

Updated:

3/24/14 @ 11:15am

Added the Draft February Planning Commission Minutes

3/19/14 @ 1:45pm

The Draft February Planning Commission Minutes will be added when available.

The Wednesday, March 26th 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 MARCH 24 & 26, 2014 6:30PM - 10:30PM

GENERAL BUSINESS:

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of January 27, 2014.

Receive and amend or approve the minutes from the Planning Commission meeting of February 24 & 26, 2014.

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 (MARCH 24, 2014) MEETING PUBLIC HEARING ITEMS:

ITEM NO. 1 SPECIAL USE PERMIT; PUMP STATION; 547 MAPLE & 500 PERRY (SLD)

SUP-14-00007: Consider a Special use Permit for a Pump Station, located at 547 Maple & 500 Perry St. Submitted by Bartlett & West, for the City of Lawrence, property owner of record.

ITEM NO. 2 COMPREHENSIVE PLAN AMENDMENT TO CHAPTER 14; K-10 & FARMER'S TURNPIKE PLAN (JSC)

CPA-14-00005: Consider a Comprehensive Plan Amendment to Chapter 14- K-10 & Farmer's Turnpike Plan to expand the boundary and amend the future land use designations in the area southeast of I-70 and K-10.

DEFERRED

ITEM NO. 3 TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE; PARTICIPANT SPORTS & RECREATION, OUTDOOR USES WITH SUP IN CN2 (SMS)

TA-13-00488: Consider a Text Amendment to the City of Lawrence Land Development Code, Chapter 20, to allow for Participant Sports & Recreation, Outdoor uses with a Special Use Permit in the CN2 (Neighborhood Shopping Center) District. Submitted by Paul Werner Architects. *Deferred by Planning Commission on 2/24/14*.

DEFERRED

ITEM NO. 4A RSO TO CN2; 10.97 ACRES; 4300 W 24th PLACE (SLD/TLH)

Z-13-00483: Consider a request to rezone approximately 10.97 acres from RSO (Single-Dwelling Residential-Office) District to CN2 (Neighborhood Shopping Center) District, located at 4300 W 24th Place. Submitted by Paul Werner Architects, for Corporate Holdings II LLC, property owner of record. *Deferred by Planning Commission on 2/24/14*.

DEFERRED

ITEM NO. 4B SPECIAL USE PERMIT; FAMILY FUN CENTER; 4300 W 24TH PLACE (SLD/TLH)

SUP-13-00486: Consider a Special Use Permit for Participant Sports & Recreation, Outdoor uses as part of a Family Fun Center, located at 4300 W 24th Place. The development includes a 28,000 square foot clubhouse and outdoor tot lot, batting cages, electric go-kart tracks and an 18-hole miniature golf course. Submitted by Paul Werner Architects, for Corporate Holdings H LLC, property owner of record. Deferred by Planning Commission on 2/24/14.

DEFERRED

ITEM NO. 4C SPECIAL USE PERMIT; FAST ORDER FOOD WITH DRIVE-THRU; 4300 W 24TH PLACE (SLD)

SUP-14-00026: Consider a Special Use Permit for a fast order food with drive-thru as part of the future commercial pad site development, to be located on the west portion of property located at 4300 W 24th-Place. Submitted by Paul Werner Architects, for Corporate Holdings II LLC, property owner of record. *Deferred by Planning Commission on 2/24/14*.

DEFERRED

ITEM NO. 5 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 VARIANCE FOR CERTIFICATE OF SURVEY; 1445 & 1433 N 300 RD/HWY 56 (MKM)

CSR-14-00051: Consider a variance associated with a Certificate of Survey for approximately 62.5 acres located at 1445 and 1433 N 300 Road (Hwy 56). The variance is requested from Section 20-810(e)(5)(ii) of the Subdivision Regulations [Section 11-110(e)(50(ii) of the County Code) to allow the creation of Residential Development Parcels without the dedication of additional right-of-way for N 300 Road/Hwy 56, which is classified as a Principal Arterial. Submitted by All Points Surveying, LLP for Michael E. Christie, Martha J. Christie, Chad M. Christie, and Ann M. Christie, property owners of record.

MISC NO. 2 VARIANCE FOR CERTIFICATE OF SURVEY; 1619 E 1818 RD (MKM)

CSU-13-00432: Consider a variance associated with a Certificate of Survey requested from Section 20-810(e)(5)(ii) of the Subdivision Regulations [Section 11-110(e)(5)(ii) of the County Code] to allow the creation of Residential Development Parcels on a principal arterial with less than the required right-of-way. Submitted by Berniece Garber for Doug Garber Const. Inc., property owner of record.

ADJOURN

CALENDAR

February					2014	
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April					2014	
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PCCM Meeting:

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

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PLANNING COMMISSION MEETING January 27, 2014 Meeting Minutes DRAFT

January 27, 2014 – 6:30 p.m.

Commissioners present: Britton, Culver, Graham, Josserand, Kelly, Liese, Rasmussen, Struckhoff,

von Achen

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

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of December 16 & 18, 2013.

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the December 16 & 18, 2013 Planning Commission meeting minutes.

Motion carried 7-0-2, with Commissioners Graham and Rasmussen abstaining.

COMMITTEE REPORTS

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

Commissioner Culver said the Metropolitan Planning Organization met January 16th and received a brief update on the multimodal studies and should have those drafts for review in February. He said they also discussed transportation alternative program grant applications for State funding.

COMMUNICATIONS

Receive written communications from staff, Planning Commissioners, or other commissioners:

Mr. Scott McCullough provided Planning Commissioners an article from Lawrence Business Magazine regarding apartment vacancy rates in Lawrence.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

• Ex parte:

Commissioner Rasmussen said he talked with Ms. Lindsey Landis regarding item 3. He said she sent him an email so he called her to ask what staff would be recommending. He said he also asked her what type of feedback she had received from neighbors. She said she had not received much interest.

Abstentions:

Commissioner Culver abstain from Item 2 due to relationship applicant has with my employer.

ITEM NO. 1 RS7 & IG TO OS; .6 ACRE; 547 MAPLE ST & 500 PERRY ST (MKM)

Z-13-00479: Consider a request to rezone approximately .6 acre from RS7 (Single-Dwelling Residential) District & IG (General Industrial) District to OS (Open Space) District. Property contains four lots located at 547 Maple St. and 500 Perry St. and adjacent alley right-of-way. Submitted by Bartlett & West, for the City of Lawrence, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

PUBLIC HEARING

Mr. Richard Macheca inquired about what the finished product would look like.

Ms. Miller said the Special Use Permit would have those details and would be on the March Planning Commission agenda.

ACTION TAKEN

Motioned by Commissioner Liese, seconded by Commissioner von Achen, to approve the rezoning request for approximately .6 acre from RS7 (Single-Dwelling Residential) and IG (General Industrial) Districts to OS (Open Space) 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.

Commissioner Rasmussen asked if this would be a Special Use Permit not Conditional Use Permit.

Mr. McCullough said that was correct

Unanimously approved 9-0.

ITEM NO. 2 PRELIMINARY PLAT FOR GOING SOUTH ADDITION; 1338 E 1600 RD (SLD)

PP-13-00343: Consider a 2 lot Preliminary Plat for Going South Addition, located at 1338 E 1600 Rd/O'Connell Rd for multi-dwelling residential development. Submitted by Grob Engineering Services, for Going South, LLC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

Commissioner Liese asked Ms. Day to comment on the League of Women Voter's letter about parking.

Ms. Day said she spoke with Mr. David Woosley, City Traffic Engineer, and his comment was that there was nothing that he saw in the concept plan that was of a public safety concern. She the design was not unlike other multi-family projects.

APPLICANT PRESENTATION

Mr. Dean Grob, Grob Engineering Services, was present for questioning.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Kelly inquired about the lack of right-of-way to the east of the property. He said 28th Street appeared to be stubbed out to the east.

Ms. Day said the north half of the right-of-way was provided with this plat. The south half of the right-of-way would be provided when the adjacent property came into the city and was intended for development. She said the full piece of right-of-way needed to be provided with this project upfront because there needed to be two points of access. She said the access points were 28th Street on the south side and through Prairie View Drive. She stated 28th Street was a future collector street. She showed the streets on the overhead map. She said the drainage would have to be managed with some sort of culvert or bridge over some of the tributary.

Commissioner Josserand asked if Planning Commission would see the final plat.

Ms. Day said no, Planning Commission would not see the final plat.

Commissioner Josserand expressed concern about the distance between some of the units and adequate parking. He requested staff take a look at the issue because it could cause problems of some type.

Commissioner Liese inquired about formally expressing Commissioner Kelly and Josserand's concerns.

Mr. McCullough said the minutes would reflect their concerns. He said it was fairly conventional in terms of the layout but that a closer look could be taken based on their comments.

ACTION TAKEN

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Motioned by Commissioner von Achen, seconded by Commissioner Graham, to approve the Preliminary Plat for Going South Addition, located at 1338 E 1600 Rd/O'Connell Rd.

Motion carried 8-0-1, with Commissioner Culver abstaining.

ITEM NO. 3 REVISED PRELIMINARY DEVELOPMENT PLAN FOR BELLA SERA AT THE RESERVE; 4500 BOB BILLINGS PKWY (SLD)

PDP-13-00477: Consider a Revised Preliminary Development Plan for Bella Sera at the Reserve, located at 4500 Bob Billings Pkwy. Submitted by GOKU LLC, for Bella Sera LLC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. David Hamby, BG Consultants, was present for questioning.

PUBLIC HEARING

<u>Mr. Scott Morgan</u> said he did not object to Bella Sera but was concerned about the corner of Inverness and Bob Billings Parkway evolving into a nightmare. He felt improvements should be made to the intersection to improve traffic safety.

APPLICANT CLOSING COMMENTS

Mr. Hamby said the applicant would be willing to discuss with staff if needed. He said there were some ongoing changes for Bob Billings Parkway with the construction of the new interchange. He said this plan was a reduction in the planned density that was already approved so he hoped it would be viewed favorably.

COMMISSION DISCUSSION

Commissioner Culver asked how traffic would be looked at.

Ms. Day said Mr. David Woosley, City Traffic Engineer, was preparing a study that would go through Public Works and ultimately be presented to the City Commission. She said they were looking at the entire corridor of Bob Billings Parkway/15th Street, between the South Lawrence Trafficway and Iowa Street, to identify any issues so that City Commission could prepare for their 2015 and 2016 budgets if additional improvements needed to be made to the corridor as a result of the interchange. She said Mr. Woosley had marked down this intersection to look at so it was on the City's radar.

Commissioner Kelly inquired about the parking.

Ms. Day said much of the parking for the units was provided within the buildings. She pointed on the overhead to where the additional parking was located as well as access points. She stated there was a small surface lot outside of the gate area for guest/delivery parking.

ACTION TAKEN

Motioned by Commissioner Liese, seconded by Commissioner Kelley, to approve the revised Bella Sera Preliminary Development Plan based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

- 1. Provision of a revised Development Plan that includes the following notes and changes:
- a. A note stating who shall maintain the common open space.
- b. Provide an exhibit to show the common open areas with a note on the face of the plan stating the total area of common open space for the pool, patio and courts within the development.
- c. Show additional fire hydrant locations per City Fire Department review and approval.
- d. Identifies the permitted uses as (Pre-2006 Zoning Ordinance uses).

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e. Include the calculated density of 5.7 Dwelling Units per acre based on Section 20-701 (f)(3) f. Indicate parking requirements for Buildings 2, 3, 4, and 5 are based on Section 20-901 (1 space per bedroom + 1 space per ten units.)

Commissioner Josserand recommended the City Traffic Engineer become involved in the issue presented by Mr. Morgan.

Unanimously approved 9-0.

ITEM NO. 4 CONDITIONAL USE PERMIT; GOOD EARTH GATHERINGS; 858 E 1500 RD (MKM)

CUP-13-00482: Consider a Conditional Use Permit for Good Earth Gatherings, a recreational facility including education, community outreach, and ancillary retail sales on approximately 10 acres located at 858 E 1500 Rd. Submitted by Tamara Fairbanks-Ishmael, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Ms. Tamara Fairbanks-Ishmael described her business as a small part-time business featuring community outreach, education, and related good. She said she would teach classes herself and partner with area businesses to host classes. She said there would be 10-18 students expected and some of the planned topics would be natural fiber dying, safe food preservation, creating tabletop gardens, herbal vinegars, and sustainable living. She said the impact to the neighborhood would be minimal.

PUBLIC HEARING

Ms. Rebecca Lewis, 1548 N 800 Rd, said the declaration of restrictive covenants for this section of land denied the use of any land for noxious or offensive activities. She said she did not want the area and lake to become a for profit recreational facility for the community. She said she did not want to look out and see things happening other than what would be in a regular residential area. She said the property around the area would be subject to increased noise levels which would have a negative impact on the number of water fowl and nesting habitat. She said other wild animals, such as beaver, turkey, duck, geese, wild pelican, and others would also be impacted. She felt parked vehicles on the grass would add heat to the area from reflection of the metal and glass. She said the lake had fallen to new low levels due to the draught. She felt any additional excess heat would add to the decrease in water level and create a fire hazard for dry grass. She felt that increased traffic on E 1500 Road would lead to more deterioration of the blacktop road that was already patched in numerous places. She expressed concern about traffic safety on the narrow hilly road with no shoulders. She urged Planning Commission to deny the Conditional Use Permit.

Commissioner Liese asked if Ms. Lewis lived a mile away from Ms. Fairbanks-Ishmael's property.

Ms. Lewis said she did not believe she lived that far away. She thought it was less than ½ mile.

Ms. Miller displayed a map on the overhead showing the properties.

APPLICANT CLOSING COMMENTS

Ms. Fairbanks-Ishmael said she lived in the area as well and would not do anything to make the neighborhood less pleasant than it already is. She said Ms. Lewis' view of her property was completely blocked by trees so she would probably not see much.

COMMISSION DISCUSSION

Commissioner von Achen asked why staff went with a Conditional Use Permit instead of an agritourism designation.

Ms. Miller said staff suggested agritourism but the County Commission put a moratorium on agritourism registration. She said the Zoning & Codes Director felt a Conditional Use Permit would be a better fit for the use.

Commissioner von Achen asked Ms. Fairbanks-Ishmael inquired about outdoor activities.

Ms. Fairbanks-Ishmael said occasionally she may take students on a weed-walk or tour of herbs as part of an herbal education class.

Commissioner von Achen asked if any of the outdoor activities would occur around the lake.

Ms. Ishmael said no.

Commissioner Josserand asked what year it was platted.

Ms. Miller said it was not platted but divided a while back.

ACTION TAKEN

Motioned by Commissioner Rasmussen, seconded by Commissioner von Achen, to approve a Conditional Use Permit for a recreation facility, to provide community outreach, education, and ancillary retail sales on approximately 10.5 acres, located at 858 E 1500 Rd subject to the following conditions:

- 1. A driveway shall be installed from the access point provided on the property prior to the commencement of the CUP use.
- 2. Provision of a revised site plan to include the following notes
- a. Operating hours will conclude at 9 PM.
- b. No more than one class shall be conducted/offered at a time.
- c. Use of the lake for public, business, commercial, and recreation activities associated with the conditional use is prohibited.

Commissioner Britton said he understood Ms. Lewis' concerns but would vote in favor of the motion. He said it sounded like this particular operation would be very limited and he felt there should be leeway for property owners to have activities on their property.

Commissioner Culver noted the concerns expressed by Ms. Lewis regarding the impact of increased traffic and the safety element in which vehicles speed down the road. He felt if there was opportunity or need traffic limits should possibly be looked at for the area.

Unanimously approved 9-0.

ITEM NO. 5 CONDITIONAL USE PERMIT; LODGING HOUSE & RECREATION; 1804 E 1500 RD (SLD)

CUP-13-00492: Consider a Conditional Use Permit for a Lodging House and Recreation facility to be known as a hostel and banquet hall, located at 1804 E 1500 Rd. Submitted by Shane Powers, for Earl Stagg, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

No applicant was present.

PUBLIC HEARING

Mr. Ted Boyle, North Lawrence Improvement Association, expressed concerns about off-site parking and the use of septic tanks instead of sanitary sewer infrastructure.

COMMISSION DISCUSSION

Commissioner Rasmussen asked if one bathroom for 85 people was reasonable. He wondered about any guidelines or recommendations.

Ms. Day said that would fall into a building code requirement through the county regulations. She said she did not know the threshold for the number of restrooms.

Commissioner Rasmussen inquired about shower or bath facilities for the bedrooms. He felt that 150 people for one bathroom might be limited and he wondered how functional it would be.

Mr. McCullough said it would still require building code review and all of the improvements to meet the assembly use.

Commissioner Rasmussen asked if Planning Commission would just be approving the use.

Mr. McCullough said Planning Commission would just be approving the land use, not the building code requirements.

Ms. Day said there may be an occupancy cap through the building code requirements.

Commissioner Rasmussen expressed concern about the lack of bathrooms and shower/bath, particularly for guests sleeping overnight.

Mr. McCullough said condition A addressed some of that, which would be on the plan to operate the business.

Commissioner Liese asked staff to comment on the parking issue that Mr. Boyle spoke about.

Ms. Day said the applicant would be required to work with County Public Works regarding parking on the road or whether the applicant could possibly contract with the property to the north for parking in the field. She said paved surfaces were typically not required in rural areas. She said any projects within North Lawrence were reviewed by the City Stormwater Engineer. She said there was additional review needed for parking.

Commissioner Liese asked if it would then come back to Planning Commission.

Ms. Day said it could.

Commissioner Liese asked Mr. Boyle about his thoughts on parking and if he had talked to the applicant.

Mr. Boyle said the applicant did not contact the North Lawrence Improvement Association. He said the residents on that road were concerned about parking on the narrow blacktop road. He said the entrance to the airport was ¼ mile from that intersection, as well as Don's Diesel and the ambulance/helicopter service.

Commissioner von Achen wondered how the 17 parking spaces would accommodate 85 people.

Ms. Day said Planning Commission could add additional conditions or limitations on the use. She said the applicant was interested in having 85 people but she was not sure if that many people would be allowed for the occupancy of the assembly requirements for the building code. She said it seemed somewhat self-limiting with its own design. She said Planning Commission could add conditions that require the applicant to redesign the site to provide additional parking or add a condition that would cap the maximum occupancy for the assembly use.

Commissioner Josserand said several residents who live on E 1500 Road have hosted functions that he has attended where 200 people parked on that road and everything seemed to work out.

Commissioner Liese said he would like a condition of having a plan with parking and also capacity limitations.

Mr. McCullough urged Planning Commission to defer the item due to the applicant being absent and not able to address their concerns.

ACTION TAKEN

Motioned by Commissioner Liese, seconded by Commissioner Graham, to defer Item 5 to allow the applicant to speak with community members and leaders prior to the meeting.

Commissioner Rasmussen asked Commissioner Liese what he was asking for that was different than staff condition 1.(b) Revise the site plan to show the location of additional off-street parking spaces per staff approval prior to issuance of an occupancy permit for capacity more than 85 people prior expansion of the assembly use.

Commissioner Liese said he did not want to approve the plan until they saw that as part of the application for the Conditional Use Permit but that staff recommended deferring the item instead. He said the motion was to defer instead of asking for additional conditions. He said his comments were not relevant now that it was deferred.

Mr. McCullough said he heard discussions about considering stricter conditions on the 85 people. He said he did not want to go down that avenue without the applicant being present.

Commissioner Liese said deferral seemed like a generous option for an applicant that was not present when there were some questions about approval or adding conditions.

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Commissioner Rasmussen asked staff what they would tell the applicant as the reason for deferral.

Mr. McCullough said there were a number of concerns discussed, such as the floor plan design, building code issues, if there were plans to seek an adjacent parking agreement or off-street parking. He felt it was prudent to have the applicant present to address some of concerns and questions.

Commissioner Rasmussen did not necessarily think an applicant should be present every time when staff was recommending approval. He said if they were deferring the item he wanted the applicant to know what they wanted to talk to him about.

Motion carried 9-0.

MISC NO. 1 VARIANCE FOR CERTIFICATE OF SURVEY; 51 N 2190 RD (MKM)

CSR-13-00517: Consider a variance associated with a Certificate of Survey for approximately 44 acres located at 51 N 2190 Rd. The variance is requested from Section 20-806(d)(2)(i) of the Subdivision Regulations [Section 11-106(d)(2)(i) of the County Code] to allow the creation of Residential Development Parcels which do not comply with the RDP dimensional requirements of the Zoning Regulations. Submitted by Stebbins Surveying LLC, for Louis and Betty Eakes, property owners of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Mr. Louis Eakes said when he first bought the property he was hoping his daughter would move onto the property so he added 250' frontage. He said it was expensive to bring infrastructure into it so his daughter opted out of building there. He said he decided to sell it and he had a buyer that was eager to buy the place.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Kelly, seconded by Commissioner Struckhoff, to approve the variance requested from Section 11-106(d)(2)(i) [Section 20-806(d)(2)(i)/City Code] to allow the Certificate of Survey CSR-13-00517 to create 2 RDPs that have less than the required 90% minimum RDP width of 225 ft, subject to the following condition:

1. The Certificate of Survey shall be revised to note that the Planning Commission approved the requested variance with the

Unanimously approved 9-0.

ITEM NO. 6 TEXT AMENDMENT TO THE ZONING REGULATIONS; AGRITOURISM (MKM)

TA-13-00451: Consider a Text Amendment to Section 12-319-7 of the Zoning Regulations for the Unincorporated Territory of Douglas County, Kansas to establish criteria and review process for Agritourism uses which may have significant off-site impacts. (Amendment was initiated by the Board of County Commissioners at their October 16, 2013 meeting.)

STAFF PRESENTATION

Commissioner Rasmussen disclosed ex parte that he forgot to mention at beginning of meeting. He said when he was reviewing the text amendment he contacted Ms. Karen Pendleton to see what her thoughts were about it but she was unaware of it so he emailed her a copy.

Commissioner von Achen asked who all was notified.

Ms. Miller said a text amendment was difficult to know who to notify. She said she sent it out to the people who were originally involved in the agritourism committee and those that attended the stakeholder meeting. She said she did not have email addresses for people who registered for agritourism so they did not receive it until today. She said the Food Policy Council would like more time to look it over. She said the item could be deferred to allow people more time to review.

Ms. Mary Miller presented the item.

PUBLIC HEARING

Mr. John Pendleton, Pendleton's Country Market, said he had been actively been involved with agritourism for over 30 years. He said Pendleton's has a farm market that sells produce, flowers, plants, and ancillary retail items. He said he also offered pick your own produce, educational school tours, hayrack rides, kids play area, corn maze, and an open air pavilion used by groups. He said the Conditional Use Permit worked well for his business but he did not realize it expired in 2012 and he needed to renew it. He said he came into compliance by applying for the agritourism permit. He said he would now have to apply for a Conditional Use Permit once again under the new regulations. He appreciated the concerns expressed by the neighbors of the KC Pumpkin Patch but did not feel their apprehension should outweigh comments from the rest of the county. He said he was concerned about requiring agritourism operators to reside on the parcel of land containing the agritourism use. He said this regulation would take care of most of the issues of agritourism activities. He did not agree with tying the limit of the size of the business by limiting the parking lot. He said the amount of customers on a really nice warm day.

Ms. Natalya Lowther, Pinwheel Farm, said a power drill would require her to obtain a Conditional Use Permit. She said after daylight activities, such as a group of students using a telescope to look at stars, would also require Tier 2. She said having more than four vendors at a farmers market would require Tier 2. She said exterior lighting such as solar path lights would require Tier 2. She felt a lot of the terms were not defined clearly enough to be enforceable. She said she would have to go to Tier 2 or a Conditional Use Permit. She expressed concern about the lack of consistency between regulations for other types of property uses compared to agritourism uses. She encouraged Planning Commissioners to read the 20 pages she submitted for the packet. She said she started with a Conditional Use Permit four years ago and now it was coming back around to everything that she had done in the past four years was for nothing because she would have to submit another Conditional Use Permit to continue to do what she hadn't even had a chance to start yet.

Mr. Jim Hendershot said several of his neighbors participated in discussions about the KC Pumpkin Patch. He said he supported agritourism but also supported the protection of adjoining, adjacent, and area properties. He said staff had done an admiral job of bringing up various issues at different meetings and taking into account comments from pro and con agritourism. He said he was supportive of the vast majority of the proposed language. He said the proposed language about vehicle safety needed to be clarified more so that if staff determined it was needed they had the authority to require a traffic impact study. He said Tier 2 allowed hours of operation outside of daylight hours and that it addressed lighting but not noise. He suggested that Tier 2 activities with hours after daylight fall under a Conditional Use Permit, such as a large wedding.

Ms. Michelle Kooz said she reviewed the proposals and saw some positive changes. She said Tier 2 would allow for more review to make sure things weren't slipping through the cracks. She felt the old process was too vague. She said the guidelines regarding fencing and berm would keep people where they should be. She liked the limit on parking. She felt the issue of noise needed clarification.

Ms. Diane Menzie felt there had not been enough notification about the issue. She asked for clarification regarding the moratorium.

Mr. McCullough said the County Commission directed Planning staff to look at the agritourism amendment process. He stated the County Commission placed a moratorium on receiving applications for any agritourism requests. He said any amendment to the County Code goes through the Planning Commission with a recommendation to County Commission. He said this process was implementing the County Commissions direction.

ACTION TAKEN

Motioned by Commissioner Liese, seconded by Commissioner Graham, to defer the Text Amendment, TA-13-00451, to allow for continued discussion and notification of stakeholders.

Commissioner Liese thanked the audience for attending the meeting.

Commissioner Rasmussen asked if notice sent out to all the registered agritourism businesses in Douglas County.

Ms. Miller said notice was not sent to the ones that were just registered with the State. She said notice was sent to the agritourism businesses registered with the County, which was about six.

Commissioner Rasmussen requested that all agritourism businesses registered with the State and County be notified. He asked if people had to go through the agritourism process or if it was voluntary.

Ms. Miller said an agricultural use did not need to register as agritourism. She said staff did not regulate agriculture. She said a hunting facility, for example, could be agritourism and could register with the State but would not be required to register with the County. She said hopefully in the future there would be incentives to register with the County, such as a County webpage promoting agritourism with links. She said a hunting facility with ancillary retail sales would require a Conditional Use Permit today or registration as an agritourism activity. She said a you-pick berry patch did not need to register because it was agriculture. She said products raised on a farm could be sold as an agricultural use. She said if someone had picnics and live music while people picked berries it would become more of a recreational use.

Commissioner asked about selling jam at a berry patch.

Ms. Miller said if the jam was made it would be a value added agricultural product and could be permitted. She said if items were sold that the commodities were not raised on site it would need a Conditional Use Permit. She said if jam was made with berries that were brought in it would need to be registered.

Commissioner Rasmussen asked if the sugar and pectin in jam would be okay to bring in but not the berries.

Ms. Miller said it would not be expected that all the commodities would be grown on site.

Commissioner Rasmussen asked if an agricultural use, as defined under State law, did not have to go through this process.

Ms. Miller said that was correct.

Commissioner Rasmussen asked if an agritourism use registered with the State had to go through this process.

Ms. Miller said if it was anything besides agricultural it would.

Commissioner Rasmussen asked if a registered agritourism business under the State law had to also register with the County.

Ms. Miller said before agritourism regulations were in place if a business was registered with the State and had ancillary retail sales or wedding receptions a Conditional Use Permit or rezoning would have been required.

Commissioner Rasmussen inquired about future options.

Ms. Miller said the options would be agritourism registration, Conditional Use Permit, or rezoning.

Commissioner Rasmussen asked why pumpkin patches were called out separately because he thought they would be similar to you-pick berry patches.

Ms. Miller said usually pumpkin patches have other activities associated with them, such as hay rack rides and ancillary items. She said if it was just a pumpkin patch it would not need to register.

Commissioner Rasmussen asked about picking chestnuts at a location that also had hay rack rides.

Ms. Miller said it would be a similar use to a pumpkin patch.

Commissioner Rasmussen inquired about the three room limit on a bed and breakfast use. He said a you-pick farm would have way more cars than a three room bed and breakfast.

Ms. Miller said it was partly based on the bed and breakfast being a year round activity. She said she also based it on how the City and the State viewed bed and breakfast facilities that were three or more bedrooms. She said it was more of a building code issue.

Commissioner Rasmussen inquired about landscaping around the parking area.

Ms. Miller said it would just include landscaping the parking area that was visible from a nearby residence.

Commissioner Rasmussen said the Schaake's Pumpkin Patch parking area could be seen from the main road. He asked if they went through this process if they would have to plant shrubs or other landscaping

Ms. Miller said yes, shrubs or vegetation.

Commissioner Rasmussen said not allowing exterior lighting concerned him although he understood the intent. He felt a porch light on an out building should be allowed.

Ms. Miller said there could be lighting on buildings but not for the agritourism use. She said the intention was to stop from having nighttime activities.

Commissioner Rasmussen inquired about the registration process and how applicants would submit site plans.

Ms. Miller said the County usually provides an aerial to the applicant and the applicant can draw over the aerial showing where parking and the agritourism activity would be.

Commissioner Rasmussen said the proposed language says the parking areas have to be dimensioned.

Ms. Miller said that was correct, just like Conditional Use Permits, to give an idea of how big the parking area was. She said the purpose was to be able to calculate how many parking spaces would be there. She said if there were no dimensions it would be hard to know how many parking spaces could be in the parking area.

Commissioner Rasmussen said a Tier 1 applicant would have to prepare a site plan identifying all the structures, where the agitourism use would be, the parking spaces and dimensions, handicap parking, identify water and sanitation facilities, note the hours of operation, identify the anticipated number of attendants, provide notification to all property owners within 1000', have the director of Zoning and Codes review it and possibly apply conditions. He did not feel there was much difference between Tier 1 and Tier 2.

Ms. Miller said site plans were similar because the same general information was requested. She said the notification was a little more with Tier 2 and also required County Commission approval.

Commissioner Rasmussen said under the Tier 1 registration provisions it references section 7.08 Tier 2.

Ms. Miller said that was a typo and that it should reference section 7.09.

Commissioner Rasmussen inquired about imposing more requirements on agritourism and why staff does not think that.

Ms. Miller said staff was trying to be more up front. She said when a person applies for registration the Zoning & Codes Director may request additional descriptive information as needed, such as a site plan. She said the person reading the regulations would know ahead of time what they would need to provide. She said today people do not know ahead of time what was needed.

Mr. McCullough said there was no direct relationship between the State registration of agritourism and local land use code. He said agritourism registration was a vehicle and tool to regulate land use.

Commissioner von Achen asked if someone chose to do a new agritourism Conditional Use Permit would they follow all the requirements of Tier 1 and 2 in addition to other requirements that the Conditional Use Permit might involve.

Mr. McCullough said all the processes let either staff or the County Commission, in terms of agritourism, review the application request and place conditions on it. He said a Conditional Use Permit would come before Planning Commission and then a recommendation would be sent to the County Commission. He said most of the agritourism codes were related to the process versus actual conditions, such as parking and setbacks.

Commissioner Josserand thanked staff for their work on this. He felt in general the Tier 1 and Tier 2 was going in the right direction. He felt a larger group of people needed to be notified.

Commissioner Kelly felt there needed to be ways to define and make it easier to understand the difference between Tier 1, Tier 2, and a Conditional Use Permit. He felt they could reduce the list of descriptions and focus on the activities. He felt a bed and breakfast was different and probably should not include language about only daylight hours. He said regarding motors maybe the language should say motors for entertainment purposes. He said he was not supportive of the language regarding landscaping around parking areas. He would like to see more work on the traffic language. He agreed with Commissioner Rasmussen's comment about there not being much difference between Tier 1 and Tier 2.

Commissioner Liese said the purpose of the regulations was to make agritourism easier but he felt they needed to be careful not to let someone take advantage of the regulations. He thanked staff for their work. He said they needed to be sensitive to plunking a business down in a rural neighborhood. He felt screening of the parking area could be helpful.

Commissioner Culver said it was a tough task to balance having options and being an onerous process. He said it was hard for him to limit members of the community to three minutes when they speak because their information was valuable.

Commissioner Liese said it was helpful when community members write a letter in advance to supplement their public comment.

Motion carried 9-0.

ITEM NO. 7 CONDITIONAL USE PERMIT; METEOROLOGICAL TOWER; E OF N 400 RD & E 1000 RD AND S OF N 400 RD (SLD)

CUP-13-00480: Consider a Conditional Use Permit for a meteorological tower located east of the corner of N 400 Rd & E 1000 Rd and on the south side of N 400 Rd. Submitted by Tower Associates, for Donald & Jane Schwartz, property owners of record.

Item No. 7 was deferred prior to the meeting.

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

Mr. McCullough advised Planning Commission that the proposed HERE project at 1101 Indiana Street would be the topic of discussion at their February Mid-Month meeting.

ADJOURN 9:34pm



PLANNING COMMISSION MEETING February 24 & 26, 2014 Meeting Minutes DRAFT

February 24, 2014 – 6:30 p.m.

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

Struckhoff, von Achen

Staff present: McCullough, Stogsdill, Crick, Halm, Larkin, Ewert

COMMITTEE REPORTS

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

Commissioner Culver said the Metropolitan Planning Organization (MPO) met last week and that the three draft multi-modal studies were available for review online. He stated the MPO would be sending the drafts to the governing bodies for approval.

Commissioner Rasmussen said the Oread Neighborhood Design Guidelines were close to being done. He said staff would incorporate the comments and changes made along the way.

COMMUNICATIONS

Mr. McCullough said he received a call from Ms. Marilyn Bittenbender requesting that items 4 and 5A-5C be deferred without holding the public hearing. He said the applicant desired to look at the communications received today and meet with the neighborhood to try and resolve some issues.

Ms. Marilyn Bittenbender said she was surprised about the amount of communications that came in today. She said she would like time to review and look at the concerns and meet with the neighborhood. She requested deferral without holding the public hearing so as not to duplicate comments twice since the comments in the future may be different if given the time to work out some of the concerns.

Commissioner Liese said he received a lot of emails about this project. He felt both sides were taking a risk by having the item heard tonight without taking the opportunity to discuss it further.

Motioned by Commissioner Liese, seconded by Commissioner Rasmussen, to defer items 4 and 5A-5C for one month to allow the applicant the opportunity to discuss with the community.

Commissioner von Achen asked if the applicant held a public meeting.

Mr. Paul Werner, Paul Werner Architects, said he met with several of the neighbors in the immediate neighborhood to the southwest three times in his office.

Commissioner von Achen asked if the entire neighborhood was invited.

Mr. Werner said he invited 3-4 people who showed involvement in the Inverness District Plan.

Commissioner Josserand said citizens who live in the area came prepared to make statements tonight. He said the residents of the area felt disinfected by the process and felt like they had been hit with secret and silent plan. He said he was sensitive to the neighborhood issues. He felt the developer should have an open meeting and also allow the public to speak this evening.

Commissioner Britton inquired about procedure. He asked if Planning Commission wanted to hear public comment tonight but with the idea they were not taking vote they could open the hearing and move to defer.

Mr. McCullough said they could either defer now or hear the public comment and then vote.

Commissioner Britton felt they should have as much information as possible. He said this piece of property had been problematic for a long time. He felt there needed to be significant discussion with the neighborhood and he was surprised the applicant did not make a stronger effort to receive neighborhood input prior to tonight. He felt they should respect the people present this evening by listening to what they have to say. He said he would leave it up to the public about whether they talk tonight. He said he would support a deferral but would like to defer after the public hearing.

Commissioner Culver took a poll of the audience of who would like to speak this evening.

Commissioner Liese said he would be willing to withdraw his motion if that was the interest.

Commissioner Rasmussen said he would not withdraw his 2nd because the item needed to be deferred to allow time for the applicant to meet with the neighborhood. He felt it would be a waste of time for the community, the applicant, and staff to hear comments tonight on an item that may not come back or could change significantly. He felt they should defer and let it move on.

Commissioner Denney asked for a show of hands from the audience if they would still want to speak this evening with the understanding that there would be an opportunity to meet with applicant and have the item come back at a future date.

Motion carried 6-4, with Commissioners Britton, Denney, Josserand, and von Achen voting against the motion. Commissioners Culver, Graham, Kelly, Liese, Rasmussen, and Struckhoff voted in favor of deferring items 4 and 5A-5C.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

• Ex parte:

Commissioner Liese said he had a brief conversation with Mr. Rick Hird regarding agritourism but that it was nothing of substance.

Commissioner Rasmussen said he received a call from Ms. Marilyn Bittenbender last week. He said he asked her if she had talked to people in the neighborhood and she said yes and that there were no negative comments. He said when he saw the amount of communications today he alerted her of them.

Commissioner Kelly said he spoke with the principal at Southwest and Sunflower Elementary School and they shared a mixed bag of concerns regarding the proposed Family Fun Center. He said he also spoke with superintendent, Mr. Rick Doll, who also had a mixed bag of concerns regarding the Family Fun Center. He said regarding item 1 the Lawrence Arts

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Commission talked about tax incentive funding as it relates to the piece of artwork at 9th & New Hampshire Street.

Commissioner Britton said Luke and Lori Sinclair were friends of his from law school and he spoke with Mr. Sinclair about the process of the item.

Commissioner Culver said he spoke with Ms. Marilyn Bittenbender who inquired about the procedures and process of requesting a potential deferral. He said he asked her to contact Planning staff directly. He said he did not speak with her about specifics of the project. He said he had a brief conversation with Mr. Bill Fleming about item 1 being on the agenda this evening.

Commissioner Rasmussen asked if Planning Commission could talk about the process at a future Mid-Month meeting.

