

prototypes of avant-garde staff reports to open our eyes to other ways of thinking. We created avant-garde staff reports in the form of long and short videos, a game board, newsletters, a collage, and a mobile.

The Integrated Arts Research Initiative (IARI) fellowship is in preparation for my sabbatical in the spring of 2019. With the avant-garde staff reports from the IARI, I am creating more practical staff reports and

I am testing them with planning commission focus groups. The first focus group was with the Mainland and Islands planning commissions in Glynn County, Georgia in August of 2018. My second is with the BCDC in November of 2018. In early 2019, I will conduct more focus groups with other commissions recruiting them from each region: northeast, southeast, middle of the country, northwest, and southwest. The focus groups will evaluate formats, writing of staff reports, and rethink staff reports in hopes of improving their readability, effectiveness, and usefulness.

BCDC – Nov. 15th Session – What to expect?

I am wanting your opinions about what makes for a “good” staff report. However you define that. I will be collecting your thoughts at the BCDC session on Nov. 15th. I hope the overview of staff reports and the more avant-garde staff reports you will see in an introductory video and in the link provided below will spark your suggestions and perhaps some unexpected ideas. The link below asks you to do some homework before the Nov. 15th session. The directions are as follows: *(Hint: if you do nothing else, read the presentation notes from #1, watch a little of the video staff report from #6C, and look at the revamped BCDC staff report under #8.)*

1st – Watch video of staff report overview (or read presentation notes) – video is 36 minutes on YouTube

2nd – Take a look at a typical staff report from Lawrence, KS

3rd – Look at Avant-garde staff report based on the Lawrence, KS example which is a game board

4th and 5th - Try out the same Lawrence, KS case but these two staff reports have a bit more style

6thA - an Avant-garde staff report that is minimalist

6thB – an Avant-garde staff report as a newsletter

6thC – the same Lawrence, KS staff report as a video staff report (there is a long version and short version)

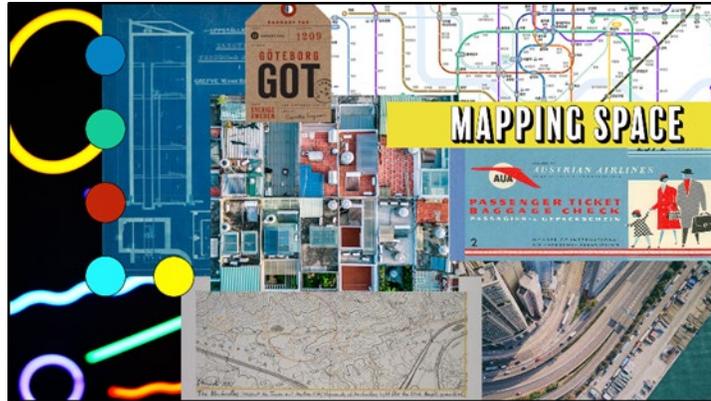


Figure 3- Mood Board - Staff Report as Ticket to the Future

7th – an Avant-garde staff report as a collage

8th – a redone BCDC staff report based on the “Mission Rock” case inspired by the collage in #7

Here is a link to the resources 1 – 8:

https://kansas-my.sharepoint.com/:f/g/personal/bojojohm_home_ku_edu/ErQ8pBez3PIInVSFeTvX-uYBxIuKsD8KiEGUcRN27QVHGQ?e=78vdkj

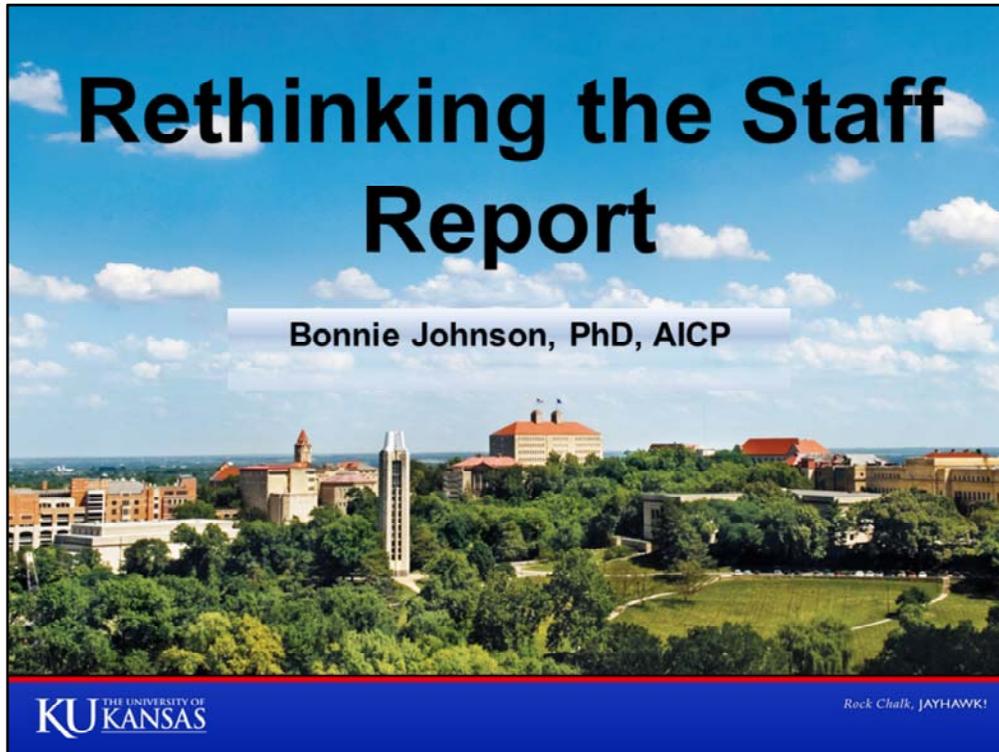
You will see in the online packet of information a “consent form” and a form for “notes”. The Consent Form is to give me permission to conduct a focus group of your Commission and collect your thoughts. We will have forms for you to sign at the meeting. The form describes the research and tells you who to contact if I do not perform the research in an ethical manner. The other form for “notes” is just that, for you to take notes as you look over the items in 1 – 8.

