

## PLANNING COMMISSION REPORT Regular Agenda - Public Hearing Item

PC Staff Report  
11/16/15

### ITEM NO. 8 TEXT AMENDMENT FOR CREATING AN “EVENT CENTER” USE (JSC)

**TA-15-00443:** Consider a Text Amendment to the Land Development Code, Chapter 20 of the Code of The City of Lawrence, Kansas to define and create an “Event Center” use. *Initiated by Planning Commission on 8/24/15.*

**RECOMMENDATION:** Staff recommends approval of the revised text for Articles 4, 9, and 17, and forwarding of the proposed text amendments to Chapter 20, Articles 4, 9, and 17 to the City Commission with a recommendation for approval and adoption.

**Reason for Request:** The Planning Commission initiated this amendment on August 24<sup>th</sup>, 2015 to create a specific use category for private facilities, including the structures and/or grounds, used for hosting intermittent events, such as banquets, weddings, receptions, parties, corporate events, meetings or any other gathering (formal or informal) that are intermittent and temporary in nature.

#### RELEVANT GOLDEN FACTOR:

- Conformance with the Comprehensive Land Use Plan is the relevant factor that applies to this request. Adoption of a new regulatory item to the existing Land Development Code is an implementation step in Chapter 17 of *Horizon 2020: The Comprehensive Plan for Lawrence and Unincorporated Douglas County*.

#### PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- No written comments received to date.

#### OVERVIEW OF PROPOSED AMENDMENT

The Land Development Code currently does not define this particular type of facility and/or use. Since the Land Development Code's adoption in 2006, facilities that would be classified under this proposed definition/use have been categorized in various ways depending on the details and location of each proposal. In some instances, the prevailing use regulations and parking requirements for these other inappropriate categories either over-regulate the Event Center, or do not provide enough regulation of the Event Centers, causing other impacts in the surrounding areas and neighborhoods.

This proposed amendment would streamline the review process, clearly define the use regulations for applicants, and also affirm the appropriate requirements with regard to parking for these facilities. It also would provide surety to both applicants, as well as neighboring property owners, to the review and approval processes for the establishment of this particular use.

To determine the appropriate demarcation between “Event Center, Small” and “Event Center, Large” staff looked at the two main items that would substantially impact the total occupancy for a new proposed event center: minimum parking ratios and the Fire Code load factor. Staff began by

conducting an analysis of the existing establishments that would fit within the *"Event Center"* use, specifically looking at their total occupancy and their current zoning. The analysis of the existing event spaces determined that the median occupancy of these current locations was 300 occupants. A median value for occupancy was chosen over an average value to help prevent the delineation from being skewed higher by a few extraordinary locations' maximum occupancy. The median is determined by ranking the existing locations from smallest to largest, and then dividing the locations so that there are an equal number of below the median as there are above. In this particular survey, the average maximum occupancy can be significantly influenced by a couple of very-large establishments, making it less representative of the majority of event centers; therefore, the median gives a better representation of existing occupancy than the average would.

Address	Event Center	Advertised Max. Capacity	Zoning	Potential Designation
8 E. 6th St.	Abe & Jake's	600	CD	Large
1266 Oread Ave.	Adams Alumni Center	250	RM32	Small
2161 Quail Creek Dr.	Arterra	250	PCD	Small
800 New Hampshire St.	Alton Ballroom – Pachamamas	175	CD	Small
1800 Crossgate Dr.	Alvamar	1,800	RM24PD	Large
1307 Massachusetts St.	Castle Tea Room	125	RM32	Small
512 E. 9th St.	Culinaria	40	CS	Small
701 Massachusetts St.	Eldridge Hotel	450	CD	Large
201 W. 8th Street	Eldridge Extended	250	CD	Small
940 New Hampshire St.	Lawrence Arts Center	600	GPI	Large
400 Country Club Terr.	Lawrence County Club	450	RS10	Large
644 Massachusetts St.	Liberty Hall	1,050	CD	Large
1031 New Hampshire St.	Maceli's	400	CD	Large
1200 Oread Ave.	The Oread	1,150	PCD	Large
715 New Jersey St.	Van Go	440	IG	Large
704 Connecticut St.	W	275	CS	Small
1510 N. 3rd St.	White School House	100	RS10	Small