No abstentions.

ITEM NO. 1 9TH & NEW HAMPSHIRE REDEVELOPMENT PLAN

Consider making a finding that the North Project Plan for the 9th & New Hampshire Redevelopment District is consistent with the City's comprehensive plan.

STAFF PRESENTATION

Ms. Diane Stoddard, Assistant City Manager, presented the item.

APPLICANT PRESENTATION

Mr. Bill Fleming, Treanor Architects, was present for questioning.

Mr. Micah Kimball, Treanor Architects, said the bulk of the project were apartments. He stated there would be public restrooms for the Farmer's Market. He showed the site plan on the overhead and pointed to different aspects of the project. He said the roundabout was no longer part of the plan.

Commissioner Rasmussen inquired about where the restrooms for the farmers market would be located.

Mr. Kimball showed on an overhead map where the restrooms would be located, toward the back alley. He said they would be opened on the weekends and maintained by the apartment or building manager.

PUBLIC HEARING

Ms. Pam Blackburn, 830 Connecticut, inquired about where the wall with art was located.

- Mr. Kimball pointed out on the overhead the spaces for the new murals.
- Ms. Blackburn asked if the current mural would be torn down.
- Mr. Kimball said that was correct. He said there were discussions about relocating the mural.
- Ms. Blackburn asked how tall the building would be.
- Mr. Kimball said the building would be 7 stories on the corner and 6 stories as it goes to the north.
- Ms. Blackburn expressed concern about how much direct sunlight she would be losing on her house. She also inquired about parking.
- Mr. Kimball said there would be 168 parking spaces provided for the 114 apartments.

Commissioner Denney said the drawing showed the key going from the alley way over to Rhode Island Street. He inquired about what the use would be.

Mr. Kimball said it would be parking.

Commissioner von Achen inquired about the implications of the downtown urban conservation overlay district.

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Mr. McCullough said the project was reviewed under the downtown design guidelines and went through Historic Resources Commission and City Commission for the parking. He said the project was vetted through the architectural design process.

Commissioner von Achen asked if Historic Resources Commission was involved.

Mr. McCullough said yes. He said essentially the basic design had gained some approval but still needed to go through the site plan process and the Architectural Review Committee to work out some of the details of the design. He said this project generated some of the work that Planning Commission did with Historic Resources Commission in terms of some of the issues about density and angled parking versus parallel parking.

Commissioner Josserand said he noticed that the TIF and TDD zone extended to the next street.

Ms. Stoddard showed a map on the overhead. She said New Hampshire Street included the street right-of-way for a new water line that was triggered by this project.

ACTION TAKEN

Motioned by Commissioner Josserand, seconded by Commissioner Denney, to make a finding that the North Project Plan for the 9th & New Hampshire Redevelopment District was consistent with the City's comprehensive plan.

Unanimously carried 10-0.

ITEM NO. 2 IG TO RS5; .5 ACRE; 830 E 13TH ST (JSC)

Z-13-00513: Consider a request to rezone approximately .5 acre from IG (General Industrial) District to RS5 (Single-Dwelling Residential) District, located at 830 E 13th St. Submitted by William Price, property owner of record.

STAFF PRESENTATION

Mr. Jeff Crick presented the item.

APPLICANT PRESENTATION

Mr. William Price said he purchased the property to fix up the house and sell this Spring. He wanted to rezone for ease of the new owners.

PUBLIC HEARING

Mr. Chris Burger, 850 E 13th St, said Mr. Price was under the belief that a purchaser would not be able to acquire financing to buy a residence in IG zoning. He said by rezoning the property would turn his property into non-conforming. He requested that Mr. Price be allowed to reconstruct a residence in the event of a catastrophic loss on his property.

Commissioner Josserand asked Mr. Burger to explain how the proposed rezoning would make his property non-conforming.

Mr. Burger showed a survey with 15'. He said he would not be able to rebuild at the same location and would have to go back 5-15'.

Mr. McCullough said the difference was between zoning districts and the setback line. He said the current setback was 15' and would move to 20' with rezoning it from IG to RS. He said it would be made non-conforming through the process and it was the future that was of concern, such as a fire. He identified variances as an option to mitigate. He said since the recession the banking standards have changed.

Mr. Burger said the irony was that the property was zoned IG with a residence which was non-conforming. He said to correct the non-conformance it made the adjoining property non-conforming. He said then he would have to request a variance which may or may not be provided. He said the rezoning did not solve any problems, just created longer term issues.

APPLICANT CLOSING COMMENTS

Mr. Price inquired about mixed-use rezoning.

Mr. McCullough said mixed-use rezoning would not apply in this particular situation.

COMMISSION DISCUSSION

Commissioner Josserand asked Commissioner Culver about his observations on bank financing.

Commissioner Culver said there could be arguments made by both parties when it came to financing.

Commissioner Josserand wondered if the zoning boundaries had to agree with the definition of lots.

Mr. McCullough said it was problematic when it was not for financial reasons.

Commissioner Denney asked if under the current zoning the house was destroyed by catastrophic loss would they have any flexibility or restricted to footprint of building.

Mr. McCullough said they would be entitled to at least the footprint if not more as setbacks were looked at. He said it was in Chapter 15, Non-Conforming Uses.

Commissioner Denney expressed concern about trading one person's problem for another.

Commissioner Kelly asked if the lot could be replatted.

Mr. McCullough said it was not really a platting issue, as much as it was a zoning issue. He said it could help for the applicant to provide a letter from staff to the bank explaining the rights the property owner has to a detached dwelling structure in a non-conforming zoning district.

Commissioner Rasmussen asked what the future would hold for this neighborhood. He wondered if it would be IG long term or if it would go the way of becoming something else in the future.

Mr. McCullough said he did not have an answer because he did not know the desires of all the property owners. He said he had not heard IG was going away. He said it was similar to North Lawrence where there were pockets of IG next to residential.

Commissioner Britton asked if both problems would be solved if the rezoning was approved and the adjoining commercial property owner got a variance.

Mr. McCullough said yes. He said if the rezoning was approved it would transfer the issue to the adjacent property and they would then be seeking relief through a variance. He said it could potentially be an issue with financing or insurance but that variances typically work.

Commissioner Britton asked if one option would be to defer and direct staff to work with the adjoining property owner to get a variance request to the Board of Zoning Appeals.

Mr. McCullough said a pending recommendation of rezoning to RS could be taken to the Board of Zoning Appeals for the adjacent owner to seek a variance, assuming approval of the rezoning.

Commissioner Denney asked if there would be a cost to the adjacent property owner.

Mr. McCullough said there would be a fee but that staff would consider waiving it.

Mr. Price said he was fine with that plan.

Mr. Burger said he was not really thrilled with that because it sounded like more hoops to jump through, time and expense for something that was not necessary.

Mr. Price said there was a garage structure on the property. He said if he wanted to rebuild the garage he would have to follow commercial setbacks so it would have to be moved to the center of the yard to get 15' on both sides. He said for future use of the property it would work better if it was zoned residential.

Commissioner von Achen asked if the variance would apply to a future building if industrial property was destroyed.

Mr. McCullough said typically yes, if it was the same building.

Commissioner Struckhoff said the variance would enable to the applicant to rebuild as is, while still providing the change in zoning he needs. He said the perpetuity of the variance was important.

Commissioner Liese asked how much work it would require to obtain a variance.

Mr. McCullough said it would require time to talk to staff and submit an application. He said staff could waive the application fee.

Commissioner Liese disclosed that Mr. Price had been a customer at his store in the past but that he did not know him personally.

Commissioner Culver said he had some hesitation with passing an issue to another person.

ACTION TAKEN

Motioned by Commissioner Kelly, seconded by Commissioner Josserand, to approve the rezoning (Z-13-00513) of .5 acre from IG (General Industrial) District to RS5 (Single-Dwelling Residential) District, located at 830 E 13th St, contingent upon approval from the Board of Zoning Appeals for a variance at 850 E 13th Street, and recommend staff do everything they can to reduce the burden on the neighboring party at 850 E 13th Street. If the variance is not approved then the rezoning would come back to Planning Commission for consideration.

Commissioner Britton felt it was a good motion and the least bad outcome.

Commissioner Denney expressed concern about passing one person's issue on to another.

Commissioner Rasmussen said he had heartburn with passing on an issue to a different property owner that was not the applicant. He said Planning Commission often has to look into the future and rezoning the property from IG to RS made sense.

Commissioner Josserand agreed with Commissioner Rasmussen and said without the variance he would vote for the rezoning.

Unanimously approved 10-0.

ITEM NO. 3A RM32 TO MU-PD; 2.391 ACRES; 1101 INDIANA ST (SLD)

Z-13-00516: Consider a request to rezone approximately 2.391 acres from RM32 (Multi-Dwelling Residential) District to MU-PD (Mixed Use with PD Overlay) District, located at 1101 Indiana St. Submitted by Hartshorne Plunkard Architects, for Berkeley Flats Apartments LLC, property owner of record.

ITEM NO. 3B PRELIMINARY DEVELOPMENT PLAN FOR HERE @ KANSAS; 1101 INDIANA ST (SLD)

PDP-13-00518: Consider a Preliminary Development Plan for HERE @ Kansas, a mixed use multidwelling residential apartment building with ground floor retail uses, located at 1101 Indiana St. Submitted by Hartshorne Plunkard Architects, for Berkeley Flats Apartments LLC, property owner of record.

STAFF PRESENTATION

Commissioner Rasmussen disclosed ex parte that he talked with the applicant, Mr. Jim Heffernon several times. He said Mr. Heffernon's great great grandmother was sisters with his great great grandmother. He said since he was not able to attend the Planning Commission Mid-Month meeting where additional information was provided about the HERE @ Kansas project he met with Mr. Heffernon on February 11, 2014 and received that information.

Ms. Sandra Day presented items 3A and 3B together.

APPLICANT PRESENTATION

Mr. Jim Heffernon, HERE Enterprises, said currently there were two curb cut locations that provided access to the current parking lot of Berkley Flats, one on 11th Street and the other on Mississippi Street. He said the new design would eliminate all vehicular access on 11th Street due to safety concerns with the topography. He said when the project was being designed to fit within the context of its surrounding. He said one of the criteria for the zoning was that 7,700 square feet of outdoor open space be provided. He said he was proud of the fact that they were proposing 58,000 square feet of open space, which was 7 ½ times more than what was required by the Code. He said the project would provide outdoor dining venues. He said in addition, there were two 5,500 square feet indoor courtyards. He said the roof would contain 27,000 square feet of open space. He showed drawings on the overhead of what the project would look like. He said the garage would be composed of three levels and contain automated parking.

Commissioner Josserand asked if KU had any input or expressed any concerns.

Ms. Day said KU provided general comments.

Mr. Heffernon said

PUBLIC HEARING

Mr. Norman Bell said he grew up at 1115 Indiana Street and that his mother owns the house. He expressed concern for the safety of his mother. He stated there used to be an alley behind 1115 Indiana Street and that his mother parks her vehicle behind the house. He said the new development would block his mother's house in by building around it on three sides.

APPLICANT CLOSING COMMENTS

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Mr. Heffernon showed a picture of 1115 Indiana Street and the topography of the area. He stated the new proposed building would be farther south and farther west than the current Berkley Flats building. He said 1115 Indiana Street was fenced in on three sides and an improvement with the proposed project would be the location of the trash, which was currently outside the back of 1115 Indiana Street. He said the project took into consideration the effects of the sun on that property over a period of time. He showed shadow studies for different times of the year on the overhead. He said the effect of sun exposure to the house was remarkably mitigated. He said regarding safety, soil engineers determined the setbacks and parking structure were such that the foundation and integrity of the house would not be impaired. He said regarding the nature of access, currently there was an undocumented license of understanding that the property owner of 1115 Indiana Street, Ms. Georgia Bell, uses to drive through the parking lot of Berkley Flats to a gate that she manually opens and enters. He said they thoroughly researched it and that in Kansas law as long as there was access to a public street there was no easement of necessity. He said he discussed with staff about providing a designated parking spot on Indiana Street for the occupant of 1115 Indiana Street.

COMMISSION DISCUSSION

Commissioner Liese asked if there was a stairway to 1115 Indiana Street.

Mr. Heffernon said there was an existing staircase to Indiana and he showed a picture of it on the overhead.

Commissioner Liese inquired about any improvements to the stairway.

Mr. Heffernon said the stairway was not his property to improve.

Commissioner Rasmussen asked the staff attorney to respond to the applicant's interpretation about Kansas law. He asked if staff thought it was a good idea to reserve a parking spot on Indiana Street.

Mr. Randy Larkin, staff attorney, said the statement about the law was correct. He said if there was access to the street to get to the property it would be fine. He said if the property was cut off and can't get access the law would probably impose an easement of necessity across someone else's property. He said if there was access to the street there would be no easement.

Commissioner Rasmussen asked if there could be an easement by adverse possession in the state of Kansas.

Mr. Larkin said yes. He said whether there was in this case or not he did not know.

Mr. McCullough said one of the first issues reviewed and looked at were the records of the existing apartments to determine whether or not there was an instrument of access to the back lot. He said they did not find anything. He said essentially the research found there was no legal access that provided access to 1115 Indiana Street. He said there was some sort of unwritten agreement with the current owners of Berkley Flats to use the surfaced parking lot as a way to get in to Ms. Bell's back property. He said the design to keep and maintain some form of driveway would not benefit the project or be very feasible given the mixed use project. He stated one idea that was not decided yet was to grant some sort of permit parking in the front of the lot to 1115 Indiana Street. He said there were lots in the city that did not have any parking and got all their access from on-street parking. He said this project was not unique in that perspective. He said the reason they were considering it here was because it was a direct impact of a development on the property.

Commissioner Rasmussen asked Mr. Herrernon about his attempts to purchase the property.

Mr. Heffernon said he had met with Ms. Bell, the owner of 1115 Indiana Street, and also talked with her on the phone, totaling about 12 hours. He said HERE had offered her \$600,000 for her house and that he would be prepared to honor that today. He said Ms. Bell wanted more money.

Commissioner Denney asked if Mr. Bell grew up in the house at 1115 Indiana Street.

Mr. Bell said yes.

Commissioner Denney asked if there used to be an alley behind 1115 Indiana Street.

Mr. Bell said he was almost positive there used to be an alley behind 1115 Indiana Street.

Commissioner Denney asked if there was ever a garage off of the alley behind the house.

Mr. Bell said no, he didn't remember a garage. He said they parked on Indiana Street but mainly parked behind the house.

Commissioner Liese felt substantial efforts had been made to help Ms. Bell by the City and the applicant.

Mr. Bell said his mother was 93 years old and could not hear very well and could get confused. He said he recommended that she obtain a lawyer.

Commissioner Liese asked what Mr. Bell thought would help his mother if the development moved forward.

Mr. Bell said his mother needed an attorney and needed to sell the property and be satisfied.

Commissioner Liese asked if Mr. Bell would be satisfied if a conclusion was reached with an attorneys help.

Mr. Bell said yes.

Commissioner Culver asked how the development plan would change if that particular piece of property, 1115 Indiana Street, was acquired.

Mr. Heffernon said inefficiencies in the parking design would not be necessary. He said it may create additional commercial space on Indiana Street and a nominal addition of units above that. He said it would also create a third interior courtyard.

Commissioner Liese asked Mr. Heffernon if Planning Commission approved the development to what extent he would be open to talking to Ms. Bell's lawyer about a fair deal.

Mr. Heffernon said he had suggested to Ms. Bell on numerous occasions that she obtain a lawyer. He said he researched public council for her but that free public council was not available on this subject matter. He said HERE retained a lawyer through Stevens and Brand and offered that the lawyer sit with her and go through a simple sale contract but she refused.

ACTION TAKEN on Item 3A

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Motioned by Commissioner Liese, seconded by Commissioner Struckhoff, to approve the request to rezone approximately 2.391 acres from RM32 (Multi-Dwelling Residential) District to MU-PD (Mixed Use with PD Overlay) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Commissioner von Achen asked what 1115 Indiana Street would be zoned.

Ms. Day said it would remain RM32.

Commissioner Rasmussen said he was excited the Oread Neighborhood Plan that was approved a few years ago was actually going to get used.

Commissioner Culver agreed that it was neat to see an area plan being utilized.

Commissioner Josserand said parking was a critical resource in the Oread Neighborhood and that a novel solution had been come up with for parking at 1115 Indiana Street. He said he would support the project but expressed concern about the resident of 1115 Indiana Street and hoped future negotiations would result in some sort of satisfactory arrangement.

Commissioner Denney felt a development like this was a huge improvement in the public welfare and safety of that intersection. He said he had great sympathy for the property owner of 1115 Indiana Street. He said there was probably an alley there in the past and that when the property was transitioned from housing to an apartment complex the alley was probably vacated. He said in the interest of the greater good of the area he would support the project.

Commissioner Liese hoped some decision could be made with the property owner of 1115 Indiana Street. He said in terms of her safety he hoped whatever happened would make her life even more safe and comfortable. He encouraged Mr. Bell to stay involved in the process.

Commissioner Britton felt this was a great project and he was impressed by the development group and their interactions with Ms. Bell. He supported the project and hoped an agreement could be made with what Ms. Bell should do with her property.

Commissioner Kelly said it was a historic area and 1115 Indiana Street was a historic home. He encouraged the developer to honor that space and the history of the property if it was acquired.

Unanimously approved 10-0.

ACTION TAKEN on Item 3B

Motioned by Commissioner Liese, seconded by Commissioner Graham, to approve the HERE @ Kansas Preliminary Development Plan based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Provision of a revised plan to reflect correct unit and density

Unanimously approved 10-0.

Motioned by Commissioner Liese, seconded by Commissioner Graham, to approve the variance associated with HERE @ Kansas Preliminary Development Plan for the reduced right-of-way for 11th Street.

Unanimously approved 10-0.

ITEM NO. 4 TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE; PARTICIPANT SPORTS & RECREATION, OUTDOOR USES WITH SUP IN CN2 (SMS)

TA-13-00488: Consider a Text Amendment to the City of Lawrence Land Development Code, Chapter 20, to allow for Participant Sports & Recreation, Outdoor uses with a Special Use Permit in the CN2 (Neighborhood Shopping Center) District. Submitted by Paul Werner Architects.

ITEM NO. 5A RSO TO CN2; 10.97 ACRES; 4300 W 24th PLACE (SLD/TLH)

Z-13-00483: Consider a request to rezone approximately 10.97 acres from RSO (Single-Dwelling Residential-Office) District to CN2 (Neighborhood Shopping Center) District, located at 4300 W 24th Place. Submitted by Paul Werner Architects, for Corporate Holdings II LLC, property owner of record.

ITEM NO. 5B SPECIAL USE PERMIT; FAMILY FUN CENTER; 4300 W 24TH PLACE (SLD/TLH)

SUP-13-00486: Consider a Special Use Permit for Participant Sports & Recreation, Outdoor uses as part of a Family Fun Center, located at 4300 W 24th Place. The development includes a 28,000 square foot clubhouse and outdoor tot lot, batting cages, electric go-kart tracks and an 18-hole miniature golf course. Submitted by Paul Werner Architects, for Corporate Holdings II LLC, property owner of record.

ITEM NO. 5C SPECIAL USE PERMIT; FAST ORDER FOOD WITH DRIVE-THRU; 4300 W 24TH PLACE (SLD)

SUP-14-00026: Consider a Special Use Permit for a fast order food with drive-thru as part of the future commercial pad site development, to be located on the west portion of property located at 4300 W 24th Place. Submitted by Paul Werner Architects, for Corporate Holdings II LLC, property owner of record.

Items 4, 5A, 5B, 5C were deferred by Planning Commission at the beginning of the meeting.

Reconvene February 26, 2014 – 6:30 p.m.

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

Struckhoff, von Achen

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

BEGIN PUBLIC HEARING (FEBRUARY 26, 2014):

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

Ex parte:

Commissioner Liese said he received a letter from Mr. Rick Hird regarding Item 8 after the communication deadline. He said he received a call from Mr. Ted Boyle, North Lawrence Improvement Association, regarding Item 7 and said he would not be present at tonight's meeting. Mr. Boyle and Ms. Barbara Clark met with Mr. Shane Powers and the North Lawrence Improvement Association supported the project. He said Mr. Boyle's main concern was parking on the county road. He said Mr. Boyle talked with Mr. Powers about some arrangement for busing people if needed and no nighttime noise.

All of the Commissioners said they received a letter from Mr. Rick Hird.

No Abstentions.

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ITEM NO. 6 RM12 TO RM24; 3.35 ACRES; NE CORNER BOB BILLINGS PKWY & K-10/SLT (SLD)

Z-13-00519: Consider a request to rezone approximately 3.35 acres from RM12 (Multi-Dwelling Residential) District to RM24 (Multi-Dwelling Residential) District, located at the NE corner of Bob Billings Pkwy and K-10/SLT to be known as part of the Langston Commons Subdivision. Submitted by Tim Herndon on behalf of RSR Holdings LLC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Tim Herndon, RSR Development, said this zoning application was a sister application that accompanied the revised plat that was approved by Planning Commission 60 days ago. He said the density parameters established for the entire project were still retained.

PUBLIC HEARING

Ms. Linda Haar, 1510 Legend Trail Dr, asked if she could receive a copy of the plans.

Mr. McCullough said Ms. Haar could contact the Planning office for any record she was looking for. He also stated a site plan would be submitted in the future and that a 200' notice would be sent for the site plan as well as signs posted at the site. He asked the applicant to talk about the potential timing of the project.

APPLICANT CLOSING COMMENTS

Mr. Herndon said the Kansas Department of Transportation (KDOT) would initiate construction of the new interchange that would connect Bob Billings Parkway to the South Lawrence Trafficway (SLT). He said it would probably not be later than the second quarter of this year. He said he negotiated with KDOT to include, with the construction of the section of Bob Billings Parkway, the stub street that was 100' north of Bob Billings Parkway because it was within the boundary of the KDOT project. He said that should be constructed and operational not later than Spring 2016. He described the timeline of construction.

Ms. Haar asked if he would be building at the same time as the road construction or after.

Mr. Herndon said the portion to the north would be built and ultimately have access to George Williams Way. He said it would be built simultaneously to KDOT's project. He said he would be happy to speak with her after the meeting if she needed additional information.

COMMISSION DISCUSSION

Commissioner Josserand asked Mr. Herndon what kind of structures would be built.

Mr. Herndon said the zoning allowed for up to 45' which would accommodate 4 stories. He said the zoning application was less than three acres and of that 50' of the western edge was all in the SLT greenspace. He said it would be a small multi-family development. He said he expected it to be anything from one monolithic building, consisting of approximately 60 units, to maybe something like 3-4 buildings in the 12-plex range.

Commissioner von Achen said the residents of the area expected single-family homes because they didn't understand that the density included the entire development. She wondered if there was a

way to note that when a person buys their home that this density is an overall average, not just for their individual neighborhood.

Mr. McCullough said this was unique because it was presented as a conglomeration of zoning applications and a single plat. He said during the pre-application meetings a number of different options were pursued such as a PD Overlay. He said there were some advantages to doing it different ways and this was the way that staff agreed to support the application. He said he was not sure that any notice could be provided other than what was done for this particular unique application.

Commissioner Culver inquired about the completion of Renaissance Drive. He asked if it would be completed before occupancy of the tract they were discussing this evening.

Mr. Herndon said that was correct.

Commissioner Culver asked if there could be construction prior to the roadway being completed but that the units would not be occupied until the road was complete.

Mr. Herndon said that was correct.

Commissioner Culver if he had any other recent correspondence with the neighbors.

Mr. Herndon said since the last time he was at Planning Commission he had talked to a handful of neighbors. He felt the neighbors concerns had been, for the most part, adequately addressed.

ACTION TAKEN

Motioned by Commissioner Rasmussen, seconded by Commissioner Struckhoff, to approve the request to rezone approximately 3.35 acres from RM12 (Multi-Dwelling Residential) District to RM24 (Multi-Dwelling Residential) District, located at the NE corner of Bob Billings Pkwy and K-10/SLT to be known as part of the Langston Commons Subdivision, based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Unanimously approved 10-0.

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ITEM NO. 7 CONDITIONAL USE PERMIT; LODGING HOUSE & RECREATION; 1804 E 1500 RD (SLD)

CUP-13-00492: Consider a Conditional Use Permit for a Lodging House and Recreation facility to be known as a hostel and banquet hall, located at 1804 E 1500 Rd. Submitted by Shane Powers, for Earl Stagg, property owner of record. *Deferred by Planning Commission on 1/27/14.*

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Shane Powers said he arrived at an agreement with the airport hotel to lease parking spaces on an as needed basis. He said he would like to host weddings, receptions, family reunions, and private parties. He said weddings would mostly take place on the lawn. He said he spoke with Mr. Richard Ziesenis, Douglas County Health Department, and has approved the plan with the contingency that a chemical toilet would be on site when there were more than 50 guests at an event.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Liese asked if catering or alcohol would be allowed.

Mr. Powers said he would not offer catering services but that people could bring in their own caterer. He said he did not intend to have a liquor license but if someone wanted to furnish alcohol for their party they could.

Commissioner Kelly asked how the number of guests would be determined for events and what procedures would be in place if there were more guests than expected.

Mr. Powers said it was a small venue so there was limited capacity. He said it would be a location for people looking for a smaller wedding or event. He said based on the square footage available there were a few ways it could be dissected. He said essentially the standing capacity would be 85 people. He said he was looking at capping it somewhere around 50 people but wanted to be available for the maximum of safe standards. He said he wanted to be able to accommodate as many as legally possible.

Commissioner Kelly asked how it would be enforced if more than the maximum capacity showed up.

Mr. Powers said he had thought about it but had not arrived at any sort of solution.

Commissioner Rasmussen asked if staff was still recommending approval with the new conditions that were included in the staff memo.

Ms. Day said yes.

Commissioner von Achen asked Mr. Powers if he would eventually pursue lodging upstairs.

Mr. Powers said yes. He said he would need a fire sprinkler system installed which would require significant expense and storage of well water.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner von Achen, to approve the Conditional Use Permit, CUP-13-00492, located at 1804 E 1500 Road, and forwarding to the Board of County Commissioners, with the following conditions:

- 1) The provision of a revised Conditional Use Permit Site Plan with the following changes:
- a. Addition of the following note regarding the building requirements: "Submission and approval of building plans to the Zoning and Codes Office is required for the hostel and assembly area uses. Adaptations to the existing buildings to bring them into code compliance shall be completed prior to release of a certificate of occupancy for the use."
- c. Provide a note on the site plan that states, "Well water is not an approved water source for public use. The operator will supply bottled water or another public water supply for the use per the approval of the Douglas County Health Department."
- 2) Provision of a note on the face of the site plan prohibiting the use of the second floor for assembly and lodging uses. Use of the 2nd floor space shall be allowed only after a rehearing by the County Commission as an expansion of the use and compliance with applicable building and safety codes.
- 3) Provision of a note on the face of the site plan limiting occupancy to not more than 78 individuals for events. Expansion of the use shall be allowed only after a rehearing by the County Commission as an expansion of the use and compliance with applicable building and safety codes.
- 4) Requiring the provision of off-street overflow parking to accommodate 10 vehicles per the approval of the County Public Works Director and County Zoning and Codes Director to include any applicable lease agreement and minimum design standard.

Unanimously approved 10-0.

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ITEM NO. 8 TEXT AMENDMENT TO THE ZONING REGULATIONS; AGRITOURISM (MKM)

TA-13-00451: Consider a Text Amendment to Section 12-319-7 of the Zoning Regulations for the Unincorporated Territory of Douglas County, Kansas to establish criteria and review process for Agritourism uses which may have significant off-site impacts. (Amendment was initiated by the Board of County Commissioners at their October 16, 2013 meeting.) Deferred by Planning Commission on 1/27/14.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

PUBLIC HEARING

<u>Ms. Natalya Lowther</u>, Pinwheel Farm, thanked staff for their work. She referenced the letter she submitted. She felt the parking standards were still unclear and needed more work. She felt the setbacks needed more clarity, as well as overflow parking and screening.

<u>Ms. Kim Hendershot</u> thanked staff for their work. She said agritourism was a business and they should not forget that. She expressed concern about the protection of residents around a business. She said regarding lighting, she felt it would change the lifestyle of living in the country. She also said noise ordinances were hard to enforce. She asked Planning Commission to be practical in their decision making.

Mr. Jim Hendershot wanted to be sure Tier 1 activities were limited to daylight hours with the exception of bed and breakfast.

Ms. Michelle Kooz expressed concern about the removal of parking screening. She felt screening was extremely important. She also stated that noise ordinances were impossible to enforce.

COMMISSION DISCUSSION

Ms. Miller said the screening requirement was not removed, it was changed to allow for different types.

Commissioner Josserand inquired about the comment from Mr. Pendleton regarding the parking threshold being too low. He asked if Mr. Pendleton had suggested a different number.

Ms. Miller said no, Mr. Pendleton just said he thought it was too low.

Commissioner Denney asked if people had to register for agritourism in Douglas County.

Ms. Miller said agritourism registration was required if it was not agriculturally exempt.

Commissioner Denney asked if low intensity and medium intensity uses had to go before the County Commission and a high intensity use would require a Conditional Use Permit.

Ms. Miller said that was correct.

Commissioner Denney asked how the changes would improve the County Commissions ability to make a decision regarding the item that came before them that cause the moratorium to start.

Ms. Miller said before, the first regulations had a section that said the County Commission could impose conditions on the item so they had the ability to impose conditions. She said with these new regulations it would set parameters and criteria.

Commissioner von Achen said it seemed like some of the requirements would be somewhat burdensome to the lower tier of agritourism. She wondered if some of the restrictions could be removed while still protecting the surrounding neighbors. She said a way for after daylight hour activities to occur in Tier 1 would be to restrict the activity to something low intensity that would not require lights, such as stargazing or owl watching. She asked if the definition of Tier 1 agritourism was that there would not be any impact to neighbors why they had to mail out notice to the neighbors. She did not feel that fencing was needed for the low impact uses on the road side of the parking lot. She said the restriction that the applicant live on the property seemed like a burden on people like Chestnut Charlie.

Ms. Miller said Chestnut Charlie was currently agriculturally exempt.

Commissioner Rasmussen asked why people would want to sign up if it was all voluntary.

Ms. Miller said it was not all voluntary. She said if it was an agriculturally exempt use then future incentives, such as a promotion website, may encourage them to sign up.

Mr. McCullough said the State Statute exempts agricultural use from zoning. He said the purpose of this was that if you're not agriculture and you want to do something that was not seen as agriculture the process in the local code was the Conditional Use Permit process. This is an alternative process for those that voluntarily register with the State as an agritourism to take advantage of the alternative process to get the land use approved.

Commissioner Rasmussen asked if someone met the State statutory definition for agriculturally exempt activity would not be subject to zoning.

Mr. McCullough said that was correct. He said someone could still be registered as an agritourism with the State and not subject to zoning.

Commissioner Rasmussen felt the definition of agriculturally exempt was broad.

Ms. Miller said it was not a definition, it was a list of typical agricultural uses. It would still have to fall within the parameters.

Commissioner Rasmussen inquired about the specific parameters. He asked about the requirement for residing on the parcel or contiguous parcel. He asked how contiguous would be defined.

Ms. Miller said a parcel that was adjacent or abuts.

Commissioner Rasmussen said Pendleton Farm had a railroad track between the property on two different lots. He asked if that was contiguous.

Ms. Miller said she thought it would be considered contiguous.

Commissioner Rasmussen inquired about the motorized vehicles. He asked what they were trying to prevent.

Ms. Miller said four wheelers (ATV's) could cause a lot of noise and impact to neighbors. She said a tractor for hayrack rides would not count.

Commissioner Rasmussen said a tractor would be noisier and felt maybe the regulations should just say that ATV's were restricted.

Mr. McCullough said the idea was to give language to get to the intent of the impact of the issues.

Commissioner Rasmussen said there was a lot of subjectivity to it. He wondered what they were trying to prevent. He said if the real goal was to try and prevent four wheelers and dirt bikes in Tier 1 areas why not just say that.

Mr. McCullough said there were other types of vehicles and the goal was to align with an agricultural use.

Commissioner Rasmussen did not feel it was written well and was unclear. He felt if applicants were required to live on the property they would want to have outdoor lighting for their own purposes. He said he would be supportive of changing the agritourism parking limit for Tier 2 areas to more than 100. He inquired about the language regarding the operator living on the property and wondered who it excluded if it included the operator, property owner, family and employees.

Ms. Miller said she did not have a specific example but said it could exclude someone who wanted to have an agritourism activity on another person's property.

Commissioner Rasmussen wasn't sure what they were trying to solve and did not feel like the provision excluded anyone.

Mr. McCullough gave the example of a national chain of rural putt-putt golf courses. He said the intent was to tie it to an owner who would be responsible for the care of the property and operate the use. He said the KC Pumpkin Patch was a big business with a lot of elements hooked to the use. He said under those circumstances this language could have helped with that situation.

Commissioner Rasmussen felt some of the criteria was confusing and did not seem to be getting at the root problem that was trying to be solved.

Commissioner Josserand felt the Tier 2 parking should be 200.

Commissioner Rasmussen said he would support the 200 parking for Tier 2.

Commissioner Britton asked about the purpose of the notice provisions for Tier 1.

Ms. Miller said it would allow for neighbors to provide input as well as having the knowledge of the agritourism use.

Commissioner Britton agreed with Commissioner von Achen's comments. He saw merit in the idea of removing the daylight hour restriction for Tier 1 and going back to no exterior lighting related to the agricultural use. He felt staff had done a good job with the language.

Commissioner von Achen asked how much leeway there would be to tweak the language for individual applicants.

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Mr. McCullough said it would provide criteria by which to judge an application by. He said staff would not have the authority to waive any of the standards but could guide an applicant on the criteria. He said there were avenues for applicants to appeal decisions made.

Commissioner Rasmussen asked for the language about the outdoor lighting to be clear that it was okay for the operation of an agriculture use.

Commissioner Denney felt some of the language was making it more difficult for agricultural businesses.

Commissioner Kelly said it made it easier for anyone who was not agricultural exempt by not having to go through the Conditional Use Permit. He said there were systems in place in the way the applications would be interpreted and could have additional conditions on it. He said the intention was to allow the business but keep the rural way of life. He said he was in favor of increasing the number of parking spaces for Tier 2.

Commissioner Culver asked for consensus on numbers for parking. He asked if everyone was okay with 50 parking spaces for Tier 1 and 200 parking spaces for Tier 2. All of the Commissioners agreed with the increased parking numbers. He said regarding Commissioner Rasmussen's earlier comment about who was excluded from the operator/family/employees, he said the intent was to address the volunteer aspect.

Commissioner Britton said it would be difficult to get it perfect and the best way to make sure there was a good agritourism section to the county Zoning Code was to get it out there and working and then tweak and amend as things come up in the future.

Commissioner Rasmussen agreed with Commissioner Britton and was in favor of moving this forward.

Commissioner Josserand said Planning Commission had done what the County Commission asked them to do and County Commission could tweak as needed.

Commissioner Denney asked what about this would allow the County Commission to deal with the KC Pumpkin Patch.

Commissioner Josserand said the Conditional Use Permit process.

Commissioner Denney said they were holding people hostage and nothing could go forward.

Mr. McCullough summarized the Planning Commission discussions and suggestions from this evening.

Commissioner Rasmussen asked how to address Mr. Rick Hird's comment about amplified noise.

Commissioner Kelly suggested they change the language to 'no amplification of sound' rather than noise, 'such as auctioneering, speakers, or amplified music, with the exception of stereo or radio.' He felt it should match up with how the no motorized vehicle language was worded. He said someone could do a Special Event Permit for a band.

Commissioner Struckhoff inquired about the scenario of an outdoor structure with music being amplified inside of it.

Commissioner Liese suggested using the word 'outdoor' instead of 'exterior.'

Commissioner von Achen felt they should eliminate the requirement in Tier 1 of fencing the street side.

Commissioner Struckhoff said there may be a neighbor across the road that could be impacted by it.

Commissioner Britton asked if there would be opportunities to exempt someone from a particular requirement through the process, such as an applicant only having 10 parking spaces with Tier 1 and asking not to have screening.

Ms. Miller said a threshold of screening could be added to the language.

Mr. McCullough said the language allowed for some flexibility but that the majority consensus from Planning Commission was to maintain it as is with an administrative waiver.

Commissioner Kelly asked if there was support in removing an employee from being an agritourism operator.

Commissioner Rasmussen said he did not want to remove the employee as an operator.

Commissioner Britton said the language still tied it to the operator who had the financial and legal responsibility for the activity.

Commissioner Liese inquired about enforcement.

Mr. McCullough said the Zoning Code had an enforcement section.

ACTION TAKEN

Motioned by Commissioner von Achen, seconded by Commissioner Britton, to approve the Agritourism Text Amendment with the suggested conditions in the staff memo and that Mr. McCullough summarized earlier.

Commissioner Britton recapped the conditions:

- Increase Tier 1 parking spaces to 50
- Define contiguous
- Remove daylight hour restriction
- Remove exterior lighting prohibition and replace with something that says residential lighting would be allowed
- Change sound amplification language to no outdoor amplification of sound such as auctioneering, speakers, or amplified music, with the exception of a stereo or radio
- Administrative discretion for Tier 1 to waive requirements for equal or better conditions
- Increase to Tier 2 to 200 parking spaces and give County Commission discretion to waive requirements for equal or better conditions

Unanimously approved 10-0.

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ITEM NO. 9 TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE; PARKING & ACCESS STANDARDS (SMS)

TA-6-14-09/TA-13-00235: Receive an update on the 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.