At the meeting, I will give a brief overview and then I will ask you the following questions:

- What do you like or appreciate about staff reports today?
- Do you have any worries or concerns about staff reports today?
- New information – Is there anything about staff reports today that you think people do not know but should know?
- How do you use staff reports in your decision-making? Could that change if staff reports changed? How or now not?
- Of the various staff reports you saw in the materials given before the meeting, what parts did you like? Not like?
- Did the avant-garde staff reports (mobile, game board, minimal, newsletter, video, collage) spark any new ideas or unexpected ideas for improving staff reports? Any suggestions for some other avant-garde staff reports?
- How should staff reports be made available? Paper? Podcast? Video? Online? Poster? Other ways?
- Is there anything I have not asked about but you would like to share about staff reports?
- What are you hopes and wishes for staff reports?

We will get everyone’s thoughts on the questions, I and staff will take notes, and we will try to reinvent “the staff report”.

Thank you for your assistance in this project, which could improve the work of commissions across the country.



You can watch the presentation here if you want. It is 36 minutes long.

<https://youtu.be/gswQszJE2BU>

There is a clickable link in the "Watch_Presentation_36_minutes.pdf".



Hello, thank you for tuning in via video or reading this presentation. I'm hoping you will come along with me and accept the challenge of rethinking staff reports. First off, I'm Bonnie Johnson, AICP, PhD and here I am talking at a meeting of my neighborhood organization. I've read staff reports as the chair of my neighborhood organization. I've written staff reports in my 8 years as a city planner for the cities of Liberty, MO and Amarillo, TX and Johnson County, KS. Once, I wrote 15 staff reports in one month when I worked for the City of Liberty. As an urban planning professor at the University of Kansas, I teach planning students how to write staff reports. I have also read and used staff reports to make decisions as a member of the Lawrence/Douglas County, KS Metropolitan Planning Commission. It was as a planning commissioner that I really started to rethink the staff report, or, at least, to wonder if there was a better way. I would dutifully read my packet each month, drive by the properties, and to my disappointment, I would still be confused as to what to do. I thought, "Here I am, a professional planner, and I'm struggling to know what's best. What about others who don't have a master's degree in urban planning and years of experience? What must they be going through when they read these reports?" So – I started to do some research and to figure out if there was some way to get out of this rut of the same old (ineffective) staff report. After some initial research, I realized I needed some other people to go on this journey with me and that's where planning commission members like you come in. I hope this presentation will get you thinking about staff reports in new ways, dare I even say in "avant-garde" ways and that you'll bring your thoughts with you when we meet at our study session.

Your packet

- Consent form – bring it to our meeting
- Notes page – to take notes!
- Read/watch 1st - Presentation (this - you can watch the video or read the presentation)
- Read 2nd - City of Lawrence, KS standard staff report
- Read/do 3rd – Avant-garde game board staff report/exercise – give this exercise a try and bring it to our meeting
- Read 4th – Taylor’s staff report
- Read 5th – Caitlin’s staff report
- Read 6th – Avant-garde staff reports: Minimal, Newsletter, Video

You will get a packet to read before coming to our study session. Your study session will be where I will gather your feedback on your thoughts about staff reports and how you would change or create more innovative staff reports. In the packet will be a consent form that you can sign (and thus consent to being part of my staff report research) or not sign and just bring your input, and be assured that I will not use your feedback in my research. You can watch a video of this presentation or read it. As you read/watch this presentation, note any of the staff report variations that you like or any ideas that you have which are sparked by the presentation and by your own experience. Bring your notes to our meeting. After this I'd like for you to read a standard staff report from the City of Lawrence, KS. I use it because it is pretty indicative of what you see in staff reports and I then want you to see the same staff report presented differently and see what you think. Next is an "avant-garde" staff report based on the Lawrence case presented as a game board exercise that I'd like for you to try out – bring this exercise to the meeting and we will compare and discuss. Next, I'd like for you to read or take a look at two staff reports written by my students where they take the Lawrence staff report and try to reformat it. Lastly, are three more avant-garde staff reports, some based on cases you might be familiar with and one based on the Lawrence case.

