

October 27, 2016

RE: HERE Off-Site Parking Proposal

Dear Mayor, City Commissioners, and City Manager,

The requirement for the zoning of the off-site parking to be the same or more intensive classification as the HERE principal project comes with an exception. Utilizing this exception could allow the approval of the proposed HERE parking project without having to amend the Comprehensive Plan.

Section 20-909 (d) of Article 9 of the City of Lawrence Development Code, read in its entirety, provides this exception within Section 20-535, as shown below (exception language highlighted in bold for easy viewing). It is subject to three limitations, all of which are met.

20-909 SHARED AND OFF SITE PARKING

(d) Zoning Classification ~~Areas require the same~~
zoning classification than that required for the most intensive of the uses served by the shared or off-site Parking Area, **except as permitted in Section 20-535**. Shared and off-site Parking Areas are to be considered Accessory Uses to the Principal Uses that the Parking Spaces serve.

20-535 ACCESSORY PARKING

Accessory Parking shall be located in the same Zoning District as the use to which it is accessory. **Accessory Parking may be permitted in a different Zoning District by site plan approval, subject to the following limitations:**

- (1) accessory Parking for a nonresidential use shall in no case be allowed in an RS Zoning District;
- (2) accessory Parking for a use permitted in a C Zoning District may be permitted in an RO or RM Zoning District, provided that the total area of such Parking shall not be greater than 10,000 sq ft; and
- (3) approval of any such accessory Parking in a different Zoning District shall be made subject to appropriate Bufferyard or other Screening requirements to limit the impact of the accessory Parking on

the other Zoning District.

3.

This may have been an oversight in planning discussion and documents presented, but we now respectfully ask this exception be utilized to comply with our Oread Neighborhood Plan.

Specifically, we request the proposed HERE Off-Site Accessory Parking site be zoned RM12D-PD on the West and RM32D-PD on the East, in alignment with the intent of the existing Comprehensive Plan, or if the parcel needs to be a uniform zoning district, all RM12D-PD. The lower zoning does more to protect the neighborhood, and in the future it would be easier to implement an increase in zoning density rather than a decrease. Correspondingly, we oppose Comprehensive Plan Amendment CPA-16-00309 to the Oread Neighborhood Plan Future Land Use Map.

Your serious and urgent consideration of our request is deeply appreciated.

Sincerely,

Kyle Thompson, Chair of the Oread Residents Association