

**PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item**

PC Staff Report
11/14/2018

ITEM NO. 6 IL TO IBP; 1314 RESEARCH PARK DR. (SLD)

Z-18-00481: Consider a request to rezone approximately 1.685 acres from IL (Limited Industrial) District with conditions to IBP (Industrial/Business Park) District, located in the 1314 Research Park Drive. Initiated by the City Commission on November 6, 2018. Wakarusa Plaza, LC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 1.685 acres from IL (Limited Industrial) District with use restrictions, to IBP (Industrial/Business Park) 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.

Reason for Request: *The City Commission directed staff to process a text amendment to consider climate controlled self-storage uses in the IBP District and if appropriate rezone the subject property back to IBP (Industrial/Business Park) District as appropriate.*

KEY POINTS

- Property was previously zoned IBP.
- Oread West Research Park District is described in Chapter 7 of *Horizon 2020* as part of the industrial inventory.
- A text amendment defining self-storage uses, establishing what zoning district such uses are permitted in, and establishing minimum design standards for self-storage uses, was approved per Ordinance No. 9514.
- On November 6th, 2018, City Commission initiated this rezoning based on the adoption of Ordinance No. 9514.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Final Plat Oread West No. 10.
- TA-18-00150 and Ordinance No. 9514, amended the Lawrence Land Development Code's definitions for certain types of storage uses; Mini-Warehouse, self-storage, climate-controlled self-storage and similar uses, and permitted some uses in the IBP (Industrial/Business Park) District.
- Z-17-00689 and Ordinance No. 9446 rezoned 1314 Research Park Drive from IBP to IL
- Site Plan, SP-18-00067, for development of a climate-controlled self-storage use.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Not required for rezoning
- *Downstream Sanitary Sewer Analysis* – Not required for rezoning
- *Drainage Study* – Not required for rezoning
- *Retail Market Study* – Not applicable to this request

ATTACHMENTS

1. Area map
2. Ordinance No. 9446: Rezoning from IBP to IL with conditions
3. Ordinance No. 9514: Amendments to Mini-Warehouse Uses
4. City Commission Minutes from March 20, 2018
5. City Commission Minutes from April 3, 2018
6. City Commission Item: Initiate rezoning Z-18-00481

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Phone calls from residents in neighborhood and nearby property owners requesting clarification and intent of proposed change.

Project Summary:

This proposed rezoning is being processed at the direction of the City Commission following a discussion related to the rezoning of the property and the development of criteria for self-storage as a permitted use in the IBP (Industrial Business Park) District. Recent changes to the Land Development Code now permit *Climate Controlled Self Storage* uses in the IBP district. This change negates the need for conditional zoning as it pertains to this property and use.

On March 20, 2018, the City Commission approved Z-17-00689 ([Ordinance No. 9446](#)), which rezoned this property from IBP (Industrial Business Park) District to IL (Limited Industrial) District, with conditions. Additionally, the City Commission directed staff to review the mini-warehouse use in the Land Development Code to determine if it was an appropriate use to include in the IBP zoning district.

Text Amendment TA-18-00150, was completed and adopted in August 2018 ([Ordinance No. 9514](#)), defining certain types of storage uses and permitting some of those uses in the IBP (Industrial Business Park) District. The Commission also directed staff to process a rezoning for this property included in Ordinance No. 9446 back to the IBP (Industrial Business Park) District, if the Land Development Code were revised to allow the warehouse use in the IBP district.

As this revision was completed and adopted by ordinance, the City Commission initiated this rezoning at their [November 6th, 2018 meeting](#), scheduling it for a public hearing by the Planning Commission's consideration.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *The City is the applicant in this request.*

Industrial and Employment-Related Land Uses are discussed in Chapter 7 of *Horizon 2020*. Specific strategies are listed in Chapter 7 and include: increase the number and diversity of jobs available, protect, enhance, and retain existing industrial-related land use areas; continue to address the needs of existing businesses and industries to ensure their retention in the community; and to help facilitate expansion plans of those businesses and industries for the future.

Horizon 2020 divides industrial land use into two groups (See Table 1). The plan includes both existing and future areas designated for these land uses as described in Chapter 7. *Horizon 2020* identifies The Oread West Research Park as an existing Employment Related Area (Page 7-10).

