



Updated:

8/26/13 @ 3:45pm

Added Communications for Item 1G - Preliminary Plat for Langston Commons; N of Bob Billings Pkwy & E of K-10

8/20/13 @ 4:15pm

****The Wednesday, August 28th Planning Commission meeting has been cancelled****

**LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
CITY HALL, 6 EAST 6TH STREET, CITY COMMISSION MEETING ROOM
AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS
AUGUST 26 & ~~28~~, 2013 6:30 - 10:30 PM**

GENERAL BUSINESS:

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of July 22, 2013.

COMMITTEE REPORTS

Receive reports from any committees that met over the past month.

COMMUNICATIONS

- a) Receive written communications from the public.
- b) Receive written communications from staff, Planning Commissioners, or other commissioners.
- c) Receive written action of any waiver requests/determinations made by the City Engineer.
- d) Disclosure of ex parte communications.
- e) Declaration of abstentions from specific agenda items by commissioners.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE COMMISSION'S DISCRETION

REGULAR AGENDA (AUGUST 26, 2013) MEETING PUBLIC HEARING ITEMS:

ITEM NO. 1A UR TO RS7; 4.712 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00251: Consider a request to rezone approximately 4.712 acres from UR (Urban Reserve) District to RS7 (Single-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1B UR TO RS5; 2.674 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00252: Consider a request to rezone approximately 2.674 acres from UR (Urban Reserve) District to RS5 (Single-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1C UR TO RM12D; 3.195 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00253: Consider a request to rezone approximately 3.195 acres from UR (Urban Reserve) District to RM12D (Multi-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1D UR TO RM12; 3.349 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00254: Consider a request to rezone approximately 3.349 acres from UR (Urban Reserve) District to RM12 (Multi-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1E UR & PCD TO OS; 4.182 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00255: Consider a request to rezone approximately 4.182 acres from UR (Urban Reserve) District and PCD (Planned Commercial Development) District to OS (Open Space) District located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

ITEM NO. 1F UR, PCD, & RS10 TO CN2; 16.619 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00256: Consider a request to rezone approximately 16.619 acres from UR (Urban Reserve) District, PCD (Planned Commercial Development) District, and RS10 (Single-Dwelling Residential) District to CN2 (Neighborhood Commercial Center) District located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc. and Unified School District #497, property owners of record.

ITEM NO. 1G PRELIMINARY PLAT FOR LANGSTON COMMONS; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

PP-13-00257: Consider a Preliminary Plat for Langston Commons, approximately 35.745 acres located north of Bob Billings Pkwy and east of K-10. This proposed preliminary plat includes 29 detached residential dwelling lots, 7 duplex lots, 1 multi-dwelling lot, 1 neighborhood commercial lot, and 2 tracts for open space. Submitted by Landplan Engineering PA, for Alvamar Inc. and Unified School District #497, property owners of record.

NON-PUBLIC HEARING ITEM:

ITEM NO. 2 ANNEXATION OF 25.81 ACRES; SE OF MARY'S LAKE BETWEEN HASKELL AVE & O'CONNELL RD (SMS)

A-13-00296: Consider annexation of approximately 25.81 acres located southeast of Mary's Lake between Haskell Avenue and O'Connell Road for the construction of the extension of E 31st Street to tie into N 1300 Road east of the E 1600 Road/O'Connell Road intersection. The property owner of record is the Kansas Secretary of Transportation. *Initiated by City Commission on 8/6/13.*

RESUME PUBLIC HEARING:

ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT TO H2020; TRANSPORTATION (MJL)

CPA-13-00272: Consider Comprehensive Plan Amendment to Horizon 2020, Chapter 8-Transportation, to incorporate the Goals, Objectives and Strategies in the new T2040 Metropolitan Transportation Plan. *Initiated by City Commission on 6/11/13.*

****DEFERRED****

~~ITEM NO. 4 TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE; LIGHTING STANDARDS (MKM)~~

~~**TA-12-00204:** Consider a Text Amendment to the City of Lawrence Land Development Code, Chapter 20, to establish lighting standards and requirements as an alternative to the photometric plan. *Initiated by City Commission on 8/21/12.*~~

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

MISC NO. 1 RECEIVE UPDATE ON TEXT AMENDMENT FOR PARKING & ACCESS STANDARDS (SMS)

TA-6-14-09/TA-13-00235: Proposed Text Amendments to the City of Lawrence Land Development Code, Article 9 and related sections of Chapter 20, for comprehensive revisions to parking and access standards.

MISC NO. 2 RECEIVE MINUTES FROM JOINT HRC/PC MEETING

Receive minutes from the joint June 20, 2013 Historic Resources Commission/Planning Commission meeting.

ADJOURN

CALENDAR

July 2013						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August 2013						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September 2013						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

PCCM Meeting:

(Generally 2nd Wednesday of each month, 7:30am-9:00am)

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PLANNING COMMISSION MEETING

July 22, 2013

Meeting Minutes DRAFT

July 22, 2013 – 6:30 p.m.

Commissioners present: Britton, Culver, Denney, Josserand, Liese, Rasmussen

Staff present: McCullough, Stogsdill, Day, Larkin, Leininger, M. Miller, Ewert

MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of June 24 and 26, 2013.

Motioned by Commissioner Josserand, seconded by Commissioner Denney, to approve the June 24 and 26, 2013 Planning Commission minutes.

Motion carried 5-0-1, with Commissioner Britton abstaining.

COMMITTEE REPORTS

Receive reports from any committees that met over the past month.

Commissioner Liese said the Metropolitan Planning Organization (MPO) had not met.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- No ex parte.
- No abstentions.

PC Minutes 7/22/13 **DRAFT**

**ITEM NO. 1 PRELIMINARY PLAT FOR MEADOW LEA ESTATES; 2600 REDBUD LN,
2620 IOWA ST, 2626 IOWA ST, 2032 W 27TH ST (SLD)**

PP-13-00187: Consider a one lot Preliminary Plat and variances related to street design standards included in Section 20-810 of the Subdivision Regulations regarding minimum street right-of-way and street termination for Meadow Lea Estates, approximately 3.3 acres, located at 2600 Redbud Lane, 2620 Iowa Street, 2626 Iowa Street, and 2032 W 27th Street. Submitted by Landplan Engineering for KMAH LLC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Brian Sturm, Landplan Engineering, was present for questioning. He said the developer agreed with the staff determination and conditions.

PUBLIC HEARING on Variance Only

No public comment.

ACTION TAKEN

Motioned by Commissioner Rasmussen, seconded by Commissioner Liese, to approve the variance with regard to the minimum right-of-way width for Iowa Street from 150' to 100' with the understanding that the need for a turn lane will be evaluated with the submittal of a site plan and more detailed traffic study may result in a future dedication of right-of-way and or easement, or some combination of both, as applicable. Approval of the variance to allow the termination of Redbud Lane as a dead end street with a turnaround via an access easement subject to the following condition:

1. Applicant shall revise the preliminary plat to add a note that states "A public access easement shall be dedicated across the property between Redbud Lane and Iowa Street prior to final approval of a site plan for this property."

Unanimously approved 6-0.

Motioned by Commissioner Rasmussen, seconded by Commissioner Liese, to approve the Preliminary Plat of KMAH and Lawrence 27th Addition and forwarding it to the City Commission for consideration of acceptance of easements and rights-of-way subject to the following condition:

1. The plat shall be revised to include the following note: "On July 22, 2013, the Planning Commission approved a variance from right-of-way requirements in Section 20-810(e)(5) and 20-810 (e)(2) of the Subdivision Regulations to allow the replatting of this property with 100 ft of right-of-way currently provided for Iowa Street, with the acknowledgement that a future requirement to provide a turn lane along Iowa Street may require additional dedication of right-of-way and easement as necessary."

Unanimously approved 6-0.

PC Minutes 7/22/13 **DRAFT**

ITEM NO. 2 DEERFIELD WOODS SUBDIVISION; 3320 PETERSON RD (SLD)

MS-13-00217: Deerfield Woods Subdivision No. 9, a minor subdivision/replat of Lot 1 Deerfield woods Subdivision No. 7, located at 3320 Peterson Road. This Minor Subdivision includes a variance request to reduce the right of way for Peterson Road and Kasold Drive from 150' to 100' and a variance to allow sidewalk on only one side of the street. Submitted by Landplan Engineering, for Cheer Pole, LTD, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Brian Sturm, Landplan Engineering, said the company Cheer Pole Limited developed quite a bit of this sector of Lawrence. He said they did not have immediate plans to develop lot 1 and that they were doing the lot split to reduce financing costs for the property.

PUBLIC HEARING on Variance Only

Ms. Laura Routh, Community Sidewalk Task Force, was opposed to the variance. She said the community was already behind in pedestrian connectivity and felt commitment should be made to the pedestrian network. She said the lack of a complete network put all pedestrians at risk.

COMMISSION DISCUSSION

Commissioner Rasmussen asked if the variance was granted would it be permanent or could it be conditioned until such time as lot 1 was developed.

Mr. McCullough said sidewalks were triggered by major development. He said it could be conditioned to provide clear intent.

Commissioner Rasmussen did not feel they should grant a variance in perpetuity. He said this was just a replat to split the property into two pieces and he did not feel it should be a trigger to require sidewalks be installed now. He felt sidewalks should be put in when construction occurs on plat 1 or major construction on lot 2. He felt they should condition it to make it clear this was not a permanent variance.

Commissioner Josserand agreed with Commissioner Rasmussen.

Commissioner Liese asked if staff could relate the Complete Streets campaign to this.

Mr. McCullough said Complete Streets was the concept of as many elements of a street as possible to serve all users. He said one tenant of that was including sidewalks on both sides of the street. He said the Code had changed throughout the years with a mix of standards so some areas of the community were started and finished under different Codes. He said staff looks at each project individually and grants variances on a case by case basis.

Commissioner Liese asked if this would be a violation of Complete Streets.

Mr. McCullough said Complete Streets was not an end all. He said they look at the threshold when retrofitting existing development. He said Complete Streets was valuable and upheld. He stated this was a minor subdivision so in his opinion it did not reach the threshold for requiring the developer to put in sidewalks that were not required when originally platted. He said they were likely to see lot 1

develop with a sidewalk on Sherwood Drive that if it becomes a different ownership and application would only extend to the lot line leaving a gap. He said they should be clear about what the expectation was.

ACTION TAKEN

Motioned by Commissioner Rasmussen, seconded by Commissioner Britton, to approve the minor subdivision for Deerfield Woods Subdivision and to include a variance from right-of-way requirements in Section 20-810(e)(5) and 20-811 (c) (1) (i) of the Subdivision Regulations to allow the replatting of this property with 100 ft of right-of-way currently provided for Kasold Drive and Peterson Road and to include a variance to allow replatting without construction of sidewalks on Sherwood Drive and Sterling Drive at the time of replatting but with the condition that sidewalks be installed on the entirety of both Sherwood Drive and Sterling Drive with either any new development on lot 1 or any major redevelopment on lot 2.

Unanimously approved 6-0.

PC Minutes 7/22/13 **DRAFT**

ITEM NO. 3 IG TO IL; 5.09 ACRES; 2200 EAST HILLS DR (SMS)

Z-13-00191: Consider a request to rezone approximately 5.09 acres from IG (General Industrial) District to IL (Limited Industrial) District, located at 2200 East Hills Drive. Submitted by GHB Investors, property owner of record.

STAFF PRESENTATION

Ms. Sheila Stogsdill presented the item.

APPLICANT PRESENTATION

Mr. Steve Glass said IL was a very broad category of zoning that allowed a lot of uses and some were not appropriate for this piece of property which was why he submitted a list of uses that should be deleted. He said he had no problem with the 50,000 square foot limit and was fine with the proposed restrictions. He said he did not see a full service grocery store being located at the site but wanted to make sure it would not prevent a quick shop type facility. He said he was not sure what all retail sales general consisted of. He said he had some concern about the fast order food. He did not have concern about eliminating a self-standing McDonalds or Burger King, for example, but wanted to be able to have a multi-tenant building with a Subway, for example, that might have a pick-up window. He asked that they not exclude that type of use.

Commissioner Liese asked if Mr. Glass saw a distinction between a drive-thru and pick-up window.

Mr. Glass said he was concerned about the phrase "Fast Order Food, Drive-In." He said if they considered Subway a fast order food then he did not want that type of use excluded if located in a multi-tenant type building.

Commissioner Liese said he was not sure there was a way to define that.

Mr. McCullough said the Code does not distinguish them. He said fast order food typically had a pick-up window with drive-thru. He said it could be attached to a larger complex or standalone. He said the only distinction he could give were examples such as Little Caesars or Papa Murphy's where people call ahead and pick it up at a window. He said it may not be a Code distinction but may need to be crafted somehow with conditional zoning.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Mr. McCullough said food and beverage was typically a grocery store. He said gas and fuel sales incorporated the convenience store use so the IL District would permit the use of gas and fuel which could include a convenience store. He said striking food and beverage would exclude larger grocery stores not the smaller convenience stores.

Commissioner Josserand asked if access to the property would be off of East Hills Drive.

Ms. Stogsdill said yes, it was already platted that way.

Commissioner Rasmussen inquired about the 50,000 square foot limit. He said last month they recommended changing that requirement and the need to do a retail market study. He inquired about the inconsistency.

Mr. McCullough said it was due to the timing of when this application came in. He said the ordinance for the text amendment would be approved on second reading by City Commission tomorrow. He said this condition was generally to resolve the Code conflict regarding what the Code required when the application was submitted. He said Planning Commission may still want to keep the requirement in terms of what they were trying to do with the property. He said staff did not believe it should become a larger commercial node.

Commissioner Rasmussen inquired about the recommendation to exclude fast order food drive-in. He asked about the differentiation between that and a quick shop. He wondered how they could say a quick shop could be there but not a Sonic.

Mr. McCullough said the exercise staff did was evaluating if they were attempting to maintain an industrial parcel with a few commercial services for the park or were they attempting to open it up to highway traffic.

Commissioner Rasmussen said he did not see a big difference between fast food, drive-thru, and quick shop.

Mr. McCullough said there may not be a big difference. He said staff felt like the convenience store and gas aspect would serve the patrons of the park. He said a fast food restaurant would also do that but that fast food restaurants tends to pull more traffic off the highway, in staffs opinion. He said if they felt strongly that it should serve both the park and highway they should loosen up the uses.

Commissioner Liese said he was concerned that the more they limit this the more the business would have to rely on the local business. He said he would support opening it up for the maximum use.

Mr. McCullough said gas and fuel sales were already permitted in IG today so it would be maintained in IL. He said the fast food drive-in would be a new use in IL.

Commissioner Josserand said he would support staff's recommendation and said the report did a good job of drawing the line. He felt development on this lot should serve the uses of the business park and Farmland more than attracting people off the highway.

Commissioner Rasmussen asked about access to the Farmland property.

Mr. McCullough said there would be.

Ms. Stogsdill said the City was currently constructing the east/west street that goes through Farmland connecting to the west to the north/south entrance to Farmland, which was the intersection of O'Connell where there was a new traffic signal. She showed the area on the overhead.

Commissioner Liese said a business at that site may need as much support as possible to stay open and he did not know if they could count on Farmland and East Hills Business Park to keep them alive and well. He wondered if it would create the potential for more failure so he did not want to risk doing something for two areas not completely developed yet.

Mr. McCullough said IL was still an Industrial District so it was meant to have the opportunity to develop with less intense industrial uses. He said staff wanted the site to be successful as well. He said there were many categories of use and with the right mix of use could be successful.

Commissioner Liese said he would vote in favor of the rezoning. He said he would also support less conditions if Commissioner Rasmussen felt strongly about that.

Commissioner Britton said he was inclined to support the comments made by Commissioner Liese but that he was hesitant because KDOT had not been involved yet and the implications on traffic were not known. He said if they were going to allow a gas station or a gas station with a Wendy's or Subway, that it would be hard to draw a line after that and say no to a standalone McDonalds, Dollar General, or full grocery store. He wondered what the process would be to involve KDOT in the process.

Mr. McCullough said staff could meet with KDOT and throw out a worst case scenario. He said KDOT would say yes but with improvements. He said a traffic study would advise on what improvements would be needed to the highway to accommodate the new traffic.

Commissioner Britton asked if that was something that could be addressed with a specific proposal.

Mr. McCullough said yes.

Commissioner Britton said he shared the concern about bringing traffic in and off the highway at that intersection but that it was difficult to address that issue at the zoning stage. He said he some faith any traffic issues would be addressed with the proposal. He said he was inclined to support broad uses to allow the property to have all kinds of safely moving traffic in and out.

Commissioner Denney agreed with Commissioner Britton. He asked if the intersection currently had no traffic control other than a stop sign and if there were no plans for anything other than stop sign.

Ms. Stogsdill said that was correct.

Commissioner Culver supported the limitation of 50,000 square feet on commercial so it would not become another commercial node. He felt it could support and compliment other uses in Farmland and the East Hills area. He said he was also concerned about the traffic but that a traffic study created during the site planning stage could address that. He said he could support a motion that would be in alignment with staff's recommendation. He liked the idea of a multi-tenant use building for fast food instead of a standalone building.

Commissioner Liese said the Subway in the gas station on N. 3rd Street had a drive-thru and speaker box.

Mr. McCullough said the Code did not distinguish between multi-tenant and standalone. He encouraged them to think about the use itself and its impact to pull off traffic from the highway.

Commissioner Rasmussen said he did not see the difference between fast food and gas station. He said the vehicular traffic going in and out of a gas station would be more than a fast food place that might be busy at just lunch and dinner. He said the Quik Trip at 23rd and Haskell was busy at all hours of the day. He did not feel there was justification to exclude fast food drive-thru but allow a gas station at that site.

Mr. McCullough said a gas station was permitted currently. He said staff did not want to create a cluster of uses that would exacerbate the potential traffic issue. He said a gas station with a fast food restaurant could create more traffic pulled off the highway.

Commissioner Rasmussen said there were other uses that would be permitted uses that staff recommended not allowing as a permitted use and the applicant agreed with that.

Ms. Stogsdill said the only use staff suggested striking, in addition to the applicant's suggestions, was the drive-thru. She said all the other struck uses were part of the applicant's original proposal.

Commissioner Rasmussen wondered why gas and fuel sales was not struck.

Ms. Stogsdill said it was currently allowed today. She said staff only looked at the additional uses that the IL District provided in terms of expanding the realm of uses.

Commissioner Rasmussen said this was an opportunity for staff to make recommendations. He said he had a hard time justifying only recommending fast food drive-in to be excluded and not a gas station. He said a gas station could have as big of impact, or more, as a drive-thru fast food.

Ms. Stogsdill said the other component were the gateway arguments. She said part of the consideration was having a standalone fast food restaurant at the entrance to the East Hills Business Park, Farmland Business Park, and Lawrence.

Commissioner Liese said they were working on assumptions that they did not have hard data for. He said they were not addressing that the applicant himself was asking for a certain kind of fast food restaurant be allowed.

Mr. McCullough said the definition of drive-in includes pick up windows.

Commissioner Liese asked Mr. Glass if he could live without a pick up window.

Mr. Glass said he would prefer to have the option of pick up window since he did not know which business would occupy the space.

Commissioner Rasmussen asked if the definition included places like Applebee's where they bring food out to your car.

Mr. McCullough said no. He said that was drive-up not drive-thru and that staff did not interpret it that way. He said Applebee's was a Quality Restaurant which was defined differently in the Code.

ACTION TAKEN

Motioned by Commissioner Josserand to approve the request to rezone approximately 5.09 acres, from IG (General Industrial) to IL (Limited Industrial), based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval subject to the following conditions:

1. The development shall be limited to no more than 50,000 sq. ft. of commercial (retail) development.
2. The permitted uses of the subject property are restricted to those listed in the staff report (deleted uses highlighted in yellow identified by applicant & highlighted in teal suggested by staff).

The motion died for lack of second motion.

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve rezoning approximately 5.09 acres, from IG (General Industrial) to IL (Limited Industrial), based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval subject to the following conditions:

1. The development shall be limited to no more than 50,000 sq. ft. of commercial (retail) development.
2. The permitted uses of the subject property are restricted to those listed in the staff report (deleted uses highlighted in yellow identified by applicant) [Fast Order Food Drive-In, Food & Beverage and Retail Sales, General will be permitted uses]

Commissioner Britton said it was a good end result. He expressed concern about distinguishing fast food drive-in and gas sales. He felt staff did the right thing in providing different options and identifying things Planning Commission should talk about regarding the rezoning.

Commissioner Josserand asked if the motion would allow the entire category of fast order food drive-in as a use.

Commissioner Liese said yes.

Commissioner Josserand said he would vote against the motion. He said staff did a good job in trying to increase the flexible uses for the property but he was concerned about commercial sprawl. He felt the best use of the property was to serve the population of the area as opposed to creating traffic problems.

Commissioner Denney said anything that helped develop the area was good and felt they should not limit it. He stated whatever business goes there will probably trigger a traffic impact study which would address changes that need to be made to make it safe. He said he would vote in favor of the motion.

Commissioner Liese said he appreciated the options provided by staff.

Commissioner Culver asked if the motion included the uses food, beverage, and retail sales.

Mr. McCullough said yes.

Commissioner Rasmussen said Planning Commission had given City Commission a lot of discussion to think about.

Motion carried 5-1, with Commissioner Josserand voting in opposition.

PC Minutes 7/22/13 **DRAFT**

**ITEM NO. 4 CONDITIONAL USE PERMIT; PRIVATE LANDING STRIP; 2215 N 500
(MKM)**

CUP-13-00193: Consider a Conditional Use Permit for a private landing strip, located at 2215 N 500 Rd. Submitted by Robert and Angela Murray, property owners of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item. She said one of the conditions was that the Federal Aviation Administration (FAA) would provide a determination. She said the FAA usually provides a determination of no objection or a conditional determination in which they list conditions that must be met.

APPLICANT PRESENTATION

Mr. Robert Murray, was present for questioning.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Rasmussen asked if the condition was for a new letter to be obtained from the FAA. He asked about the process.

Ms. Miller said yes. She said the applicant would provide plans to the FAA.

ACTION TAKEN

Motioned by Commissioner Liese, seconded by Commissioner Rasmussen, to approve the Conditional Use Permit for the private airstrip and forwarding it to the Board of County Commissioners with a recommendation for approval based on the findings of fact found in the body of the staff report subject to the following conditions:

- 1) The provision of a revised Conditional Use Site Plan with the following changes:
 - a. Addition of the following note: "The CUP will expire 10 years from the approval date unless an extension is requested from the County Commission before that date. If the CUP expires, the use of the airstrip will require rezoning or approval of a new CUP."
- 2) Federal Aviation Administration (FAA) determination of 'no objection' or a 'conditional determination' of the airstrip shall be provided to the Planning Office prior to the release of the CUP to the Zoning and Codes Office. Any conditions placed on the airstrip by the FAA must be met prior to release of the CUP to the Zoning and Codes Office.
- 3) Any conditions applied by the FAA in their determination will be conditions of the CUP.

Unanimously approved 6-0.

PC Minutes 7/22/13 **DRAFT**

ITEM NO. 5A OS-FP TO RM12-FP; .06 ACRE; 3309 W 31ST ST (MKM)

Z-13-00199: Consider a request to rezone approximately .06 acre from OS-FP (Open Space with Floodplain Management Regulations Overlay) District to RM12-FP (Multi-Dwelling Residential with Floodplain Management Regulations Overlay) District, located at 3309 W 31st St. Submitted by Grob Engineering Services, for Kansas District of the Wesleyan Church, property owner of record.

ITEM NO. 5B RM12 TO RM12; 16.06 ACRES; 3309 W 31ST ST (MKM)

Z-13-00249: Consider a request to rezone approximately 16.06 acres located at 3309 W 31st St from RM12 (Multi-Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District to revise the condition which limits maximum density to 6 dwelling units per acre to 9 dwelling units per acre. Submitted by Grob Engineering Services, for Kansas District of the Wesleyan Church, property owner of record.

ITEM NO. 5C RM12-FP TO RM12-FP; 6.39 ACRES; 3309 W 31ST ST (MKM)

Z-13-00250: Consider a request to rezone approximately 6.39 acres located at 3309 W 31st St from RM12-FP (Multi-Dwelling Residential with Floodplain Management Regulations Overlay) District to RM12-FP (Multi-Dwelling Residential with Floodplain Management Regulations Overlay) District to revise the condition which limits maximum density to 6 dwelling units per acre to 9 dwelling units per acre. Submitted by Grob Engineering Services, for Kansas District of the Wesleyan Church, property owner of record.

ITEM NO. 5D PRELIMINARY PLAT FOR YANKEE TANK ESTATES; 3309 W 31ST ST (MKM)

PP-13-00195: Consider a Preliminary Plat for Yankee Tank Estates, approximately 35.76 acres located at 3309 W 31st St and associated variance from right-of-way width requirement. Submitted by Grob Engineering Services, for Kansas District of the Wesleyan Church, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented items 5A-5D together.

APPLICANT PRESENTATION

Mr. Dean Grob, Grob Engineering Services, was present for questioning. He stated the density calculations included a large open space. He said the church dedicated additional right-of-way to the City at no cost.

Commissioner Josserand asked if the church owned the three lots to the north of the duplex development.

Mr. Grob said no. He stated the one lot property directly east of the church was in the residential area. He pointed on the overhead to the property the church owned.

Commissioner Josserand asked if the church intended to develop the property.

Mr. Grob said there was a contract purchaser of the property.

Commissioner Josserand inquired about the density.

Mr. Grob said in developing the area with the original annexation they tried to keep it at 6 units per acre to optimize the residential development while still maintaining the green open space. He said the church wanted to maximize the site for present and future development.

Commissioner Josserand asked if these would be 2-story duplexes.

Mr. Grob said yes.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Britton inquired about the open space area on the southwestern portion.

Ms. Miller said it was not currently developable because it would be placed in a tract which could only be developed with certain uses, such as a gazebo.

Commissioner Britton said he wanted to be sure the open space was kept in perpetuity. He inquired about the density calculation based on developable area.

Ms. Miller said the open space was included for the overall density.

Mr. McCullough said RM12 allowed more density. He said at the time staff did this the plat application had not been submitted so it was unknown how it would be used.

Commissioner Josserand asked if the zoning would be RM12 for lot 1 east of the church lot.

Mr. McCullough said yes.

Commissioner Josserand asked what could be built on it.

Mr. McCullough said it could have a small apartment complex. He said it would be restricted to the size of the lot.

Mr. Grob said the lot was included in the 9 du/acre figure.

Mr. McCullough said it was not in addition to.

ACTION TAKEN on 5A

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the rezoning request for approximately .06 acres OS-FP District to RM12-FP 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 subject to the following condition:

Maximum density is restricted to no more than 9 dwelling units per acre.

Unanimously approved 6-0.

ACTION TAKEN on 5B

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the rezoning request for approximately 13.06 acres from the RM12 District to the RM12 District with revised condition 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 subject to the following revised condition:

Maximum density is restricted to no more than 9 dwelling units per acre.

Unanimously approved 6-0.

ACTION TAKEN on 5C

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the rezoning request for approximately 6.39 acres from the RM12-FP District to the RM12-FP District with revised condition 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 subject to the following revised condition:

Maximum density is restricted to no more than 9 dwelling units per acre

Unanimously approved 6-0.

ACTION TAKEN on 5D

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the variance requested from Section 20-810(e)(5) to allow the right-of-way for W 31st Street to remain at its current width in this location, and to approve the Yankee Tank Estates Addition Preliminary Plat subject to the following conditions:

1. Provision of a revised plat with the following notes added:

a) "The property owner shall install a 5 ft wide sidewalk along the improved portion of E 1200 Road with the site-planning/development of the church property."

b) "MEBOs are to be determined with the drainage study and shall be noted on the plat."

2. Approval of the preliminary plat is contingent upon approval of the rezoning requests Z-13-00199 (OS-FP to RM12-FP) and Z-13-00249 (RM12 to RM12 with revised condition) and Z-13-00250 (RM12-FP to RM12-FP with revised condition).

3. A dedicated westbound left-turn lane with 50 ft of storage on W 31st Street at the Atchison Avenue intersection shall be provided as part of the public improvements.

Unanimously approved 6-0.

PC Minutes 7/22/13 DRAFT

ITEM NO. 6 TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE; ACCESSORY DWELLING UNIT (MJL)

TA-13-00106: Consider a Text Amendment to the City of Lawrence Land Development Code, Chapter 20, Articles 4 and 5, to permit the Accessory Dwelling Unit use as an accessory use in the RS5 (Single-Dwelling Residential) District. *Deferred by Planning Commission on 6/26/13.*

STAFF PRESENTATION

Ms. Michelle Leininger presented the item.

PUBLIC HEARING

Ms. Cille King, League of Women Voters, expressed concern about the definition of owner occupancy in the Code regarding Accessory Dwelling Units (ADU). She said the original concept of ADU's was to aid families that owned and lived in single-family homes that needed living space for elder relatives. She said this was later expanded in the Development Code to include expanded living space to encourage owner occupancy. She said homeowners who live in their home provide stability to a neighborhood. She said the wording "other than a natural person" opens up for the opportunity for absentee owners. She stated Accessory Dwelling Units were a privilege, not a right. She suggested two definitions of owner occupancy.

Ms. Laura Routh, Lawrence Association of Neighborhoods, objected any amendment or language that allowed corporations or investment interests to use the Text Amendment as proposed as a loophole for the creation of rental housing in RS Districts. She asked for a show of hands from the audience of those opposed to the Text Amendment as proposed.

Mr. Jim O'Malley wondered if there was a rush to extend Accessory Dwelling Units (ADU) to RS5 Districts. He said there had not been demand for it so far and that the people who requested the amendment said they didn't plan to put in an ADU but rather an office instead. He said Old West Lawrence was already dense and was not a good idea to add more density that close to the University. He said it made no sense to allow corporate ownership of homes with ADU's because they were intended for living breathing homeowners who live on the property. He suggested the language 'only natural persons may be owners for purposes of this section.' He felt the amendment was too vague and open to sham transactions.

Mr. John Nitcher asked what "principal" meant.

Mr. Randy Larkin, staff attorney, said it would be someone on the board of directors of a corporation, a member of LLC, or someone who had ownership stake in it.

Mr. Nitcher said he would be okay with someone starting out as the owner of record of a property and creating a living trust but that a corporation was totally different and should be excluded. He said if the owner was not a natural person than the owner living in either the principal dwelling unit or Accessory Dwelling Unit must petition the City for permission to occupy the unit and demonstrate the occupancy was consistent with the purpose statement of 20-534(1)(iv).

Ms. Candice Davis said Accessory Dwelling Units (ADU) were allowed in single-family neighborhoods but only included one person. She said rental property in a single-family neighborhood could house three people plus the additional one person in the ADU, which would equal four people. She said four unrelated people was similar to multi-family. She believed the lack of rental inspections in multi-family neighborhoods meant there were a lot of houses and units available but not in very good

shape. She said the rental inspection program may help. She felt single-family neighborhoods were at risk for more rentals due to the stock being in better shape than multi-family areas.

Ms. Marci Francisco supported the interest of being as specific as possible in the Code about addressing the issue because it would eventually affect how Accessory Dwelling Units were implemented in multi-family districts.

Ms. Tresa Hill said single-family meant one family. She said to allow Accessory Dwelling Units for a non-family member meant a second unit, which meant it was no longer single-family zoning, it was multi-family zoning. She said to allow multiple units meant there was no more single-family zoning throughout Lawrence. She felt they should take the proposal off the table and never consider it again.

Ms. Jeanne Pees, Sunset Hills Neighborhood Association, opposed the language. She felt Lawrence needed to maintain the integrity of single-family neighborhoods.

Ms. Karen Kressin opposed extending Accessory Dwelling Units (ADU) to the RS5 District. She said the ADU concept bothered her because it could be seen as a duplex. She said the principal provided a loophole for non-human owners. She said it also did not require the removal of the unit when the need was gone or the house was sold. She felt they should postpone the item to meet with stakeholders and neighborhoods to discuss language.

Commissioner Rasmussen said he had heard two sides from the public; that some were okay with an accessory dwelling unit but that they did not want corporations to be able to own them; and others who did not want any accessory dwelling units whatsoever in RS5. He polled the audience to find out how many people there were for each.

Commissioner Rasmussen said he thought Mr. Nitcher stated he was okay if it was a living trust but then he raised his hand to indicate he did not want any Accessory Dwelling Units.

Mr. Nitcher said his first preference was that no Accessory Dwelling Units be allowed but if the change was made he wanted it to be limited to owner occupied.

Commissioner Denney said he thought he heard some audience members say they were okay with Accessory Dwelling Units as is but not within the RS5 District.

Mr. O'Malley said he did not want Accessory Dwelling Units extended to the RS5 District.

Commissioner Josserand asked Mr. Nitcher about his thoughts on other legal entities.

Mr. Nitcher said he had same objection.

Commissioner Josserand said a lot of couples use a living trust as a title holding vehicle, which should be fairly easy to define.

Mr. Nitcher agreed and said there would be a warranty deed or quick claim deed from the human beings to the trust.

Commissioner Josserand said they ought to be able to allow that kind of use while tacking down potential sham transactions from other entities.

Mr. Nitcher said the language suggested tonight regarding principal was problematic.

Commissioner Josserand concurred.

COMMISSION DISCUSSION

Commissioner Josserand asked staff to respond to the public comment regarding single-family having an accessory dwelling with one person.

Mr. McCullough said the Code reads that the total combined number of residents in both the principal residence and Accessory Dwelling Unit was the occupancy limit plus one. He said that distinguished it from multi-family or duplex which gets occupancy limit in both.

Commissioner Josserand said that would just be in the RS category currently.

Mr. McCullough said yes, four unrelated people were allowed in the combined units within the RS Districts that currently allow Accessory Dwelling Units (ADU). He said ADU's intensify the district but do not double it as a duplex configuration would.

Commissioner Josserand asked if this change was adopted would it change what he said relative to RS7.

Mr. McCullough said no, not in terms of the occupancy limits.

Commissioner Rasmussen stated there were currently about 14 Accessory Dwelling Units city-wide in the six other zoning districts. He felt they may be worrying about a problem that may not exist. He said other than the applicant there had not been anyone in support of it. He said he would rather deny it because he did not see the benefit of crafting language to address a problem that may or may not occur in a zone where the vast majority of people were opposed.

Ms. Leininger said a current rezoning application was on hold for an applicant who was looking to rezone out of RS5 in order to add an Accessory Dwelling Unit (ADU). She said that applicant was waiting on this Text Amendment and that she had others inquiries about adding ADU's in RS5.

Commissioner Denney said that would still leave the ownership issue in question in other RS Districts.

Commissioner Rasmussen did not feel they should go down this road. He stated there may be legitimate reasons to have a corporation. He felt they were trying to solve a problem that may not exist.

Mr. Larkin said the definition of owner applies throughout the entire Code and that a change to 20-1701 could have unintended consequences.

Commissioner Josserand felt the risk was bigger with Accessory Dwelling Units in the Oread neighborhood. He said he would support not doing anything with the Text Amendment and felt the definition of principal was a big loop hole. He felt there was potential for abuse through corporations, limited partnerships, etc. and felt there was a way to tighten this. He wondered about the enforceability. He thought maybe the best thing to do was to do nothing and deny the Text Amendment at this point in time.

Commissioner Liese said he was absent from last month's meeting and he wondered what the rationale was for having staff work so hard on the rewording.

Mr. McCullough said it was a product of last month's meeting that someone had concern that owners would allow corporations and that corporate entities would buy property and turn it into rental property versus owner occupied. He said some of the Commissioners thought it would be beneficial that a natural person would form a corporation for protection and still have the benefit of an Accessory Dwelling Unit use. He said Planning Commission tasked staff to attempt to get at the issue with language.

Commissioner Liese inquired about their options for voting. He asked what would happen if they had no recommendation to City Commission.

Mr. McCullough said all the options would be laid out for City Commission to decide. He said if denied they would be left with the current Code in all the RS Districts except RS5. He said the current Code definition of owner meant a corporation could own the property with no more than four unrelated total persons.

Commissioner Josseland said they could make a motion to deny.

Commissioner Liese said he would not vote in favor of the Text Amendment.

Commissioner Rasmussen asked if Planning Commission recommended denial could City Commission override that recommendation.

Mr. McCullough said yes.

Commissioner Denney said the way he read it was that it didn't change it, but rather extended Accessory Dwelling Units to RS5 and the original proposal didn't change any language about owner. He said the concern brought up by public last month was more with the definition of owner and staffs purpose this time was to tighten that definition rather than broaden it. He said the definition of owner would still exist even if they denied the request for RS5.

Mr. McCullough said there was no practicing issue or harm out there that they were trying to solve. He said there may be a theoretical loophole but that it was not seen in practice. He said Planning Commission could modify the definition owner if they chose to do so.

Commissioner Britton said if they do not extend Accessory Dwelling Units to RS5 the definition of owner would not really be an issue because it was not so inherently incompatible with zonings of RS7 and above. He asked Ms. Leininger about the applicant she mentioned who was seeking to be rezoned to RS7. He wondered if that was a viable option for accommodate people.

Ms. Leininger said she did not think it would be something that staff would recommend to be used frequently. She said the situation she referenced was an option that staff outlined for the applicant. She said it would depend on the situation and if the applicant was near other zoning districts.

Commissioner Rasmussen said if there was support for Accessory Dwelling Units in RS5 he would rather have Accessory Dwelling Units allowed through a Special Use Permit where conditions could be placed to ensure the owner was living there.

Commissioner Liese asked if the greatest preponderance of RS5 was in Old West Lawrence.

Ms. Leininger said there were some in Pinckney, East Lawrence, and Barker.

Commissioner Liese said he would want to send a strong message by denying the item.

Commissioner Culver apologized to staff for sending them down the path of defining owner. He said it could create unintended consequences by changing the definition. He said he would support a motion for denial because he did not see overwhelming support or justification.

Commissioner Josserand also apologized to staff. He said if they wanted to look at it in the future he would volunteer to serve on a sub-committee to draft language.

ACTION TAKEN

Motioned by Commissioner Josserand, seconded by Commissioner Liese, to deny Text Amendment, TA-13-00106, to the City of Lawrence Land Development Code, Chapter 20, Articles 4 and 5, to permit the Accessory Dwelling Unit use as an accessory use in the RS5 District.

Commissioner Britton said there could be unintended consequences by changing the definition of owner so they should not go lightly on the issue.

Motion carried 6-0.

PC Minutes 7/22/13 **DRAFT**

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

Commissioner Liese said several Planning Commissioners had talked informally about possibly holding a mid-year half-day retreat in January.

Commissioner Culver said it could replace the January Mid-Month meeting.

Commissioner Denney said he would not be present for the August Mid-Month meeting or the August Planning Commission meetings.

