7-1, with Commissioner Josserand voting in opposition. Commissioner Kelly was not present for the vote.

Motioned by Commissioner Culver, seconded by Commissioner Struckhoff, to approve and sign Planning Commission Resolution PCR-14-00546.

Motion carried 8-0. Commissioner Kelly was not present for the vote.

ACTION TAKEN on Item 4A

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the rezoning request, Z-14-00515, from CO (Commercial Office) to CC600-PD (Community Commercial with Planned Development

Overlay) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report subject to the following conditions:

- 1) Approval of the Comprehensive Plan Amendment, CPA-14-00459, revising the land use recommendations in the *Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive* to increase the amount of Commercial/retail square footage permitted in the northwest quadrant of the intersection.
- 2) The maximum area of commercial/retail uses (as defined in the Comprehensive Plan) that may be located within this CC600 District boundary is 16,150 sq ft.

Commissioner Britton said he had heartburn about the idea that this was not too long ago rezoned. He said he was hesitant about tinkering with a highly planned area. He said he felt comfortable with this particular project and would support the motion.

Commissioner Jossierand said he agreed with Commissioner Britton's comment and said he would vote in favor of the motion.

Commissioner Denney said he was hesitant about the closeness of this node to the 6th & K-10 node and the danger of this being a larger geographical area than the regional center on South Iowa. He said he would support the motion because it was the common sense thing to do.

Motion carried 8-0. Commissioner Kelly was not present for the vote.

ACTION TAKEN on Item 4B

Motioned by Commissioner Culver, seconded by Commissioner von Achen, to approve the Preliminary Development Plan, PDP-14-00517, based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Approval of the Comprehensive Plan Amendment revising the *Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive* to increase the amount of commercial area available for this corner of the intersection prior to the recording of the Final Development Plan with the Douglas County Register of Deeds.
2. Approval of the rezoning request and publication of the rezoning ordinance for the CC600-PD zoning prior to the recording of the Final Development Plan.
3. Provision of a revised Preliminary Development Plan with the following changes:
 - a. Addition of a continuous hedge of evergreen shrubs for perimeter parking lot landscaping along the Overland Drive and Wakarusa Drive parking area frontages.
 - b. Addition of a note indicating the amount of Commercial building area that is provided with this plan.
 - c. Minor technical changes per Planning approval.

Motion carried 8-0. Commissioner Kelly was not present for the vote.