STAFF PRESENTATION

Ms. Sheila Stogsdill provided an update on the item. She said had received 727 responses as of February 25th, 2014. She said 45% felt there should be a size limitation and 55% said no size limitation. She said regarding a time limit 38% said yes. She said 82% felt parking should be allowed in rear yards. She said the numbers were more evenly split for allowing parking in the side and front yards but that there was more support for allowing them. She said there was more support for allowing RV's on residential properties outside of buildings. She said the responses were fairly evenly split across the City in each zip code. She said she would provide draft language to them in the future.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Denney asked if 727 was a large response to the survey.

Ms. Stogsdill said yes it was a decent response.

Commissioner Liese expressed concern about the validity of the numbers.

Ms. Stogsdill said it was not designed to be a scientific survey.

NO ACTION TAKEN

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MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

MISC NO. 1 VARIANCE FOR CERTIFICATE OF SURVEY; 120 HWY 40 (MKM)

CSR-13-00496: Consider a variance associated with a Certificate of Survey for approximately 30 acres located at 120 Hwy 40. The variance is requested from Section 20-810(e)(5)(ii) of the Subdivision Regulations [Section 11-110(e)(5)(ii) of the County Code] to allow the creation of Residential Development Parcels without the dedication of additional right of way for Hwy 40, which is classified as a Principal Arterial. Submitted by Rogers Surveying, for Howard Z Smith, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

ACTION TAKEN

Motioned by Commissioner Liese, seconded by Commissioner Britton, to approve the variance requested from Section 20-810(e)(5)(ii) of the Subdivision Regulations [Section 11-110(e)(5)(ii) of the County Code] to allow a land division through Certificate of Survey CSR-13-00496 to create 2 RDPs without the dedication of additional right-of-way where the property is adjacent to Hwy 40 subject to the following condition:

- 1. The following notes shall be added to the Certificate of Survey:
- a. "The Planning Commission approved a variance from Section 20-810(e)(5)(ii) to allow the land division to occur without the dedication of additional right-of-way where the property is adjacent to Hwy 40."
- b. "KDOT did not require the dedication of additional right-of-way with this land division, but indicated that additional right-of-way would be required when more intense development were proposed."

Unanimously approved 10-0.

2014 LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION MID-MONTH & REGULAR MEETING DATES

Mid-Month Meetings, Wednesdays 7:30 – 9:00 AM (*Friday Meeting)	Mid-Month 1	Горісѕ		Mee 6:30	Commission tings DPM, & Wed
Jan 24*	Planning Commission Retre	eat - half day	y Friday	Jan 27	Jan 29
Feb 12	HERE @ KU		Topics for 2014	Feb 24	Feb 26
Mar 12	Small Business Facilitator Co	ontinue H20	20 Discussion from Jan Retreat	Mar 24	Mar 26
Apr 9	Apartment Trends – Tim Kelle	er, Keller & <i>F</i>	Associates	Apr 21	Apr 23
May 14	Comp Plan Update	Exercises		May 19	May 21
Jun 18				Jun 23	Jun 25
Jul 11*	PC Orientation - alı	day Friday		Jul 21	Jul 23
Aug 13				Aug 25	Aug 27
Sep 10				Sep 22	Sep 24
Oct 8				Oct 20	Oct 22
Nov 5				Nov 17	Nov 19
Dec 3				Dec 15	Dec 17
	Suggested topics for future meetings: How City/County Depts interact on planning issues Stormwater Stds Update – Stream Setbacks Overview of different Advisory Groups – potential overlap on plan Joint meeting with other Cities' Planning Commissions Joint meeting with other Cities and Townships – UGA potential re	_	New County Zoning Codes Tour City/County Facilities Oread Overlay Districts Comprehensive Plan – Goals & Policies Utilities Master Plan Water Resources		
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.				

	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	Oct 21 2013
Britton	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes
Burger	Yes	Yes	Yes	No	Yes	Yes						
Culver	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Denney							Yes	Yes	Yes	No	Yes	Yes
Graham					Yes	Yes	Yes	No	No	Yes	Yes	Yes
Josserand	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Kelly									No	Yes	Yes	No
Lamer	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes				
Liese	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Rasmussen							Yes	Yes	Yes	Yes	Yes	Yes
Struckhoff										Yes	Yes	Yes
von Achen	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes

	2014 PLANNING COMMISSION ATTENDANCE										
	Jan 27	Feb 24	Feb 26								
	2014	2014	2014								
Britton	Yes	Yes	Yes								
Culver	Yes	Yes	Yes								
Denney	No	Yes	Yes								
Graham	Yes	Yes	Yes								
Josserand	Yes	Yes	Yes								
Kelly	Yes	Yes	Yes								
Liese	Yes	Yes	Yes								
Rasmussen	Yes	Yes	Yes								
Struckhoff	Yes	Yes	Yes								
von Achen	Yes	Yes	Yes								

	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	Nov 6 2013	
Britton						No	Yes	Yes	No	Yes	No	
Burger												
Culver						No	Yes	Yes	Yes	Yes	Yes	
Denney						Yes	Yes	No	Yes	Yes	Yes	
Graham						Yes	Yes	Yes	Yes	Yes	No	
Josserand						Yes	Yes	Yes	Yes	Yes	Yes	
Kelly							Yes	Yes	Yes	Yes	Yes	
Lamer						No						
Liese						Yes	Yes	Yes	Yes	Yes	Yes	
Rasmussen						Yes	Yes	Yes	Yes	Yes	Yes	
Struckhoff								Yes	Yes	Yes	Yes	
von Achen						Yes	Yes	No	Yes	Yes	Yes	

PLANNING COMMISSION REPORT Regular Agenda – Public Hearing Item:

PC Staff Report 03/24/14

ITEM NO. 1: SPECIAL USE PERMIT FOR A PUMP STATION; 547 MAPLE STREET (SLD)

SUP-14-00007: Consider a Special Use Permit for a Pump Station, located at 547 Maple & 500 Perry St. Submitted by Bartlett & West, for the City of Lawrence, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of SUP-14-00007, a Special Use Permit for a Pump Station located at 547 Maple Street & 500 Perry Street, a *minor utility*, based upon the findings presented in the body of the staff report and subject to the following condition:

- 1. Applicant shall provide a revised site plan with the following changes:
 - 1. Provide a note on the plan that states lighting fixtures shall be provided with a full cutoff fixture and be directed down. Applicant shall provide lighting fixture details for review and approval prior to issuance of a building permit.
- 2. Submission of final building elevations for review and approval prior to issuance of a building permit.
- 3. Approval of the Special Use Permit is contingent upon approval of a Floodplain Development Permit. The SUP will be released to Development Services for a building permit after a Floodplain Development Permit application has been approved.

Applicant's Reason for Request:	"The Planning Department has requested a Special Use			
	Permit be submitted to construct a stormwater pump			
	station at this location."			

KEY POINTS

- This pump station is a *Minor Utility* which serves more than one specific development; therefore approval is required through a Special Use Permit per Section 20-530 of the Development Code.
- Request is to construct the pump station on property owned by the City of Lawrence.
- This pump station is for a stormwater facility to address localized flooding per concerns listed in the *North Lawrence Drainage Study*; more specifically in System 6.
- This site plan shows both Lots 1 and 2. The proposed improvements will be located on Lot 2. Lot 1 will be retained by the City as open space.
- Funding for project is through the infrastructure sales tax.

FACTORS TO CONSIDER

- Procedural requirements of Section 20-1306; Special Use Permits.
- Improvement is included in the City's Capital Improvement Plan.

ASSOCIATED CASES/OTHER ACTION REQUIRED

Other action required:

- City Commission approval of the Special Use Permit and adoption of ordinance.
- The approved Minor Subdivision document must be recorded with the Register of Deeds Office prior to release of the Special Use Permit for issuance of a building permit.

- Administrative review and approval of Floodplain Development Permit for development activity associated with the pump station.
- Release of Special Use Permit site plan to Development Services for Building Permits.

ATTACHMENTS

- 1. Site Map
- 2. Site Plan
- 3. Similar buildings in North Lawrence
- 4. Generator Enclosure

PLANS AND STUDIES REQUIRED

- *Traffic Study* Not required for project.
- Downstream Sanitary Sewer Analysis The City Utility Engineer indicated that a DSSA is not required.
- Drainage Study Not required for project
- Retail Market Study Not applicable to project.

PUBLIC COMMENT

• No public comment was received prior to the printing of this staff report.

GENERAL INFORMATION

Current Zoning and Land Use: OS (Open Space) District; undeveloped land and

unimproved alley, plans to develop southern portion with

a City pump station in process.

Surrounding Zoning and Land Use: To the north: RS7 (Single-Dwelling Residential) District;

Detached Dwellings.

To the west: RS7 (Single-Dwelling Residential) District; Detached Dwelling; and IG (General Industrial) District; Detached Dwelling and Inoperable Vehicles Storage.

To the south: IG (General Industrial) District; railroad

right-of-way and undeveloped land.

To the east: IG General Industrial) District: Construction

Sales and Services, and Detached Dwelling.

Summary of Special Use

This Stormwater Pump Station is a *minor utility* that serves development in the area. The pump station will include an above grade pump within a structure and a pad site for a backup generator. The presence of floodplain on the property will require a local floodplain development permit.

The pump station is defined as a *minor utility* in Section 20-1765 of the Development Code:

MINOR UTILITIES. Public utilities that have a local impact on surrounding properties. Typical uses include electrical and gas distribution substations, lift stations, telephone switching boxes, water towers. Excludes 'Wireless Telecommunication Facilities' use types.

The proposed improvements will be located on Lot 2 (adjacent to Maple Street) once the Minor Subdivision (MS-13-00507) for this property is recorded with the Register of Deeds Office. The Minor Subdivision has been approved and is pending completion of conditions prior to recording with the Register of Deeds Office.

This application includes Lot 1 which will remain open space. The lot will be planted with trees and shrubs as a transition between the industrial and residential zones in this area.

This proposed improvement is recommended in the North Lawrence Drainage Study and is part of "System 6". The plan states; "this system contains the Maple Street Pump Station, which discharges stormwater to the south side of the railroad tracks running south of Maple Street."

SITE SUMMARY: Includes both Lots 1 and 2. Improvements will be located on Lot 2.					
	Existing	Proposed			
Property Area (sq ft):	25,142 SF	25,142 SF			
Total Impervious Area (sq ft):	0	2,263 SF			
Total Pervious Area (sq ft):	25,142 SF	22,879 SF			

Site Plan Review

This property is being replatted from four lots to two lots. The proposed pump station will be located on Lot 2 (adjacent to Maple Street). Lot 1 will remain as open space.

This proposed development will include an open pit at the north end and a building structure for housing the pump units on the south end and an emergency generator on the east side of the site. The following graphic highlights the major above ground elements of the proposed improvement.

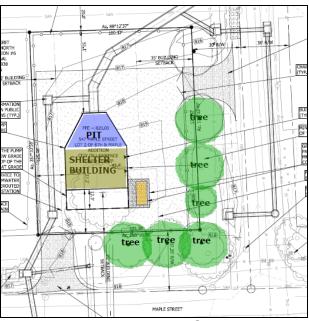


Figure 1: Proposed Site Plan

Landscaping and Screening

Street Trees: Street trees are provided along N. 6th Street and Maple Street. The proposed plan is to retain the existing trees and locate underground lines to the east. Street trees are also provided along N. 6th Street and Perry Street for Lot 1 included in the site plan.

Interior and Perimeter Landscaping: Interior parking lot standards apply only to lots with 11 or more parking spaces and perimeter landscaping standards apply only to lots with 5 or more spaces. As this use requires only 1 parking space, these standards are not applicable to this project. The parking space is un-striped and accommodated within the paved area of the enclosure. Fencing will be open to allow full visibility and security for the site.

Buffer Yard Requirements: This property is zoned OS (Open Space) District. The property abuts OS zoning to the north and IG (General Industrial) District to the east, west and south. With the exception of a residence to the east the surrounding land uses are either industrial or vacant properties. There are no buffer yard requirements for the OS Zoning District.

Mechanical Equipment: This facility includes an emergency generator located on the east side of the building. Location of the generator provide optimal efficiency for maintenance and service of the proposed facility. Underground lines and pavement areas make placement of the generator on the west or north side of the property infeasible. The location of the shelter building is set by the two existing underground lines running north to south crossing Maple Street.

Screening for the generator must balance the ability to access the equipment for fueling as needed and provide security to the site by being readily visible from the public streets with the need for visual screening/buffering from the street right-of-way and adjacent residence to the east. It may be possible to add shrubs along the fence line along Maple Street and 6th Street to provide some screening of the generator. The following graphic shows the addition of a fence along with shrubs to provide screening. The plan proposes a 6' high chain link fence along the perimeter in addition to safety fencing around the pit area at the interior of the site. Staff recommends decorative fencing be provided along the public right-of-way along N. 6th Street and along Maple Street. This is consistent with industrial design guidelines that would be applicable to similar private development applications.

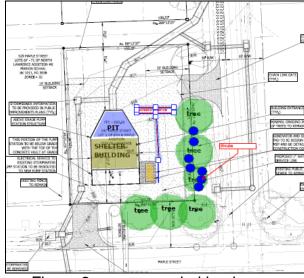


Figure 2: recommended landscape

Lighting

Additional details regarding the site lighting are required. The applicant intends to use building mounted lighting for this site. All lighting fixtures will need to be directed down and be provided with a full cut-off. Staff recommends that, as a condition of approval, prior to the issuance of a building permit, lighting fixture details be provided for staff review and approval.

Applicable Design Guidelines

There are no specific design guidelines applicable to this proposed improvement. Final elevations have not been prepared for this site at this time. the City Stormwater Engineer has indicated that the proposed building will have a similar appearance to other utility pump stations in the immediate area. The following table shows existing pump stations and their general location for a comparison to the proposed facility. The pump station located along N. 2nd Street is most similar to the planned improvement with the open pit and the shelter building. Skylight features provide for crane access to hoist pumps as needed for access or maintenance. The overall building height is estimated to be 15′ - 18′ tall.

The pump station will be surrounded by an asphalt area to allow full access to the pump station and the pit as needed for maintenance. The City Stormwater Engineer has contacted the North Lawrence Improvement Association representative to advise the neighborhood of the proposed project. Final Elevations of the building will need to be made part of the final plans for the project and are recommended as a condition of approval for submission to the Planning Office for review prior to issuance of a building permit for the structure. Refer to the attached table of similar structure found in North Lawrence.

Access

Vehicular access to this site is provided from two driveways, one from Maple Street and one from N. 6th Street. This access arrangement provides full site circulation to the facility. Driveways are shown as 20' wide consistent with existing access patterns to individual parcels in the area.

Pedestrian Connectivity

There are no public sidewalks along N. 6th Street or Maple Street in this area. The Minor Subdivision notes that the City will install sidewalks when connecting sidewalks are provided in the area. There are no proposed public sidewalks associated with this improvement. The site is not intended as a pedestrian designation and will be fenced to prevent unauthorized access.

Floodplain

This property is located within the regulatory floodplain and is subject to a local floodplain development permit.

Review and Decision-Making Criteria (20-1306(i))

1. WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE

Applicant's Response: Yes, City requested OS-FP zoning.

The proposed use, a *minor utility* which serves more than one subdivision, is an allowed use in the proposed OS (Open Space) District subject to Special Use Permit approval. As the property is encumbered with the Regulatory Floodplain, a Floodplain Development Permit is required per Section 20-1203 and must be approved prior to the release of building permits.

A minimum of one off-street parking space is required for minor utilities. The site will be accessed by utility trucks for routine maintenance and there will be no employees regularly on site; therefore, only one parking space is required. Access to the site is accommodated via concrete driveway approaches from N. 6th Street and from Maple Street. Off-street parking is accommodated within the enclosed area.

A point-by-point illumination array lighting plan is not required. Basic site lighting is proposed for this site. Lighting fixtures will be required to have full cut-off shields. Additional detail on the type of lighting fixtures and means to prevent off-site glare and trespass is required prior to issuance of a building permit for the structure.

The setbacks in the OS District are as follows: Front—the same as front yard for the abutting lot; Interior side adjacent to residential—20 ft; Interior side adjacent to non-residential—15 ft; Rear—0 ft; and Side Exterior--35'. The proposed pump house structure complies with the required building setbacks of the district. The location of the structure is dictated by existing lines to the facility to the south.

The generator pad site is located approximately 30' from N. 6th Street. The generator is an accessory structure in this application. The development code states that accessory equipment shall be located in the rear portion of the property. The Development Code provide the authority for the Planning Director waive certain development standards per section 20-1305 (b)(3)(v).

The location and orientation of the facility design is determined by the existing infrastructure. The placement of the generator on the north (rear) side would interfere with the operation and maintenance of the site.

Staff Finding –As conditioned and with the administrative waiver from the placement of the accessory mechanical equipment, the Special Use Permit site plan complies with the requirements set out in the Development Code.

2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS

Applicant's Response: Yes, the area to the west of where the pump station will be constructed (on Lot 2) is a tow yard. The area to the west of Lot 1 is a residential house but this portion of the site will remain undeveloped. See submitted site plan for layout and areas around the site.

The proposed request is for the construction of a new pump station that includes both below ground and above ground improvements and a 26' deep open pit to stormwater sewer service to the area.

The area along Maple Street is a designated industrial corridor (Union Pacific Railroad Corridor Industrial Area) in *Horizon 2020*. The proposed use will be located on the Maple Street side of the property. The area along Perry Street is residential (west of N. 6th Street). The north lot will remain as open space. Surrounding uses include railroad right-of-way and a vacant parcel to the south, a residence to the east and a tow-lot to the west. The proposed use will be unmanned but needful of vehicular access for service and maintenance. As a result much of the property is required to be paved.

The overall site will have an industrial character with a paved surface surrounding the building similar to other industrial uses along Maple Street.

Staff Finding – The proposed pump station will be compatible with adjacent uses.

3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED

Applicant's Response: No, the lot where the pump station will be constructed (Lot 2) is next to a tow yard. The north lot (Lot 1) will be empty and is next to a residential area. See submitted site plan for layout and areas around the site.

The pump station will reduce flooding in the localized area. The property includes a lot dedicated to open space on the north side (Perry Street) adjacent to the residential uses west of N. 6th Street along Perry Street.

Staff Finding – The construction of this Pump Station is not anticipated to result in any diminution of value of other property in the neighborhood.

4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTLITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT

The pump station is a public service intended to serve the surrounding area.

Staff Finding – The proposed use, a *minor utility*, is a public service which would serve the surrounding area. Sufficient safety, transportation and utility facilities will be available to serve the subject property.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

This proposed development will be owned and operated by the City of Lawrence. City staff is responsible for continuing site maintenance.

Staff Finding – The site plan will function as the enforcement document to assure that maintenance and use of the property is consistent with the approval.

6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT

Applicant's Response: "No, the proposed pump station is being constructed to help alleviate flooding in the area."

This property is encumbered with floodplain. Adequate oversight will be provided for the protection of the natural environment through the local floodplain management regulations.

<u>Staff Finding</u> – The proposed use, with the protection measures required for properties encumbered by the regulatory floodplain, should not cause significant adverse impacts on the natural environment.

7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO WHAT THAT TIME PERIOD SHOULD BE.

Time limits are established on Special Use Permits to permit a periodic review to determine if the use remains compliant with the area or if a rezoning would be appropriate. A pump station is part of necessary infrastructure whose life span will be determined by demand and operational characteristics. It would not be appropriate to place a time limit on this use.

Staff Finding – The project provides necessary infrastructure for surrounding developments; therefore, it would not be appropriate to place a time limit on this use.

Conclusion

The proposed pump station will positively impact the area by improving stormwater sewer services in the area. The use is compatible with, and appropriate for, this location. Staff recommends approval of the Special Use Permit as conditioned.

Regulations Overlay), Lot 2 - OS-FP.

Current Use: Both lots are undeveloped.

GENERAL NOTES

17

1 of 2

HEET NO:

DESCRIPTION:

PROJECT OWNER/DEVELOPER

CITY OF LAWRENCE 6 E. 6TH STREET LAWRENCE, KS 66049

LIGHTING:

510 N. 6TH STREET

LOT 1 OF BOYLE ADDITION

LAWRENCE LANDSCAPE

BK 984, PG 5208 ZONED - IG

UNDERGROUND

STORMSEWER (TYP)

CITY STANDARD

BUILDING ENTRANCE

DECORATIVE WOOD AND 5' ABOVE THE TOP OF THE

GENERATOR AND GENERATOR

MEP AND BE DETAILED IN THE

CONSTRUCTION DOCUMENTS

EXISTING PUBLIC SANITARY

HYDRANT

— TOU —

SEWER TO REMAIN

PAD TO BE DESIGN BY THE

SENERATOR PAD

SERVICE LINE

MINIMAL GRADING IN AREA OLIVER H. HELM

OF TREES TO REMAIN (TYP) BK 430, PG 1384

CONCRETE ENTRANCE

A SEPARATE PHOTOMETRIC PLAN TO BE SUBMITTED AT A LATER DATE.

SITE TRIANGLE CRITERIA

CODE OF THE CITY OF LAWRENCE, KANSAS ARTICLE 18. SIGNS PAGE 5-140 Sec. 5-1831

ZONING CODE REFERENCE

20-1102

(D) Visual Obstruction. No ground sign/surface mounted located on the triangle formed by two curblines at the intersection of two streets, and extending for a distance of fifty (50) feet each way from the intersection of the curblines on any corner lot within the City, shall be permitted to exceed a height of more than thirty-six (36) inches above the road level of any street, avenue, or alley, in order that the view of the driver of a vehicle approaching a street interest shall not be obstructed.

WAIVER REQUEST:

THE PROPERTY OWNER IS REQUESTING THAT THE PLANNING DEPARTMENT ALLOW THE GENERATOR PAD TO BE PLACED AS SHOWN INSTEAD ALONG THE NORTH PROPERTY LINE.

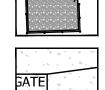
PAVEMENT SCHEDULE:



8" REINFORCED CONCRETE ENTRANCE (CITY STANDARD)

REINFORCED CONCRETE GENERATOR PAD

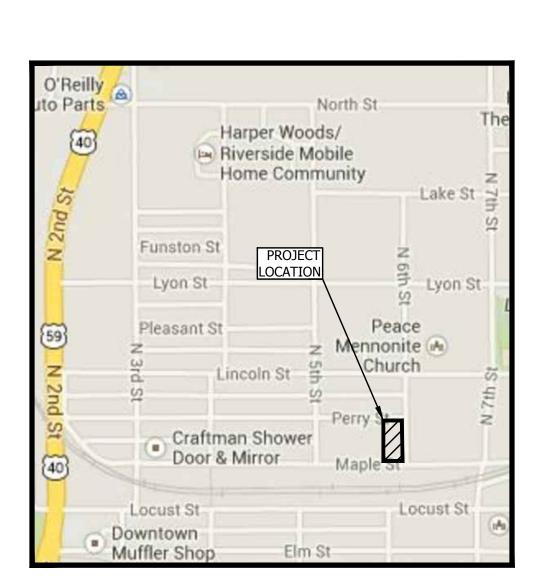
(DEPTH TO BE DETERMINED BY MEP)



6" ASPHALT ON 6" AB-3 BASE.

NOTE:

THE 100 YEAR FLOODPLAIN IS PRESENT ON BOTH PROPERTIES (AS SHOWN ON THE PLAT).



LOCATION MAP

PERRY STREET

500 PERRY STREET

LOT 1 OF 6TH & MAPLE

ADDITION

CITY OF LAWRENCE

ZONED - OS-FP

PROPOSED 6'

Az. 88°12'37"

CHAIN LINK FENCE

PROPOSED POLE

FFE = 820.00

547 MAPLE STREET

,,LOT 2,OF,<mark>6TH & MAPLE</mark>

CITY OF LAWRENCE

ZONED - OS-FP

MAPLE STREET

CONCRETE ENTRANC

600 MAPLE STREET

NIEDER PROPERTIES INC.

ZONED - IG

WITH LIGHT

20' BUILDING SETBACK

PROTECTIVE RAILING

AROUND PUMP STATION PIT

529 MAPLE STREET

LOTS 67 - 71 OF NORTH

LAWRENCE ADDITION #6

MARVIN SCHAAL

BK 1011, PG 3938

ZONED - IG

STORMSEWER INFORMATION TO BE PROVIDED IN PUBLIC IMPROVEMENTS PLANS (TYP.)

THIS PORTION OF THE PUMP

STATION TO BE BELOW GRADE

CONCRETE VAULT AT GRADE

ELECTRICAL SERVICE TO

EXISTING STORMWATER IMP STATION TO BE REROUTED

TO NEW PUMP STATION

PROPOSED OUTFALL

PIPES FROM PUMP STATION

EXISTING FENCE TO REMAIN

EXISTING STORMWATE PUMP STATION TO BE REMOVED

WITH THE TOP OF THE

ABOVE GRADE PUMP

STATION STRUCTURE

540 PERRY STREET

OF REPLAT OF LOTS 52, 53, 54

& 55 OF NORTH LAWRENCE

ADDITION #6

ERIC W. & JESSICA J. HOLMES

BK 978, PG 16

ZONED RS-7

LOTS 1 AND 2 OF THE 6TH AND MAPLE ADDITION (PLAT PENDING).

Proposed Use: Lot 1 will remain undeveloped. A stormwater pump station will be constructed on Lot 2. Boundary and Topographic information taken from field survey prepared by

Bartlett & West (August 2013).

Existing Zoning: Lot 1 - OS-FP (Open Space with Floodplain Management

4. Proposed Concrete Pavement to be 8" Reinforced, Portland Cement Concrete on

- compacted subgrade unless otherwise shown. Site lighting to be wall mounted lights. All lighting shall be provided with full
- This site plan has been designed to comply with the provisions of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for building and facilities. Appendix A to 28 CFR Part 36.
- All mechanical equipment will be screened in accordance with Section 20-1006(b) of the Development Code.
- All traffic control signs placed on private property open to the general public shall comply with the "Manual on Uniform Traffic Control Devices" and "Standard Highway Signs," published by the Federal Highway Administration, with respect to size, shape, color, retroreflectivity, and position.
- Turf areas to be seeded unless noted otherwise.
- 10. Proposed building to be constructed of precast concrete panels.
- This property will only be accessed for maintenance reasons or by city staff. Parking will be provided on the surrounding asphalt area. Parking stalls will not be provided.
- All stormsewer work on site and the surrounding property will be shown in detail in the Public Improvement Plans for this area.
- 13. Refer to sheet SP2 for tree removal and proposed landscape information
- 14. Based on the updated flood study being conducted for the the City of Lawrence, a portion of the site is located within the 100 year floodplain. A Floodplain Development Permit application will be submitted to the City of Lawrence.
- 15. Each chainlink gate shall be locked with a Knox Padlock. Contractor to contact the fire department for an application.

SITE SUMMARY:

LOT 1 EXISTING SITE SUMMARY

EXISTING BUILDING : EXISTING PAVEMENT:	0 SF (0.00 AC.) 0 SF (0.00 AC.)
TOTAL IMPERVIOUS: EXISTING PERVIOUS:	0 SF (0.00 AC.) 12,550 SF (0.29 AC.)
TOTAL PROPERTY AREA:	12,550 SF (0.29 AC.)

LOT 1 NEW SITE SUMMARY

EXISTING/PROPOSED BUILDING:	0 SF (0.00 AC
EXISTING/PROPOSED PAVEMENT:	0 SF (0.00 AC
PROPOSED IMPERVIOUS:	0 SF (0.00 AC
PROPOSED PERVIOUS:	12,550 SF (0.29 AC.

12,550 SF (0.29 AC.)

0 SF (0.000 AC.)

TOTAL PROPERTY AREA:

TOTAL IMPERVIOUS:

LOT 2 EXISTING SITE SUMMARY	
EXISTING BUILDING:	0 SF (0.000 A
EXISTING PAVEMENT:	0 SE (0 000 a

12,592 SF (0.289 AC.) **EXISTING PERVIOUS:** TOTAL PROPERTY AREA: 12,592 SF (0.289 AC.)

LOT 2 NEW SITE SUMMARY

EXISTING/PROPOSED BUILDING:	1,554 SF (0.036 AC.)
EXISTING/PROPOSED PAVEMENT:	7,667 SF (0.176 AC.)
PROPOSED IMPERVIOUS:	9,253 SF (0.212 AC.)
PROPOSED PERVIOUS:	3,339 SF (0.077 AC.)
TOTAL PROPERTY AREA:	12,592 SF (0.289 AC.)

NOT FOR CONSTRUCTION PLANNING DOCUMENT ONLY

2 of 2

1. GENERAL CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR FROM DATE OF PROJECT SUBSTANTIAL COMPLETION.

LANDSCAPE NOTES:

APPLY SHREDDED BARK MULCH OR ROCK TO A

DEPTH OF 2"-3"

- USE EDGING SHOVEL AT 45 DEGREE

EDGE CUT OUT 4"-6" OF SOIL.

ANGLE IN GRASS AT LANDSCAPE BED

2. ALL PLANT MATERIALS SHALL MEET MINIMUM REQUIREMENTS SHOWN IN THE "AMERICAN STANDARDS FOR NURSERY STOCK"

3. EACH TREE AND SHRUB SHALL BE SECURELY LABELED WITH A WATERPROOF TAG INDICATING BOTANICAL NAME AND COMMON NAME FOR DELIVERY TO SITE.

4. NO PLANT MATERIAL SHALL BE SUBSTITUTED WITH OUT THE APPROVAL OF THE OWNER. ALL PLANTING LOCATIONS FOR TREES AND SHRUBS SHALL BE FLAGGED BY THE CONTRACTOR AND APPROVED BY THE OWNER, PRIOR TO INSTALLATION.

ALL DISCREPANCIES AND/OR FIELD CHANGES SHALL BE REPORTED TO THE OWNER FOR APPROVAL PRIOR TO IMPLEMENTATION. WHEN CONDITIONS DETRIMENTAL TO PLANT GROWTH ARE ENCOUNTERED, SUCH AS RUBBLE FILL, ADVERSE DRAINAGE CONDITIONS OR OBSTRUCTIONS, LANDSCAPE CONTRACTOR SHALL NOTIFY THE OWNER BEFORE

6. THE GENERAL CONTRACTOR SHALL VERIFY LOCATION OF AND PROTECT ALL UTILITIES AND STRUCTURES. DAMAGE TO UTILITIES AND STRUCTURES SHALL BE REPAIRED BY THE GENERAL CONTRACTOR TO THE SATISFACTION OF THE OWNER.

7. THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL WORK WITH OTHER CONTRACTORS ON SITE THROUGHOUT THE CONSTRUCTION PROCESS.

8. ALL SHRUB AND TREE PLANTING AREAS SHALL BE EXCAVATED AND BACK-FILLED WITH PLANT MIX. DISCARD SUBSOIL REMOVED FROM PLANTING AREA EXCAVATION; DO NOT MIX WITH PLANT MIX OR USE AS BACK-FILL. SEE SHRUB & TREE PLANTING DETAILS FOR COMPLETE PLANTING PREPARATION. PREPARE PLANTING AREAS AND INSTALL PLANTS COMPLETELY, PRIOR TO

9. PLANT MIX SHALL CONSIST OF TOPSOIL COMPLETELY FREE OF DEBRIS, ROCK IN EXCESS OF 1" IN DIAMETER, STICKS AND CLAY. MIX 80% TOPSOIL WITH 20% CITY COMPOST CITY TO PROVIDE CONTRACTOR TO HAUL FROM CITY WOOD LOT. .

10. ALL SHRUBS SHALL BE INSTALLED IN PROPOSED PLANTING BEDS AND ALL MULCH FOR THE PROJECT TO BE PROVIDED BY THE CITY (RECYCLED HARDWOOD TREE MULCH). CONTRACTOR TO HAUL TO SITE FROM CITY WOOD LOT.

11. ALL PLANTED SURFACES SHALL RECEIVE EMULSION TYPE, FILM FORMING, ANTI-DESSICANT AGENT DESIGNED TO PERMIT TRANSPIRATION, BUT RETARD EXCESSIVE LOSS OF MOISTURE FROM PLANTS. ANTI-DESSICANT TO BE DELIVERED IN MANUFACTURER'S FULLY IDENTIFIED CONTAINERS AND MIXED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS. APPLY PRIOR TO APPLICATION OF MULCH.

12. ALL DISTURBED AREAS NOT DESIGNATED AS PAVEMENT OR PLANTING BEDS SHALL BE SEEDED WITH TURF TYPE TALL FESCUE BLEND OR APPROVED EQUAL AT THE DIRECTION OF THE OWNER. ALL TURF AREAS SHALL CONSIST OF A MINIMUM 8" THICKNESS TOPSOIL FREE OF CLAY, DEBRIS, STICKS OR ROCKS IN EXCESS OF 1" IN DIAMETER. ALL TOPSOIL AREAS SHALL BE FEET. THE GENERAL CONTRACTOR SHALL MAINTAIN ALL PLANTED OR TURF AREAS THROUGHOUT THE WARRANTY PERIOD AND SHALL PERFORM OPERATIONS SUCH AS ROLLING, REGRADING, RESEEDING, AND/OR REPLANTING AS REQUIRED TO ESTABLISH A SMOOTH TURF SURFACE, FREE OF ERODED OR BARE AREAS TO THE SATISFACTION OF THE OWNER.

13. ALL UTILITY INFORMATION SHOWN HEREIN IS BASED ON THE INFORMATION AVAILABLE TO THE ENGINEER AT THE TIME OF DESIGN. THE CONTRACTOR SHALL VERIFY ALL UTILITY DEPTHS AND LOCATIONS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES TO FIELD LOCATE AND/OR ADJUST THEIR UTILITY AS REQUIRED FOR CONSTRUCTION. ALL UTILITY LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND THE ENGINEER ASSUMES NO LIABILITY FOR SAME.

14. CONTRACTOR SHALL BE RESPONSIBLE FOR CALCULATING THE AREAS AND QUANTITIES OF SEED NEEDED FOR OPTIMUM

15. ALL EDGING IS A NATURAL EARTH EDGE AS SHOWN, CONSTRUCTED WITH A SHARPSHOOTER OR OTHER SUITABLE IMPLEMENT. LINES AND CURVES SHALL BE CONTINUOUS AND SMOOTH, MEETING THE DESIGN INTENT SHOWN ON THE DRAWINGS.

16. REMOVE ANY EXCESS SOIL AND DEBRIS FROM AREA AND DISPOSE OF IN AN APPROVED MANNER.

17. SPACING SHOWN FOR PLANTS IS FOR INFORMATION ONLY AND SHALL BE ADJUSTED AS REQUIRED TO PROVIDE UNIFORM

18. PROTECTION MEASURES FOR EXISTING VEGETATION SHOULD INCLUDE A REQUIREMENT THAT THE DRIP-LINE AREA (UNDER MATERIALS MAY OCCUR WITHIN THIS AREA". CONTRACTOR TO PROVIDE PROTECTION FENCING AT TREE DRIP LINE FOR 3 LARGE BUR OAKS & ONE LARGE ELM ON 6TH STREET. CONTRACTOR TO COORDINATE WITH CRYSTAL MILES TO PROVIDE A FORESTRY STAFF PERSON TO BE PRESENT AT THE TIME OF EXCAVATION NEAR EXISTING TREES.

EXISTING TREES TO REMAIN PHOTO

__ #11 GA. GALV. WIRE W/ RUBBER HOSE PROTECTION @ TREE TRUNK. TRUNK FLARE TO BE VISIBLE AT THE TOP OF THE ROOT BALL. DO NOT COVER THE TOP OF THE ROOT BALL METAL STAKES TOP OF TREE PLANTING TO BE COVERED WITH 3" DEPTH SHREDDED BARK MULCH OR EQUAL APPROVED BY OWNER. DO NOT HAVE MULCH IN CONTACT WITH TREE TRUNK. - CUT AND REMOVE WIRE BASKET OR BURLAP PATTERN SAUCER. - PLANTING DEPTH NO COMPACTED MORE THAN DEPTH OF SUBGRADE. ROOTBALL PREPARED SOIL MIX—— 2 x DIA.OF UNDISTURBED SOIL

REES	CODE	BOTANICAL NAME / COMMON NAME	CONT	SIZE	QTY
	ACE PAC	Acer truncatum `Pacific Sunset` TM / Pacific Sunset Maple	B & B	2.5"Cal	2
ZUNZ ZUNZ	ULM CAR	Ulmus x `Frontier` / American Elm	B & B	2.5"Cal	4
	GLE SH2	Gleditsia triacanthos inermis `Shademaster` TM / Shademaster Locust	B & B	2.5"Cal	3
\.\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	JUN HIL	Juniperus virginiana `Hillspire` / Hillspire Juniper	Cont.	6' Ht. MIN	11

LANDSCAPE CALCULATIONS	
STREET TREES 6TH STREET: 250.42 LF STREET FRONTAGE/40	= 7 TREES REQUIRED = 2 TREES EXISTING = 5 TREES PROVIDED
PERRY STREET: 100.43 LF STREET FRONTAGE/40	= 3 TREES REQUIRED = 1 TREE EXISTING = 2 TREES PROVIDED
MAPLE STREET: 100.38 LF STREET FRONTAGE/40	= 3 TREES REQUIRED = 1 TREE EXISTING = 2 TREES PROVIDED

** LOT 2, ALONG N. 6TH STREET AT LEAST ONE EXISTING TREE WILL COUNT TOWARDS STREET TREE TOTAL. TO BE DETERMINED.

NOT FOR CONSTRUCTION PLANNING DOCUMENT ONLY

TREE PLANTING DETAIL NTS

JESSICA ZONED IG HOLMES BK 978 PG 16 ULM CAR **ZONED RS7 EXISTING GROUND COVER TO REMAIN** OLIVER HELM BK 430 PG 1384 LOT 2 ZONED IG EXISTING TREES TO BE REMOVED

EXISTING TREE TO REMAIN

LOT 1

ULM CAR

PERRY STREET

CONTRACTOR TO COORDINATE EXISTING

- & 55

ERIC &

REMOVED WITH CITY AND FORESTER.