Staff Reports

These are the reports a professional planner prepares that digest a particular development proposal or permit request; assess site conditions; relate the proposal to the comprehensive plan, subplans, and functional plans; and make a recommendation, all against the backdrop of local government policies and development code criteria.

(Meck and Morris, 2004)

Before I go too much further on our journey, I'll define "staff report". Here's one from the literature.

Planning Office of the Future 5 Big Ideas

- Think big (create, educate)
- Exercise leadership (address emerging trends)
- Change culture (innovate, become entrepreneurial)
- Implement big ideas
- Advance equity (speak up for equity and fairness)

I started searching for new ways of thinking by looking at a recent report put out by the American Planning Association on “The Planning Office of the Future.” Here are their recommendations.

The Planning Office of the Future Report

- They mention staff reports . . .

The Planning Office of the Future

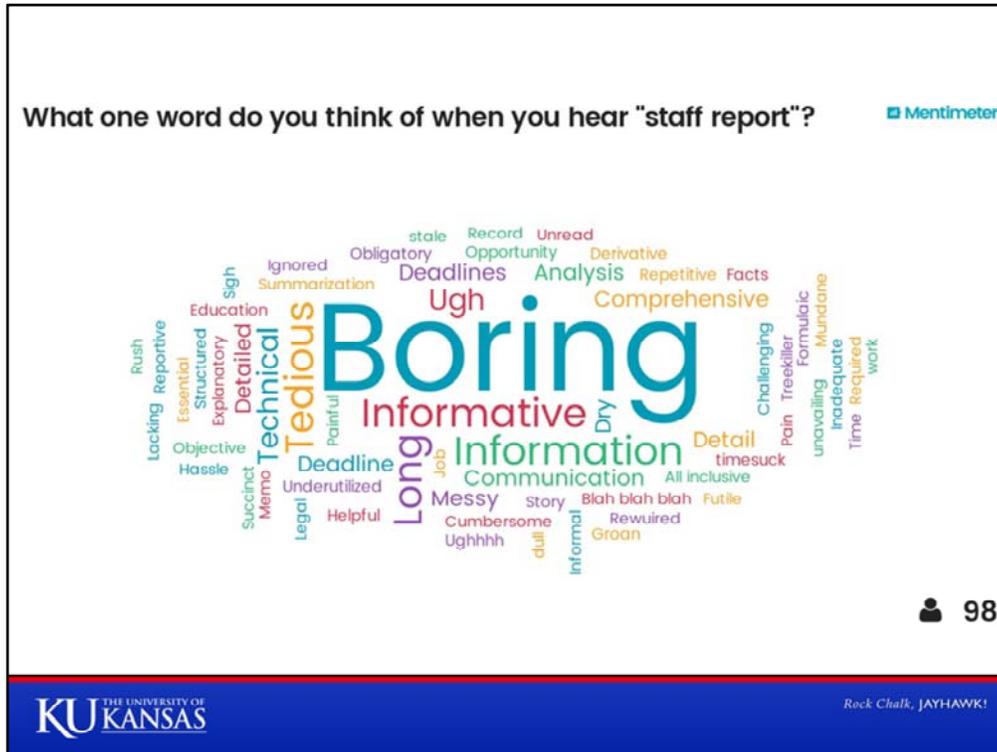
“The world rarely recognizes those planning agencies that perform their work efficiently, as important as it might be for them to produce complete and accurate staff reports . . .

Rather, the planning agencies we recognize and honor tend to be those that have significant impacts upon a community’s form, appearance, vitality, or upon the ways in which people make decisions about the community’s growth and development.”

As someone who cares about staff reports, the first part kind of hurt BUT the second part really caught my attention. I thought that part in the red box was what we were supposed to be doing with staff reports. I mean it is the main way staff communicates with applicants, citizens, planning commission members, and members of the governing board. Shouldn't staff reports be doing this?

What one word do you think of
when you hear “staff report”?

Take a moment and answer this question. Write it down and bring it to our study session.

