

Memorandum
City of Lawrence
Douglas County
Planning & Development Services

TO: Planning Commission

FROM: Mary Miller, Planner

Date: July 15, 2016

RE: Item No. 2: Z-16-00147 – GPI to IG, 7.7 acres located at 711 E 23rd Street

Attachments:

Attachment A: Traffic Impact Study

Attachment B: June Planning Commission Staff Report

Staff Recommendation:

Staff recommends the approval of the rezoning request from GPI (General Public and Institutional Use) to IG (General Industrial), for approximately 7.7 acres located at 711 E 23rd Street based on the findings listed in the June staff report and the additional information provided by the First Student Management and the Traffic Impact Study.

Background

The Planning Commission held a public hearing on the rezoning request for 711 E 23rd Street/K10 Highway at their June meeting and deferred action to the July meeting. The Commission directed the applicant to provide a Traffic Impact Study evaluating the impact of the proposed use *Fleet Storage* on the adjacent street network and nearby residential neighborhood. Two members of the public spoke at the Commission meeting with concerns regarding the safety of the proposed location's access to E 23rd Street/K10 and the possible impact on nearby residential properties. The Commission also directed staff to expand the notification area to include the residential properties near Learnard Street. The notification area was expanded from 200 ft to 1,000 ft from the subject property boundaries to include this area.

The applicant provided a Traffic Impact Study which is included with this memo as Attachment A. The following is a discussion of the study and the recommendations.

TRAFFIC IMPACT STUDY JULY 8, 2016

The study notes that the site is bordered on the north by two streets: E 23rd Street/K10 Highway, an arterial, and N Perimeter Road, a local street. The study identifies a portion of N Perimeter Road as a private street along the north side of Haskell Indian National University.

The study noted that the transportation provider, First Student, has a fleet of 88 buses of which 78 are in routine service with 10 buses being kept as spares when buses need maintenance. Approximately one-half the fleet are 40 ft long and the other are the smaller buses. First Student has a policy which restricts bus movements across E 23rd Street/K10. At the current location buses may only enter and exit the site via a westbound right-turn.

The traffic study looked at several scenarios (Page 3-4) but concluded by recommending Scenario # 1. (Figure 1) Scenario # 1 would use the access on to E 23rd Street/K10 Highway and continue the policy of restricting bus movements to right-in and right-out movements. This prevents the buses from making left turns across E 23rd Street/ K10 Highway. The study states that "...*sight distance is sufficient for all vehicles, passenger cars and buses, to make all turning movements from a stopped condition at this access point to/from 23rd Street.*" The City Engineer agreed that Scenario #1 would be the best option.

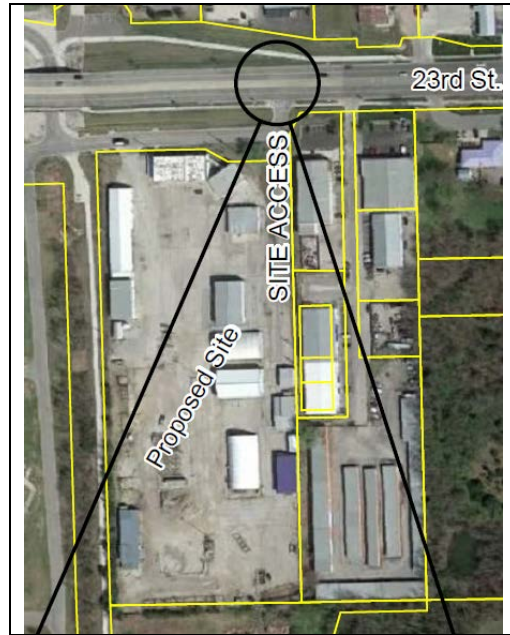


Figure 1. Scenario # 1 site access.

The TIS study recommends a scenario that provides a safe ingress/egress for the school buses and addresses the concerns of the Barker Neighborhood regarding bus traffic through the residential neighborhood.

BUS SYSTEM ROUTING:

The following information was provided by Wayne Zachary, Branch Manager First Student regarding their routing policy for the school buses:

"Our egress/ingress plan for the proposed facility would have our buses exit the facility onto 23rd Street Eastbound. From there buses to the South, West, and Northwest areas would utilize Haskell Avenue to either the new SLT or 3rd Street. Buses going to the North or central parts of town would utilize Haskell Avenue to the North and utilize 19th, 15th, or 11th Streets. Bus drivers would be instructed as part of our return policy to utilize these routes for return to the lot.

We do not plan on any left turns onto or off of 23rd Street entering or exiting the lot. Louisiana Street and Massachusetts Street would both be alternative routes for return to the lot.

There is the possibility of some buses being routed for pickups, primarily for Special Needs students in the Barker Neighborhood areas. There may also be right turns off of 23rd Street onto Learnard to access the frontage road. However, any use of Learnard or Barker Avenue will be limited and minimal."

CONCLUSION

The Traffic Impact Study recommends a scenario in which there would be no buses making left turns across E 23rd Street; all buses would make right turns when exiting and entering the facility. The First Student management indicated that neither Learnard Avenue nor Barker Avenue would be utilized as a route to and from the facility but they may be used for pick-ups in the neighborhood. Based on this information, and the additional review that will occur with the site planning of the property, the rezoning of the property from GPI to IG should have minimal impact on the neighborhood.

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
06/20/16

ITEM NO. 3: GPI TO IG 7.7 ACRES; 711 E 23RD STREET (MKM)

Z-16-00147: Consider a request to rezone approximately 7.7 acres located at 711 E 23rd Street from GPI (General Public and Institutional Uses) District to IG (General Industrial) District. Submitted by Lawrence Public Schools USD #497 and BG Consultants, Inc. for Douglas County, the property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request for approximately 7.7 acres from GPI (General Public and Institutional Uses) District to IG (General Industrial) 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

Applicant's Response:

"Lawrence Public Schools is in the process of purchasing this property from the County. They would like to have the option of storing fleet vehicles on the site. That use requires IG zoning. The new County shops were built in the IG zoning."

KEY POINTS

- The previous uses, the DG County Public Works Facility and the Household Hazardous Waste Facility, were installed on the site when the property was zoned M-2 (General Industrial) District. The property was rezoned to the GPI (General Public and Institutional Uses) District with the adoption of the 2006 Development Code.
- The School District plans to use this site for their Operations and Facilities and as a parking area for the school busses. The parking of the school busses is classified in the Development Code as *Fleet Storage*. *Fleet Storage* is not an allowed use in the GPI District but is permitted in commercial and industrial districts. The overall nature of the previous use and the proposed use, Lawrence Public Schools Facilities and Operations Headquarters, are industrial in nature; therefore, industrial zoning is appropriate.
- The property is not located within the boundaries of a registered neighborhood association but was included in the planning boundary for the Burroughs Creek Corridor Plan.

OTHER ACTION REQUIRED

- City Commission approval of rezoning request and adoption/publication of ordinance.
- Submittal and approval of a site plan application for any proposed site improvements.
- Submittal of construction plans to Development Services for processing of building permits. Building Permit must be obtained prior to construction activity.

PUBLIC COMMENT

The owner of the adjacent property to the east inquired about the future use and provided an email to Planning noting that the School District would be a good neighbor and he had no concerns with the rezoning which would allow them to park school busses on their property.

Project Summary

The property at 711 E 23rd Street contains approximately 7.7 acres and was previously used by Douglas County as their Public Works Facility and the Household Hazardous Waste Facility. The Public Works Facility and the Household Hazardous Waste Collection Facility were recently relocated and the property has been unused since that time. The School District Facilities and Operations would be relocated to the subject site from the current location at 146 Maine Street. (Figure 1) The current site has access on W 2nd Street, which is classified as a Local Street. The proposed site has access on E 23rd Street / K10 Hwy, a Principal Arterial. The use is very similar to the former use; however, the school district also



Figure 1. Current USD # 497 Facilities and Operation site.

plans on moving the bus system to the property. This use, *Fleet Storage*, is not permitted in the GPI District; therefore, rezoning to an industrial district has been requested.

REVIEW & DECISION-MAKING CRITERIA

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response:

"The request is in compliance with the Comprehensive Plan."

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

The property is located within the boundaries of the Burroughs Creek Corridor. The Comprehensive Plan recommends that future development of this area be in accordance with the Burroughs Creek Corridor Plan. (Page 7-4, *Horizon 2020*)

The recommendations of the Burroughs Creek Corridor Plan will be discussed in Section 4 of this report.