Table 1 INDUSTRIAL LAND USE CATEGORIES (HORIZON 2020)

	Industrial Land Use	Employment Related Land Use
Land Use Categories	<ul style="list-style-type: none"> • Warehouse and Distribution • Industrial • Work-live Campus-type Center • Industrial/Business/Research Park 	<ul style="list-style-type: none"> • Office • Office Research • Work-live Campus-type Center • Industrial/Business/Research park

Applicable policies in *Horizon 2020* are discussed below, with staff comments in red.

Industrial and Employment-Related Land Use (Chapter 7, *Horizon 2020*)

Goal 1: Development in Established Industrial and Employment-Related Areas

Policy 1.1 Retain Established Development and Encourage New Development in Existing Industrial and Employment Related Areas.

This policy discusses the need to market and develop existing areas designated for industrial and employment related uses. The previously approved rezoning was restricted to specific uses facilitating development of this site. Text amendment TA-18-00150 refined the definitions for self-storage uses and established design criteria to facilitate development that is context sensitive to the base zoning district. The text amendment additionally reorganized self-storage uses in the various industrial districts, including the IBP District. These changes to the Land Development Code preserve the integrity of the industrial zoning districts consistent with the various applicable policies.

Policy 1.2: Ensure Compatibility of Development

"Encourage best management practices for site planning and design that include, but are not limited to, building placement and orientation, vehicular and pedestrian circulation patterns, open space, landscaping, lighting, stormwater management, and interfacings with adjacent neighborhoods and development, and appropriate accommodation of the design to the site's natural features."

A site plan (SP-18-00067) for the property was submitted prior to the adoption of the design criteria established by TA-18-00150. Staff has been reviewing the proposed site plan for conformance with these new design standards. Generally site plans are reviewed for compliance with the standards of the Land Development Code, which will include compatibility with the arrangement of buildings, off-street parking, lighting, landscaping, pedestrian walkways and sidewalks, ingress and egress, and stormwater drainage of the surrounding area. Staff will also review development applications for conformance with the Community Design Manual – Industrial Design Standards. The review ensures that, by meeting the Land Development Code standards, the development is compatible with the surrounding area.

Policy 1.3: Concentrate Industrial and Employment-Related Development

"Maintain an appropriate supply of industrially zoned land so that site choices are available and infrastructure expansion can occur in an efficient and orderly manner."

This rezoning maintains the industrially zoned land in the Oread West Research Park as designated in varying forms. The rezoning request returns the property to its previous base zoning district, IBP District, since Text Amendment TA-18-00150, was completed and adopted in August 2018 (Ordinance No. 9514) defining certain types of storage uses and to permit some uses in the IBP (Industrial Business Park) District. The previous rezoning with restrictions aligns with the overall area, as does this proposed rezoning back to the IBP District, given the adjustments made to the Land Development Code as adopted under Ordinance No. 9446. With the adoption of the text amendment, the current IBP District allows the desired use and achieves the same purpose and effect as the previous rezoning to the IL District with conditions.

Goals 2, 3, and 4

The goals and policies included in the rest of the chapter address criteria for the location of new industrial and employment-related development, compatible land use transitions, and transportation considerations. Only policies specific to site design and access would be applicable to this request since the property is currently included in the industrial land inventory.

Staff Finding – Rezoning the subject property to the IBP District would be in conformance with *Goal 1: Development in Established Industrial and Employment Related Area of Horizon 2020*. The proposed rezoning would conform to the comprehensive plan. Approval of the request does not alter the property's inclusion in the industrial inventory or proposed desired use.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

Current Zoning and Land Use:	IL (Limited Industrial) District; vacant unplatted land.
Surrounding Zoning and Land Use:	IL (Limited Industrial) District to the north; with restrictions. <i>Construction Sales and Service</i> – Rainbow International Restoration (1310 Research Park Drive). IBP to the south, east, and west; Oread West Office Park. Immediately surrounding lots to the south and west are vacant. Lot to the east (1311 Wakarusa Drive) is developed with a <i>Healthcare Office</i> .

Staff Finding – The subject property is adjacent to IBP zoning to the east, west, and south. IL zoning, with conditions, is located to the north. The lots along the middle section of Research Park Drive are currently undeveloped.