MAPLE STREET

TREES TO REMAIN AND TO BE

V-CUT LANDSCAPE BED EDGE DETAIL FOR TREE RINGS

STAKE AS SHOWN AND-TIE IN FIGURE 8

LAWRENCE

LANDSCAPE

INC.

BK 984

PG 5208

Existing Utility Facilities – North Lawrence



Figure 1: N. 2nd Street and Perry Street facility



Figure 2: N. 2nd Street and Perry Street location



Figure 3: N. 2nd Street facility

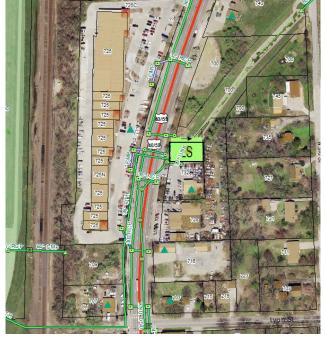


Figure 4: N. 2nd Street location



Figure 5: Walnut Street Pump Station No. 2



Figure 6: Walnut Street location

Enclosures and tanks 250-1000 kW gensets



> Specification sheet

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Enclosure standard features

- 14-gauge steel construction (panels)
- Stainless steel hardware
- Zinc phosphate pretreatment, e-coat primer and super durable powder topcoat paint minimize corrosion and color fade
- Package listed to UL 2200
- Designed to satisfy National Electrical Code installation requirements
- Fuel and electrical stub-up area within enclosure perimeter
- Fixed louvers
- Cambered roof prevents water accumulation
- Recessed, lockable doors in two sides
- · Retainers hold doors open for easy access
- Enclosed exhaust silencer ensures safety and protects against rust
- Rain cap
- Exterior oil and coolant drains with interior valves for ease of service
- · Rodent barriers on inlet
- Non-hydroscopic sound attenuating material
- Side mounted controls and circuit breakers
- Easy access lifting points for spreader bars
- Dual vibration isolation system (250-500 kW)
- Spring vibration isolation system (600-1000 kW)
- Enclosure mounts to lifting base or fuel tank (250-500 kW)
- Enclosure mounts to lifting base (600-1000 kW)
- Factory pre-assembled package
- Designed for outdoor use only
- Externally mounted emergency stop button for operator safety (optional on 250-500 kW)
- Horizontal air discharge to prevent leaf and snow accumulation (600-1000 kW)

Options

- Three levels of sound attenuation
- Motorized louvers to protect from ice and snow accumulation (available on air inlet for all models and on air outlet on level II, 250-500 kW enclosures only)
- Horizontal air discharge, sound level 2 only (250-500 kW)
- Aluminum construction with roll-coated polymer paint
- Wind rated to 150 mph (aluminum enclosures)
- Neutral sandstone paint color (aluminum only)
- Factory mounted battery charger
- External 120 VAC service outlet
- Rain hoods for air inlet (250-500 kW)
- Lifting base in lieu of a sub-base tank (250-500 kW)
 - Pre-wired AC distribution package
 - 100 amp (250-500 kW) or 150 amp (600-1000 kW) main circuit breaker; connected to 120 VAC lineneutral and 208 or 240 VAC line-line, spare breaker positions and capacity for future upgrades (600-1000 kW)
 - GFCI protected internal 120 VAC service receptacle
 - GFCI protected weather proof external 120 volt service receptacle
 - All factory installed AC powered features pre-wired into load center
- Interior lights 120 volt (600-1000 kW)
- Rain hoods for air inlet (250-500 kW)
- Seismic isolators available (600-1000 kW)

Fuel tanks

Standard sub-base tank features

- UL 142 Listed
- ULC-S601-07 Listed
- NFPA37 compliant
- Dual walled, steel construction
- Emergency tank and rupture basin vents
- Tank mounted mechanical fuel gauge
- Fuel supply and return tubes
- Top mounted leak detection float switch
- Low and high level fuel switches
- Mounting brackets for optional pump and control (250-500 kW)
- Integral lifting points
- Basin drain

Sub-base tank options

- Pre-wired fuel pump and control
- Fuel overfill alarm internal or external
- Overflow and tank fill plugs
- Five gallon spill fill box internal or external
- Fill pipe extender
- Local code approvals available

200-500 kW dual wall sub-base fuel tanks - usable operating hours

Genset model (60 Hz)	Gallons/ hour at full load	270 gallon tank	300 gallon tank	400 gallon tank	500 gallon tank	600 gallon tank	660 gallon tank	720 gallon tank	850 gallon tank	1470 gallon tank	1700 gallon tank	2100 gallon tank	2525 gallon tank
250 DQDAA	20	13	16	20	24	30	32	37		74			
275 DQDAB	21	12	15	18	22	27	30	34		68			
275 DQHAA	22	12	14	18	21	27	29		39		81		
300 DQDAC	23	11	14	17	20	25	27	31		63			
300 DQHAB	23	11	14	17	20	25	27		36		76		
350 DFEG	24	11	13	16	19	24	26		35		73		104
400 DFEH	27	10	12	14	17	21	23		31		64		92
450 DFEJ	30	9	10	13	15	19	21		28		58		83
500 DFEK	34	8	9	11	14	17	18		25		51		73

Operating hours are measured at 60 Hz, standby rating.

600-1000 kW dual wall sub-base fuel tanks - usable operating hours

Genset model	Gallons/ hour at full load	200 gallon tank	660 gallon tank	1000 gallon tank	1500 gallon tank	2000 gallon tank	2400 gallon tank	3000* gallon tank
600 DQCA	42	4	14	23	35	47	57	72
600 DQPAA	45	4	15	22	33	44	53	67
600 DQPAB	50	4	13	20	30	40	48	60
750 DQCB	51	4	12	19	29	39	47	58
750 DQFAA	53	3	11	19	28	37	46	57
800 DQCC	53	3	11	18	28	37	45	57
800 DQFAB	56	3	11	17	26	35	43	53
900 DQFAC	64	3	9	15	23	31	38	47
1000 DQFAD	72	3	8	14	21	27	33	42

^{*3000} gallon tank offered as an accessory kit

- Operating hours are measured at 60Hz, standby rating.
- Up to 90% fill alarm to comply with NFPA30, operating capacity is reduced by 10%.





Enclosure package sound pressure levels @ 7 meters dB(A)

Genset model	Weather protective enclosure (F200, F203)	QuietSite Level 1 sound attenuated enclosure (F201, F204)	QuietSite Level 2 sound attenuated enclosure (F202, F205)		
250 DQDAA	90	88	72		
275 DQDAB	90	88	73		
275 DQHAA	86	85	74		
300 DFCB	86	84	71		
300 DQDAC	90	88	73		
300 DQHAB	89	88	76		
350 DFCC	87	85	72		
350 DFEG	86	85	72		
400 DFCE	89	85	73		
400 DFEH	87	85	73		
450 DFEC	89	85	75		
450 DFEJ	88	85	74		
500 DFED	90	86	76		
500 DFEK	89	87	73		
600 DFGB	85	78	74		
600 DQCA	86	78	74		
600 DQPAA	89	80.7	77.19		
600 DQPAB	90	81.36	80.27		
750 DFGE	87	80	75		
750 DFHA	91	81	77		
750 DQCB	87	79	74		
750 DQFAA	89	79	75		
800 DFHB	91	81	77		
BOO DQCC	87	79	74		
BOO DQFAB	89	79	75		
900 DFHC	93	83	78		
900 DQFAC	89	80	76		
1000 DFHD	90	80	76		
1000 DQFAD	90	80	76		

- All data is 60Hz, full load standby rating, steel enclosures only.
- Data is a measured average of 8 positions.
- Sound levels for aluminum enclosures are approximately 2 dB(A) higher than listed sound levels for steel enclosures.



250-1000 kW Weather protective



250-1000 kW QuietSite Level 2

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Package dimensions of enclosure, exhaust system, and UL tank

250-500 kW

Tank size (gal)	Weather protective package length (in)	QuietSite level I package length (in)	QuietSite level 2 package length (in)	Width (in)	Height (in)	Weather protective package weight (lbs)	QuietSite level 1 package weight (lbs)	QuietSite level 2 package weight (lbs)
300	188	188	222	82	104	5648	6073	6991
400	188	188	222	82	106	5833	6258	7176
500	188	188	222	82	108	5956	6381	<mark>7299</mark>
600	188	188	222	82	111	6116	6541 <mark>)</mark>	<mark>7459</mark>
660	188	188	222	82	113	6235	6660	7578
720	188	188	222	82	114	6174	6599	7517
850	188	188	222	82	118	6529	6954	7872
1470	200	200	200	82	128	7428	7853	8771
1700	234	234	234	82	128	7982	8407	9325
Lifting base	188	188	222	82	100	4335	4760	5678

600-1000 kW

Tank size (gal)	Weather Protective package length (in)	QuietSite level I package length (in)	QuietSite level 2 package length (in)	Width (in)	Height	Weather protective package weight (lbs)	QuietSite level 1 package weight (lbs)	QuietSite level 2 package weight (lbs)
200	260	303	315	98	129	10194	13074	14954
660	260	303	315	98	131	9586	12466	14346
1000	260	303	315	98	143	10117	12997	14877
1500	260	303	315	98	145	10677	13557	15437
2000	292	327	327	98	143	11959	14839	16719
2400	338	338	338	98	143	12961	15841	17721

- This weight does not include the generator set. Consult your local Cummins Power Generation distributor or the appropriate generator specification sheet.
- Width is 86" lifting eye to lifting eye (250-500 kW), 102" lifting eye to lifting eye (600-1000 kW).
- Height Florida, Michigan, and Suffolk add 4" (250-500 kW) or 2" (600-1000 kW) for bottom space.
- Maximum length emergency vent removed.



CSA - The generator set is CSA certified to product class 4215-01.



UL - The generator set is available Listed to UL 2200, Stationary Engine Generator Assemblies. The PowerCommand control is Listed to UL 508 - Category NITW7 for U.S. and Canadian usage.

See your distributor for more information

Americas

1400 73rd Avenue N.E. Minneapolis, MN 55432 USA Phone: 763 574-5000 Fax: 763 574-5298



SUP-14-00007: Special Use Permit for a Stormwater Pump Station Located at 547 Maple St and the SW corner of Perry St & N 6th St





PLANNING COMMISSION REPORT Regular Agenda – Public Hearing Item

PC Staff Report 3/24/14

ITEM NO. 2: REVISION OF K-10 & FARMER'S TURNPIKE PLAN: 1700 SECTION OF E. 902 ROAD (JSC)

CPA-14-00005: Consider a Comprehensive Plan Amendment to *Horizon 2020* Chapter 7: Industrial Land Use, and Chapter 14: Specific Plans – *K-10 & Farmer's Turnpike Plan*, to revise the Future Land Use map, and include adjacent parcels for additional residential land use sections into the *K-10 & Farmer's Turnpike Plan*. Submitted by B.G. Consultants, Inc.

STAFF RECOMMENDATION: Staff recommends approval of a revised Comprehensive Plan Amendment to *Horizon 2020*, including the *K-10 & Farmer's Turnpike Plan*, to change and expand the designated land use map and recommends forwarding this Comprehensive Plan Amendment to the Lawrence City Commission and Douglas County Board of County Commissioners with a recommendation of approval.

If appropriate, authorize the Chair of the Planning Commission to sign Resolution PCR-14-00090.

KEY POINTS

- 1. The area within this proposed amendment is partially within the *K-10 & Farmer's Turnpike Plan* and partially outside of this planning area.
- 2. The request is being made, in part, to accommodate mini-warehouses development on a portion of the requested area.
- 3. Staff recommends a revised land use pattern and policies from this applicant's request in order to maintain compatible uses and to address the gateway corridor of K-10.

APPLICANT REQUEST

This Comprehensive Plan Amendment is requested by BG Consultants, Inc., on behalf of the property owners of record, in order to develop a mini-warehouse project on a piece of land between K-10 and E. 902 Road, west of the existing Westar utility substation. The K-10 & Farmer's Turnpike Plan, which is incorporated by reference into Chapter 14: Specific Plans, identifies this area as Residential/Office use and the requested mini-warehouse project would not be compatible with the present future land use designation. This amendment requests the consideration of reclassifying approximately 90 acres of approximately 101 total acres (89%) to Residential (51 acres), Utility (14 acres), and Limited Industrial (25 acres) uses (see Figure 2).

This amendment also includes 70 acres east of E. 902 Road to be added into the *K-10 & Farmer's Turnpike Plan* identified for residential use north of Rock Chalk Park.



Figure 1: Aerial Photograph of Proposed Amendment.

STAFF REVIEW OF APPLICANT REQUEST

The land outlined within this amendment proposal spans between two different plans at present. The portion of the subject area to the west of E. 902 Road is within the K-10 & Farmer's Turnpike Plan; the portion east of E. 902 Road is within the Northwest Area Plan. Each plan has divergent foundations, but in this portion of the county they both have comparable recommendations.

Presently, the land is principally utilized for agricultural uses or in a wooded/native state, with one farmstead. Westar currently operates a utility substation within the request area.

Currently, Westar anticipates expanding this substation in the near future to meet the existing and expectant needs of its users.



Figure 2: Plan Boundaries covering the Proposed Amendment Land with Applicant Requested Designations

Larger Area of the Requested Amendment with Adopted Sector Plans

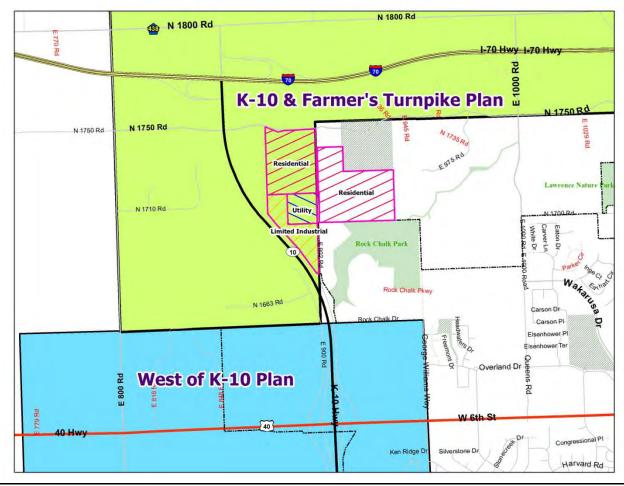


Figure 3: Requested Amendment Area in Larger Context

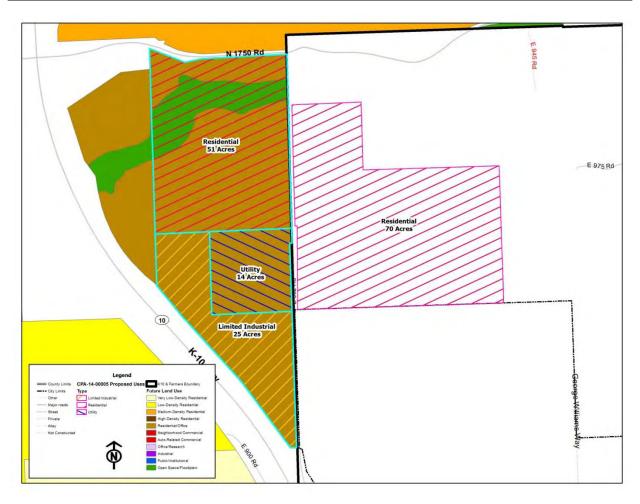


Figure 4: K-10 & Farmer's Turnpike with Proposed Application Overlay

Northwest Area Plan

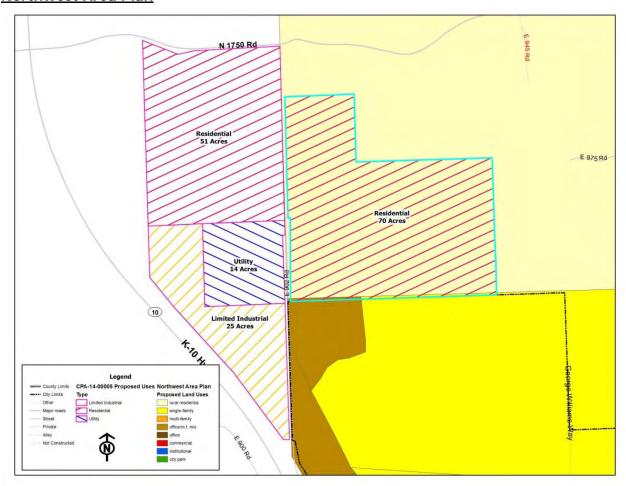


Figure 5: Northwest Area Plan with Applicant Requested Designations

The eastern portion of the proposed amendment is within the Northwest Area Plan as indicated in Figure 5. The Northwest Area Plan designated this tract of land as a rural/residential land use, principally focusing on single-family residential construction, with a density of 1 dwelling unit per acre. At present, the Northwest Area Plan is not incorporated into Chapter 14: Sector Plans of *Horizon 2020*, but is used to guide development in the area.

K-10 & Farmer's Turnpike Plan

The western portion of the proposed amendment is within the *K-10 & Farmer's Turnpike Plan* as indicated in Figure 5. The *K-10 & Farmer's Turnpike Plan* identified this tract of land for residential/office land use, principally focusing on accommodating mixed-use development of administrative and professional offices with varying degrees of residential. This could be achieved by the use of work/live units with a density of 6 to 22 dwelling units per acre. Fundamentally, the Residential/Office land uses allows for a mix of uses as a right, which can include residential-only development, live/work units, and mixed-use developments.

Area History:

Over the years, this portion of the county has principally stayed rural in character. Due to its proximity to the South Lawrence Trafficway branch from I-70, this area has had a long history of being included in several planning studies. Below is a timeline summary of planning and zoning recommendations over the past 35 years regarding this section of the county.

- <u>Plan 95</u> Approved: 1977. The plan is minimal in depth and detail for this portion of the City/County, but does prescribe low density residential uses with open space uses because of environmentally sensitive lands and flooding considerations.
- <u>South Trafficway Plan</u> Approved: July 1986. Anticipated this portion of the Trafficway to be principally surrounded by agricultural uses. Principally short-term in scope, it did not anticipate growth immediately due to the construction of the Trafficway.
- <u>South Lawrence Trafficway Corridor Land Use Plan</u> Approved: July 1989. The
 expectation was the surrounding land would remain agricultural due to a lack of utility
 services. There was anticipation that development pressures would increase in the
 future, with the long-term vision projecting low to medium-density residential or office
 park uses.
- Western Development Plan Approved: March 1994. At that time, development was only envisioned along US-40/6th Street because of the availability of sanitary sewer service. While the plan did not outline any specific uses within this area, it did note, "Urban and suburban growth should proceed with care in order to preserve environmentally or ecologically sensitive land areas."
- Northwest Area Plan Approved: May 1998. The quadrant of this planning area that the subject properties fall within was delineated to be an urbanized area. The intent of the plan was to, "Direct higher intensive land uses toward Sixth Street and the South Lawrence Trafficway but direct lower intensive land uses toward the north of sections 28 and 29." The placement of residential land uses was envisioned to have, "A variety of housing types and costs is encouraged in the southern part of sections 28 and 29. Single family residential is encouraged in the central and northern parts of sections 28 and 29." The plan also recommends against locating industrial land uses within this area. This plan foresaw this area as principally residential.
- <u>Horizon 2020</u> Approved: May 1998. This section of the county is mapped within Service Area 2 of the Urban Growth Area, and in which, development is limited due to the lack water and sewer utilities to this portion of the Douglas County.
- <u>K-10 & Farmer's Turnpike Plan</u> Approved: January 2009. The most recent and adopted guidance document for this area. The portion of land within this application was outlined in this plan to be residential/office land uses. This specific category was envisioned to encourage traditional neighborhood development, while not intending to foster the development of large-scale apartment type development. An overarching goal of the plan is to, "Maintain the rural character in existing areas until the time that

municipal services allow urban densities to develop." There are also provisions for using open space between variations in progressing use intensities, which should be comprised of green spaces. This plan also outlines specific residential uses, and it does not intend to provide for large-scale apartment type developments. Residential/Office land use may include single-family dwellings, live/work units, and mixed-use developments.

The planning history reflects continuous support for the conservation of environmentally sensitive open spaces, especially in instances with floodplain encumbered lands, and also the forethought of residential uses in this portion of the City of Lawrence/Douglas County.

Horizon 2020:

Horizon 2020 states, "Plans prepared for specific areas, whether they are areas within the City of Lawrence or areas within unincorporated Douglas County contains detailed policy guidelines for those areas." As this portion of the City of Lawrence/unincorporated Douglas County was beyond the scope of Horizon 2020's future land use plan, the principal planning document for this section would be the K-10 & Farmer's Turnpike Plan. When the K-10 & Farmer's Turnpike Plan was approved (see Figure 5), this portion was determined to be a viable area for mixed-use space, principally oriented towards residential and office uses. This is further reinforced through the policy encouraging traditional neighborhood development/mixed-use development in this area. However, this plan does not extend east across E. 902 Road, which would have some stronger implications considering the recent approval and construction of Rock Chalk Park adjacent to the south of this segment.

As the development of Rock Chalk Park has progressed, it has strongly influenced the developmental and planning considerations within the area between the new development and the existing boundary of the K-10 & Farmer's Turnpike Plan. In addition, the anticipated Westar substation expansion will also have an effect on the development pattern and character of this area. With this changing setting, the proposed addition to the future land use plan has merit.

The location for the proposed industrial land use complies with the location criteria as outlined in Chapter 7: Industrial and Employment-Related Land Use of *Horizon 2020*. Currently, Chapter 7 of *Horizon 2020* states, "Encourage site availability, site improvements, and community amenities which best respond to the market demands for industrial and business development while maintaining the community objectives for the type and quality of such development." The existing electrical substation, and subsequent utility easements, creates a space that is delineated by this utility use and the right-of-way for the South Lawrence Trafficway/K-10. The proposed expansion of residential land uses to the east of E. 902 Road is also consistent with the applicable previous plans for the area currently outside of the present *K-10 & Farmer's Turnpike Plan*. These similar movements of low density residential were envisioned within these areas in historic planning documents.

The applicant's proposal would isolate a piece of land west of the request, but east of K-10 designated for Office/Research land use and would require access for the Office/Research development to be taken through the adjacent Low-Density Residential development that is part of the applicant's request. This is not consistent with the policies outlined in the *K-10 & Farmer's Turnpike Plan* Residential Land Uses, Section 3.1.2.2.1, and Industrial/Office/Research Land Uses, Section 3.1.2.5.2. The reassignment of the 90 acres between K-10, N. 1750 Road and E. 902 Road from Residential/Office, to a mixture of Very-Low Density Residential, Low Density Residential, and Office/Research is partially consistent with the surrounding

development patterns and existing activity in the vicinity, but would be most compatible if the Office/Research portion would remain the designated future land use, instead of switching that to Low Density Residential per the applicant's request.

Consideration should also be given to the weight and importance of the nearby 6^{th} Street and K-10 interchange as a gateway to the community. The location of industrial/warehouse land uses does potentially allow for other uses beyond the piece proposed by the applicant. The *West of K-10 Plan* is the principal planning document for this key intersection, but the land to the north is accounted for within the *K-10 & Farmer's Turnpike Plan*. This stretch of land between the I-70 & K-10 interchange and the 6^{th} Street/US-40 & K-10 interchange will serve as a visual entry gateway for visitors arriving to the community. While architectural design guidelines for industrial development are outlined within the Community Design Manual, the potential expansion of uses is a consideration that should be weighed within this proposal. Consideration should also be given to the applicable 50 foot buffer that will be required as part of the South Lawrence Trafficway (SLT) Overlay District, which is implemented to, "create an aesthetically pleasing corridor along the South Lawrence Trafficway, in keeping with the SLT policy of providing a park-like setting." 1

Due to the importance of this area as a gateway to the community and Rock Chalk Park, and the requested low-density residential land use not being compatible with the Office/Residential that will remain designated buffering K-10; staff is not able to support the applicant's request without modification and conditions.



Figure 6: View of Potential Mini-Warehouses location from K-10, facing north.

¹ City of Lawrence, Land Development Code, Section: 20-307 (a) (1).



Figure 7: Existing Overhead power lines presently on-site, facing north.

STAFF PROPOSAL

Staff would recommend modifying the applicant's request by retaining the already adopted Residential/Office land use in this center portion of the Future Land Use map (see Figure 8). Staff has concerns with reclassifying the entire portion as a low-density, residential-only use because this will, in-effect, isolate the existing Residential/Office land use that is west of the requested portion from the roadway network, principally E. 902 Road, as seen in Figure 4. This could isolate the remaining Residential/Office from E. 902 Road, which would require traffic to and from a higher intensity designated area to go through the residential-only, lower intensity, neighborhood.

With this potential development pattern in mind, staff recommends leaving the existing Residential/Office land use on that piece of land, as depicted in Figure 8, in this portion of the Future Land Use map to help mitigate these potential conflicts and potential isolation. Staff would also recommend a condition be included to maintain the continued preservation of the Open Space/Floodplain designation of the already adopted plan as mapped within the *K-10 & Farmer's Turnpike Plan* Future Land Use map 3-1; and to require including a 200-foot Open Space/Floodplain buffer between the proposed Office Research land use and the northerly adjacent Residential/Office land use in order to mitigate potential use and site conflicts that could arise between differing intensities of land use. To further ensure the integrity of the gateway entry to the community, staff would also recommend the condition that no exterior storage shall be permitted within the Office Research or Residential/Office designated areas included within this proposal to strengthen the gateway entry policies of both the *K-10 and Farmer's Turnpike Plan* and the *West of K-10 Plan*.



Figure 8: Staff Recommended Future Land Use Revision

Other Considerations:

Staff has made modifications to the following planning documents based on staff's recommendation:

- Chapter 7: Industrial and Employment-Related Land Use: The changes include revisions to page 7-23 regarding where additional industrial land use should be sited.
- Chapter 14: Specific Plans, including changes to K-10 & Farmer's Turnpike Plan: The changes to Chapter 14 include K-10 & Farmer's Turnpike Plan, Future Land Use maps 3-1, to change the current residential/office designation to the three requested uses, the expansion of the planned boundaries east of E. 902 Road to designate this land as Residential/Office, and the land use descriptions as to where the designations are revised.

Copies of the revised Chapter 7: Industrial and Employment-Related Land Use and Chapter 14: Specific Plans: *K-10 & Farmer's Turnpike Plan* are attached to this staff report with the changes outlined.

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?

Applicant Response: Yes, Rock Chalk Park was unforeseen and has a great impact on the surrounding area. Westar also has plans to expand the existing substation and construct additional overhead power lines in this area.

Staff's Response: Horizon 2020 anticipates changes and additions over time. The construction of Rock Chalk Park and the Lawrence Recreation Center were not anticipated at the time of the last revision of the pertinent chapters of Horizon 2020. Horizon 2020 mainly foresaw development in this area when city utilities were available to provide service in this area. The scale of these adjacent projects will bring the infrastructure closer to the sections of land covered in this amendment, but service capacity would need to be determined as projects are brought forward for site plan consideration.

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

Applicant Response: Yes, there is a need for additional mini-warehouse units and single family residential housing. This amendment will provide areas for both.

Staff's Response: Staff's recommendation is consistent with the goals and policies outlined in Horizon 2020 and the K-10 & Farmer's Turnpike Plan. As outlined, the previous planning documents envisioned this area as a lower-intensity residential area, while the most recently adopted plan envisions this area as a mixture of uses. The K-10 & Farmer's Turnpike Plan identifies the subject properties as Residential/Office, and this land use balance should be maintained in some manner to be consistent with the community vision for this portion of the planning area, and to help mitigate potential conflicts and potential isolation of the remaining Residential/Office land use adjacent to the west. The potential expansion of the K-10 & Farmer's Turnpike Plan across E. 902 Road is detailed in a consistent land-use vision with both adopted planning documents, as well as the historic planning vision for this area.

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

Applicant's Response: Yes. The recent approval of Rock Chalk Park and the Lawrence Recreation Center is a change in the plan for the area which has driven the proposed plan amendment.

Staff's Response: Public policy has not changed regarding policies with increasing available industrial use land. As the applicant has noted, the construction of Rock Chalk Park has modified the potential program for growth and development within this sector. Overall, the potential development within this portion of the K-10 & Farmer's Turnpike Plan was envisioned to be contingent on the availability of city utility services.

Public policy has also not changed regarding growth management and residential land uses. Development potential would need to be consistent with both the goals and policies included within *Horizon 2020* and *K-10 & Farmer's Turnpike Plan*.

In addition, the following shall be considered for any map amendments:

A. Will the proposed amendment affect the adequacy of existing or planned facilities and services?

Applicant's Response: The proposed amendment will not have an effect on existing or planned facilities and services as it is a minor change from the existing plan.

Staff's Response: The properties are currently not being served by existing City services. Further review would be completed as part of the platting and site planning process to address potential issues when the property is served.

B. Will the proposed change result in reasonably compatible land use relationships?

Applicant's Response: Yes. There is a small area where IL zoning is adjacent to R zoning but it will be separated using a green space buffer and the R zoning will "back up" to the IL zoning.

Staff's Response: As proposed, the application would have an intensity conflict with the potential placement of residential land uses directly adjacent to the utility/industrial uses. Staff's recommendation would meet Goal 2 in Chapter 6 of Horizon 2020, which ensures a compatible transition between the higher-intensity development and less-intensive uses. Under the initial request, there is no transition in land use or zoning to the proposed low-density residential and planned industrial land use. Staff's recommendation introduces a green space buffer to mitigate potential conflicts, while ensuring the preservation of utility easements also present within this portion of the area.

C. Will the proposed change advance the interests of the citizens of Lawrence and Douglas County as a whole, not solely those having immediate interest in the affected area?

Applicant's Response: Yes. The proposed plan will create quality development that will provide opportunities for tax base expansion and diversification. It will also provide an opportunity for a unique residential neighborhood and provide a higher use for an area designated residential/office that is not desirable for that use.

Staff's Response: The expansion of available industrial land would provide new opportunities for the community as a whole, as well as potentially attract businesses to this portion. This can be considered an advancement of the interests of the citizens of Lawrence and Douglas County if the potential is realized. Similarly, expansion of the residential land uses within the vicinity of this proposal, and its location adjacent to Rock Chalk Park, could potentially be a valuable contribution to the future growth and development of this part of the urban growth area once services are available.

PROFESSIONAL STAFF RECOMMENDATION

In staff's opinion the request is compatible with the existing land use designations of the *K-10 & Farmer's Turnpike Plan*, and revising the plan is appropriate for the reasons outlined in this report and when Comprehensive Plan policies are reviewed as a whole.

Staff recommends approval of this Comprehensive Plan Amendment to *Horizon 2020*, including the *K-10 & Farmer's Turnpike Plan*, to change the designated land use from Residential/Office to Very Low-Density Residential, Low-Density Residential, Residential/Office, and Office/Research uses for the property as mapped along E. 902 Road, and recommends forwarding this Comprehensive Plan Amendment to the Lawrence City Commission and Douglas County Board of County Commissioners with a recommendation of approval.

Findings for recommendation of approval, contingent upon the following conditions:

- 1. The expansion of the *K-10 & Farmer's Turnpike Plan* planning area is consistent with previous planning documents, and the proposed residential land use expansion is consistent with the policies of both *Horizon 2020* and *K-10 & Farmer's Turnpike Plan*;
- 2. Maintaining the Residential/Office land use is recommended to match the adopted community vision for this portion of the *K-10 & Farmer's Turnpike Plan*, and provide a transitional use to the Office/Research land uses;

In the event that the Commission desires to accommodate the proposed project, staff has provided draft language in order to make the necessary changes to *Horizon 2020*, including the *K-10 & Farmer's Turnpike Plan*.

K-10 & Farmer's Turnpike Plan

Lawrence-Douglas County Planning Office

Lawrence-Douglas County Planning Commission 11/17/08 Lawrence City Commission 12/9/08 Douglas County Board of County Commissioners 1/7/09



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Section 1: Introduction

1.1 Purpose

The purpose of the *K-10 & Farmer's Turnpike Plan* is to outline specific land use goals, policies and recommendations for the planning area shown on Map 1-1, while being consistent with the overall adopted comprehensive plan for the community. Portions of the planning area are adjacent to the city of Lawrence and because of its proximity to the city and interstate highways, it is likely to be an area of intense development pressure. The plan outlines future land uses for the planning area to be used as a guide for urban development only after annexation into the city of Lawrence occurs. This plan does not annex property nor does it rezone property upon adoption. These types of requests are typically requested by the property owners and/or developers that have stake in such property and wish to develop within the city of Lawrence.

The plan should fit like a puzzle piece into the larger context of the surrounding street, utility, and land use network of the entire community. Logical connections between the planning area and adjacent neighborhoods are a key factor in the development of the plan. The recommendations contained within this plan are intended to guide the area's growth patterns as the development of the K-10 Highway and Farmer's Turnpike area occurs within the city of Lawrence. The plan identifies appropriate land uses along an arterial road corridor and a highway interchange that aid in meeting a recognized need for industrial/employment center opportunities that will support the general health and prosperity of the region.

It is expected that development in the planning area will occur within the span of decades as the market demands and as urban services are able to be provided. It is anticipated that rural and agricultural uses will continue to be present as the planning area urbanizes. Because of the long timeframe of the plan, it should be reviewed on a regular basis.

1.2 Description of Planning Area

The *K-10* and Farmer's Turnpike Plan planning area is located northwest of the city of Lawrence (see Map 1-1) and southeast of the city of Lecompton, in northern Douglas County, Kansas. The planning area contains approximately 4,075 acres and encompasses portions of Sections 17 and 18 of the Lecompton Township, portions of Sections 14, 15, 16, 21, 22, and 23 of the Wakarusa Township, and portions of Sections 19, 20, and 30 of the Kanwaka Township.

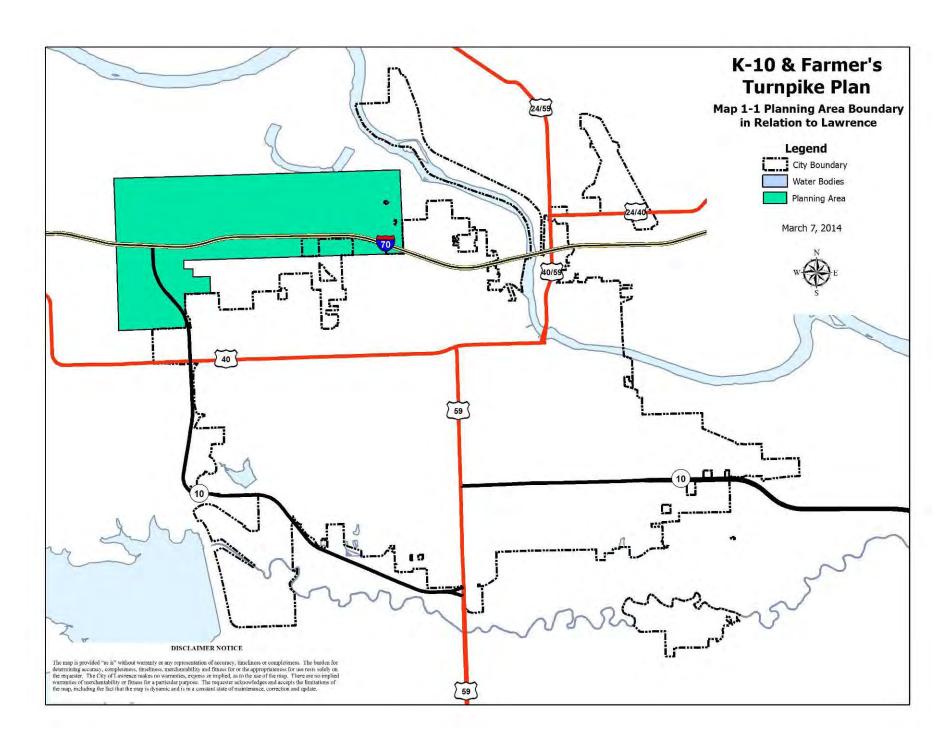
The planning area boundaries are: E 800 Road on the west, approximately ¾ of a mile north of the Farmer's Turnpike (N 1800 Road/County Hwy 438) on the north, approximately ¼ of a mile east of E 1200 Road from the north boundary to Grand Vista Drive extended on the east and E 902 Road from approximately N 1750 Road to approximately ½ of a mile north of W. 6th Street (Hwy 40), and approximately N 1750 Road from E 902 Road to approximately ¼ of a mile east of E 1200 Road and approximately ½ of a mile north of W. 6th Street (Hwy 40) from E 800 Road to E 900 Road on the south. See Map 1-1. Approximately half of the planning area is located outside the Lawrence Urban Growth Area (UGA), as currently identified in *Horizon 2020*. Those portions of the planning area that are located within the UGA, are located in service area 4 which is the outer most service area in *Horizon 2020*.