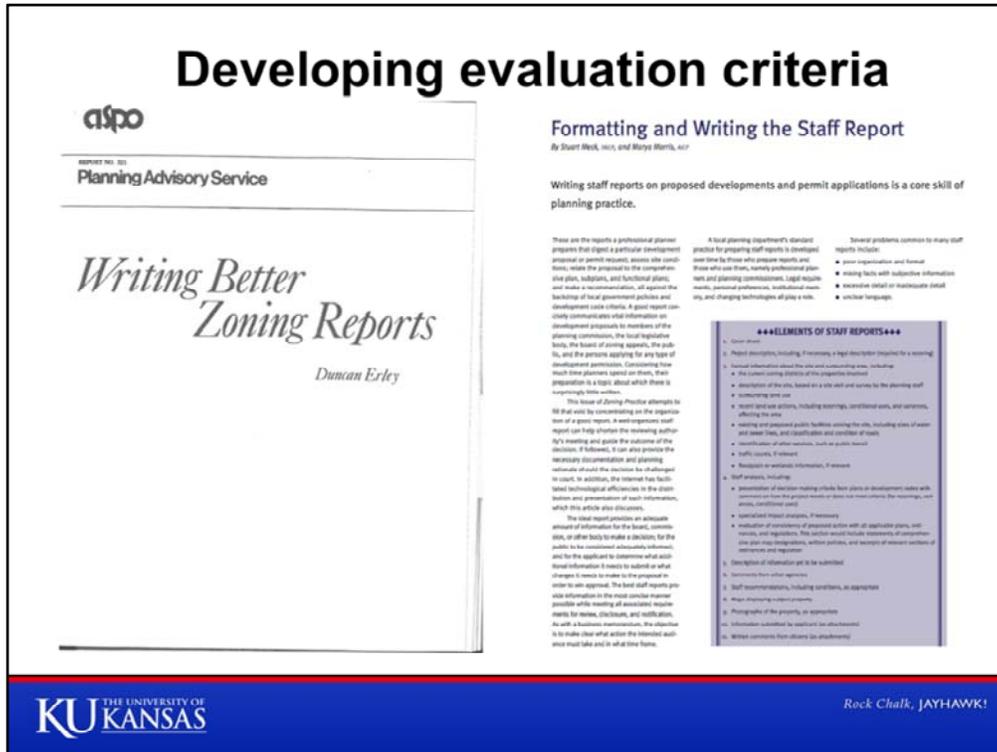


I did a session on staff reports at the 2017 National Planning Conference and I asked the audience of planners to text me the one word they think of when they hear “staff report”. Their responses created this word cloud with “Boring” being the most frequent response followed by “Information/Informative” then “tedious” and on from there. This is what we are working with – boring, unread yet informative, essential, helpful, required reports. What can we do to reverse this?

Motivation for Research

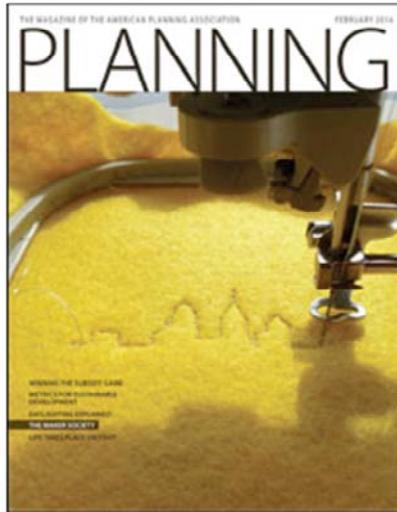
- Centrality of staff reports to practice
- Lack of scholarly attention and practical attention
- Hunches – similar across nation; more technical than communicative
- Questions – basic description of strengths/weaknesses, reasons for similarity/dissimilarity
- APA's Task Force – The Planning Office of The Future (Think big and Lead)

I already told you that I did some research on staff reports. Here's a list of why. Also – planners write A LOT of these and planning commissioners read A LOT of these. It is a lot of work, for what result? From the 2010 Census there are 2,970 cities with populations of 10,000 or above. If we assume each of those cities has someone writing a staff report even just once a month for a year, that's over 35,000 staff reports per year. A lot of time and energy – with what results?



A colleague, Assistant Professor, Ward Lyles, AICP, PhD and I, looked at the 3 publications on how to write staff reports and put together some evaluation criteria that we eventually ended up calling the “Staff Report Evaluation Tool”. The earliest known writing on the topic was by Duncan Erley from 1976. He thought photos would be great but too expensive to use for every report (they were expensive then!). His report was updated in 2004 and now maps and photos are recommended.