**Other Assembly Spaces Provided for Space Comparison**

1020 Massachusetts St.	Granada	1,700	CD	Large
1301 Jayhawk Blvd.	Kansas Union	6,872	U-KU	Large
1601 Irving Hill Road	Burge Union	3,100	U-KU	Large
1651 Naismith Dr.	DeBruce Center	330	U-KU	Large
1600 Stewart Dr.	Lied Center	2,000	U-KU	Large
2350 Petefish Dr.	Dole Institute of Politics	325	U-KU	Large

Once the existing median occupancy was determined between *"Event Center, Small"* and *"Event Center, Large,"* staff began working through the occupancy limits of new spaces based on the International Fire Code's load factors. Once the highest potential occupancy was determined, staff began studying the parking demand that would be required to accommodate the maximum occupancy scenario. Through studying other municipalities' equivalent ordinances, and in studying

the minimum parking ratios required in Article 9 of the Land Development Code, staff proposes a parking ratio that would be consistent to accommodate the highest potential demand, while also not burdening future event centers by requiring excessive parking requirements. In studying the current zoning of the existing locations, staff determined the compatible Base Zoning Districts and review level to help mitigate the impacts an Event Center would most likely have on Residential and certain Non-Residential Base Zoning Districts.

Locations by Zoning		
Zone	Count	% of Total
CD	6	35.3%
CS	2	11.8%
GPI	1	5.9%
IG	1	5.9%
PCD	2	11.8%
RM24PD	1	5.9%
RM32	2	11.8%
RS10	2	11.8%
Total	17	

The following is a summary listing of the proposed changes:

1. Article 4: Use Table
  - a. To include *"Event Center, Small"* and *"Event Center, Large"* into Section 20-402: "Residential District Use Table"
  - b. To include *"Event Center, Small"* and *"Event Center, Large"* into Section 20-403: "Nonresidential District Use Table."
2. Article 9: Parking, Loading and Access
  - a. To establish the minimum amount of vehicle and bicycle parking required in Section 20-902: "Off-Street Parking Schedule A" for both *"Event Center, Small"* and *"Event Center, Large"*
3. Article 17: Terminology
  - a. To refine the existing definition of "Entertainment and Spectator Sports" use in Section 20-1725 to provide clarity between it and the new "Event Center" definition.
  - b. To define *"Event Center,"* and *"Event Center, Small"* and *"Event Center, Large"* in Section 20-1772.

A full copy of Articles 4, 9 and 17, listing the proposed changes, is attached to this staff report. Text to be deleted is shown with ~~strikeout~~ and proposed text is shown in underlined font.

## CRITERIA FOR REVIEW & DECISION-MAKING

Section 20-1302(f) provides review and decision-making criteria on proposed text amendments. It states that review bodies shall consider at least the following factors:

- 1) **Whether the proposed text amendment corrects an error or inconsistency in the Development Code or meets the challenge of a changing condition.**

**Staff Response:** The proposed text amendments address a deficiency that staff has recognized in the Land Development Code. The demand for such facilities has brought to light the need for clearly defined requirements and regulations for both applicants and staff. Previously, other use classifications such as *"Nightclub"* have been applied to Event Center facilities. These classifications do not accurately reflect fitting requirements and regulations within the Land Development Code for these uses, and they also mislead surrounding neighbors/property owners as to the actual use associated with these proposals. These amendments also would provide a discernible process for applicants to follow, a stronger delineation of appropriate zoning districts, and clearly define the Code expectations for such a use for all parties. This use is not currently defined in the Land

Development Code and best fit options are not efficient in establishing such uses currently.

For the residentially zoned districts, staff felt that it was appropriate for Event Centers to obtain a Special Use Permit to ensure that possible impacts to the surrounding area, such as hours of operation, parking, outdoor areas, and lights, are accounted for and managed based on surroundings and context.

**2) Whether the proposed text amendment is consistent with the Comprehensive Plan and the stated purpose of this Development Code (Sec. 20-104).**

**Staff Response:** The comprehensive plan does not specifically address these amendments. The Comprehensive Plan categorizes uses very broadly; generally aggregating more specific uses into the broader categories such as residential, commercial and industrial.

This proposed use clearly defines what an *“event center”* is, and would allow spaces to be planned to perform these functions in a manner that is consistent with their facility and also ensure more adequate compatibility with surrounding areas. These amendments carry out the plan's goal of using zoning standards to create compatible neighborhoods and efficient development processes, as noted in Chapters 3, 4, 5, and 6 of *Horizon 2020*.

**PROFESSIONAL STAFF RECOMMENDATION**

Staff recommends forwarding a recommendation of approval to the Lawrence City Commission of this text amendment to the Land Development Code, Chapter 20 of the Code of The City of Lawrence, Kansas defining and creating an *“Event Center”* use.