3. CHARACTER OF THE NEIGHBORHOOD

The property is included in the West Lawrence Neighborhood (Figure 1). The neighborhood includes area north of W. 6th Street to Peterson Road and south to Clinton Parkway. The neighborhood is located entirely on the west side of Wakarusa Drive. Land uses along Wakarusa Drive include commercial uses at W. 6th Street and Clinton Parkway. Between these two points, the area includes the *Oread West Business Park* (IBP, PID, and IL zoning) and approximately 118 acres zoned GPI (City of Lawrence Water Treatment Plant, Fire Station, Public Works fueling station, and future

property is located to the south and west of this property. This section of the business park, between Legends Drive and Bob Billings Parkway, is predominantly developed with office and medical office uses. These uses anchor the neighborhood and provide services to the surrounding area.

Staff Finding – The majority of the West Lawrence neighborhood is residential. Non-residential uses are located along the arterial streets that surround the neighborhood. The Oread West Research Office Park is located in the east-central portion of the neighborhood and includes a mix of office, industrial, and commercial uses.

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

There are no adopted area plans or sector plans that include this property. The development pattern has been established through the annexation, zoning, subdivision approvals, and extensions of infrastructure over time. The original IBP District was much larger but has been reduced over time.

Staff Finding – The subject property has not been included in a specific area or sector plan. The development pattern of the area has been established through the land use entitlement process.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

The property is currently zoned IL with restrictions to accommodate the proposed climate-controlled self-storage use, which was not previously permitted in the IBP District. The restrictions were tailored to meet community needs and ensure compatibility of the surrounding development pattern. Uses in this area are generally low-impact employment and manufacturing uses. The recent text amendments to the Land Development Code eliminated the need for the use restrictions conditions. Rezoning the property to IBP clears the property of encumbrances established through the conditional zoning.

Staff Finding – The proposed change does not alter the suitability of the property for future development of uses that are of a similar low-impact manufacturing, research-office related activities generally permitted in the IBP District. The change would remove any encumbrance of the property associated with conditional zoning.

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

The property is currently vacant, although a site plan has been submitted and is in-process for development of a climate-controlled self-storage facility. The property was rezoned to IBP (Industrial Business Park) District in 2006 with the adoption of the Land Development Code. Prior to 2006 the property was zoned M-1 (Research Industrial) District. The M-1 District was established through multiple annexation and rezoning requests from 1983 to 2003. This property was included in the application for rezoning Z-15-13-83. This property was later included in preliminary plats in 1989 and 1994. The property was rezoned in 2017, Z-17-00689, to facilitate development of vacant land. This request restores the property to its previous IBP zoning designation.

Staff Finding – The subject property has been zoned for industrial development in the current configuration since 1983. The property is undeveloped.

7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

The proposed change will not cause a detrimental effect. The impact of the request is to restore the property to the previous zoning, IBP, consistent with the majority of the surrounding area.

Staff Finding – Approval of the IBP along with the changes to the Land Development Code adopted per TA-18-00150, renders the conditional IL zoning obsolete.

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

Evaluation of this criterion includes weighing the benefits to the public versus the benefit of the owners of the subject property. Benefits are measured based on anticipated impacts of the rezoning request on the public health, safety, and welfare.

This IBP District is unique in the City of Lawrence. This area is the only industrial node with this specific designation. The area was developed incrementally and the district boundary has fluctuated with respect to various development demands. Infrastructure is adjacent to the subject property.

Staff Finding – Denial of the rezoning leaves the approved use restrictions in place. Approval of the request restores the district to one uniform district within the larger neighborhood. Approval of this request also affirms the City's commitment to the low-intensity development pattern established within the business park portion of the neighborhood.

9. PROFESSIONAL STAFF RECOMMENDATION

The intent of the developers' 2017 request (Z-17-00689) was to retain the uses permitted in the IBP district, while expanding to allow the *Mini-Warehouse* use. This application was a catalyst for staff and the commissions to the review self-storage uses in all industrial districts resulting in Ordinance No. 9514.

CONCLUSION

This rezoning does not alter the processing of the site plan submitted for this site or the proposed use of a climate-controlled self-storage facility.