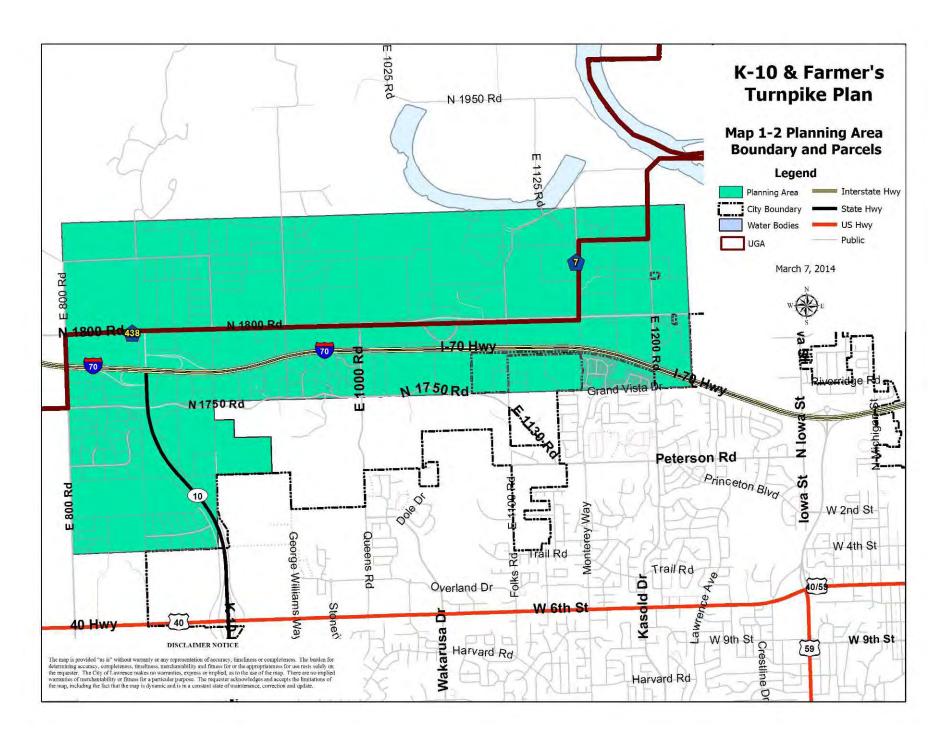


The dominant character of the planning area is rural in nature although a variety of uses surround the planning area. I-70 and a toll plaza are major elements within the area. North of the planning area is predominantly rural in nature with some rural residential uses and agriculture crop uses. East of the planning area is primarily industrial along with the Westar power plant. Urban density residential uses are south of the planning area, but mainly to the east. Rural uses are also south of the planning area, but the area is urbanizing from the south towards the

planning area. West of the planning area is rural in nature. While the areas described are outside of the planning area boundaries, they can influence the land use development patterns within the K-10 Highway and Farmer's Turnpike area.

The planning area contains a wide range of ownership parcel sizes with the largest being approximately 186 acres to approximately 1,378 square feet. The planning area boundaries and parcel composition are illustrated in Map 1-2.





1.3 Background

The Kansas Turnpike travels through the planning area as it travels through Lawrence and Douglas County. The Kansas Turnpike is 50 years old and extends 236 miles from Kansas City, Kansas to the Oklahoma border south of Wichita. 32,755,932 vehicles traveled the Turnpike in 2006. The Lecompton, Lawrence: K-10 interchange (Exit 197) opened in November of 1996 and is the western Kansas Turnpike interchange in Douglas County that serves the planning area. It connects the Kansas Turnpike to K-10 Highway which was also completed in November of 1996. K-10 Highway, also known as the South Lawrence Trafficway (SLT), takes traffic from the Kansas Turnpike and from US Hwy 40, south to US Hwy 59, south of Lawrence.

The city of Lecompton is a destination located approximately 3 miles northwest of the planning area. Lecompton has a long history beginning in 1854 when it was founded and originally called "Bald Eagle". Lecompton became the capital of the Kansas Territory in 1855. Its early history as the territorial capital revolved around gaining Kansas' entrance into the Union as a pro-slave state. That effort failed as the free-state supporters ultimately prevailed and lead to the political birth of the Civil War. The free-state leaders moved the capital to Topeka when Kansas became a state in 1861. Much of that early history is on display in Lecompton². Farmer's Turnpike (N 1800 Road) and the Lecompton interchange play an important role in directing tourists to Lecompton. The Farmer's Turnpike was the original highway between Lecompton and Lawrence before I-70 (Kansas Turnpike) was completed in 1956.

The Kansas Territory was opened to settlement in May of 1854. Soon after the territory was opened, abolitionists from New England rushed to the area in an effort to keep the territory from becoming pro-slavery. Lawrence is said to be one of the few cities founded purely for political reasons. The founding group named the town after the financier of the expedition, Amos Lawrence. Lawrence also acted as an important stop on the Underground Railroad, helping escaped slaves reach freedom safely. On August 21, 1863, William Quantrill assembled a group of men in Missouri and rode into Lawrence. The raiders entered the city "to burn every house and kill every man." Additionally, Lawrence is located between the two trails, the Oregon and the Santa Fe Trails. After the Civil War ended in 1865, railroads rapidly pushed across the Great Plains and wagon trails became obsolete³.

Most recently the city of Lawrence has been growing and developing to the south and west of the central city. Development proposals to the north and west of the city of Lawrence, within the Urban Growth Area (UGA), have become more frequent in recent years. The completion of Free State High School in 1997 also spurred development on the west side of Lawrence. Horizon 2020 includes policies that encourage development to city standards within the UGA.

¹ Kansas Turnpike Authority, http://ksturnpike.com/history.shtml

² Lecompton Kansas Historical Society, http://lecomptonkansas.com/

³ Lawrence Convention and Visitor's Bureau, http://www.visitlawrence.com/

1.4 Industrial and Employment Related Development

There is a recognized need to foster job creation and industrial space in the community, with a particular deficiency of large tract industrial space (approximately 100 acres and greater). Horizon 2020, the city and county's comprehensive long-range plan, identifies many goals, policies and strategies as to how to grow and develop the city of Lawrence and Douglas County as a whole. Chapter 7 – Industrial and Employment-Related Land Use of Horizon 2020 lists a strategy of "increasing the community's involvement in economic development in order to secure a job growth goal of 20,000 total new jobs in Douglas County by the year 2020". The K-10 & Farmer's Turnpike area can assist in reaching this goal by supporting areas for potential industrial and office/research development. The area lends itself as an ideal location for industrial and employment center development because of the access to both a federal interstate and a state highway. Additionally, there is an opportunity to develop large parcels on land that contains minimal slopes. The intent is not to locate all of those potential jobs within the planning area but to spread them out across the city and county in existing and new industrial areas to address the different needs of the potential employers.

Historically, industry has developed in clusters throughout the city. Some examples of existing industrial areas are the Santa Fe Industrial area, the Burroughs Creek Corridor, the Union Pacific Railroad Corridor and the East Hills Business Park. The East Hills Business Park specifically was developed in the 1980's by a partnership between the city of Lawrence, Douglas County and the Chamber of Commerce as a way to fulfill the need for industrial space. Presently, East Hills is almost fully built out, with only a few small lots available for development along with one large tract consisting of approximately 87 acres on the east side of the park.

ECO² is an advisory board to the Lawrence City Commission and Board of County Commissioners of Douglas County created in order to develop a long-term plan for the identification, evaluation and selection of land for both industrial/business parks and open space preservation. They presented their report in 2007 which outlines a long-term plan of public/private partnership that satisfies their goals of the advancement of industrial/business park and open space preservation. The ECO² report, in conjunction with *Horizon 2020* provides a methodology to weigh specific criteria to identify and recommend a number of new business and industrial development locations in the city of Lawrence and unincorporated Douglas County. Some of the criteria used to identify and recommend locations for industrial development include being generally located in close proximity to major transportation networks, contains land that has minimal average slope, be in an area that lies outside of the regulatory floodplain, and have the potential for large tract development.

1.5 Policy Framework

Horizon 2020 serves as the overall planning guide and policy document for this plan. In addition to Horizon 2020, guiding policy is also obtained in other adopted physical element plans. Together, these plans provide the general "umbrella" policies under which this plan is developed. Listed, these plans are:

- *Horizon 2020*, the Comprehensive Plan for Lawrence and Unincorporated Douglas County. Lawrence-Douglas County Metropolitan Planning Office. 1998 as amended.
- *Transportation 2030*, Lawrence/Douglas County Long Range Transportation Plan. Lawrence/ Douglas County Metropolitan Planning Office and Parsons Brinkerhoff. March 26, 2008.
- Lawrence-Douglas County Bicycle Plan, Lawrence/Douglas County Metropolitan Planning Office. May 2004.
- Northwest Plan, Lawrence/Douglas County Metropolitan Planning Office. January, 1997.
- Lawrence Parks & Recreation Department A Comprehensive Master Plan. Leon Younger & PROS. 2000.
- City of Lawrence, Kansas Water Master Plan. Black & Veatch. December 2003.
- City of Lawrence, Kansas Wastewater Master Plan. Black & Veatch. December 2003.
- 2008-2013 Capital Improvement Plan. City of Lawrence. June 26, 2007.

Section 2 - Existing Conditions

The inventory and analysis of existing conditions in this plan are intended to serve as a resource and background for the recommendations included in Section 3 of this plan.

2.1 Land Uses

2.1.1 Existing Land Uses

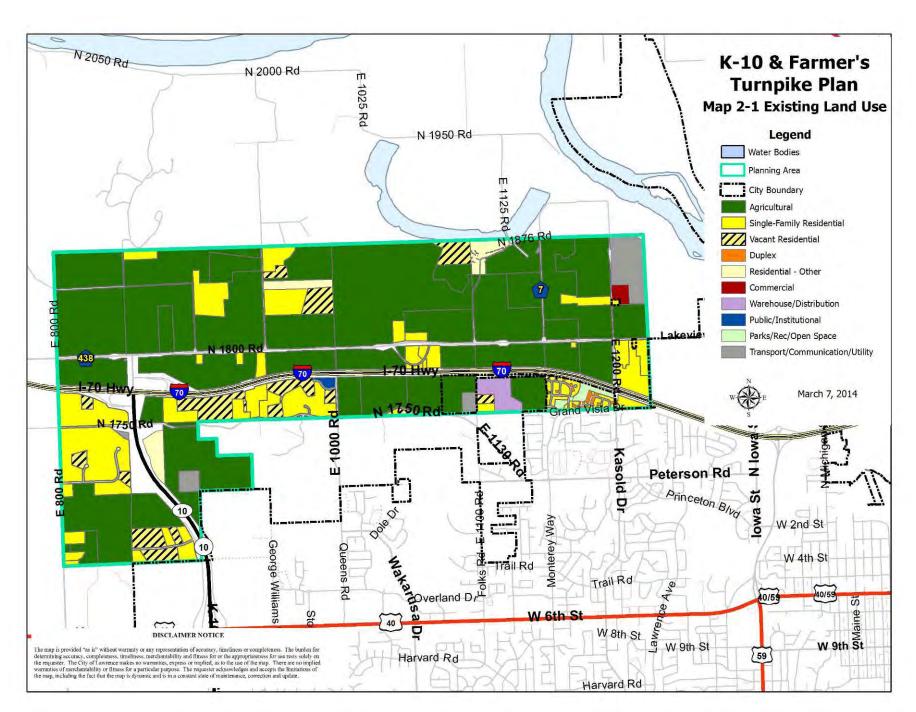
There are currently a variety of land uses within the planning area. The planning area has approximately 3,609-679 acres of land dedicated to uses other than public rights-of-way. The source information for the existing land use summary and map are based on the County Appraisers' land use code and updated by planning staff. Agricultural uses, in the form of row crops, pasturelands, and farms are the prominent land uses and encompass approximately 2,569 acres of land. As the area urbanizes, these agricultural uses will be reused for more urban uses and this category is not carried forward to the future land use map. Remaining open spaces in an urbanized environment are referred to as park or open space.

The second largest land use category is single-family residential use with approximately 593 acres. The single-family residential use category is property with one dwelling unit located on it. The *Land Development Code* defines a dwelling unit as, "one room, or a suite of two or more rooms, designed for or used by one family or housekeeping unit for living and sleeping purposes and having only one kitchen or kitchenette". The single-family residential use is seen within the planning area in both the rural and urban form. There are three rural subdivisions and two urban subdivisions platted within the planning area. The urban subdivisions are a mix of single-family and duplex residential uses.

The remaining land is designated a variety of uses ranging from open space to public/institutional uses. The category identified as residential-other is mainly used to identify a situation near Lakeview Lake where the property is owned by a homeowners association but the individual homes are privately owned. The existing land uses are shown on Map 2-1 and the planning area breakdown is described in Table 2-1.

TABLE 2-1: EXISTING LAND USE SUMMARY

Land use	Acres
Agricultural	2,568.60 <u>2,634.85</u>
Single-Family Residential	593.57 <u>597.19</u>
Vacant Residential	203.83
Duplex	6.00
Residential - Other	69.58
Commercial	9.980
Warehouse/Distribution	33.998
Public/Institutional	4.972
Parks/Rec/Open Space	22.69
Transport/Communication/Utility	95.72
TOTAL	3,608.94



2.1.1 Historic Resources

Currently, there are no sites or structures listed on the National, State or Local Register of Historic Places within the planning area. However some resources have been identified as having the potential to qualify for listing. At the time that these sites or structures are listed, those resources should be protected and preserved in accordance with local, state and national preservation law.

The planning area is located within the Freedom Frontier National Heritage Area. This is an area encompassing 41 counties in Kansas and Missouri. A National Heritage Area, as defined by the National Parks Service, U.S. Department of Interiors, is "a place designated by the United States Congress where natural, cultural, historic and recreational resources combine to form a cohesive, nationally-distinctive landscape arising from patterns of human activity shaped by geography. These areas tell nationally important stories about our nation and are representative of the national experience through both the physical features that remain and the traditions that have evolved within them." Currently the Freedom Frontier National Heritage Area is in the process of completing a management plan to set out goals, objectives, suggest alternative approaches for development, management, preservation, conservation, interpretation, and/or marketing for the area.

The Lawrence-Douglas County region has been the epicenter of conflicts that still define American values, and its struggles to achieve them. The issues of slavery's abolition, the forced immigration of Native American nations and the inspiring resilience of those nations in the face of oppression, the voluntary immigration of settlers along the Santa Fe and Oregon Trails, and the final resolution of racial segregation in our public schools a century later – all these belong to the story of the Freedom's Frontier National Heritage Area. This story continues to evolve, to define and influence who we are today, in the region and as a nation.⁴

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⁴ Freedom's Frontier National Heritage Area, http://www.freedomsfrontier.org

2.2 Zoning Patterns

The planning area encompasses approximately 4,075 acres of land including public rights-of-ways and most of which is located within the unincorporated area of Douglas County. The majority of the planning area that is located within unincorporated Douglas County is zoned A (Agriculture District). This is mainly used for row crops, pasture land and farm purposes. There are four areas zoned A-1 (Suburban Homes District) which are mainly large lot residential subdivisions. The remainder of the planning area within unincorporated Douglas County is zoned R-1 (Single-Family Residential), I-3 (Heavy Industrial) and VC (Valley Channel) Districts. See Map 2-2.

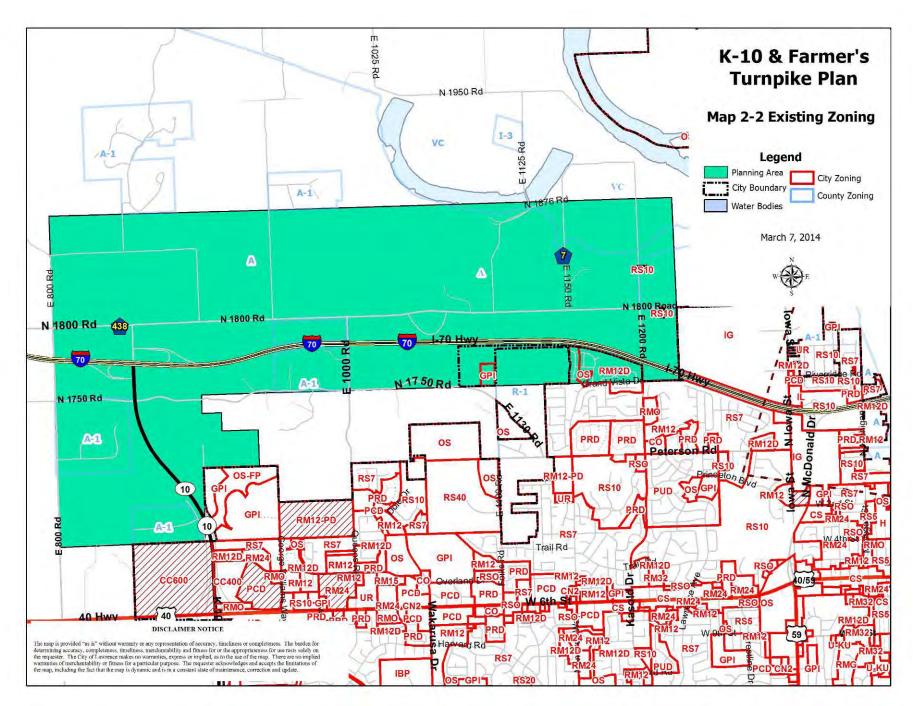
The planning area also includes three areas that are within the city of Lawrence. One area is developed with single-dwelling and multi-dwelling zoning districts. A second area is zoned GPI (General Public and Institutional) and OS (Open Space). These areas include park space and a sanitary sewer pump station. The third area within the city limits is located in the northwest portion of the planning area and is zoned for industrial uses. This area is not yet developed.

Table 2-2 County Zoning Classifications

County Zoning	District Name	Comprehensive Plan Designation	
А	Agricultural	Agriculture	
A-1	Suburban Homes	Very Low-Density Residential	
R-1	Single-Family Residential	Low-Density Residential	
I-3	Heavy Industrial	Industrial	
VC	Valley Channel	N/A	

Table 2-3 City Zoning Classifications

City Zoning	District Name	Comprehensive Plan Designation
RS10	Single-Dwelling Residential (10,000 sq. feet per dwelling unit)	Low-Density Residential
RS7	Single-Dwelling Residential (7,000 sq. feet per dwelling unit)	Low-Density Residential
RM12D	Multi-Dwelling Residential Duplex (12 dwelling units per acre)	Medium-Density Residential
IG	General Industrial	Warehouse and Distribution or Industrial
GPI	General Public and Institutional	N/A
OS	Open Space	N/A

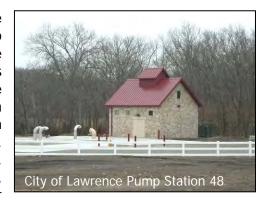


2.3 Infrastructure

2.3.1 Water and Wastewater Infrastructure

A summary of the existing water utilities is shown on Map 2-3 and wastewater utilities (sanitary sewer) is shown on Map 2-4. Municipal water and wastewater is provided to those properties that are within the current city limits. Properties that are within the planning area, but outside the city limits, are served by Douglas County Rural Water District #1, #6 or private wells, and private septic systems.

The city of Lawrence sanitary sewer infrastructure does not extend outside the current city limits. Pump Station 48 (PS 48) was recently completed to provide for growth in the northwest area of Lawrence and is located just south of E 1100 Road and I-70. The Department of Utilities is currently underway with a project to extend a gravity interceptor line west from PS 48 to the area within the city limits, north of W. 6th Street, between Queens Road and K-10 Highway. Based on the adopted sanitary sewer master plan, this interceptor line is being designed to allow for



future service to the I-70 corridor within the current urban growth area (UGA) as identified in *Horizon 2020*. The currently adopted 2003 Water and Wastewater Master Plans do not address areas outside of the UGA. As such, the majority of the area north of N 1800 Road within the planning area has not yet been evaluated for water and sanitary sewer service as a part of utilities master plan. An update to the sanitary sewer master plan is in the preliminary stages at this time. The plan update will address the areas within the planning area that have not previously been evaluated.

The majority of the planning area, which is located outside of the Lawrence city limits, is currently served by Douglas County Rural Water District's #1 and #6. The city of Lawrence water distribution mains currently extend to the intersection of E 1200 Road (Kasold Drive) and N 1800 Road (Lakeview Road); Wakarusa Drive and E 1000 Road (Queens Road) and US Hwy 40 (W. 6th Street) and K-10 Highway.

2.3.2 Stormwater Infrastructure

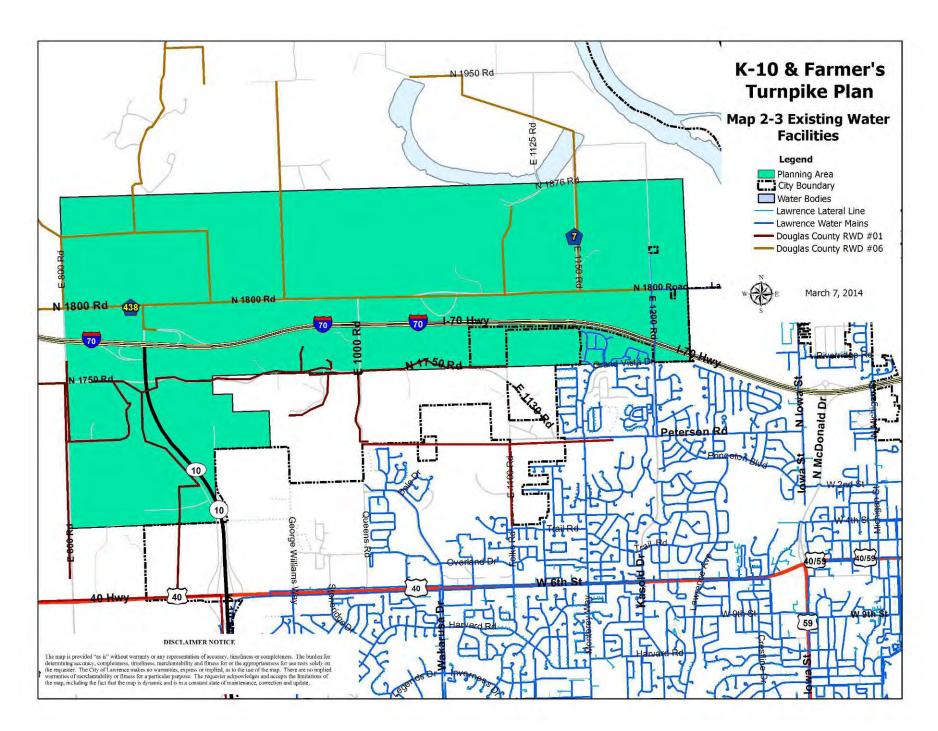
A summary of the existing stormwater utilities, channels, and natural streams are shown on Map 2-4. There is a small amount of stormwater collected by an enclosed stormwater pipe system within portions of the planning area that are within the city limits. The majority of the stormwater is handled by open channels and streams. The stormwater drains to the north, by way of the tributaries, to Lake View Lake and the Kansas River.

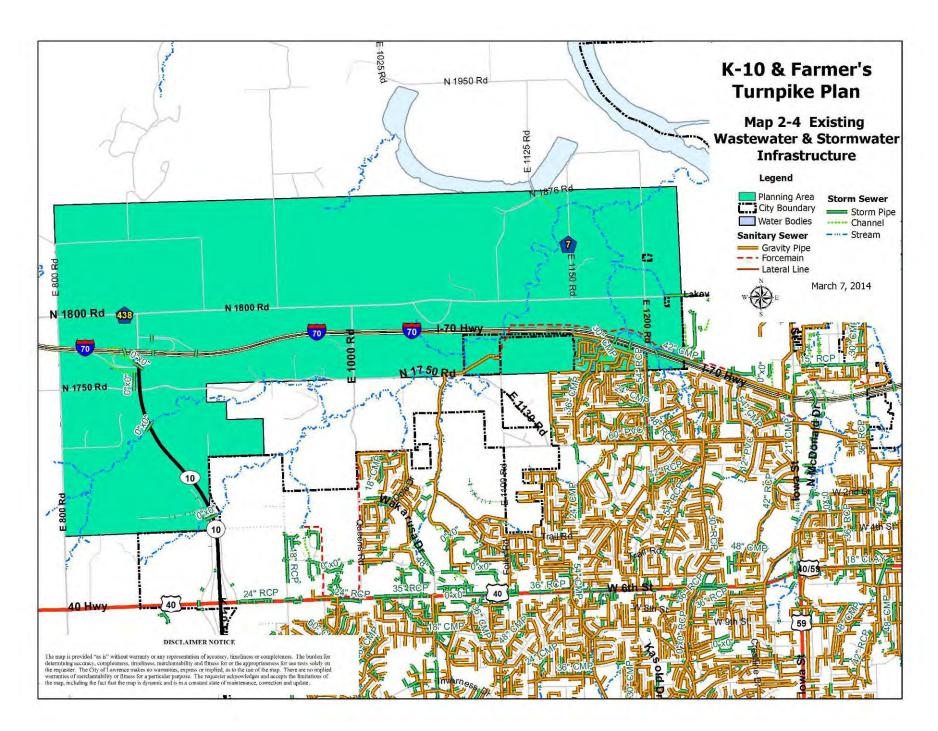
2.3.3 Gas Infrastructure

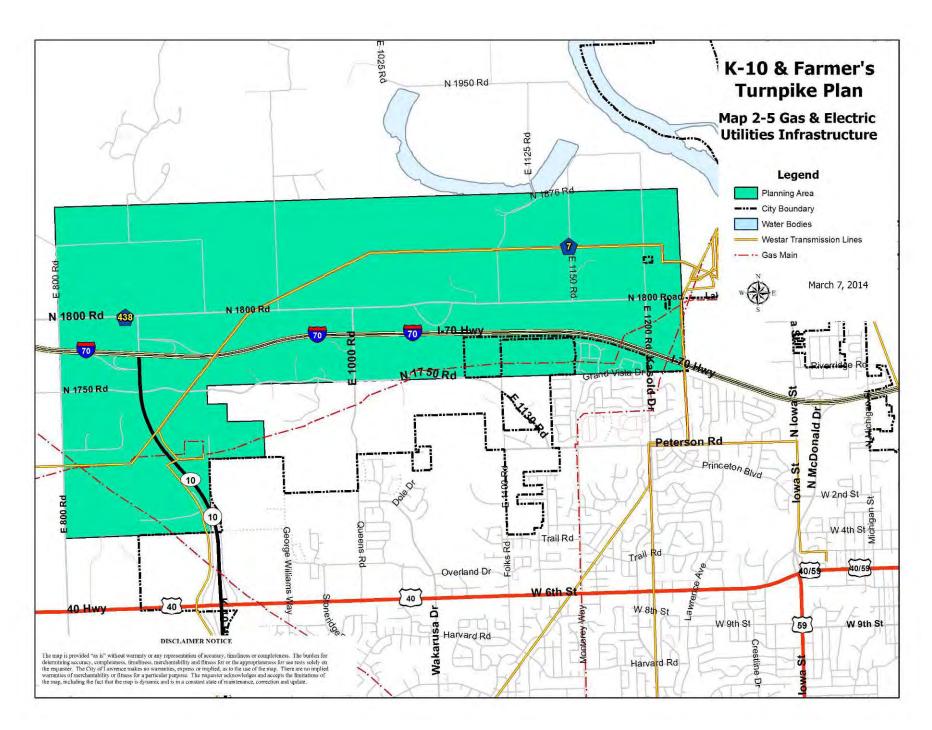
The planning area includes two natural gas lines. One is owned by Southern Star Gas and it crosses the southwestern portion of the planning area. The second is owned by Williams Natural Gas and it crosses the planning area on the southwest portion and crosses again on the eastern portion of the planning area. See Map 2-5.

2.3.4 Electric Infrastructure

There are currently two electric companies that service the planning area. Generally, Kaw Valley Electric services the western side of the planning area and Westar services the eastern side. Large electric transmission lines also travel through the planning area. See Map 2-5.







2.3.3 Transportation

2.3.3.1 Streets

Transportation 2030 (T2030) is the comprehensive, long-range transportation plan for the metropolitan area. T2030 designates streets according to their functional classification or their primary purpose. These functional classifications are shown on Map 2-6. The classification system can be described as a hierarchy from the lowest order, (local streets) that serve to provide direct access to adjacent property, to (collector streets) that carry traffic from local streets, to major thoroughfares (arterial streets) that carry traffic across the entire city. Freeways and expressways are the highest order



of streets and are designed with limited access to provide the highest degree of mobility to serve large traffic volumes with long trip lengths.

T2030 does not identify collector streets for the entire planning area. T2030 is updated at least every 5 years. This area should be fully studies during the next update to address the future street network.

2.3.3.2 Gateways

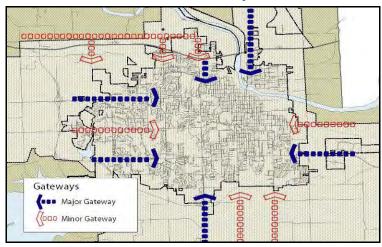
Chapter 2 of T2030 discusses and identifies minor and major gateway into and out of Lawrence. T2030 states, "Gateways are locations on transportation corridors that define the entrances to cities. These provide visitors with a first impression of the city and often indicate the transition from rural to urban land uses. As such, cities desire to make these locations as attractive and informative as possible. As noted in T2030 in Figure 2.4, there are several roadways that represent gateways into the city of Lawrence or into smaller communities within the region that should be reviewed for aesthetic and informational enhancements when they are improved."

T2030 identifies Farmer's Turnpike (N 1800 Road/County Hwy 438) and E 1000 Road (Queen's Road) as minor gateways into Lawrence based on the corporate boundaries shown in Figure 2.4 of T2030. The interchange of K-10 Highway and I -70 will be a gateway into Lawrence when and as development occurs within the city, and provides the greatest opportunity to develop with quality site planning, building materials, signs and other elements that create a sense of place. Also, K-10 Highway and I-70 are identified as truck routes into and out of Lawrence.

Additionally the I-70/K-10 Highway interchange is a gateway into Lecompton. The "Lecompton Interchange", as it is referred to by the Kansas Turnpike Authority, is the only gateway into the city of Lecompton from I-70.

T2030 Figure 2.4

Lawrence Gateways



2.3.3.3 Transit



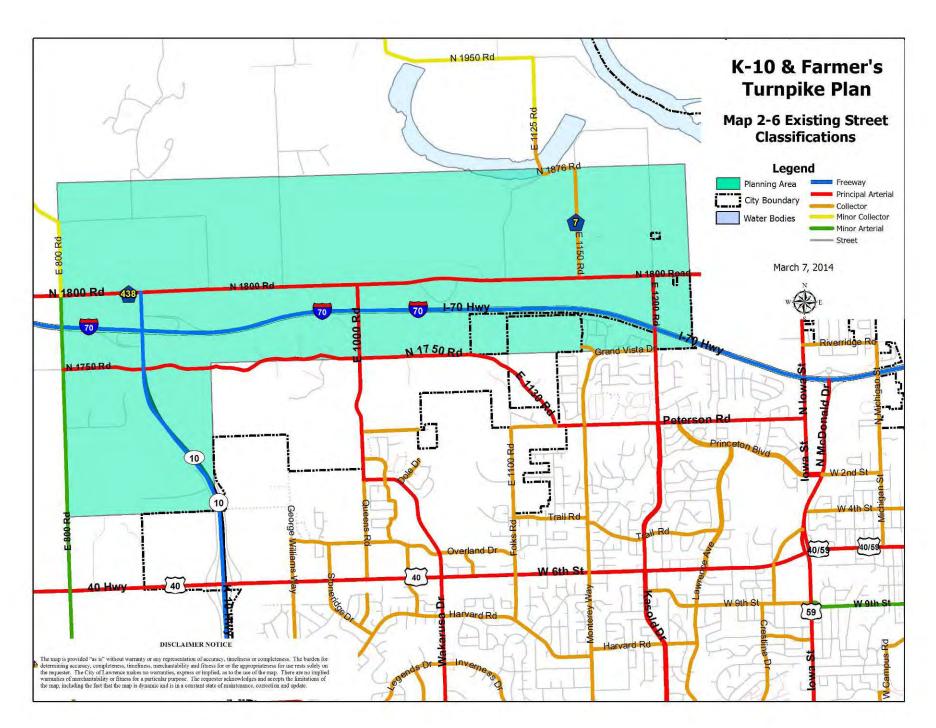
Lawrence has a public transportation system (The T) which operates throughout the city. This system allows people to travel to other areas of the city without relying on a personal automobile. There are currently no transit routes that travel into the planning area.

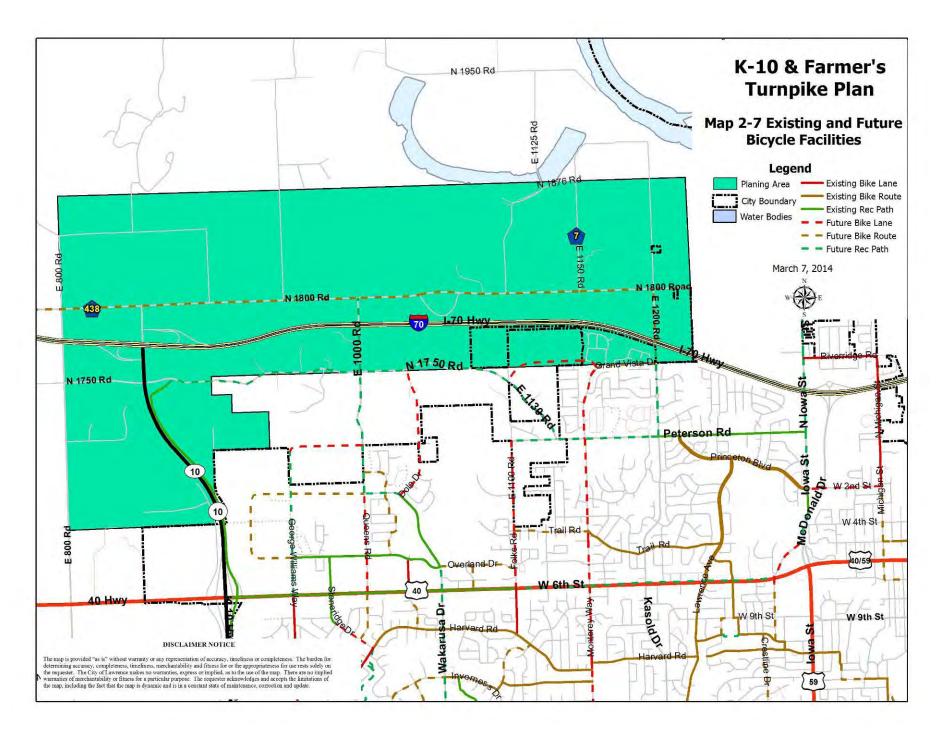
2.3.3.4 Bicycle Facilities

Lawrence and Douglas County have a joint bicycle plan for the community, the *Lawrence-Douglas County Bicycle Plan*. This plan identifies existing and future bicycle routes, lanes, and multi-use paths. A bicycle route is a network of streets to enable direct, convenient and safe access for bicyclists. A bicycle lane is a separate space designated with striping, signage or pavement markings for exclusive use by bicycles within a street. A multi-use path is a separate path adjacent to and independent of the street and is intended solely for non-motorized travel.



Currently, there is only one existing bicycle facility within the planning area. There is an existing multi-use path along the east side of K-10 Highway to E 1130 Road. There is a future bike lane identified to connect E 1100 Road (Folks Road) to Monterey Way by way of Hunters Hill Drive. Existing bike routes are identified along N 1800 Road (Farmer's Turnpike/County Hwy 438 and Lakeview Road) through the planning area and from N 1800 Road (Farmer's Turnpike and Lakeview Road) along E 1200 Road (Kasold Drive) to I-70. Future multi-use paths are identified along E 1130 Road, E 1000 Road (Queens Road) and Kasold Drive from I-70 to the south, out of the planning area. These facilities are shown on Map 2-7.





2.4 Environmental Conditions

The planning area is made up of several drainage basins. The drainage basins drain into the Kansas River or Lake View Lake. There is Federal Emergency Management Agency (FEMA) designated floodplain and floodway located within the planning area. These are areas around Baldwin Creek, Deerfield Creek, Lake View Lake and the Kansas River. See Map 2-8. The floodplain is any land area susceptible to being inundated by flood waters from any source. The floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Developing in the floodplain is allowed both in the city and in the county based on the corresponding regulations. No development is allowed in the floodway except for flood control structures, road improvements, easements and rights-of-way, or structures for bridging the floodway. This helps to protect drainage ways that lead to Lake View Lake and the Kansas River and wetland areas such as Lake View Lake.