<b>Key:</b> <i>A = Accessory</i> <i>P = Permitted</i> <i>S = Special Use</i> <i>* = Standard Applies</i> <i>- = Use not allowed</i>		<i>Base Zoning Districts</i>														Use-Specific Standards (Sec. 20-)
		RS40	RS20	RS10	RS7	RS5	RS3	RS0	RM12	RM12D	RM15	RM24	RM32	RMG	RMO	
	Day Care Home, Class A	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	-	A*	507
	Day Care Home, Class B	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	-	S*	507
	Detention Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Event Center, Small	S*	S*	S*				S*					S*		S*	
	Event Center, Large	S*	S*	S*				S*					S*		S*	
	Lodge, Fraternal & Civic Assembly	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	512
	Postal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Public Safety	S	S	S	S	S	S	S	S	S	S	S	S	P	S	
	Funeral and Interment	-	-	-	-	-	-	P*	-	-	-	-	-	-	P*	505
	Temporary Shelter	A*	A*	A*	A*	A*	A*	S*/A*	A*	A*	A*	A*	A*	A*	S*/A*	544/522
	Social Service Agency	--	--	--	--	--	--	P	--	--	--	--	--	--	P	
	Community Meal Program	A*	A*	A*	A*	A*	A*	S/A*	A*	A*	A*	A*	A*	A*	S/A*	522
Medical Facilities	Utilities, Minor	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	530
	Utilities and Service, Major	S	S	S	S	S	S	S	S	S	S	S	S	-	S	
	Community Mental Health Facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
	Extended Care Facility, General	-	-	-	-	-	-	S	P	P	P	P	P	P	P	
	Extended Care Facility, Limited	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Health Care Office, Health Care Clinic	-	-	-	-	-	-	P	-	-	-	-	-	-	P	
Recreational Facilities	Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Outpatient Care Facility	-	-	-	-	-	-	P*	-	-	-	-	-	P*	P*	519
	Active Recreation	S	S	S	S	S	S	S	S	S	S	S	S	-	S	
	Entertainment & Spectator Sports, General	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Entertainment & Spectator Sports, Limited	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Passive Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Nature Preserve/Undeveloped	P	P	P	P	P	P	P	P	P	P	P	P	-	P	
	Private Recreation	P	P	P	P	P	P	P	P	P	P	P	P	-	P	
	Participant Sports & Recreation, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Participant Sports &	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

<div>Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed</div>		Base Zoning Districts															Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
	Detention Facilities	-	-	-	-	-	-	-	-	-	S	S	S	-	S	-	
	Event Center, Small	<u>S*</u>	<u>S*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>				<u>S*</u>		
	Event Center, Large			<u>S*</u>	<u>S*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>				<u>S*</u>		
	Lodge, Fraternal & Civic Assembly	S*	S*	S*	S*	P*	P*	P*	P*	-	P*	-	-	-	P*	-	512
	Postal & Parcel Service	-	P	P	P	P	P	P	P	P	P	P	P	-	P	-	
	Public Safety	S	P	P	P	P	P	P	P	P	P	P	P	-	P	-	
	School	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	
	Funeral and Interment	-	P*	-	P*	P*	P*	P*	P*	P*	P*	-	-	A*	-	-	505
	Temporary Shelter	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*	S*/A*	-	S*	-	S*	S*/A*	544/522
	Social Service Agency	P	P	P	P	P	P	P	P	P	P	-	P	-	P	A	
	Community Meal Program	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S	S/A*	-	S	-	S	S/A*	522
	Utilities, Minor	P*/S*	P*/S*	P*/S	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	-
Utilities and Service, Major	S	S	S	S	S	S	S	S	S	S	P	P	S	P	-		
Medical Facilities	Community Mental Health Facility	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	
	Extended Care Facility, General	-	S	-	S	-	-	-	-	S	-	-	-	-	-	A	
	Extended Care Facility, Limited	P	P	P	P	-	-	-	-	-	-	-	-	-	S	A	
	Health Care Office, Health Care Clinic	P	S	P	P	P	P	P	P	P	P	-	-	-	P	A	
	Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
	Outpatient Care Facility	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	P*	A*	519
Recreational Facilities	Active Recreation	S	P	P	S	S	P	P	P	P	P	-	S	S	A*/S*	A	532
	Entertainment & Spectator Sports, General	-	-	-	-	P	P	P	P	-	-	-	-	-	S	-	
	Entertainment & Spectator Sports, Limited	-	P	P	-	P	P	P	P	-	-	-	-	S	P	-	
	Participant Sports & Recreation, Indoor	-	P	P	-	P	P	P	P	P	P	-	-	-	P	A	
	Participant Sports & Recreation, Outdoor	-	-	S	-	-	P	P	P	P	P	-	-	-	A*/S*	-	532
	Passive Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	
	Nature Preserve/ Undeveloped	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	
	Private Recreation	P	P	P	-	P	P	-	P	-	-	-	-	P	P	A	

