

Karen Willey, Chair  
Lawrence-Douglas County Planning Commission  
Lawrence City Hall  
6 East 6th St.  
Lawrence KS 66044

22 January 2019

Chair Willey and Commission:

For more than a decade, the Sustainability Action Network has advocated for multi-modal transportation to reduce our community's use of petroleum. We have proposed bikeway projects to the City Commission, the Public Works Department, and the MPO transportation planners, as ways to retrofit bikeways into our existing transportation network.

We also wish to assure that all newly planned urban development incorporates bikeway infrastructure by intent, so that difficult and expensive future retrofits do not become necessary. In that regard, I have some observations and requests for bikeways consideration in the 23rd Street Mixed Use Development.

Two major aspects of Lawrence bikeways consists of a 22 mile circumferential "Lawrence Loop", and cross-town "spokes" that connect urban nodes to each other and to the Loop.

One major north-south spoke passes in immediate proximity to the 23rd Street Mixed Use Development, and should be given particular attention. It extends from Sunnyside Dr. at K.U. south along Naismith Dr. From 23rd St. it extends along the west side of Naismith Dr. to connect with the Naismith Valley Trail that goes all the way to the S.L.T. Trail (part of the Loop). This 2 1/2 mile spoke has a 1/2 mile gap between 23rd St and 19th St. that Lawrence is planning to complete within a year or two.

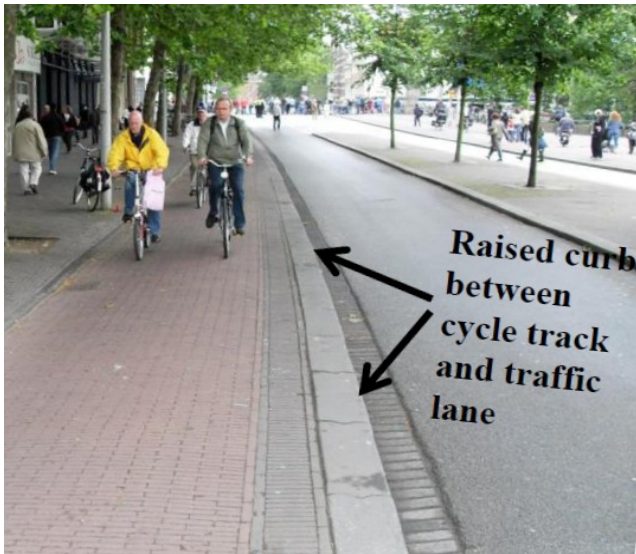
A second major spoke along 23rd St. also should be given particular attention. This east-west spoke extends from K-10 and Clinton Parkway eastward to 23rd St. at the Burroughs Creek Trail (also part of the Loop). The section along 23rd St. between Iowa and Haskell Ave. is planned as a shared use bikeway in the current Lawrence Bikeway Plan - [Lawrence bikeways map\\_2014.pdf](#).

Therefore, the 23rd Street Mixed Use Development is at the nexus of two of the most important bikeways in Lawrence, yet the developer has not included adequate bikeway connections to their project. This can partially be attributed to Planning Staff not being familiar with our bikeway plans, while needing to focus primarily on the Development Code. In truth, all development proposals should also be on the Transportation Commission agenda for adequate multi-modal review, but that's not being done at present. So it's up to the Planning Commission and the City Commission to make policy decisions that address bikeway treatments in projects.

The Naismith Bikeway Trail immediately east of this project faces two obstacles. First, it crosses two wide curb cuts, one into the mixed use development, and the other into Natural Grocers. The residential and retail aspects of the development will significantly increase motorist activity at this entrance from virtually zero activity at present. Likewise, the Natural Grocer motorist activity onto Naismith Dr. will increase from present, because all west bound 23rd St. traffic will have to enter and exit here. I strongly suggest the two driveways off of Naismith Dr. be combined into one, using a cross access agreement between property owners.

The second obstacle is how there is no bikeway connecting the Naismith Bikeway Trail itself to the development. The developer must include one, situated so that it has the least possible conflict with motor vehicle traffic. Combining the two driveways into one will help facilitate this.