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

Encourage the retention, redevelopment and expansion of established industrial and employment-related areas.

Policy 1.1: Retain Established Development and Encourage New Development in Existing Industrial and Employment-Related Areas (Page 7-11, *Horizon 2020*)

The proposed rezoning will accommodate the reuse of the facility which is located within an Industrial and Employment-Related Area, (Figures 2a and 2b)

Staff Finding – The proposed rezoning and reuse of the facility is compliant with recommendations in *Horizon 2020*.

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

Current Zoning and Land Use: GPI (General Public and Institutional Uses) District; former Douglas County Public Works Facility and Household Hazardous Waste Facility, uses included: *Exterior Storage, Light and Heavy Equipment Repair, Recycling Processing Facility*, and Accessory Office.

Surrounding Zoning and Land Use:

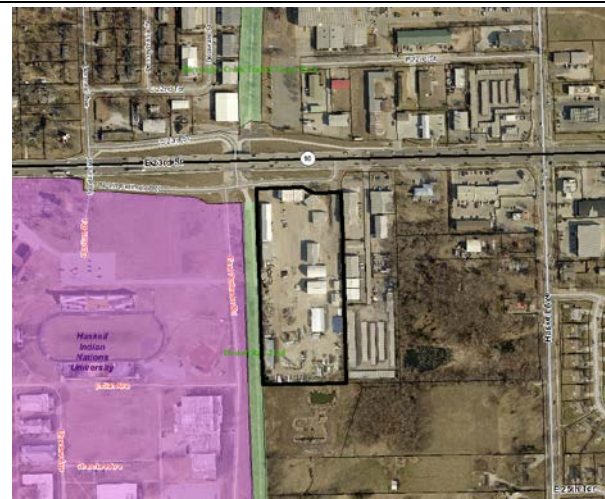
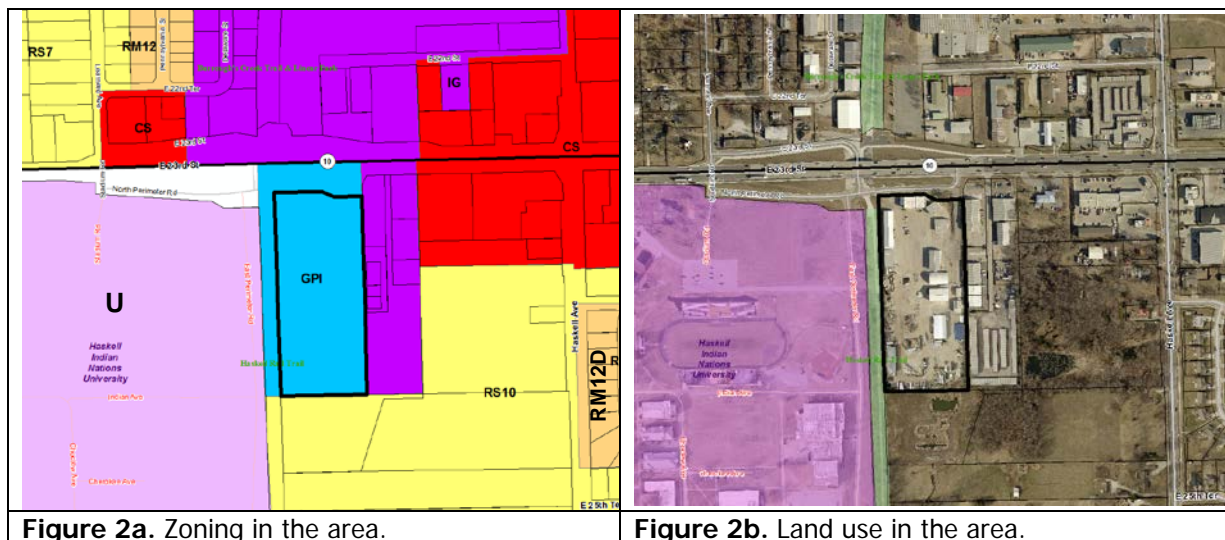
To the north:
IG (General Industrial) District; *Construction Sales and Services*

To the west:
U (University-Haskell Indian Nations University) District; University

To the east:
IG (General Industrial) District; *Manufacturing and Production, Limited; Mini-Warehouse*

To the south:
RS10 (Single-Dwelling Residential) District; property is owned by City of Lawrence and designed to filter stormwater runoff from the facility before it discharges into the wetlands to the south.

(Figure 2)



Staff Finding – The area contains a mix of zonings and land uses. The subject property is part of the industrial Burroughs Creek Corridor and is surrounded on the east and north by property that is zoned and used for industrial land uses, on the west by Burroughs Creek Trail, a linear park and beyond that, the Haskell Indian Nations University. The property to the south is zoned residential, but is used as stormwater management for the subject

property. The proposed zoning is compatible with the existing zoning and land uses in the area.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response:

"The property fronts on K-10 highway and has IG zoning on the north and east sides. Haskell University is located to the west along with the Burroughs Rail Trail. The south portion of the property is adjacent to an undeveloped area that is currently zoned RS10."

The term 'neighborhood' in this case refers to the area surrounding the subject property. For the purpose of this evaluation the neighborhood is bounded generally by Massachusetts Street on the west and Silicon Avenue on the east, E 27th Street on the south and E 20th Street (extended) on the north. (Figure 3)

This area is divided north and south by E 23rd Street / K10 Highway, a principal arterial, and east and west by the Burroughs Creek Trail, a multi-use path for pedestrians and bicyclists. Haskell Indian Nations University is a principal feature of the area.

Land Uses listed with the Douglas County Appraiser's Office are mapped in Figure 4. The principal land use west of Learnard Street is residential. Residential uses to the east of Learnard Avenue are set back from E 23rd Street/K10 Highway. Industrial uses border the Burroughs Creek Trail and a mix of industrial and commercial uses border East 23rd Street/K10 Highway, east of Learnard.

Staff Finding – This is a mixed use neighborhood which has the Haskell Indian Nations University as a key feature. Residential, industrial, and commercial uses are the other predominate uses in the area. Residential uses are located primarily in the west and southeast portion of the neighborhood and commercial uses are concentrated along 23rd Street/ K10 Highway east of the corridor. Industrial uses are located along the Burroughs Creek Corridor and are interspersed with the commercial uses. Rezoning to the IG District will maintain the industrial land use of the property and maintain the character of the neighborhood.

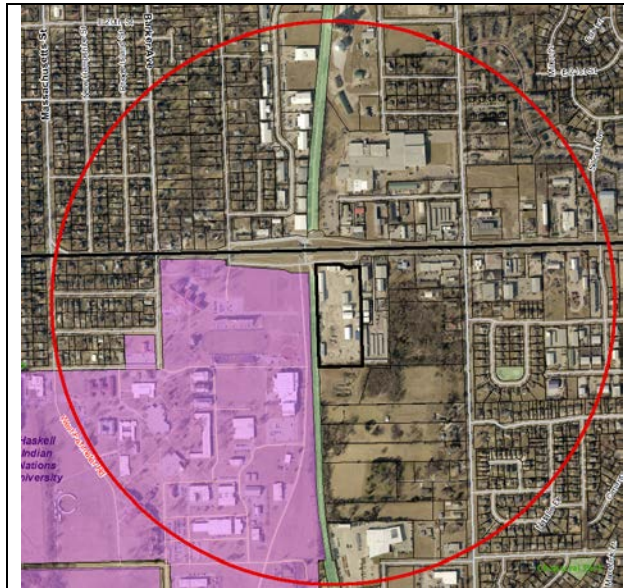


Figure 3. Neighborhood Area

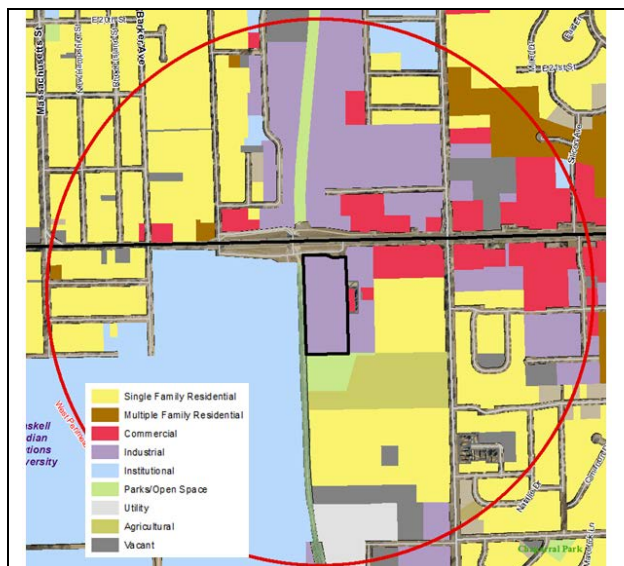


Figure 4. Land Uses in the area, per the DG County Appraisers records.