ADJOURN 9:38pm

2013
LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
MID-MONTH & REGULAR MEETING DATES

Mid-Month Meetings, Wednesdays 7:30 – 9:00 AM	Mid-Month Topics		Planning Commission Meetings 6:30 PM, Mon & Wed	
Jan 9	Topics for 2013		Jan 28	Jan 30
Feb 13	PD Occupancy		Feb 25	Feb 27
Mar 13	Downtown Redevelopment - HRC Joint Meeting		Mar 25	Mar 27
Apr 10	Downtown Redevelopment - HRC Joint Meeting		Apr 22	Apr 24
May 8	APA Conference follow-up	Process Questions/Updates	May 20	May 22
Jun 12	Water/Wastewater Master Plan update		Jun 24	Jun 26
Jul 12**	PC Orientation – all day Friday		Jul 22	Jul 24
Aug 14	2010 Census Data		Aug 26	Aug 28
Sep 11	Horizon 2020 Review Process		Sep 23	Sep 25
Oct 9	New County Zoning Codes		Oct 21	Oct 23
Nov 6	tentative		Nov 18	Nov 20
Dec 4	tentative		Dec 16	Dec 18
	Suggested topics for future meetings: <i>How City/County Depts interact on planning issues</i> <i>Stormwater Stds Update – Stream Setbacks</i> <i>Overview of different Advisory Groups – potential overlap on planning issues</i> <i>Open Space Acquisition/Funding Mechanisms – what do other states do?</i> <i>Library Expansion Update</i> <i>Joint meeting with other Cities’ Planning Commissions</i> <i>Joint meeting with other Cities and Townships – UGA potential revisions</i>		<i>Tour City/County Facilities</i> <i>2010 Census Data</i> <i>Oread Overlay Districts</i> <i>Water/Wastewater Master Plan Update</i> <i>Downtown Survey Memo – redevelopment options*</i> <i>Comprehensive Plan – Goals & Policies*</i> <i>*new suggestions</i>	
Meeting Locations	The Planning Commission meetings are held in the City Commission meeting room on the 1 st floor of City Hall, 6 th & Massachusetts Streets, unless otherwise noticed.			
Planning & Development Services Lawrence-Douglas County Planning Division 785-832-3150 www.lawrenceks.org/pds				

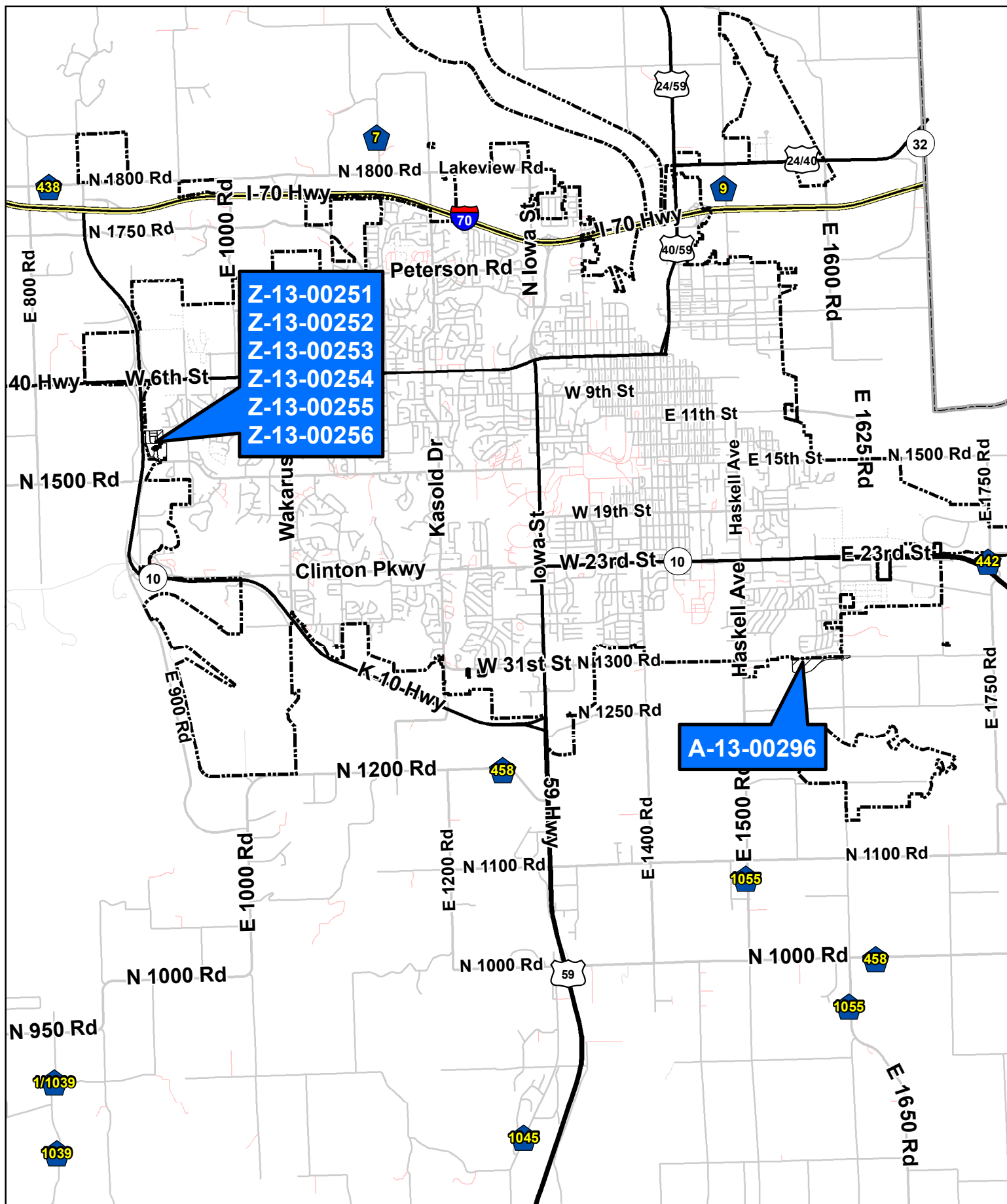
Revised 05/10/13

2013 PLANNING COMMISSION ATTENDANCE

	Jan 28 2013	Jan 30 2013	Feb 27 2013	Mar 25 2013	Apr 22 2013	May 20 2013	June 24 2013	June 26 2013	July 22 2013	Aug 26, 2013	Sept 23, 2013	
Britton	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes			
Burger	Yes	Yes	Yes	No	Yes	Yes						
Culver	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes			
Denney							Yes	Yes	Yes			
Graham					Yes	Yes	Yes	No	No			
Josserand	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes			
Kelly									No			
Lamer	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes				
Liese	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes			
Rasmussen							Yes	Yes	Yes			
Struckhoff												
von Achen	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No			

2013 MID-MONTH ATTENDANCE

	Jan 9 2013	Feb 13 2013	Mar 13 2013	Apr 10 2013	May 8 2013	June 12 2013	July 12 2013	Aug 14 2013	Sept 11 2013	Oct 9 2013		
Britton						No	Yes	Yes				
Burger												
Culver						No	Yes	Yes				
Denney						Yes	Yes	No				
Graham						Yes	Yes	Yes				
Josserand						Yes	Yes	Yes				
Kelly							Yes	Yes				
Lamer						No						
Liese						Yes	Yes	Yes				
Rasmussen						Yes	Yes	Yes				
Struckhoff								Yes				
von Achen						Yes	Yes	No				



Lawrence-Douglas County Planning Commission August 2013 Agenda Items



PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
8/26/2013

**ITEM NO. 1A UR TO RS7; 4.712 ACRES; N OF BOB BILLINGS PKWY & E OF K-10
(SLD)**

Z-13-00251: Consider a request to rezone approximately 4.712 acres from UR (Urban Reserve) District to RS7 (Single-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 4.712 acres from UR (Urban Reserve) District to RS7 (Single Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *The developer and contract purchaser, RSR, Inc., intends to subdivide and rezone the property to support single-family detached dwelling single-family development (see attached development concepts).*

KEY POINTS

- Request is part of an overall development package with multiple Zoning requests and a Preliminary Plat.
- This request extends the RS7 district included in the Langston Heights project to the south.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- **Z-12-00251: 4.712 acres from UR (Urban Reserve) to RS7 (Single-Dwelling Residential)**
- Z-13-00252: 2.674 acres from UR (Urban Reserve) to RS5 (Single-Dwelling Residential)
- Z-13-00253: 3.195 acres from UR (Urban Reserve) to RM12D (Multi-Dwelling Residential)
- Z-13-00254: 3.349 acres from UR (Urban Reserve) to RM12 (Single-Dwelling Residential)
- Z-13-00255: 4.182 acres from UR (Urban Reserve) and PD (Bob Billings Parkway Center PCD) to OS (Open Space)
- Z-13-00256: 16.619 acres from UR (Urban Reserve) and PCD Planned Commercial District to CN2 (Neighborhood Commercial) District
- PP-13-00257: Preliminary Plat Langston Commons

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 residential request

ATTACHMENTS

- Area map
- Concept plan

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received prior to publication of staff report.

Project Summary:

The application represents 4.712 acres of a combined development application including 35.7 acres as part of the preliminary plat known as Langston Commons. This request is for RS7 (Single-Dwelling Residential development.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *By incorporation of the West of K-10 Plan, Horizon 2020 (H2020) recommends low-density residential uses, including single dwelling, duplex and attached dwellings at an overall density of 6 or fewer dwelling units per acre. This request will facilitate single-family residential development of a similar type, size and density to that which exists today in the adjacent Diamondhead subdivision.*

This property is located within the boundary of the *West of K-10 Plan*, refer to attachment. This request is part of a package of requests that include low and medium-density residential zoning as well as neighborhood commercial and open space districts. The Preliminary Plat establishes the integrated layout of the overall development pattern planned for this area. The *West of K-10 Plan*, amended into the Comprehensive Plan, shows this area to be developed with low-density residential uses except for an area located in the southwest corner identified for future commercial uses. The plan identifies applicable Land Use Categories with the document. Residential-Low Density *is intended to allow for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses.*

In addition to density recommendations, *Horizon 2020* provides key strategies that are applicable to this development request and the related applications. They are:

- *Infill residential development should be considered prior to annexation of new residential areas.*
- *A mixture of housing types, styles and economic levels should be encouraged for new residential and infill developments.*
- *Compatible densities and housing types should be encouraged in residential neighborhoods by providing appropriate transition zones between low-density residential land uses and more intensive residential development, and between higher density residential uses and non-residential land uses.*
- *The character and appearance of existing residential neighborhoods should be protected and enhanced. Infill development, rehabilitation or reconstruction should reflect architectural qualities and styles of existing neighborhoods.*

This request represents infill development and the first step in a plan to provide a transition of uses between the existing and planned uses to the north and existing uses to the south. Transition of uses occurs both north and south as well as east to west for this area. The K-10 Highway is a significant defining element for this area. The proposed RS7 district is a low-density residential district consistent with the recommended land use found in the comprehensive plan and the sector plan.

The following table summarizes the proposed density for this district when considered concurrently with the proposed Preliminary Plat.

Proposed RS7	Acres
--------------	-------

Gross Area Total Project	35.745
Total RS7 District Proposed	4.712
ROW in the RS District	1.251
Net Area	3.461
Proposed Lots	15
Proposed Total Dwellings	15
Proposed Density = 15/3.461 = 4.33 units per acre	

Staff Finding – The proposed RS7 district conforms to the land use recommendations included in *Horizon 2020* and in the *West of K-10 Plan*.

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

Current Zoning and Land Use:

UR (Urban Reserve); vacant land.

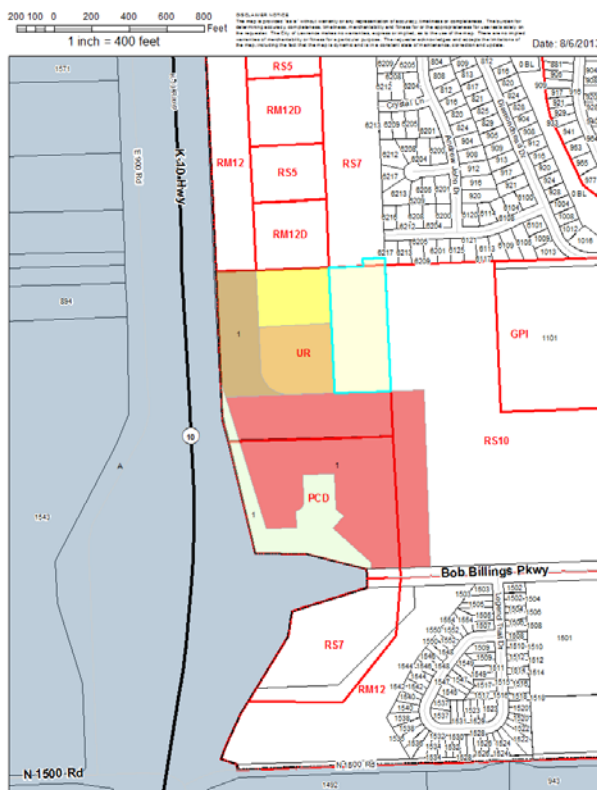
Surrounding Zoning and Land Use:

RS7 (Single Dwelling Residential) to the north; approved residential development – Langston Heights Subdivision. Undeveloped at this time.

RS10 (Single Dwelling Residential) to the east; USD 497 property undeveloped, used for natural area and playfield.

Proposed CN2 (Neighborhood Commercial) to the south. Undeveloped Land.

Proposed RS5 (Single Dwelling Residential) and RM12D (Multi Dwelling Residential) to the west; undeveloped Land.



Staff Finding – This area is surrounded by a mix of zoning districts. The predominate land use is residential.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The subject property is vacant farm ground located at what will soon become the northeast corner of the K-10/ Bob Billings Parkway interchange. KDOT is scheduled to complete the improvements associated with this interchange between 2014 and 2016. The property is currently bordered on the West by K-10, also known as the South Lawrence Trafficway (SLT), the rights-of-way for which include the SLT shared-uses path. To the north lies vacant ground recently rezoned from UR to RM12, RM12D and RS7 as part of Langston Heights Addition. To the northeast lies the Diamondhead subdivision, a single-family neighborhood zoned RS7. To*

the east lies unplatted vacant property owned by USD #497, zoned RS10. Further east is Langston Hughes Elementary School. To the south, across Bob Billings Parkway rests vacant unplatted parcels owned by the City and Alvamar, Inc., zoned RS7 and RM12, respectively. To the southeast sits Legend Trail Addition, a townhome community zoned RM12.

The west portion of the development site abuts the K-10 Highway (higher density proposed). The east portion of the development site abuts property owned by USD 497. This requested RS7 district provides an extension and transition between the existing low-density development pattern and the planned higher intensity development to the west along the Highway frontage. This property is part of the West of K-10 Highway planning area and included in the West Lawrence Neighborhood Boundary.

This section of the neighborhood includes several undeveloped parcels to the north and south along the K-10 Highway. This neighborhood is characterized by the dominance of residential use, primarily low-density detached housing. Higher intensity uses are located along major streets in the neighborhood. Existing and planned non-residential uses are located at major intersections throughout the neighborhood.

In addition to the immediate zoning and land use, the Langston Hughes Elementary School site is located to the east. The school site property includes GPI (General Public and Institutional) District zoning for the immediate school improvements. The area located on the south side of Bob Billings Parkway includes undeveloped land and a duplex subdivision. A planned interchange to be constructed at K-10 Highway and Bob Billings Parkway is estimated to be completed in 2016.

Staff Finding – The overall neighborhood is characterized by and dominated by residential uses. Higher density uses are located along the arterial streets of W. 6th Street and Bob Billings Parkway. Neighborhood commercial uses are planned for the northeast corner of the intersection of K-10 Highway and Bob Billings Parkway.

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

As noted above, this area is located within the boundary of the *West of K-10 Plan*. The plan recommends a mix of uses with the neighborhood and not limited to single housing type development. The plan recommends neighborhood level commercial uses and integration of parks and open space within the neighborhoods developed in this area.

The plan recommends connectivity between neighborhoods and to amenities and focal points in the area. For areas designated suitable for low-density residential development the plan states:

“ The intent of the low-density residential use is allowed for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses. Development in this area should be compatible with single-family character, which could include such uses as churches, small-scale daycares and institutional uses.”

The area between K-10 Highway and George Williams Way includes low density residential and neighborhood commercial uses. The Plan identifies the RS7, RS5 RM12D and PD zoning districts as suitable for this area. This request for RS7 is consistent with that land use recommendations included in the *West of K-10 Plan*.

Staff Finding – The proposed RS7 zoning is consistent with the low-density residential land use recommended in the *West of K-10 Highway Plan* applicable to this area.

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

Applicant's Response: *The subject property is currently zoned UR, a district which facilitates no development of any kind. Single-family residential development consistent with H2020 requires a new zoning classification.*

Staff concurs that the UR zoning is no longer appropriate given plans to develop the property. The current zoning serves as a holding zone until property is ready for development. The proposed RS7 request conforms to the overall land use recommendations and is upheld by the proposed Preliminary Plat arrangement of lots and streets for this area.

Staff Finding – The existing UR (Urban Reserve) District is no longer a suitable zoning district for this property since development applications have been made.

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

Applicant's Response: *The subject property has remained vacant since being zoned UR in 2006.*

This property is undeveloped (vacant). The existing zoning, UR, was established in 2006 with the adoption of the Development Code. Prior to that time the property was zoned A (Agricultural).

Staff Finding – The area is undeveloped. The property was zoned A Agricultural from 1966 to 2006.

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

Applicant's Response: *The overall impact of this request to existing nearby neighborhoods and proposed development is negligible. Together with the proposed preliminary plat, new street connections will be established to reduce overall internal traffic. Approval will bring this property into compliance with H2020.*

The proposed RS7 zoning is a low-density residential district with a maximum density of 6 dwelling units per acre and a minimum lot size of 7,000 SF per lot. The proposed preliminary plat design includes 15 lots for single-dwelling detached residential development. The net unit density of the proposed RS7 portion of the development is reflected on the concurrent proposed preliminary plat as only 4.333 units per acre. This net density calculation excludes rights-of-way. This development pattern is consistent with the recently approved RS7 to the north included in the Langston Heights development.

Staff Finding – The proposed request is consistent with the planned development for the area.

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

Applicant's Response: *Approval of this request facilitates the development of infill and transitional residential uses between George Williams Way and K-10 Highway as well as the efficient extension*

of public services and utilities, as recommended in H2020. Denial of this application will perpetuate the vacancy of this land.

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.

The purpose of the UR District is to accommodate properties that have been annexed into the City of Lawrence until development or redevelopment is planned. This property is proposed to be developed for a variety of residential and neighborhood land uses. This area can be served by the extension of existing utility infrastructure. This project represents infill development. Approval of the request will facilitate additional housing choices in this area and provide a land use transition between existing development and the proposed development.

Staff Finding – Approval of this request facilitates infill development and economies of scale with regard to utility service delivery. Approval of the request provides additional housing choices to this portion of the neighborhood.

9. PROFESSIONAL STAFF RECOMMENDATION

This request is considered concurrently with the RS5, RM12D, and RM12 residential zoning requests and the CN2 and OS zoning request for non-residential uses. This application is also considered concurrently with the related preliminary plat that combined make up the Langston Commons Development. Separate reports are provided for each individual request. The RS7 request extends the existing development pattern to the south consistent with the low-density residential development of the area. The maximum density allowed for the RS7 district is 6 dwelling units per acre. The proposed density for this portion of the Langston Commons is only 4.33 units per acre. Staff recommends approval of the proposed RS7 zoning.

CONCLUSION

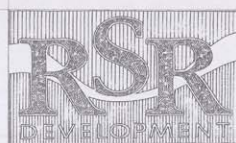
The proposed request is consistent with anticipated low-density residential development. This request extends the existing residential pattern to the south.

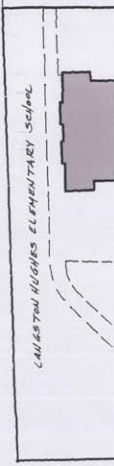


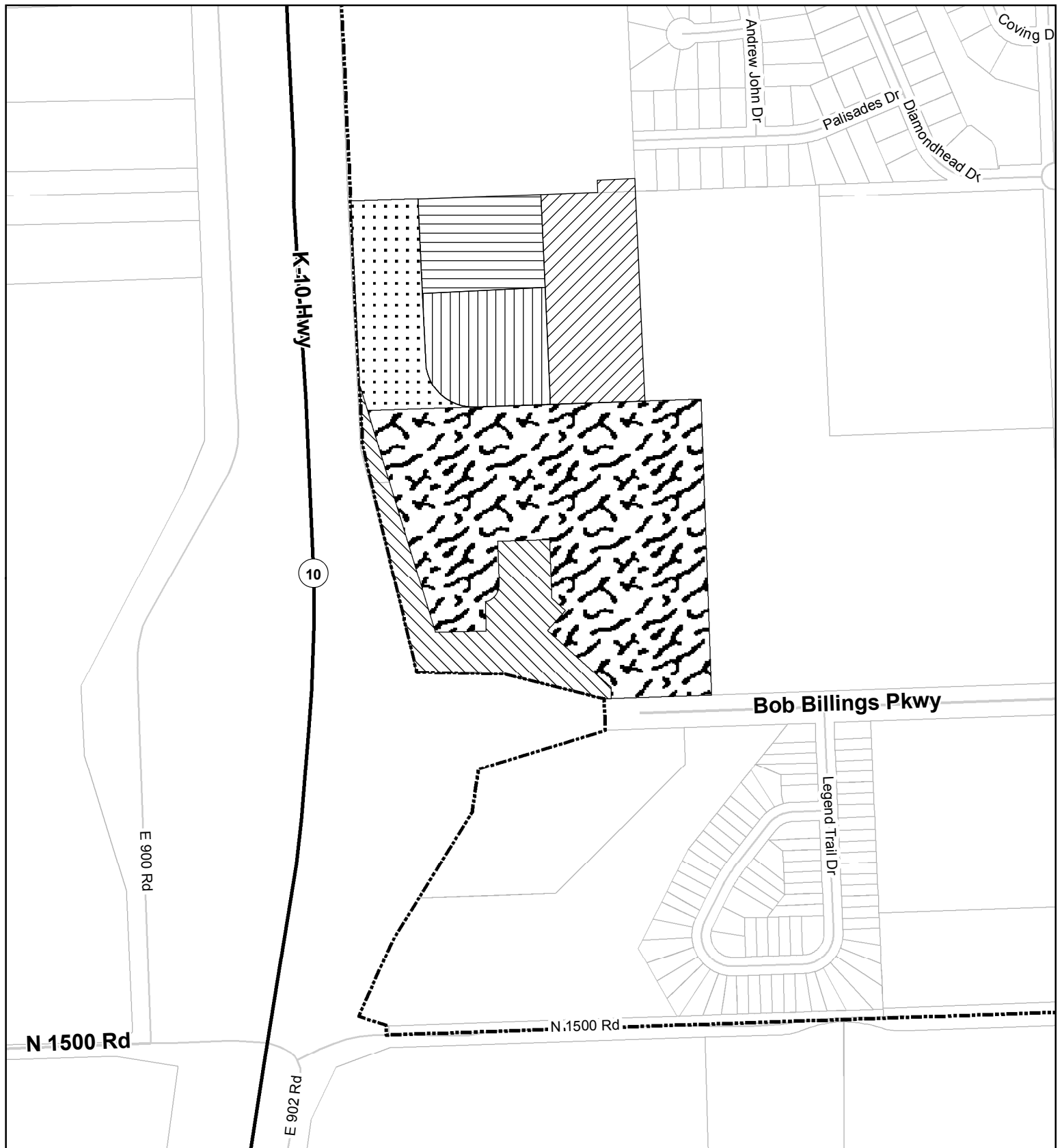
Langston Commons

NE Corner, K-10 & Bob Billings Parkway
Lawrence, Kansas

Development Concept 1
April 18, 2013







Z-13-00251: Rezone approximately 4.712 acres from UR District to RS7 District







Z-13-00252: Rezone approximately 2.674 acres from UR District to RS5 District

Z-13-00253: Rezone approximately 3.195 acres from UR District to RM12D District

Z-13-00254: Rezone approximately 3.349 acres from UR District to RM12 District

Z-13-00255: Rezone approximately 4.182 acres from UR District and PCD District to OS District

Legend

	Z-13-00251		Z-13-00253		Z-13-00255
	Z-13-00252		Z-13-00254		Z-13-00256



PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
8/26/2013

**ITEM NO. 1B UR TO RS5; 2.674 ACRES; N OF BOB BILLINGS PKWY & E OF K-10
(SLD)**

Z-13-00252: Consider a request to rezone approximately 2.674 acres from UR (Urban Reserve) District to RS5 (Single-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 2.674 acres from UR (Urban Reserve) District to RS5 (Single Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *The developer and contract purchaser, RSR, Inc., intends to subdivide and rezone the property to support single-family detached dwelling single-family development (see attached development concepts).*

KEY POINTS

- Request is part of an overall development package with multiple Zoning requests and a Preliminary Plat.
- This request extends the RS5 district included in the Langston Heights project to the south.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Z-13-00251: 4.712 acres from UR (Urban Reserve) to RS7 (Single-Dwelling Residential)
- **Z-13-00252: 2.674 acres from UR (Urban Reserve) to RS5 (Single-Dwelling Residential)**
- Z-13-00253: 3.195 acres from UR (Urban Reserve) to RM12D (Multi-Dwelling Residential)
- Z-13-00254: 3.349 acres from UR (Urban Reserve) to RM12 (Single-Dwelling Residential)
- Z-13-00255: 4.182 acres from UR (Urban Reserve) and PD (Bob Billings Parkway Center PCD) to OS (Open Space)
- Z-13-00256: 16.619 acres from UR (Urban Reserve) and PCD Planned Commercial District to CN2 (Neighborhood Commercial) District
- PP-13-00257: Preliminary Plat Langston Commons

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 residential request

ATTACHMENTS

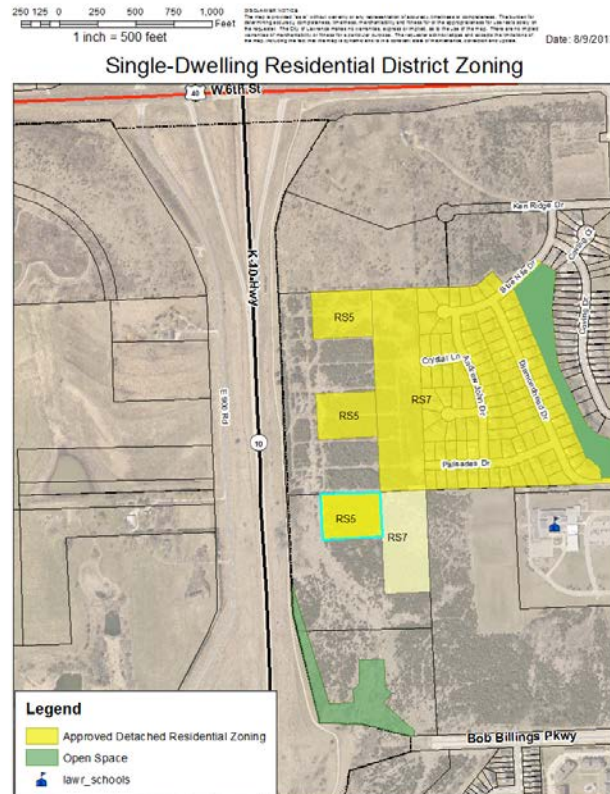
- Area map
- Concept plan

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received prior to publication of staff report.

Project Summary:

The application represents 2.674 acres of a combined development application including 35.7 acres as part of the preliminary plat known as Langston Commons. This request is for RS5 (Single-Dwelling Residential development. This request and the 4.12 acres for RS7 represent the single-dwelling residential portion of the development area. The two districts together provide choice for housing type and density within the developing area for detached housing.



1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *By incorporation of the West of K-10 Plan, Horizon 2020 (H2020) recommends low-density residential uses, including single dwelling, duplex and attached dwellings at an overall density of 6 or fewer dwelling units per acre. This request provides a transitional land use between proposed medium density residential to the west and proposed lower density development to the east. This request when combined with the related zoning and preliminary plat requests, spreads the density of the overall residential development across 13.9 acres, resulting in an overall residential density of 5.5 units per acre.*

This property is located within the boundary of the *West of K-10 Plan*, refer to attachment. This request is part of a package of requests that include low and medium-density residential zoning as well as neighborhood commercial and open space districts. The Preliminary Plat establishes the integrated layout of the overall development pattern planned for this area. The *West of K-10 Plan*, amended into the Comprehensive Plan, shows this area to be developed with low-density residential uses except for an area located in the southwest corner identified for future commercial uses. The plan identifies applicable Land Use Categories with the document. Residential-Low

Density is intended to allow for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses.

In addition to density recommendations, *Horizon 2020* provides key strategies that are applicable to this development request and the related applications. They are:

- *Infill residential development should be considered prior to annexation of new residential areas.*
- *A mixture of housing types, styles and economic levels should be encouraged for new residential and infill developments.*
- *Compatible densities and housing types should be encouraged in residential neighborhoods by providing appropriate transition zones between low-density residential land uses and more intensive residential development, and between higher density residential uses and non-residential land uses.*
- *The character and appearance of existing residential neighborhoods should be protected and enhanced. Infill development, rehabilitation or reconstruction should reflect architectural qualities and styles of existing neighborhoods.*

This request represents infill development and the first step in a plan to provide a transition of uses between the existing and planned uses to the north and existing uses to the south. Transition of uses occurs both north and south as well as east to west for this area. The K-10 Highway is a significant defining element for this area. The proposed RS5 district can be considered a low- or medium-density residential district dependent upon the lot arrangement within the district. This specific application includes 2.674 acres. A maximum density of 6 dwelling units per acre in this area would include a total of 16 dwelling units. This is a gross calculation of development potential and does not account for public streets required to serve individual lots. The following table summarizes the proposed density for this district when considered concurrently with the proposed Preliminary Plat.

Proposed RS5	Acres
Gross Area Total Project	35.745
Gross Area	2.674
ROW	0.704
Net Area	1.970
Proposed Lots	14
Proposed Total Dwellings	14
Proposed Density = $14/1.970 = 7.10$ dus/AC	

The resulting development will be slightly higher than the recommended 6 dwelling units per acre when considered concurrently with the preliminary plat. However, the proposed district accommodates smaller lots and potentially more housing choice within the overall “neighborhood”. The total RS zoning (RS7 and RS5) is 15% of the proposed development area. The combined density for the RS7 and RS5 district is 5.340 units per acre.

Total RS Area	5.431 dus/AC
Total RS Units/lots	29
Total RS Density	5.340 dus/AC

Staff Finding – The proposed RS5 district conforms to the land use recommendations included in *Horizon 2020* and in the *West of K-10 Plan* by providing additional housing options in an infill development area.

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

Current Zoning and Land Use:

UR (Urban Reserve); vacant land.

Surrounding Zoning and Land Use:

Proposed RM12D (Multi Dwelling Residential) to the north; approved residential development – Langston Heights Subdivision. Undeveloped at this time.

Proposed RS7 (Single Dwelling Residential) to the east; as part of the Langston Commons Subdivision. Undeveloped at this time.

Proposed RM12D (Multi Dwelling Residential) to the south as part of the Langston Commons Subdivision. Undeveloped at this time.

Proposed RM12 (Multi Dwelling Residential) to the west as part of the Langston Commons Subdivision. Undeveloped at this time.



Staff Finding – This area is surrounded by a mix of zoning districts. The predominate land use is residential.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The subject property is vacant farm ground located at what will soon become the northeast corner of the K-10/ Bob Billings Parkway interchange. KDOT is scheduled to complete the improvements associated with this interchange between 2014 and 2016. The property is currently bordered on the West by K-10, also known as the South Lawrence Trafficway (SLT), the rights-of-way for which include the SLT shared-uses path. To the north lies vacant ground recently rezoned from UR to RM12, RM12D and RS7 as part of Langston Heights Addition. To the northeast lies the Diamondhead subdivision, a single-family neighborhood zoned RS7. To the east lies unplatted vacant property owned by USD #497, zoned RS10. Further east is Langston Hughes Elementary School. To the south, across Bob Billings Parkway rests vacant unplatted parcels owned by the City and Alvamar, Inc., zoned RS7 and RM12, respectively. To the southeast sits Legend Trail Addition, a townhome community zoned RM12.*

The west portion of the development site abuts the K-10 Highway (higher density proposed). The east portion of the development site abuts property owned by USD 497. This requested RS5 district provides an extension and transition between the existing low-density development pattern and the planned higher intensity development to the west and south along the Highway frontage and along Bob Billings Parkway.

This property is located within the West Lawrence Neighborhood. This section of the neighborhood includes several undeveloped parcels to the north and south along the K-10 Highway. This neighborhood is characterized by the dominance of residential use, primarily low-density detached housing. Higher intensity uses are located along major streets in the neighborhood. Existing and planned non-residential uses are located at major intersections throughout the neighborhood.

In addition to the immediate zoning and land use, the Langston Hughes Elementary School site is located to the east. The school site property includes GPI (General Public and Institutional) District zoning for the immediate school improvements. The area located on the south side of Bob Billings Parkway includes undeveloped land and a duplex subdivision. A planned interchange to be constructed at K-10 Highway and Bob Billings Parkway is estimated to be completed in 2016

Staff Finding – The overall neighborhood is characterized by and dominated by residential uses. Higher density uses are located along the arterial streets of W. 6th Street and Bob Billings Parkway. Neighborhood commercial uses are planned for the northeast corner of the intersection of K-10 Highway and Bob Billings Parkway.

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

As noted above, this area is located within the boundary of the *West of K-10 Plan*. The plan recommends a mix of uses within the neighborhood and not limited to single housing type development. The plan recommends neighborhood level commercial uses and integration of parks and open space within the neighborhoods developed in this area.

The plan recommends connectivity between neighborhoods and to amenities and focal points in the area. For areas designated suitable for low-density residential development the plan states:

“ The intent of the low-density residential use is allowed for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses. Development in this area should be compatible with single-family character, which could include such uses as churches, small-scale daycares and institutional uses.”

The area between K-10 Highway and George Williams Way includes low density residential and neighborhood commercial uses. The Plan identifies the RS7, RS5 RM12D and PD zoning districts as suitable for this area. This request for RS5 is consistent with that land use recommendations included in the *West of K-10 Plan*.

Staff Finding – The proposed RS5 zoning is consistent with the recommended residential land use categories listed *West of K-10 Plan* applicable to this area.

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

Applicant's Response: *The subject property is currently zoned UR, a district which facilitates no development of any kind. Development that provides an appropriate transition between the SLT to the west and established single-family neighborhood and school uses to the east, requires a new zoning classification.*

Staff concurs that the UR zoning is no longer desirable given plans to develop the property. The current zoning serves as a holding zone until property is ready for development. The proposed RS5 district functions as a transitional use between the lower density development to the northeast and

the higher intensity development to the southwest. The proposed RS5 request conforms to the overall land use recommendations and is upheld by the proposed Preliminary Plat arrangement of lots and streets for this area. The Plan specifically identifies RS5 as a suitable zoning district for this area.

Staff Finding – The existing UR (Urban Reserve) District is no longer a suitable zoning district for this property since development applications have been made. The proposed RS5 district is suitable for this location.

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

Applicant's Response: *The subject property has remained vacant since being zoned UR in 2006.*

This property is undeveloped (vacant). The existing zoning, UR, was established in 2006 with the adoption of the Development Code. Prior to that time the property was zoned A (Agricultural).

Staff Finding – The area is undeveloped. The property was zoned A Agricultural from 1966 to 2006.

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

Applicant's Response: *The overall impact of this request to existing nearby neighborhoods and proposed development is negligible. Together with the proposed preliminary plat, new street connections will be established to reduce overall internal traffic. Approval will bring this property into compliance with H2020.*

The proposed RS5 zoning is capable of supporting low- or medium-density residential development. The district is associated with a maximum density of 8.7 dwelling units per acre and a minimum lot size of 5,000 SF per lot. The proposed preliminary plat design includes 14 lots for single-dwelling detached residential development. The net unit density of the proposed RS5 portion of the development is reflected on the concurrent proposed preliminary plat as only 7.107 units per acre. This net density calculation excludes rights-of-way. This net density is slightly more than the maximum range of a low-density development pattern. Low density development is characterized by 2-6 dwelling units per acre or less. Very low density is characterized by one (1) dwelling unit per acre or less as defined in *Horizon 2020*.

This property is being developed as part of a larger development application and continues or extends the development pattern from the north southward toward Bob Billings Parkway.

Staff Finding – The proposed request is consistent with the planned development for the area.

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

Applicant's Response: *Approval of this request facilitates the development of infill and transitional residential uses between George Williams Way and K-10 Highway as well as the efficient extension of public services and utilities, as recommended in H2020. Denial of this application will perpetuate the vacancy of this land.*

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.

The purpose of the UR District is to accommodate properties that have been annexed into the City of Lawrence until development or redevelopment is planned. This property is proposed to be developed for a variety of residential land uses including low-density detached residential structures on individual lots. This area can be served by the extension of existing utility infrastructure. This project represents infill development. Approval of the request will facilitate additional housing choices in this area and provide a land use transition between existing development and the proposed development.

Staff Finding – Approval of this request facilitates infill development and economies of scale with regard to utility service delivery. Approval of the request provides additional housing choices to this portion of the neighborhood.

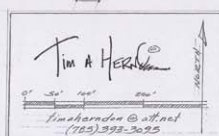
9. PROFESSIONAL STAFF RECOMMENDATION

This request is considered concurrently with the RS7, RM12D, and RM12 residential zoning requests and the CN2 and OS zoning request for non-residential uses. This application is also considered concurrently with the related preliminary plat that combined make up the Langston Commons Development. Separate reports are provided for each individual request.

The RS5 request extends the existing development pattern to the south consistent with plans for the area and consistent with the land use recommendations for area. The individual density of the RS5 exceeds the 6 dwelling unit per acre definition of a low-density design. However, the practical application of the district includes lots larger than the minimum requirement and as part of the overall development functions as a low-density use when combined with the other uses and open space proposed for this area. Staff recommends approval of the proposed RS5 zoning.

CONCLUSION

The proposed request is consistent with anticipated residential development. This request extends the existing residential pattern to the south and expands the housing choices for the area as infill development.

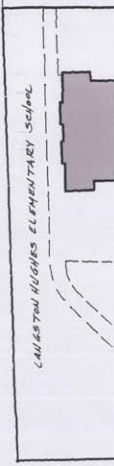


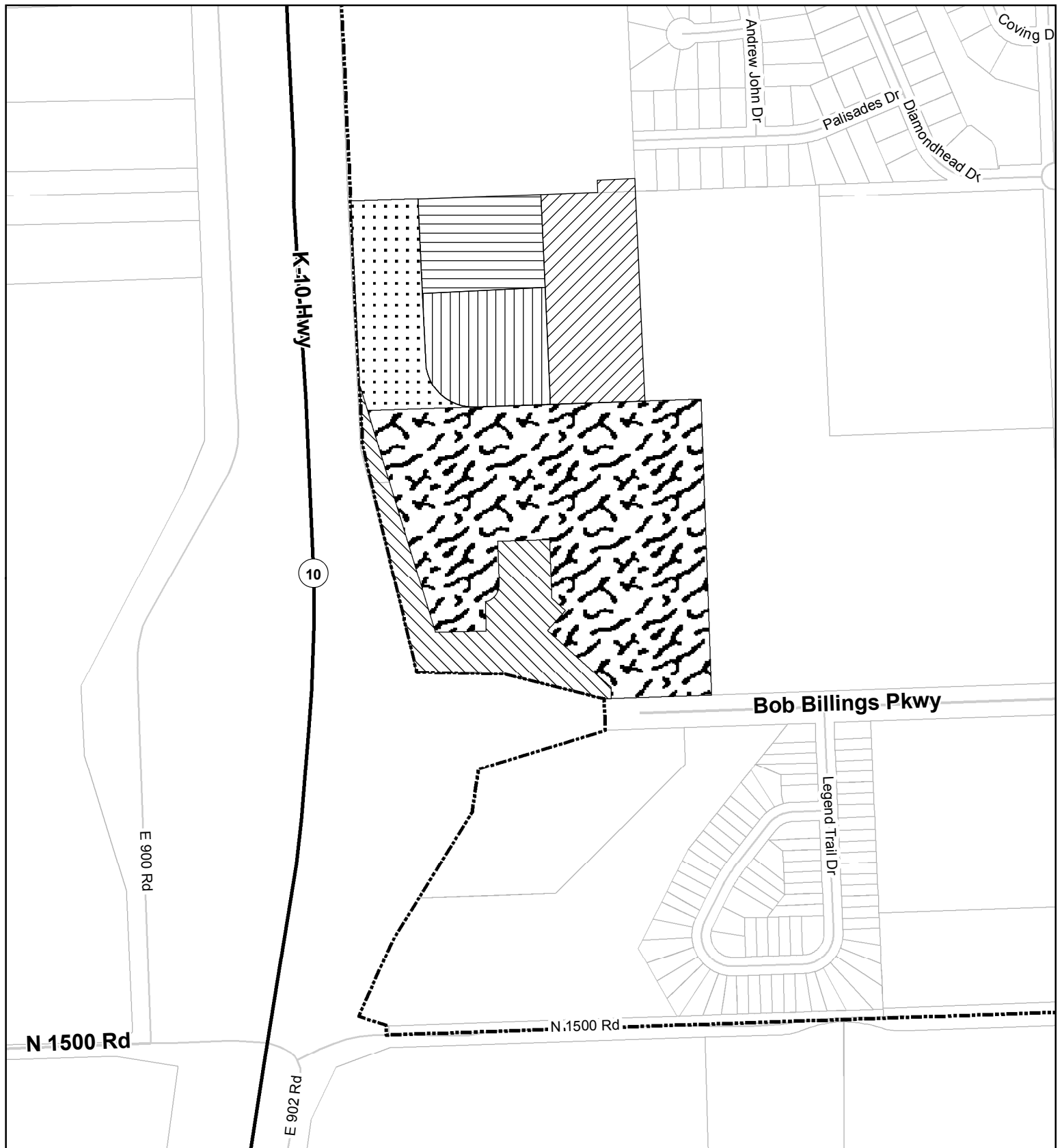
Langston Commons

NE Corner, K-10 & Bob Billings Parkway
Lawrence, Kansas

Development Concept 1
April 18, 2013







Z-13-00251: Rezone approximately 4.712 acres from UR District to RS7 District







Z-13-00252: Rezone approximately 2.674 acres from UR District to RS5 District

Z-13-00253: Rezone approximately 3.195 acres from UR District to RM12D District

Z-13-00254: Rezone approximately 3.349 acres from UR District to RM12 District

Z-13-00255: Rezone approximately 4.182 acres from UR District and PCD District to OS District

Legend

	Z-13-00251		Z-13-00253		Z-13-00255
	Z-13-00252		Z-13-00254		Z-13-00256



PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
8/26/2013

**ITEM NO. 1C UR TO RM12D; 3.195 ACRES; N OF BOB BILLINGS PKWY & E OF K-10
(SLD)**

Z-13-00253: Consider a request to rezone approximately 3.195 acres from UR (Urban Reserve) District to RM12D (Multi-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 2.674 acres from UR (Urban Reserve) District to RM12D (Multi-Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *The developer and contract purchaser, RSR, Inc., intends to subdivide and rezone the property to support townhouse style duplex development (see attached development concepts).*

KEY POINT

- Request is part of an overall development package with multiple Zoning requests and a Preliminary Plat.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Z-13-00251: 4.712 acres from UR (Urban Reserve) to RS7 (Single-Dwelling Residential)
- Z-13-00252: 2.674 acres from UR (Urban Reserve) to RS5 (Single-Dwelling Residential)
- **Z-13-00253: 3.195 acres from UR (Urban Reserve) to RM12D (Multi-Dwelling Residential)**
- Z-13-00254: 3.349 acres from UR (Urban Reserve) to RM12 (Single-Dwelling Residential)
- Z-13-00255: 4.182 acres from UR (Urban Reserve) and PD (Bob Billings Parkway Center PCD) to OS (Open Space)
- Z-13-00256: 16.619 acres from UR (Urban Reserve) and PCD Planned Commercial District to CN2 (Neighborhood Commercial) District
- PP-13-00257: Preliminary Plat Langston Commons

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 residential request

ATTACHMENTS

- Area map
- Concept plan

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received prior to publication of staff report.