Developing evaluation criteria



3 C's

Compliance
Consistency
Compatibility

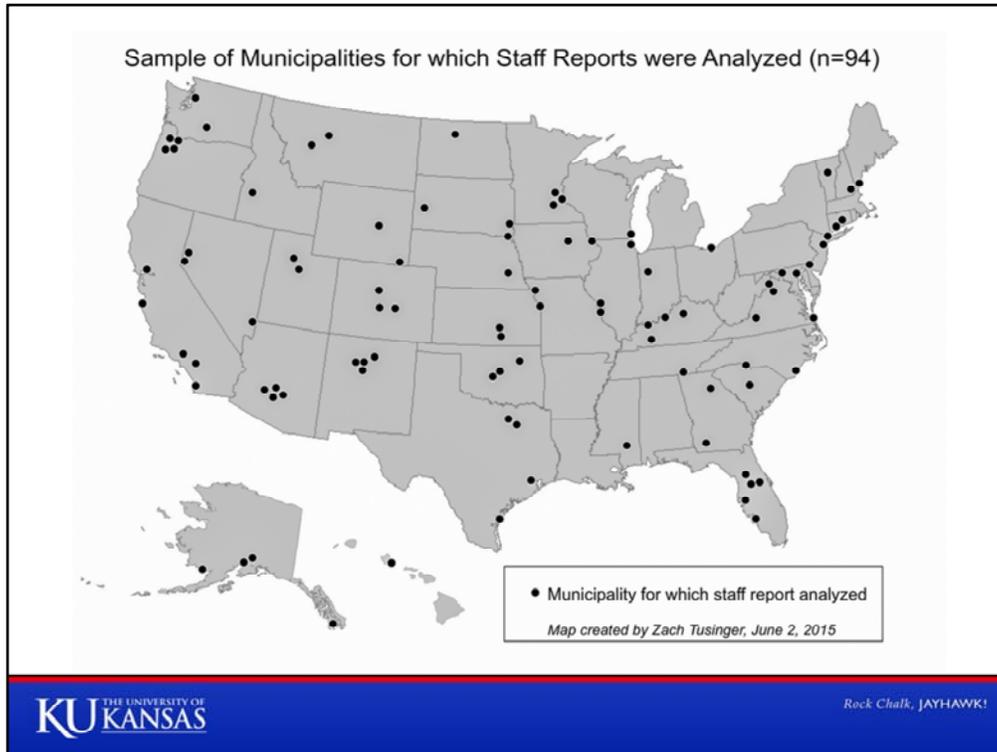
Then there's a short article in 2014 in "Planning" magazine emphasizing the "3 C's".

Purposes of Staff Reports

- Digests information
- Factually describes project/request
- Objectively describes why the application is before the commission/board
- Assesses site conditions
- Relates proposal to plans and policies
- Records coordination measures
- Anticipates and answers questions
- Makes recommendations
- Builds legally defensible record

Makes a persuasive argument?

Part of what makes staff reports so difficult to write is this (above) - - all the various reasons for doing them. These reasons are all from the limited literature on staff reports. This is a lot for a report to do especially when it is also asked to be produced and read quickly. I'm wondering how you feel about the item in the blue box? Should it also do this?



We collected staff reports from 94 cities in 41 states.

They were for simple, rezonings.

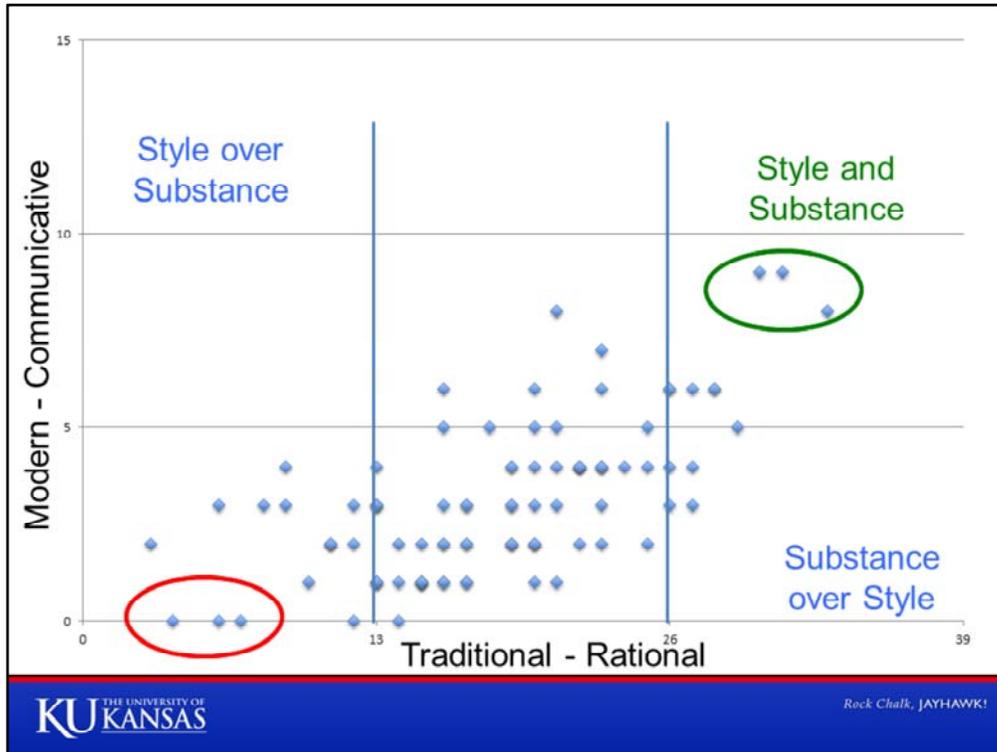
The cities ranged in population from 2,501 to 8,274,527.

The number of pages for each staff report ranged by 1 to 71 (average 9.38; median 5 pages).