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

The property is located within the boundaries of the Burroughs Creek Corridor Plan. This plan was requested by the Old East Lawrence, Barker, and Brook Creek Neighborhood Associations. The plan notes that the neighborhoods would like to emphasize residential infill and neighborhood friendly redevelopment of industrial and commercial areas that are presently underutilized. A large part of the redevelopment they would like to see is the transition of the railroad right-of-way to a linear park and recreation trail. The plan does not provide specific land use recommendations for properties in the planning area but recommends that when redevelopment of industrially zoned areas is proposed, these areas should be scrutinized for neighborhood compatibility. (Page 14, *Burroughs Creek Corridor Plan*) Any redevelopment of the site will require site plan approval and the plans will be reviewed for compatibility with nearby uses and the character of the neighborhood. The *Burrough Creek Corridor Plan* listed properties that were recommended for rezoning to residential, commercial, or office uses. The subject property was not included in that list.

Staff Finding – The rezoning will allow for the reuse of the former Douglas County Public Works Facility site. The *Burroughs Creek Corridor Plan* stressed neighborhood compatibility with the redevelopment of industrial sites. As recommended by the plan, any site plan submitted for changes to the site will include a review for neighborhood compatibility and may include additional screening or buffering if necessary.

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

Applicant's Response:

"The existing zoning does not permit the future owner from utilizing the space to provide fleet parking for buses."

The property is well suited to many of the uses of an industrial nature which are permitted in the GPI District, based on its current development. While the individual uses included in the Public Works Facility were allowed in the GPI District, the intent of the District is to accommodate institutional uses. Rezoning to the IG District will allow a broader spectrum of industrial uses on the property and will remove the institutional uses such as *College, Cultural Center, Lodge, School, Community Mental Health Facility, Health Care Office, and Outpatient Care Facility* that the property, as developed, is not suited for.

Staff Finding – The property has been developed for uses of an industrial nature. Many of these uses are permitted in the current GPI Zoning. The property, as developed, is not appropriate for the various institutional and community facility uses that are permitted in the GPI District; but is well suited for the uses which are permitted in the IG District.

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

Applicant's Response:

"Approximately 2 years."

Staff Finding – The Douglas County Public Works Facility and the Household Hazardous Waste Facility were relocated in 2014. Most of the equipment and materials were removed by August, 2015.

7. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicants Response:

"The rezoning will not detrimentally affect nearby properties. The proposed use will be similar to the former use and the rezoning will allow the transfer of property to USD 497 which will keep the property from sitting vacant."

The removal of restrictions that would occur with this rezoning will allow the property to be used in a similar fashion as before with the additional use of *Fleet Storage*. The addition of this use will allow the school bus system to be relocated to the site. The addition of the bus system will increase the traffic load on this portion of E 23rd Street / K10 Highway at certain times of the day. The busses currently access E 23rd Street/K10 Highway near the intersection with Harper Street. When the facility is site planned, any impact the additional traffic would have at this location will be evaluated through the review of a Traffic Impact Study. If the traffic was found to be significant enough to have a negative impact, mitigation measures, if necessary, would be determined based on the study. This review at the site plan stage will insure the additional traffic at this location does not have a negative impact on nearby properties.

The site is screened from Haskell Indian Nations University to the west by the Burroughs Creek Corridor Trail and its bordering vegetation and from properties to the south by the open space parcel that provides stormwater management. (Figure 5) The property to the east is developed in a similar fashion and is compatible with the facility.



Figure 5. Haskell Indian Nations University's athletic field and open space is located to the west of the subject property and other industrial uses are located to the east.

Staff Finding – The removal of the restrictions will allow *Fleet Storage* on the property which could result in additional traffic on this portion of E 23rd Street/K10 Highway. The impact of the additional traffic will be evaluated and mitigated, if necessary, at the site plan review stage through the review of a Traffic Impact Study. The property, as developed, is

compatible with the surrounding properties to the west, south, and east. The removal of restrictions should have no negative impact on nearby properties.

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

Applicants Response:

"If the rezoning is approved, the property will be redeveloped to serve as the Lawrence Public Schools Facilities and Operations headquarters. If the rezoning is denied, the property will remain vacant and continue to deteriorate."

If approved, the property would provide one location for the School District Facilities and Operations and their bus system. Facilities and Operations currently operate out of an approximately one acre property at the intersection of W 2nd Street and Maine Street, both local streets. Moving the facility to the proposed location of 7.7 acres will provide more space in a more central location with access to a principal arterial street. In addition, the property currently has shops that were designed for vehicle repair which could be used for servicing the school busses. Approval of the rezoning request would increase the efficiency of the School District operations and provide a centralized location. If the request is denied, the School District would need to maintain the Facilities and Operations and bus storage in their current locations or look for another site to consolidate the facilities.

Staff Finding – Approval of the rezoning request would benefit the public health, safety, and welfare by allowing the reuse of the property for the consolidation of the School District's Facilities and Operations and Bus System. The rezoning would provide a more appropriate location for the Facilities and Operations on a Principal Arterial rather than a Local Street and would result in efficiencies due to the shared use of the property for the Facilities and Operations and Bus System.

PROFESSIONAL STAFF RECOMMENDATION

This staff report reviews the proposed rezoning request for its compliance with the Comprehensive Plan, adopted plans for the area, the Golden Factors, and compatibility with surrounding development.

Staff recommends approval of the rezoning request for approximately 7.7 acres from GPI (General Public and Institutional Use) District to IG (General Industrial) 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.

TRAFFIC IMPACT STUDY

for

USD #497 Warehouse and Bus Site



Prepared by: Jason Hoskinson, PE, PTOE

BG Project No. 16-1200L
July 8, 2016

Introduction: This Traffic Impact Study (TIS) has been prepared in accordance with the City of Lawrence Ordinance 7650 as required by the City's Land Development Code. The purpose of the TIS is to identify the basic land use and transportation characteristics of the proposed USD #497 Lawrence Public Schools use of the site at 711 E. 23rd Street.

Item #1: Proposed Development: The proposed site for the USD #497 Warehouse and Bus Site is a property currently owned by Douglas County. The site had been used by the Douglas County Public Works Department for vehicle storage, maintenance and refueling. Douglas County and USD #497 have been discussing the feasibility of exchanging ownership of the property. The USD #497 intends to use the site for similar purposes, including warehouse, maintenance and bus fleet storage. A site plan is currently unavailable as this site is in the process of being rezoned.

Item #2: Horizon 2020 Land Use: The Lawrence/Douglas County Comprehensive Plan identifies the future land use of this site as Office Research and/or Industrial/Warehouse/Distribution (Map 3-2, Horizon 2020). The proposed use is consistent with Comprehensive Plan for this location.

Item #3: Street Functional Classification: The site is bordered by two streets on the north. 23rd Street (K-10) is classified as an arterial street and N. Perimeter Road is classified as a local street (frontage road). A portion of this road is a private street along the north side of Haskell Indian Nations University. T2040 classifies 23rd Street (K-10) as the nearest arterial street to the proposed site.

Item #4: Allowable Access: Two existing access points of access will be retained to the N. Perimeter Road fronting this site. The east end of N. Perimeter Road accesses 23rd Street (K-10) at the east property line of the site.

Item #5: Adjacent Street Characteristics: N. Perimeter Road is the only public street adjacent to the site with an unposted speed limit, implying a statutory speed limit of 30 mph. 23rd Street also borders the north side of the site, serving as the nearest adjacent arterial street. The posted speed limit of 23rd Street is 45 mph and according to the latest traffic data from KDOT, the estimated Annual Average Daily Traffic (AADT) is 30,000 vehicles per day. The AADT may decrease slightly with opening of the South Lawrence Trafficway in several months.

N. Perimeter Road currently accesses 23rd Street as a STOP controlled, T-intersection. 23rd Street is a 5-lane urban street, providing a center two-way-left-turn (TWLTL) for westbound ingress traffic generated by the site. N. Perimeter Road is a 2-lane urban street allowing for 1-lane of travel in each direction along the north side of the property.