Project Summary:

The application represents 3.195 acres of a combined development application including 35.7 acres as part of the preliminary plat known as Langston Commons. This request is for RM12D (Multi-Dwelling Residential) Development. This project includes RS (detached residential RS7 and RS5) and multi-dwelling residential development in the form of duplex and attached residential housing options. This report addresses the proposed RM12D portion of the development request. The RM12D is reflected on the Preliminary Plat of Langston Commons with 7 lots – 14 total units.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *By incorporation of the West of K-10 Plan, Horizon 2020 (H2020) recommends low-density residential uses, including single dwelling, duplex and attached dwellings at an overall density of 6 or fewer dwelling units per acre. This request provides a transitional land use between K-10 highway and existing and proposed lower density development to the east. This request when combined with the related zoning and preliminary plat request, spreads the density of the overall residential development across 13.9 acres, resulting in an overall density of 5.5 units per acre.*

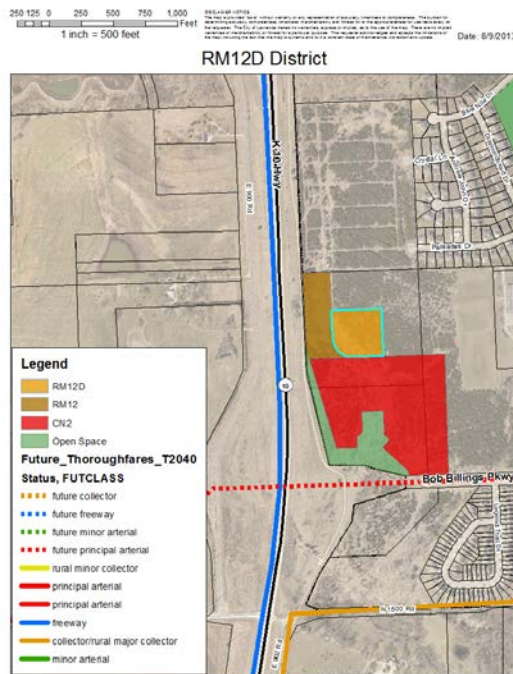
This property is located within the boundary of the *West of K-10 Plan*, refer to attachment. This request is part of a package of requests that include low and medium-density residential zoning as well as neighborhood commercial and open space districts. The Preliminary Plat establishes the integrated layout of the overall development pattern planned for this area. The *West of K-10 Plan*, amended into the Comprehensive Plan, shows this area to be developed with low-density residential uses except for an area located along in the southwest corner identified for future commercial uses. The plan identifies applicable Land Use Categories with the document. Residential-Low Density *is intended to allow for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses.*

In addition to density recommendations, *Horizon 2020* provides key strategies that are applicable to this development request and the related applications. They are:

- *Infill residential development should be considered prior to annexation of new residential areas.*
- *A mixture of housing types, styles and economic levels should be encouraged for new residential and infill developments.*
- *Compatible densities and housing types should be encouraged in residential neighborhoods by providing appropriate transition zones between low-density residential land uses and more intensive residential development, and between higher density residential uses and non-residential land uses.*
- *The character and appearance of existing residential neighborhoods should be protected and enhanced. Infill development, rehabilitation or reconstruction should reflect architectural qualities and styles of existing neighborhoods.*

This request represents infill development and the first step in a plan to provide a transition of uses between the existing and planned uses to the north and existing uses to the south. Transition of uses occurs north and south as well as east to west for this area. The K-10 Highway is a significant defining element for this area. The proposed RM12D district can be considered a low- or medium-density residential district dependent upon the lot arrangement within the district. It is also commonly used as a transitional zoning district between higher and lower intensity residential uses. The RM12D district is designed to accommodate duplex development rather than more intensive conventional multi-dwelling residential districts. The location of the proposed RM12D

district is located adjacent to proposed RM12 to the west and CN2 to the south and farther to the west and south are K-10 Highway and Bob Billings Parkway.



This specific application includes 3.195 acres. A maximum density of 12 dwelling units per acre is permitted for the RM12D. However, subdivision design typically will significantly reduce the density of duplex development to a much lower intensity depending on the specific design of the subdivision.

The following table summarizes the proposed density for this district when considered concurrently with the proposed Preliminary Plat.

Proposed RM12D	Acres
Gross Area Total Project	35.745
Gross Area	3.195
ROW	0.864
Net Area	2.331
Proposed Lots	14
Proposed Total Dwellings	14
Proposed Density = 14 units on 7 lots/2.331 = 6.00 units per acre	

The resulting duplex development is consistent with the recommended 6 dwelling units per acre when considered concurrently with the preliminary plat. The proposed district accommodates additional housing choice within the overall "neighborhood".

Staff Finding – The proposed RM12D district conforms to the land use recommendations included in *Horizon 2020* and in the *West of K-10 Plan*.

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

Current Zoning and Land Use:

UR (Urban Reserve); vacant land.

Surrounding Zoning and Land Use:

Proposed RS5 (Single Dwelling Residential) to the north; as part of the Langston Commons Subdivision. Undeveloped at this time.

Proposed RS7 (Single Dwelling Residential) to the east; as part of the Langston Commons Subdivision. Undeveloped at this time.

Proposed CN2 (Neighborhood Commercial) to the south as part of the Langston Commons Subdivision. Undeveloped at this time.

Proposed RM12 (Multi Dwelling Residential) to the west as part of the Langston Commons Subdivision. Undeveloped at this time.



Staff Finding – This area is surrounded by a mix of zoning districts. The predominate land use is residential to the north, east and west. Neighborhood Commercial uses are proposed to the south.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The subject property is vacant farm ground located at what will soon become the northeast corner of the K-10/ Bob Billings Parkway interchange. KDOT is scheduled to complete the improvements associated with this interchange between 2014 and 2016. The property is currently bordered on the West by K-10, also known as the South Lawrence Trafficway (SLT), the rights-of-way for which include the SLT shared-uses path. To the north lies vacant ground recently rezoned from UR to RM12, RM12D and RS7 as part of Langston Heights Addition. To the northeast lies the Diamondhead subdivision, a single-family neighborhood zoned RS7. To the east lies unplatted vacant property owned by USD #497, zoned RS10. Further east is Langston Hughes Elementary School. To the south, across Bob Billings Parkway rests vacant unplatted parcels owned by the City and Alvamar, Inc., zoned RS7 and RM12, respectively. To the southeast sits Legend Trail Addition, a townhome community zoned RM12.*

The west portion of the development site abuts the K-10 Highway (higher density proposed). The east portion of the development site abuts property owned by USD 497. This requested RM12D district provides a buffer between the low-density development to the northeast and the more intensive uses to the southwest.

This property is located within the West Lawrence Neighborhood. This section of the neighborhood includes several undeveloped parcels to the north and south along the K-10 Highway. This neighborhood is characterized by the dominance of residential use, primarily low-density detached

housing. Higher intensity uses are located along major streets in the neighborhood. Existing and planned non-residential uses are located at major intersections throughout the neighborhood.

In addition to the immediate zoning and land use, the Langston Hughes Elementary School site is located to the east. The school site property includes GPI (General Public and Institutional) District zoning for the immediate school improvements. The area located on the south side of Bob Billings Parkway includes undeveloped land and a duplex subdivision. A planned interchange to be constructed at K-10 Highway and Bob Billings Parkway is estimated to be completed in 2016

Staff Finding – The overall neighborhood is characterized by and dominated by residential uses. Higher density uses are located along the arterial streets of W. 6th Street and Bob Billings Parkway. Neighborhood commercial uses are planned for the northeast corner of the intersection of K-10 Highway and Bob Billings Parkway.

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

As noted above, this area is located within the boundary of the *6th Street and K-10 Plan*. The plan recommends a mix of uses with the neighborhood and not limited to single housing type development. The plan recommends neighborhood level commercial uses and integration of parks and open space within the neighborhoods developed in this area.

The plan recommends connectivity between neighborhoods and to amenities and focal points in the area. For areas designated suitable for low-density residential development the plan states:

"The intent of the low-density residential use is allowed for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses. Development in this area should be compatible with single-family character, which could include such uses as churches, small-scale daycares and institutional uses."

The area between K-10 Highway and George Williams Way includes low density residential and neighborhood commercial uses. The Plan identifies the RS7, RS5 RM12D and PD zoning districts as suitable for this area. This request for RM12D is consistent with that land use recommendations included in the *West of K-10 Plan*.

Staff Finding – The proposed RM12D zoning is consistent with the land use recommendation in the *West of K-10 Plan* applicable to this area.

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

Applicant's Response: *The subject property is currently zoned UR, a district which facilitates no development of any kind. Development that provides an appropriate transition between the SLT to the west and established single-family neighborhood and school uses to the east, requires a new zoning classification.*

Staff concurs that the UR zoning is no longer desirable given plans to develop the property. The current zoning serves as a holding zone until property is ready for development. The proposed RM12D district functions as a buffer between the lower density development to the northeast and the higher intensity development to the southwest. The proposed RM12D request conforms to the overall land use recommendations and is upheld by the proposed Preliminary Plat arrangement of

lots and streets for this area. The Plan specifically identifies RM12D as a suitable zoning district for this area.

Staff Finding – The existing UR (Urban Reserve) District is no longer a suitable zoning district for this property since development applications have been made. The proposed RM12D district is suitable for this location.

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

Applicant's Response: *The subject property has remained vacant since being zoned UR in 2006.*

This property is undeveloped (vacant). The existing zoning, UR, was established in 2006 with the adoption of the Development Code. Prior to that time the property was zoned A (Agricultural).

Staff Finding – The area is undeveloped. The property was zoned A Agricultural from 1966 to 2006.

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

Applicant's Response: *The overall impact of this request to existing nearby neighborhoods and proposed development is negligible. Together with the proposed preliminary plat, new street connections will be established to reduce overall internal traffic. Approval will bring this property into compliance with H2020.*

The proposed RM12D zoning is capable of supporting low- or medium-density residential development. The district is associated with a maximum density of 12 dwelling units per acre and a minimum lot size of 6,000 per lot. The proposed preliminary plat design includes 7 lots (14 total units) for duplex residential development. The net unit density of the proposed RM12D portion of the development is reflected on the concurrent proposed preliminary plat as only 6.006 units per acre. This net density calculation excludes rights-of-way. Low-density development is characterized by 2-6 dwelling units per acre or less. Very low density is characterized by one (1) dwelling unit per acre or less as defined in *Horizon 2020*.

This property is being developed as part of a larger development application and continues or extends the development pattern from the north southward toward Bob Billings Parkway.

Staff Finding – The proposed request is consistent with the planned development for the area.

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

Applicant's Response: *Approval of this request facilitates the development of infill and transitional residential uses between George Williams Way and K-10 Highway as well as the efficient extension of public services and utilities, as recommended in H2020. Denial of this application will perpetuate the vacancy of this land.*

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.

The purpose of the UR District is to accommodate properties that have been annexed into the City of Lawrence until development or redevelopment is planned. This property is proposed to be developed for a variety of residential land uses including low-density detached and duplex residential structures on individual lots. This area can be served by the extension of existing utility infrastructure. This project represents infill development. Approval of the request will facilitate additional housing choices in this area and provide a land use transition between existing development and the proposed development.

Staff Finding – Approval of the request facilitates infill residential development between George Williams Way and K-10 Highway and the efficient extension of public services and utilities.

9. PROFESSIONAL STAFF RECOMMENDATION

The purpose of the RM12D district is found in Section 20-204 of the Development Code. This district is included with all other RM districts. The Development Code states:

The primary purpose of the RM districts is to accommodate multi-dwelling housing. The district is intended to create, maintain and promote higher density housing opportunities in areas with good transportation access.

The RM12D district is further distinguished from other RM districts *“on the basis of building type and the maximum allowed net density. In the RM12D district, the building type is restricted to duplex or attached dwellings of 2 units. Only one principal building per lot is permitted in this District.”*

Both the RM12D and the RM12 have the same density and dimensional standards. However, the RM12D district is generally used for duplex development or 2 dwelling units per lot. Each lot must be sufficiently large enough to accommodate a minimum of two units, applicable building setbacks and off-street parking. The proposed development provides a reasonable transition of land uses with back-to-back lot orientations and a decrease in intensity from the southwest to the northeast.

The RM12D portion of the request provides the specific buffer between the RS districts proposed to the north and east and the higher-density to the west and south.

This request is considered concurrently with the RS7, RS5, and RM12 residential zoning requests and the CN2 and OS zoning request for non-residential uses. This application is also considered concurrently with the related preliminary plat that combined make up the Langston Commons Development. Separate reports are provided for each individual request.

The RM12D request extends the planned development pattern to the south consistent with plans for the area and consistent with the land use recommendations for area. The individual density of the RM12D request complies with the recommended land use for this area. Staff recommends approval of the proposed RM12D zoning.

CONCLUSION

The proposed request is consistent with anticipated residential development. This request extends the existing residential pattern to the south and expands the housing choices for the area as infill development.

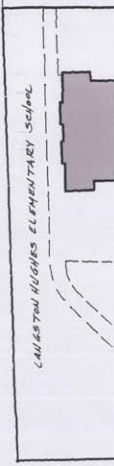


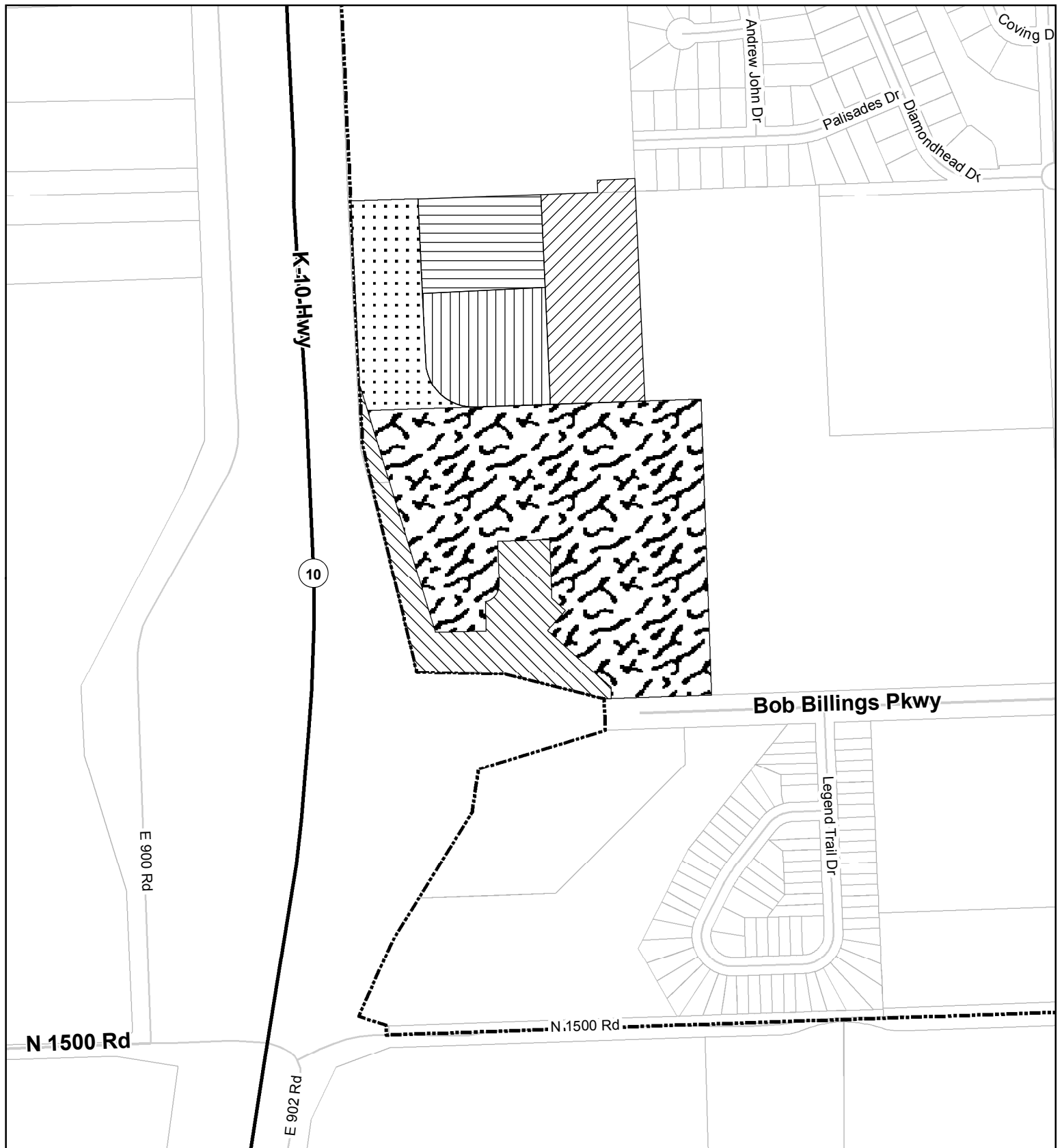
Langston Commons

NE Corner, K-10 & Bob Billings Parkway
Lawrence, Kansas

Development Concept 1
April 18, 2013







Z-13-00251: Rezone approximately 4.712 acres from UR District to RS7 District







Z-13-00252: Rezone approximately 2.674 acres from UR District to RS5 District

Z-13-00253: Rezone approximately 3.195 acres from UR District to RM12D District

Z-13-00254: Rezone approximately 3.349 acres from UR District to RM12 District

Z-13-00255: Rezone approximately 4.182 acres from UR District and PCD District to OS District

Legend

	Z-13-00251		Z-13-00253		Z-13-00255
	Z-13-00252		Z-13-00254		Z-13-00256



PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
8/26/2013

**ITEM NO. 1D UR TO RM12; 3.349 ACRES; N OF BOB BILLINGS PKWY & E OF K-10
(SLD)**

Z-13-00254: Consider a request to rezone approximately 3.349 acres from UR (Urban Reserve) District to RM12 (Multi-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 3.349 acres from UR (Urban Reserve) District to RM12 (Multi Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *The developer and contract purchaser, RSR, Inc., intends to subdivide and rezone the property to support row home development (see attached development concepts).*

KEY POINTS

- Request is part of an overall development package with multiple Zoning requests and a Preliminary Plat.
- This request extends the RM12 district included in the Langston Heights project to the south along K-10 Highway.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Z-13-00251: 4.712 acres from UR (Urban Reserve) to RS7 (Single-Dwelling Residential)
- Z-13-00252: 2.674 acres from UR (Urban Reserve) to RS5 (Single-Dwelling Residential)
- Z-13-00253: 3.195 acres from UR (Urban Reserve) to RM12D (Multi-Dwelling Residential)
- **Z-13-00254: 3.349 acres from UR (Urban Reserve) to RM12 (Single-Dwelling Residential)**
- Z-13-00255: 4.182 acres from UR (Urban Reserve) and PD (Bob Billings Parkway Center PCD) to OS (Open Space)
- Z-13-00256: 16.619 acres from UR (Urban Reserve) and PCD Planned Commercial District to CN2 (Neighborhood Commercial) District
- PP-13-00257: Preliminary Plat Langston Commons

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 residential request

ATTACHMENTS

- Area map
- Concept plan

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received prior to publication of staff report.

Project Summary:

The application represents 3.349 acres of a combined development application including 35.7 acres as part of the preliminary plat known as Langston Commons. This request is for RM12 (Multi-Dwelling Residential) Development intended for the area adjacent to K-10 Highway.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *By incorporation of the West of K-10 Plan, Horizon 2020 (H2020) recommends low-density residential uses, including single dwelling, duplex and attached dwellings at an overall density of 6 or fewer dwelling units per acre. This request provides a transitional land use between K-10 Highway and existing and proposed lower density development to the east. This request when combined with the related zoning and preliminary plat request, spreads the density of the overall residential development across 13.9 acres, resulting in an overall density of 5.5 units per acre.*

This property is located within the boundary of the *West of K-10 Plan*, refer to attachment. This request is part of a package of requests that include low and medium-density residential zoning as well as neighborhood commercial and open space districts. The Preliminary Plat establishes the integrated layout of the overall development pattern planned for this area. The *West of K-10 Plan*, amended into the Comprehensive Plan, shows this area to be developed with low-density residential uses except for an area located in the southwest corner identified for future commercial uses. The plan identifies applicable Land Use Categories with the document. Residential-Low Density *is intended to allow for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses.*

The *West of K-10 Plan* is amended into *Horizon 2020*. In addition to density recommendations, *Horizon 2020* provides key strategies that are applicable to this development request and the related applications. They are:

- *Infill residential development should be considered prior to annexation of new residential areas.*
- *A mixture of housing types, styles and economic levels should be encouraged for new residential and infill developments.*
- *Compatible densities and housing types should be encouraged in residential neighborhoods by providing appropriate transition zones between low-density residential land uses and more intensive residential development, and between higher density residential uses and non-residential land uses.*
- *The character and appearance of existing residential neighborhoods should be protected and enhanced. Infill development, rehabilitation or reconstruction should reflect architectural qualities and styles of existing neighborhoods.*

The proposed request for RM12 zoning conveys a maximum density of 12 dwelling units per acre. *Horizon 2020* also addresses medium density by defining it as reflecting an overall density of 7-15 dwelling units per acre. This use is recommended as *"clustered development at selected locations along major roadways near high-intensity activity areas, and when adjacent to important natural amenities."* In this application, the development is located along a major roadway, K-10 Highway. Density is clustered to accommodate a transition of uses from the west along the highway to the east using the concurrent lower density residential and commercial applications with the proposed preliminary plat.

This request represents infill development and the first step in a plan to provide a transition of uses between the existing and planned uses to the north and existing uses to the south. Transition of uses occurs both north and south as well as east to west for this area. The K-10 Highway is a significant defining element for this area. The proposed RM12 district is proposed to be located immediately adjacent to the highway.

This use is intended to promote a mix of housing types within a planned development area. *Horizon 2020* states that *medium density areas should include a mix of single-family, detached and attached homes, cluster homes, townhouses, and similar housing types*. The development of this property seeks to implement this policy using combined zoning applications that establish base districts across the entire acreage and delineate the boundary of the transitions through the district boundaries.

The RM12 district is designed to accommodate multi dwelling residential uses. This specific application includes 3.349 acres. A maximum density of 12 dwelling units per acre is permitted for this district. The actual developable area includes only 2.861 acres excluding right-of-way per the preliminary plat.

The following table summarizes the proposed density for this district when considered concurrently with the proposed preliminary Plat.

Proposed RM12	Acres
Gross Area Total Project	35.745
Gross Area	3.349
ROW	0.488
Net Area	2.861
Proposed Lots	1
Proposed Total Dwellings	34
Density Allowed $2.861 \times 12 = 34.332$	
Proposed Density = $34 \text{ units on } 1 \text{ lots} / 2.861 = 11.884 \text{ units per acre}$	

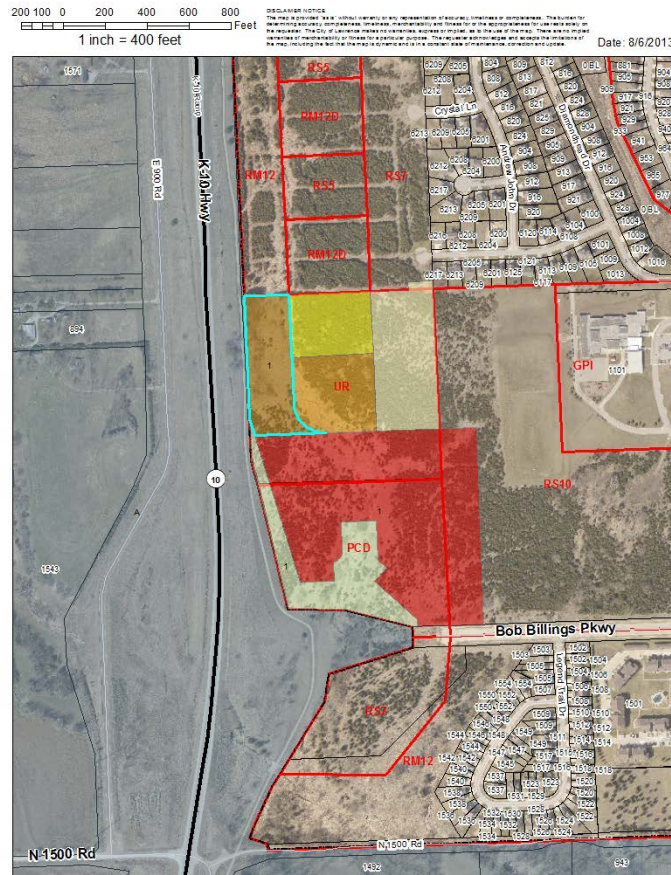
The maximum number of dwelling units the proposed RM12 district can accommodate is 34 units based on the proposed preliminary plat configuration. The proposed RM12 district is a medium-density zoning district. This more intensive district is proposed adjacent to the K-10 Highway providing separation between the Highway and the less intensive uses proposed to the east.

Horizon 2020 states most sites recommended for new medium-density residential development occupy transitional locations between single-family neighborhoods and office/commercial areas. Other recommended sites occur near open spaces or natural areas. These open space and medium density residential uses share a relationship by accommodating density and preserving open space when combined in development. The proposed preliminary plat includes an access easement though the proposed medium density area that will provide connection to the multi-use path along K-10 Highway.

Staff Finding – The specific RM12 request orients the medium density development adjacent to the highway with access to a local street that will be extended to the north and south as the area

develops. The proposed RM12 district conforms to the land use recommendations included in *Horizon 2020* and in the *West of K-10 Plan* with regard to infill development, housing mix and land use transition.

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



Current Zoning and Land Use:

UR (Urban Reserve); vacant land.

Surrounding Zoning and Land Use:

RM12 (Multi Dwelling Residential) to the north as part of the Langston Heights Addition. Undeveloped at this time.

Proposed RS5 (Single Dwelling Residential) and RM12D (Multi-Dwelling Residential) to the east included as part of the Langston Commons Subdivision. Undeveloped at this time.

Proposed CN2 (Neighborhood Commercial) to the south as part of the Langston Commons Subdivision. Undeveloped at this time.

A (Agricultural) County Zoning District to the west. Existing K-10 Highway right-of-way.

Staff Finding – This area is surrounded by a mix of zoning districts. A significant land use feature is the existing highway along the west property line and the proposed commercial use to the south. The highway is located entirely within the unincorporated area and is currently zoned A (Agricultural).

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The subject property is vacant farm ground located at what will soon become the northeast corner of the K-10/ Bob Billings Parkway interchange. KDOT is scheduled to complete the improvements associated with this interchange between 2014 and 2016. The property is currently bordered on the West by K-10, also known as the South Lawrence Trafficway (SLT), the rights-of-way for which include the SLT shared-uses path. To the north lies vacant ground recently rezoned from UR to RM12, RM12D and RS7 as part of Langston Heights Addition. To the northeast lies the Diamondhead subdivision, a single-family neighborhood zoned RS7. To the east lies unplatted vacant property owned by USD #497, zoned RS10. Further east is Langston Hughes Elementary School. To the south, across Bob Billings Parkway rests vacant unplatted parcels owned by the City and Alvarado, Inc., zoned RS7 and RM12, respectively. To the southeast sits Legend Trail Addition, a townhome community zoned RM12.*

The west portion of the development site abuts the K-10 Highway (higher density proposed). The east portion of the development site abuts property owned by USD 497. This requested RM12 district provides an extension and transition between the existing low-density development pattern established in the Langston Heights Subdivision to the north and provides a buffer between the highway and the lower density residential land use within the proposed Langston Commons Subdivision.

This property is located within the West Lawrence Neighborhood. This section of the neighborhood includes several undeveloped parcels to the north and south along the K-10 Highway. This neighborhood is characterized by the dominance of residential use, primarily low-density detached housing. Higher intensity uses are located along major streets in the neighborhood. Existing and planned non-residential uses are located at major intersections throughout the neighborhood.

In addition to the immediate zoning and land use, the Langston Hughes Elementary School site is located to the east. The school site property includes GPI (General Public and Institutional) District zoning for the immediate school improvements. Neighborhood commercial uses are noted in planning documents to the south and are proposed concurrently with this application (Z-13-0000256 UR and PCD to CN2). The area located on the south side of Bob Billings Parkway includes undeveloped land and a duplex subdivision. A planned interchange to be constructed at K-10 Highway and Bob Billings Parkway is estimated to be completed in 2016

Staff Finding – The overall neighborhood is characterized by and dominated by residential uses. Higher density uses are located along the arterial streets of W. 6th Street and Bob Billings Parkway. Neighborhood commercial uses are planned for the northeast corner of the intersection of K-10 Highway and Bob Billings Parkway.

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

As noted above, this area is located within the boundary of the *West of K-10 Plan*. The plan recommends a mix of uses with the neighborhood and not limited to single housing type

development. The plan recommends neighborhood level commercial uses and integration of parks and open space within the neighborhoods developed in this area.

The plan recommends connectivity between neighborhoods and to amenities and focal points in the area. For areas designated suitable for low-density residential development the plan states:

"The intent of the low-density residential use is allowed for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses. Development in this area should be compatible with single-family character, which could include such uses as churches, small-scale daycares and institutional uses."

The area between K-10 Highway and George Williams Way includes low density residential and neighborhood commercial uses. The Plan identifies the RS7, RS5 RM12D and PD zoning districts as suitable for this area. This request for RM12D is consistent with land use recommendations included in the *West of K-10 Plan*.

Attached housing is allowed as a special use in most of the RS districts and permitted in the RM zoning districts. Attached housing is distinguished from multi-dwelling in that each individual unit is located on its own lot meeting minimum lot and area dimensions. Multi-dwelling units are distinguished by being three or more units on a single lot. Since the adoption of the Development Code in 2006 no subdivision has been submitted for attached housing. There are numerous examples of residential development that is commonly referred to as townhouse development. This is typically duplex development where a single structure containing two units is located on an individual lot. Other similar examples of development include condominiums where multiple units are divided for individual ownership located on a single parcel. The structure type can be multi-story or row housing depending on the development patterned of the area.

The purpose of this request is to facilitate row housing. However, the proposed subdivision includes a single lot.

This application is a continuation of the approved RM12 to the north along K-10 Highway. It is anticipated that housing planned for the area is similar to the Langston Heights project to the north that being attached housing (side by side) rather than vertical multi-dwelling units typical of multi-dwelling development.

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

Applicant's Response: *The subject property is currently zoned UR, a district which facilitates no development of any kind. Development that provides an appropriate transition between the SLT to the west and established single-family neighborhood and school uses to the east, requires a new zoning classification.*

Staff concurs that the UR zoning is no longer desirable given plans to develop the property. The current zoning serves as a holding zone until property is ready for development. The proposed request is for the RM12 district to accommodate development along the highway. This district will function as a buffer between the lower density development to the east and K-10 Highway to the west. Higher intensity, commercial, development is proposed to the south. The proposed RM12 request facilitates infill development and provides additional housing choice in the area.

If approved the district will about the same zoning district to the north and neighborhood commercial to the south.

Staff Finding – The existing UR (Urban Reserve) District is no longer a suitable zoning district for this property since development applications have been made. The proposed RM12 district is suitable for this location.

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

Applicant's Response: *The subject property has remained vacant since being zoned UR in 2006.*

This property is undeveloped (vacant). The existing zoning, UR, was established in 2006 with the adoption of the Development Code. Prior to that time the property was zoned A (Agricultural).

Staff Finding – The area is undeveloped. The property was zoned A Agricultural from 1966 to 2006.

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

Applicant's Response: *The overall impact of this request to existing nearby neighborhoods and proposed development is negligible. Together with the proposed preliminary plat, new street connections will be established to reduce overall internal traffic. Approval will bring this property into compliance with H2020.*

The proposed RM12 zoning is a medium-density residential development. The district is associated with a maximum density of 12 dwelling units per acre and a minimum lot size of 6,000 per lot, the same as the RM12D district. The distinction between the RM12 and RM12D is that the RM12 district allows multi-dwelling structures. The proposed preliminary plat includes a single 2.8-acre lot. The preliminary notes a total development density of 34 units, the equivalent of 11.884 units per acre for this parcel.

This property is being developed as part of a larger development application and continues or extends the development pattern from the north southward toward Bob Billings Parkway.

Staff Finding – There are no detrimental affects anticipated for nearby properties resulting from the approval of this request.

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

Applicant's Response: *Approval of this request facilitates the development of infill and transitional residential uses between George Williams Way and K-10 Highway as well as the efficient extension of public services and utilities, as recommended in H2020. Denial of this application will perpetuate the vacancy of this land.*

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.

The purpose of the UR District is to accommodate properties that have been annexed into the City of Lawrence until development or redevelopment is planned. This property is proposed to be developed for a variety of residential land uses including low-density detached and duplex residential structures on individual lots. This area will be served by the extension of utility infrastructure. This project represents infill development. Approval of the request will facilitate additional housing choices in this area and provide a land use transition between existing development and the proposed development.

Staff Finding – Approval of the request facilitates infill residential development between George Williams Way and K-10 Highway and the efficient extension of public services and utilities. Approval of the request provides additional housing choices within the developing neighborhood context and provides a buffer use along K-10 Highway to the abutting lower density uses to the west.

9. PROFESSIONAL STAFF RECOMMENDATION

The purpose of the RM12 district is found in Section 20-204 of the Development Code. This district is included with all other RM districts. The Development Code states:

The primary purpose of the RM districts is to accommodate multi-dwelling housing. The district is intended to create, maintain and promote higher density housing opportunities in areas with good transportation access.

The RM12 district is distinguished from the RM12D district *“on the basis of building type and the maximum allowed net density. In the RM12D district, the building type is restricted to duplex or attached dwellings of 2 units. Only one principal building per lot is permitted in this District.”*

The RM districts include both medium and high-density development depending on the density associated with the specific district. Both the RM12D and the RM12 have the same density and dimensional standards. However, the RM12 district is used for multi dwelling development with three or more units per lot not to exceed a maximum of 12 units per acre. A development parcel must be sufficiently large enough to accommodate the dwelling unit structure or structures, applicable building setbacks and off-street parking. In addition to setback, properties located along K-10 Highway are required to provide additional setbacks and screening per the Major Transportation Corridor Overlay Standards of Section 20-307 of the Development Code. This setback impacts the developable area of land within the district.

The proposed development provides a reasonable transition of land uses by decrease in intensity from west to east.

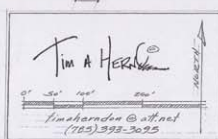
The RM12 portion of the request provides the specific buffer between the RS districts proposed to the east and the Highway to the west.

This request is considered concurrently with the RS7, RS5, and RM12D residential zoning requests and the CN2 and OS zoning request for non-residential uses. This application is also considered concurrently with the related preliminary plat that combined make up the Langston Commons Development. Separate reports are provided for each individual request.

The RM12 request extends the planned development pattern to the south consistent with plans for the area and consistent with the land use recommendations for area.

CONCLUSION

The proposed request is consistent with anticipated low-density residential development. This request extends the existing residential pattern to the west.