The 23rd St. frontage poses a more difficult challenge for the planned shared use bikeway. Though it hasn't yet been specified, this 10 foot wide bikeway will most likely be on the south side of 23rd St., because there are almost twice as many curb cuts on the north side that would create dangerous conflicts. Although the proposed "outdoor terrace civic space" between the retail shops and the curb line is a vast improvement to the conventional sea of parked cars, as it is currently depicted, it accommodates pedestrians but excludes a bikeway. The development appeal would be greatly improved if this public space included a shared use bikeway for both pedestrians and bicyclists. Public examples abound on how this can be done, such as these two images:



Here are a couple quick links to show the possibilities: [Pedestrian-Bicyclist Realm](#), and [Sidewalk Zones- NACTO](#). Please instruct the developer to revise the 23rd St. frontage to incorporate a 10-foot wide shared use bikeway in the civic space.

Thank you,  
Michael Almon

----- Forwarded message -----

From: **Nick Kuzmyak** <[nick.kuzmyak@gmail.com](mailto:nick.kuzmyak@gmail.com)>

Date: Wed, Jan 23, 2019, 10:41 AM

Subject: Re: Comments for Planning Commission meeting tomorrow (1/23)

To: Karen Willey <[karenwilley1@gmail.com](mailto:karenwilley1@gmail.com)>

I fully support the development at 1401 W 23rd St & 1300 W 24th St (Opus' KUSH), since new student apartments near amenities will be a community asset. Therefore, these comments are with respect to the developer's choice to use the Smart Code. On principle, this is great news, since the Smart Code represents a shift in thinking about land use: from 1950s-80s auto-oriented Euclidean zoning with segregated uses, it returns to traditional development (form-based) and seeks to integrate uses into complete neighborhoods. The issues I see, however, add up to a general conclusion: *This plan is oblivious to the spirit of the Smart Code* by proposing one large building that is surrounded by lots of parking and set back from the only sidewalk at the property. A Mixed Use rezoning would still be appropriate and allow for the same development, while not setting a precedent for how the Smart Code gets implemented.

Some specific examples follow:

**1. Parking.** Douglas Co.'s minimums are already quite high (as with most of the US), and the developer plans to add more than required. Oddly enough, one of their reasons for pursuing Smart Code zoning is because they felt the 1 space/1000 s.f. of retail would limit the space available (granted, a different reason is given later on for having a small retail space...). Overall, adding this moat-like buffer of parking will ensure the large building feels disconnected from the surrounding area. Similar developments in other cities enclose parking within the structure, which allows for better interaction with the streetscape.

**2. Retail size.** Opus states they needed to minimize the commercial space to attract smaller retail tenants. Fair enough, but have they ever heard of subdividing? Or open retail concepts (i.e., markets)? If similar development across the country have continuously empty 1st floor retail (in far more walkable/vibrant areas), it may be prudent to truly understand their intention with the retail.

**3. Lot width.** The Smart Code rightly limits lot frontage width to try and return to human-scale development, as opposed to big-box retail or apartment buildings that take up entire blocks. This is a minor nitpick, since the development is just modifying a single lot (and not cobbling together smaller ones), so there's no loss of fine-grained urbanism. In future applications, it would be good to determine if the applicant is truly contributing to a walkable place.

**4. Setback.** Opus asks for a longer front setback than the Smart Code allows, which is directly contrary to the purpose of the Code: to activate the pedestrian space by bring interactive architecture to the sidewalk. A 46' setback is, in this case, no better than having a front parking lot. The terrace is nice but, when separated by a large lawn, it will not be welcoming to non-residents, and therefore not be a very useful public space (the stated intent).

**5. Storm water.** I may be incorrect, but does the Smart Code have less restriction on storm water evaluation for infill development? If so, we may have the culprit for the choice of rezoning. With the nearby floodplain, I agree that additional volume won't be an issue. However, replacing the current plot's grass with a parking lot will not only lead to greater runoff (though grass isn't much better), but a far greater non-point source pollutant load on the nearby creek and park. A pond onsite would be unfeasible, but at least a few bioswales at the eastern edge of the parking lot could mitigate the worst of the oil and grease runoff that will occur.

**6. Bike infrastructure.** Here again, we can see how tone-deaf the proposal is. Why would a multimodal-oriented development put a bike rack in the middle of the parking lot, out in the open? What sane person would regularly park their bike there, when a covered rack closer to the building might actually be used?

It's the sum of the parts that makes this proposal a poor candidate for Smart Code rezoning. It looks nothing like the fine-grained, human-scale traditional development the Code intends, and could set a poor precedent for future uses of the Code. What would be a better use of the Code, you might ask? Dozens of row houses with a central square, with all of them available to add bottom-floor commercial if they so chose. *That* is traditional development.

Thanks for your consideration,  
Nick Kuzmyak  
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