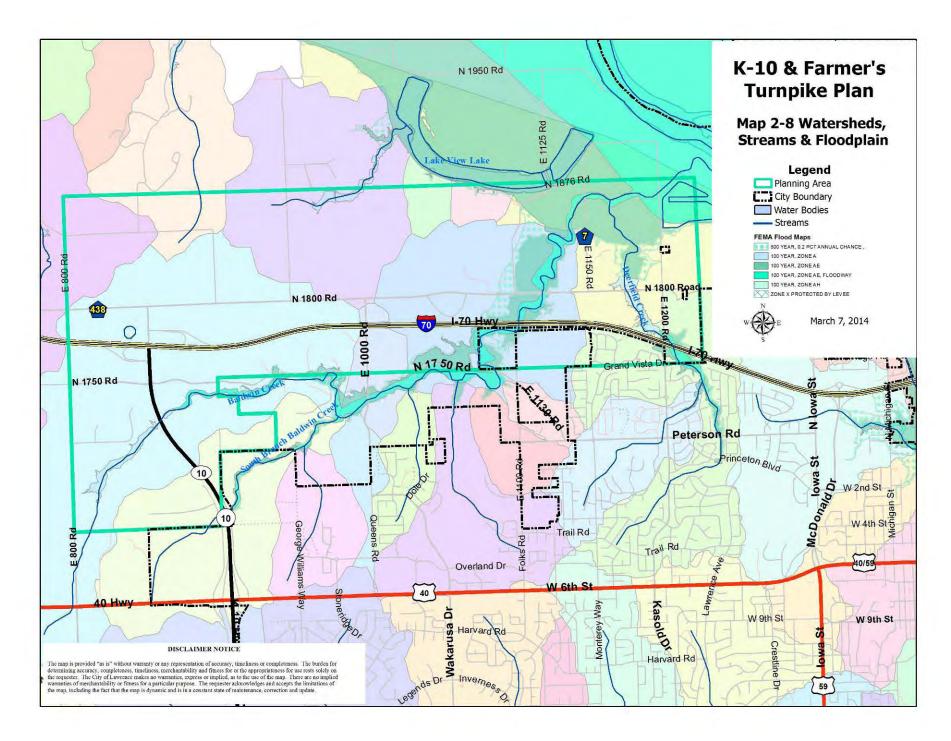
Three significant water features either run through or are in portions of the planning area. Lakeview Lake, a privately owned lake located in the northeast portion of the planning area, is an old oxbow of the Kansas River and one of Kansas's only naturally created lakes. This lake is shallow and contains areas of wetlands. Baldwin Creek and Deerfield Creek are both creeks that drain into the Kansas River and help take stormwater out of the planning area.

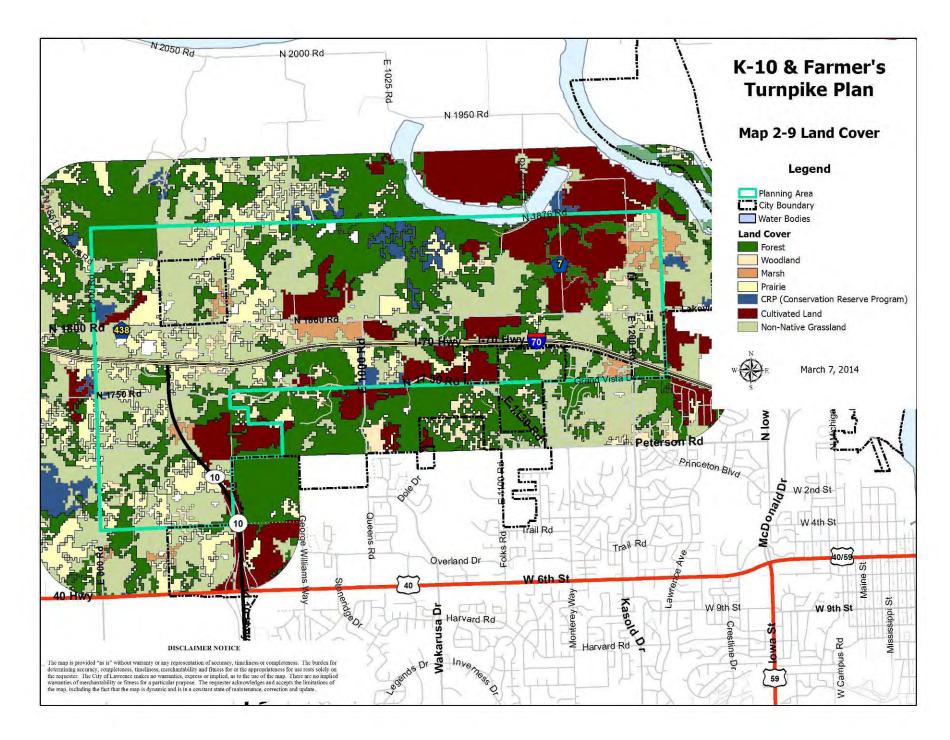
The majority of the undeveloped land within the planning area is either forest land or non-native grass land which is mainly used for cattle grazing. The planning area also contains areas of prairie, cultivated land and areas of land that are a part of the Conservation Reserve Program. See Map 2-9 for a summary and locations.

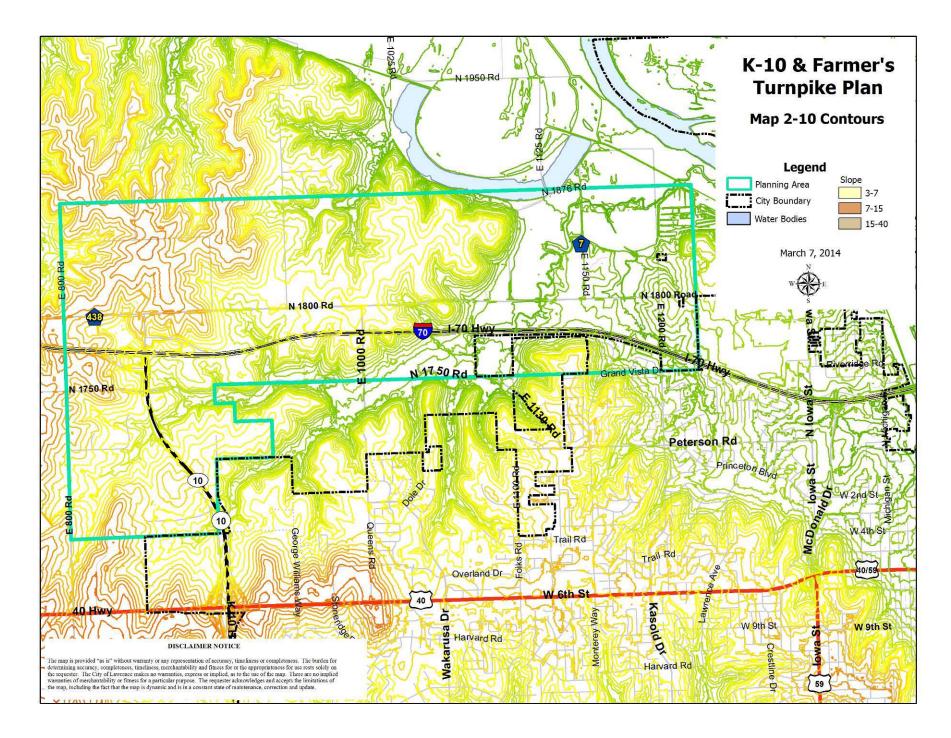


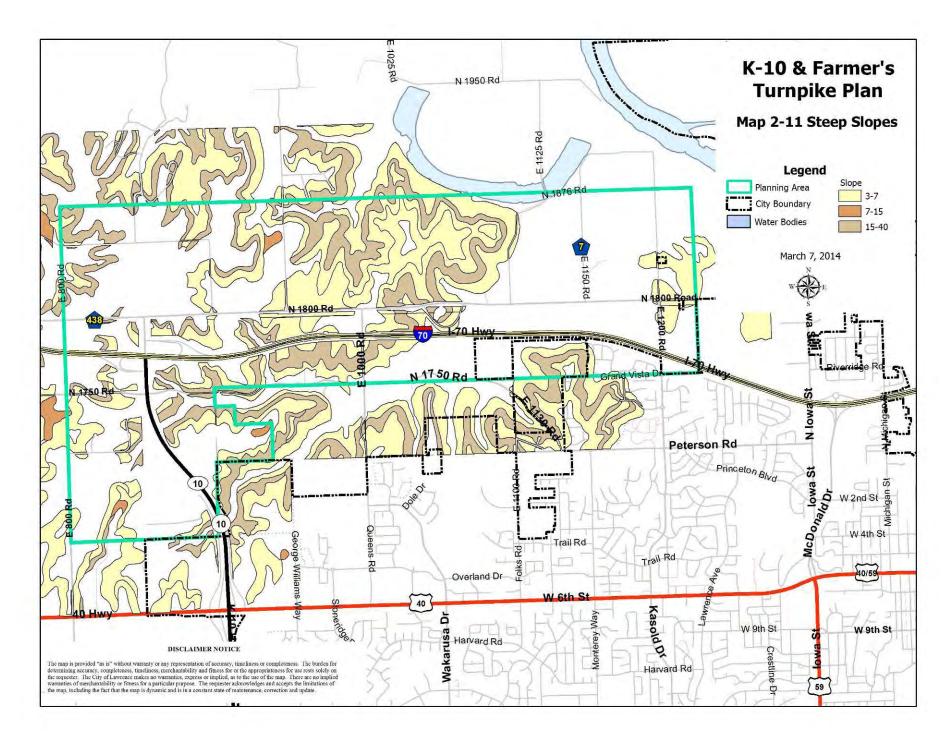
There is a wide range of topography within the planning area. The high points are along the western side of the planning area north of I-70 and in the southwestern portion around K-10 Highway. The low points are along the eastern side of the planning area where Baldwin Creek cuts through the planning area. The northeast corner of the planning area, which is also encumbered by floodplain, is relatively flat. The area in the middle contains the most abrupt grade change which continues with rolling hills to the west. A lack of steep slopes is

considered to be a beneficial factor for urban and industrial/employment center development. See Map 2-10 and Map 2-11. Detailed topographic surveys will be required as individual properties are developed.









2.5 Community Facilities

Community facilities are services provided either by government or non-government agencies for the benefit of, and use of, the community. Most of the community facilities including urban public services, schools, fire/medical, law enforcement, developed parks, etc., are located to the east and south of the planning area within the city of Lawrence. See Map 2-12.



The planning area is located within the Lawrence Public School District (USD 497) and the Perry-Lecompton School District (USD 343). The Lawrence School District covers the southwest portion and the northeast portion of the planning area. The students currently within the Lawrence School District attend either Langston

Hughes Elementary or Deerfield Elementary for elementary school; West Junior High or Central Junior High for junior high; and Free State High for high school. The students currently within the Perry-Lecompton school district attend Lecompton Elementary School, Perry-Lecompton Middle School and Perry-Lecompton High School.

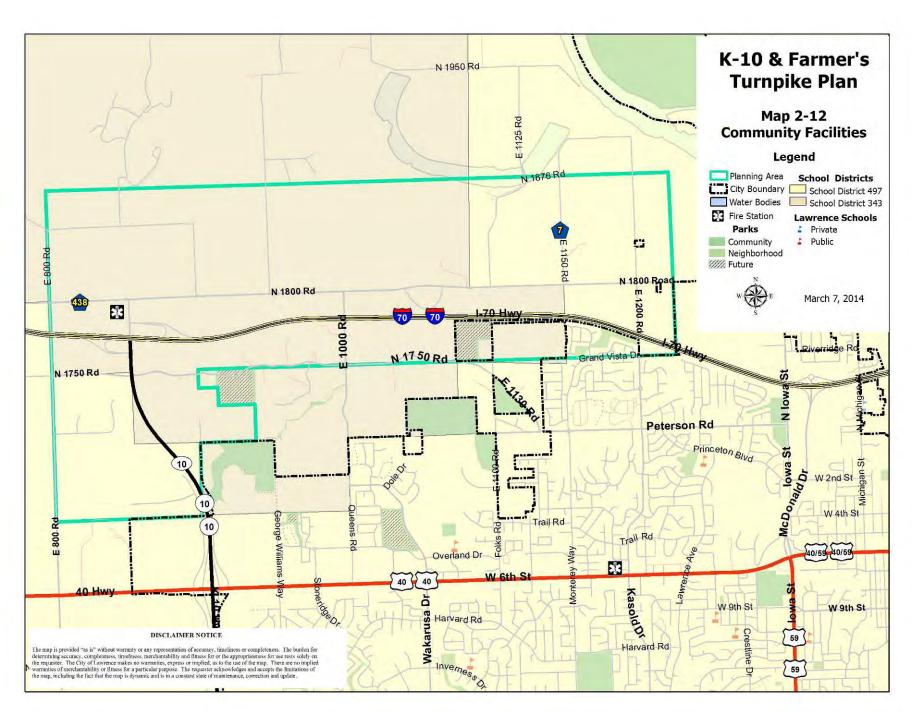
Currently, there are three public or institutional land uses within the planning area. These uses include Stonegate Park, Lecompton Township fire department and Morning Star Christian Church. It is anticipated that additional park areas will be developed within the planning area, as the area urbanizes. There is currently land adjacent to the planning area to the south, along N 1750 Road which is owned by the city. This land is undeveloped and identified as a future park. This park would serve the planning area once developed.

The planning area will be served partially by Lawrence-Douglas County Fire & Medical Station Number 3, an existing facility located on W. 6th Street between Kasold and Monterey Way and partially by township fire departments. The Lecompton Township Fire Department has a station on N 1800 Road, northwest of the I-70/K-10 Highway interchange. A future Fire & Medical station location west of the intersection of K-10 Highway and W. 6th Street is identified for 2009-2010 in the city of Lawrence *2008-2013 Capital Improvement*



Plan. A more in depth study will need to be conducted to ultimately locate the facility and to address emergency response time issues as the city grows and develops to the west.

Law enforcement would be shared between the City of Lawrence Police Department and the Douglas County Sheriff's Department, depending on whether the property is within the city or in the county. Both are located in the Law Enforcement Center in downtown Lawrence.



Section 3 – Recommendations

The K-10 & Farmer's Turnpike planning area is anticipated to develop with a wide range of uses and intensities that extend from very low-density residential to industrial uses. The more intensive industrial and commercial use areas are recommended where they are in close proximity to K-10 Highway, I-70 and Farmer's Turnpike, and arterial and collector streets. Residential uses are generally located in the southern and northern portions of the planning area.

3.1 Goals and Policies

Goals are broad statements of ideal future conditions that are desired by the community. Policies are guiding principles that provide direction for decisions to be made regarding the planning area in order to meet the goals. These policies are in addition to the policies in *Horizon 2020* and are only applicable to the property within the *K-10 & Farmer's Turnpike Plan* planning area.

3.1.1 Goals

- **Goal 1:** Create quality development that will further support the city's efforts to promote additional employment opportunities for economic development and tax base expansion and diversification.
- **Goal 2:** Maintain the rural character in existing areas until the time that municipal services allow urban densities to develop.
- **Goal 3:** Create quality, mixed-use areas that encourage pedestrian friendly, work-live neighborhoods where appropriate.
- **Goal 4:** Develop to urban densities over time while taking care to respect and protect the natural systems currently in place.
- **Goal 5:** Provide ongoing infrastructure and public facilities improvements as the area develops.
- **Goal 6:** Create viable and unique urban residential neighborhoods; develop sound commercial nodes, develop strong park/trail systems that are sustainable and remain viable over the long-term.

3.1.2 Policies

The following policy statements are for the development of the K-10 & Farmer's Turnpike area. "Shall" statements identify the items that are expected to be incorporated into development within the planning area. "Should" and "encouraged" statements identify the items that are strongly recommended to be incorporated into development within the planning area. "Shall" statements are stronger than "should" and "encouraged" statements.

3.1.2.1 General

- 1. Encourage maximum efficiency, low wattage, downward directional exterior lighting. The point source shall be screened from view off-site. Encourage limiting exterior lighting at night.
- 2. Quality, aesthetically pleasing building materials and quality architectural elements should be used.
- 3. Pedestrian friendly connectivity between land uses and properties should be incorporated.
- 4. Sensitive lands, as designated by the *Land Development Code* shall be preserved and protected per those standards identified in the code.
- 5. Landscaping that includes native and drought resistant materials is strongly encouraged to create a rural feel and to conserve water.

3.1.2.2 Residential Land Uses

- 1. Residential uses shall maintain a "back-to-back" relationship to more intense uses. Buffering shall include use of green space as a primary transition tool.
- 2. Residential streets shall be extended to undeveloped property and shall use a grid or modified grid pattern.
- 3. The medium-density residential use is not intended to provide for large-scale apartment type development but instead take the form of small lot, detached, attached, cluster type housing, or small scale multi-dwelling structures, such as two-story, 4-6-plexes containing residential architectural elements.
- 4. Transitioning should be accomplished by buffer yards, landscaping, setbacks and progression of use intensities.
- 5. Cluster development is strongly encouraged where environmentally sensitive areas are present.
- 6. Residential developments are encouraged to create a sense of rural living while achieving the designated density identified on the future land use map.

3.1.2.3 Residential/Office Land Use

- 1. Development shall include a residential use.
- 2. The residential/office use is not intended to provide for large-scale apartment type development.
- 3. Traditional Neighborhood Development (TND)/mixed use is encouraged.

3.1.2.4 Commercial Land Use

- 1. The neighborhood commercial centers shall be designed in accordance with policies and standards of *Horizon 2020*.
- 2. Commercial development shall be designed to facilitate pedestrian and non-motorized access from abutting areas.
- 3. The auto-related commercial center is intended to serve the immediate employment center area and passenger vehicles from I-70. It is not intended to

- serve a significant amount of large truck traffic from the interstate as there are larger service facilities that exist along I-70.
- 4. The auto-related commercial center should include amenities that support tourism. Elements such as way finding signs, informational signs noting the history of the area, and a tourist information booth are strongly encouraged to be incorporated as amenities.
- 5. Transitioning should be accomplished by buffer yards, landscaping, setbacks and progression of use intensities.
- 6. Commercial development is intended to be nodal type development at the identified intersections. Areas identified for office/research uses along the N 1800 Road (Farmer's Turnpike) corridor are intended to support employment center type uses and discourage strip-type commercial development.
- 7. Native and drought resistant landscaping materials are strongly encouraged be utilized to filter drainage and stormwater runoff from large areas of pavement, conserve water, and to create a rural feeling.

3.1.2.5 Industrial/Office/Research Land Uses

- 1. Structures should be aesthetically pleasing from all sides and should incorporate quality building materials and quality architectural elements.
- 2. Transitions between uses should be accomplished by buffer yards, landscaping, setbacks, scale and massing, and transition of uses to include low-intensity industrial uses along the perimeter of the areas identified as industrial or office/research.
- 3. Sites should incorporate a variety of landscaping treatments to alleviate the potential for monotonous perimeter buffering.
- 4. Structures along N 1800 Road (Farmer's Turnpike) should present a front face to N 1800 Road (Farmer's Turnpike) to add to the high quality aesthetics encouraged in the gateway.
- 4.5. Structures with visible façades from K-10/South Lawrence Trafficway shall have high quality architecture to enhance and support in the gateway entries of this plan, as well as adjacent sector and area plans.
- 5.6. Access to major roads from the industrial or office/research development lots shall be limited. However, industrial users on large lots that are significant generators of traffic may directly access arterial roads if the size of the site is such that it allows internal circulation without the necessity of constructing local roads to direct that circulation to the arterial road. Such access shall be based on sound traffic engineering principles and shall be properly controlled with appropriate signalization and turn lanes. Smaller lots shall take access from local roads. Additional local roads that serve the site should be arranged to minimize development lot access to the future major roads.
- 6.7. Commercial uses shall not be permitted along the frontage of N 1800 Road (Farmer's Turnpike) except where commercial centers are identified in this plan. Areas identified for office/research uses along this corridor are intended to support employment center type uses and discourage strip-type commercial development.
- 8. Native and drought resistant landscaping materials are strongly encouraged be utilized to filter drainage and stormwater runoff from large areas of pavement, conserve water, and to create a rural feeling.
- 7.9. Exterior storage, fleet storage, and other similar exposed storage shall not be permitted

3.1.2.6 Public Facility/Open Space/ Floodplain Land Uses

- 1. Smaller parks should be located throughout the planning area as outlined in Chapter 9 of *Horizon 2020*.
- 2. Open space areas should be provided and/or acquired along major thoroughfares and along drainage ways for development of pedestrian and bicycle trails.
- 3. Regional detention should be utilized when possible within each corresponding watershed.
- 4. Streams should follow their natural paths and should not be rerouted or straightened.
- 5. Environmentally sensitive lands should be protected and maintained as natural areas per the *Land Development Code* standards.
- 6. Restrict uses within the regulatory floodplain that are dangerous to health, safety or property in times of flooding or that cause undue increases in flood heights or velocities.
- 7. Additional property should be obtained wherever possible for parks purposes when acquiring property or easements for utility use.

3.1.2.7 Gateways

- 1. The intersection of I-70/K-10 Highway/N 1800 Road (Farmer's Turnpike) shall be identified as a gateway to the city of Lawrence as the area urbanizes.
- 1.2. The intersection of K-10 Highway/6th Street/US-40 shall be identified as a gateway to the city of Lawrence as the area urbanizes.
- 2.3. Development shall enhance the gateway at the intersection of I-70/K-10 Highway/N 1800 Road (Farmer's Turnpike) by creating an aesthetically pleasing corridor.
- 3.4. Gateway treatments shall be a priority in development and redevelopment of the area around the intersection of I-70/K-10 Highway/N 1800 Road (Farmer's Turnpike) and shall reflect the goals and policies stated in *Horizon 2020*.
- 4.5. Aesthetically pleasing landscaped entryways should be required. Both public and private property owners are responsible for achieving and maintaining this aesthetically pleasing landscaping.
- 5.6. Gateway development should include amenities that support tourism. Elements such as way finding signs, informational signs noting the history of the area, and a tourist information booth are strongly encouraged to be incorporated as amenities.

3.1.2.8 Transportation Facilities and Corridors

- 1. Sufficient area, outside of the required street rights-of-way, should be required to provide and shall be restricted in use to provide for: utility, berming, and landscaping needs.
- 2. No additional access to K-10, except as identified in *Transportation 2030*, shall be permitted.
- 3. Street networks should be interconnected through and beyond the planning area wherever possible.
- 4. Truck routes shall not be designated through areas identified for residential land uses and should be limited to N 1800 Road (Farmer's Turnpike), K-10 Highway and I-70 or as otherwise designated by the city.
- 5. Adequate rights-of-way shall be obtained at the time of platting to ensure for sufficient space for roads, utility and landscaping easement needs.
- 6. Topography should be taken into account when comparing different alignments for future roads.

7. Master planning areas identified as industrial and office/research is encouraged to provide an adequate street network that limits the number of access points to N 1800 Road (Farmer's Turnpike).

3.1.2.9 Utilities

- 1. The area north of N 1800 Road (Farmer's Turnpike) has not been evaluated in the currently adopted 2003 Water and Wastewater Master Plans. This area should be evaluated on a watershed basis with the upcoming plan update and an overall service plan developed with project costs for water and sanitary service prior to development requiring urban services.
- 2. Extension of water and sewer infrastructure should be coordinated with ultimate street right-of-way acquisition and construction to avoid reconstructing water and sewer lines as streets are improved to city standards.
- 3. Extension of water and sewer services to the area should follow adopted city policies for such.
- 4. Additional property should be obtained wherever possible for parks purposes when acquiring property or easements for utility use.

3.1.2.10 Traditional Neighborhood Design (TND)

- 1. Development under the *Lawrence SmartCode* is encouraged throughout the planning area wherever industrial or office/research is not designated. TND development can be used upon annexation and through the process outlined in the *Lawrence SmartCode*.
- 2. Development under the *Lawrence SmartCode*, Landowners/developers shall develop their own plans that conform to the *Lawrence SmartCode* in order to develop TND neighborhoods.
- 3. Development shall be developed as either a Cluster Land Development (CLD) or a Traditional Neighborhood Development (TND) community type as outlined in the *Lawrence SmartCode* in a Greenfield development situation. A minimum of 40 acres is required to develop a CLD neighborhood and a minimum of 60 acres is required to develop a new TND neighborhood.
- 4. A range of transects shall be incorporated into a CLD or TND community type.

3.1.2.11 Environmentally Sensitive Lands

- 1. Environmentally sensitive lands shall be protected as outline in the *Land Development Code*.
- 2. Street rights-of-way, public utility corridors and building sites should be located so as to minimize their impact on environmentally sensitive areas.
- 3. Where possible, environmentally sensitive areas to be protected should be located within designated public or private open space, either through dedication, a conservation easement, or control by a homeowner's association.
- 4. If a review indicates that it is not possible or reasonable to protect sensitive features, mitigation should be incorporated.

3.2 Land Use

This section outlines the recommended land uses for the planning area. The future land use maps (Map 3-1) and land use descriptions are explained on the subsequent pages. The map is an illustration to help visually identify the recommended land uses in the K-10 & Farmer's Turnpike planning area. The land use descriptions are more detailed information regarding the different land use categories. The official definitions and the permitted uses within each zoning district are outlined in the use tables that are located in the *Land Development Code* for the City of Lawrence. The map and text descriptions must be used in conjunction with one another in order to obtain the complete recommendation for each particular area. The map is not intended to provide a scaleable map for determining specific land use/zoning boundaries within this area.

3.2.1 Land Use Descriptions

3.2.1.1 Very Low-Density Residential

The intent of the very low-density residential use is to allow for large lot, single-dwelling type uses.

Density: 1 or fewer dwelling units per acre

Intensity: Very low Applicable Area:

- Ranch Estates Subdivision, west of the intersection of N 1663 Road and E 900 Road.
- Oak Ridge Estates, area bounded to the north by I-70, to the south by N 1750 Road, to the west by E 950 Road extended and to the east by E 1000 Road.
- Area fronting N. 1750 Road, bounded by E. 902 Rd. to the east, and K-10 right-of-way on the west.

Zoning Districts: RS40 (Single-Dwelling Residential), PD (Planned Development Overlay)

Primary Uses: Detached dwellings, cluster dwellings, manufactured home residentialdesign, zero lot line dwellings, group home, public and civic uses

3.2.1.2 Low-Density Residential

The intent of the low-density residential use is to allow for single-dwelling, duplex, and attached dwellings but emphasis is placed on residential type uses.

Density: 6 or fewer dwelling units per acre

Intensity: Low Applicable Areas:

- Area bounded by the planning area boundary on the north and west, N 1850 Road and N 1850 Road extended on the south and the FEMA designated floodplain on the east.
- Area generally southeast of the intersection of N 1850 Road and E 800 Road.
- Area bounded by N 1750 Road on the north, the southern boundary of the planning area on the south, E 800 Road on the west and K-10 Highway on the east; excluding Ranch Estates Subdivision.
- Area bounded by N 1850 Road extended on the north, N 1800 Road (Farmer's Turnpike) on the south, E 1000 Road extended on the west and the FEMA designated floodplain to the east; excluding the area bound approximately ¼ mile north of N 1800 Road (Farmer's Turnpike) on the

- north, N 1800 Road (Farmer's Turnpike) on the south, E 1000 Road on the west and approximately ½ mile east of E 1000 Road on the east.
- Area bound by I-70 on the north, N 1750 Road on the south, E 1000 Road on the west and the FEMA designated floodplain west of E 1100 Road on the east.
- Area north of the intersection of N 1800 Road (Farmer's Turnpike) and E
 1150 Road, and bound to the north by the FEMA designated floodplain.
- Area bound by I-70 to the north, N 1750 Road extended on the south, E 1100 Road on the west and the west side of Stonegate III Addition on the east.
- Area generally south of I-70 and east of Kasold Drive.
- Area generally east of E. 902 Road, extending 0.2 miles north, and 0.3 miles east of 1712 E. 902 Rd.

Zoning Districts: RS10 (Single-Dwelling Residential), RS7 (Single-Dwelling Residential), RS5 (Single-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), PD (Planned Development Overlay)

Primary Uses: Detached dwellings, attached dwellings, cluster dwellings, manufactured home residential-design, zero lot line dwellings, duplex, group home, public and civic uses

3.2.1.3 Medium-Density Residential

The intent of the medium-density residential use is to allow for a variety of types of residential options for the area.

Density: 7-15 dwelling units per acre

Intensity: Medium Applicable Areas:

- Area bound by I-70 on the north, N 1750 Road on the south, E 800 Road on the west and K-10 Highway on the east.
- Area bound by I-70 on the north, N 1750 Road on the south, K-10 Highway on the west, and George Williams Way extended on the east.
- Area bound by N 1850 Road extended on the north, approximately 1/4 mile north of N 1800 Road (Farmer's Turnpike) on the south, E 900 Road on the west and E 1000 Road extended on the east.
- Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 1043 Road on the west and the FEMA designated floodplain on the east.
- Area bound by I-70 on the north, Grand Vista Drive on the south, just west of Gunnison Way on the west and Kasold Drive on the east.

Zoning Districts: RS5 (Single-Dwelling Residential), RS3 (Single-Dwelling Residential), RM12 (Multiple-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), RM15 (Multi-Dwelling Residential), PD (Planned Development Overlay)

Primary Uses: Detached dwellings, attached dwellings, cluster dwellings, manufactured home residential-design, zero lot line dwellings, duplex, multi-dwelling structures, boarding houses, group home, civic and public uses

3.2.1.4 High-Density Residential

The intent of the high-density residential use is to allow for compact residential development.

Density: 16+ dwelling units per acre

Intensity: High

Applicable Areas:

Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, and the FEMA designated floodplain on both the west and east.

Zoning Districts: RM12 (Multiple-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), RM15 (Multi-Dwelling Residential), RM24 (Multi-Dwelling Residential), RM32 (Multi-Dwelling Residential), PD (Planned Development Overlay)

Primary Uses: Attached dwellings, zero lot line dwellings, duplex, boarding houses, multi-dwelling structures, group home, civic and public uses

3.2.1.5 Residential/Office

The intent of the residential/office use is to accommodate mixed use development of administrative and professional offices with varying degrees of residential. This may be achieved by the use of work/live units.

Density: 6-22 dwelling units per acre

Intensity: Medium-high

Applicable Areas:

- Area bound by N-1750 Roadmapped floodway on the north, K-10 highway on the west, and E 902 Road on the east, and approximately the future crossing near N. 1700 Rd. to the south.
- Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 1000 Road on the west and E 1043 Road on the east.
- Area bound approximately ¼ mile north of N 1800 Road (Farmer's Turnpike) on the north, N 1800 Road (Farmer's Turnpike) on the south, E 1000 Road on the west and approximately ½ mile east of E 1000 Road on the east.

RSO (Single-Dwelling Residential-Office), RMO (Multi-Dwelling Residential-Office), MU (Mixed Use), PD (Planned Development Overlay)

Primary Uses: Work/live units, non-ground floor dwellings, attached dwellings, multidwelling structures, civic and public uses, veterinary office, administrative and professional offices, financial, insurance and real estate services, personal improvement, health care office, health care clinic, health care center

3.2.1.6 Commercial

The intent of the commercial use is to allow for retail and service uses. Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. An auto-related commercial center provides goods and services aimed toward those traveling by an auto. This commercial center is intended to serve the surrounding employment center area in addition to tourists traveling along I-70 and/or visiting Lecompton and Lawrence tourist attractions. Horizon 2020, Chapter 6 -Commercial Land Use offers more specific language regarding each commercial center. Intensity: Medium-High

Applicable Areas:

- Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 800 Road on the west and E 900 Road on the east. (Auto-Related Commercial Center)
- Area bound by N 1800 Road (Farmer's Turnpike) on the north, FEMA designated floodplain on the south and west and E 1200 Road on the east. (Neighborhood Commercial Center)
- One of the northern corners of the intersection of N 1800 Road (Farmer's Turnpike) and E 1000 Road. (Neighborhood Commercial Center)

- One corner of the intersection of N 1700 Road extended and E 800 Road. (Neighborhood Commercial Center)
- Zoning Districts: MU (Mixed Use), CN1 (Inner Neighborhood Commercial District), CN2 (Neighborhood Commercial Center District), CC200 (Community Commercial District) (auto-related commercial center only), PD (Planned Development Overlay)

Primary Uses: non-ground floor dwellings, civic and public uses, eating and drinking establishments, general office, retail sales and services, hotels, motels, gas and fuel sales, car wash

3.2.1.7 Office/Research

The office/research use is characterized by businesses involved in technology, research and scientific-related activities and/or office, office research activities that are designed in a campus like setting. Light manufacturing and production uses are also acceptable within this use category. Areas identified for office/research uses along N 1800 Road (Farmer's Turnpike) are intended to support employment center type uses and not strip-type commercial development.

Intensity: Medium Applicable Area:

- Area bound by approximately 1/4 mile north of N 1800 Road (Farmer's Turnpike) on the north, N 1800 Road (Farmer's Turnpike) on the south, E 900 Road on the west and E 1000 Road extended on the east.
- Area bound by the FEMA designated floodplain on the north, west and east and N 1800 Road (Farmer's Turnpike) on the south.
- Area bouned by K-10 to the west, E. 902 Rd. to the East, and approximately the future crossing near N. 1700 Rd. to the north

Zoning Districts: IBP (Industrial and Business Park District), IL (Limited Industrial District), PD (Planned Development Overlay)

Primary Uses: Professional offices, research services, manufacturing and production limited and technology, light wholesale, storage and distribution

3.2.1.8 Industrial

The intent of the industrial use is to allow for moderate to high-impact uses including large scale or specialized industrial uses geared toward utilizing K-10 Highway and I-70 for materials transportation.

Intensity: Medium-High

Applicable Area:

- Area generally bound by N 1850 Road on the north, N 1800 Road (Farmer's Turnpike) on the south, E 800 Road on the west and E 950 Road on the east; excluding an area generally southeast of the intersection of N 1850 Road and E 800 Road.
- Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 900 Road extended on the west and E 1000 Road on the east.
- Area bordered by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 1200 Road on the west and the eastern boundary of the planning area on the east.

Zoning Districts: IBP (Industrial and Business Park District) IL (Limited Industrial District), IG (General Industrial District), PD (Planned Development Overlay)

Primary Uses: Utility facilities, building maintenance services, fleet storage, business support services, construction sales and service, industrial facilities,

wholesale, distribution, and storage, research services, manufacturing and production limited and technology

3.2.1.9 Public/Institutional

The intent of the public/institutional use is to allow for public, civic, and utility uses.

Intensity: Variable Applicable Area:

 Area bound by the FEMA designated floodplain on the north and west, N 1750 Road extended on the south and E 1100 Road on the east.

Zoning Districts: GPI (General Public and Institutional)

Primary Uses: Cultural center/library, school, utilities, recreational facilities, utility services

3.2.1.10 Open Space/Floodplain

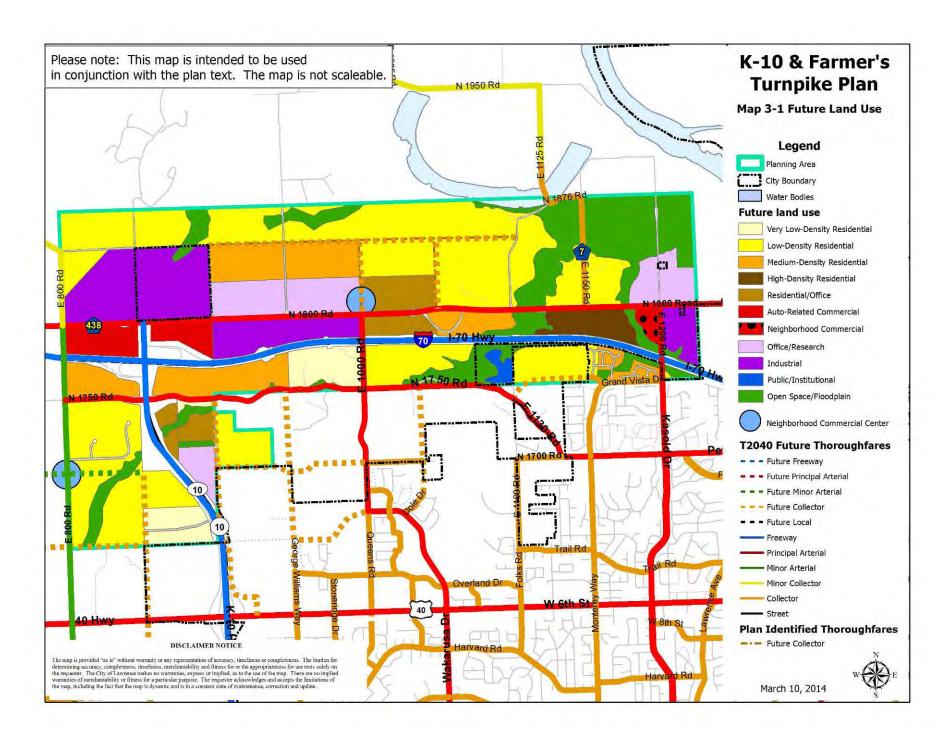
The intent of the open space/floodplain use is to provide space for public recreational facilities and natural area preservation.

Intensity: Low Applicable Areas:

- Regulatory floodplain and floodway.
- Tributaries along the northern area of the planning area.

Zoning Districts: GPI (General Public and Institutional District), OS (Open Space), UR (Urban Reserve),

Primary Uses: crop agricultural, cultural center, schools, active recreation, passive recreation, nature preserve, entertainment and spectator sports, participant sports and recreation outdoor, private recreation



3.3 Implementation

- Amend Horizon 2020 Chapter 6 Commercial Land Use to add a Neighborhood Commercial Center at the southwest corner of the intersection of N 1800 Road (Farmer's Turnpike) and E 1200 Road.
- 2. Amend *Horizon 2020* Chapter 6 Commercial Land Use relocate the Neighborhood Commercial Center at the intersection of N 1750 Road and E 1000 Road to the northern portion of the intersection of N 1800 Road (Farmer's Turnpike) and E 1000 Road.
- 3. Update *Horizon 2020*, Chapter 7 Industrial Land Use to reflect industrial land use locations as identified in this plan.
- 4. Reevaluate and update the Urban Growth Area (UGA) in Horizon 2020.
- 5. Adopt industrial design guidelines for industrially zoned areas to provide high quality, aesthetically pleasing industrial development.
- 6. Include the planning area in the future wastewater and water master plan updates.
- 7. Amend plan identified future streets into the future thoroughfares map in *Transportation 2030*.
- 8. Include the planning area in future long-range transportation plan updates.