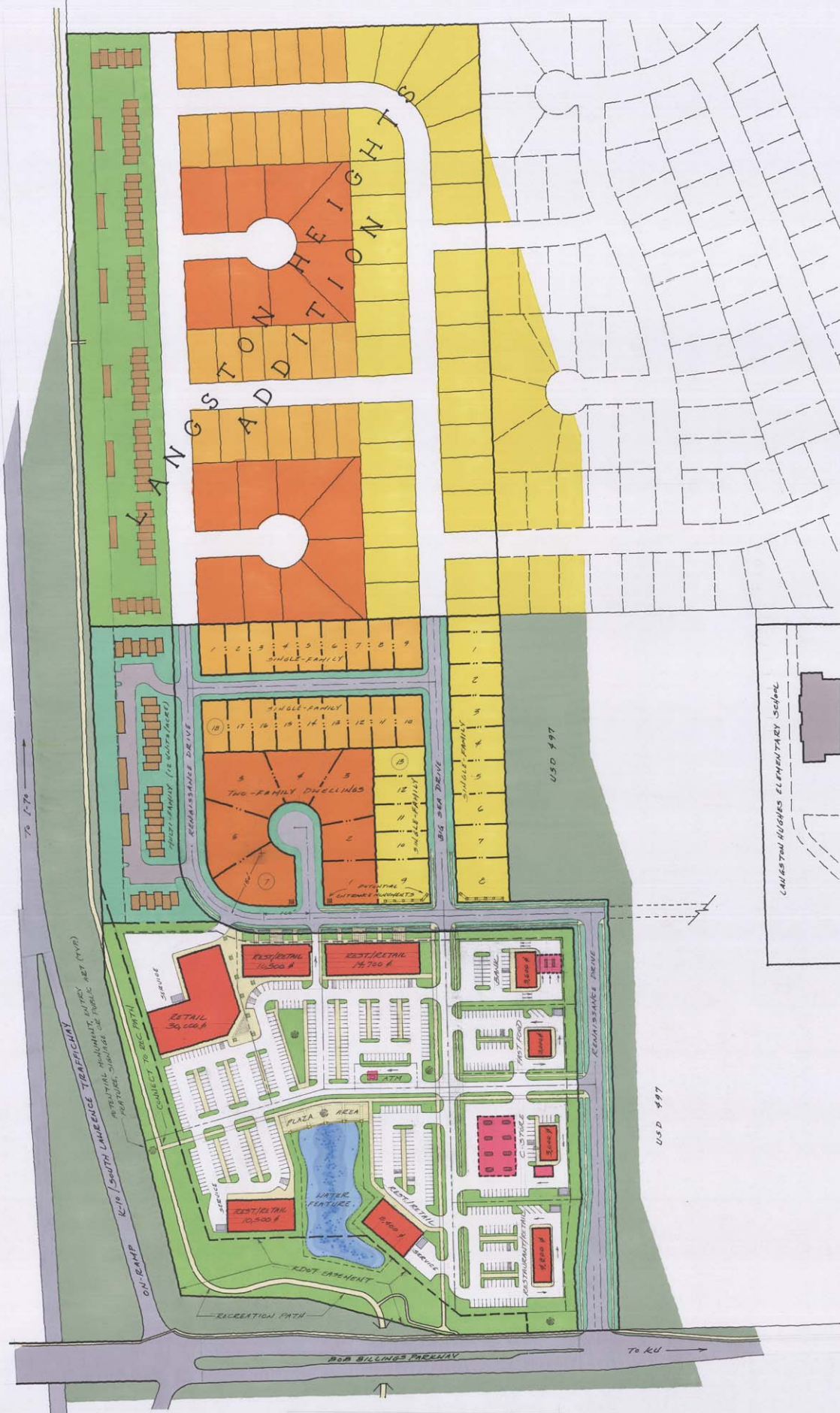


Langston Commons

NE Corner, K-10 & Bob Billings Parkway
Lawrence, Kansas

Development Concept 1
April 18, 2013



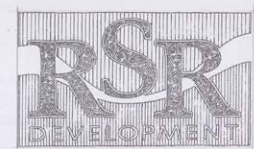


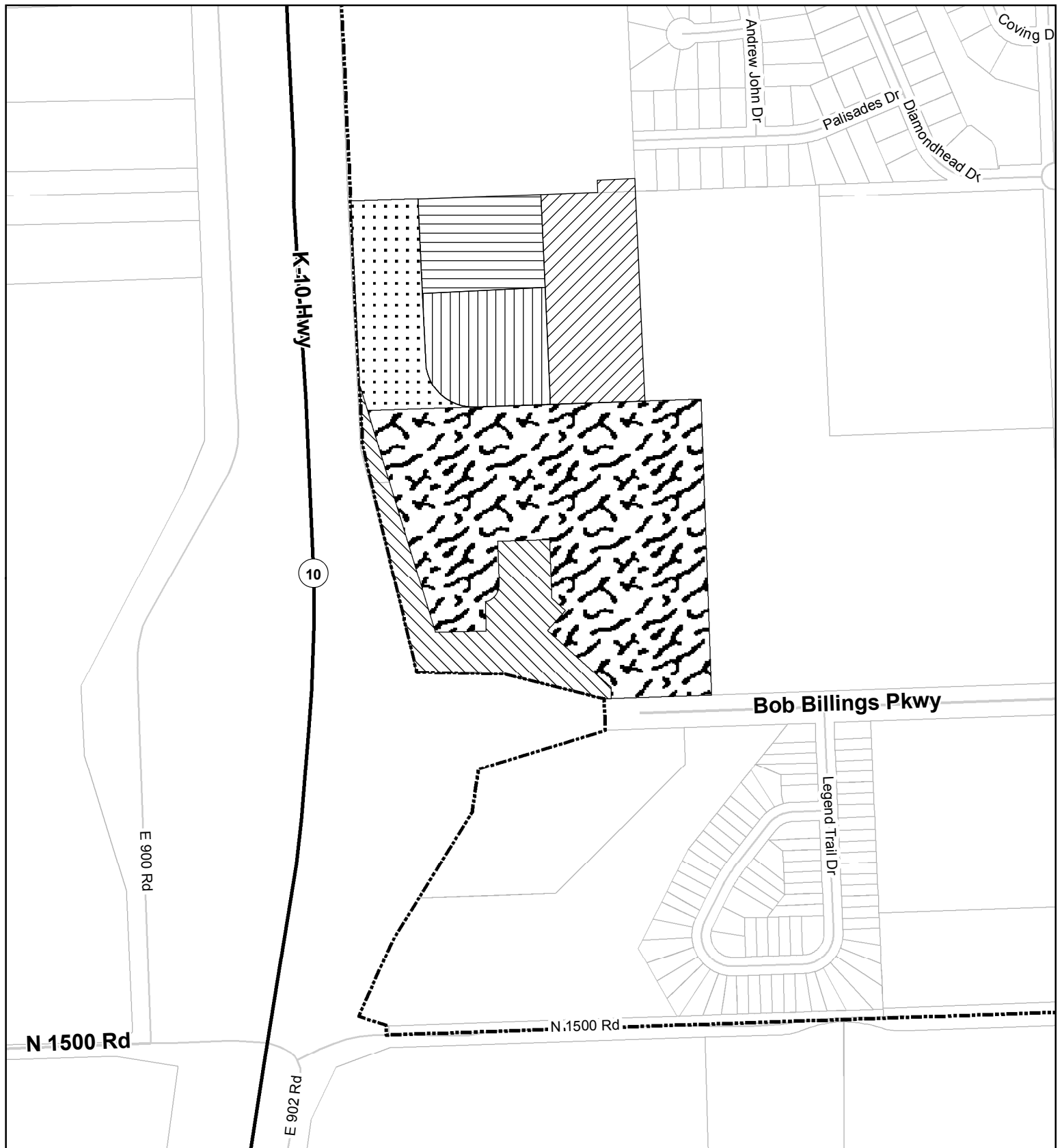
Tim A. Herge
 0' 10' 20' 40' 80'
 timaherge@aol.com
 (785) 398-3025

Langston Commons

NE Corner, K-10 & Bob Billings Parkway
 Lawrence, Kansas

Development Concept A
 April 18, 2013





Z-13-00251: Rezone approximately 4.712 acres from UR District to RS7 District







Z-13-00252: Rezone approximately 2.674 acres from UR District to RS5 District

Z-13-00253: Rezone approximately 3.195 acres from UR District to RM12D District

Z-13-00254: Rezone approximately 3.349 acres from UR District to RM12 District

Z-13-00255: Rezone approximately 4.182 acres from UR District and PCD District to OS District

Legend

	Z-13-00251		Z-13-00253		Z-13-00255
	Z-13-00252		Z-13-00254		Z-13-00256



PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
8/26/2013

ITEM NO. 1E UR & PCD TO OS; 4.182 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00255: Consider a request to rezone approximately 4.182 acres from UR (Urban Reserve) District and PD (Bob Billings Parkway Center PCD) District to OS (Open Space) District located north of Bob Billings Pkwy and east of K-10 Highway. Submitted by Landplan Engineering PA, for Alvarado Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 4.182 acres from UR (Urban Reserve) and PCD (Bob Billings Parkway Center PCD) District to OS (Open Space) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *The developer and contract purchaser, RSR, Inc., intends to subdivide and rezone the property to support landscaping, trail development and a permanent water feature that will enhance both adjacent proposed neighborhood commercial uses and the future K-10/Bob Billings Parkway interchange (see attached development concepts).*

KEY POINTS

- Request is part of an overall development package with multiple Zoning requests and a Preliminary Plat.
- This request provides designated open space within the Langston Commons project.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Z-132-00251: 4.712 acres from UR (Urban Reserve) to RS7 (Single-Dwelling Residential)
- Z-13-00252: 2.674 acres from UR (Urban Reserve) to RS5 (Single-Dwelling Residential)
- Z-13-00253: 3.195 acres from UR (Urban Reserve) to RM12D (Multi-Dwelling Residential)
- Z-13-00254: 3.349 acres from UR (Urban Reserve) to RM12 (Single-Dwelling Residential)
- **Z-13-00255: 4.182 acres from UR (Urban Reserve) and PCD (Bob Billings Parkway Center PCD) to OS (Open Space)**
- Z-13-00256: 16.619 acres from UR (Urban Reserve) and PCD Planned Commercial District to CN2 (Neighborhood Commercial) District
- PP-13-00257: Preliminary Plat Langston Commons

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 residential request

ATTACHMENTS

- Area map
- Concept plan

- Open Space Exhibit

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received prior to publication of staff report.

Project Summary:

The application represents 4.182 acres of a combined development application including 35.7 acres as part of the preliminary plat known as Langston Commons. This request is for OS (Open Space) Development. The proposed Open Space district parallels the K-10 Highway right of way and the existing multi-use recreation path.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *This request will facilitate the development and maintenance of multi-use trails and landscape features at the interface of a state highway, gateway to the City and neighborhood commercial center. Horizon 2020 (H2020) recommends within Chapter 6, that Neighborhood Commercial Centers provide dedicated open space areas usable by employees and shoppers. H2020 also places pedestrian mobility as a top priority for neighborhood commercial center design. Within Chapter Nine, H2020 urges coordination between private property owners to provide additional opportunities for open space preservation through buffers and easement.*

This property is located within the boundary of the *West of K-10 Plan*, refer to attachment. This request is part of a package of requests that include low and medium-density residential zoning as well as neighborhood commercial and open space districts. The Preliminary Plat establishes the integrated layout of the overall development pattern planned for this area. The *West of K-10 Plan*, amended into the Comprehensive Plan, shows this area to be developed with low-density residential uses except for an area located in the southwest corner identified for future commercial uses. The plan identifies applicable Land Use Categories with the document. Residential-Low Density *is intended to allow for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses.* Commercial Uses are intended to allow retail sales and services *at the neighborhood level.* Park and Open Space uses are *intended to provide space for public recreational facilities and natural area preservation.*

The *West of K-10 Plan* is amended into *Horizon 2020*. In addition to density recommendations, *Horizon 2020* provides key strategies that are applicable to this development request and the related applications. They are:

- *Infill residential development should be considered prior to annexation of new residential areas.*
- *A mixture of housing types, styles and economic levels should be encouraged for new residential and infill developments.*
- *Compatible densities and housing types should be encouraged in residential neighborhoods by providing appropriate transition zones between low-density residential land uses and more intensive residential development, and between higher density residential uses and non-residential land uses.*
- *The character and appearance of existing residential neighborhoods should be protected and enhanced. Infill development, rehabilitation or reconstruction should reflect architectural qualities and styles of existing neighborhoods.*

This request represents infill development and the first step in a plan to provide a transition of uses between the existing and planned uses to the north and existing uses to the south. Transition

of uses occurs both north and south as well as east to west for this area. The K-10 Highway is a significant defining element for this area. The proposed OS district is proposed to be located immediately adjacent to the highway. It will provide a connecting link around the development and to the non-motorized circulation system for the Community via recreation paths and the multi-modal trail.

The OS district is intended to preserve and enhance major open space and recreation areas by protecting the natural amenities they possess and by accommodating development that is compatible with those natural amenities.

The following table summarizes the proposed density for this district when considered concurrently with the proposed Preliminary Plat.

Proposed OS	Acres
Gross Area Total Project	35.745
Total OS District Proposed	4.182
ROW in the OS District	0.068
Net Area	4.114
Area to be platted as two separate tracts. No lots are proposed within the OS district boundary.	

The OS district allows some limited non-residential uses including, cultural centers, libraries (as special uses), Minor Utilities, active and passive recreation. A complete list of allowed uses is included in Article 4 of the Land Development Code. This application proposes the area zoned OS to be established as tracts of land rather than individual lots.

Staff Finding – The proposed OS district conforms to the land use recommendations included in *Horizon 2020* and in the *West of K-10 Plan* by providing a buffering and transitional element between the proposed development and the highway.

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

Current Zoning and Land Use:

UR (Urban Reserve); vacant land.

Surrounding Zoning and Land Use:

Proposed CN2 (Neighborhood Commercial) to the north and east as part of the Langston Commons Subdivision. Undeveloped at this time.

A (Agricultural) County Zoning District to the west and south. Existing K-10 Highway right-of-way.

RM12 (Multi Dwelling Residential) to the northeast as part of the Langston Heights Addition. Undeveloped at this time.

Proposed RS7 (Single Dwelling Residential) and RM12 (Multi-Dwelling Residential) to the southeast south of Bob Billings Parkway. Undeveloped at this time.



Staff Finding – This area is surrounded by a mix of zoning districts. The property abuts K-10 Highway along the west and south. This district will provide a buffer between the highway and the proposed commercial development.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The subject property is vacant farm ground located at what will soon become the northeast corner of the K-10/ Bob Billings Parkway interchange. KDOT is scheduled to complete the improvements associated with this interchange between 2014 and 2016. The property is currently bordered on the West by K-10, also known as the South Lawrence Trafficway (SLT), the rights-of-way for which include the SLT shared-uses path. To the north lies vacant ground recently rezoned from UR to RM12, RM12D and RS7 as part of Langston Heights Addition. To the northeast lies the Diamondhead subdivision, a single-family neighborhood zoned RS7. To the east lies unplatted vacant property owned by USD #497, zoned RS10. Further east is Langston Hughes Elementary School. To the south, across Bob Billings Parkway rests vacant unplatted parcels owned by the City and Alvamar, Inc., zoned RS7 and RM12, respectively. To the southeast sits Legend Trail Addition, a townhome community zoned RM12.*

The west portion of the development site abuts the K-10 Highway (higher density proposed). The east portion of the development site abuts property owned by USD 497. This requested OS district provides a dedicated buffer area along the south and west side of the proposed commercial area and also incorporates the natural drainage area through the site. This property is part of the West of K-10 Highway planning area and included in the West Lawrence Neighborhood Boundary.

This section of the neighborhood includes several undeveloped parcels to the north and south along the K-10 Highway. This neighborhood is characterized by the dominance of residential use, primarily low-density detached housing. Higher intensity uses are located along major streets in the neighborhood. Existing and planned non-residential uses are located at major intersections throughout the neighborhood.

In addition to the immediate zoning and land use, the Langston Hughes Elementary School site is located to the east. The school site property includes GPI (General Public and institutional) District zoning for the immediate school improvements. The area located on the south side of Bob Billings

Parkway includes undeveloped land and a duplex subdivision. A planned interchange will be constructed at K-10 Highway and Bob Billings Parkway is estimated to be completed in 2016.

Staff Finding – The overall neighborhood is characterized by and dominated by residential uses. Higher density uses are located along the arterial streets of W. 6th Street and Bob Billings Parkway.

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

As noted above, this area is located within the boundary of the *West of K-10 Highway Plan*. The area is generally recommended for low-density residential development with an area considered appropriate for medium neighborhood commercial development on the northeast corner of Bob Billings Parkway and K-10 Highway. Bob Billings Parkway is designated as a Minor Gateway for the community; as such, additional attention to development along the corridor is appropriate. The provision of the OS district will facilitate a more natural appearance from the rural area to the west and the urbanizing area to the east along Bob Billings Parkway.

Staff Finding – The proposed OS zoning is consistent with land use recommendations in the nodal plan applicable to this area.

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

Applicant's Response: *The subject property is currently zoned UR, a district which facilitates no development of any kind. Development that provides an appropriate transition between the SLT to the west and established single-family neighborhood and school uses to the east, requires a new zoning classification.*

Staff concurs that the UR zoning is no longer appropriate given plans to develop the property. The current zoning serves as a holding zone until property is ready for development. The proposed request conforms to the overall land use recommendations and is upheld by the proposed preliminary plat arrangement of lots and streets for this area. The proposed OS district reflects the anticipated development of the area and the use of the property for stormwater/drainage purposes and non-motorized connection to the existing shared use path along K-10 Highway.

Staff Finding – The existing UR (Urban Reserve) District is no longer a suitable zoning district for this property since development applications have been made.

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

Applicant's Response: *The subject property has remained vacant since being zoned UR in 2006.*

This property is undeveloped (vacant). The existing zoning, UR, was established in 2006 with the adoption of the Development Code. Prior to that time the property was zoned A (Agricultural).

Staff Finding – The area is undeveloped. The property was zoned A Agricultural from 1966 to 2006.

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

Applicant's Response: *The overall impact of this request to existing nearby neighborhoods and proposed development is negligible. Together with the proposed preliminary plat, new street*

connections will be established to reduce overall internal traffic. Approval will bring this property into compliance with H2020.

The proposed OS zoning is a low impact district as contained within this development application. The use of the property is limited to detention and stormwater requirements as well as trails and pathway connections to the existing multi-use path adjacent to K-10 Highway.

Staff Finding – The proposed request is consistent with the planned development for the area.

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

Applicant's Response: *Approval of this request facilitates the development of infill and transitional residential uses between George Williams Way and K-10 Highway as well as the efficient extension of public services and utilities, as recommended in H2020. Denial of this application will perpetuate the vacancy of this land.*

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.

The purpose of the UR District is to accommodate properties that have been annexed into the City of Lawrence until development or redevelopment is planned. This property is proposed to be developed for a variety of residential and non-residential uses. Development of the area requires evaluation and response to stormwater design standards as well as applicable treatments of areas for buffering between uses, along highways, and gateways.

This project represents infill development. Approval of the request will facilitate additional development within the existing city limits along an existing arterial street.

Staff Finding – Approval of this request facilitates infill development and economies of scale with regard to utility service delivery. Approval of the request provides additional buffering and transition between the highway and the lower intensity uses to the northeast.


9. PROFESSIONAL STAFF RECOMMENDATION

This request is considered concurrently with the residential and commercial zoning requests, listed in the beginning of this report, and includes the related preliminary plat that combined make up the Langston Commons Development. Separate reports are provided for each individual request.

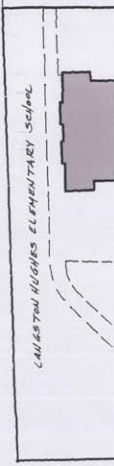
Staff recommends approval of the proposed OS zoning.

CONCLUSION

The proposed request is consistent with anticipated development at this intersection. This facilitates infill development and provides an identifiable buffer through zoning and platting along the K-10 Highway right-of-way.



RSR
DEVELOPMENT



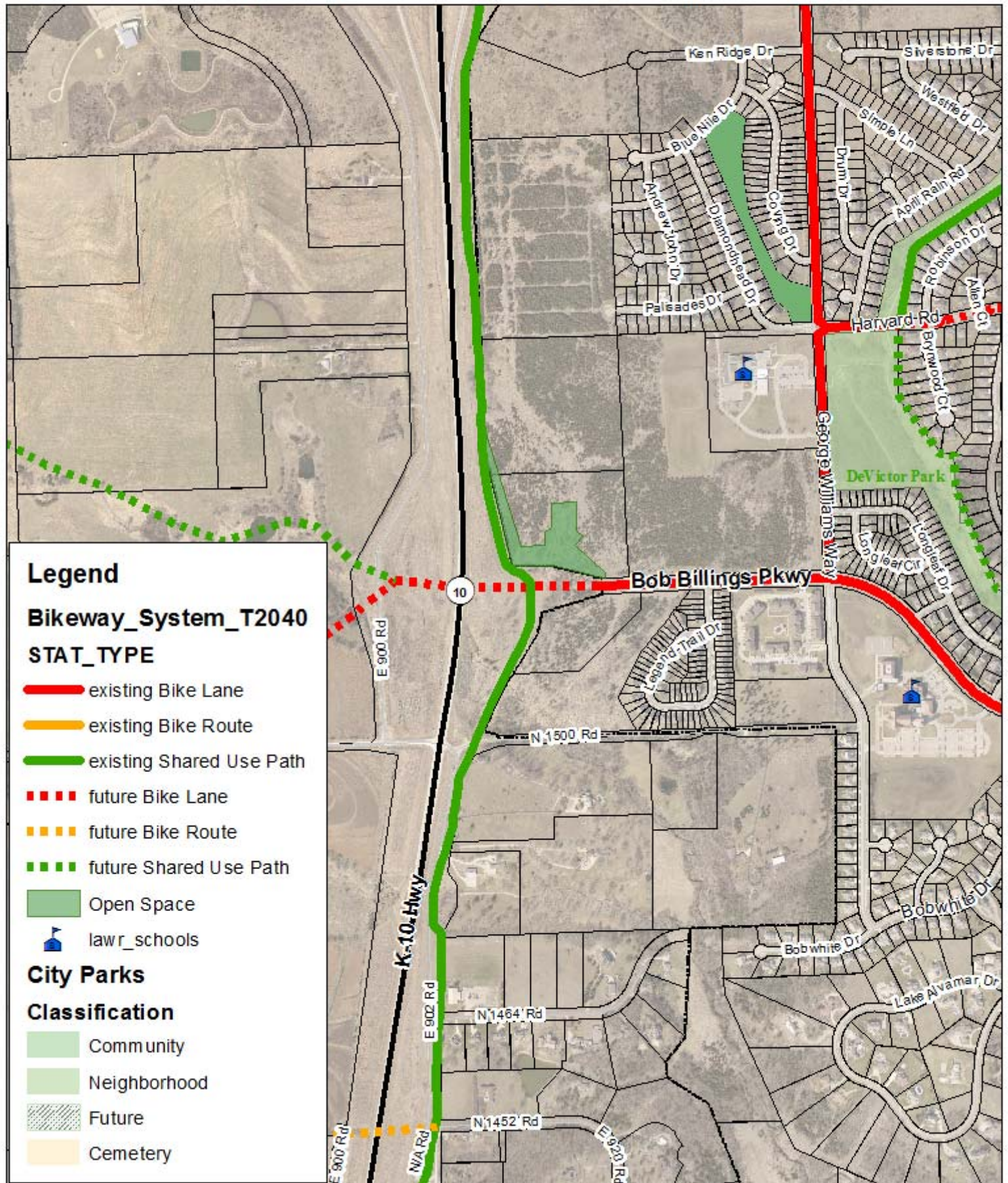
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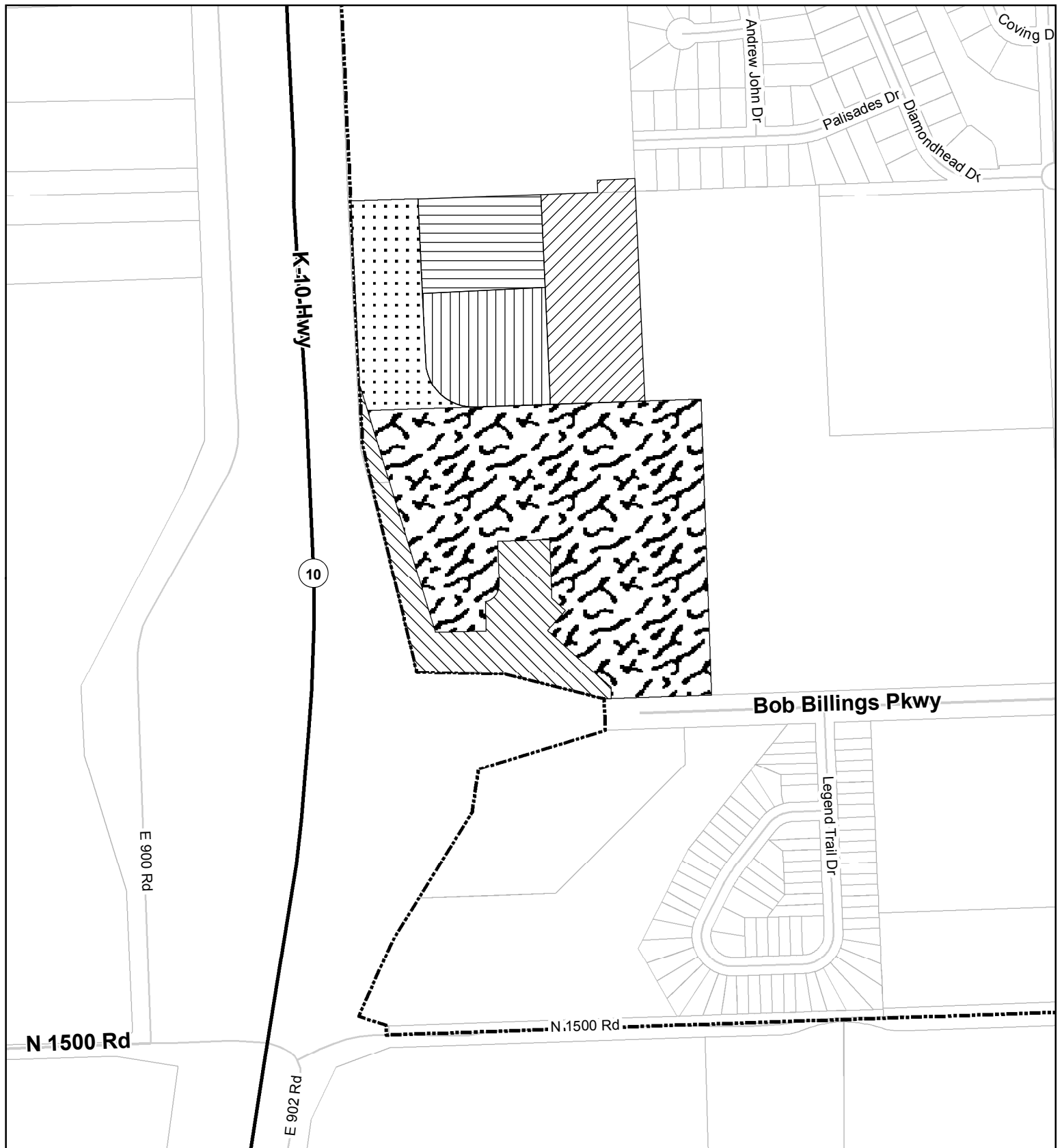
DISCLAIMER NOTICE

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Date: 8/9/2013

Open Space Existing and Proposed





Z-13-00251: Rezone approximately 4.712 acres from UR District to RS7 District







Z-13-00252: Rezone approximately 2.674 acres from UR District to RS5 District

Z-13-00253: Rezone approximately 3.195 acres from UR District to RM12D District

Z-13-00254: Rezone approximately 3.349 acres from UR District to RM12 District

Z-13-00255: Rezone approximately 4.182 acres from UR District and PCD District to OS District

Legend

	Z-13-00251		Z-13-00253		Z-13-00255
	Z-13-00252		Z-13-00254		Z-13-00256



PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
8/26/2013

ITEM NO. 1F UR, PCD, & RS10 TO CN2; 16.619 ACRES; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

Z-13-00256: Consider a request to rezone approximately 16.619 acres from UR (Urban Reserve District), PCD (Planned Commercial Development) District, and RS10 (Single-Dwelling Residential) District to CN2 (Neighborhood Commercial Center) District located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc. and Unified School District #497, property owners of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 16.619 acres from UR (Urban Reserve District), PCD (Planned Commercial Development) District, and RS10 (Single-Dwelling Residential) District to CN2 (Neighborhood Commercial Center) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *The developer and contract purchaser, RSR, Inc., intends to subdivide and rezone the property to support neighborhood commercial development (see attached development concepts).*

KEY POINTS

- Request is part of an overall development package with multiple Zoning requests and a Preliminary Plat.
- This request proposes neighborhood commercial zoning consistent with planned land use for the northeast corner of the intersection of Bob Billings Parkway and K-10 Highway.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Z-13-00251: 4.712 acres from UR (Urban Reserve) to RS7 (Single-Dwelling Residential)
- Z-13-00252: 2.674 acres from UR (Urban Reserve) to RS5 (Single-Dwelling Residential)
- Z-13-00253: 3.195 acres from UR (Urban Reserve) to RM12D (Multi-Dwelling Residential)
- Z-13-00254: 3.349 acres from UR (Urban Reserve) to RM12 (Single-Dwelling Residential)
- Z-13-00255: 4.182 acres from UR (Urban Reserve) and PD (Bob Billings Parkway Center PCD) to OS (Open Space)
- **Z-13-00256: 16.619 acres from UR (Urban Reserve) and PCD Planned Commercial District to CN2 (Neighborhood Commercial) District**
- PP-13-00257: Preliminary Plat Langston Commons

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* – The market study satisfies the submission requirements of the Land Development Code.

ATTACHMENTS

- Area map

- Concept plan

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received prior to publication of staff report.

Project Summary:

The application represents 16.619 acres of a combined development application including 35.7 acres as part of the preliminary plat known as Langston Commons. This request is for CN2 (Neighborhood Commercial) District intended for the area adjacent to K-10 Highway.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *By incorporation of the **West of K-10 Plan, Horizon 2020 (H2020)** recommends a Neighborhood Commercial Center at the northeast corner of the future K-10/Bob Billings Parkway interchange.*

This property is located within the boundary of the *West of K-10 Plan*, refer to attachment. This request is part of a package of requests that include low and medium-density residential zoning as well as neighborhood commercial and open space districts. The Preliminary Plat establishes the integrated layout of the overall development pattern planned for this area. The *West of K-10 Plan*, amended into the Comprehensive Plan, shows this area to be developed with low-density residential uses except for an area located in the southwest corner identified for future commercial uses. The plan identifies applicable Land Use Categories with the document.

The *West of K-10 Plan* is amended into *Horizon 2020*. In addition to density recommendations, *Horizon 2020* provides key strategies that are applicable to this development request and the related applications. They are:

- Establish and maintain a system of commercial development nodes at selected intersections, which provide for the anticipated neighborhood, community and regional commercial development needs.
- Require commercial development to occur in "nodes", by avoiding continuous lineal and shallow lot depth commercial development along the City's street corridors and Douglas County Roads.
- Encourage infill development and or redevelopment of existing commercial areas with an emphasis on downtown Lawrence and existing commercial gateways.

Horizon 2020 provides a detailed description of neighborhood commercial centers in Chapter 6 and includes specific descriptions for locations and center size. The maximum development recommended for a neighborhood commercial center is 125,000 SF when a grocery store of 60,001 SF is included. Nodal commercial development is also recommended on only one side of an appropriate intersection. The intersection of K-10 Highway and Bob Billings Parkway is specifically identified in *Horizon 2020* as a future neighborhood commercial center. As such, it should not be assumed that commercial zoning on the remaining corners of K-10 highway and Bob Billings Parkway would be suitable for future neighborhood commercial development.

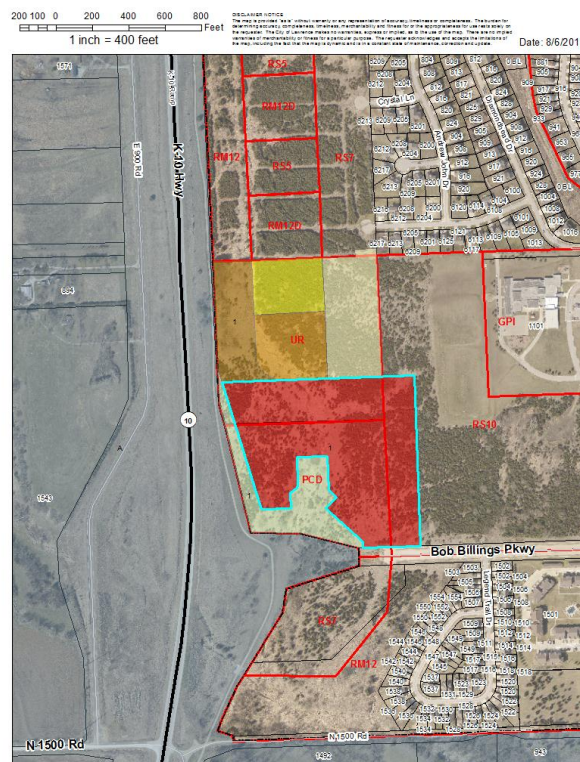
This request represents infill development and the first step in a plan to provide a transition of uses between the existing and planned uses to the north and existing uses to the south. Transition of uses occurs both north and south as well as east to west for this area. The K-10 Highway is a significant defining element for this area. The proposed CN2 district is proposed to be located adjacent to the highway.

The following table summarizes the proposed density for this district when considered concurrently with the proposed preliminary Plat.

Proposed CN2	Acres
Gross Area Total Project	35.745
Gross Area	16.619
ROW	1.633
Net Area	14.986
Proposed Lots	1

Staff Finding – The request conforms to the land use recommendations included in *Horizon 2020* and in the *West of K-10 Plan* with regard to infill development, land use transition, and commercial location and intensity.

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



Current Zoning and Land Use:

UR (Urban Reserve); vacant land.

Surrounding Zoning and Land Use:

RM12 (Multi Dwelling Residential) RM12D (Multi-Dwelling Residential, RS7 and RS10 (Single-Dwelling Residential Districts to the north as part of the Langston Commons Addition except for the RS10. Undeveloped at this time.

Proposed RS10 (Single Dwelling Residential) to the east property owned by USD 497. Undeveloped land with mature trees. The northeast corner of the RS10 property abuts the Langston Hughes Elementary school and is used as a play field. Undeveloped and unplatted at this time.

Proposed OS to the west and south adjacent to K-10 Highway included as part of the Langston Commons Subdivision.

Also to the south, RS7 (Single-Dwelling Residential) District and RM12 (Multi-Dwelling Residential) District. Undeveloped land.

Staff Finding – This area is surrounded by a mix of zoning districts. A significant land use feature is the existing Highway. This property is generally known as the northeast corner of the intersection of K-10 Highway and Bob Billings Parkway (principal arterial).

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The subject property is vacant farm ground located at what will soon become the northeast corner of the K-10/ Bob Billings Parkway interchange. KDOT is scheduled to complete the improvements associated with this interchange between 2014 and 2016. The property is currently bordered on the West by K-10, also known as the South Lawrence Trafficway (SLT), the rights-of-way for which include the SLT shared-uses path. To the north lies vacant ground recently rezoned from UR to RM12, RM12D and RS7 as part of Langston Heights Addition. To the northeast lies the Diamondhead subdivision, a single-family neighborhood zoned RS7. To the east lies unplatted vacant property owned by USD #497, zoned RS10. Further east is Langston Hughes Elementary School. To the south, across Bob Billings Parkway rests vacant unplatted parcels owned by the City and Alvamar, Inc., zoned RS7 and RM12, respectively. To the southeast sits Legend Trail Addition, a townhome community zoned RM12.*

The west portion of the development site abuts the K-10 Highway (higher density proposed). The east portion of the development site abuts property owned by USD 497. This requested CN2 conforms with planned development for the area. A portion of the property is currently zoned for commercial use.

This property is located within the West Lawrence Neighborhood. This section of the neighborhood includes several undeveloped parcels to the north and south along the K-10 Highway. This neighborhood is characterized by the dominance of residential use, primarily low-density detached housing. Higher intensity uses are located along major streets in the neighborhood. Existing and planned non-residential uses are located at major intersections throughout the neighborhood.

In addition to the immediate zoning and land use, the Langston Hughes Elementary School site is located to the east. The school site property includes GPI (General Public and institutional) District zoning for the immediate school improvements. The area located on the south side of Bob Billings Parkway includes undeveloped land and a duplex subdivision. A planned interchange will be constructed at K-10 Highway and Bob Billings Parkway is estimated to be completed in 2016.

Staff Finding – The overall neighborhood is characterized by and dominated by residential uses. Higher density uses are located along the arterial streets of W. 6th Street and Bob Billings Parkway. Neighborhood commercial uses are planned for the northeast corner of the intersection of K-10 Highway and Bob Billings Parkway.

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

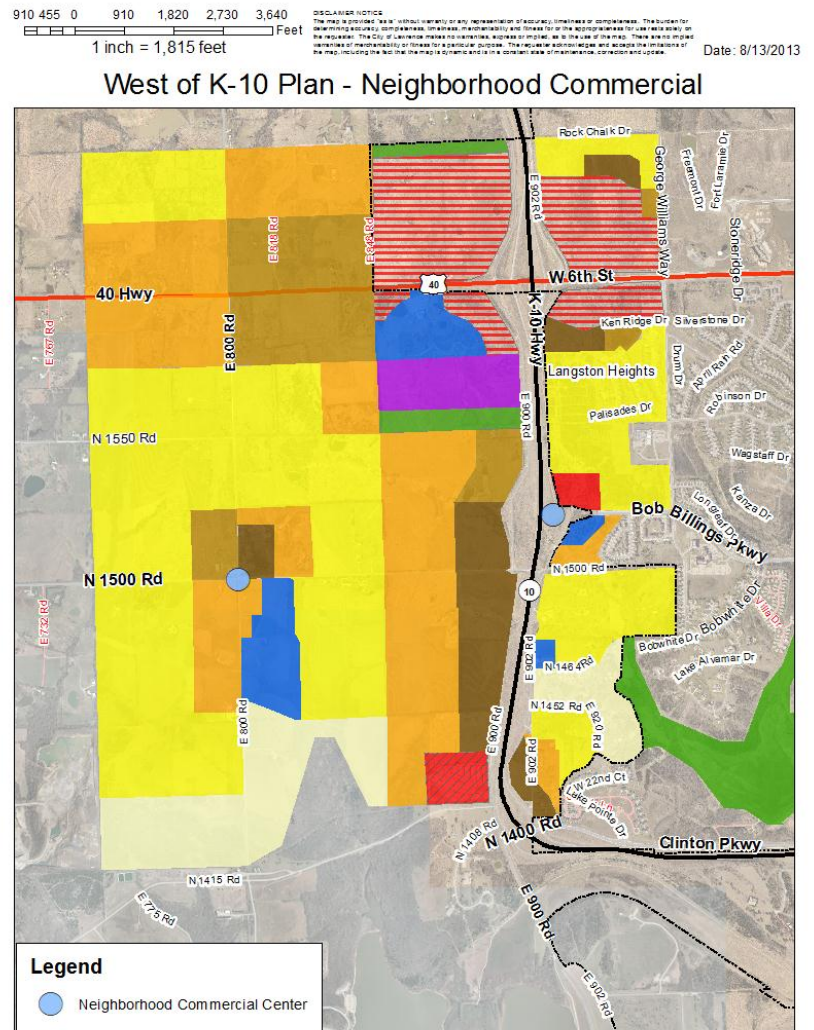
As noted above, this area is located within the boundary of the 6th Street and K-10 Plan. The plan recommends a mix of uses with the neighborhood and not limited to single housing type development. The plan recommends neighborhood level commercial uses and integration of parks and open space within the neighborhoods developed in this area.

The plan recommends connectivity between neighborhoods and to amenities and focal points in the area. Regarding commercial development within the area the plan states:

- Allow for large employment uses at appropriate locations in the planning area.
- Allow for neighborhood-level commercial activities within the planning area.
- Integrate parks and open space within the neighborhoods.

Two neighborhood commercial areas are identified in the Plan. Within the existing City Limits, a neighborhood commercial area is identified at the intersection of K-10 and Bob Billings Parkway. Within the existing unincorporated area, a neighborhood commercial area is identified at the intersection of N 1500 Road and E 800 Road.

Uses recommended include non-ground floor dwellings, multi-dwelling structures, civic and public uses, medical facilities, eating and drinking establishments, general office, retail sales and service fuel sales, and car washes. Applicable zoning districts include CN1, CN2, PD and MU districts. The purpose of this request is to facilitate neighborhood commercial development. The proposed subdivision includes a single commercial lot at this time.



Staff Finding –Neighborhood commercial uses are planned for the northeast corner of the intersection of K-10 Highway and Bob Billings Parkway. The proposed CN2 request is consistent with the adopted plans for the area.

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

Applicant's Response: *Portions of the subject property are zoned UR and RS10 which will not facilitate neighborhood commercial development. A portion of the property is zoned PCD, Planned Commercial Development, which could support neighborhood commercial uses, through which under the current Land Development Code would still require rezoning to a PD Overlay with a CN1 or CN2 base district. In the interest of bringing the entire subject property into clear compliance with the Comprehensive Plan, the developer has chosen to rezone to CN2.*

Staff concurs that the UR zoning is no longer desirable given plans to develop the property. The current zoning serves as a holding zone until property is ready for development. The proposed request is for the CN2 district to accommodate neighborhood commercial development along the highway. Higher intensity, commercial, development is recommended at this intersection.

Staff Finding – The existing UR (Urban Reserve) District is no longer a suitable zoning district for this property since development applications have been made. The proposed CN2 district is suitable for this location.

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

Applicant's Response: *The subject property has remained vacant since being zoned PCD, RS10 and UR in the 1990's and 2000's.*

This property is undeveloped (vacant). The existing zoning, UR and RS10 districts were established in 2006 with the adoption of the Development Code. The PCD zoning was established in 1995 with the annexation of 211+ acres required for the construction of Bob Billings Parkway. The area was initially annexed in 1995 (A-6-4-95). The initial application included concurrent zoning requests for RS-E, RS-1, RS-2, RM-1 and C-5 zoning (July 1995). The commercial request included 12.303 acres of the overall 211 acres being annexed. Staff's recommendation supported commercial zoning, but as a planned development rather than conventional zoning (Z-8-40-95: A to PCD-2; 12.303 ac. (W. 15th extension) [replaced Z-6-26-95]). The Zoning Code did not include commercial design guidelines at that time.

Typically planned development zoning required a development plan submitted concurrently. This zoning deviated from that process since the application was submitted as a conventional zoning district. The only condition of approval related to the rezoning was that the property be preliminary platted prior to publication of an ordinance. The PCD zoning included a wide range of uses per the 1966 Code. The proposed CN2 district is substantially more limited in scope.