Sight distance was measured at the east intersection of 23rd Street and N. Perimeter Road. This is also the approximate location where the Site Access will access the frontage road and will be the primary point of access to 23rd Street for site generated traffic. Sight distance was found to be sufficient. For passenger cars making a left-turn from a stopped condition, a minimum time gap of 8.0 seconds is required. The available time gap in normal traffic flow was consistently measured at approximately 10.0

seconds to the west and well in excess of 10.0 seconds to the east. For bus traffic in particular, only right-turning egress movements are anticipated as will be discussed in further detail below. A minimum time gap for a bus to egress the site making a right turn from a stopped condition is 9.2 seconds. The available time gap for passenger cars of 10.0 seconds exceeds the required time. Furthermore, the actual available time gap for bus and truck traffic with a driver sitting at a higher elevation above the roadway would be greater than the recorded values for passenger cars.

Item #6: Proposed Access: The site currently has two access points to N. Perimeter Road, leading to one primary access point to 23rd Street at the east property line of the site. This area was recently reconstructed as a part of KDOT's replacement of the 23rd Street bridge immediately west of the site. With exception of 23rd Street and its frontage road, no other public streets offering access opportunities are adjacent to the site. Given the geometric and vertical constraints between 23rd Street and the N. Perimeter Road, relocation of the existing intersection to the west is not feasible.

Item #7: Trip Generation: Detailed plans for use of the site have not been developed. With exception of the bus storage/staging, the anticipated use of the site and resulting trips will likely be very similar to the previous use by the Douglas County Public Works Department. For the purposes of this study, the trips generated by bus traffic and their circulation plan options will be discussed in further detail.

Traffic Type and Departure/Arrival Characteristics: First Student serves as the transportation provider for the USD #497. They currently have a fleet of 88 buses. 78 buses are in routine service and 10 buses are spares used only as needed or when buses are taken out of service for maintenance. Approximately one-half of the fleet are 40' long buses and the other one-half of the fleet are smaller buses. For the purpose of this analysis, 80 buses are assumed to be in service on a typical weekday with the type of bus used being split 50% / 50% between long / small buses.

A summary of the peak hours associated with the bus storage of this site is as follows:

- AM Peak Hour (typical weekday)
 - 6:00 am – 7:00 am: cars entering site and buses exiting site.
 - 8:00 am – 9:00 am: buses entering site and cars exiting site.
- PM Peak Hour (typical weekday)
 - 2:00 pm – 3:00 pm: cars entering site and buses exiting site.
 - 4:00 pm – 5:00 pm: buses entering site and cars exiting site.

Site Circulation Plan: First Student currently uses a site on the north side of 23rd Street, approximately 1 mile east of the proposed 711 E. 23rd Street site. The company policy restricts the bus drivers' movements such that they may only enter the site via a westbound right-turn and they may only egress the site via southbound right-turn. No drivers are allowed to make left-turns into or out of the site while driving a school bus.

Several scenarios were explored regarding the access in/out of the proposed site as summarized below.

- Scenario #1: Existing Site Access
 - No turn restrictions for passenger cars in/out of the site.
 - School buses restricted to right-in/right-out only.
- Scenario #2: Existing Site Access
 - No turn restrictions for passenger cars in/out of the site.
 - School buses restricted to right-in and/or left-in.
 - School buses restricted to right-out only.
- Scenario #3: Alternate Site Access using frontage roads
 - No turn restrictions for passenger cars in/out of the site.
 - Consider allowing school buses making right-in movements to use the intersection of 23rd and N. Perimeter Road/Learnard.
 - Consider allowing school buses needing to go westbound on 23rd Street to use the frontage roads to cross 23rd Street to get to the intersection of 23rd and Learnard to make a right-turn movement.

Scenario #1: In Scenario #1, employees will arrive between 6:00 am and 6:30 am in passenger vehicles and then drive the buses out of the site between 6:30 am and 7:00 am. The buses will remain on their routes until mid-morning when all students are dropped off at the various USD #497 schools, returning to the site between 8:00 am and 9:00 pm.

The PM peak hours of the site will operate in a similar fashion with the peak demand of employees arriving to the site between 2:00 pm and 2:30 pm followed by buses exiting the site between 2:30 pm and 3:00 pm. Upon completion of their routes, the buses will return between 4:00 pm and 4:30 pm followed by employees leaving the site to go home between 4:30 pm and 5:00 pm.

For Scenario #1, First Student would be required to continue their policy of restricting bus movements to right-out egress and right-in ingress. Exhibit #1 shows the estimated volume and pattern of traffic movements. As previously noted, sight distance is sufficient for all vehicles, passenger cars and buses, to make all turning movements from a stopped condition at this access point to/from 23rd Street.

Scenario #2: Scenario #2 is identical to Scenario #1 with the exception of allowing left-ingress movements to the site from 23rd Street. First Student's policy will allow a bus to make a left-turn across a street such as 23rd Street if a dedicated left-turn lane is provided. A TWLTL currently exists to the east of the Site Access and the median is painted with yellow gore markings to the west of the Site Access.

Exhibit #2 shows the estimated volume and pattern of traffic movements. Again, sight distance is sufficient for all vehicles, passenger cars and buses, to make all turning movements from a stopped condition at this access point to/from 23rd Street in Scenario #2.

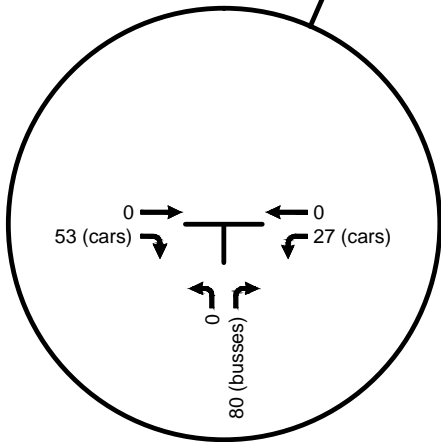
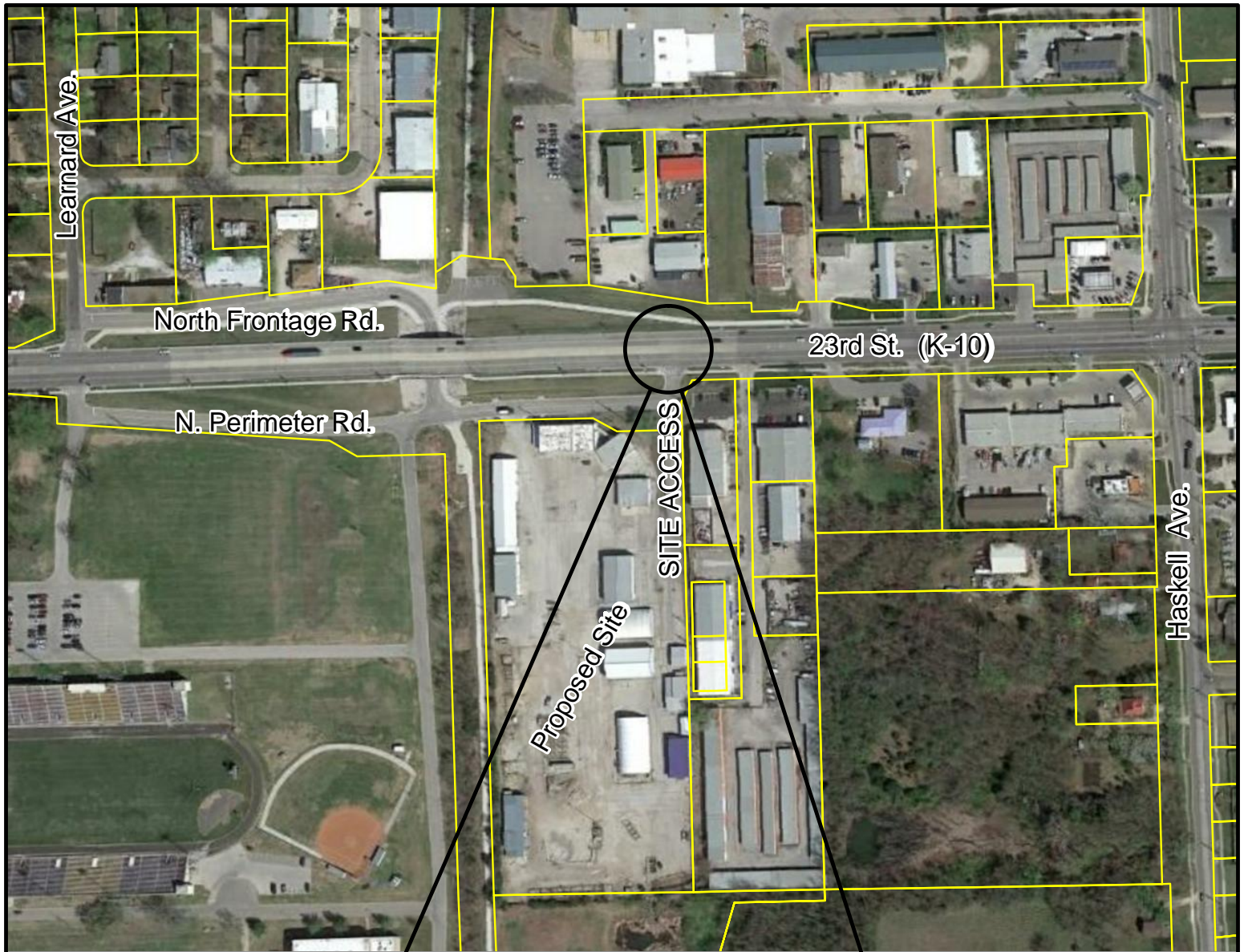
If First Student desires to pursue Scenario #2, the travel pattern policy would have to be modified to allow the buses to make a left-turn from the TWLTL at the Site Access. Restriping the west end of the TWLTL to provide a dedicated left-turn lane into the proposed site is not feasible due to existing access points on the north side of 23rd Street beginning 150 feet east of the proposed Site Access.