Use Category	Minimum Number of Vehicle Parking Spaces Required	Minimum Number of Bicycle Parking Spaces
Day Care Home, Class A	1 per 1.5 employees	
Day Care Home, Class B		
Detention Facilities	per Schedule D (Section 20-905)	1 per 10 auto spaces
<u>Event Center, Small</u>	<u>1 per 3 Occupants at maximum occupancy</u>	<u>6 spaces, or 1 per 10 maximum occupancy, whichever is greater</u>
<u>Event Center, Large</u>	<u>1 per 4 Occupants at maximum occupancy</u>	<u>1 per 10 maximum occupancy</u>
Lodge, Fraternal and Civic Assembly	1 per 500 square feet	None
Postal Service	per Schedule D (Section 20-905)	5 or 1 per 10 auto spaces, whichever is greater
Public Safety	per Schedule D (Section 20-905)	None
School, Grades K–9	1 per 1.5 teachers and employees	1 per 5 students
Grades 10+	1 per 1.5 teachers and employees + 1 per 3 students	5 or 1 per 10 auto spaces, whichever is greater
Funeral and Interment Cremating Interring Undertaking	1 per vehicle used in the business; 1 per vehicle used in the business; 1 per 300 square feet	None
Temporary Shelter	1 per 1.5 employees	1 per 5 clients
Social Service Agency	1 per 300 square feet	1 per 10 auto spaces
Community Meal Program	1 per 1.5 employees + 1 per 5 seats	5 or 1 per 10 auto spaces, whichever is greater
Utilities, Minor	1 space	1 per 10 auto spaces
Utilities and Service, Major	1 per 1.5 employees	
MEDICAL FACILITIES		
Extended Care Facilities, General and Limited	1 per 3 beds	5 or 1 per 10 auto spaces, whichever is greater
Health Care Office; Health Care Clinic	1 per 300 square feet	1 per 10 auto spaces
Hospital	1 per 3 beds	5 or 1 per 10 auto spaces, whichever is greater
Outpatient Care Facilities	1 per 300 square feet	1 per 10 auto spaces
RECREATIONAL FACILITIES		
Active Recreation	Per Schedule D (Section 20-905)	5 or 1 per 4 auto spaces, whichever is greater
Entertainment & Spectator Sports, General	1 per 3 seats	1 per 10 auto spaces
Entertainment & Spectator Sports, Limited	1 per 4 seats	5 or 1 per 10 auto spaces
Participant Sports & Recreation, Indoor	1 per 500 square feet of customer/activity area	1 per 10 auto spaces
Participant Sports & Recreation, Outdoor	1 per 500 square feet of customer/activity area	
Nature Preserve / Undeveloped	Per Schedule D (Section 20-905)	

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**ARTICLE 17. TERMINOLOGY**

20-1701	General Terms
20-1702	Use Categories in General
20-1703	Adaptive Reuse of Designated Historic Property
20-1704	Adaptive Reuse of Greek Housing
20-1705	Agricultural Sales
20-1706	Agricultural Services
20-1707	Agriculture
20-1708	Agriculture, Animal
20-1709	Agriculture, Crop
20-1710	Animal Services
20-1711	Big Box
20-1712	Building Maintenance Services
20-1713	Business Equipment Sales and Services
20-1714	Business Support Services
20-1715	Commercial Node
20-1716	Communication Service Establishments
20-1717	Community Facilities
20-1718	Construction Sales and Services
20-1719	Cultural Exhibits and Libraries
20-1720	Day Care
20-1721	Detention Facilities
20-1722	Dwelling, Attached
20-1723	Dwelling, Detached
20-1724	Eating and Drinking Establishments
20-1725	Entertainment and Spectator Sports
20-1726	Explosive Storage
20-1727	Financial, Insurance and Real Estate (F.I.R.E.) Services
20-1728	Food and Beverage Retail Sales
20-1729	Funeral and Interment Services
20-1730	Reserved
20-1731	Group Living
20-1732	Health Care Office; Health Care Clinic
20-1733	Hospital
20-1734	Household Living
20-1735	Industrial, General
20-1736	Industrial, Intensive
20-1737	Laundry Service
20-1738	Lodge, Fraternal and Civic Assembly
20-1739	Manufacturing and Production, Limited
20-1740	Manufacturing and Production, Technological
20-1741	Medical Facilities, (Health Center, Clinic, Hospital)
20-1742	Mining
20-1743	Mobile Home Park
20-1744	Office, Administrative and Professional
20-1745	Outpatient Care Facilities
20-1746	Parking Facilities
20-1747	Parking Lot
20-1748	Personal Convenience Services
20-1749	Personal Improvement Services
20-1750	Postal & Parcel Services
20-1751	Public Safety
20-1752	Recycling Facilities
20-1753	Religious Assembly
20-1754	Repair Services, Consumer
20-1755	Recreational Facilities