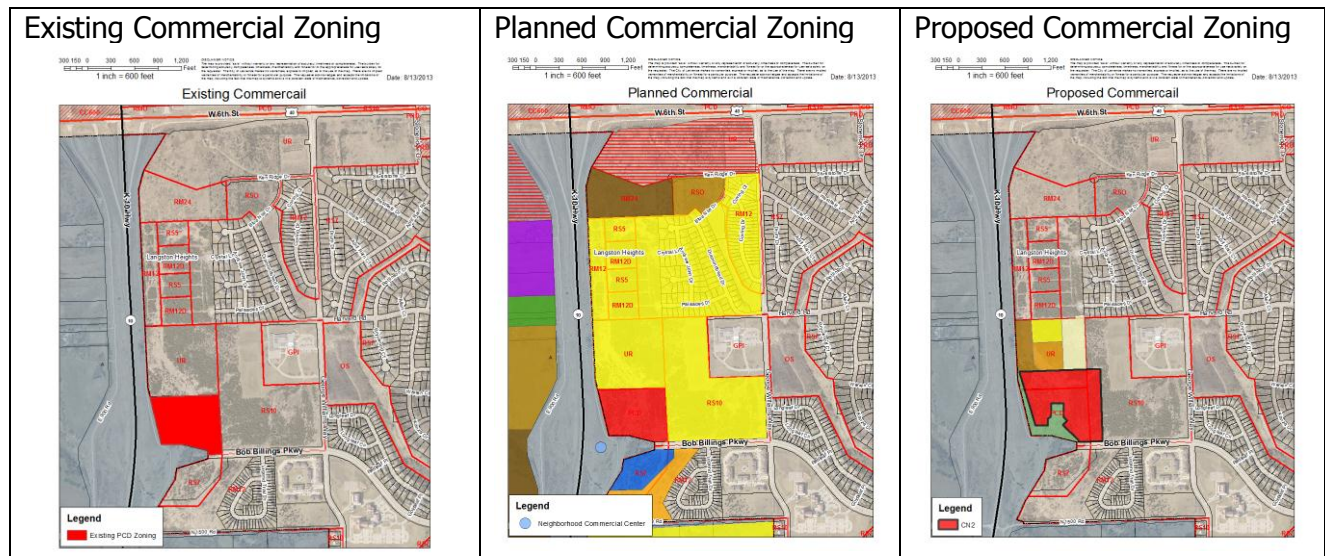
Prior to that time the property was zoned A (Agricultural). The zoning designations changed with the adoption of the 2006 Development Code.

Staff Finding – The area is undeveloped. The property was zoned A Agricultural from 1966 to 2006.

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

Applicant's Response: *Approving this rezoning request will pose no detrimental effects to nearby properties. The proposed zoning will establish a neighborhood commercial center at the crux of existing West Lawrence subdivisions and a new K-10 interchange. Together with the proposed preliminary plat, new street connections will be established to reduce overall internal traffic. Approval will bring this property into clear compliance with the Comprehensive Plan.*

The proposed CN2 zoning is a neighborhood commercial district. This property is being developed as part of a larger development application and continues or extends the development pattern from the north southward toward Bob Billings Parkway. The proposed CN2 district is intended to be integrated with the developing neighborhood to the north and west.



The proposed CN2 will frame the intersection of K-10 Highway and Bob Billings Parkway. Use of this area for commercial development has been anticipated since 1995. The boundary of the commercial area has altered from the 1995 PCD because of changes to right-of-way surrounding the property. Proposed streets will provide a boundary to the north and east sides of the commercial district.



Staff Finding – There are no detrimental effects anticipated for nearby properties resulting from the approval of this request.

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

Applicant's Response: *Approval of this request facilitates neighborhood commercial development at a future K-10/Bob Billings parkway interchange, as recommended by the Comprehensive Plan. Together with the proposed preliminary plat, this request provides for the efficient extension of public services and utilities. Denial of this application will perpetuate the vacancy of this land.*

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.

The purpose of the UR District is to accommodate properties that have been annexed into the City of Lawrence until development or redevelopment is planned. This property is proposed to be developed for a variety of uses including both residential and commercial land use. This area will be served by the extension of utility infrastructure. This project represents infill development. Approval of the request will facilitate neighborhood supported commercial opportunities consistent with planned development for the area. The PCD district is no longer needed since the Development Code today includes Commercial Design Standards.

Staff Finding – Approval of the request facilitates infill development between George Williams Way and K-10 Highway as well as between Bob Billings Parkway and W. 6th Street and the efficient extension of public services and utilities. Approval of the request provides additional commercial choices within the developing neighborhood context and provides a buffer use along K-10 Highway to the abutting lower density uses to the north.

9. PROFESSIONAL STAFF RECOMMENDATION

The purpose of the CN2 district is found in Section 20-208 of the Development Code. The Development Code states:

The CN2, Neighborhood Shopping Center District, is primarily intended to implement the Comprehensive Plan's "Neighborhood Commercial Centers" policy of providing for the sale of goods and services at the neighborhood level. Neighborhood Commercial Centers are generally located at least one mile from another commercial center. Developments in the CN2 Districts are intended for Collector/Arterial Street intersections or at Arterial/Arterial street intersections. Development is intended on only one corner of the intersection.

The proposed request complies with the purpose statements included in the Development Code. This request is considered concurrently with the RS7, RS5, RM12D, and RM12 residential zoning requests and the OS zoning request for non-residential uses. This application is also considered concurrently with the related preliminary plat that combined make up the Langston Commons Development. Separate reports are provided for each individual request.

Retail Market Study:

The applicant has submitted a project specific retail market study as required by Section 20-1107 of the Land Development Code. That market study includes all of the required information,

including analysis based on vacancy rates, income trends, population trends, mix of businesses, etc. The market study includes this analysis for the addition of a Neighborhood Commercial Center proposing roughly 125,000 sf of retail space.

The applicant had an independent consultant complete the market study in early 2013 and submitted it with their zoning application in June 2013. The market study was completed prior to staff updating the city-wide retail market report for the City in early 2013 and the applicant did not have access to the updated data. Therefore, staff re-calculated the figures using the updated city-wide 2012 Lawrence Retail Market Report and that analysis is below.

It is also important to note that at the time of submission, Section 20-1107 required the applicant to submit an independent market study for zoning applications that would create more than 50,000 sf of retail space and utilized an 8% vacancy threshold and a 100 sf per capita threshold for project approval. Since the application was submitted, the Development Code was amended (TA-12-00205) to remove the requirement for an applicant submitted independent market study and to remove the vacancy and square feet per capita thresholds and instead have staff complete an analysis of the projects' impact on the supply and demand sides of the market. Since this application was submitted prior to the code change, the analysis below reflects the previous code language which included the thresholds.

The Development Code uses a vacancy rate threshold of 8% as one factor in order to determine market health, and the most recent citywide market study completed for 2012 figured the city-wide vacancy rate at 7.2%, slightly lower than the 2010 vacancy rate of 7.3%. (<http://www.lawrenceks.org/assets/pds/planning/documents/2012Retail.pdf>) The market study for this project shows that, when completed and entirely vacant, the construction of the 125,000 sf project will push the city-wide vacancy rate to 8.4%.

	Total Square Footage	Vacant Square Footage	Occupied Square Footage	Vacant %
2012 Lawrence Retail Market Study	9,105,151	653,222	4,430,580	7.2%
Langston Commons Project - Vacant	9,230,151	778,222	4,430,580	8.4%
Langston Commons Project - Occupied	9,355,151	653,222	4,555,580	7.0%

Staff conducted additional analysis to take into consideration other commercial projects that have received approvals, but have not been constructed to date. The below table illustrates the impact that other projects that have been approved will have on the overall vacancy rate:

	Total Square Feet	Total Occupied Square Feet	Total Vacant Square Feet	City-wide Vacancy Rate
Total Current Retail Inventory	9,105,151	8,451,929	653,222	7.2%
Approved Northwest corner – 6 th and K-10 Node	155,000	0	155,000	
Mercato	359,640	0	359,640	
Fairfield Farms	200,000	0	200,000	

North Mass	217,337*	0	217,337	
31 st & Ousdahl – Phase I (Menards)	255,328	0	255,328	
Langston Commons	125,000	0	125,000	
Total	10,200,119	8,451,929	1,965,527	19.3%

If all commercial space that has been approved were to be constructed and assumed vacant, the city-wide vacancy rate would rise to 19.3%.

While the market study shows that the project, upon completion, will push the city-wide vacancy rate above 8%, this figure alone is not an adequate representation of the impact of this development. This figure is computed by assuming that the project will either be entirely vacant upon completion, or that it will cause the same amount of space to become vacant in other areas of town. Some portion of the above retail space is being built to satisfy a specific tenant, therefore there is little chance that the space will be vacant upon completion. While new commercial development can lead to vacancies in other parts of town, the current economic conditions have all but halted speculative commercial building in Lawrence. The current development trend is that buildings are built with known users or committed tenants and therefore, it is unlikely that the space will be vacant upon completion.

Additionally, the vacancy rates of the retail market in Lawrence have remained relatively stable since 2006. The vacancy rate was 6.7% in 2006, rose to 7.3% in 2010 and fell slightly to 7.2% in 2012. The fluctuation of only .5% in 6 years indicates that it is a relatively stable market.

The applicant has also provided information on the mix of business types and the potential impact on the downtown area, but the proposed uses listed in the independent market report are speculative in nature. While the proposed development is expected to have little impact on the downtown market due to its neighborhood commercial focus and distance from the downtown area, the exact impact that this development cannot be determined.

Other demand factors, such as income, employment, and population need to be taken into account as well, when looking at the overall impact of this project on the market as a whole. The 2012 Retail Market Report shows that from 2006-2011 population increased an average of .8% annually. However, during that same time period retail sales tax collections had an average annual decrease of 1.1% and per capita income had an average annual decrease of .9%, adjusting all dollar figures for inflation. On the supply side of the market, retail stock has shown an average annual increase of 4.3% from 2006-2012. What is important to take away from the above number is that demand has not kept pace with supply as shown by the limited income, population and retail sales growth.

The market study also provides an analysis of “pull factors” or a measure of local commerce based on a comparison of local spending to the state as a whole. A pull factor above 1.00 indicates that a community attracts retail sales, while a factor below 1.00 indicates that the community is losing retail sales to outside areas. The Kansas Department of Revenue issues pull factor reports for all of Kansas. The most recent, issued in December 2012, states that Lawrence’s pull factor was 1.07 in 2012. In 2000, the pull factor was 1.13, but as recently as 2009, the pull factor was .99. In addition, Douglas County’s pull factor has been below 1.00 for the last decade and recently is marked at .90 for 2012. Before 2011 and 2012, the pull factors for both Lawrence and Douglas has been declining since 2000, indicating that the City was losing more retail sales to other areas

outside of Douglas County. The marked increase in the City's pull factor these last two years now means that the City is attracting retail sales to the community.

The city-wide Retail Market Report also provides a demand analysis based on the amount of square feet of retail space per capita. In 2012, there are approximately 97 sf of retail space per capita. With the addition of this projects square footage to the market, there would be approximately 98 sf of retail space per capita. In Section 20-1107 (c)(3)(iv) of the Land Development Code, a maximum threshold of 100 square feet per resident is established to help maintain market health.


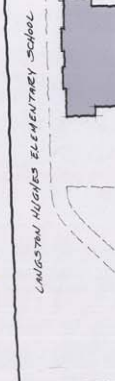
The market study satisfies the submission requirements of the Land Development Code. In staff's opinion, proposals to add retail space should be carefully scrutinized with respect to the indicators associated with demand not keeping pace with supply and because vacancy rates are arguably reaching unhealthy levels. Even though demand and supply factors taken alone show that retail demand is not keeping pace with supply, the Lawrence market remains relatively stable given the low, stable vacancy rate and rising pull factors. Staff recommends approval of this project with respect to the retail market analysis, especially with consideration to this being an identified neighborhood commercial center in long range plans.

Future Development Applications:

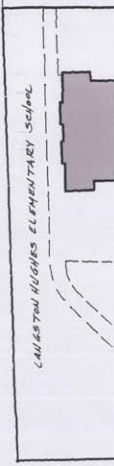
If approved, development of this property will be subject to the Land Development Code and the Commercial Design Guidelines. The application included two concept plans representing possible development. Additional planning and review of this area will be required.

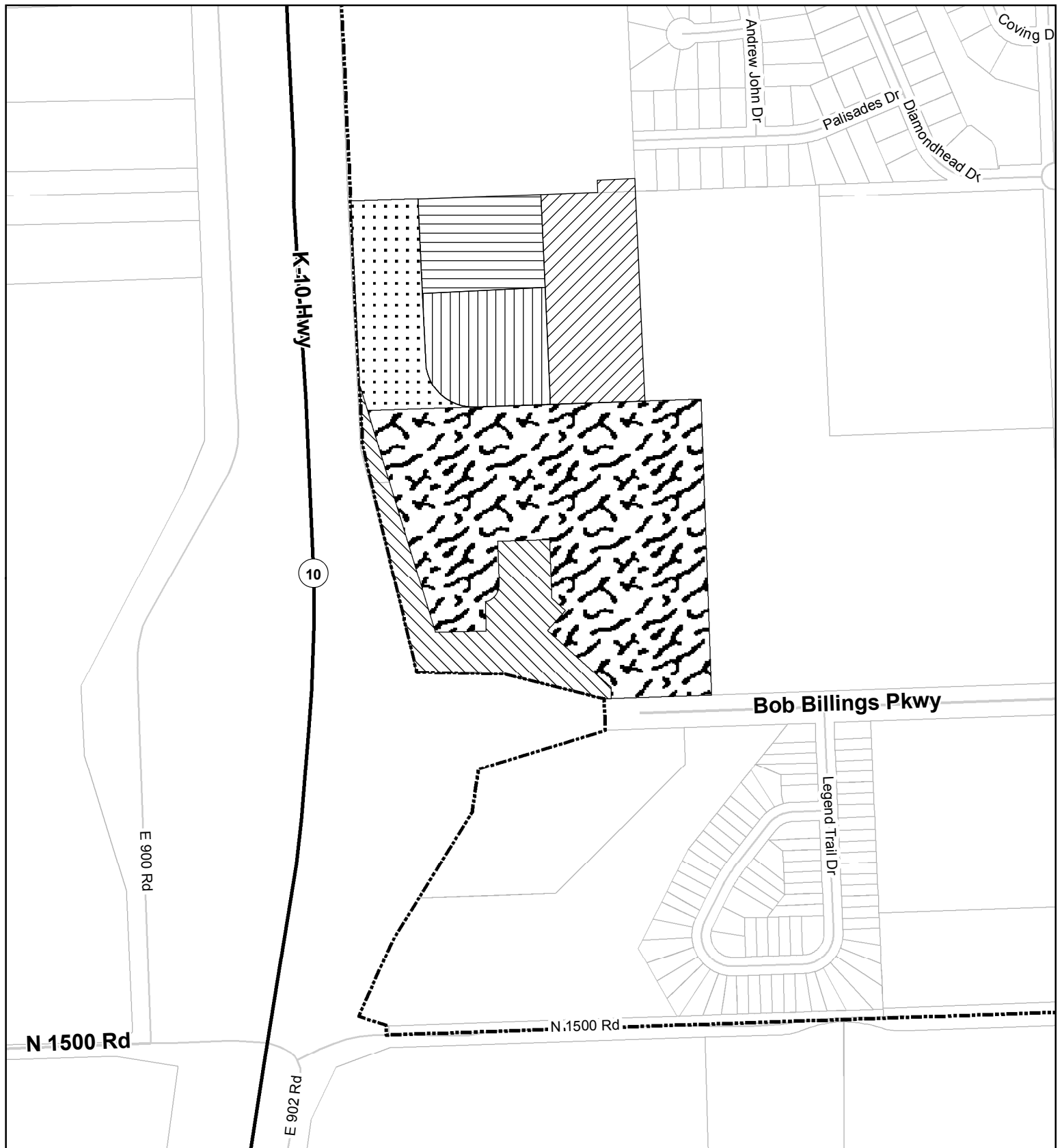
CONCLUSION

The proposed request is consistent with anticipated neighborhood commercial development for this area.



RSR
DEVELOPMENT





Z-13-00251: Rezone approximately 4.712 acres from UR District to RS7 District







Z-13-00252: Rezone approximately 2.674 acres from UR District to RS5 District

Z-13-00253: Rezone approximately 3.195 acres from UR District to RM12D District

Z-13-00254: Rezone approximately 3.349 acres from UR District to RM12 District

Z-13-00255: Rezone approximately 4.182 acres from UR District and PCD District to OS District

Legend

	Z-13-00251		Z-13-00253		Z-13-00255
	Z-13-00252		Z-13-00254		Z-13-00256



PLANNING COMMISSION REPORT REGULAR AGENDA

PC Staff Report
8/26/2013

ITEM NO. 1G PRELIMINARY PLAT FOR LANGSTON COMMONS; N OF BOB BILLINGS PKWY & E OF K-10 (SLD)

PP-13-00257: Consider a Preliminary Plat for Langston Commons, approximately 35.745 acres located north of Bob Billings Pkwy and east of K-10. This proposed preliminary plat includes 29 detached residential dwelling lots, 7 duplex lots, 1 multi-dwelling lot, 1 neighborhood commercial lot, and 2 tracts for open space. Submitted by Landplan Engineering PA, for Alvamar Inc. and Unified School District #497, property owners of record.

STAFF RECOMMENDATIONS:

Staff recommends approval of the Preliminary Plat of the Langston Heights Addition subject to the following condition of approval:

1. Provision of a revised Preliminary Plat that graphically shows access restriction along Bob Billings Parkway and along K-10 Highway.

KEY POINTS

- Proposed preliminary plat reflects an overall gross density of 5.528 dwelling units per acre consistent with low-density development of the comprehensive plan.
- The proposed preliminary plat represents the proposed zoning boundaries.
- Proposed preliminary plat extends the local street network east of K-10 Highway.
- This property was evaluated for compliance with the preservation of natural areas through the Sensitive Lands regulations outlined in Article 11 of the Development Code. A sensitive lands site plan and required preservation of open space is not applicable to this property.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 1, 2007.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Z-13-00251: 4.712 acres from UR (Urban Reserve) to RS7 (Single-Dwelling Residential)
- Z-13-00252: 2.674 acres from UR (Urban Reserve) to RS5 (Single-Dwelling Residential)
- Z-13-00253: 3.195 acres from UR (Urban Reserve) to RM12D (Multi-Dwelling Residential)
- Z-13-00254: 3.349 acres from UR (Urban Reserve) to RM12 (Single-Dwelling Residential)
- Z-13-00255: 4.182 acres from UR (Urban Reserve) and PD (Bob Billings Parkway Center PCD) to OS (Open Space)
- Z-13-00256: 16.619 acres from UR (Urban Reserve) and PCD Planned Commercial District to CN2 (Neighborhood Commercial) District
- **PP-13-00257: Preliminary Plat Langston Commons**

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Study provided and accepted.

- *Downstream Sanitary Sewer Analysis* - The DSSA letter dated August 7, 2013 provided by Landplan Engineering has been reviewed and is accepted for this project.
- *Drainage Study* – The drainage study dated 6-24-2013 meets the specified requirements and is approved.
- *Environmentally Sensitive Lands Study* – Evaluation of existing trees was completed by applicant and reviewed by staff. The existing trees do not meet the minimum size requirements defined in Article 11 of the Development Code.
- *Retail Market Study* – refer to Z-13-00256. Study provided and accepted.

ATTACHMENTS

- Preliminary Plat.

PUBLIC COMMENT

- None received to date.

Site Summary						
District	RS7	RS5	RM12D	RM12	CN2	OS
Area	4.721	2.674	3.195	3.349	16.619	4.182
ROW	1.251	0.704	0.864	0.488	1.633	0.068
Net Area	3.461	1.97	2.331	2.861	14.986	4.114
# lots	15	14	7	1	1	0
# units	15	14	14	34	-	0
density	4.334008	7.106599	6.006006	11.88396	-	Tracts Not Lots

GENERAL INFORMATION

Current Zoning and Land Use: UR (Urban Reserve) District and TC (SLT/K10 Major Transportation Corridor Overlay) District; undeveloped property.

Surrounding Zoning and Land Use: To the north: RM12, RM12D (Multi-Dwelling Residential) Districts and RS7 (Single-Dwelling Residential) District; undeveloped land known as Langston Heights.

To the east: RS10 (Single-Dwelling Residential) District; unplatted and undeveloped land owned by USD 497.

To the south: A (Agricultural) County District, RS7 (Single-Dwelling Residential) and RM12 (Multi-Dwelling) K-10 Highway, undeveloped land and existing multi-dwelling development located along south side of Bob Billings Parkway.

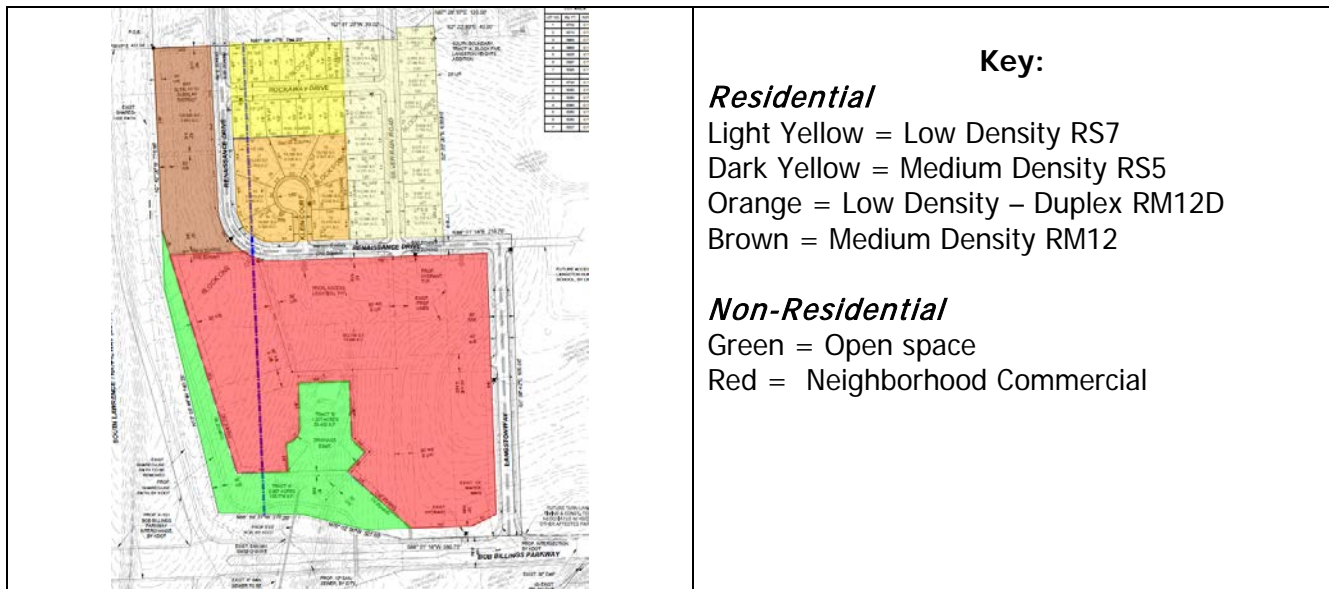
To the west: A (Agricultural) County District; K-10 Highway.

STAFF REVIEW

This property is proposed for residential and non-residential development with a variety of lot sizes and housing structure types. The subdivision extends existing local between K-10 Highway and George Williams Way west to east and between Bob Billings Parkway and W. 6th Street south to north. This property is located along K-10 Highway and is subject to specific development standards for buffering along the west property line as they pertain to Transportation Corridor Overlay District requirements. There are no variances proposed for this Preliminary Plat.

Zoning and Land Use

The property is proposed for RS7, RS5, RM12D, and RM12 residential zoning and CN2 and OS non-residential zoning. This application is being reviewed and considered concurrently with the associated zoning applications. Each proposed zoning district is discussed separately.



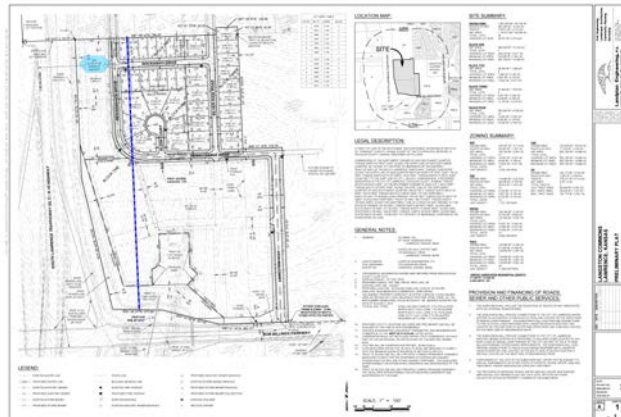
The proposed subdivision design and interior and boundary street network establish the framework for the district boundaries. The subdivision is designed to accommodate a mix of housing types and interconnected land uses. Lots meet the minimum area and size requirements per the proposed district boundaries. The zoning districts establish a Base Density that is applied to each lot for development purposes. Density is a measure used to express the intensity of residential development. Base Density is defined as:

The number of dwelling units that can be developed on a subject property, rather than the number of dwelling units that are permitted for the zoning district. Base density is the number of units that can be developed given the size of the parcel, the area required for street rights-of-way or infrastructure, the density and dimensional standards of Section 20-601 (a), the environmental protection standards, as well as topographical or other features unique to the property. [Section 20-1701].

For the purposes of this report the Base Density is referred to as the net density or what can be physically developed on individual lots. Gross density refers to the development within the total district boundary. Additionally, when considering a maximum limit such as density the Development Code disregards the fraction and only the smallest applicable whole number shall be considered. For this reason the density summary is rounded down. If the zoning requests are modified or denied then it is likely that, the configuration of this subdivision would also be revised. This application includes two concept drawings to demonstrate the planned development.

The west portion of this property is encumbered by a Major Transportation Corridor Overlay District for the SLT/K10 Highway. Several other major corridors are also subject to an overlay district. These districts are listed in Section 20-307 of the Development Code. At this time, only the SLT/K10 Overlay District includes development standards.

The boundary of the SLT/K10 Overlay District extends 500 feet on either side of the centerline of the right-of-way within the City of Lawrence. The overlay does not, at this time, extend into unincorporated areas. The preliminary plat shows this boundary as extended to the east side of Renaissance Drive and into the adjacent lots approximately 45'. The standards include an extraordinary setback of 50' as shown on the preliminary plat. Buildings and improvements are prohibited in this setback. Additional standards will be considered with future site plans for affected properties. This setback is an extension of the same setback applicable to the recently approved subdivision, Langston Heights, to the north.



Lot and Block Arrangement

This subdivision extends a modified grid street pattern to the south from the approved subdivision of Langston Heights. A cul-de-sac is used to orient duplex housing lots internally and provide a transition between the commercial to the south and the lower density to the north.

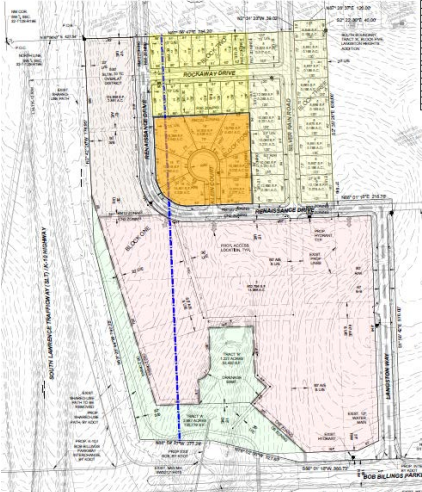
Detached Dwelling Development:

Lots exceed the minimum area requirements for the RS5 and RS7 proposed districts. . The net density of this portion of the subdivision is comparable to the existing subdivision to the northeast and the recently approved development to the north.

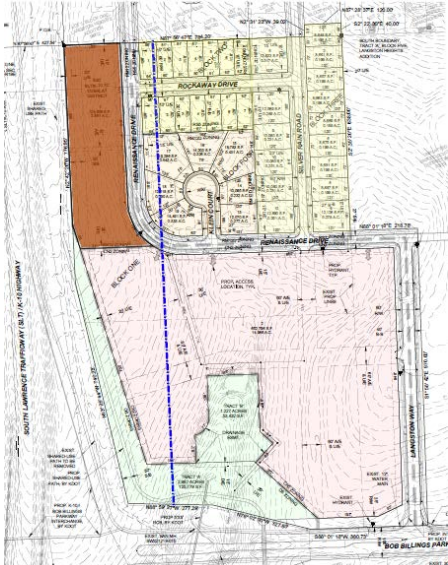
RS Development Area		
	Development Area	Acres
	RS7	4.712
	RS5	2.674
	Total Area	7.395
	Right of Way	Acres
	RS7:	1.251
	RS5	.704
	Lots/Total Units RS7:	15 lots /15 units
	Lots/Total Units RS5:	14 lot / 14 units
	Total Detached Lots/units	29/29
	Minimum Lot Area	Square Feet
	RS7:	7,000
	RS5:	5,000
	Minimum Lot Area RS7:	8,648
	Minimum Lot Area RS5:	5,857
	Maximum Lot Area RS7:	13,823
	Maximum Lot Area RS5:	6,720
	Average Lot Area RS7:	10,052
	Average Lot Area RS5:	6,130
	Net Unit Density	Units Per Acre
	RS7:	4.334
	RS5:	7.107

	Total Detached:	5.33
	District Density (Allowed)	
	RS7: RS5:	6 units per acre 8 units per acre
RS7 Area: Z-13-00251 RS5 Area: Z-13-00252		

The center portion of the subdivision is designed for duplex lots. These lots exceed the minimum area requirement for the proposed RM12D zoning. The net density within the central segment of the subdivision is 7 dwelling units per acre.

RM12D (Duplex Development Area)		
	Development Area	3.195 Acres
	Right of Way:	.864 Acres
	Lots/Total Units:	7 Lots / 14 units
	Minimum District Lot Area:	6,000 SF
	Minimum Lot Area:	10,095 SF
	Maximum Lot Area:	19,286 SF
	Average Lot Area:	14,507 SF
	Net Unit Density (Proposed):	6.006 units per acre
	District Density (Allowed):	12 units per acre
RM12D Area: Z-13-00253		

The western portion of the subdivision is designed to accommodate multi-dwelling units with two types of lots. One large lot is proposed along the highway right-of-way as a RM12 district. Seven smaller, lots are designed to accommodate duplex development.

RM12 Development Area		
	Development Area	3.349 Acres
	Right of Way:	.488 Acres
	Net Area	2.861 Acres
	Lots/Total Units:	1 Lots / 34 Units
	Minimum District Lot Area:	6,000 SF
	Lot Area Proposed:	124,636 SF
	Net Unit Density (Proposed):	11.884 Units per Acre
	District Density (Allowed):	12 units per Acre
RM12 Area: Z-13-00254		

This proposed subdivision also includes area for non-residential uses. Area for open space and neighborhood commercial development is also proposed. The Open Space district does not require a minimum lot area. There is no residential density associated with the OS district. The OS district reflects drainage and right-of-way access easements required for this development. The area is used as a buffer for the development from the Highway and method for the connection of pedestrian pathways and trails to the public sidewalk and multi-use path system.

The CN2 district is currently proposed as a single lot with access to the internal street network. It is likely the lot will be further subdivided as more detailed development plans of the area are developed.

Streets and Access

The proposed subdivision extends the local street network for the area south to Bob Billings Parkway. The plat shows a future access to Langston Hughes Elementary school. This is a conceptually located access intended for a future driveway connection between the elementary school and the public street network. The final location of the access drive will be determined as public improvement plans are developed for the property. The plat also shows specific access driveway locations from Renaissance Drive and Langston Way to the proposed commercial lot. These driveways will be further evaluated with the submission of a site plan for future development.

The plat should be modified to graphically show with “no access hatch marks” along the south property line adjacent to Bob Billings Parkway and the west property line along K-10 Highway. Access along Langston Way may be restricted at the intersection some distance north Bob Billings Parkway to protect the intersection. This element will be reviewed with the submission of the Final Plat.

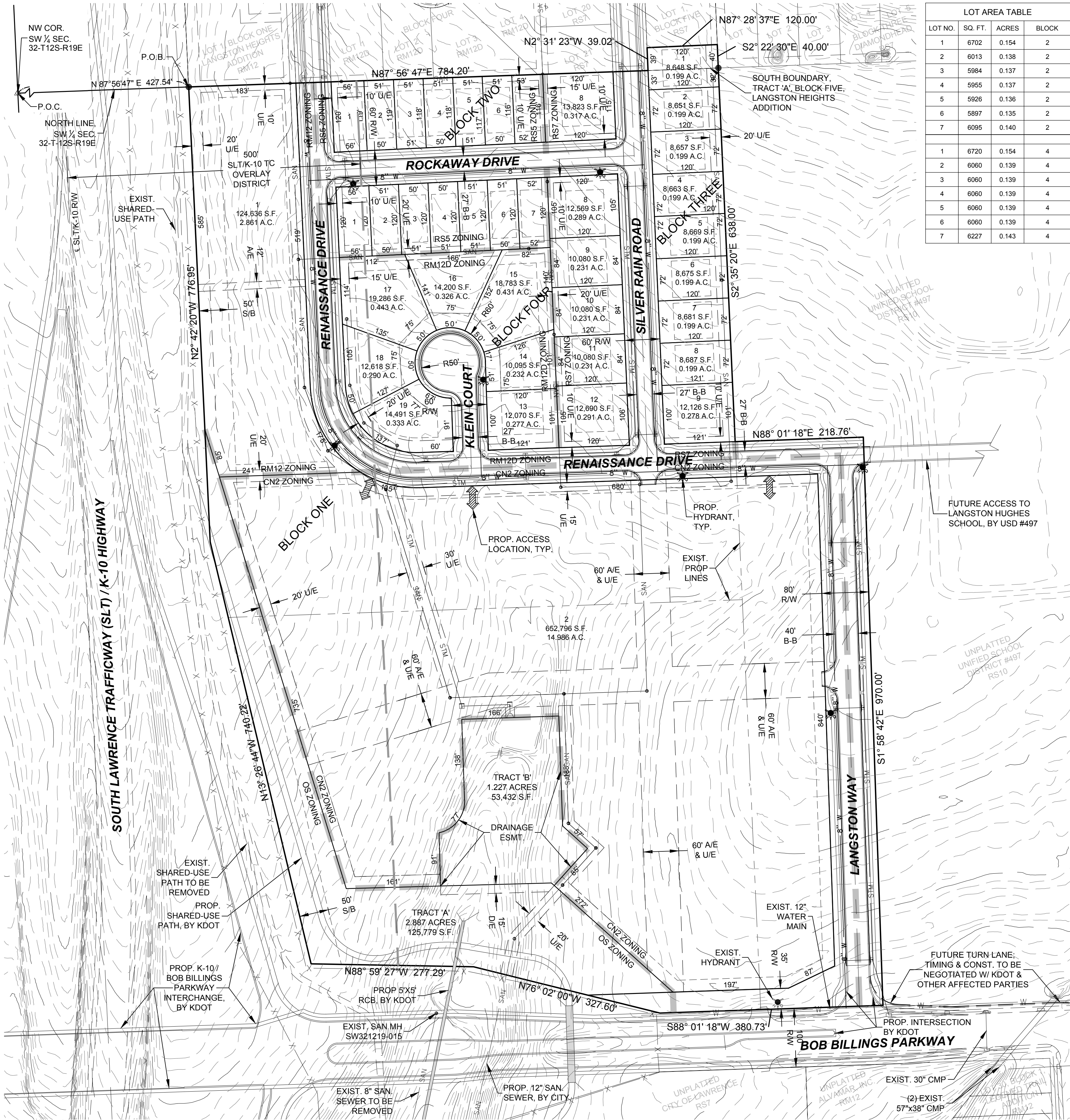
The proposed subdivision does not modify the right-of-way for the South Lawrence Trafficway.

Utilities and Infrastructure

Utilities can be extended to serve this development. The proposed preliminary plat includes the necessary easements to accommodate infrastructure needs for the proposed development.

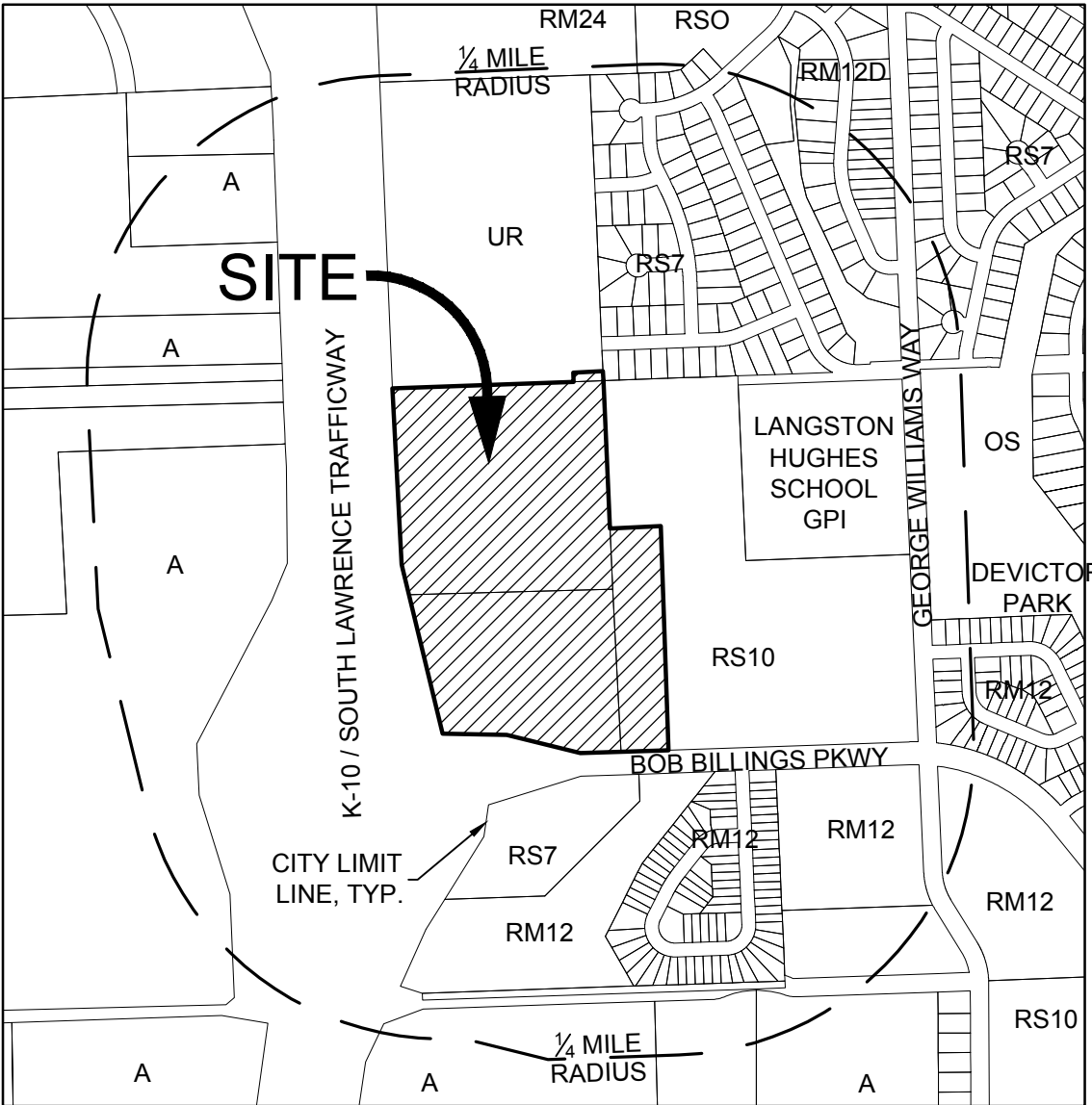
Conformance

The Comprehensive Plan recognizes the need for mixed housing options and a neighborhood commercial area at the intersection of K-10 Highway and Bob Billings Parkway. The plan also notes that development should provide adequate land use transition between more intense uses and less intense uses. The proposed Major Subdivision will accommodate the creation of mixed housing and compatible neighborhood commercial development in this location and is in conformance with the recommendations in *Horizon 2020*. The preliminary plat is in conformance with the standards and requirements of the Subdivision Regulations and the Development Code.



LOT AREA TABLE			
LOT NO.	SQ. FT.	ACRES	BLOCK
1	6702	0.154	2
2	6013	0.138	2
3	5984	0.137	2
4	5955	0.137	2
5	5926	0.136	2
6	5897	0.135	2
7	6095	0.140	2
1	6720	0.154	4
2	6060	0.139	4
3	6060	0.139	4
4	6060	0.139	4
5	6060	0.139	4
6	6060	0.139	4
7	6227	0.143	4

LOCATION MAP:



LEGAL DESCRIPTION:

A TRACT OF LAND IN THE SOUTHWEST AND NORTHWEST QUARTERS OF SECTION 32, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6TH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 87°56'47" EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 427.54 FEET TO THE POINT OF BEGINNING ON THE EASTERLY RIGHT-OF-WAY OF THE SOUTH LAWRENCE TRAFFICWAY; THENCE CONTINUING ALONG THE NORTH LINE OF SAID QUARTER SECTION NORTH 87°56'47" EAST, 784.20 FEET; THENCE NORTH 02°3'12" WEST, 39.02 FEET; THENCE NORTH 87°28'37" EAST, 120.00 FEET TO THE EAST LINE OF LOT 1, BLOCK 3, DIAMONDHEAD, A RECORDED SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE SOUTH 02°35'20" EAST, TO THE SOUTHWEST CORNER OF SAID LOT 1, 40.01 FEET; THENCE SOUTH 02°35'20" EAST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, 638.00 FEET; THENCE NORTH 88°01'18" EAST, 218.76 FEET; THENCE SOUTH 01°58'42" EAST, TO THE NORTHERLY RIGHT-OF-WAY OF BOB BILLINGS PARKWAY, 970.00 FEET; THENCE SOUTH 88°01'18" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY, 380.73 FEET; THENCE NORTH 76°02'00" WEST, ALONG THE NORTHERLY LINE OF A RIGHT-OF-WAY DECEDED TO THE STATE OF KANSAS, 327.60 FEET; THENCE NORTH 88°59'27" WEST, ALONG SAID STATE RIGHT-OF-WAY, 277.29 FEET; THENCE NORTH 13°26'44" WEST, ALONG SAID STATE RIGHT-OF-WAY, 740.22 FEET; THENCE NORTH 02°42'20" WEST, ALONG SAID STATE RIGHT-OF-WAY, 776.95 FEET TO THE POINT OF BEGINNING. CONTAINS 35.745 ACRES MORE OR LESS.