Scenario #3: Scenario #3 explores several options for ingress/egress utilizing the existing frontage roads. One option considered under this scenario would allow buses to utilize this intersection for right-turns in and out of the site. The available sight distance is somewhat greater at this location, measured at approximately 12 seconds to the west as compared to 10 seconds at the proposed Site Access, and excellent to the east for passenger cars. However, a portion of the south frontage road, known as N. Perimeter Road, is a private street and an agreement would likely need to be made between First Student and the US Government to utilize this street across the frontage of Haskell Indian Nations University for bus traffic. The buses would also be required to cross the existing hike/bike trail at grade located at the west property line of the proposed site.

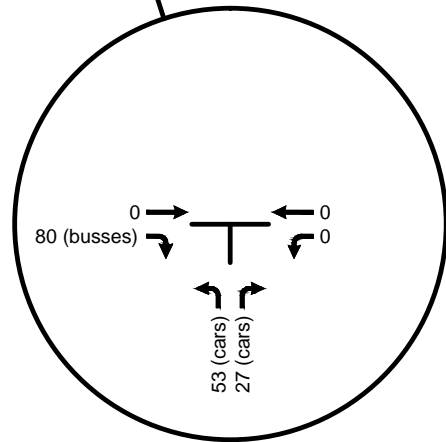
Another option considered in Scenario #3 would allow bus traffic ultimately wanting to go westbound on 23rd Street to utilize the frontage roads to cross under 23rd Street, ultimately accessing Learnard Avenue and using Learnard Avenue to access westbound 23rd Street via right-turn. However, the intersections of the North Frontage Road/Learnard Avenue and 23rd Street/Learnard Avenue are in such close proximity to each other that a bus would be unable to make the necessary turning movements without blocking Learnard Avenue traffic and potentially causing northbound Learnard Avenue traffic queues to spill back onto 23rd Street.

Exhibit #3 highlights the bus travel pattern options explored in Scenario #3. Due to the geometric limitations of the existing roadway and the relatively minor increase in available sight distance, we do not recommend pursuing any of the options considered in Scenario #3.

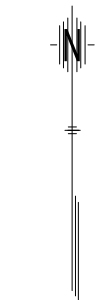
Summary: The proposed reuse of the existing site at 711 E. 23rd Street is anticipated to have similar impacts on the existing public street system as was experienced by the past user (Douglas County Public Works). Based on the analysis summarized in this report, we recommend First Student and the USD #497 pursue implementation of Scenario #1 and continue the policy of requiring right-in and right-out only movements for bus traffic.



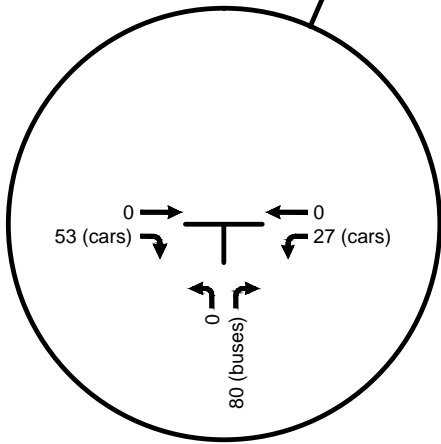
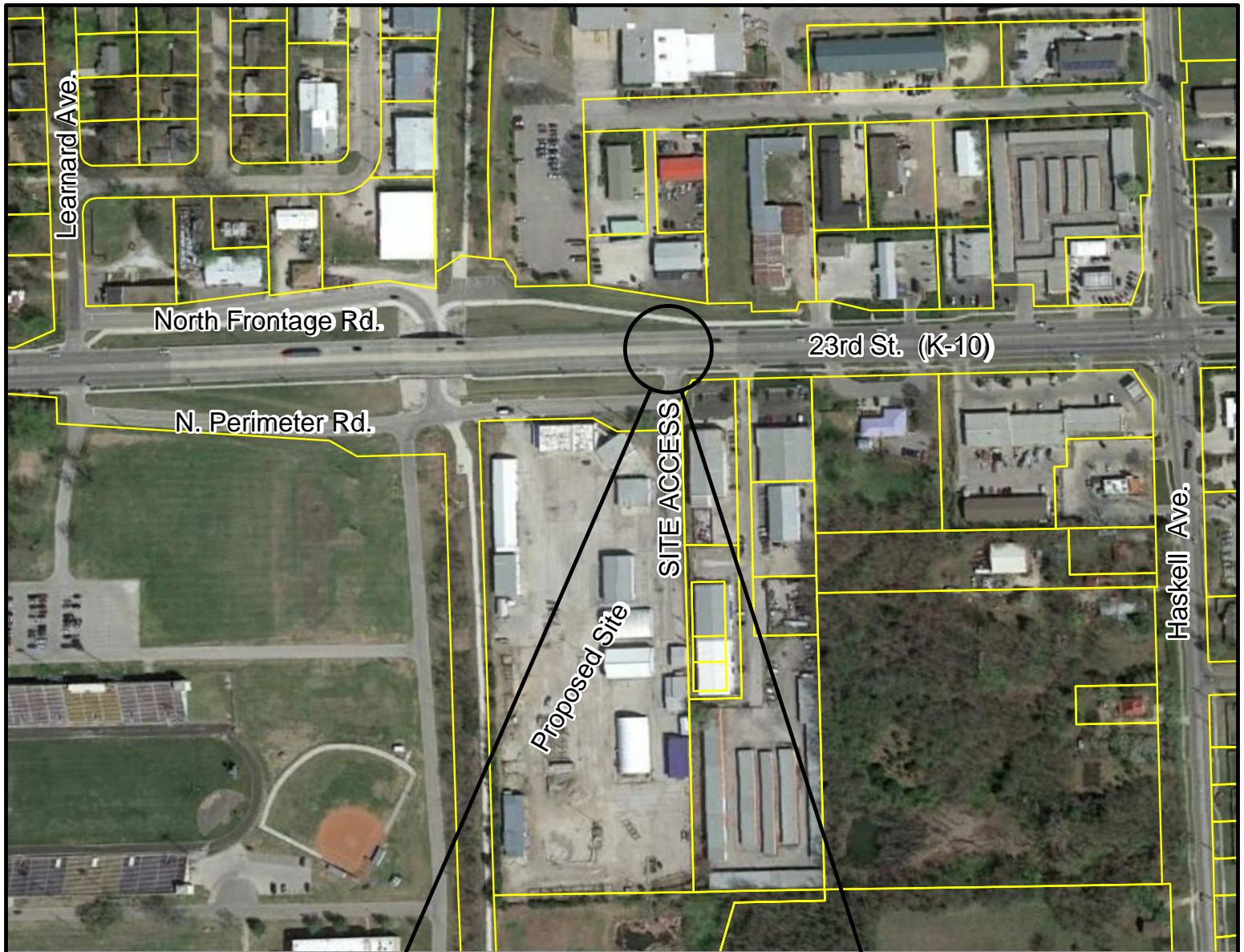
AM Peak Hour (6:00 am - 7:00 am)
PM Peak Hour (2:00 pm - 3:00 pm)