Our Sample

- Staff reports from 94 cities
 - Simple, rezonings
- 41 states
- Population range: 2,501 to 8,274,527
 - Mean 192,719; median 68,722
- Page numbers: 1 to 71
 - Mean 9.38; median 5

We collected some staff reports from across the country



Remember the “Staff Report Evaluation Tool”. We used it to evaluate the 94 staff reports. We graphed our results looking at two dimensions in particular. Across the bottom is how the staff report performed on very traditional, unbiased, “just the facts” sort of criteria (more rational, technical reports, so to speak). Along the side was more modern criteria focused on how “communicative” the report was (more friendly to read). The three low performers (which will remain nameless in the red circle) have populations of 3,120; 26,818; and 52,676 and are from both coasts; two are 1 page and 1 is 2 pages. The three high performers are Beaverton, OR (population 90,704 and 52 pages) Athens, GA (pop 112,760 and 20 pages), and Honolulu HI (pop 375,571 and 71 pages – the longest in the sample). Only those three (the green circle) are really hitting on both style (easy to read) and substance (details).

None of the reports are in the upper left which would be ones that are all style but no substance, there are some in the lower right which are all substance but not style. Unfortunately, there are ones that are not performing well on style or substance in the lower left.

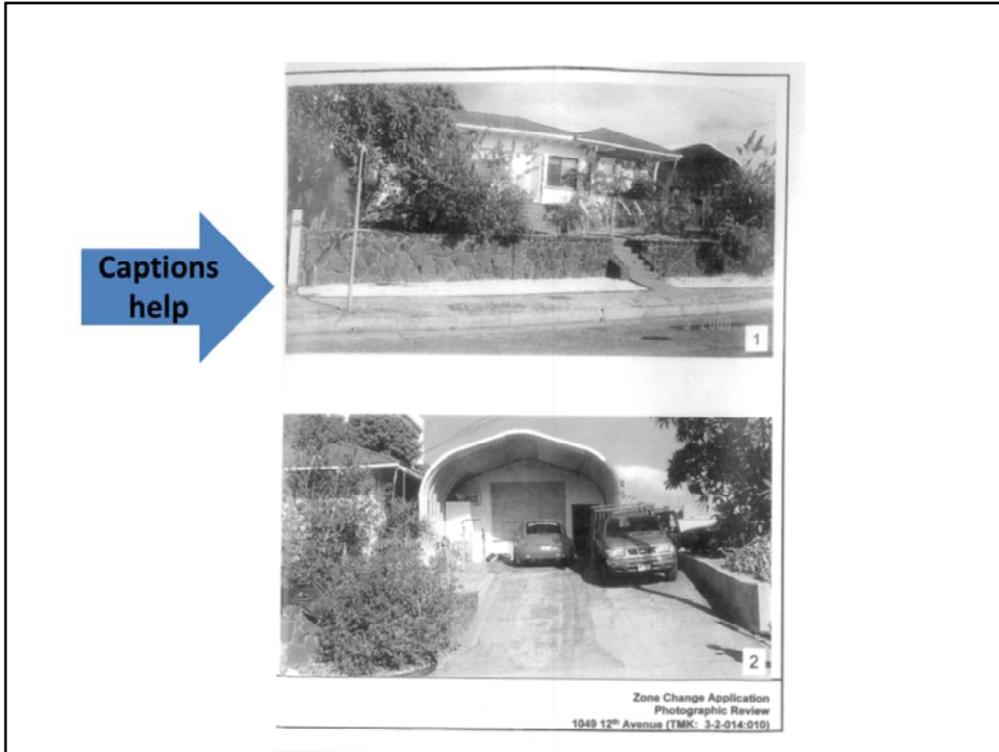
Findings

- 79% referenced the comprehensive plan
 - 39% specific goals and objectives
- 80% gave recommendation
 - 40% gave clear justification
- 45% site map of parcel
 - 9% reference map of parcel in the city
- 80% used page numbers
 - 24% bullet points
 - 5% photographs

Only 1%
used
sidebars

**Lots of technical
writing for lay
audiences.**

Here are the overall findings from our research. In general, lots of technical writing for lay audiences. Looks like there needs to be a better way.



The next slides are just bits and pieces from various staff reports that might help. Honolulu, HI has photos, but some captions would help.



CITY of BEAVERTON

4151 S.W. Guilford Drive, P.O. Box 4755, Beaverton, OR 97006 General Information (503) 528-2222 V/TDD

STAFF REPORT

HEARING DATE: June 16, 2010

TO: Planning Commission

STAFF: Kenneth Rencher, Associate Planner *KR*

PROPOSAL: Murray Village Quasi-Judicial Comprehensive Plan Map Amendment and Annexation-Related Discretionary Zoning Map Amendment

CASE FILE #: CPA2010-0001 and ZMA2010-0001

LOCATION: Tax Map: 1S109BB Lots: 01500 and 01800
Northeast corner of SW Murray Blvd. and SW Jenkins Rd.

SUMMARY: This is the second segment of a City initiated proposal to amend the City's Comprehensive Plan Map and Zoning Map to apply city designations to property recently annexed into the City. The City is proposing to apply the land use and zoning that most closely match the interim Washington County designations in terms of allowed uses, density, and building standards. No new development is proposed as a part of this application. Future development of the site will be reviewed separately.