1. OWNERS: ALVAMAR, INC. 611 SAINT ANDREWS DRIVE LAWRENCE, KANSAS 66047
UNIFIED SCHOOL DISTRICT #497 110 McDONALD DRIVE LAWRENCE, KANSAS 66044

2. LAND PLANNER/ SURVEYOR: LANDPLAN ENGINEERING, P.A. 1310 WAKARUSA DRIVE LAWRENCE, KANSAS 66049

3. TOPOGRAPHIC INFORMATION SHOWN WAS OBTAINED FROM 2006 DOUGLAS COUNTY LIDAR DATA

4. EXISTING ZONING: UR, PCD, RS10

5. PROPOSED ZONING: RS7, RS5, RM12D, RM12, CN2, OS

6. EXISTING LAND USE: VACANT

7. PROPOSED LAND USE: DETACHED DWELLING, DUPLEX, ATTACHED DWELLING, NEIGHBORHOOD COMMERCIAL, OPEN SPACE

8. THE SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY FLOOD INSURANCE RATE MAP (FIRM); PANEL NO. 154, MAP NUMBER 20045C0154D, DOUGLAS COUNTY, KS., BEARING AN EFFECTIVE DATE OF AUGUST 5, 2010.

9. TYPICAL SOIL TYPES: SOGN-VINLAND COMPLEX, 3 TO 25% SLOPES MARTIN SILTY CLAY LOAM, 1 TO 3% SLOPES MARTIN SILTY CLAY LOAM, 3 TO 7% SLOPES OSKA SILTY CLAY LOAM, 3 TO 6% SLOPES WOODSON SILT LOAM, 1 TO 3% SLOPES

10. PROPOSED UTILITY LOCATIONS AND SIZES ARE PRELIMINARY AND WILL BE FINALIZED AT THE TIME OF SITE ENGINEERING.

11. THIS SITE IS DESIGNATED LOW-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL IN THE **WEST OF K-10 PLAN**, DATED 4/10/13.

12. LANDSCAPING SHALL NOT BE PLACED WITHIN UTILITY EASEMENTS, WITHIN 8 FEET OF THE WATER MAIN, OR WITHIN 8 FEET OF THE SANITARY SEWER MAIN.

13. UTILITIES WILL BE UNDERGROUND PER SEC. 20-809 (f)(4)(v).

14. LOTS DEVELOPED WITHIN THE SLT/K10-TC SHALL BE DESIGNED TO COMPLY WITH THE MINIMUM DESIGN STANDARDS OF SECTION 20-307(c)(1).

15. TRACT 'A' BLOCK ONE WILL BE A PRIVATELY-OWNED PERMANENT EASEMENT DEDICATED TO KDOT FOR THE PURPOSES OF CONTROLLED HIGHWAY ACCESS RIGHT-OF-WAY AND OTHER HIGHWAY PURPOSES. THE DEVELOPER IS RESPONSIBLE FOR ESTABLISHING OWNERSHIP AND MAINTENANCE OF THE SAME.

16. TRACT 'B', BLOCK ONE WILL BE A PRIVATELY-OWNED DRAINAGE EASEMENT. THE DEVELOPER IS RESPONSIBLE FOR ESTABLISHING OWNERSHIP AND MAINTENANCE OF THE SAME.

LEGEND:

- W —

EXISTING WATER LINE
- 8" W —

PROPOSED WATER LINE
- SAN —

EXISTING SANITARY SEWER
- SAN —

PROPOSED SANITARY SEWER
- STM —

EXISTING STORM SEWER
- STM —

PROPOSED STORM SEWER
- X —

FENCE LINE
- — —

BUILDING SETBACK LINE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED STORM SEWER MANHOLE
- PROPOSED STORM SEWER END SECTION
- EXISTING IRON BAR
- SECTION CORNER

SCALE: 1" = 100'



SITE SUMMARY:

GROSS AREA: 1,557,063 SF / 35.745 AC
RIGHTS-OF-WAY: 262,280 SF / 6.022 AC
TRACTS: 179,211 SF / 4.114 AC
NET AREA: 1,115,572 SF / 25.609 AC
TOTAL LOTS: 38
AVERAGE LOT SIZE: 29,357 SF / 0.674 AC

BLOCK ONE
NET AREA: 598,636 SF / 13.743 AC
TOTAL LOTS: 2
AVERAGE LOT AREA: 299,318 SF / 6.871 AC
MINIMUM LOT AREA: 124,636 SF / 2.861 AC
MAXIMUM LOT AREA: 652,796 SF / 14.986 AC

BLOCK TWO
NET AREA: 56,395 SF / 1.295 AC
TOTAL LOTS: 8
AVERAGE LOT AREA: 7,049 SF / 0.162 AC
MINIMUM LOT AREA: 5,897 SF / 0.135 AC
MAXIMUM LOT AREA: 13,823 SF / 0.317 AC

BLOCK THREE
NET AREA: 81,458 SF / 1.870 AC
TOTAL LOTS: 9
AVERAGE LOT AREA: 9,051 SF / 0.208 AC
MINIMUM LOT AREA: 8,648 SF / 0.199 AC
MAXIMUM LOT AREA: 12,126 SF / 0.278 AC

BLOCK FOUR
NET AREA: 200,290 SF / 4.598 AC
TOTAL LOTS: 19
AVERAGE LOT AREA: 10,542 SF / 0.242 AC
MINIMUM LOT AREA: 6,060 SF / 0.139 AC
MAXIMUM LOT AREA: 19,286 SF / 0.443 AC

ZONING SUMMARY:

RS7
GROSS AREA: 205,267 SF / 4.712 AC
RIGHTS-OF-WAY: 54,483 SF / 1.251 AC
NET AREA: 150,784 SF / 3.461 AC
TOTAL LOTS: 15
AVERAGE LOT AREA: 10,052 SF / 0.231 AC
MINIMUM LOT AREA: 8,648 SF / 0.199 AC
MAXIMUM LOT AREA: 13,823 SF / 0.317 AC
TOTAL UNITS: 15
UNIT DENSITY: 4.333 UNITS/AC

RS5
GROSS AREA: 116,465 SF / 2.674 AC
RIGHTS-OF-WAY: 30,646 SF / 0.704 AC
NET AREA: 85,819 SF / 1.970 AC
TOTAL LOTS: 14
AVERAGE LOT AREA: 6,130 SF / 0.141 AC
MINIMUM LOT AREA: 5,857 SF / 0.135 AC
MAXIMUM LOT AREA: 6,720 SF / 0.154 AC
TOTAL UNITS: 14
UNIT DENSITY: 7.107 UNITS/AC

RM12D
GROSS AREA: 139,169 SF / 3.195 AC
RIGHTS-OF-WAY: 37,619 SF / 0.864 AC
NET AREA: 101,550 SF / 2.331 AC
TOTAL LOTS: 7
AVERAGE LOT AREA: 14,507 SF / 0.333 AC
MINIMUM LOT AREA: 10,095 SF / 0.270 AC
MAXIMUM LOT AREA: 19,286 SF / 0.375 AC
TOTAL UNITS: 14
UNIT DENSITY: 6.006 UNITS/AC

RM12
GROSS AREA: 145,898 SF / 3.349 AC
RIGHTS-OF-WAY: 21,262 SF / 0.488 AC
NET AREA: 124,636 SF / 2.861 AC
TOTAL LOTS: 1
AVERAGE LOT AREA: 124,636 SF / 2.861 AC
MINIMUM LOT AREA: 124,636 SF / 2.861 AC
MAXIMUM LOT AREA: 124,636 SF / 2.861 AC
TOTAL UNITS: 34
UNIT DENSITY: 11.884 UNITS/AC

GROSS SUBDIVISION RESIDENTIAL DENSITY
77 UNITS / 13,930 AC
5.528 UNITS / AC

CN2
GROSS AREA: 723,929 SF / 16.619 AC
RIGHTS-OF-WAY: 71,133 SF / 1.633 AC
NET AREA: 652,796 SF / 14.986 AC
TOTAL LOTS: 1
AVERAGE LOT AREA: 652,796 SF / 14.986 AC
MINIMUM LOT AREA: 652,796 SF / 14.986 AC
MAXIMUM LOT AREA: 652,796 SF / 14.986 AC

OS
GROSS AREA: 182,174 SF / 4.182 AC
RIGHTS-OF-WAY: 2,963 SF / 0.068 AC
TRACTS: 179,211 SF / 4.114 AC
NET AREA: 0 SF / 0 AC
TOTAL TRACTS: 2
AVG. TRACT AREA: 89,606 SF / 2.057 AC
MIN. TRACT AREA: 53,432 SF / 1.227 AC
MAX. TRACT AREA: 125,779 SF / 2.887 AC

PROVISION AND FINANCING OF ROADS, SEWER AND OTHER PUBLIC SERVICES:

- THE SUBDIVISION WILL INCLUDE THE DEDICATION OF RIGHTS-OF-WAY ASSOCIATED WITH ALL INTERNAL ROADS SHOWN.
- THE SUBDIVISION WILL PROVIDE CONNECTIONS TO THE CITY OF LAWRENCE WATER SYSTEM VIA AN EXISTING 12-INCH DUCTILE IRON LINE LOCATED ON THE NORTH SIDE OF BOB BILLINGS PARKWAY. THE SUBDIVISION WILL ALSO PROVIDE CONNECTIONS TO TWO (2) 8-INCH LINES PROPOSED WITH LANGSTON HEIGHTS ADDITION: ONE LOCATED ON THE EAST SIDE OF SILVER RAIN DRIVE DRIVE AND A SECOND LOCATED ON THE WEST SIDE OF RENAISSANCE DRIVE.
- THE SUBDIVISION WILL PROVIDE CONNECTIONS TO THE CITY OF LAWRENCE SANITARY SEWER SYSTEM VIA A PROPOSED 12-INCH MAIN TO BE LOCATED ON THE NORTH SIDE OF BOB BILLINGS PARKWAY BY THE CITY AS PART OF THE K-10 / BOB BILLINGS PARKWAY INTERCHANGE IMPROVEMENTS. THE SUBDIVISION WILL ALSO PROVIDE CONNECTIONS TO TWO (2) 8-INCH MAINS PROPOSED WITH LANGSTON HEIGHTS ADDITION: ONE LOCATED ON THE SOUTH SIDE OF BLOCK FOUR AND A SECOND LOCATED ON THE WEST SIDE OF RENAISSANCE DRIVE..
- PURCHASERS OF THE LOTS IN THE SUBDIVISION MAY OR MAY NOT BE SUBJECT TO SPECIAL ASSESSMENTS OR OTHER COSTS OF STREETS, ROADS, WATER LINES AND TREATMENT, AND/OR WASTEWATER LINES AND TREATMENT.
- THE PROVISION OF IMPROVED ROADS, WATER SERVICE AND/OR WASTEWATER SERVICE WILL NOT DEPEND IN ANY WAY ON A VOTE, PETITION OR OTHER COLLECTIVE ACTION OF PROPERTY OWNERS IN THE SUBDIVISION.

Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.
Lawrence, KS • Kansas City, MO • Columbia, OH
The Woodlands, TX • Farmington Hills, MI

1310 Wakarusa Drive
Lawrence, KS 66044
Tel: (785) 842-7530
Fax: (785) 842-7510
Web: www.landplan-pa.com

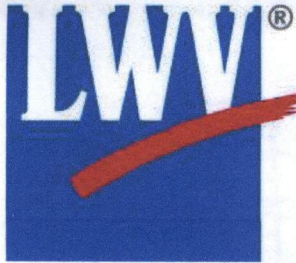
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LANGSTON COMMONS
LAWRENCE, KANSAS
PRELIMINARY PLAT

REV	DATE	DESCRIPTION	PER REVISION COMMENTS	
			DATE	DESCRIPTION
	8/6/13			

DATE:	8/24/13
PROJECT NO.:	20133016
DESIGNED BY:	RSR/LPE
DRAWN BY:	BS
CHECKED BY:	BS

ISSUE	SHEET NO.
A	1
OF 1 SHEETS	



LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED

AUG 26 2013

City County Planning Office
Lawrence, Kansas

August 25, 2013

Mr. Bryan Culver, Chair and Members
Lawrence, Douglas County Metropolitan Planning Commission

RE: ITEM NO. 1G PRELIMINARY PLAT FOR LANGSTON COMMONS; N OF BOB BILLINGS PKWY
& E OF K-10 (SLD)

Dear Chairman Culver and Planning Commissioners:

The League Land Use Committee studied the Preliminary Plat for Langston Commons and has some concerns about the design of the proposed commercial area. We realize that this plat will be modified with the site plan and final plat and hope that by raising questions now these issues with potential safety problems will be noted and if need be, resolved.

Our questions primarily are with the "proposed" locations of the curb cuts onto Renaissance Drive from the northern boundary of the commercial lot. There are three proposed access locations and two actual access driveways configured on the preliminary plat. One of the proposed curb cuts is onto a service drive that presumably would be serving large trucks loading and unloading from the service area of the grocery store in Development Concept One and the alternative larger retail outlet in Development Concept A. This service driveway would open onto a curve in Renaissance Drive, the street serving a relatively densely populated area of townhouses from this and other developments. Our questions here are (1) would this have an adequate sight line from this northern portion of Renaissance Drive, and (2) would large trucks entering and leaving at this location create potential traffic congestion or safety problems?

A third question regards the locations of the curb cuts and access drives that are in direct line to the local streets immediately to their north, especially the access onto Renaissance Drive that intersects Silver Rain Road. Some traffic can be expected to move directly to the south from Silver Rain Road because the access easements will be wide enough to provide direct traffic flow through the commercial area to the south and then to the east to Langston Way, possibly to avoid the effect of traffic from the Langston Hughes school driveway. Will there be a conflict with cross traffic from Renaissance Drive? Should this access drive be offset?

Our concern is primarily with safety issues, and we hope that you will carefully anticipate not only the traffic flow patterns here as the development is first completed, but also what the consequences will be of the traffic patterns in and out of this commercial area long into the future. Please see annotated plat, attached. Thank you.

Sincerely yours,

Cille King
Cille King
Co-President

Alan Black
Alan Black, Chairman
Land Use Committee

Co-President
David Burress

Co-President
Cille King

President-Elect
Cille King

Vice President
marci francisco

Secretary
Caleb Morse

Treasurer
Marjorie Cole

Directors
Margaret Arnold

Caroljean Brune

Scott Criqui

James Dunn

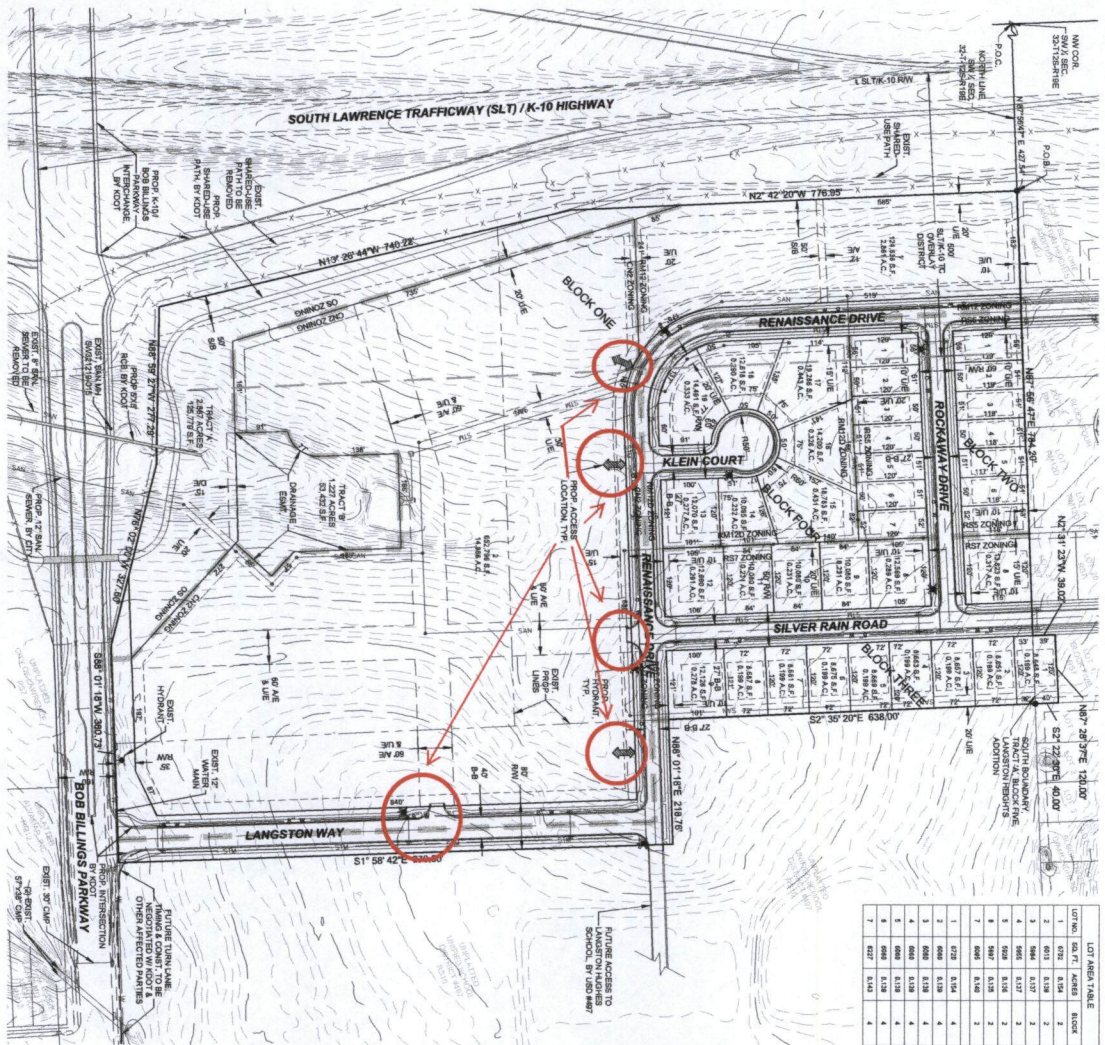
Ruth Gibbs

Midge Grinstead

Marlene Merrill

PO BOX 1072 • LAWRENCE KS 66044-1072

league@sunflower.com • www.lawrenceleague.com
www.facebook.com/lwvldc • www.twitter.com/lwvldc



LOT AREA TABLE				
LOT NO.	SQ. FT.	ACRES	BLK	CD
1	6732	0.154	2	
2	6613	0.150	2	
3	5944	0.137	2	
4	5955	0.137	2	
5	5928	0.136	2	
6	5947	0.136	2	
7	6049	0.140	2	
8	6049	0.140	2	
9	6049	0.140	2	
10	6049	0.140	2	
11	6049	0.140	2	
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97	6049	0.140	2	
98	6049	0.140	2	
99	6049	0.140	2	
100	6049	0.140	2	

A TOTAL COUNTY IN THE SOUTHWEST AND NORTHEAST QUARTERS OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 10 EAST, 10TH PRINCIPAL MERIDIAN, IN
TAYLOR COUNTY, KANSAS, DESCRIBED IN FOLLOWING

1. OWNERS
ALVAREZ, INC.
811 HUNT AVE/ST. DRIVE
LAMBERT, MISSOURI 63047
UNEMP. SEC. DIST. #447
119 MC DONALD DRIVE
LAMBERT, MISSOURI 63044
2. LAND PLAYSER/
LAND ENGINEER/
SURVEYOR
LANPAIN ENGINEERING, P.A.
1310 WALKER DR.
LAMBERT, MISSOURI 63048
3. COUNTY LAND DATA
COUNTY CLERK
P.O. BOX 4530
PROCESSED ZONING PER 88S, 89Z, 91Z, 92Z, 93S

[illegible]

BIOLOGICAL DATA		BIOCHEMICAL DATA	
WET WEIGHT	1.427300 MC	WET WEIGHT	1.427300 MC
WET WEIGHT	202.2620 MC	WET WEIGHT	6.6202 MC
WET WEIGHT	1.151072 MC	WET WEIGHT	17.254800 MC
TOTAL LOT LOT WEIGHT	20.307 MC	TOTAL LOT LOT WEIGHT	10.0154 MC
BIOCHEMICAL DATA		BIOCHEMICAL DATA	
WET WEIGHT	506.8810 MC	WET WEIGHT	11.7120 MC
WET WEIGHT	206.2530 MC	WET WEIGHT	6.4871 MC
WET WEIGHT	1.151072 MC	WET WEIGHT	17.254800 MC
WET WEIGHT	652.1700 MC	WET WEIGHT	14.6860 MC
BIOCHEMICAL DATA		BIOCHEMICAL DATA	
WET WEIGHT	6.3587 MC	WET WEIGHT	1.2580 MC
WET WEIGHT	7.0040 MC	WET WEIGHT	1.1625 MC
WET WEIGHT	13.8230 MC	WET WEIGHT	10.317 MC
BIOCHEMICAL DATA		BIOCHEMICAL DATA	
WET WEIGHT	9.4240 MC	WET WEIGHT	1.3270 MC
WET WEIGHT	6.8640 MC	WET WEIGHT	1.1500 MC
WET WEIGHT	12.7080 MC	WET WEIGHT	0.2210 MC
BIOCHEMICAL DATA		BIOCHEMICAL DATA	
WET WEIGHT	20.2000 MC	WET WEIGHT	1.4688 MC
WET WEIGHT	14.5420 MC	WET WEIGHT	0.2430 MC
WET WEIGHT	6.2000 MC	WET WEIGHT	1.1330 MC
WET WEIGHT	17.3880 MC	WET WEIGHT	0.4040 MC

[illegible][illegible][illegible]

**LANGSTON COMMONS
LAWRENCE, KANSAS
PRELIMINARY PLAT**

Memorandum

City of Lawrence

Public Works

TO: David L. Corliss, City Manager
FROM: Chuck Soules, Director of Public Works
Date: August 5, 2013
CC: Diane Stoddard, Cynthia Wagner, Jonathan Douglas, David Cronin, Mark Thiel
RE: Construction of 31st Street, from Haskell Avenue to O'Connell Road
KDOT Project No. 23 U-2117-01 – City Project No. 18-CP7-507(S)

Please include the following information on the August 13, 2013 City Commission Regular Agenda.

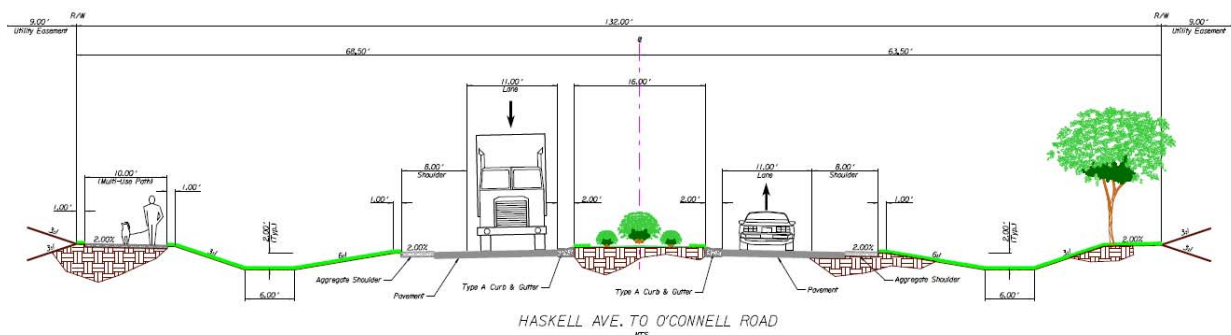
Project Background

This project has a long history beginning in 2006 when the City applied for a construction project and received a Federal earmark of \$800,000 to begin design and acquire the R/W. A steering Committee was formed in 2008. The Steering Committee was comprised of representatives from the adjacent neighborhoods, wetlands, Bicycle Advisory Committee, Planning/City/County Commissions, businesses, Chamber of Commerce, and staff. The Steering Committee recommendations included:

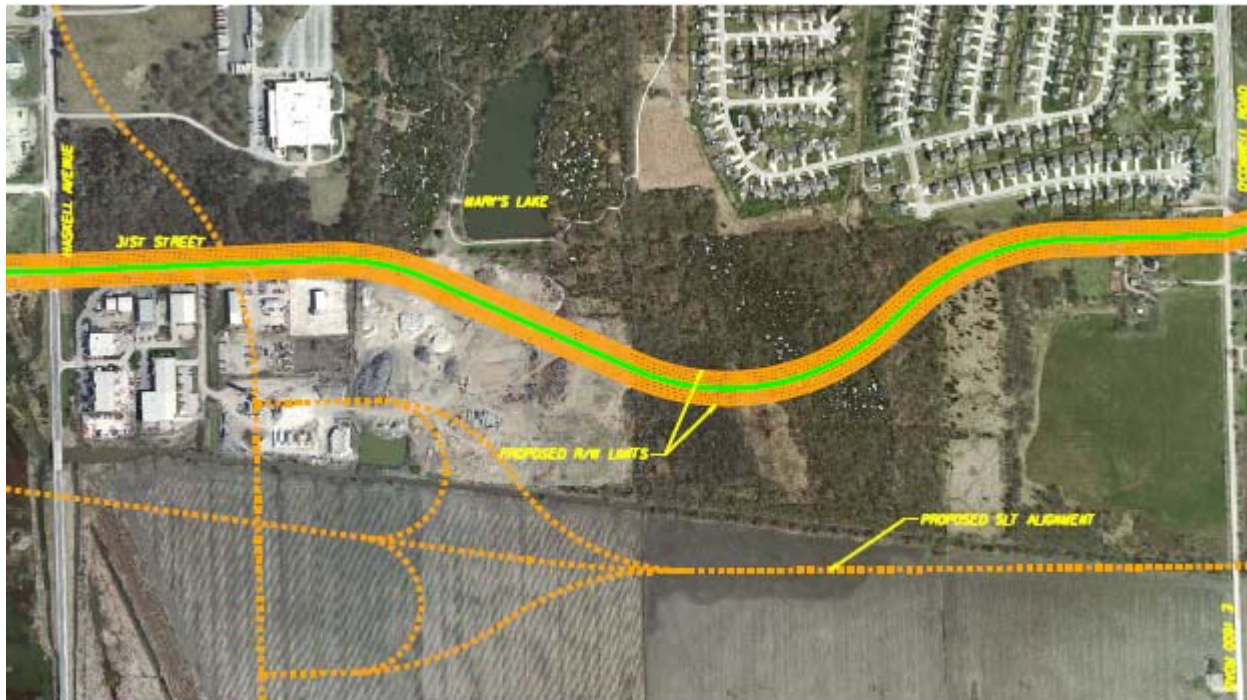
Steering Committee Recommendations/Findings:

- A curvilinear alignment
- Southern alignment between Haskell and O'Connell following the topography
- Typical sections, including medians and ditch sections (from Haskell Avenue east to the end of the industrial area, a three lane curb and gutter and storm sewer section)
- Right-of-Way needed for future expansion – 150'
- Multi-use path on north side and tying into Prairie Park
- Design speed of 45 mph
- Intersection at Haskell Avenue will need a signal
- Intersection at O'Connell Road should be reviewed for a signal and roundabout
- Speed limit of 45 mph was recommended
- Several meetings were held with the City and County Commissions and open public meetings
- Construction funding was not identified

TYPICAL SECTION



Project Alignment



Project Status

In 2009 KDOT announced the T-Works Transportation Program that included the construction of the SLT.

As part of the SLT project an interchange will be constructed at 31st Street & Haskell Avenue. This interchange will also include the construction/reconstruction of the intersection at 31st Street & Haskell Avenue and 31st Street east of Haskell approximately 1500 feet (approximately 1/3 of the project). Right-of-way for the SLT also acquires approximately 40% to 50% of the right-of-way needed for the 31st Street project.

In 2012 City entered into an agreement with KDOT to construct 31st Street. The agreement included:

- The Secretary would acquire the right-of-way for the project.
- The Secretary will bid the project.
- The City will pay \$2 million in 2014 and 2015 (estimated construction cost) plus right-of-way acquisition costs.
- After construction and acceptance KDOT will deed over the property acquired for the project.

The City will be responsible for construction inspection.

At the Commission's August 6th meeting the City Commission initiated the annexation of the 31st Street right-of-way.

Wetlands

The Army Corps of Engineers determined that the 31st Street project would affect approximately 11 acres of existing wetlands.

The SLT project acquired additional property due to having to acquire larger tracts and not leaving unusable areas. KDOT has agreed to allow the City to acquire 11 acres of the excess property to use as our mitigation area.

KDOT paid approximately \$6,500 an acre which the City will need to reimburse (approximately \$72,000). The mitigation area will require plantings, monitoring, maintenance, and reporting for 3 years. Baker University (Dr. Roger Boyd) has agreed to do all work to meet the permit requirements. The City and Baker University will need to enter into an agreement for this work which Dr. Boyd has agreed to complete for \$62,000. This agreement will be presented to the Commission for approval.

Permit

The permit must be agreed to by the City, before the Corps will issue it. The permit includes the plan for the area (appendix A attached), construction of wetlands, plantings, maintenance, riparian buffer (appendix D attached), types of plants, and quantities. The plantings include 624 buck brush, 432 gooseberries, 48 elderberries, 780 bush honeysuckles all per acre and an average of 250 trees per acre (mitigation plan attached). Monitoring and reporting for 3 years. The permit also requires a deed restriction that the land cannot be used for other purposes.

Project Schedule

The SLT and 31st Street will be bid at the same time (separate projects). The bid date for both projects is September 18, 2013.

Action Requested

Authorize Mayor to sign Department of Army Permit Number NWK-2011-124 for the construction of 31st Street, from Haskell to O'Connell, City Project Number 18-CP7-507(S).

Respectfully Submitted,



Charles F. Soules, P.E.
Director of Public Works

CFS/ch

Attachments: Appendix A and D
Lawrence Mitigation Plan

PLANNING COMMISSION REPORT
Regular Agenda – Non Public Hearing Item

PC Staff Report
08/26/13

**ITEM NO. 2: ANNEXATION OF 25.81 ACRES; SE OF MARY'S LAKE BETWEEN
HASKELL AVE & O'CONNELL RD (SMS)**

A-13-00296: Consider annexation of approximately 25.81 acres located southeast of Mary's Lake between Haskell Avenue and O'Connell Road for the construction of the extension of E 31st Street to tie into N 1300 Road east of the E 1600 Road/O'Connell Road intersection. The property owner of record is the Kansas Secretary of Transportation. *Initiated by City Commission on 8/6/13.*

STAFF RECOMMENDATION:

Staff recommends approval of the requested annexation [A-13-00296] of approximately 25.81 acres located southeast of Mary's Lake between Haskell Avenue and O'Connell Road based on the findings in the body of the staff report and forwarding this request to the City Commission with a recommendation for approval.

Reason for Request:

Applicant's response: *"The City is constructing 31st Street from Haskell to O'Connell. The Kansas Department of Transportation and the City have entered into an agreement authorizing the State to acquire the property needed for the project and bid the project. The property will eventually be deeded to the City for right-of-way. The request for annexation is so that the City can proceed to approve necessary funding for 31st Street."*

KEY POINTS

- The property being annexed consists of portions of five parcels that have been acquired by KDOT for right-of-way for either the 31st Street project or the completion of K-10 Highway project.
- The majority of the property abuts the southern city limits.
- The property is located within Service Area 4 of the Urban Growth Area, an area that has been identified for future urbanization.
- Annexation requests of more than 10 acres require a Planning Commission recommendation.
- The property is not within any Rural Water District service area.

COMPREHENSIVE PLAN FACTORS TO CONSIDER

- The annexation request is compliant with the Growth Management and Transportation policies of the Comprehensive Plan.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- There are no associated cases. Eventually this property, and any additional property deeded from KDOT related to the street construction, will need to be zoned to a city designation. Rezoning can be postponed until the remainder of the corridor is annexed and the street improvements are complete.

Other action required:

- City Commission approval of annexation and adoption/publication of ordinance.

PUBLIC COMMENT

- Telephone inquiry from property owner on Goodell Court concerned about noise impacts from new road.
- No written public comments were received prior to the printing of this staff report.

ATTACHMENTS

- 8/5/13 Public Works Memo describing project scope

EXISTING CONDITIONS

Current Zoning and Land Use: A (County-Agricultural) and F-F (Floodway Fringe Overlay) Districts; woodland and rural residential uses.

Surrounding Zoning and Land Use: To the north:
OS (Open Space) and RS7 (Single-Dwelling Residential) Districts; wooded open space in Prairie Park and residential uses in Prairie Park neighborhood.

To the west:
A (County-Agricultural) and I-3 (County-Heavy Industrial) Districts; woodland south of Mary's Lake and asphalt plant.

To the south and east:
A (County-Agricultural) and F-F (Floodway Fringe Overlay) Districts; agriculture and rural residences.

Site Summary

Gross Area: 25.81 acres, portions of parcels acquired by KDOT for the 31st Street project and the completion of K-10 project

Project Summary

The Kansas Department of Transportation has acquired a number of parcels in the vicinity for two construction projects: the completion of K-10/SLT and the extension of 31st Street between Haskell Avenue and O'Connell Road. The western portion of this new arterial street will be constructed by KDOT as part of the highway project. The City will construct the eastern segment. In order for the City to finance the improvement, the property must be located within the city limits.

KDOT will eventually deed all of the property to the City. The portion of the property not improved with the new roadway will be added to the city park system as an extension of Mary's Lake and Prairie Park. This will allow the retention of significant wooded areas which will provide a noise buffer to the residential uses to the north.

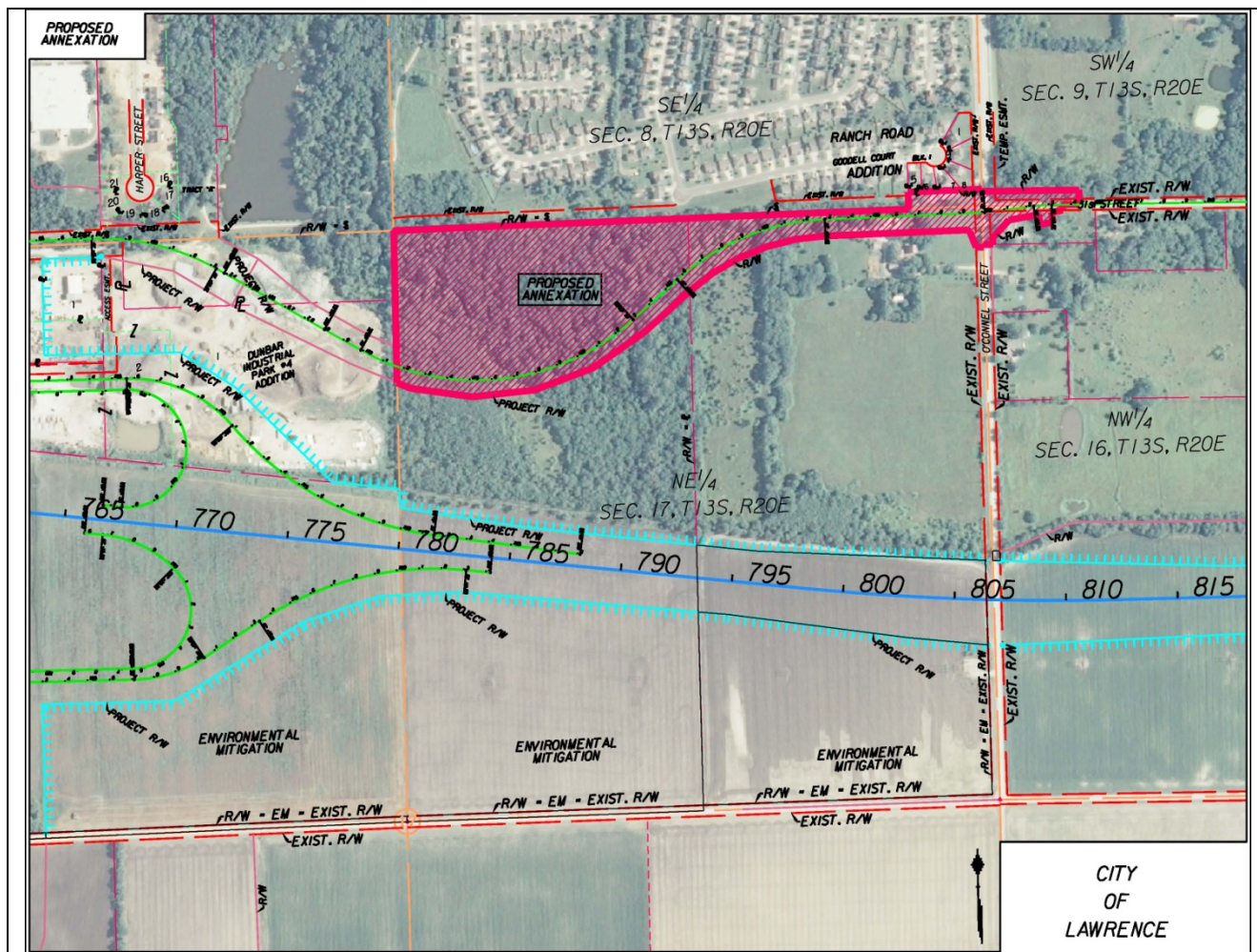


Figure 1. Proposed annexation of properties for 31st Street extension to O'Connell Road shown in pink highlighted area. Right-of-way for K-10/SLT completion shown in highlighted blue with surrounding land uses.

Annexation Procedure

Kansas Law [K.S.A. 12-519 *et. seq.*] provides for annexation by ordinance of the City Commission. Lawrence City policy requires the Lawrence-Douglas County Metropolitan Planning Commission to review all annexation requests in excess of ten acres. Following a recommendation from the Planning Commission, the City Commission will consider the request and adopt an ordinance.

Typically, property is rezoned to a city zoning designation following annexation. Because portions of the properties will be improved for the street system and portions will become part of the parks and open space system, Staff suggests that the rezoning action occur after the road improvements are in place. Additional properties in the vicinity will be remainder parcels from the K-10 construction and will also be added to the open space system. Staff will request the City Commission initiate rezoning following completion of these projects.

The City of Lawrence Administrative Annexation Policy (AP-74) requires that the costs associated with compensation to a Rural Water District be paid pursuant to Kansas Statutes. The properties included in this request are located in a part of the county that is not served by any Rural Water District; therefore, no additional action is required for compliance.

General Location

The properties requested for annexation are located south of the Prairie Park neighborhood and at the intersection of O'Connell Road/E 1600 Road and N 1300 Road. Arterial streets typically are located along section lines. Due to the topography in the area, the 31st Street alignment drops south approximately an eighth of a mile mid-way between Haskell and O'Connell in the area south of Mary's Lake. This acreage makes up the majority of the area within the requested annexation. Small parcels have also been acquired from the property owners north and south of N 1300 Road on the east side of O'Connell Road/E 1600 Road in order to accommodate intersection improvements.

Infrastructure and Utility Extensions

The project improvements include medians and ditch sections through this portion of the corridor. A new water main will be installed and a multi-use path will be constructed on the north side to tie into Prairie Park.

Public Right-of-Way: 31st Street is classified as a future arterial on the Thoroughfares Map. The right-of-way will be 150' wide to accommodate future expansion. As noted above, the remainder of the property will also be deeded to the city as part of the parks & open space network.

COMPREHENSIVE PLAN

The subject property is located within Service Area 4 of the Lawrence Urban Growth Area. The majority of Service Area 4 is located south of the city and extends south of the Wakarusa River. As city services become available, properties will be encouraged to annex prior to development in this service area. Annexation Policy No. 1 listed on page 4-5 of *Horizon 2020* states that Lawrence will actively seek voluntary annexation of land within the UGA as development is proposed.