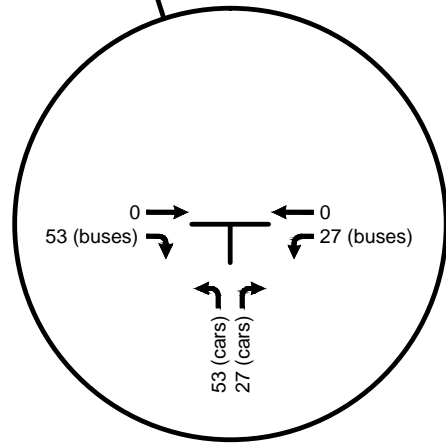
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AM Peak Hour (6:00 am - 7:00 am)
PM Peak Hour (2:00 pm - 3:00 pm)



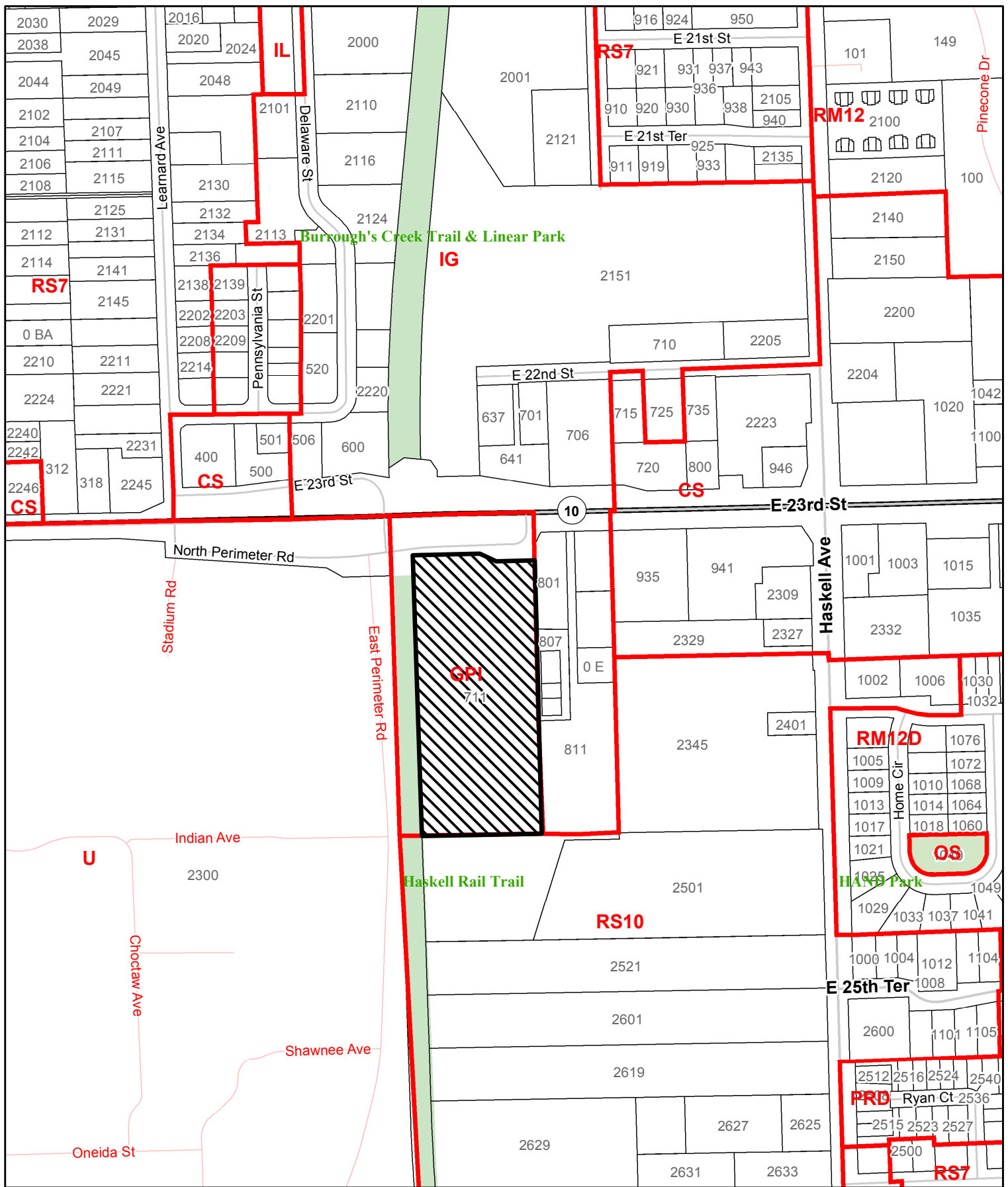
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Not to Scale



**Z-16-00147: Rezone Approximately 7.7 acres from GPI District to IG District
Located at 711 E. 23rd Street**

Lawrence-Douglas County Planning Office
June 2016

 Subject Property



June 20, 2016

Concerns with existing PC Staff Report Z-16-00147:

1. Re: Criterion 2 - "Zoning and Use of Nearby Property"

Barker Neighborhood is absent from the description of surrounding zoning and land use to the north and west but should be included.

2. Re: Criterion 3 - "Character of the Neighborhood"

Figures 3 and 4 illustrate that nearly $\frac{1}{4}$ of the nearby property is residential, a wedge from Mass to 19th Street. This proportion should not be excluded from the text description.

3. Re: Criterion 7 - "Extent to Which Removal of Restrictions Will Detrimentially Affect Nearby Properties"

Staff finding states that "The property, as developed, is compatible with the surrounding properties to the west, south, and east. The removal of restrictions should have no negative impact on nearby properties."

4. Re: Criterion 4 - "Plans for Area or Neighborhood..."


Neighborhood compatibility recommendations in the Burroughs Creek Corridor Plan cannot be satisfied without consideration of residential properties to the north.

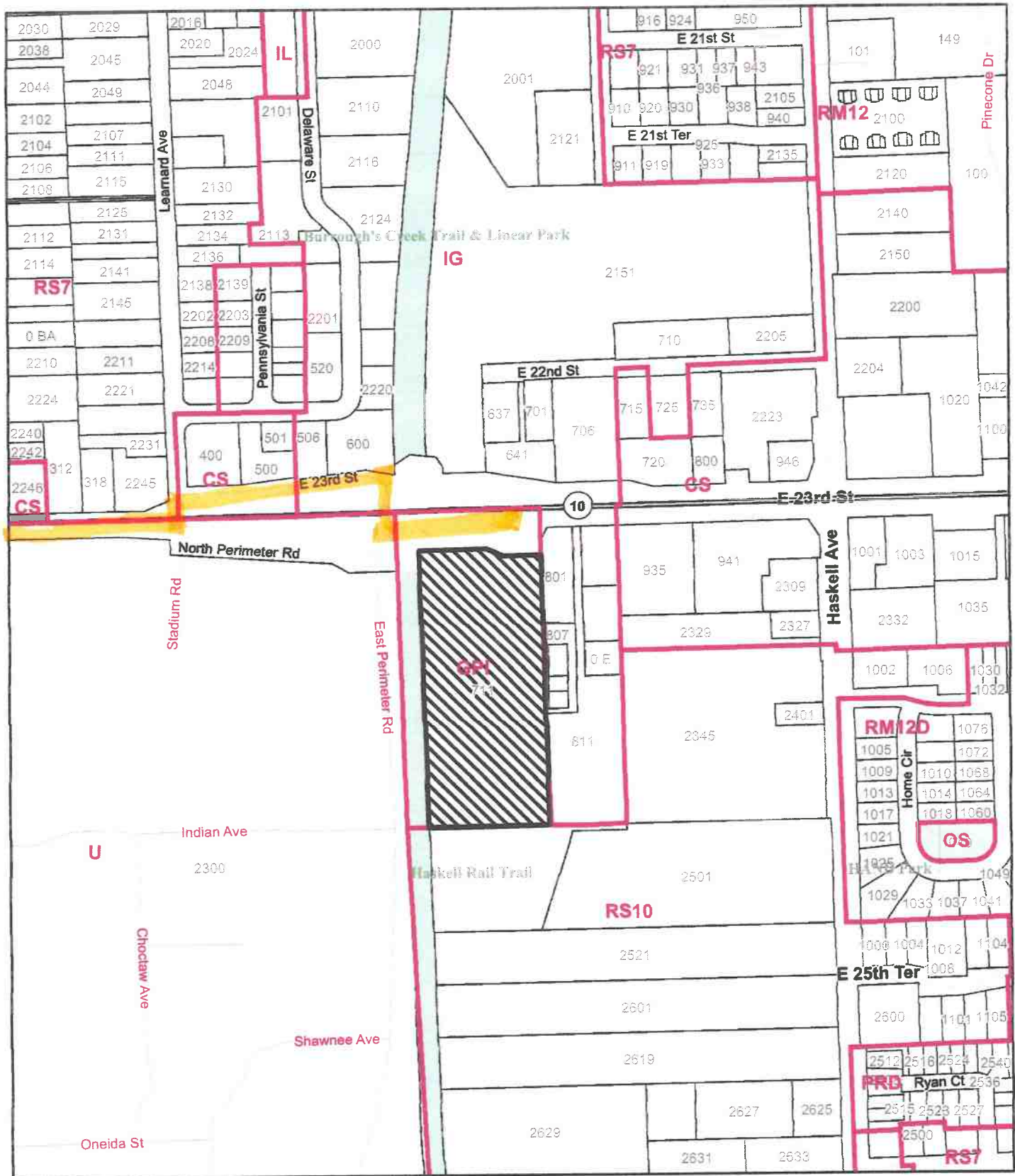
5. Re: Project Summary :

The only route westbound without making a left across traffic on East 23rd street from the property at 711 E 23rd runs below 23rd Street on perimeter road and then on to Learnard Ave and then onto 23rd Street.