The property is approximately 18.46 acres in size. The proposed Comprehensive Plan designation is Station Community. The proposed zoning is Station Community - High Density Residential (SC-HDR). The interim land use designations currently in place are Washington County Transit Oriented and Washington County Residential. The interim zoning designations are Washington County Transit Oriented Residential, 18-24 units per acre (TO-R18-24) and Washington County R-9.

Note: The original notice included three taxlots. The first segment was changed previously and applied only to taxlot 01400. This second segment applies to the remaining two taxlots.

APPLICANT: City of Beaverton
PO Box 4755
Beaverton, OR 97076

DECISION CRITERIA: CPA2010-0001: Section 1.5.1 of the Comprehensive Plan (Quasi-Judicial Amendments)
ZMA2010-0001: Section 40.97.15.3.C of the Development Code

RECOMMENDATION: Approval of CPA2010-0001 and ZMA2010-0001 (Murray Village Annexation-Related CPA/ZMA).

Cover Sheet - In case you don't look at anything else.

Beaverton, OR shows the use of a cover sheet with “decision criteria” and a “recommendation” on the front page. A cover sheet was one of the original recommendations from the 1976 Duncan Erley report. A cover sheet is a standard summary of the application that is used as a template over and over again.



Planning Department Memorandum

DATE: September 3, 2009 **AGENDA ITEM:** 1

TO: Planning Commission

FROM: Tabitha Perry, Principal Planner
PRESENTED BY: Bill Luttrell, Senior Planner

SUBJECT: **REZONING APPLICATION ZON09-04: LOOP 101 -
CAMELBACK ROAD - 9802 WEST CAMELBACK ROAD**

REQUEST: Rezone from A-1 (Agricultural) to PAD (Planned Area Development).

APPLICANT/OWNER: City of Glendale.

REQUIRED ACTION: The Planning Commission must conduct a public hearing and determine if this request is in the best long-term interest of the neighborhood and consistent with the General Plan.

RECOMMENDATION: The Planning Commission should recommend approval subject to the one stipulation.

PROPOSED MOTION: Move to recommend approval of ZON09-04 subject to the one stipulation contained in the staff report.

SUMMARY: This request will amend the zoning and approve a PAD to accommodate a mixed-use development on 1.35 acres.

PREVIOUS ACTION: On August 6, 2009, the Planning Commission initiated this request.

Glendale, AZ shows another way of setting up a cover page. It include a “proposed motion”.

PLANNING COMMISSION REPORT



MEETING DATE: June 11, 2008 ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT Indian River Plaza
5-ZN-2008

REQUEST Request to consider the following:
1. Approval to rezone an approximate 8.6-acre parcel (Indian River Plaza) from Neighborhood Commercial District (C-1) to Central Business District (C-2) located on the southwest corner of East Thomas Road and North Hayden Road.

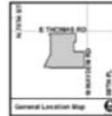
Key Items for Consideration:
• The request is consistent with the General Plan's land use designation.

Related Policies, Reference:
17-UP-2008 and 18-UP-2008

OWNER Indian River Plaza, LLC
480-368-0111

APPLICANT CONTACT Perry Bolster
480-990-1114

LOCATION 2820 North Hayden Road



BACKGROUND

Zoning.
The Indian River Plaza retail center is currently zoned Neighborhood Commercial District (C-1) that allows retail, service, office and restaurant uses. The proposed Central Business District (C-2) zoning district allows for a variety of commercial use that include: bars, retail, office and service uses.

General Plan.
The General Plan Land Use Element designates the property as Commercial. This category includes uses that provide a variety of goods and services to serve the community and regional needs, and may include residential and office uses.

Context.
Located south and west of the southwest corner of the intersection of North Hayden Road and East Thomas Road, the site is surrounded by commercial, multi-family residential, and the Indian Bend Wash.

Page 1

This one has a small map which could be helpful on the cover page but this one doesn't tell us much.

Tables

Existing Conditions Table

Zoning	Interim Washington County TO:R18-24 and R-9	
Current Development	Vacant with no development currently proposed (Site was formerly a mobile home park)	
Site Size	Approximately 18.46 acres	
NAC	Five Oaks/Triple Creek NAC	
Comprehensive Plan	<p>Land Use: Interim Washington County Transit Oriented</p> <p>Street Functional Classification Plan: SW Murray Blvd. and SW Jenkins Rd. are each classified as an Arterial.</p> <p>Street Improvement Master Plan: The Transportation System Plan Street Improvement Master Plan identifies SW Jenkins Rd. for future expansion to 5 lanes. (SW Murray Blvd. is already at 5 lanes.)</p> <p>Pedestrian & Bicycle Master Plan and Action Plans: The Pedestrian & Bicycle Master Plans identify existing and proposed pedestrian and bicycle facilities along both streets</p>	
Surrounding Uses	<p>Zoning:</p> <p>North: <i>Washington County R-5</i> <i>(italics indicate outside City limits)</i></p> <p>South: Campus Industrial CI and <i>Wash. Co. Industrial IND</i></p> <p>East: Interim Washington County TO:R18-24</p> <p>West: <i>Washington County TO:EMP</i></p>	<p>Uses:</p> <p>North: Detached Housing</p> <p>South: TVF&R Fire Station and Maxim Integrated Products</p> <p>East: Vacant</p> <p>West: Nike</p>

Beaverton, OR makes good use of tables to show the “usual” information that’s probably in every staff report they do.