This annexation request is also considered under the Transportation Chapter of *Horizon 2020* since it will accommodate the development of an expansion to the existing transportation network. Construction of this section of 31st Street will implement multi-modal improvements and congestion management action steps identified in *Transportation 2040*.

The annexation request is consistent with the growth management and transportation policies found in *Horizon 2020*.

COMPLIANCE WITH ADOPTED AREA PLANS

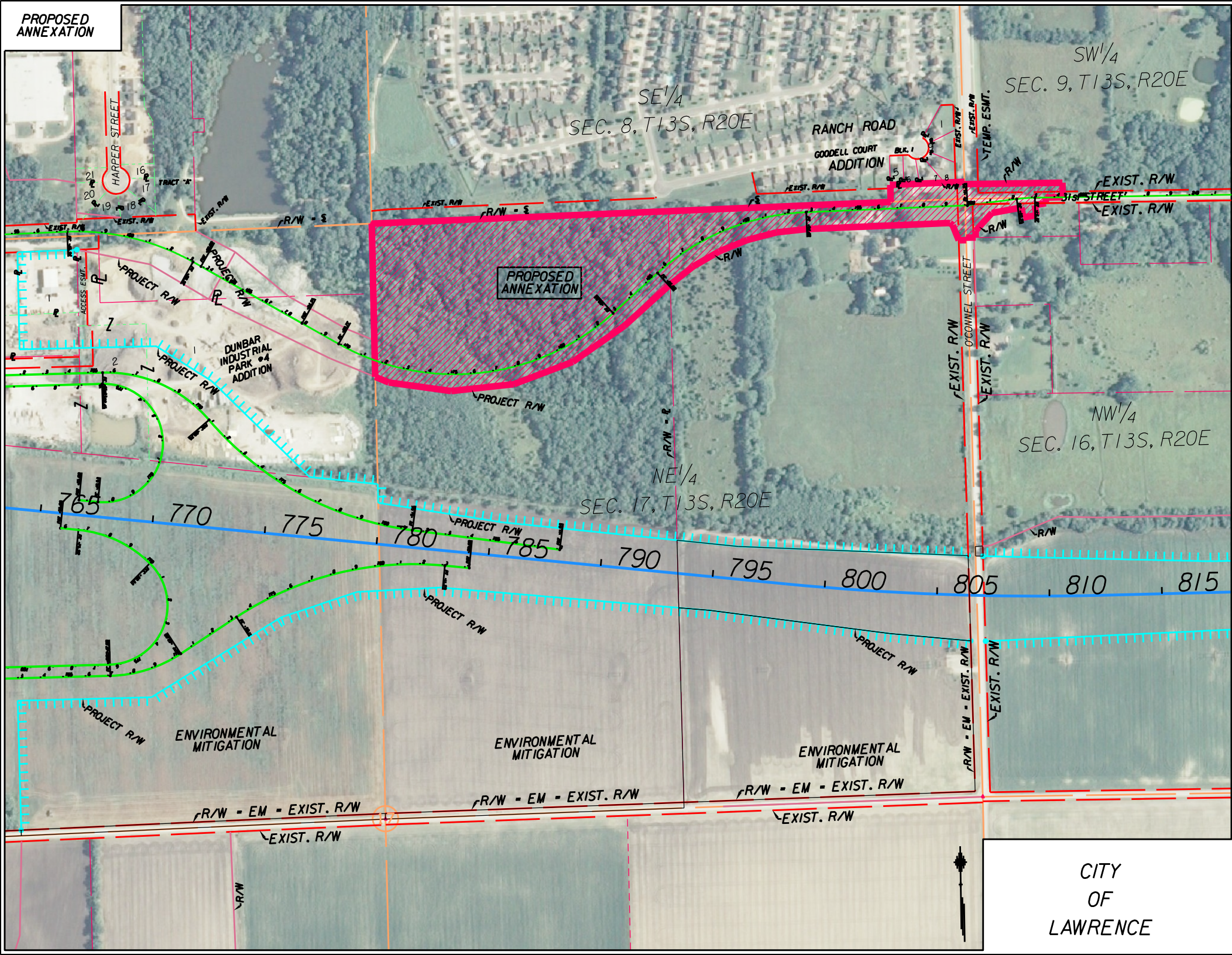
The subject property is not located within a specific sector plan. This corridor is in the one mile section between the *Revised Southern Development Plan* and the *Southeast Area Plan*. The 31st Street project is consistent with improvements identified in the Metropolitan Transportation Plan, *T2040*.

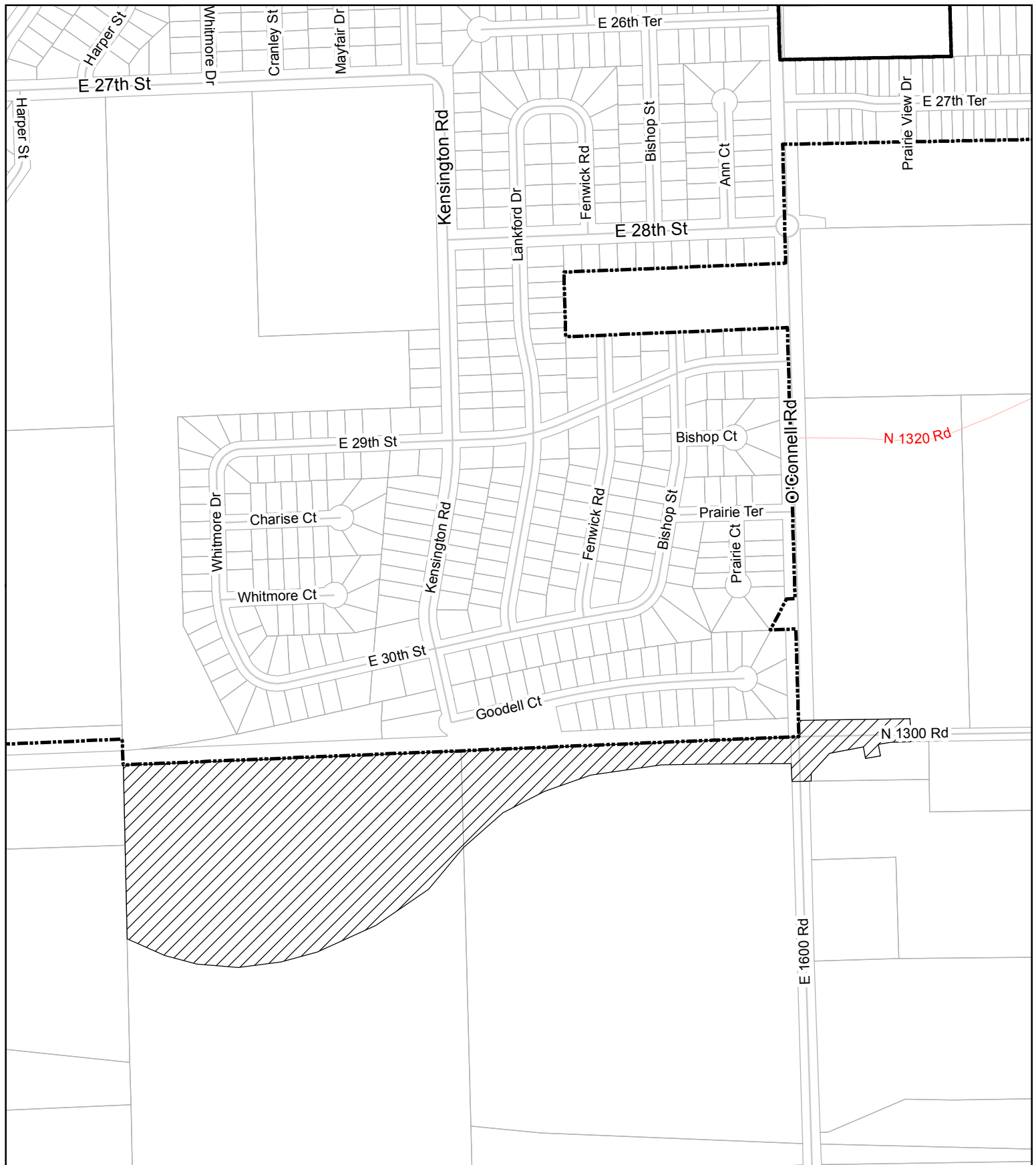
Annexation of the area and planned 31st Street improvements provide the opportunity for improved connectivity and reduced congestion in the southern part of the city. The multi-modal improvements and additional open space/parkland will provide increased recreational opportunities for citizens and visitors. These improvements comply with the goals and strategies identified in *Transportation 2040*.

CONCLUSION

The proposed annexation is compliant with recommendations of *Horizon 2020*. The subject property is located within the Lawrence Urban Growth Area and City services are available to serve the property; therefore, annexation is appropriate.

**PROPOSED
ANNEXATION**





A-13-00296: Annexation of approximately 25.81 acres for the construction of the extension of E 31st Street to tie into N 1300 Road east of the E 1600 Road/O'Connell Road intersection



PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
8/26/13

ITEM NO. 3: COMPREHENSIVE PLAN AMENDMENT TO H2020; TRANSPORTATION (MJL)

CPA-13-00272: Consider Comprehensive Plan Amendment to Horizon 2020, Chapter 8-Transportation, to incorporate the Goals, Objectives and Strategies in the new T2040 Metropolitan Transportation Plan. *Initiated by City Commission on 6/11/13.*

STAFF RECOMMENDATION: Staff recommends approval of this comprehensive plan amendment to *Horizon 2020* Chapter 8 - Transportation, to update the chapter to reflect the goals and policies of the approved long-range transportation plan, Transportation 2040 and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and Douglas County Commission with a recommendation for approval.

STAFF RECOMMENDATION: If appropriate, approve and sign Planning Commission Resolution PCR-13-00332 regarding CPA-13-00272.

SUMMARY

The current Chapter 8 of *Horizon 2020* was amended after the previous long-range transportation plan, Transportation 2030 (T2030) was adopted. That amendment incorporated the goals and policies of T2030, into the comprehensive plan. The newest long-range transportation plan, Transportation 2040 (T2040), was approved by the Lawrence-Douglas County MPO on March 21, 2013. This amendment is proposed to do the same as the last and incorporate the goals, objectives and strategies of the newly adopted plan.

The goals of T2040 that are proposed to be incorporated into *Horizon 2020* include the following:

1. Improve Safety and Security
Objectives and strategies to: reduce occurrences to fatalities and injuries to transportation system users, coordination among local agencies in times of emergencies and homeland security of system users
2. Focus on System Preservation and Economic Efficiency
Objectives and strategies to: maximize the usefully life of the transportation structures, maximize the capacity of the network and improve the operational efficiencies of the transport system, coordinate transportation improvements with other land use and infrastructure improvements to save costs, and utilize existing financial resources to reduce duplication of services and/or other inefficiencies and investigate potential new revenue sources
3. Maximize Accessibility and Mobility
Objectives and strategies to: minimize delay and congestion to improve travel times, provide viable transportation alternatives (transit, bicycle, pedestrian) with better interconnectivity, and assure all users are provided access to the regional transportation system

4. Consider The Environment And Quality Of Life

Objectives and strategies to: minimize adverse social, economic, and environmental impacts created by the transportation system, and consider transportation impacts when making land use decisions

STAFF REVIEW

It is important to incorporate all long-range plans into one place as to not duplicate goals and policies or to not create conflicting goals and policies. T2040 was adopted after an extensive public comment and hearing process. This amendment incorporates the work from the approved document, into *Horizon 2020* in order to use the goals and policies in the plan to guide development in the City of Lawrence and unincorporated Douglas County.

Attached are both the current Chapter 8 text which most of is to be deleted and the draft Chapter 8 document.

COMPREHENSIVE PLAN AMENDMENT REVIEW

A. Does the proposed amendment result from changed circumstances or unforeseen conditions not understood or addressed at the time the plan was adopted?

This amendment results from a change in circumstances with the adoption of the new long-range transportation plan. The updated goals, objectives and strategies should be incorporated into *Horizon 2020* in order to keep it as up to date as possible.

B. Does the proposed amendment advance a clear public purpose and is it consistent with the long-range goals and policies of the plan?

The text for the proposed amendment has gone through an extensive public process and reflects current public goals, objectives and strategies regarding transportation facilities. The amendment is consistent with the overall goals of the plan regarding planned and managed growth, diversity, pursuit of quality, compatibility and sustainability.

C. Is the proposed amendment a result of a clear change in public policy?

The amendment is proposed in response to a clear change in public policy as it incorporates the recently adopted long-range transportation plan goals, objectives and strategies.

STAFF RECOMMENDATION

Staff recommends approval of this comprehensive plan amendment to *Horizon 2020* Chapter 8 - Transportation, to update the chapter to reflect the goals and policies of the approved long-range transportation plan, Transportation 2040 and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission Douglas County Commission with a recommendation for approval.

If appropriate, approve and sign Planning Commission Resolution PCR-13-00332 regarding CPA-13-00272.

CHAPTER EIGHT - TRANSPORTATION

This chapter references the Metropolitan Transportation Plan (MTP) as the Transportation Chapter of Horizon 2020, reflects the goals of the MTP as adopted, and presents a brief explanation of the regional transportation planning process conducted in Douglas County by the Lawrence-Douglas County Metropolitan Planning Organization (L-DC MPO) and how that regional transportation planning program relates to the land use planning activities conducted by the Lawrence-Douglas County Metropolitan Planning Commission. This chapter also explains how both transportation planning and land use planning for the area are documented in the regional comprehensive plan.

METROPOLITAN TRANSPORTATION PLAN

The MTP, currently titled Transportation 2040 or T2040 is a document produced and approved by the L-DC MPO. The MTP sets regional transportation policies and it articulates goals and objectives for the creation of a multi-modal transportation system that complements land use plans, economic development plans, environmental plans, and other comprehensive plan elements for the region. The MTP assists state and local government agencies in improving the quality of life for area residents by developing a safe and efficient transportation system. The library of L-DC MPO documents, including the MTP, along with a description of the MPO process can be found on the web at <http://www.lawrenceks.org/mpo/>.

In addition to the regional scale planning policies found in the MTP which show major transportation corridors and services in a systematic way, there are smaller scale planning and design issues that are also important to the safe and efficient development of a multi-modal transportation system. Although many of these detailed items are more traffic engineering concerns than planning level issues, it is important to note that some items that need to be included in the transportation element of a comprehensive plan are not always included in the MTP. However, the MTP does reference the need for corridor and access management and other traffic engineering items designed to protect the operational integrity of the major roads in the region. This is important to support system planning for the regional multi-modal transportation system that is described in the MTP. For this reason, the state and local policies that address traffic engineering and transportation planning need to be used along with this chapter and the MTP in the review of proposed developments and infrastructure improvements. Local development codes should be supportive of the transportation planning policies set forth in this Comprehensive Plan Chapter and in the MTP.

MPO PLANNING PROCESS

The MPO transportation planning process is designed to provide a regional forum for decision-making for the development and operation of a multi-modal transportation system designed to provide safe and efficient mobility for all of the region's residents and businesses. Coordination and information sharing among jurisdictions are important elements of MPO activities. The L-DC

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MPO covers the entirety of Douglas County including the three smaller cities (Baldwin City, Eudora, and Lecompton) which are not included in or approving bodies for this comprehensive plan and may produce their own comprehensive plans.

The MPO planning process is called the 3 C (Continuing, Comprehensive, Cooperative) process. It is a continuing process that does not end when a new transportation plan document is approved. The MPO produces a new transportation plan at least once every five years (may change to every four years in the foreseeable future due to air quality issues), but as soon as a new plan is approved the MPO begins to work on related documents and improvements to put in the next edition of the transportation plan. The MPO process is comprehensive in that it views transportation system planning as one part of a larger planning process where various types of planning (transportation, land use, environmental, economic, etc.) work together to improve the quality of life for all people in the region. Transportation planning is intricately tied together with land use planning since much of the planning for mobility corridors is predicated on the types and intensities of land uses planned along those routes. Likewise, the land uses planned for an area depend on the access afforded by the transportation network. Transportation and land use planning have a symbiotic relationship. MPO activities are also part of a cooperative process involving several different government agencies and an ample amount of public review. Two federal agencies (Federal Highway Administration and Federal Transit Agency), the Kansas Department of Transportation, Douglas County, and the four city governments in Douglas County all participate in the MPO process and its committee meetings. This regional transportation planning process is open to the public which is welcome to attend meetings and encouraged to send comments about transportation planning issues to the MPO staff.

TRANSPORTATION 2040 GOALS, OBJECTIVES AND STRATEGIES

(copied from Chapter 3 of the Transportation 2040 Metropolitan Transportation Plan)

The goals and objectives of this Transportation 2040 (T2040) – Metropolitan Transportation Plan (MTP) for the Lawrence-Douglas County Metropolitan Planning Area (MPA) are based in part on the overarching goal of creating a shared regional vision for how the Lawrence-Douglas County Region will grow and what the community will look like in the future as depicted in the Lawrence-Douglas County Comprehensive Plan. The goals and objectives in this T2040 Plan are based on the following considerations:

- Public Participation from meetings and interviews with transportation stakeholders, various advisory committees, and written comments from the public
- The previous MTP; Transportation 2030 – Lawrence-Douglas County Long Range Transportation Plan
- Horizon 2020 – Lawrence-Douglas County Comprehensive Plan
- Planning Factors from the Federal surface transportation act - Moving Ahead for Progress in the 21st Century (MAP-21) and Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)

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- Comprehensive multimodal nature of the MTP which is outlined in the MPO Policy Board Bylaws
- Knowledge and experience of numerous transportation professionals involved in our region's MPO process
- Guidance from the Kansas Department of Transportation and State emphasis areas outlined in the Transportation Works for Kansas (T-WORKS) program
- Federal transportation planning regulations for MPOs

The creation of this T2040 Plan was supported by an open public participation process and the willingness of the local, state, and federal officials involved in developing and approving this document to chart a comprehensive vision for a regional transportation system. This vision considers the region's short- and long-term needs; land use patterns; planning decisions impacting transportation systems; the desire to provide mobility for all users; and the relationships between the transportation system, the environment and the economy. That comprehensive view of regional transportation planning and the recognition that transportation planning does not take place in its own universe, but that it is intricately related to several other forms of planning is an important part of the MTP development process. The T2040 vision, goals, and objectives also consider and reflect on the federal requirements of the SAFETEA-LU and MAP-21 planning factors listed below.

The MPO has provided the forum for the planning process to create this regional multimodal plan. The T2040 Plan relies on the understanding that a Continuing, Comprehensive, and Cooperative (3C) process will be required to carry out the vision, goals and actions addressed in this plan. That will require the MPO, local governments, KDOT, FHWA and any other invested parties to work together to implement the policies and programs recognized in this document.

FEDERAL PLANNING FACTORS

The new MAP-21 planning factors are similar to the previous SAFETEA-LU planning factors and both address several important issues related to mobility, equity, economic viability, safety, security, environmental stewardship, intermodal coordination, system preservation, operations and maintenance, and sustainability. Simply put – these factors represent comprehensive transportation system planning that is done for all users. The T2040 Plan addresses these Planning Factors by incorporating the ideas expressed in these factors in the T2040 Goals and Objectives and throughout the text of this document.

MAP-21 PLANNING FACTORS

The metropolitan planning process for a metropolitan planning area shall provide for consideration of projects and strategies that will:

- support the economic vitality of the United States, the States, non-metropolitan

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- areas, and metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;
- increase the safety of the transportation system for motorized and non-motorized users;
- increase the security of the transportation system for motorized and non-motorized users;
- increase the accessibility and mobility of people and freight;
- protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;
- promote efficient system management and operation; and
- emphasize the preservation of the existing transportation system.

SAFETEA-LU PLANNING FACTORS

The metropolitan planning process for a metropolitan planning area shall provide for consideration of projects and strategies that will:

- support the economic vitality of the United States, the States, non-metropolitan areas, and metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;
- increase the safety of the transportation system for motorized and non-motorized users;
- increase the security of the transportation system for motorized and non-motorized users;
- increase the accessibility and mobility of people and for freight;
- protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;
- promote efficient system management and operation; and
- emphasize the preservation of the existing transportation system.

ORGANIZATION OF THE T2040 PLAN AROUND A VISION STATEMENT, GOALS, OBJECTIVES, IMPROVEMENT STRATEGIES AND ACTION STEPS

This T2040 Plan is organized with generally worded goals meant to expand on and clarify the vision statement followed by several goal related objectives and then followed by improvement strategies and action steps. The objectives form the transition between the good ideas and the work at hand that needs to be done to improve transportation in the plan region. This plan also

includes an evaluation system in the form of measures of progress.

In later chapters of this document as each part of the transportation system is discussed in more detail, this plan adds action steps that address specific modal concerns and adds measures of progress to chart advancement in addressing those concerns. The goals, objectives, improvement strategies and measures of progress are all related. They are designed to encourage overall transportation system improvements as well as to help track the changes in performance for each part of the multimodal transportation system.

Funding constraints, technical problems, interagency coordination issues, political considerations, and other factors will make some action steps in this plan difficult to perform. For those reasons, and not the lack of good intentions, some actions to improve our region's transportation system will not occur soon and may not take place during the expiration period covered by this T2040 document or may just get started during that time. Some projects, that are needed and much desired, take more time than one five year transportation plan update cycle to complete. This timing does not alter the importance of integrity of a specify project or action.

DEFINING GOALS, OBJECTIVES, STRATEGIES, ACTION STEPS AND MEASURES OF PROGRESS FOR T2040

It is important to ensure that we define Goals, Objectives, Strategies, Action Steps and Measures of Progress for the T2040 Plan. The definitions below guided the creation of this document and are a tool to help the users of this plan.

Goals are long range approaches to articulate the vision of the community. They represent an improvement to the status quo that can be generally supported by the community.

Objectives are defined approaches to attain the identified goals. An objective is more specific than a goal and is consistent with both the goal and strategies it is related to. Objectives outline the "who, what, when, where, and how" of reaching the goal. Many objectives can fall under each goal. For many objectives the timeline for completion will be the plan's duration (5 years), and for others it will be a shorter or longer term.

Strategies are statements that point out ways in which goals and objectives can be addressed and suggest groups of things to do that can be spelled out with greater detail in the following Action Steps. Strategies can be used to group several action steps around a common theme or general course of action. Not all goals and/or objectives will have Strategies.

**The following elements are included in the specific multimodal chapters where applicable.

Action Steps are specific paths that the organization has chosen to take for completing objectives and realizing goals. They establish specific future actions that should be done and should reflect reasoned choices among all of the available alternatives. Many action steps can fall under a goal, objective and a strategy. Action steps are often very specific and can

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reference other policies, guidelines and standards.

Measures of Progress are things or accomplishments that can be delineated as being completed using a simple yes/no measure or something measured using a graduated scale or score. These things are used to document the condition and status of the transportation system and the progress towards meeting T2040 goals and objectives. Measures of Progress are a way to annually assess performance of the multimodal transportation system to determine the success of the action steps. These performance measures are used to evaluate the T2040 Plan and the progress made on recommended projects.

Example of Goal, Objective, Strategy, Action Step and Measure of Progress

Goal - Goal 2: Focus on System Preservation and Economic Efficiency

Objective – Objective 2.1: Maximize the useful life of the streets, highways, bridges, and related transportation structures through the following strategies

Strategy– Maintain the existing road and bridge assets by adequately maintaining transportation facilities to preserve their intended function and maintain their useful life.

Action Step – Inspect bridges on a routine schedule related to the acceptable professional best practices and create a bridge condition inventory that identifies bridges that need improvements soon. Bridges that are in danger of having low weight limits imposed that will impede truck traffic that is expected to use that facility will be identified and scheduled for repairs and/or replacements.

Measures of Progress – Number of bridges identified to impede truck traffic (≤ 10 ton and ≤ 40 ton) compared to those bridges scheduled for upgrades this year. Number of bridges that were upgraded or repaired before lower weight limits were placed on them. The percent of all bridges maintained by the government agency having a low posted weight limit that could hamper efficient freight traffic.

The following Vision Statement and set of goals along with the rest of this document are intended to create and instill a shared regional vision for the future multimodal transportation system that will serve all residents of and visitors to Douglas County and depict a realistic view for how we can achieve that future transportation vision for our community. Action steps and measures of progress are included in each modal chapter.

TRANSPORTATION 2040 – MOVING FORWARD TOGETHER VISION STATEMENT

Develop a multimodal transport system that safely, efficiently and equitably serves all users whom travel to, from and within the region; and develop a regional transport network of facilities and services that complements the region's economy and enhances the region's livability.

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The vision emphasizes the importance of multimodal system planning and the value of the transportation network as an asset to the community. The plan supports an accessible environment that serves to improve the quality of life and prosperity in the region.

GOAL 1: Improve Safety & Security

Objective 1.1: Reduce the occurrences of fatalities and injuries to transportation system users through design techniques and the application of the “4 E’s” --engineering, education, enforcement, and emergency response through the following strategies:

Strategy 1.1.1: Develop criteria that focus on the safety aspect of transportation projects and require that the safety element of projects be addressed properly before project approval is considered

Strategy 1.1.2: Scrutinize safety issues related to land development projects early in the review process at plan review meetings and at times when projects are still in the conceptual plan stage

Strategy 1.1.3: Participate in the development of the Kansas Strategic Highway Safety Plan

Strategy 1.1.4: Collect and analyze crash, injury and fatality data to set high priority areas for safety improvements

Strategy 1.1.5: Facilitate and support the development and distribution of safety education materials

Strategy 1.1.6: Encourage enforcement of traffic laws for all traffic system users by local police departments

Strategy 1.1.7: Support efforts to provide faster emergency responses through transportation system changes like the installation of signal pre-emption devices for EMS vehicles

Strategy 1.1.8: Support development of policies for using Crime Prevention Through Environmental Design (CPTED) elements in the design of transportation projects so that natural surveillance can be increased.

Strategy 1.1.9: Respond to weather incidents in a timely and effective manner

Strategy 1.1.10: Secure support from the public and its elected representatives through education and advocacy for safer transportation facilities and services.

Objective 1.2: Coordinate with local, state and federal agencies and transportation providers to respond during times of natural disasters, extreme accidents, or other emergencies through the following strategies:

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Strategy 1.2.1: Develop a continuity of operations and emergency operations plans

Strategy 1.2.2: Create and maintain an up-to-date contact lists for emergency operations management

Strategy 1.2.3: Develop opportunities for local, state and federal level agencies along with transportation providers to jointly plan and conduct training exercises to test their emergency response plans and abilities

Objective 1.3: Increase the ability of the transportation system to support homeland security and to safeguard the personal security of all motorized users, non-motorized system users, and vital transportation facilities.

GOAL 2: Focus On System Preservation And Economic Efficiency

Objective 2.1: Maximize the useful life of the streets, highways, bridges, and related transportation structures through the following strategies:

Strategy 2.1.1: Maintain the existing road and bridge assets by adequately maintaining transportation facilities to preserve their intended function and maintain their useful life.

Strategy 2.1.2: Develop a process to inventory the size of the regional transportation system and monitor its condition

Objective 2.2: Utilize management techniques and technologies to maximize the capacity of the network and improve the operational efficiencies of the transport system through the following strategies:

Strategy 2.2.1: Develop acceptable critical Level of Service (LOS) standards for all regionally significant transportation facilities, services and modes in Douglas County, and the development of programs to maintain and improve service levels throughout the region's transportation network

Strategy 2.2.2: Prioritize traffic flow improvements to strategically reduce congestion and delay

Strategy 2.2.3: Use Access Management Standards to place access points along major roads at locations where the access will not significantly degrade the operations of the major road and will allow the major road to fulfill its main role of mobility. This will include the development of access management standards by local governments in the region and the coordination of those local standards with KDOT standards, especially for projects located on state system roads.

Strategy 2.2.4: Implement Intelligent Transportation Systems (ITS) and upgrade traffic signal equipment and communications and other technology to improve traffic flow with existing roadway capacity

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Strategy 2.2.5: Enhance the efficient movement of freight through the identification of bottleneck locations for truck traffic, the implementation of improvement projects designed to make truck movements safer and more efficient, the enhancement of intermodal facilities (e.g., rail-truck) that will facilitate freight handling between modes, and any other projects planned to improve freight mobility to enhance the region's economy.

Objective 2.3: Incorporate and coordinate transportation improvements with existing and planned future land uses to minimize infrastructure costs through the use of the following strategies:

Strategy 2.3.1: Conduct transportation-related studies and projects such as traffic signal coordination or safety studies on a multi-jurisdictional or regional basis to more efficiently use resources

Strategy 2.3.2: Develop and/or review existing standards for Traffic Impact Studies (TIS) for each local government in the region. Those TIS standards will be used to determine the traffic impacts of major land developments and to recommend transportation system improvements needed to mitigate those impacts. This may include public-private partnerships for funding and building improvements recommended by the TIS.

Objective 2.4: Efficiently utilize existing financial resources to reduce duplication of services and/or other inefficiencies and investigate potential new revenue sources through the use of the following strategies:

Strategy 2.4.1: Explore alternate financing options for transportation funding (e.g., vehicle mileage road user fees, toll roads, private financing, user fees, fuel taxes, etc.)

Strategy 2.4.2: Improve project development processes and services between local, regional, state and federal agencies to reduce costs and increase the speed of project delivery

Strategy 2.4.3: Coordinate service providers and development groups to reduce duplicative services and inefficiencies

GOAL 3: Maximize Accessibility And Mobility

Objective 3.1: Minimize delay and congestion to improve travel times through identifying and upgrading traffic signal technology and communications to improve traffic flow.

Objective 3.2: Provide viable transportation alternatives (transit, bicycle, pedestrian) with better interconnectivity for people and goods by considering transit, bikeway and pedestrian facility details in all new development site planning, and adhering to local Complete Streets policies.

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Objective 3.3: Assure all users are provided access to the regional transportation system and planning process through the use of the following strategies:

Strategy 3.3.1: Encourage land development patterns and transportation system designs that allow and encourage people to use all transportation modes, especially those that are human powered and support healthy lifestyles

Strategy 3.3.2: Coordinate multimodal review of maintenance plans and transportation facility plans

Strategy 3.3.3: Improve the linkages between transportation planning and public health planning

Strategy 3.3.4: Enhance and maintain a coordinated transit system including special services for senior citizens and persons with disabilities, and connections to regional commuter services

GOAL 4: Consider The Environment And Quality Of Life

Objective 4.1: Minimize adverse social, economic, and environmental impacts created by the transportation system through the use of the following strategies:

Strategy 4.1.1: Encourage land development patterns that promote transportation efficiency, sustainability and livability through the ongoing coordinated review of land use plans by MPO staff and the ongoing review of transportation plans by land use planners

Strategy 4.1.2: Improve the linkages between transportation planning and environmental planning

Strategy 4.1.3: Maintain and improve air quality to meet or exceed the National Ambient Air Quality Standards and minimize the air pollutant emissions from the use of fossil fuels for transportation by encouraging the improvement of the multimodal transportation system

Strategy 4.1.4: Promote alternative-fueled vehicles that reduce emissions and support the development of needed infrastructure (e.g., charging stations, etc.) that will make the use of those vehicles feasible

Strategy 4.1.5: Encourage the use of alternative modes of transportation and encourage development that minimizes reliance on the automobile, especially the single occupant car

Objective 4.2: Consider transportation impacts when making land use decisions, and consider land use impacts (in terms of land use patterns, densities, and designated uses) when making transportation-related decisions through the use of the following strategies:

Strategy 4.2.1: Improve connectivity between existing employment centers, retail activity areas, and regional destinations as feasible to foster the continued growth and vitality of those areas

Strategy 4.2.2: Study traffic impacts and develop traffic impact mitigation standards so that land use decisions do not endanger the primary mobility function of arterial roadways

SUMMARY

This chapter of the Lawrence-Douglas County Comprehensive Plan establishes the current version of the MTP as the transportation element of the Comprehensive Plan for the City of Lawrence and Douglas County. The MTP is the transportation policy guide for comprehensive planning activities to be used in the local and regional policy decision-making process.

CHAPTER EIGHT - TRANSPORTATION

This chapter references the Metropolitan Transportation Plan (MTP) as the Transportation Chapter of Horizon 2020, reflects the goals of the MTP as adopted, and presents a brief explanation of the regional transportation planning process conducted in Douglas County by the Lawrence-Douglas County Metropolitan Planning Organization (L-DC MPO) and how that regional transportation planning program relates to the land use planning activities conducted by the Lawrence-Douglas County Metropolitan Planning Commission. This chapter also explains how both transportation planning and land use planning for the area are documented in the regional comprehensive plan.

METROPOLITAN TRANSPORTATION PLAN

The MTP, currently titled Transportation 2030 Lawrence Douglas County Long-Range Transportation Plan (T2030), is a document produced and approved by the L-DC MPO. The MTP sets regional transportation policies and it articulates goals and objectives for the creation of a multi-modal transportation system that complements land use plans, economic development plans, environmental plans, parks and open space plans, and other comprehensive plan elements for the region. The MTP assists state and local government agencies in improving the quality of life for area residents by developing a safe and efficient transportation system. The library of L-DC MPO documents, including the MTP, along with a description of the MPO process can be found on the web at <http://www.lawrencecks.org/pds/MPO>.

In addition to the regional scale planning policies found in the MTP which show major transportation corridors and services in a systematic way, there are smaller scale planning and design issues that are also important to the safe and efficient development of a multi-modal transportation system. Although many of these detailed items are more traffic engineering concerns than planning level issues, it is important to note that some items that need to be included in the transportation element of a comprehensive plan are not included in the MTP. However, the MTP does reference the need for corridor and access management and other traffic engineering items designed to protect the operational integrity of the major roads in the region. This is important to support system planning for the regional multi-modal transportation system that is described in the MTP. For this reason, the state and local policies that address traffic engineering and transportation planning need to be used along with this chapter and the MTP in the review of proposed developments and infrastructure improvements. Local development codes should be supportive of the transportation planning policies set forth in this chapter and in the MTP.

TRANSPORTATION GOALS AND OBJECTIVES

Transportation Goals and detailed Objectives are provided in T2030, Chapter 4. A summary of the Goal Statements are included in this chapter:

GOAL 1: — Support the Economic Vitality of the Region

~~Approve guidelines that enhance economic activity and foster the principles of accessibility, convenience, cooperation, and aesthetic character.~~

~~GOAL 2: Maintain, Expand and Enhance the Existing Transportation Network~~

~~Advance policies that promote roadway connectivity and expand multimodal services.~~

~~GOAL 3: Promote Efficient System Management and Operation~~

~~— Create policies that promote transportation system management, efficient operation, multimodal transportation, and access management standards.~~

~~GOAL 4: Protect the Environment and Promote Energy Conservation~~

~~— Preserve the environment by adopting criteria that promote smart growth patterns to help sustain healthy air quality levels and minimize land use conflicts.~~

~~GOAL 5: Emphasize Transportation System Safety~~

~~— Develop criteria that focus on the safety aspect of projects and require that the safety element of projects be addressed properly before approval is considered.~~

~~GOAL 6: Increase Transportation System Security~~

~~— Increase the ability of the transportation system to support homeland security and to safeguard the personal security of all motorized and non-motorized system users.~~

~~GOAL 7: Coordinate Land Use and Transportation~~

~~— Ensure that land use planning and transportation planning is coordinated.~~

~~GOAL 8: Pedestrian and Bicycle Transportation System~~

~~— Establish an integrated system of bicycle and pedestrian improvements that provides for safe and efficient connections throughout the community, and offers viable choices of travel.~~

~~GOAL 9: Public Transportation System~~

~~— Implement a coordinated public transportation system that offers a viable choice of travel that addresses the needs of individuals and the community as a whole.~~

~~Detailed Action Steps are provided in the subsequent chapters of the MTP and a summary of actions and policies is provided in Chapter 16: Implementation of the Transportation Plan.~~

MPO PLANNING PROCESS

The MPO transportation planning process is designed to provide a regional forum for decision-making for the development and operation of a multi-modal transportation system designed to provide safe and efficient mobility for all of the region's residents and businesses. Coordination and information sharing among jurisdictions are important elements of MPO activities. The L-DC MPO covers the entirety of Douglas County including the three smaller cities (Baldwin City, Eudora, and Leecompton) which are not included in or approving bodies for this comprehensive land use plan and may produce their own land use plans.

The MPO planning process is called the 3-C (Continuing, Comprehensive, Cooperative) process. It is a continuing process that does not end when a new transportation plan document is approved. The MPO produces a new transportation plan at least once every five years (may change to every four years in the foreseeable future due to air quality issues), but as soon as a new plan is approved the MPO begins to work on related documents and improvements to put in the next edition of the transportation plan. The MPO process is comprehensive in that it views transportation system planning as one part of a larger planning process where various types of planning (transportation, land use, environmental, economic, etc.) work together to improve the quality of life for all people in the region. Transportation planning is intricately tied together with land use planning since much of the planning for mobility corridors is predicated on the types and intensities of land uses planned along those routes. Likewise, the land uses planned for an area depend on the access afforded by the transportation network. Transportation and land use planning have a symbiotic relationship. MPO activities are also part of a cooperative process involving several different government agencies and an ample amount of public review. Two federal agencies (Federal Highway Administration and Federal Transit Agency), the Kansas Department of Transportation, Douglas County, and the four city governments in Douglas County all participate in the MPO process and its committee meetings. This regional transportation planning process is open to the public which is welcome to attend meetings and encouraged to send comments about transportation planning issues to the MPO staff.

SUMMARY

This chapter of the Lawrence-Douglas County Comprehensive Plan establishes the current version of the MTP as the transportation element of the Comprehensive Plan for the City of Lawrence and Douglas County. The MTP is the transportation policy guide for comprehensive planning activities to be used in the local and regional policy decision-making process.



Memorandum

TO: David L. Corliss, Lawrence City Manager
FROM: Todd Girdler, MPO Senior Transportation Planner
CC: Craig Weinaug-Douglas County Administrator, MPO Policy Board ,
MPO Technical Advisory Committee , MPO Regional Transit Advisory
Committee
Date: May 14, 2013
RE: MPO Approval of the new Metropolitan Transportation Plan (MTP) -
Transportation 2040 (T2040)

**Please place the following item on the June 11, 2013 City Commission
meeting agenda**

Background

For the past year and a half the MPO staff and committees have been working on an update to the Transportation 2030 Plan that was approved in early 2008. That update is called Transportation 2040, or T2040, and is the new Metropolitan Transportation Plan for the Lawrence-Douglas County Region. This new transportation plan like its predecessor is a regionally based policy plan for creating and maintaining a multimodal transportation system to serve the needs of our region's citizens and businesses. Also, like the T2030 document, this new T2040 Plan has a five-year lifespan before it expires. The MPO Policy Board approved this new T2040 Plan on March 21, 2013. A new plan to replace T2040 will be developed in 2017 for approval in early 2018. The T2040 Plan is now on the MPO website and has been submitted to the Kansas Department of Transportation, Federal Highway Administration, and the Federal Transit Administration staffs for information purposes. Those agencies do not approve this document, but the MPO does need to provide them a copy of the approved plan since those agencies are planning partners with the MPO.

In years past the regional transportation plan produced and approved by the MPO has been used by Douglas County and Lawrence as their transportation plans and as part of their joint Comprehensive Plan. That was the case for the T2020, T2025 and T2030 documents over the last fifteen years. The Transportation Chapter of the Comprehensive Plan was most recently updated to reflect alignment with the T2030 Plan in early 2011 when the Lawrence City Commission and the Douglas County Board of County Commissioners approved an amendment to their Comprehensive Plan stating that the current version of the MTP is the Transportation Element of the Comprehensive Plan.

Now that the MTP update process is complete, it is appropriate for the City of Lawrence and Douglas County to update the Comprehensive to include the Goals, Objectives and Strategies in the T2040 Plan. In a similar fashion, the three smaller cities in the region (Baldwin city, Eudora and LeCompton) may act to approve this T2040 Plan as an amendment to their Comprehensive Plans.

The T2040 Plan acts as the Metropolitan Transportation Plan under federal regulations and in that role it takes a broad perspective that charts out a shared regional vision for the future of our transportation system. In doing that it fits well with the other parts of the Comprehensive Plan that layout general guidance for how the region is to develop in the future. However, the T2040 Plan does not dictate project level details like curb radiuses and street widths and the myriad of other engineering details for roads, bridges, transit operations, bikeways and sidewalks. Most of those details are decided at the project level and guided by local regulations and best practices for each type of project. The T2040 Plan does point the way to a more balanced multimodal transportation system in the future, but many details about how that will occur are left to local discretion.