I would appreciate any follow up you could provide regarding these concerns. Thank you for your consideration.

Respectfully,


Marsha Heeb
2134 Learnard Ave



**Z-16-00147: Rezone Approximately 7.7 acres from GPI District to IG District
Located at 711 E. 23rd Street**

Lawrence-Douglas County Planning Office
June 2016

 Subject Property



PUBLIC COMMENT

The owner of the adjacent property to the east inquired about the future use and provided an email to Planning noting that the School District would be a good neighbor and he had no concerns with the rezoning which would allow them to park school busses on their property.

Project Summary

The property at 711 E 23rd Street contains approximately 7.7 acres and was previously used by Douglas County as their Public Works Facility and the Household Hazardous Waste Facility. The Public Works Facility and the Household Hazardous Waste Collection Facility were recently relocated and the property has been unused since that time. The School District Facilities and Operations would be relocated to the subject site from the current location at 146 Maine Street. (Figure 1) The current site has access on W 2nd Street, which is classified as a Local Street. The proposed site has access on E 23rd Street / K10 Hwy, a Principal Arterial. The use is very similar to the former use; however, the school district also plans on moving the bus system to the property. This use, *Fleet Storage*, is not permitted in the GPI District; therefore, rezoning to an industrial district has been requested.



Figure 1. Current USD # 497 Facilities and Operation site.

REVIEW & DECISION-MAKING CRITERIA

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response:

"The request is in compliance with the Comprehensive Plan."

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

The property is located within the boundaries of the Burroughs Creek Corridor. The Comprehensive Plan recommends that future development of this area be in accordance with the Burroughs Creek Corridor Plan. (Page 7-4, *Horizon 2020*)

The recommendations of the Burroughs Creek Corridor Plan will be discussed in Section 4 of this report.

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

Encourage the retention, redevelopment and expansion of established industrial and employment-related areas.

Policy 1.1: Retain Established Development and Encourage New Development in Existing Industrial and Employment-Related Areas (Page 7-11, *Horizon 2020*)

The proposed rezoning will accommodate the reuse of the facility which is located within an Industrial and Employment-Related Area, (Figures 2a and 2b)

Staff Finding – The proposed rezoning and reuse of the facility is compliant with recommendations in *Horizon 2020*.

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

Current Zoning and Land Use: GPI (General Public and Institutional Uses) District; former Douglas County Public Works Facility and Household Hazardous Waste Facility, uses included: *Exterior Storage, Light and Heavy Equipment Repair, Recycling Processing Facility, and Accessory Office.*

Surrounding Zoning and Land Use:

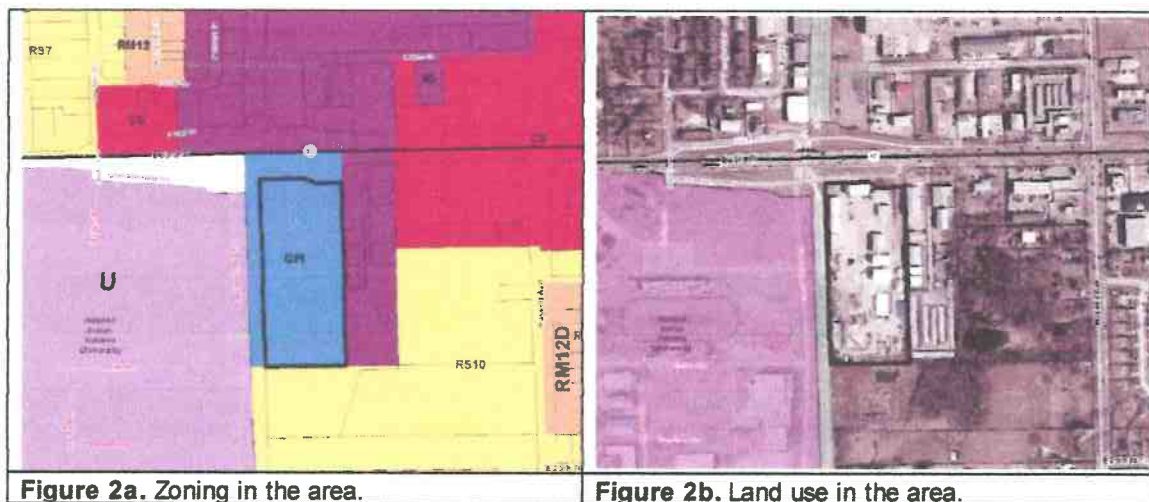
To the north:
IG (General Industrial) District; *Construction Sales and Services*

To the west:
U (University-Haskell Indian Nations University) District; University

To the east:
IG (General Industrial) District; *Manufacturing and Production, Limited; Mini-Warehouse*

To the south:
RS10 (Single-Dwelling Residential) District; property is owned by City of Lawrence and designed to filter stormwater runoff from the facility before it discharges into the wetlands to the south.

(Figure 2)



Staff Finding – The area contains a mix of zonings and land uses. The subject property is part of the industrial Burroughs Creek Corridor and is surrounded on the east and north by property that is zoned and used for industrial land uses, on the west by Burroughs Creek Trail, a linear park and beyond that, the Haskell Indian Nations University. The property to the south is zoned residential, but is used as stormwater management for the subject

property. The proposed zoning is compatible with the existing zoning and land uses in the area.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response:

"The property fronts on K-10 highway and has IG zoning on the north and east sides. Haskell University is located to the west along with the Burroughs Rail Trail. The south portion of the property is adjacent to an undeveloped area that is currently zoned RS10."

The term 'neighborhood' in this case refers to the area surrounding the subject property. For the purpose of this evaluation the neighborhood is bounded generally by Massachusetts Street on the west and Silicon Avenue on the east, E 27th Street on the south and E 20th Street (extended) on the north. (Figure 3)

This area is divided north and south by E 23rd Street / K10 Highway, a principal arterial, and east and west by the Burroughs Creek Trail, a multi-use path for pedestrians and bicyclists. Haskell Indian Nations University is a principal feature of the area.

Land Uses listed with the Douglas County Appraiser's Office are mapped in Figure 4. The principal land use west of Learnard Street is residential. Residential uses to the east of Learnard Avenue are set back from E 23rd Street/K10 Highway. Industrial uses border the Burroughs Creek Trail and a mix of industrial and commercial uses border East 23rd Street/K10 Highway, east of Learnard.

Staff Finding – This is a mixed use neighborhood which has the Haskell Indian Nations University as a key feature. Residential, industrial, and commercial uses are the other predominate uses in the area. Residential uses are located primarily in the west and southeast portion of the neighborhood and commercial uses are concentrated along 23rd Street/ K10 Highway east of the corridor. Industrial uses are located along the Burroughs Creek Corridor and are interspersed with the commercial uses. Rezoning to the IG District will maintain the industrial land use of the property and maintain the character of the neighborhood.



Figure 3. Neighborhood Area



Figure 4. Land Uses in the area, per the DG County Appraisers records.