Industrial and Employment-Related Land Use

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CHAPTER SEVEN INDUSTRIAL AND EMPLOYMENT-RELATED LAND USE

Over time, the City of Lawrence and portions of unincorporated Douglas County have experienced business and industrial development and growth. In recent years, this growth and development has taken the form of new industrial and business development, as well as expansion of existing industries and businesses. As Douglas County continues to grow, and with more residents expected to commute outside of the community for employment, there is a recognized need that more industrial and business development is necessary to provide local job opportunities. Of particular interest to the community is the attraction of industries and employment-related uses that are based in biosciences, agriculture and natural resources, technology, and telecommunications.

Both Douglas County and the City of Lawrence consider a healthy natural environment, a diversified economy, and a fiscally stable government as being interdependent and further recognize that new industrial and employment-related land uses contribute to the local tax base and the creation of a full-service community where residents can live and work. Douglas County and the City of Lawrence are in the unique position of being able to fulfill this vision by tying into the needs and services related to the various University of Kansas research programs and technological developments. It is also recognized that growth in the greater Kansas City and Topeka metropolitan areas indicate the potential for substantial new future job opportunities and industrial development within Douglas County.

The ECO² Commission presented their report to both the City and County Commissions in 2007 that develops a long term plan of a public/private partnership for the advancement of industrial/business parks and open space preservation in Douglas County. This Comprehensive Plan, in conjunction with the ECO² report, provides a methodology to weigh specific criteria to identify and recommend a number of new business and industrial development locations in the City of Lawrence and unincorporated Douglas County.

While industrial land uses and employment-related land uses share some similar characteristics, such as the need for large areas of land and the ability to provide employment opportunities, they also each have distinct characteristics, such as locational requirements within the community in terms of compatibility with other land uses, as well as co-locational criteria with the specific types of services/industries provided. For this reason, this chapter has been divided into two sections. The first section deals with industrial land uses and the second section deals with employment-related land uses.

STRATEGIES: INDUSTRIAL AND EMPLOYMENT-RELATED LAND USE

The principal strategies for the identification, development, and maintenance of industrial and employment-related areas are:

 Increase the number and diversity of jobs available to the citizens of Douglas County to stabilize the future employment base and generate additional wealth in the community.

- Identify an adequate amount of available land in a number of locations in Douglas County to meet diverse industrial and business related development needs.
- Increase community involvement in economic development activities, by partnering with the local business community and area educational institutions to bring new technology and investment to the region for the purpose of meeting the economic development job growth goal of securing twenty thousand new jobs in Douglas County by 2020.
- Protect, enhance, and retain existing industrial-related land use areas serving the community.
- Continue to address the needs of existing businesses and industries to ensure their retention in the community and to help facilitate expansion plans of those businesses and industries for the future.
- Encourage site availability, site improvements, and community amenities which best respond to the market demands for industrial and business development while maintaining the community objectives for the type and quality of such development.
- Encourage bicycle, pedestrian and public transit access from neighborhoods to industrial and business employment centers.
- Minimize impacts to the natural environment in the identification of new industrial and business development areas or in the redevelopment of existing areas. Whenever possible, industrial and business development should encourage the retention of open space to serve a variety of purposes, including stormwater management, preservation of wildlife habitat and ecological functions, recreational opportunities, and reduction of visual impacts on surrounding areas.
- As new areas evolve, encourage development proposals to employ sound site planning and design principles. Interfacings with surrounding properties and neighborhoods are also encouraged to minimize negative impacts and employ appropriate and compatible industrial and business activities.

1. INDUSTRIAL LAND USE

INDUSTRIAL LAND USE CATEGORIES

Industrial development in Douglas County has taken on many shapes and forms in the past. This Comprehensive Plan recognizes this variety in development and establishes the following categories of industrial-related land use:

■ Warehouse and Distribution - an area generally characterized by businesses involved in the warehousing and distribution of wholesale goods and supplies.

- Industrial an area generally characterized by business activities that include manufacturing, assembly, processing, and similar operations.
- Work-live Campus-type Center an area that is a campus-like setting with a mix of uses that are compatible which may include industrial, business, retail commercial and residential developments. These areas will be held to a higher standard of design that accents and complements the natural environment and provides a comfortable environment for a live-work relationship where pedestrian activity is planned for and encouraged.
- Industrial/Business/Research Park an area generally characterized by a predominance of office, office research, warehouse and distribution, and/or industrial business activities that typically encompass a large area of land and are designed in a "campus" setting.

LAWRENCE - EXISTING INDUSTRIAL AREAS

The City of Lawrence has several major industrial areas providing employment opportunities to the community. These larger areas include: 1) Santa Fe Industrial Area; 2) East Hills Business Park; 3) Santa Fe Railroad corridor; 4) Union Pacific Railroad corridor; 5) Lawrence Municipal Airport; and 6) Southeast Industrial Area. A description and plan recommendations for these areas are discussed below. In addition to these primary industrial areas, the City of Lawrence also has a number of smaller industrial locations throughout the city. While not specifically addressed in this section, these smaller industrial areas play an important role in the overall industrial and business development composition of the community as a whole. Refer to Map 7-1, Map of Existing Industrial and Employment-Related Land Uses.

Santa Fe Industrial Area

The Santa Fe Industrial Area, located north of the Kansas Turnpike/I-70 and south of the Kansas River in north central Lawrence, has developed as a large warehouse and distribution location. This Comprehensive Plan recommends an expanded role for this area in the future. The *K-10 & Farmer's Turnpike Plan* identifies 130 acres of industrial and office/research uses along the western side of this area. It is also recommended that as additional industrial-related uses develop, impacts on nearby residential development along Riverridge Road will need to be minimized. Additionally, street improvements may be needed and land use transition areas are recommended to protect residential uses in the area.

• East Hills Business Park

East Hills Business Park is located on the eastern edge of Lawrence on the north side of Kansas Highway 10. Planned and developed in the late 1980s and early 1990s, this is one of the community's first true industrial park developments. As this area reaches capacity, the closure of the Farmland Industries site (immediately to the west) makes expansion of East Hills Business Park a possibility and should be closely examined for such a purpose. East Hills Business Park serves as the eastern gateway to the community and the City should continue to examine future development plans for this area to ensure they reflect the image and quality the community seeks in gateway development.

• Burroughs Creek Corridor

The Burroughs Creek Corridor (the former Santa Fe Railroad Corridor) stretches from East 31st Street to the Kansas River in East Lawrence and includes a south and north segment. Parts of the corridor area offer smaller land parcels and provides opportunities for small business owners to coexist with neighboring residential uses. Future development of this area should be in accordance with the Burroughs Creek Corridor Plan.

• Union Pacific Railroad Corridor

The Union Pacific Railroad Corridor serves North Lawrence and has historically been the site of a variety of industrial uses. Industrial development patterns along the corridor are somewhat fragmented with interspersed residential and commercial land uses. Many industrially zoned sites have been developed with residential structures or represent vacant lots originally divided for residential purposes. This corridor may also offer opportunities for small business owners to establish smaller industrial operations within the community.

New development and redevelopment in the area should be encouraged to improve the appearance and image of the area. In general, Locust Street, Maple Street, and Lincoln Street west of North 7th Street should continue to serve as industrial collector streets in the neighborhood. Efforts to discourage non-residential traffic in other parts of the neighborhood are highly encouraged. It is also recommended that consolidation of industrial sites occur whenever possible to remove those residential and incompatible commercial uses located within predominantly industrial development land use patterns in a concentrated effort to minimize those impacts and conflicts between incompatible land uses. When the industrial usage of a particular property ceases and is no longer practical, it is recommended those properties be converted to residential and/or neighborhood commercial uses.

LAWRENCE - NEW INDUSTRIAL AREAS

This chapter sets out goals and policies to guide present and future industrial and employment development within Douglas County. A key part of the chapter is deciding where Industrial and Employment related development should be located. To assist in the identification of general locations throughout the City of Lawrence, its Urban Growth Area, and unincorporated Douglas County appropriate for industrial and employment park development, there are some basic locational criteria characteristics that should be considered. The following criteria strike a balance between industrial user needs and community interests, as well as being aligned with criteria developed through the ECO² process.

LOCATIONAL CRITERIA FOR INDUSTRIAL DEVELOPMENTS

A given site, whether located within City limits, in the UGA, or in unincorporated areas of Douglas County, should *substantially* meet the following **general** locational criteria:

- have feasible access to Federal and State transportation networks;
- be of adequate parcel size, generally over forty acres;

- lie primarily outside of the regulatory floodplain;
- have minimal average slopes.

After identifying a general location for potential industrial and employment park development, further site analysis and environmental suitability should be conducted considering site-specific criteria. Sites should *substantially* meet the following **specific** criteria on a site plan or development plan level:

- preserve environmentally sensitive areas, including vegetative cover and wildlife habitat, to act as buffers and site amenities;
- encourage natural stormwater management, including locations that permit direct discharge to the floodplain;
- have available and adequate utilities, infrastructure and services (i.e. police and fire protection) for the proposed use;
- be compatible with existing and future zoning/land use patterns, including the use of appropriate buffers between land uses;
- be annexed before development if adjacent to municipal boundaries.

Initial applications for site considerations should first be weighted against the general locational criteria, and then against the specific criteria as individual proposals move through the development process. A non-exclusive list of sites that substantially meet the general criteria are illustrated in Map 7-2, Map of Potential Locations for Future Industrial and Employment Related Land Use, and are detailed in descriptions below. Locations initiated through the planning process that are not on Map 7-2 will be weighted against the general locational criteria above.

INDIVIDUAL SITE ANALYSIS:

• Farmland Industries

Transportation: State Highway and Rail access

Parcel Size: 275+ acres

Floodplain: None

Slope: Mostly minimal (0-3%) with some 3-7% and higher

Generally this area is located north of K-10, west of East Hills Business Park, south of N 1500 Road, and west of E 1575 Road. While the entire site contains roughly 400+ acres, the proposed Farmland Industries Redevelopment Plan, currently working through the approval process, identifies approximately 275 acres of land for industrial uses. The site has access to K-10 Highway, as well as possible future connections to East Hills Business Park. In addition the site has direct access to rail lines that exist on the north end of the property. The site lies outside of the 100-year floodplain and is generally covered by minimal (0-3%) slopes, with a few areas having 3-7% and higher slopes. Portions of the site pose some challenges related to environmental clean-up from the prior use that needs to be addressed before re-development, but would be a good site for Warehouse and Distribution, Office Research and Industrial uses, especially when combined in a collaborative park setting.

Southeast Area

Transportation: State Highway access

Parcel Size: 200+ acres (with an additional 30 identified for Warehouse)

Floodplain: None Slope: Minimal (0-3%)

The Southeast Industrial Area is located on the south side of East 23rd Street/Kansas Highway 10, south of East Hills Business Park. This area consists of general industrial land uses and it is anticipated this area will experience increased industrial development as noted in the Southeast Area Plan. That plan recommends less intense Industrial uses, such as Warehouse and Distribution and Office Research for approximately 30 acres south of N 1360 Road between E 1700 Road and E 1750 Road. The plan recommends more intense industrial uses for the roughly 200 acres for the area northwest of the intersection of 25th Terrace and Franklin Road, the area east of Franklin Road, north of E. 25th Street and N. 1360 Road, west of E. 1750 Road (Noria Road), and south of E. 23rd Street/K-10 Highway and the area north and south of Franklin Park Circle. Like East Hills Business Park, the Southeast Industrial Area will serve as the eastern gateway to the community. This site has access to Kansas Highway 10 and lies outside of the 100-year floodplain. The area is generally covered by minimal (0-3%) slopes.

• <u>Airport</u>

Transportation: Federal Interstate, State Highway, Air access

Parcel Size: 230+ acres

Floodplain: Approximately 10% of those 230 acres

Slope: Minimal; 0-3%

The Lawrence Municipal Airport, located in North Lawrence along US-24/40/59, is a newly developing industrial area of the community. Aviation enterprises are present and there is the potential for additional aviation and related enterprises. Currently, the airport is an island surrounded by some county industrial land use, but mostly agricultural land uses. As development continues to occur in neighboring Leavenworth County, the US-24/40/59 corridor will become a major thoroughfare. As the City begins initiating long-range planning activities for improved municipal services to and stormwater management within this area, development pressures will increase for this area. It is recommended by this Comprehensive Plan that annexation be a part of any industrial development proposed for this area. As this area evolves into a community gateway, development proposals are also encouraged to employ sound site planning and design principles to make this area an attractive one. Interfacings with surrounding properties and neighborhoods are also encouraged to minimize negative impacts and employ appropriate and compatible industrial and business activities.

The area around the Lawrence Municipal Airport best suited for industrial development generally lies southwest of the airport and North of I-70 and encompasses roughly 230 acres. This site has access to I-70, Highways 24 and 40, and the Lawrence Municipal Airport. The majority of the site lies outside of the regulatory floodplain; however, this site has unique challenges related to stormwater management that would need to be addressed during the development process. Slopes in this area are minimal (0-3%).

• <u>I-70 and K-10</u>

Transportation: Federal Interstate and State Highway access

Parcel Size: 540-565 acres, with possibility of more

Floodplain: None Slope: Mainly 0-3%

The I-70 and K-10 area lies generally north of N 1800 Road (Farmer's Turnpike) near the intersection of Kansas Highway 10 and I-70. The proposed area contains roughly 540-565 acres of industrial and office/research uses as identified in the *K-10 & Farmer's Turnpike Plan*. The area contains land of minimal slope (0-3%) and also lies outside of the 100-year floodplain. This area substantially meets the general locational criteria and will be an important future economic development area for the Lawrence community because of its prime location near the I-70 interchange, which also acts as the primary access point for the City of Lecompton. It may be possible to develop the site to a limited extent prior to the availability of urban services; however, intense development should wait until such time that the land is annexed and urban services are able to be provided. Over time, as this area develops, it will serve as a gateway to the City of Lawrence and would best be suited for Warehouse and Distribution uses, Industrial uses, Worklive Campus type centers and Industrial/Business/Research parks.

• <u>K-10 and Highway 40</u>

Transportation: State Highways (access to Federal Interstate within 2 miles)

Parcel Size: 300 Acres (split north and south of Highway 40)

Floodplain: None

Slope: Mainly 0-3%, with some 3-7%

This area generally lies to the west of K-10 Highway on both the north and south sides of Highway 40 and is detailed in the West 6th Street/K-10 Nodal Plan. The area contains approximately 300 acres and lies outside of the 100-year floodplain. The area is located adjacent to both Highway 40 and K-10 Highway, as well as being in close proximity to I-70. The site has mostly minimal slopes (0-3%) with some 3-7% slopes. Over time, as this area develops, it will serve as a gateway to the City of Lawrence and would be best suited for Warehouse and Distribution uses, Industrial uses, Work-live Campus type centers and Industrial/Business/Research parks.

Eudora North & Eudora South

Areas have been generally identified on the east side of Eudora, both north and south of K-10 Highway that would be appropriate for Industrial development. It is recommended that Eudora annex both areas prior to development.

• Baldwin City

The Comprehensive Plan already identifies that a general area to the west of the current Baldwin City limits would be ideal for industrial development at such time that the City of Baldwin is able to provide utilities to the site. Baldwin City is currently in the process of drafting and adopting a comprehensive plan and therefore any decisions regarding specific locations for this site should wait until that process is complete.

• Highway 56 and Highway 59

The Comprehensive Plan identifies that a general area near the proposed intersection of Highways 56 and 59 would be ideal for industrial development in the future. It may be possible to develop the site to a limited extent prior to the availability of urban services; however, intense development should wait until such time that urban services are able to be provided.

Midland Junction

This area generally lies near the intersection of N 2000 Road and Highway 24/59 north of Lawrence. While the area is located within the Urban Growth Area for the City of Lawrence, development is not anticipated for more than 30 years. This area is located in proximity to transportation networks and meets the general location criteria making it ideal for industrial development in the future. Intense development should wait until such time that urban services are able to be provided, and transportation infrastructure is upgraded to ensure safe access.

Highway 56 and K-33

The Comprehensive Plan identifies that a general area near the intersection of Highways 56 and K-33 would be ideal for industrial development in the future due to its proximity to the proposed Gardner Intermodal Facility. It may be possible to develop the site to a limited extent prior to the availability of urban services; however, intense development should wait until such time that urban services are able to be provided.

The preservation of high-quality agricultural land, which has been recognized as a finite resource that is important to the regional economy, is of important value to the community. High-quality agricultural land is generally defined as available land that has good soil quality and produces high yields of crops. Within Douglas County these are *capability class* (non-irrigated) I and II, as identified by the National Resources Conservation Service.

At least one of the sites identified above (Airport) has some amount of high-quality agricultural land. Soil conserving agri-industry businesses that will protect the quality of existing high-quality agricultural land either through agricultural use or preservation for future agricultural use should be encouraged to locate in these areas. Future Industrial and Employment land use sites not included on Map 7-2, Potential Locations for Future Industrial and Employment Related Development, should balance the agricultural significance on the site against the need for industrial and employment related development."

2. EMPLOYMENT-RELATED LAND USE

EMPLOYMENT-RELATED LAND USE CATEGORIES

Employment-related and business park development in Douglas County has taken on many shapes and forms in the past. This Comprehensive Plan recognizes this variety in development and establishes the following categories of employment-related land use:

- Office an area generally characterized by a predominance of professional offices and service uses that are typically located in commercial areas.
- Office Research an area generally characterized by businesses involved in technology, research, and scientific-related activities, although it may also include traditional light industrial uses, such as manufacturing or assembly.
- Work-live Campus-type Center an area that is a campus-like setting with a mix of uses that are compatible which may include industrial, business, retail commercial and residential developments. These areas will be held to a higher standard of design that accents and complements the natural environment and provides a comfortable environment for a live-work relationship where pedestrian activity is planned for and encouraged.
- Industrial/Business/Research Park an area generally characterized by a predominance of office, office research, warehouse and distribution, and/or industrial business activities that typically encompass a large area of land and are designed in a "campus" setting.

LAWRENCE - EXISTING EMPLOYMENT-RELATED AREAS

The City of Lawrence has several business areas providing employment opportunities to the community. Three of the larger areas include: 1) the University of Kansas; 2) downtown Lawrence; and 3) Oread West Research Park. A description and plan recommendations for these areas are discussed below. In addition to these primary employment-related areas, the City of Lawrence also has a number of smaller business locations throughout the city. While not specifically addressed in this section, these smaller business centers play an important role in the overall employment and business development composition of the community as a whole. Refer to Map 7-1, Map of Existing Industrial and Employment-Related Land Uses.

The University of Kansas

The University of Kansas, with its main campus on the east side and its west campus on the west side of US-59/Iowa Street, serves as a major employment center for the City of Lawrence and Douglas County. As the university continues to grow and expand its research and technological abilities, opportunities for new and expanded related industrial and business development are a possibility and highly encouraged.

Downtown Lawrence

Downtown Lawrence encompasses a significant number of non-retail employees and geographically represents a major employment area for the community as well. A substantial number of office and service employees are located in this area. The development of new major office employment centers within the community needs to be evaluated to determine the potential effect on downtown Lawrence. A critical assessment should be made to determine that such proposed development will not have a significant negative impact on the Downtown.

Oread West Research Park

The Oread West Research Park, located at the intersection of Wakarusa Drive and Bob Billings Parkway (formerly West 15th Street) in West Lawrence, is one of the City's newest employment areas offering a high-quality development setting. Although this area has experienced continued development, vacant land still exists and this Comprehensive Plan recommends continued emphasis on office and research use for this area. The location has strong potential for new technology-related industries and should be the focus of an "industrial cluster" as described in the Economic Development element. This park has ties to the University of Kansas and a continued partnership in technological and research-based industrial and business opportunities is encouraged.

LAWRENCE - NEW EMPLOYMENT-RELATED AREAS

This Comprehensive Plan recognizes the need for smaller scale business development opportunities. The following discussion relates to the office and office/research uses of the employment-related land use classifications mentioned earlier.

Office

New office uses will generally be restricted to existing areas of the city, or new areas that are appropriately identified on future land use maps. Future office uses should only locate in new industrial areas in partnership with office research areas, so that office uses independent of industrial uses do not take up valuable industrial land.

It is desirable that a mix of uses be established for these areas in a planned and unified manner. Like other locations visible from major street corridors, development of these areas should express a high quality living and working environment. Consideration of good site planning and design principles that minimize unnecessary impacts to surrounding neighborhoods and promote compatible land use activities and appropriate neighborhood connections and interfacings are encouraged for any development proposed for this area.

Office Research

Office research uses have been recommended as an appropriate land use activity at gateways into the community. Developments occurring at gateways to the community are required to be of high-quality design and visual character utilizing best management practices for site planning and design. Such developments are intended to promote an integrated and contextual design approach that minimizes unnecessary impacts, such as noise, odor, glare, or other similar intrusions to the community and surrounding neighborhoods.

For information related to Work-Live Campus-type Centers and Industrial/Business/Research Park refer to the text in Section 1 - Industrial Land Use for recommendations relating to this type of land use.

INDUSTRIAL AND EMPLOYMENT-RELATED LAND USE GOALS AND POLICIES

Guidelines and incentives are needed to allow for the retention and expansion of development in established industrial and employment-related areas of the City of Lawrence and unincorporated Douglas County.

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

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

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

- a. Work with the Lawrence Chamber of Commerce to actively market undeveloped sites in a manner which will stabilize long-term development patterns.
- b. Encourage parcel consolidation to provide infill sites for redevelopment and expansion opportunities.
- c. Provide incentives for expansion of existing facilities and redevelopment of vacant facilities and/or land.

Policy 1.2: Ensure Compatibility of Development

- a. Establish design guidelines and standards for redevelopment of existing sites and facilities to ensure high quality development.
- b. Encourage best management practices for site planning and design that include, but are not limited to, building placement and orientation, vehicular and pedestrian circulation patterns, open space, landscaping, lighting, stormwater management, and interfacings with adjacent neighborhoods and development, and appropriate accommodation of the design to the site's natural features.
- c. Encourage building design techniques that include, but are not limited to, the consideration of facade and exterior wall articulation, materials and colors, rooflines, entryways, signage, and energy and resource conservation.

Policy 1.3: Concentrate Industrial and Employment-Related Development

- a. Maintain an appropriate supply of industrially zoned land so that site choices are available and infrastructure expansion can occur in an efficient and orderly manner.
- b. Services to existing industrial and employment-related areas should be improved and upgraded as required to support redevelopment opportunities. Overall

stormwater management, vehicular and pedestrian access, water and wastewater abilities, and site maintenance should be undertaken where necessary. Encourage partnerships for redevelopment and improvements.

Policy 1.4: Provide Opportunities for Limited Industrial and Employment-Related Development in the Unincorporated Areas of Douglas County

Encourage redevelopment and limited expansion of existing industrial and employment-related areas where specific criteria (p. 7-5) can be met.

Guidelines are needed to provide direction on how much, where and at what scale industrial and employment-related development is appropriate for the market it is intended to serve.

GOAL 2: Criteria for Location of New Industrial and Employment-Related Development

Provide industrial and employment-related areas to meet the economic needs of the community.

Policy 2.1: Utilize Locational Criteria for All Industrial and Employment-Related Development

- 1. A given site, whether located within City limits, in the UGA, or in unincorporated areas of Douglas County, should *substantially* meet the following **general** locational criteria:
 - a. have feasible access to Federal and State transportation networks;
 - b. be of adequate parcel size, generally over forty acres;
 - c. lie primarily outside of the regulatory floodplain;
 - d. have minimal average slopes.
- 2. After identifying a general location for potential industrial and employment park development, further site analysis and environmental suitability should be conducted considering site-specific criteria. Sites should *substantially* meet the following specific criteria on a site plan or development plan level:
 - a. preserve environmentally sensitive areas, including vegetative cover and wildlife habitat, to act as buffers and site amenities;
 - b. encourage natural stormwater management, including locations that permit direct discharge to the floodplain;
 - c. have available and adequate utilities, infrastructure and services for the proposed use;
 - d. be compatible with existing and future zoning/land use patterns, including the use of appropriate buffers between land uses;
 - e. be annexed before development if adjacent to municipal boundaries.
 - f. utilize the following general locational criteria in reviewing industrial and employment-related development request.

Policy 2.2: Review Public Incentive Requests for Compliance with City Adopted Policies

Review public incentive requests to ensure compliance with city adopted policies.

Policy 2.3: Adhere to Designated Land Uses

a. Locate the development of planned industrial, office research and warehouse distribution facilities in accordance with the general locational criteria listed on p. 7-5. Additionally, sites that meet those criteria are identified on Map 7-2. Require annexation of sites that are adjacent to the City of Lawrence limits.

- b. Designate new industrial, office research and warehouse distribution areas to support job creation. Ensure that new industrial, office research and warehouse distribution developments are concentrated in areas with similar compatible uses.
- c. Large-scale industrial and employment-related development should be located in planned parks to help ensure coordination of circulation systems, lot configuration, site layout [building, parking and access facilities], and environmental amenities.

Policy 2.4: Maintain an Inventory of Industrial and Employment-Related Land Uses and Develop a Method to Monitor Related Growth

- a. Maintain a methodology for site selection that takes into consideration industrial user's needs and the best interests of the community.
- b. Identify and plan for an appropriate supply of industrially zoned land.
- c. Develop a technique to monitor the aggregate size of industrial and employment-related developments within the community.

Policy 2.5: Ensure Compatibility of Development

- a. Establish design guidelines and standards for new industrial and employment-related development.
- b. Encourage best management practices for site planning and design that include, but are not limited to, the consideration of natural site features, building placement and orientation, vehicular and pedestrian circulation patterns, open space, landscaping, lighting, stormwater management, and interfacings with adjacent neighborhoods and development.
- c. Encourage building design techniques that include, but are not limited to, the consideration of facade and exterior wall articulation, materials and colors, rooflines, entryways, signage, and energy and resource conservation.
- d. Major entrances into industrial and business parks should be identified by attractive "gateway" features. Gateways should include special signage, landscaping and accent lighting, and/or a common sculptural feature and should be located outside the public street rights-of-way.
- e. Access to individual building sites within industrial and business parks should be from an internal circulation system. Site access from peripheral arterial and collector streets should be limited to major entrances serving the overall development area. However, industrial users on large lots that are significant generators of traffic may directly access arterial roads if the size of the site is such that it allows internal circulation without the necessity of constructing local roads to direct that circulation to the arterial road. Such access shall be based on sound traffic engineering principles and shall be properly controlled with appropriate signalization and turn lanes. Industrial and employment-related

traffic and related conditions should not adversely affect other nearby land use areas.

Guidelines are needed to allow for compatible transition from industrial and employment-related development to other less intensive land uses. This framework is needed both in existing areas and new development areas.

GOAL 3: Compatible Transition from Industrial and Employment-Related Development to Less Intensive Uses

Ensure a compatible transition between industrial and employment-related developments and less intensive land uses.

Policy 3.1: Use Appropriate Transitional Methods

- a. Encourage industrial, office research and warehouse distribution facilities to have a positive impact on neighboring land uses through the use of natural area separations, broad landscaped yards or other means of buffering.
- b. New industrial, office research and warehouse distribution facilities should be designed and developed so that offices, showrooms, and similar uses occupy high-visibility locations around park peripheries.
- c. Less compatible development should be located to the interior of industrial and employment-related development sites or adjacent to arterial streets rather than adjacent or in close proximity to residential neighborhoods or incompatible commercial uses. A use may be considered less compatible because of height, massing, parking, and light, noise, traffic generation or hours of operation.
- d. Compatible transition and appropriate interfacings from industrial and employment-related development to less intensive land uses should consider:

1. Site Orientation

- a. Site design should be oriented toward major streets.
- b. Site access should be from collector or access/frontage streets to arterials. However, industrial users on large lots that are significant generators of traffic may directly access arterial roads if the size of the site is such that it allows internal circulation without the necessity of constructing local roads to direct that circulation to the arterial road. Such access shall be based on sound traffic engineering principles and shall be properly controlled with appropriate signalization and turn lanes.
- c. Streets which are designed with elements to provide visual or physical buffering may be used as boundaries between industrial

- and employment-related development and commercial or higher-density residential land uses.
- d. Encourage the consolidation of access and driveways serving two or more uses within the industrial/business park development.

2. Building Relationships

- a. A back-to-back relationship is preferable between industrialrelated and residential uses, and may require substantial screening to provide compatibility. A front-to-front relationship is encouraged for all non-residential uses.
- b. Industrial and employment-related buildings and parking areas should have greater setbacks than the required setbacks of abutting residential uses.
- c. The height and massing of industrial and employment-related buildings and accessory structures should be oriented away from residential neighborhoods to avoid creating a negative visual effect. Industrial building height and massing should be complementary and reflect the residential architecture and neighborhood character when adjacent to such development.

3. Land Features

- a. Retain mature trees, natural vegetation, natural and environmentally sensitive areas to naturally separate industrial and employment-related developments from residential land uses.
- b. Use existing topography to naturally separate industrial and employment-related developments and other less intensive land uses.

4. Screening and Landscaping

- a. Encourage the creative and extensive use of landscaping and berming techniques for effective buffering between differing intensities of land uses.
- b. Fences shall not be used as a sole method of providing screening and buffering. Where fencing is proposed, additional landscaping may be required to soften the monotonous effect of a fenceline.
- c. Encourage the use of existing vegetation, such as stands of mature trees, and other natural site features into the landscape design as natural buffers or focal points.

- d. Use high quality materials in the construction of screening and landscaping to decrease long-term maintenance costs. Quality of site landscaping shall mirror the quality of the overall development.
- e. Unsightly views and light trespass should be screened from neighboring properties and the public right-of-way. Building materials or structures incompatible with the image of a high-quality development, such as chain-link fences, outdoor storage facilities, etc., should not be the means of screening areas visible from public streets or adjacent parcels.

5. Lighting

Any lighting used to illuminate parking areas, signs or structures shall be placed to deflect light away from any adjoining property or from public streets through fixture type, height and location.

Policy 3.2: Consideration of Transitional Uses

- a. Consider low-intensity commercial or office development as a transition between industrial and employment-related development and low-density residential neighborhoods. The low-intensity commercial or office development should include:
 - 1. Design elements such as: height, massing, and scale compatible with the surrounding low-density residential uses;
 - 2. Site design compatible with surrounding residential neighborhoods with consideration given to extensive screening, building and parking orientation, and preservation of natural site amenities; and
 - 3. Site access provided from arterial, collector or access/frontage streets and traffic directed away from surrounding residential areas.
- b. Encourage the integration of higher-density residential development through compatible design with industrial and employment-related developments and the surrounding low-density residential neighborhoods. Compatible design includes proper building transition and buffers.
- c. Utilize medium- or high-intensity recreational facilities as a transitional use to lesser-intensity uses. Encourage the joint use of parking facilities to serve the recreational uses.
- d. Incorporate open spaces and natural site features as a transitional use between industrial and employment-related development and low-density residential development.

Policy 3.3: Consider Image and Appearance in Site Layout

- a. Establish design guidelines and standards for new industrial and employment-related development.
- b. Encourage best management practices for site planning and design that include, but are not limited to, the consideration of natural site features, building placement and orientation, vehicular and pedestrian circulation patterns, open space, landscaping, lighting, stormwater management, and interfacings with adjacent neighborhoods and development.
- c. Encourage building design techniques that include, but are not limited to, the consideration of facade and exterior wall articulation, materials and colors, rooflines, entryways, signage, and energy and resource conservation.

Traffic impacts continue to be a major concern in industrial and employment-related developments, with much of the concern related to ensuring safe and efficient access and circulation within and around industrial and employment-related areas.

GOAL 4: Transportation Considerations

Promote a multi-modal transportation system which provides or improves access and circulation within and adjacent to industrial and employment-related areas.

Policy 4.1: Level of Service

Permit the expansion of existing or construction of new industrial and employment-related development in areas where the additional traffic generated by such development would result in an acceptable Level of Service.

Policy 4.2: Evaluate Traffic Impacts

An evaluation of the traffic impacts of a development on the surrounding area should consider the existing and projected traffic conditions and their impact on the existing transportation system and should be based on planned improvements which are identified in the Capital Improvement Plan (CIP), the Comprehensive Plan, or the Long-Range Transportation Plan. The Capital Improvement Plan, the Comprehensive Plan, and the Long-Range Transportation Plan shall be updated periodically to recognize changes in priorities and to add new projects with designated priorities.

Policy 4.3: Vehicular Circulation and Access

- a. Require, wherever possible, vehicular circulation within compatible developments that allows internal access to adjacent industrial and employment-related buildings and developments.
- b. Prohibit direct vehicular access from industrial and employment-related developments to local residential streets. Industrial and employment-related traffic through residential areas is strongly discouraged.
- c. Limit the principal access for industrial and employment-related centers to arterial, collector or access/frontage roads. Industrial users on large lots that are significant generators of traffic may directly access arterial roads if the size of the site is such that it allows internal circulation without the necessity of constructing local roads to direct that circulation to the arterial road. Such access shall be based on sound traffic engineering principles and shall be properly controlled with appropriate signalization and turn lanes.
- d. Adequate ingress and egress from industrial and employment-related centers should strive to provide a minimum of two access points.

e. Encourage shared access between adjacent industrial and employment-related developments. Plan for coordinated traffic circulation within and adjacent to proposed development areas.

Policy 4.4: Pedestrian Access and Circulation

- a. Provide sidewalks on both sides of all streets (public and private).
- b. Provide safe, convenient pedestrian access from parking areas and avoid pedestrian and vehicular conflicts within these industrial and employment-related developments.
- c. Include bicycle access, or the potential for such access, within industrial and employment-related developments, between major employment areas within the community, and with the community's overall bicycle network.
- d. Strongly consider public transit facilities and pedestrian-related facilities as a requirement of industrial and business park development.
- e. Encourage public transit.