The MPO staff and MPO committees work closely with and have members who are experts in the planning/design/engineering fields and project details are sometimes discussed at various MPO meetings. The MPO has two official advisory committees (the Technical Advisory Committee and the Regional Transit Advisory Committee). The MPO staff also works closely with the Lawrence-Douglas County Bicycle Advisory Committee. All of those groups had opportunities to provide input to the MPO staff as the T2040 document was being drafted. The T2040 update process also included a lengthy public participation program run over several months in 2012 in which hundreds of comments were received from the public about the transportation needs in our region. Those comments were reviewed and many of those ideas were incorporated into T2040.

Actions Requested:

Initiate Comprehensive Plan amendment to update Horizon 2020-Chapter 8 to incorporate the Goals, Objectives and Strategies approved in the new T2040 Metropolitan Transportation Plan and forward to the Lawrence-Douglas County Planning Commission for consideration.

Attachments:

T2040 Metropolitan Transportation Plan – MPO approved on March 21, 2013

<http://www.lawrenceks.org/assets/mpo/T2040/EntirePlan.pdf>

Chapter 8 – Lawrence-Douglas County Comprehensive Plan – amended on February 7, 2011

Draft Update – Chapter 8 of the Lawrence-Douglas County Comprehensive Plan

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING JUNE 20, 2013 6:30 PM
ACTION SUMMARY**

Historic Resources Commissioners present: Arp, Foster, Hernly, Tuttle, Williams

Historic Resources Commissioners excused: Quillin

Planning Commissioners present: Britton, Berger, Culver, Denney, Graham, Josserand, Lamer, Liese, von Achen

Staff present: Braddock Zollner, Buchanan Young, Cargill, Leininger, McCullough, Stogsdill

ITEM NO. 1: DOWNTOWN LAWRENCE REDEVELOPMENT

Joint meeting with the Lawrence-Douglas County Planning Commission

STAFF INTRODUCTION

Mr. Scott McCullough briefly discussed how the joint meeting would be conducted.

All Historic Resources Commissioners and Planning Commissioners introduced themselves.

STAFF PRESENTATION

Ms. Michelle Leininger presented the item.

JOINT COMMISSION DISCUSSION

Historic Resources Commissioner Foster asked if Downtown Redevelopment Item 2 Options 1 and 2 are the same thing.

Mr. McCullough explained the difference between the options.

Historic Resources Commissioner Hernly said that downtown parking is more of a planning issue than a historic issue. He stated that increasing the number of angled parking spaces could greatly improve parking density.

Historic Resources Commissioner Foster expressed his concern with how angled parking has been accommodated by pushing back the façade of new buildings and cited the project at the northeast corner of 9th and New Hampshire Streets as an example.

Historic Resources Commissioner Hernly acknowledged Commissioner Foster's concern and said that the aforementioned issue is unique to downtown streets other than Massachusetts Street.

Historic Resources Commissioner Tuttle explained that in previous Historic Resources Commission (HRC) meetings they discussed whether Downtown Design Guidelines implied party walls between buildings on New Hampshire Street and Vermont Street without a clear consensus on the subject.

Historic Resources Commissioner Foster said that, in his opinion, if more development is desired downtown, New Hampshire Street and Vermont Street should begin to look more like Massachusetts Street.

Historic Resources Commissioners Hernly and Tuttle discussed how parking has changed in the downtown area throughout history.

Planning Commissioner Lamer asked if those changes over time are what is still desirable for downtown.

Historic Resources Commissioner Hernly reiterated his opinion that it's more of a planning issue than a historic issue, and stated that he is in favor of Option 3 for parking.

Historic Resources Commissioner Foster said he prefers Option 1, but would like to see some façade alignment and height consistency.

Historic Resources Commissioner Hernly asked if it is possible to align façades to the property lines.

Mr. McCullough said it is a challenge to accommodate a reasonable path for pedestrians in front of buildings when angled parking is used, as is the case on the northeast corner of 9th Street and New Hampshire Street, without pushing back the façade.

Historic Resources Commissioner Tuttle disagreed that the parking issue is not a concern from a historic standpoint. She stated the reason the HRC is involved is because the downtown area is a historic district and that any changes, including parking, will affect the look and feel of the neighborhood.

Planning Commissioner Liese asked if the historical aspects of the downtown issue could be discussed in more detail.

Historic Resources Commissioner Arp said that he leans toward Option 3 and believes there should be a more comprehensive plan for parking in place to accommodate future development in addition to current development.

Planning Commissioner Liese asked if there is an optimal proportion of parking lot parking to street parking.

Mr. McCullough stated there is no requirement for a proper proportion; however, the parking options and capacity downtown is constantly reviewed. He further stated that in Downtown Redevelopment Item 1, Option 1, in the event a city parking lot is developed, the developer would be responsible for maintaining the current number of public parking spaces.

Planning Commissioner Liese expressed his opinion that parking in front of shops is more of an aesthetic than a practical matter because a garage could handle more parking.

Historic Resources Commissioner Sean Williams expressed his interest in maintaining the historic values and character of the downtown area while still being flexible to change and development.

Planning Commissioner Liese stated that Option 3 seemed irresistible.

Historic Resources Commissioner Foster said he likes the current guidelines and doesn't feel that any changes need to be made.

Historic Resources Commissioner Hernly said he disagreed and sited parking configurations that would not work for New Hampshire Street and Vermont Street despite the fact that they would

follow the current guidelines.

Planning Commissioner Liese stated he generally likes the current guidelines and would choose Option 1 if it did not seem so open-ended.

Planning Commissioner von Achen asked Historic Resources Commissioner Hernly what he liked and disliked about Option 1.

Historic Resources Commissioner Hernly said it provides an option to create more parking density to accommodate more building density.

Historic Resources Commissioner Foster stated the solution to creating more density is ultimately more parking garages.

Planning Commissioner von Achen asked what the objection is to angled parking along the aforementioned side streets.

Historic Resources Commissioner Foster explained his objection is the impact of angled parking on the alignment of the buildings as in the case of the 9th & New Hampshire project.

Historic Resources Commissioner Hernly asked if the Hobbs-Taylor Lofts building is pushed back.

Ms. Zollner said it is.

Planning Commissioner Lamer suggested the center turning lane may be the issue on New Hampshire Street and Vermont Street as far as accommodating angled parking and aligning the building façades. He further proposed the idea of replicating the look and feel of Massachusetts Street on those parallel streets.

They discussed whether there is a real need for a center turn lane, as Massachusetts Street functions well without one continuous center turn lane.

Planning Commissioner Britton said that the long term solution to parking downtown is garages. He said the focus should be on providing the ultimate pedestrian experience, and alleviating the traffic by way of cutting down on street parking would enhance the pedestrian experience on all downtown streets.

Historic Resources Commissioner Arp wondered if the original intent of providing parallel parking on arterial streets was to alleviate traffic on Massachusetts Street. In addition, he stated the southbound river bridge was constructed with a seemingly similar intent to keep the flow of traffic off Massachusetts Street. He expressed concern that attempting to reconstruct that flow may cause unintentional traffic issues.

Mr. McCullough said Massachusetts Street was originally intended for slow moving traffic and parking while the side streets were meant to carry all of the traffic.

Historic Resources Commissioner Williams redirected discussion to Item 1 on the memo agenda for Downtown Redevelopment.

Planning Commissioner Denney asked for input from the HRC on finding an ideal balance

between maintaining historical character in the downtown area and accommodating continuing growth and development.

Historic Resources Commissioner Williams expressed his opinion that it seemed everyone shared the perspective that there should be a balance between maintaining the history of downtown Lawrence and accommodating growth; however, he believes the current guidelines are well studied and can provide that balance.

Planning Commissioner Liese commented that the HRC plays a key role in preserving the beloved historical properties and character of Downtown Lawrence.

Historic Resources Commissioner Tuttle said the current preservation guidelines set forth by the Secretary of the Interior are fairly well defined and those are the criteria used by the Historic Resources Commission.

Planning Commissioner Liese commented that there will always be a difference in opinion as to what looks aesthetically pleasing but it is good practice to remain objective.

Historic Resources Commissioner Williams reiterated his viewpoint that he would like to find a balance between accommodating the citizens of the Lawrence while preserving the beauty and character of the area. He then shifted focus back to Downtown Redevelopment Item 1.

Historic Resources Commissioner Foster said he favored Option 2 regarding building height.

Historic Resources Commissioner Tuttle stated the City Code and Downtown Design Guidelines conflict because they outline different building height rules, and would like to see uniformity in those two sets of guidelines.

Historic Resources Commissioner Foster said he believes taller buildings should be the exception, not the rule, and he would like to come to a consensus as to what the rule should be.

Historic Resources Commissioner Hernly used an aerial map to point out the challenges in developing certain parts of New Hampshire Street due to the close proximity to existing residential neighborhoods and historic environs, noting that addressing building height alone is not sufficient.

Historic Resources Commissioner Tuttle said she felt that ultimately they are being tasked with providing an opinion on whether the building height rule should be changed or if the existing rule should be firmly upheld.

Historic Resources Commissioner Hernly said he believed that some areas have, and still could, accommodate a taller building than current rules allow but only as an exception on a case-by-case basis. He also stated he would be in favor of setting different height rules for each block.

Historic Resources Commissioner Foster expressed his concern that setting different height limits for each block of downtown would be a time consuming process; he said he would rather come to a consensus on a set height for the entire area and exceptions could be made case-by-case.

Planning Commissioner Lamer suggested that if the ultimate goal is greater density downtown, the height limitations would inevitably be an issue.

Historic Resources Commissioners Tuttle and Foster discuss their opinion that greater density can be achieved but only until it begins to damage or destroy the character of downtown, citing an abundance of taller buildings as the example.

Planning Commissioner Liese talked about tall buildings in bigger cities and how they still manage to feel quaint, depending on perspective. He then asked at what point and perspective the height of buildings in Downtown Lawrence begin to matter.

Historic Resources Commissioner Tuttle reflected on a presentation by a State Preservation Officer who provided photos of cities where historically preserved buildings were surrounded by tall structures of various heights. She explained how silly those areas looked, and said her hope in being involved with the Historic Resources Commission was to prevent similar situations in Lawrence. She included the fact that the downtown area is neighbored by two historic residential districts, so any decisions made regarding Downtown redevelopment would directly impact those neighborhoods as well.

Planning Commissioner Liese thought Historic Resources Commissioner Tuttle's input was helpful, but was still unclear as to how to make decisions on the issues at hand when they are not blatantly right or wrong.

Historic Resources Commissioner Foster referred back to the example of larger cities having taller buildings, but also having consistency in height.

Ms. Zollner added that when the Development Code changed in 2006, the building height limit went from 75 feet to 90 feet.

Planning Commissioner von Achen asked if 75 feet was comparable to three stories.

The commissioners came to the conclusion that 75 feet was approximately six stories.

Historic Resources Commissioner Williams said that they need to come to a consensus as to whether the current guidelines are sufficient or recognize and resolve the discrepancy between the City Code and the Design Guidelines. He added that originally the downtown area was viewed as the economic center of Lawrence, but he has seen many prospective developers get discouraged with the inconsistencies in the code and guidelines and take their business elsewhere. He expressed his opinion that downtown development can move forward if a transition area and overall relativity is maintained.

Historic Resources Commissioner Tuttle asked if there was a discussion between the Planning Commission and Historic Resources Commission when the building height limit was changed in 2006 from 75 feet to 90 feet.

Ms. Sheila Stogsdill replied that there was not.

Historic Resources Commissioner Williams invited comment from staff to help direct the commissions in making their decisions.

Mr. McCullough directed commission members to refer to page two of the memo regarding the

guidelines, and suggested additional discussion regarding the opportunity for greater density on the peripheral streets as opposed to Massachusetts Street. Additionally, he thought clarity was much needed in interpreting the language of the guidelines which refers to the height of a building in reference to its surroundings.

Historic Resources Commissioner Hernly asked if the guidelines had diagrams for referencing buildings heights.

Mr. McCullough said yes, but the issue is when the development is on the edge of two districts and there is an unclear direction as to which district to serve. He stated that this portion of the guidelines has led to many hours of interpretation and it would be beneficial to clarify it.

Planning Commissioner Bryan Culver arrived at 7:37 pm

Historic Resources Commissioner Hernly asked if the language should be changed to specifically address how tall a building can be in reference to the adjacent building.

Mr. McCullough said yes, that is one possibility, or it could outline requirements for stepping the building itself down to meet height requirements, as was accomplished with the 9th and New Hampshire project.

Planning Commissioner Liese thought their discussion had been constructive and wondered if they could focus it on the agenda options at hand.

Historic Resources Commissioner Tuttle said she felt they had been introduced to an additional option. She agreed with the point made about the expectation that density should be greater along Massachusetts Street, and proposed a more equal density among Massachusetts Street and peripheral streets provided building density upward would not damage or destroy the character of the downtown area.

Historic Resources Commissioner Foster said he agreed completely. He said he believed that Mr. McCullough was actually referring to Option 2 which addressed code and the guidelines.

Historic Resources Commissioner Tuttle agreed.

Planning Commissioner Brian Culver apologized for being late to the meeting.

Historic Resources Commissioner Williams moved the discussion to Downtown Redevelopment Item 3 and reviewed the corresponding options.

Historic Resources Commissioner Foster explained the consensus from the previous HRC meeting that the current code and guidelines are not developer friendly. For this reason, he preferred Option 1.

Planning Commissioner Lara Berger said it was her understanding that the parking structure for the new library had indeed added more parking downtown but not enough to fill the deficit. She also commented that there should possibly be traffic impact studies associated with the vision of higher density.

Mr. McCullough said there are traffic studies conducted for projects such as the 9th and New Hampshire project, but it is something that is reviewed administratively, not by the Historic

Resources Commission.

Planning Commissioner Liese agreed that Option 2 seemed unattainable, and asked what concerns others might have about Option 1.

Historic Resources Commissioner Foster said he felt that Option 1 was just too strict.

Historic Resources Commissioner Tuttle said she felt it would be a positive thing to engage the public in the debate over what they want for the downtown area as new development projects are submitted.

Planning Commissioner Josserand said, assuming a greater density downtown is the goal, parking definitely will be an issue. He voiced his concern that the ultimate solution will be underground parking garages, an expense that will be passed onto downtown merchants, and how it will remain a public liability if the initial development providing the parking structure does not succeed.

Historic Resources Commissioner Williams asked Mr. McCullough to clarify whether there is a uniform commercial building code that requires parking for commercial uses.

Mr. McCullough explained that there is no requirement for on-site parking in the Downtown District or in the Poehler District. The businesses that do provide their own parking tend to be those that have a corporate model that demands it or simply out of convenience for their customers.

Historic Resources Commissioner Foster stated that hotels seem to be the exception in that they would certainly need parking to accommodate their guests.

Mr. McCullough added that the hotel, referring to the 9th and New Hampshire project, was not required to provide parking.

Historic Resources Commissioner Williams mentioned that existing city surface lots and garages were designed to handle new development, but going forward that will not be the case.

Mr. McCullough said that as new developments come in and additional parking is created, those additional structures and more will have to be maintained in order to accommodate an increase in density.

Historic Resources Commissioner Foster said that if a city owned parking lot were to be developed that could be an opportunity to require the developer to pay a fee to fund a new a city parking structure elsewhere.

Mr. McCullough explained that it's a common urban design concept that mixed use developments will not have parking directly in front of their establishment.

Historic Resources Commissioner Hernly felt, from a historic preservation standpoint, it would not be feasible to require every redeveloped city lot to provide parking. He mentioned that a parking requirement added to Option 1 would be an excellent opportunity for the city.

Historic Resources Commissioner Foster referred back to his previous idea that a developer could provide a cash payment in lieu of re-constructing parking spaces.

Mr. McCullough stated that, in accordance with the city's current process, if parking was identified as a needed requirement the developer would have to provide it.

Historic Resources Commissioner Williams said he personally would like to accommodate all of the code identified demand generated by all of the proposed uses.

Mr. McCullough said that's a sort of zero sum clause, where you're maintaining, not adding. He added that currently, many places are providing parking on-site for their users, not just in the downtown area.

Historic Resources Commissioner Williams opened the public hearing portion of the meeting.

PUBLIC HEARING

Mr. Dick Heckler, member of the Brook Creek Neighborhood Association (BCNA) and Lawrence Association of Neighborhoods (LAN), said he and LAN do not support large development projects and prefer Lawrence as a small but vibrant community. He added that height restrictions should remain as they are, and that parallel parking is safer for bicyclists and doesn't reduce sidewalk space that could be used by existing merchants and pedestrians. Mr. Heckler said they would like to see Lawrence remain a walking-friendly community and are concerned about the loss of existing city parking to new development without reimbursement to the taxpayers.

Ms. Leslie Soden welcomed any questions commissioners might have regarding the decision-making process throughout the 9th and New Hampshire project. She said she dislikes the sidewalk in front of the Hobbs-Taylor Lofts because it is so narrow, a result of the angled parking. She expressed her desire to see more renewable energy atop buildings in the area and added how important the neighboring residential districts are to the character of the downtown area.

Ms. KT Walsh, member of the East Lawrence Neighborhood Association (ELNA), said she supports the memo provided by LAN. She added that, in regards to adding density downtown, the issue of large empty buildings in the area should first be addressed. She explained that buildings such as the old Allen Press facility, buildings currently owned but not in use by the Lawrence Journal World, and space in the Riverfront Mall that is currently unoccupied needs to be filled before new buildings are created.

Mr. Kurt McClure, president of the Old West Lawrence Neighborhood Association and member of LAN, suggested different building height guidelines are needed for areas directly next to residential neighborhoods. He proposed that the city should take on the responsibility of initiating the construction of new parking structures as opposed to waiting for developers to initiate the need for them.

Historic Resources Commissioner Williams invited Ms. Zollner to express her perspective on the discussion.

Ms. Zollner said she had not yet heard a consensus on any of the items, and some direction would be helpful in moving the items forward to the City Commission.

Historic Resources Commissioner Hernly asked how the current parking guidelines pertaining to parallel versus angled parking compare to National Park Service guidelines.

Ms. Zollner said it is a complicated subject. She stated the Downtown Design Guidelines were a community effort, and that the idea was to direct traffic to New Hampshire Street and Vermont Street. She further explained that the angled parking would slow traffic down on Massachusetts Street and parallel parking would facilitate thru traffic on side streets ensuring traffic stays out of the residential areas. Ms. Zollner brought up the previously considered idea of a roundabout at 9th and New Hampshire as opposed to the current four-way stop and suggested that concept in general could be discussed, as well as the overall Urban Concept Plan and whether it needs updating. From a state law review standpoint, she said, they are looking at just the Downtown District not the environs or overlay district, so the majority of review would be just for Massachusetts Street. Historically patterns have changed over time. It would not be against the guidelines to change the parking on any of the streets in question; they would just want thorough and thoughtful consideration before any changes are made.

Historic Resources Commissioner Hernly said Ms. Zollner's input was helpful.

Historic Resources Commissioner Williams asked what the importance of the historic district will be in the future, how it will change and how it can be maintained.

Ms. Zollner expressed her opinion that the Downtown District is one of the most important things in Lawrence to protect, not only due to its history but also because of its vibrancy. She stressed the importance of making decisions within the Downtown District thoughtfully and to take into account the whole package, not just specific issues individually.

Historic Resources Commissioner Hernly asked Ms. Zollner if there are areas on the side streets where different height limits would be appropriate.

Ms. Zollner said yes, the draft update to the Downtown Design Guidelines stated that no building could be over five stories tall; however, that guideline did not support the goal of greater density. She said the consensus of the HRC at that time was to base the height limitation on adjacent building height as opposed to setting a strict height limitation.

Planning Commissioner Liese motioned to approve Downtown Redevelopment Item 3, Option 1, with recommended changes.

Historic Resources Commissioner Foster seconded the motion.

They briefly discussed what modification to Downtown Redevelopment Item 3, Option 1 they would be approving.

Planning Commissioner von Achen referenced the memo from LAN and asked about their request to include privately owned parking lots and whether that is something they could impose.

Mr. McCullough said the scope of the review remains on the city owned lots.

Historic Resources Commissioner Hernly asked if the City Commission could add it at their discretion.

Mr. McCullough said yes, but the issue at hand only applies to city lots and the possibility of their development and what parking standards should be imposed. He said due to the fact that

there is no requirement for on-site parking downtown, privately owned lots are not a factor in their discussion.

Planning Commissioner Culver said he agreed with Mr. McClure in that the city's role and involvement should be clarified.

Historic Resources Commissioner Williams redirects discussion to Planning Commissioner Liese's original motion.

ACTION TAKEN

Motioned by Planning Commissioner Liese, seconded by Historic Resources Commissioner Foster, to approve Downtown Redevelopment Item 3 Option 1 with modifications.

Unanimously approved 14-0.

Motioned by Planning Commissioner Liese, seconded by Historic Resources Commissioner Foster, for a vote on each of the Options under Downtown Redevelopment Item 2 since there are three choices, as well as a modification that forwards their consensus on the subject of traffic circles (roundabouts).

Unanimously approved 14-0.

The commissions voted as follows on the Options for Item 2:

- 9 commissioners in favor of Option 1.
- 1 commissioner in favor of Option 2.
- 4 commissioners in favor of Option 3.

They discussed the pros and cons of roundabouts in the downtown area.

Motioned by Planning Commissioner Liese, seconded by Historic Resources Commissioner Foster, to discourage the use of roundabouts in the Conservation Overlay District.

Motion carried 10-3 with one abstention.

JOINT COMMISSION DISCUSSION

Planning Commissioner Josserand suggested that commissioners express why they are voting for a particular item, regarding Downtown Redevelopment Item 1.

Historic Resources Commissioner Foster and Tuttle said they were in favor of Option 2 because the current guidelines contain a discrepancy as demonstrated by the 9th and New Hampshire project.

Planning Commissioners Josserand, Liese, Lamer, and Denney, as well as Historic Resources Commissioner Hernly, said they favored Option 2 because they support higher density but believe a 90 foot height limitation is too high.

Planning Commissioner von Achen said she supports Option 2 because she doesn't feel taller buildings belong in a historic district.

Planning Commissioners Britton and Culver stated they support Option 2 and do not feel it

would be difficult to set different height limits for each block.

Historic Resources Commissioner Arp said he supports Option 2.

Planning Commissioner Berger said she was in favor of Option 2 and voiced her support for increasing density as long as it is done purposefully, specifically taking into account the large vacant buildings in the area.

Planning Commissioner Graham said she supports Option 2.

Historic Resources Commissioner Williams said he supports Option 2 but does not agree with imposing a height limitation on buildings.

ACTION TAKEN

Motioned by Historic Resources Commissioner Hernly, seconded by Historic Resources Commissioner Arp, to approve Downtown Redevelopment Item 1 Option 2.

Unanimously approved 14-0.

COMMISSION DISCUSSION

Planning Commissioner Josserand asked, in reference to the memo from LAN, for any thoughts or comments on the downtown corridor study.

Mr. McCullough explained the efforts that different commissions and city staff have made to address the downtown area and agreed that a more strategic level of planning would be welcome provided the resources are available.

Planning Commissioner Josserand said Mr. McCullough's comments were helpful.

Joint Commission portion of the meeting adjourned at 9:02 pm

ITEM NO. 2: ACTION SUMMARY

Receive Action Summary from the May 16, 2013 meeting.

ACTION TAKEN

Item deferred

ITEM NO. 3: COMMUNICATIONS

Ms. Lynne Braddock Zollner advised a communication regarding the State Preservation Law change would be discussed toward the end of the meeting with miscellaneous matters.

There were no abstentions from specific agenda items by commissioners.

ITEM NO.4: University of Kansas Free Historic District

Deferred

ITEM NO.5: L-2-3-10 Hold public hearing for consideration of placing the Stephen Fox House located at 739 Connecticut Street on the Lawrence Register of Historic Places.

STAFF PRESENTATION

Ms. Zollner summarized the landmark process.

Ms. Brenna Buchanan Young presented the item.

COMMISSION DISCUSSION

Commissioner Arp asked what criteria the property meets for nomination.

Ms. Buchanan Young stated that the property is the best example of a four-over-four with stair hall entry and also retains integrity in its materials.

Commissioner Hernly asked if the stone landscaping is from the previous home.

Ms. Buchanan Young replied that it was possible since the house next door reused materials from an old building on campus.

Commissioner Williams asked if the history of the occupant alone can be a contributing factor in making a landmark designation.

Ms. Zollner said if there is significant documentation that an individual has ties to a particular property it can be a contributing factor, but often there is not enough documentation to submit on that criteria alone.

Commissioner Arp asked if a property would still be designated as a landmark if no historically significant person was associated with it but it met other criteria.

Ms. Zollner replied that it would not be the best candidate for landmark designation unless additional documentation was provided that would distinguish it from similar properties.

PUBLIC HEARING

Mr. Mike Green, homeowner at 1002 Pennsylvania, said he supports all of the landmark nominations.

Ms. KT Walsh, ELNA, said she encourages and supports nominations to the local register and recognized the hard work that went into research for each nomination.

Mr. Phil Collison, ELNA, expressed the importance of the landmark process as a way to preserve and document the history of the properties.

Ms. Leslie Soden, ELNA, stressed that the houses up for nomination as landmarks are not modest, and would in fact be quite costly to recreate today.

Mr. Dave Evans, homeowner at 739 Connecticut, said the history of the neighborhood is significant in documenting and representing early African American homeownership in Lawrence.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Arp, to recommend the structure located at 739 Connecticut Street for designation as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 5-0.

Motioned by Commissioner Foster, seconded by Commissioner Arp, to approve the environs definition as provided.

Unanimously approved 5-0.

Motioned by Commissioner Foster, seconded by Commissioner Arp, to draft the resolution to recommend nomination to the City Commission.

Unanimously approved 5-0.

ITEM NO.6: **L-2-5-10** Hold public hearing for consideration of placing the William Watts House located at 946 Connecticut Street on the Lawrence Register of Historic Places.

STAFF PRESENTATION

Ms. Buchanan Young presented the item.

NO PUBLIC COMMENT

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Arp, to recommend the structure located at 946 Connecticut Street for designation as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 5-0.

Motioned by Commissioner Foster, seconded by Commissioner Arp, to approve the environs definition as provided.

Unanimously approved 5-0.

Motioned by Commissioner Foster, seconded by Commissioner Arp, to draft the resolution to recommend nomination to the City Commission.

Unanimously approved 5-0.

ITEM NO.7: **L-2-19-10** Hold public hearing for consideration of placing the structure located at 715 New York Street on the Lawrence Register of Historic Places.

ITEM NO.8: **L-2-22-10** Hold public hearing for consideration of placing the structure located at 1016 New York Street on the Lawrence Register of Historic Places.

ITEM NO.9: **L-2-28-10** Hold public hearing for consideration of placing the structure located at 1002 Pennsylvania Street on the Lawrence Register of Historic Places.

STAFF PRESENTATION

Ms. Buchanan Young presented the item.

NO PUBLIC COMMENT

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Arp, to recommend the structure located at 1002 Pennsylvania Street for designation as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 5-0.

Motioned by Commissioner Foster, seconded by Commissioner Arp, to approve the environs definition as provided.

Unanimously approved 5-0.

Motioned by Commissioner Foster, seconded by Commissioner Arp, to draft the resolution to recommend nomination to the City Commission.

Unanimously approved 5-0.

ITEM NO.10: **L-2-33-10** Hold public hearing for consideration of placing the structure located at 319 E 7th Street on the Lawrence Register of Historic Places.

ITEM NO.11: **DR-13-00079** 923 Alabama Street; Demolition and New Construction; State Preservation Law Review. The property is in the environs of the Ralph and Cloyd Achning House (846 Missouri), National Register of Historic Places. Submitted by Kern Management Company, LLC, on behalf of Barry Billings, the property owner of record.

ITEM NO.12: **DR-13-00177** 929 Delaware Street; New Construction; State Preservation Law Review and Certificate of Appropriateness Review. The property is in the environs of the East Lawrence Industrial Historic District, National Register of Historic Places; and Hobbs Park (702 W 11th), Lawrence Register of Historic Places. Submitted by Dan Hermreck, on behalf of Ann Cobb, the property owner of record.

STAFF PRESENTATION

Ms. Buchanan Young presented the item.

COMMISSION DISCUSSION

Commissioner Foster asked if staff would have been ok with the original drawings.

Ms. Zollner replied that staff still would have made the recommendation to work with the Architectural Review Committee because the corrugated metal siding is not typical for primary residential structures in the environs.

APPLICANT PRESENTATION

Mr. Dan Hermreck, applicant, said the original sets of drawings indicated three different materials for the project that ultimately would have been too costly. He explained the delineation of materials between the metal siding and the enclosed cedar porch and said the owner is willing to change the color of the metal siding.

Commissioner Foster mentioned that they intended to use a lot of non-standard materials.

Commissioner Williams asked the applicant if he knew the cost per foot.

Mr. Hermreck said he did not have those numbers.

Commissioner Williams said it was unfortunate the project required changes due to rising costs as he preferred the original drawings and materials.

Mr. Hermreck stated that the owner appreciated the low maintenance and cost of the corrugated metal.

Commissioner Hernly asked what the environs are for the property.

Mr. Hermreck said it is just south of Hobbs and the proposed materials are consistent with the rest of the buildings on the block and the neighboring industrial district.

Commissioner Hernly asked if the industrial district was also included in the local register.

Ms. Zollner said it was not.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Arp, to approve the new construction with conditions at 929 Delaware Street.

Unanimously approved 5-0.

ITEM NO.13: DR-13-00178 814 Massachusetts Street; Addition & Remodel; State Preservation Law Review, Downtown Urban Conservation Overlay District Review. The property is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. The property is located in the Downtown Urban Conservation Overlay District. The property is also in the environs of the Carnegie Library (200 W 9th), Lucy Hobbs Taylor House (809 Vermont), National Register of Historic Places; House Building (729 Massachusetts), Register of Historic Kansas Places. Submitted by Eric Jay, Struct/Restruct LLC, on behalf of Gerling LLC, the property owner of record.

ITEM NO.14: MISCELLANEOUS MATTERS

A. Provide comment on Board of Zoning Appeals applications received since May 16, 2013.

Ms. Zollner said one application for a variance would be on the July agenda.

B. Review of any demolition permits received since the May 16, 2013 meeting.

Ms. Zollner said there would be one demolition permit on the July agenda.

C. Review of Administrative and Architectural Review Committee approvals since May 16, 2013:

Administrative Reviews

- DR-13-00133** 1 Riverfront Plaza; Special Event Permit; State Preservation Law Review and Certificate of Appropriateness Review. The property is in the environs of the Consolidated Barb Wire Building (546 New Hampshire), Register of Historic Kansas Places and the Otto Fisher House (621 Connecticut), Lawrence Register of Historic Places. Submitted by Rachel Warren, Heartland Community Health Center, on behalf of the City of Lawrence, the property owner of record.
- DR-13-00134** 1029 Massachusetts Street; Commercial Mechanical Permit; State Preservation Law Review and Downtown Urban Conservation Overlay District Review. The property is listed as a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. The property is also in the environs of The Douglas County Court House (1100 Massachusetts), English Lutheran Church (1040 New Hampshire) and the Watkins Bank Building (1047 Massachusetts), National Register of Historic Places. The property is located in the Downtown Urban Conservation Overlay District. Submitted by Niehoff/Dunco Heating and Cooling, on behalf of S&A Properties LLC, the property owner of record.
- DR-13-00140** 500 S Powerhouse Road; Special Event Permit; State Preservation Law Review. The property is in the environs of the Consolidated Barb Wire Building (546 New Hampshire), National Register of Historic Places. Submitted by Sarah Hill Nelson, on behalf of Bowersock Power Co. and the City of Lawrence, the property owner of record.
- DR-13-00141** 702 Louisiana Street; Driveway Permit; State Preservation Law Review. The property is a contributing structure to the Old West Lawrence Historic District, National Register of Historic Places. Submitted by Douglas McKean, the property owner of record.
- DR-13-00142** 14 E 8th Street; Sign Permit; State Preservation Law Review and Downtown Urban Conservation Overlay District Review. The property is listed as a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is within the Downtown Urban Conservation Overlay District. The property is in the environs of the Eldridge Hotel (701-703 Massachusetts), National Register of Historic Places. The property is also in the environs of the House Building (729 Massachusetts), Register of Historic Kansas Places. Submitted by Tobacco Bazaar & Gifts, Inc. on behalf of Central Management LLC, the property owner of record.
- DR-13-00146** 1400 Massachusetts Street; Commercial Mechanical Permit; State Preservation Law Review. The property is in the environs of the South Rhode Island and New Hampshire Streets Historic Residential District, National Register of Historic Places. Submitted by Aaron Etzkorn, 360 Energy Engineers, on behalf of USD 497, the property owner of record.
- DR-13-00147** 803 Massachusetts Street; Sign Permit; State Preservation Law Review and Downtown Urban Conservation Overlay District Review. The property is listed as a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. It is in the environs of the Carnegie

Library (200 W 9th) and the Lucy Hobbs Taylor House (809 Vermont), National Register of Historic Places and the House Building (729 Massachusetts), Register of Historic Kansas Places. It is also within the Downtown Urban Conservation Overlay District. Submitted by John Sebelius for David and Susan Millstein, property owners of record.

- DR-13-00154** 1101 Indiana Street; Site Plan Review; State Preservation Law Review. The property is in the environs of the Hancock Historic District, the Oread Historic District, the Jane A. Snow Residence (704 W 12th), and the Ecumenical Christian Ministries Building (1204 Oread), National Register of Historic Places. Submitted by Verizon Wireless, on behalf of Berkeley Flats Apartments LLC, the property owner of record.
- DR-13-00155** 1 Riverfront Plaza; Sign Permit; State Preservation Law Review and Certificate of Appropriateness Review. The property is in the environs of the Consolidated Barbwire Building (546 New Hampshire), National Register of Historic Places; and the Otto Fisher House (621 Connecticut), Lawrence Register of Historic Places. Submitted by Ben Kohen, Lawrence Sign Up, on behalf of the City of Lawrence, the property owner of record.
- DR-13-00158** 745 New Hampshire Street; Commercial Remodel; State Preservation Law Review. The property is listed as a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is within the Downtown Urban Conservation Overlay District. The property is in the environs of the Eldridge Hotel (701-703 Massachusetts), National Register of Historic Places. The property is also in the environs of the House Building (729 Massachusetts), Register of Historic Kansas Places. Submitted by Brandon Rapp, First Management Construction, on behalf of Central Management LLC, the property owner of record.
- DR-13-00159** 306 W 12th Street; Foundation and Porch Repair; State Preservation Law Review. The property is in the environs of Lawrence's Downtown Historic District and the Oread Historic District, National Register of Historic Places. Submitted by Crawford Construction Inc., on behalf of Barking Dog LLC, the property owner of record.
- DR-13-00160** 737 Connecticut Street; Remodel; State Preservation Law Review and Certificate of Appropriateness Review. The property is in the environs of Lawrence's Downtown Historic District, North Rhode Island Street Historic Residential District, National Register of Historic Places; and Octavious W. McAllaster house (724 Rhode Island), Lawrence Register of Historic Places. Submitted by Timothy and Kristin Morland, the property owner of record.
- DR-13-00163** 1126 Tennessee Street; Site Plan and Dormer Addition; State Preservation Law Review. The property is in the environs of Lawrence's Downtown Historic District, Oread Historic District and Dr. Fredrick D. Morse House (1041 Tennessee), National Register of Historic Places. Submitted by Ron Hutchens, Paul Werner Architects, on behalf of Cole Rentals, the property owner of record.
- DR-13-00173** 630 Ohio Street; Interior Remodel; State Preservation Law Review. The property is listed as a contributing property to the Old West Lawrence Historic District, National Register of Historic Places. Submitted by Brett Groene Remodeling, on behalf of Karen Kressin and James O'Malley, the property owner of record.

- DR-13-00175** 715 Illinois Street; New Accessory Structure; State Preservation Law Review. The property is in the environs of the John Robert Greenlees House (714 Mississippi), Register of Historic Kansas Places. Submitted by David and Pam Crawford, the property owner of record.
- DR-13-00176** 1344 Tennessee Street; Commercial Remodel; State Preservation Law Review. The property is in the environs of John Palmer and Margret Usher House (1425 Tennessee) and William Priestly House (1505 Kentucky), National Register of Historic Places. Submitted by Paul Werner Architects, on behalf of Lynn Investments LLC, the property owner of record.
- DR-13-00194** Jayhawk Boulevard/Chi Omega Circle Road Improvements; State Preservation Law Review. The property is in the environs of Strong Hall, National Register of Historic Places; and Chi Omega Sorority (1345 W. Campus Road), Register of Historic Kansas Places. Submitted by James Modig, Design & Construction Management, on behalf the University of Kansas, the property owner of record.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Arp, to affirm the administrative reviews.

Unanimously approved 5-0.

D. There was no general public comment.

E. Miscellaneous matters from City staff and Commission members.

Ms. Zollner said that there is some follow-up information on the brick streets discussion from a previous meeting included in the agenda packet.

Ms. Zollner stated there is an opening for a member on both the Architectural Review Committee (ARC) as well as the Oread Design Guidelines Working Group, and asked if there were any volunteers to fill those positions.

ACTION TAKEN

It was motioned by Commissioner Williams, seconded by Commissioner Foster, to appoint Commissioner Hernly as volunteer member to the ARC and Oread Design Guidelines.

Unanimously approved 5-0.

Ms. Zollner addressed the changes effective July 1, 2013 that will no longer require state environs reviews. She presented a map indicating the current and future environs that would be affected. She emphasized that the local register will still exist, and explained the possibility and process for homeowners to list their properties on the local and national registers.

Commissioner Hernly asked if a letter could be sent out to property owners notifying them of the change.

Ms. Zollner said staff would like guidance and recommendations from the HRC on methods of notification and educational opportunities regarding the importance of listing properties. She added that the application process could be streamlined by staff to encourage new listings.

Commissioner Foster stressed that the easier the process is for homeowners the more likely they will be to apply.

Commissioner Williams asked how many total properties are on the Local Register of Historic Places.

Ms. Zollner said there are 36 properties and one district.

Commissioner Williams asked how many are on the state and national registers but currently not listed on the local register.

Ms. Zollner said they anticipate a 20% decrease in reviews due to the state preservation law change.

The HRC reached consensus to recommend that staff begin contacting homeowners of properties currently listed on the state and national registers for inclusion on the Local Register of Historic Places.

Commissioner Hernly stated it seemed that the local landmark process would be a lot of work and wanted to know if the aforementioned goal is feasible.

Ms. Zollner said she did not anticipate the workload to be too cumbersome.

Commissioner Arp asked if it would be possible to first fill in the gaps in existing areas with previously landmarked properties.

Ms. Zollner said that yes, staff would take direction accordingly from the HRC. She felt that the individually listed properties would be the easiest to notify, but the historic districts will require more education to get the number of property owners' support as required by Chapter 22.

Commissioner Arp asked if that would be a percentage.

Ms. Zollner replied that yes, it depends on the size of the district. She noted that the most notable change for historic districts will be the loss of their 500 foot buffer.

Commissioner Tuttle asked what other historic districts exist besides those currently being discussed.

Ms. Zollner listed the North Rhode Island Historic District, South Rhode Island and New Hampshire Streets Historic Districts, two Pinckney Historic Districts, the Breezedale Historic District, East Lawrence Industrial District- which also includes the Conservation Overlay District- and the Oread Historic District.

Commissioner Tuttle suggested contacting the neighborhood associations and presenting the changes and local register education at upcoming meetings.

Ms. Zollner agreed that it would be a good idea.

Commissioner Williams asked if the Barker Neighborhood could be designated as a historic district.

Ms. Zollner said she would have to research it. The challenge for that particular neighborhood is the lack of an existing historic resources survey.

Commissioner Williams asked if the HRC could request a historic resources survey.

Ms. Zollner said yes, it will depend on when and what grant funds are available to facilitate it.

Commissioner Williams asked what the threshold of time and historic significance is.

Ms. Zollner said the Lawrence Thematic Multiple Property Documentation, which divides the development of the city into time periods based on when buildings were constructed, is currently underway for the 1945-1975 period, and is used to determine significance.

Ms. Buchanan Young mentioned that the East Lawrence Neighborhood financed its own historic resources survey.

PUBLIC HEARING

Ms. Soden mentioned the Cultural District overlay in the downtown and east Lawrence area and suggested more involvement with the Cultural Task Force as it pertains to historical preservation.

Commissioner Williams agreed and said he was glad to hear Ms. Soden's recommendation.

ADJOURN 10:24 PM

Official minutes are on file in the Planning Department office.