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

The property is located within the boundaries of the Burroughs Creek Corridor Plan. This plan was requested by the Old East Lawrence, Barker, and Brook Creek Neighborhood Associations. The plan notes that the neighborhoods would like to emphasize residential infill and neighborhood friendly redevelopment of industrial and commercial areas that are presently underutilized. A large part of the redevelopment they would like to see is the transition of the railroad right-of-way to a linear park and recreation trail. The plan does not provide specific land use recommendations for properties in the planning area but recommends that when redevelopment of industrially zoned areas is proposed, these areas should be scrutinized for neighborhood compatibility. (Page 14, *Burroughs Creek Corridor Plan*) Any redevelopment of the site will require site plan approval and the plans will be reviewed for compatibility with nearby uses and the character of the neighborhood. The *Burrough Creek Corridor Plan* listed properties that were recommended for rezoning to residential, commercial, or office uses. The subject property was not included in that list.

Staff Finding – The rezoning will allow for the reuse of the former Douglas County Public Works Facility site. The *Burroughs Creek Corridor Plan* stressed neighborhood compatibility with the redevelopment of industrial sites. As recommended by the plan, any site plan submitted for changes to the site will include a review for neighborhood compatibility and may include additional screening or buffering if necessary.

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

Applicant's Response:

"The existing zoning does not permit the future owner from utilizing the space to provide fleet parking for buses."

The property is well suited to many of the uses of an industrial nature which are permitted in the GPI District, based on its current development. While the individual uses included in the Public Works Facility were allowed in the GPI District, the intent of the District is to accommodate institutional uses. Rezoning to the IG District will allow a broader spectrum of industrial uses on the property and will remove the institutional uses such as *College, Cultural Center, Lodge, School, Community Mental Health Facility, Health Care Office, and Outpatient Care Facility* that the property, as developed, is not suited for.

Staff Finding – The property has been developed for uses of an industrial nature. Many of these uses are permitted in the current GPI Zoning. The property, as developed, is not appropriate for the various institutional and community facility uses that are permitted in the GPI District; but is well suited for the uses which are permitted in the IG District.

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

Applicant's Response:

"Approximately 2 years."

Staff Finding – The Douglas County Public Works Facility and the Household Hazardous Waste Facility were relocated in 2014. Most of the equipment and materials were removed by August, 2015.

7. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicants Response:

"The rezoning will not detrimentally affect nearby properties. The proposed use will be similar to the former use and the rezoning will allow the transfer of property to USD 497 which will keep the property from sitting vacant."

The removal of restrictions that would occur with this rezoning will allow the property to be used in a similar fashion as before with the additional use of *Fleet Storage*. The addition of this use will allow the school bus system to be relocated to the site. The addition of the bus system will increase the traffic load on this portion of E 23rd Street / K10 Highway at certain times of the day. The busses currently access E 23rd Street/K10 Highway near the intersection with Harper Street. When the facility is site planned, any impact the additional traffic would have at this location will be evaluated through the review of a Traffic Impact Study. If the traffic was found to be significant enough to have a negative impact, mitigation measures, if necessary, would be determined based on the study. This review at the site plan stage will insure the additional traffic at this location does not have a negative impact on nearby properties.

The site is screened from Haskell Indian Nations University to the west by the Burroughs Creek Corridor Trail and its bordering vegetation and from properties to the south by the open space parcel that provides stormwater management. (Figure 5) The property to the east is developed in a similar fashion and is compatible with the facility.



Figure 5. Haskell Indian Nations University's athletic field and open space is located to the west of the subject property and other industrial uses are located to the east.

Staff Finding – The removal of the restrictions will allow *Fleet Storage* on the property which could result in additional traffic on this portion of E 23rd Street/K10 Highway. The impact of the additional traffic will be evaluated and mitigated, if necessary, at the site plan review stage through the review of a Traffic Impact Study. The property, as developed, is

compatible with the surrounding properties to the west, south, and east. The removal of restrictions should have no negative impact on nearby properties.

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

Applicants Response:

"If the rezoning is approved, the property will be redeveloped to serve as the Lawrence Public Schools Facilities and Operations headquarters. If the rezoning is denied, the property will remain vacant and continue to deteriorate."

If approved, the property would provide one location for the School District Facilities and Operations and their bus system. Facilities and Operations currently operate out of an approximately one acre property at the intersection of W 2nd Street and Maine Street, both local streets. Moving the facility to the proposed location of 7.7 acres will provide more space in a more central location with access to a principal arterial street. In addition, the property currently has shops that were designed for vehicle repair which could be used for servicing the school busses. Approval of the rezoning request would increase the efficiency of the School District operations and provide a centralized location. If the request is denied, the School District would need to maintain the Facilities and Operations and bus storage in their current locations or look for another site to consolidate the facilities.

Staff Finding – Approval of the rezoning request would benefit the public health, safety, and welfare by allowing the reuse of the property for the consolidation of the School District's Facilities and Operations and Bus System. The rezoning would provide a more appropriate location for the Facilities and Operations on a Principal Arterial rather than a Local Street and would result in efficiencies due to the shared use of the property for the Facilities and Operations and Bus System.

PROFESSIONAL STAFF RECOMMENDATION

This staff report reviews the proposed rezoning request for its compliance with the Comprehensive Plan, adopted plans for the area, the Golden Factors, and compatibility with surrounding development.

Staff recommends approval of the rezoning request for approximately 7.7 acres from GPI (General Public and Institutional Use) District to IG (General Industrial) 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.

July 21, 2016

Dear Lawrence Planning Commission:

I would like to register my concern about the proposed rezoning of 711 E 23rd to allow relocation of the School District 497 bus fleet and the associated Traffic Impact Study . I have lived at 2134 Learnard Ave for 20 years and use the area under discussion to access 23rd Street.

1. The area of 23rd St. between Mass and Haskell is listed as one of the Top 5 High Volume Roadway Segments in Lawrence by Transportation 2040. Staging all of 497's buses from this location at peak traffic times would be difficult at best and dangerous at worst.
2. There is no direct access from 711 E 23rd to 23rd Street. The driveway doesn't open onto 23rd. It merges with Perimeter Road and proceeds to a stop sign on 23rd St.
3. The buses will share this stop sign with traffic from the north side of 23rd. That traffic crosses under the bridge on Perimeter Road to get on to 23rd going east. This includes the residential neighborhood north of 23rd St. and new businesses on North Perimeter Road since Public Works moved out (a contractor, an appliance store, a chemical manufacturer and an unoccupied building currently under development). This is scenario 1, the one recommended by the current traffic study.
4. Buses cannot make a right hand turn directly into the right lane of 23rd St. Their turn will be wide and require more than one lane. The opening onto 23rd street is narrow and the bridge lanes themselves were narrowed by the bridge project in 2013 in order to add the central turning lane. This is a change from when Public Works utilized the space.
5. Traffic from 23rd and Haskell backs up west past the proposed access onto 23rd Street. When going east from that point during the school year morning commute, I routinely wait for someone to let me in. This is further complicated by a short sight horizon that makes judging oncoming 45 mph traffic difficult.
6. There is a sidewalk on 23rd that will cross in front of the buses as they enter 23rd Street. This is different from Burroughs Creek Trail, this is up on the arterial and goes over the bridge. It was added in the 2013 project too.
7. Public Works had fewer vehicles than the bus fleet and they did not all move at the same time. By comparison, the ingress/egress pattern of the buses and employee vehicles, as described in the traffic study, is much more intense: 160 vehicles from 6am to 7am, again from 8am to 9am, again from 2pm to 3pm and again from 4 pm to 5pm. The traffic study admits in Item 7 that "with exception of the bus storage/staging, the anticipated use of the site and resulting trips will likely be very similar to the previous use." Providing bus maintenance at this site would be similar to its previous use. Rezoning and moving all of USD 497's buses in and out four times a day during rush hour is not.
8. The current traffic study assumes that the Southwest Lawrence Traffic Way "may decrease Annual Average Daily Traffic slightly", however, a 2011 article from the Property and Environment Research Center (reflecting what is a consensus among traffic planners) finds that studies show "road expansion increases traffic by increasing demand." We must not count on SWLTW to make this rezoning feasible.

9. The intersection may need to be reconfigured in order to accommodate the increased traffic. Considering the current state of city finances, the recent outlay of significant funds on the bridge\23rd widening project, and the cost of potential traffic mitigation measures, the rationale for this proposal is further put into question.

Use as the maintenance site for 497's buses seems in keeping with previous use by Public Works. Rezoning to allow storage and staging does not make sense when considered in context of the above. My understanding is that the current arrangement is working well and has been for many years. If one of the main purposes of this proposal is a land exchange to facilitate other projects, then perhaps other options are available that will not increase congestion, require additional costs, and compromise public safety.

Thank you for your consideration.

Respectfully,

Marsha Heeb