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20-1756	Research Services
20-1757	Retail Sales and Service
20-1758	Retail Sales, General
20-1759	School
20-1760	Scrap and Salvage Operations
20-1761	Sexually Oriented Businesses
20-1762	Sports and Recreation, Participant
20-1763	Transient Habitation
20-1764	Utilities and Services, Major
20-1765	Utilities, Minor
20-1766	Vehicle Sales and Service
20-1767	Wholesale, Storage, and Distribution
20-1768	Telecommunications Facilities
20-1769	Institutional Use
20-1770	Community Mental Health Facilities
20-1771	Maker Space
<u>20-1772</u>	<u>Event Center</u>

“drive-up restaurants,” “drive-through food or beverage stands,” and restaurants with “drive-through” facilities. If a fast-food establishment has both seating areas inside the establishment and drive-up or drive-through facilities, it shall be considered Fast Order Food, Drive-In for use purposes; parking standards, however, shall consider the inside dining area.

**(8) Restaurant, Quality**

An eating establishment where the principal business is the dispensing and consumption of prepared foods and/or beverage at tables, not including bars, brewpubs or nightclubs. Table service by food & beverage servers is available at “quality restaurants”.

**(9) Private Dining Establishment**

A dining establishment where the principal business is the dispensing and consumption of prepared food and/or beverage at tables, not including Bars or Lounges, Brewpubs or Nightclubs. A Private Dining Establishment is differentiated from other eating and drinking establishments on the basis that it is open to guests by invitation only and/or to the general public by reservation only and seats no more than 30 guests at once. Typically table service is provided by food and beverage servers.

**20-1725 ENTERTAINMENT AND SPECTATOR SPORTS**

Provision of cultural, entertainment, athletic, and other events to spectators. ~~Also includes events involving social or fraternal gatherings.~~ For participant sports, see Section 20-1762. The following are spectator sports and entertainment use types:

**(1) Limited**

Those uses conducted within an enclosed Building with a capacity of 500 or less people. Typical uses include small theaters and ~~meeting-halls~~ music venues.

**(2) General**

Those uses generating an attendance of 501 or more people such as theaters (movie or legitimate), large exhibition halls, field houses, stadiums and sports complexes.

**20-1726 EXPLOSIVE STORAGE**

Storage of any quantity of explosives. Typical uses include storage in the course of manufacturing, selling, or transporting explosives, or in the course of blasting operations.

**20-1727 FINANCIAL, INSURANCE AND REAL ESTATE [F.I.R.E.] SERVICES**

Financial, insurance, real estate or securities brokerage services. Typical uses include banks, insurance agencies and real estate firms.

**(1) Financial Institutions**

Banks, savings & loan banks, credit unions, and other similar facilities open to the public and engaged in deposit banking and related functions such as making loans and fiduciary activities.

**(2) Other**

an emphasis on peers and mentors within the organization of the operation and creating with technology.

**20-1772 EVENT CENTER**

A structure and/or grounds that accommodates a variety of social events such as, but not limited to, banquets, weddings, receptions, parties, corporate events, community events, meetings, or any other gathering (formal or informal) that are intermittent and temporary in nature, that may or may not serve food, beverages, and alcoholic beverages for on-Premises consumption. This definition does not include churches and similar congregations where a wedding or funeral is an ancillary use.

**(1) Event Center, Small**

Maximum occupancy less than or equal to 300, including staff.

**(2) Event Center, Large**

Maximum occupancy more than 301, including staff.