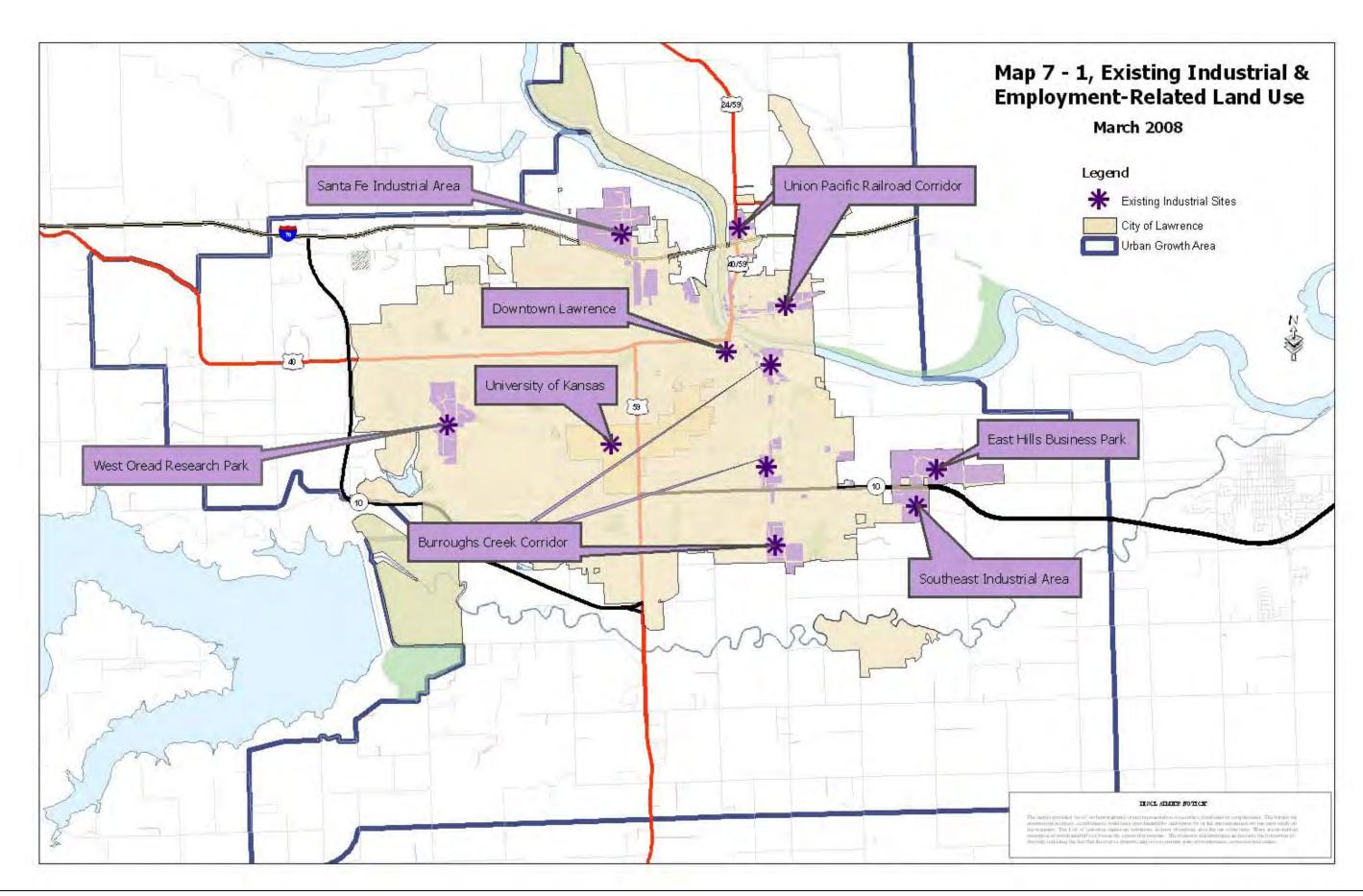
Policy 4.5: Parking and Loading

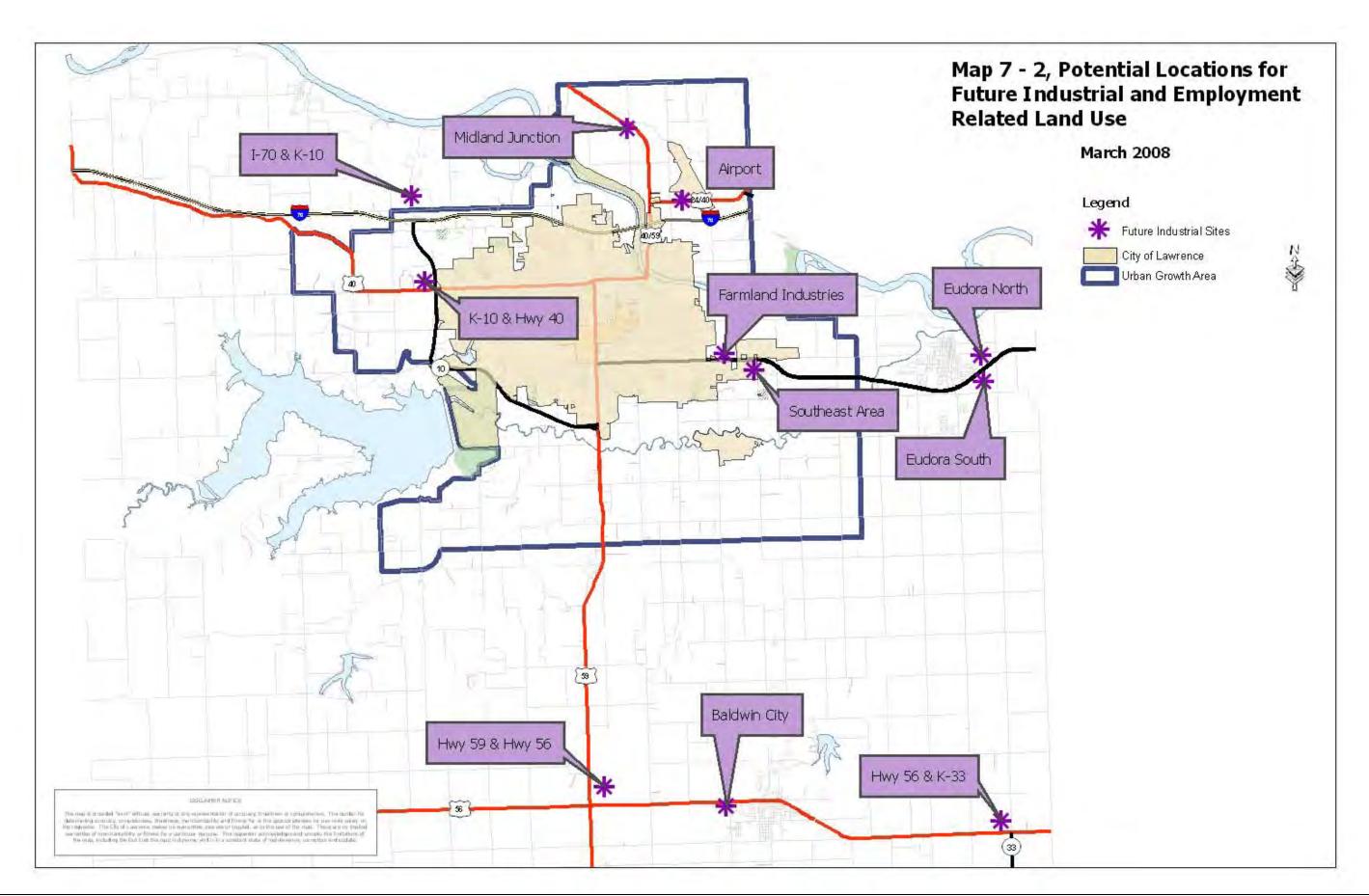
- a. Develop parking areas in convenient locations to support industrial and employment-related traffic.
- b. Identify potential parking areas which will serve mass transit and carpooling.
- c. Ensure adequate loading space, within a building or a side or rear yard, in such a way that all storage, standing and maneuvering of trucks will take place solely on private property and be screened or buffered from adjacent lower-intensity uses.



APPENDICES FOR SUPPLEMENTAL REPORTS

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CHAPTER FOURTEEN – SPECIFIC PLANS

Purpose

Long-range planning in an area specific manner is an important aspect of the overall community planning process. Specific plans provide the focused guidance necessary for proper decision making regarding an area's future. Chapter 14 references adopted specific plans and provides guidance, through the Hierarchy of Plans, for completing the proper type of plan for an area.

The plans referenced below have been adopted through a Comprehensive Plan process, as described on pages 17-8 and 17-9. As such, these plans are considered Comprehensive Plan policy and are an element of *Horizon 2020*. The plans are separate documents from *Horizon 2020* and can be accessed online at http://www.lawrenceplanning.org or copies can be obtained by contacting the Lawrence-Douglas County Planning Department.

Plans prepared for specific areas, whether they are areas within the City of Lawrence or areas within unincorporated Douglas County contain detailed policy guidance for those areas. The plans, when adopted through a Comprehensive Plan process, and referenced in this chapter, become the official Comprehensive Plan policy for the respective areas. The policy contained in the plans take precedence over other policy found in *Horizon 2020*, unless specifically stated otherwise in the Plans.

Plan Review

Plans can eventually lose their relevance to a specific area. Additionally, some plans will require review to confirm if policies are being followed, goals are being met, and implementation is occurring.

Therefore, it is necessary to ensure plans are reviewed on a regular basis to update them or to rotate them out of the Comprehensive Plan if they have lost their relevance. Each plan listed below has a date which will trigger a review of that plan. Planning Staff will review the plan to determine if it meets one of the following criteria and needs the required action:

- 1. Plan remains relevant no action necessary.
- 2. Plan has been superseded by another plan remove from Chapter 14.
- 3. Plan is out of date and no longer relevant remove from Chapter 14.
- 4. Plan requires updating staff will update and forward recommendations for Commission consideration.

Staff will report on the review of a specific plan to the Planning Commission along with a recommendation for action, if necessary. If an update is required, staff will provide the Planning Commission a plan to complete the update. A Comprehensive Plan Amendment will be required to remove a specific plan from Chapter 14 or to update a specific plan.

Specific Plans

• 6th and Wakarusa Area Plan

Location: The intersection of 6th Street and Wakarusa Drive **Adoption Date**: December 2, 2003 by Lawrence City Commission

REVISED

July 10, 2012 by Lawrence City Commission

Review Date: 2017

HOP District Plan

Location: Bordered by W. 5th St. on the north, California St. on the west, W. 7th

St. on the south and Alabama St. on the east.

Adoption Date: May 10, 2005 by Lawrence City Commission

Review Date: 2010

Burroughs Creek Corridor Plan

Location: Area around the former BNSF railroad corridor between E. 9th St. and

E 31st St.

Adoption Date: February 14, 2006 by Lawrence City Commission

Review Date: 2011

East Lawrence Neighborhood Revitalization Plan

Location: Bordered by the Kansas River on the North; Rhode Island Street from the Kansas River to E. 9th Street, New Hampshire Street from E. 9th Street to approximately E. 11th Street, Massachusetts Street from approximately E. 11th Street to E. 15th Street on the west; E. 15th

Street on the south; BNSF railroad on the east.

Adoption Date: November 21, 2000 by Lawrence City Commission

Review Date: 2010

Revised Southern Development Plan

Location: Bounded roughly to the north by W. 31st Street and the properties north of W. 31st Street between Ousdahl Road and Louisiana Street; to the west by E. 1150 Road extended(Kasold Drive); to the south by the north side of the Wakarusa River; and to the east by E. 1500 Road (Haskell Avenue).

Adoption Date: December 18, 2007 by Lawrence City Commission

January 7, 2008 by Douglas County Board of Commissioners

REVISED

June 18, 2013 by Lawrence City Commission

June 12, 2013 by Douglas County Board of Commissioners

Review Date: 2017

Southeast Area Plan

Location: Bounded roughly to the north by E. 23rd Street/K-10 Highway; to the west by O'Connell Road; to the south by the northern boundary of the FEMA designated floodplain for the Wakarusa River; and to the east by E. 1750 Road (Noria Road).

Adoption Date: January 8, 2008 by Lawrence City Commission

January 28, 2008 by the Douglas County Board of

Commissioners

REVISED

June 14, 2008 by Lawrence City Commission

July 24, 2008 by Douglas County Board of Commissioners

REVISED

October 7, 2008 by Lawrence City Commission

November 10, 2008 by Douglas County Board of

Commissioners

UPDATED

September 27, 2011 by Lawrence City Commission

November 11, 2011 by Douglas County Board of

Commissioners

Review Date: 2021

Farmland Industries Redevelopment Plan

Location: The former Farmland Industries property is located east of Lawrence along K-10 Highway and just west of the East Hills Business Park. It

is approximately one half mile south of the Kansas River.

Adoption Date: March 11, 2008 by Lawrence City Commission

March 31, 2008 by Douglas County Board of Commissioners

Review Date: 2013

K-10 & Farmer's Turnpike Plan

Location: Generally located around the intersection of I-70 and K-10 and to the

east approximately four miles.

Adoption Date: December 9, 2008 by Lawrence City Commission

January 7, 2009 by Douglas County Board of Commissioners

<u>REVISED</u>

<Adoption Date by the Lawrence City Commission

<Adoption Date> by the Douglas County Board of

Commissioners

Review Date: 2019

Lawrence SmartCode Infill Plan

Location: General areas are: 19th St. and Haskell Ave., 23rd St. and Louisiana St.

Adoption Date: January 27, 2009 by Lawrence City Commission

February 23, 2009 by Douglas County Board of Commissioners

Review Date: 2019

West of K-10 Plan

Location: Generally located north and south of Highway 40 and west of K-10

Highway. It does contain some land east of K-10 Highway

Adoption Date: June 9, 2009 by Lawrence City Commission

May 6, 2009 by Douglas County Board of Commissioners

REVISED

March 26, 2013 by Lawrence City Commission

April 10, 2013 by Douglas County Board of Commissioners

Review Date: 2019

Oread Neighborhood Plan

Location: Generally located between W. 9th Street and W. 17th Street and

between the KU campus and Massachusetts Street.

Adoption Date: September 28, 2010 by Lawrence City Commission

Review Date: 2020

Inverness Park District Plan

Location: Generally located south of Clinton Parkway between Inverness and

Crossgate Drives, and north of K-10 Highway.

Adoption Date: September 20, 2011 by Lawrence City Commission

November 12, 2011 by Douglas County Board of

Commissioners

REVISED

May 15, 2012 by Lawrence City Commission

June 13, 2012 by Douglas County Board of Commissioners

Review Date: 2021

Northeast Sector Plan

Location: Generally located north and east of Lawrence and north of the Kansas

River to the Douglas County line.

Adoption Date: September 11, 2012 by Lawrence City Commission

June 13, 2012 by Douglas County Board of Commissioners

Review Date: 2022

Hierarchy of Plans

The following Hierarchy of Plans describes the types of plans that can be used for the long-range planning of the community. The Hierarchy also provides guidance as to when it is appropriate to use each type of plan and the typical process used to complete a type of plan. The Hierarchy of Plans was adopted by the Lawrence-Douglas County Planning Commission on June 26, 2006, by the Lawrence City Commission on August 15, 2006, and by the Board of County Commissioners on September 11, 2006. Figure 14-1 provides an abbreviated description of each type of plan.

Comprehensive Plan

A Comprehensive Plan expresses a community's desires about the future image of the community. It provides the foundation and framework for making physical development and policy decisions in the future. The Comprehensive Plan is a policy guide which describes in text and displays in graphics the community's vision for directing future land development. A Plan includes several components:

- It is a policy plan, stating the community's desires for directing land use decisions through the identified goals and policies.
- It provides a physical plan component by mapping generalized land uses and describing in policies the relationships between different land uses.
- It is long-range, considering a community's expected growth in the future. Future land use maps graphically display the potential development of the community.
- It is comprehensive, considering issues such as demographic, economic and transportation factors which have shaped and will continue to influence land development in a community.

How is the comprehensive plan used?

The Comprehensive Plan provides a vision for the community. It is used as a policy guide that identifies the community's goals for directing future land use decisions. The Plan is also used by property owners to identify where and how development should occur; by residents to understand what the city and county anticipates for future land uses within the community; and by the city, county and other public agencies to plan for future improvements to serve the growing population of the community.

Specifically, the city and county use the Comprehensive Plan to evaluate development proposals; to coordinate development at the fringes of the county's cities; to form the foundation for specific area plans; to project future service and facilities needs; and to meet the requirements for federal and state grant programs. The Comprehensive Plan is used most often as a tool to assist the community's decision makers in evaluating the appropriateness of land development proposals. The Comprehensive Plan allows the decision makers to look at the entire community and the effects of land use decisions on the community as a whole to determine whether individual proposals are consistent with the overall goals of the community.

Typical Process

The typical process of a comprehensive plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Watershed or Sub-basin Plan

A watershed or sub-basin plan is a document that studies stormwater runoff and the potential for flooding and environmental impact of a particular watershed or sub-basin, before and after potential development, which drains into a river or other body of water. This plan has boundaries defined by the natural watershed basin or sub-basin of the area. It uses multiple layers of information pertaining to the natural and built environment to develop a comprehensive picture of the carrying capacity of the land for urban densities of development.

This is the second largest and most challenging type of plan to develop. A watershed or sub-basin plan is similar to the development of a comprehensive land use plan in its level and intensity of work. This type of plan could take 24 to 36 months to complete.

When is a watershed or sub-basin plan appropriate?

This type of plan is commonly used to study greenfield, undeveloped, natural, or agriculturally used areas on the fringe of urban development. A watershed or sub-basin plan is used to determine the long-term future (potential) for urban densities of development and their impact on the natural environment.

Purpose or reasons to use a watershed or sub-basin plan are to:

- 1. Provide information regarding the impact of the natural environment on the potential for future development.
- 2. Determine any environmental constraints and hazards for future development.
- 3. Provide a shared vision for area's residents/owners and local government entities.
- 4. Provide information regarding the area's needs, priorities, and proposed projects.
- 5. Provide guidance on matters of land use, development, and site layout to possible area residents or investors.
- 6. Determine if development proposals and land use changes are in accordance with the community's long term vision.
- 7. Provide implementation recommendations for coordination of development with adequate public facility's goals.
- 8. Provide a framework to guide an area's development efforts and track development trends and progress.
- 9. Provide maps showing existing information and proposed information.

Typical Process of a Watershed Plan

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process

Sector Plan

A sector plan covers one or more sections of land and uses geographic and demographic information to develop a detailed land use vision for future development or redevelopment of the study area. Boundaries are generally based on physical features such as arterial thoroughfares, rivers, or other natural geographic elements.

In the hierarchy of plans, a sector or area plan is the third tier. Based on the size of the area being studied, one or more sections of land, it could take between 18 and 24 months to develop.

When is a sector plan appropriate?

This type of plan is used to forecast development trends or future development patterns for building out or redeveloping an area. This planning tool is most useful when an area is largely undeveloped and/or on the edges of current development.

Purpose or reasons to use a sector plan are to:

- 1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
- 2. Provide implementation recommendations for coordination of development with adequate public facility's goals.
- 3. Provide information regarding the area's needs, priorities, and proposed projects.
- 4. Determine if development proposals and land use changes are in accordance with the community's long term vision.
- 5. Provide a shared vision for area's residents/owners and local government entities.
- 6. Provide a framework to guide an area's development efforts and track development trends and progress.

Typical Process

The typical process of a sector plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Neighborhood Plan

A neighborhood plan is a document that studies the issues of a specific, established neighborhood association, or an area that could be covered by a neighborhood association. If a neighborhood association exists, the boundaries of the neighborhood plan shall conform to those of the neighborhood association. If no neighborhood association exists, the boundaries of the neighborhood plan shall be defined using other methods such as natural features and/ or streets. Neighborhood plans use geographic and demographic information to develop a detailed land use vision for the future development or redevelopment of the neighborhood.

A neighborhood plan is the fourth tier in the hierarchy of plans. Depending on the amount of current development, a neighborhood plan could take from 9 to 12 months to develop.

When is a neighborhood plan appropriate?

A neighborhood plan is appropriate when there are traffic issues or significant development, redevelopment, or infill development in a neighborhood.

Purpose or reasons to use a neighborhood plan are to:

- 1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
- 2. Provide implementation recommendations for coordination of development with adequate public facility's goals.
- 3. Provide information regarding the area's needs, priorities, and proposed projects.
- 4. Determine if development proposals and land use changes are in accordance with the community's long term vision.
- 5. Provide a shared vision for area's residents/owners and local government entities.
- 6. Provide a framework to guide an area's development efforts and track development trends and progress.

Typical Process

The typical process of a neighborhood plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Nodal Plan

A nodal plan is a document based on a prescribed radius around the intersection of two or more major thoroughfares. This plan studies specifically defined criteria such as vehicular and pedestrian circulation and connectivity in association with the density and intensity of proposed land uses.

In the hierarchy of plans, a nodal plan is under the category of "special area" plans. This plan's level of study and detail is restricted because the boundaries are restricted. The process could take 6 to 12 months.

When is a nodal plan appropriate?

Examples when this type of plan is useful are:

- The study of major road intersections where large-scale commercial developments are proposed.
- A siting study is requested for a public facility, branch libraries or community building, where the service area radiates outward from the site.

Purpose or reasons to use a nodal plan are to:

- 1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
- 2. Provide implementation recommendations for coordination of development with adequate public facility's goals.
- 3. Provide information regarding the area's needs, priorities, and proposed projects.
- 4. Determine if development proposals and land use changes are in accordance with the community's long term vision.
- 5. Provide a shared vision for area's residents/owners and local government entities.
- 6. Provide a framework to guide an area's development efforts and track development trends and progress.

Typical Process

The typical process of a nodal plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Traffic counts
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Corridor Plan

A corridor plan is a document that studies a linear development, natural or man-made, and the adjacent area bounding this feature. A corridor plan is used to develop an integrated vision that coordinates multiple planning disciplines such as transportation, environmental, and/or land use.

The corridor plan is a type of a "specific issue" plan because it is predominately used to assess transportation and land use planning issues. The timeline of completion of this type of plan varies depending on the length of the corridor and the level of development that have already occurred along the corridor. This process could take 9 to 24 months.

When is a corridor plan appropriate?

Examples when this type of plan is useful are:

- Along major arterial streets
- When studying access management
- When studying riverine, riparian, and wildlife habitat areas
- Along abandoned railroad corridors for rails-to-trails applications

Purpose or reasons to use a corridor plan are to:

- 1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
- 2. Provide implementation recommendations for coordination of development with adequate public facility's goals.
- 3. Provide information regarding the area's needs, priorities, and proposed projects.
- 4. Determine if development proposals and land use changes are in accordance with the community's long term vision.
- 5. Provide a shared vision for area's residents/owners and local government entities.
- 6. Provide a framework to guide an area's development efforts and track development trends and progress.

Typical Process

The typical process of a corridor plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Specific Issue/District Plan

A specific issue or district plan is a document that is developed to address a defined geographic area, development proposal, the coordination of the extension of public services, or infrastructures as part of a unilateral annexation, or land use issue that does not clearly fall in one of the other plan categories.

In the hierarchy of plans, a specific issue/district plan falls under "special area" plans. The level of detail in this plan is concentrated on a specific subject based on the study issues identified. This type of plan could take 6 to 12 months to develop.

When is a specific issue or district plan appropriate? Examples where these types of plan are useful are:

- When the study of a sub-area of a neighborhood is needed to evaluate a rise in housing types [rental housing vs. owner-occupied]
- When there is significant redevelopment in an established neighborhood
- When there is a request for a predominate change in land use
- When a major redevelopment plan is proposed
- When there is a conflict between land use and zoning
- Where there is concern that an area is underserved by parks or other public facilities

Purpose or reasons to use a specific issue or district plan are to:

- 1. Provide guidance on matters of land use, development and site layout to possible area residents or investors.
- 2. Provide implementation recommendations for coordination of development with adequate public facility's goals.
- 3. Provide information regarding the area's needs, priorities, and proposed projects.
- 4. Determine if development proposals and land use changes are in accordance with the community's long term vision.
- 5. Provide a shared vision for area's residents/owners and local government entities.
- 6. Provide a framework to guide an area's development efforts and track development trends and progress.

Typical Process

The typical process of a specific issue/district plan and the plan itself could include any of the following:

- Identify the study area boundary
- Identify key stakeholders
- Public meetings
- Inventory survey and data analysis
- Goals, visions, policies, and objectives
- Plan drafts
- Adoption process
- Maps of existing and proposed land use

Hierarchy of Plans

Comprehensive Plans

- Community Wide Plan
- Purpose: to establish the overriding goals and policies of the community's emissioned future
 - Examples: Horizon 2020, Transportation 2025

Watershed or Sub-basin Plans

- Plans that encompasses an entire viatershed or sub-basin.
- Purpose: to study stormwater runoff and the potential for flooding and environmental impact of a particular watershed or sub-basin, before and after potential development, which drains into a river or other body of water
 - Example: North Lawrence Drainage Study

Sector Plans

- Plans that encompass one or more sections of land
- Purpose: uses geographic and demographic information to develop a detailed land use vision for future development or redevelopment of the study area
 - Examples: Northwest Area Plan, Southern Development Plan

Neighborhood Plans

- Plans that encompass a specific established neighborhood association
- Purpose: to provide history/background, a summary of current conditions, goals, objectives, action plan, and guidelines for use and development on the neighborhood's specific issues
- Examples: Comprehensive Downtown Plan: Great Neighborhood Plan

Special Area Plans

Plans that do not fall into any of the above categories

Nodal Plans

- Plans that encompass prescribed radius around an enterection of two or more major thoroughtlaves
- Purpose to roady current conditions, grant, objectives action paint, pudelines for use and development warraging an intersection.
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Corridor Plans

- Place of a linear nature, often incompaning a segment of roadmay or specific feature a flurgose: to study current
- Purpose: 10 study current conditions and provide goals, abjectives, action-plan, and guildines for use and development.
- Burroughs Const Corridor
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Specific Issue/District Plug

- Rises that deal with a specific
- Purpose: to study-current conditions and provide goals, physicisms for use and guidelines for use and development regarding a specific revise.
- Insuration Area HOP District Pain, Human Dodrey Ban

Memorandum City of Lawrence Planning & Development Services

TO: Planning Commission

FROM: Mary Miller, Planner

CC: Scott McCullough, Planning and Development Services Director

Date: For March 24, 2014 meeting

RE: MISC NO. 1; VARIANCE FOR CERTIFICATE OF SURVEY; 1433 and 1445 N 300 RD/HWY 56(MKM)

CSR-14-00051: Consider a variance associated with a Certificate of Survey for approximately 73 acres located at 1433 and 1445 N 300 Rd/Hwy 56. The variance is requested from Section 20-810(e)(5)(ii) of the Subdivision Regulations [Section 11-110(e)(5)(ii) of the County Code] to allow the creation of Residential Development Parcels on a principal arterial with less than the required right-of-way. Submitted by All Points Surveying LLC, for Martha J. Christie, Michael E. Christie, Chad M. Christie, and Ann M. Christie, property owners of record.

Attachment A: Certificate of Survey, CSR-14-00051

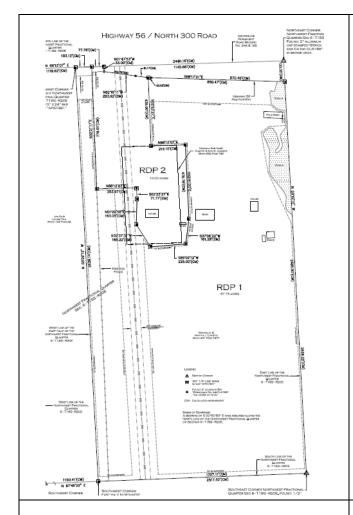
Certificates of Survey are processed administratively but Planning Commission approval is required for variances from the Subdivision Design Standards. The Certificate of Survey referenced above was recently submitted and is currently under review. A copy of the Certificate of Survey is being provided with this memo for context; however, no action is required on the Certificate of Survey.

The Subdivision Regulations state that an applicant may request a variance from the Design Standards in the Regulations in accordance with the variance procedures outlined in Section 11-113(g) [20-813(g)/City Code]. This section lists the criteria that must be met in order for a variance to be approved. The requested variance is evaluated for compliance with the approval criteria below:

VARIANCE REQUESTED: Creation of a Rural Certificate of Survey on a principal arterial with less than the required road right-of-way.

A Rural Certificate of Survey is a residential land division that is permitted in the unincorporated portions of the county that are outside the Urban Growth Areas. A minimum of 20 acres is required for a Certificate of Survey and a maximum of 2 developable parcels (Residential Development Parcels or RDPs) are possible, unless the property is bounded on 2 sides by local roads; in which case 3 RDPs are possible.

CSR-13400051 Variance Memo Page 1



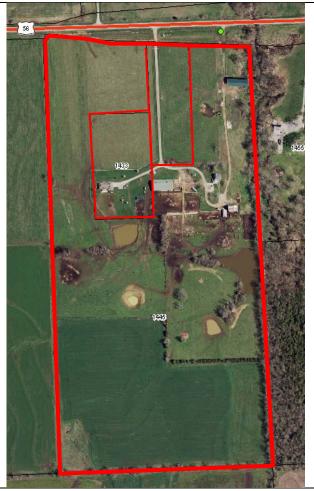


Figure 1a. Layout on submitted Certificate of Survey

Figure 1b. Aerial showing subject property which consists of 3 parcels (one for each house and one for a shared access drive).

This Certificate of Survey will divide approximately 73 acres in one Certificate of Survey to create 2 Residential Development Parcels (RDP) as shown in Figure 1a. Figure 1b shows the current layout of the property with 3 parcels and 2 residences. One residence is located on a landlocked parcel and both residences share a drive. Per County Code, each residentially developed property must have road frontage and must have its own access to the road right-of-way. This Certificate of Survey will reconfigure the parcel lines and result in 2 code compliant parcels.

The Zoning Regulations require that right-of-way or permanent easement for right-of-way be dedicated prior to final approval of a Certificate of Survey. Per Section 11-110(e)(5)(ii), a Principal arterial requires 120 ft of right-of-way, 60 ft on each side of the centerline. The right-of-way in this location exceeds this requirement for much of the road frontage, but the west side of the property contains frontage with right-of-way of only 55 ft and 33 ft. (See Figure 1a) This variance is being requested to allow the Certificate of Survey to be approved without the dedication of additional right-of-way in these locations.

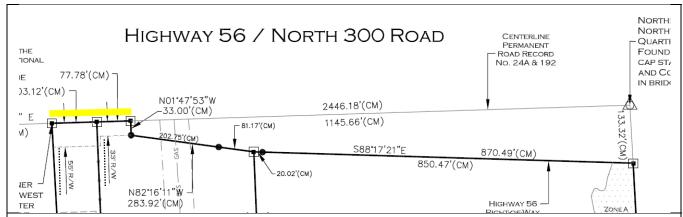


Figure 2. Detail showing N 300 Rd/Hwy 56 right-of-way width along frontage of Original Tract/Parent Parcel. Area marked in yellow, approximately 110 ft has less than the required 60 ft of right-of-way (one-half the required 120 ft).

Criteria 1. Strict application of these regulations will create an unnecessary hardship upon the Subdivider.

Strict application of these regulations would require the dedication of approximately 5 to 27 ft of additional right-of-way for Hwy 56 along the west 110 ft of the road frontage. The subject property contains approximately 73 acres and has adequate area for the dedication of the additional right-of-way; however, KDOT indicated that they would not require additional right-of-way for the highway with this development. The dedication of additional right-of-way would be required when more significant development occurs. As there is no need for the right-of-way at this time, requiring the applicant to dedicate additional right-of-way would be unnecessary.

Staff Finding:

The dedication of additional right-of-way for Hwy 56 would be an unnecessary hardship upon the property owner as KDOT indicated additional right-of-way is not required at this time.

Criteria 2. The proposed variance is in harmony with the intended purpose of these regulations.

Right-of-way dedication is required when properties are subdivided to insure that adequate right-of-way is available for improvements to adjacent roadways. The KDOT representative indicated that additional right-of-way for Hwy 56 is not needed at this time, given that no new development is occurring; however, additional right-of-way would be required if more intense development were proposed. A note should be added to the Certificate of Survey which notes that right-of-way was not required by KDOT at this time, but additional right-of-way must be dedicated when more intense development occurs.

Staff Finding:

The variance will allow the proposed land division to occur without requiring the dedication of additional right-of-way. The Certificate of Survey should note that the dedication of additional right-of-way is not required at this time, but would be required with future, more intense development to insure adequate right-of-way will be available for future improvements.

Criteria 3: The public health, safety, and welfare will be protected.

The right-of-way currently provided for Hwy 56 a principal arterial, ranges from 66 ft to approximately 270 ft adjacent to the subject property. Per the Subdivision Regulations, between 5 and 27 ft of additional right-of-way would be needed from the subject property; however, KDOT indicated they would not require the dedication of additional right-of-way with this land division. Additional right-of-way would be required when more intense development occurs, or would be obtained when needed for future improvements to Hwy 56.

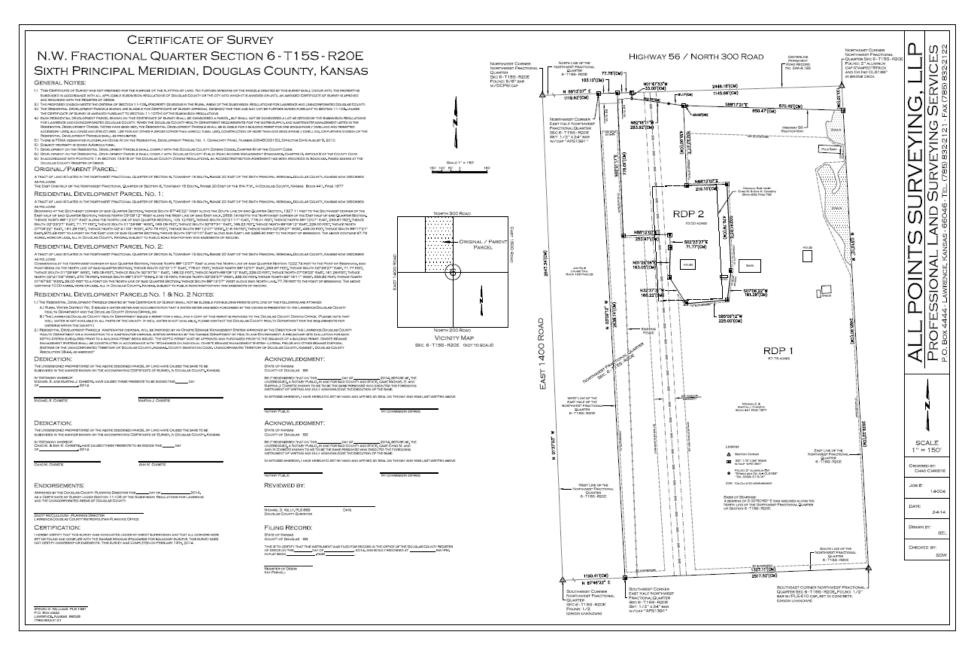
Staff Finding:

Granting of the variance will result in the reconfiguration of parcel lines without increasing the number of residences. While the right-of-way currently provided for Hwy 56 along the west 110 ft of Hwy 56 is not compliant with the Subdivision Regulations for a road classified as a 'principle arterial'; given the fact that no new development is being proposed and KDOT's acceptance of the existing right-of-way width, Staff supports the requested variance. The County Engineer deferred to KDOT in this case.

STAFF RECOMMENDATION:

Approve the variance requested from Section 20-810(e)(5)(ii) of the Subdivision Regulations [Section 11-110(e)(5)(ii) of the County Code] to allow a land division through Certificate of Survey CSR-14-00051 to create 2 RDPs without the dedication of additional right-of-way where the property is adjacent to Hwy 56 subject to the following condition:

- 1. The following notes shall be added to the Certificate of Survey:
 - a. "The Planning Commission approved a variance from Section 20-810(e)(5)(ii) to allow the land division to occur without the dedication of additional right-of-way where the property is adjacent to Hwy 56"
 - b. "KDOT did not require the dedication of additional right-of-way with this land division, but indicated that additional right-of-way would be required when more intense development were proposed."



Memorandum City of Lawrence Planning & Development Services

TO: Planning Commission

FROM: Mary Miller, Planner

CC: Scott McCullough, Planning and Development Services Director

Date: For March 24, 2014 meeting

RE: Misc Item No. 2: Certificate of Survey Variance for Property at, and

adjacent to, 1619 E 1818 Road.

Consider a variance associated with Certificate of Survey, CSU-13-00432, requested from Section 20-810(e)(5)(ii) of the Subdivision Regulations [Section 11-110(e)(5)(ii) of the County Code] to allow the creation of Residential Development Parcels on a principal arterial with less than the required right-of-way. Submitted by Berniece

Garber for Doug Garber Const. Inc, property owner of record.

Attachment A: Certificate of Survey, CSU-13-00432

Certificates of Survey are processed administratively but Planning Commission approval is required for variances from the Subdivision Design Standards. The Certificate of Survey was recently submitted and is currently under review. A copy of the Certificate of Survey is being provided with this memo for context; however, no action is required on the Certificate of Survey.

The Subdivision Regulations state that an applicant may request a variance from the Design Standards in the Regulations in accordance with the variance procedures outlined in Section 11-113(g) [20-813(g)/City Code]. This section lists the criteria that must be met in order for a variance to be approved. The requested variance is evaluated for compliance with the approval criteria below.

VARIANCE REQUESTED: Creation of a Rural Certificate of Survey on a principal arterial with less than the required road right-of-way.

A Cluster Development Certificate of Survey is a residential land division that is permitted the Urban Growth Area. within The development must be clustered on the property, with a maximum of 60% of the property being divided. This Certificate of Survey will divide approximately 26 acres to create four Residential Development Parcels with approximately 3 acres each with 10 acres set aside for future development.

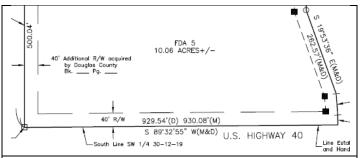


Figure 1. Detail of Certificate of Survey showing available right-of-way.

The Subdivision Regulations require that right-of-way or permanent easement for right-of-way be dedicated prior to final approval of a Certificate of Survey. Per Section 11-110(e)(5)(ii), a principal arterial requires 120 ft of right-of-way, 60 ft on each side of the centerline. KDOT indicated that the 40 ft of right-of-way currently available on the subject property's side of the centerline (80 ft total) was adequate and they would not be requiring additional right-of-way. (See Figure 1) This variance is being requested to allow the Certificate of Survey to be approved without the dedication of additional right-of-way for Hwy 40.

Criteria 1. Strict application of these regulations will create an unnecessary hardship upon the Subdivider.

Strict application of these regulations would require the dedication of approximately 20 ft of additional right-of-way for Hwy 40 along the south border of the property. The subject property contains approximately 22 acres and has adequate area for the dedication of the additional right-of-way; however, KDOT indicated that they would not request additional right-of-way for the highway with this development. The dedication of additional right-of-way would be required when more significant development occurs. As there is no need for the right-of-way at this time, requiring the applicant to dedicate additional right-of-way would be unnecessary.

Staff Finding:

The dedication of additional right-of-way for Hwy 40 would be an unnecessary hardship upon the property owner as KDOT indicated additional right-of-way is not required at this time.

Criteria 2. The proposed variance is in harmony with the intended purpose of these regulations.

Right-of-way dedication is required when properties are subdivided to insure that adequate right-of-way is available for improvements to adjacent roadways. The KDOT representative indicated that additional right-of-way for Hwy 40 is not needed at this time; however, additional right-of-way would be required if more intense development were proposed.

Staff Finding:

The variance will allow the proposed land division to occur without requiring the dedication of additional right-of-way. The Certificate of Survey should note that the dedication of additional right-of-way is not required at this time, but would be required with future, more intense development to insure adequate right-of-way will be available for future improvements.

Criteria 3: The public health, safety, and welfare will be protected.

80 ft of right-of-way is currently provided for Hwy 40 throughout this area. Per the Subdivision Regulations, 20 ft of additional right-of-way would be needed from the subject property; however, KDOT indicated they would not require the dedication of additional right-of-way with this land division. Additional right-of-way would be required when more intense development occurs, or would be obtained when needed for future improvements to Hwy 40.

Staff Finding:

Granting of the variance will result in the creation of 4 Residential Development Parcels. One RDP contains a residence, so 3 new residences would be possible. While the right-of-way currently provided for Hwy 40 is not compliant with the Subdivision Regulations for a road classified as a 'principle arterial'; given KDOT's acceptance of the existing right-of-way width, Staff supports the requested variance. The County Engineer deferred to KDOT in this case.

STAFF RECOMMENDATION:

Approve the variance requested from Section 20-810(e)(5)(ii) of the Subdivision Regulations [Section 11-110(e)(5)(ii) of the County Code] to allow a land division through Certificate of Survey CSU-13-00432 to create 4 RDPs without the dedication of additional right-of-way where the property is adjacent to Hwy 40 subject to the following condition:

- 1. The following notes shall be added to the Certificate of Survey:
 - a. "The Planning Commission approved a variance from Section 20-810(e)(5)(ii) to allow the land division to occur without the dedication of additional right-of-way where the property is adjacent to Hwy 40"
 - b. "KDOT did not require the dedication of additional right-of-way with this land division, but indicated that additional right-of-way would be required when more intense development is proposed."