HISTORY:

09-22-53	1978-1880	Retracement plat 1978-1880 of T14N, R2W, Section 11, 12, 14 of the Seward Meridian, Alaska.
01-20-54	Lot 54	Patent #1157972 for SM, AK, T14N, R2W, Section 11, Lot 54 consisting of 1.87 acres. This patent is subject to a right-of-way not exceeding 50 feet in width, for roadway and public utilities purposes, to be located along the north, east and south boundaries of said land.
1964		Single family with attached garage consisting of 1,095 square feet constructed on subject parcel.
04-29-74	B-3	GAAB Eagle River Areawide rezoning OR 74-66
03-15-77		Subdivision by Deed of Lot 54 less the north 150 feet (37,599 square feet) recorded.
10-22-81	Plat 81-238	SOA Department of Highways Right of Way Map, F-042-1(38) AO 6192, Ski Bowl Road to Eagle River recorded.
11-13-08	Complaint	Complaint case opened of construction of a structure one hundred or more square feet in area without a land use permit, LUEE95980. A stop work order was issued for a nearly completed residential building foundation. The house had been destroyed by fire: it had enjoyed nonconforming rights as a single family use and structure in the B-3 District.

Anchorage, Alaska has a table showing previous applications and when they happened.

What's next?

II. CURRENT STATUS

The Planning Staff is tentatively scheduled to present this request and the Planning Commission recommendation to the Mayor and Commission at their agenda setting on June 17, 2010. The Mayor and Commission are tentatively scheduled to take action on this request on July 6, 2010.

Athens, GA tells people what to expect next, such as, when the Mayor and Commission will see this case.

**Did we hear
anything?
Did we ask?**

COMMUNITY COMMENTS:

At the time this report was written, there was no returned public hearing notices (PHN) received out of sixty-nine (69) public hearing notices mailed May 7, 2009.

Anchorage, Alaska includes citizen comments.

SIGN IN

 **PRANKSTERS** 

7919 E. Thomas Road Suite 101
Scottsdale, Arizona 85251
480-990-1114

<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
<i>No one came by.</i>		
		<i>2-16-08</i>

Scottsdale, AZ puts in a copy of the sheet citizens were to sign if they showed up at the open house on the property to get more information. This application was apparently by a business called "Pranksters".

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION
AGENDA CHECKLIST

MEETING DATE: 9 September 2009 BLOCK: A-1, LOT: 10

FIRST HEARING: X CONTINUED FROM: N/A

ITEM NO: ~~DS 09-68~~ OWNER: Leonard & Peggy Riggs
STREAMLINING DEADLINE: 10/30/2009

SUBJECT:

Consideration of Design Study and Coastal Development Permit applications for alterations to an existing residence located in the Single Family Residential (R-1), Beach and Riparian Overlay and Park Overlay Districts.

ENVIRONMENTAL REVIEW:

Exempt (Class 3 – New Construction)

LOCATION: ZONING:

Scenic S SE of 8th R-1, BR, PO

ISSUES:

1. Does the proposed design comply with the Residential Design Objectives (CMC 17.10.1) and the Residential Design Guidelines?

OPTIONS:

1. Approve the application as submitted.
2. Approve the application with special conditions.
3. Continue the application with a request for changes.
4. Deny the application.

RECOMMENDATION:

Option #2 (Approve the application with special conditions.)

ATTACHMENTS:

1. Staff Report dated 9 September 2009.
2. Application Materials.
3. Project Plans.

STAFF CONTACT: Marc Wiesner, Assistant Planner



This was rare – a list of issues to consider on the cover page.



**How
 about
 short?**

AGENDA

The West Haven Planning and Zoning Commission will hold a Public Hearing and Regular Meeting on Tuesday, May 25, 2010 in the Harriet North Meeting Room, Second Floor, City Hall, 355 Main Street, West Haven, CT at 7:30 P.M. regarding:

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES –May 11, 2010

1. Executive Session—Pending Litigation—Ocean Spray LLC v. West Haven Planning & Zoning Commission (J.D. New Haven of New Haven)

OLD BUSINESS:

2. Zoning Regulations Revisions
 - A. Section 48 – Telecommunications Facilities
3. 100 CALLEGARI DRIVE Progress of Site Improvements
4. University of New Haven Soundview Dormitory

NEW BUSINESS

5. 510 FIRST AVENUE Request for extension of Site Plan Approval; Applicant: First Place LLC; Attorney: Vincent Falcone; File # 05-019.

STAFF REPORTS

COMMISSION MEMBER REPORTS

ADJOURNMENT

John Panza, Chairman

Perhaps too short – this is it. The list of agenda items, is the staff report.

accomplished with an Ordinance amending City of Helena Ordinance No. 2359 and amending the official zoning map.

The City Commission will review and hold a public hearing on this zone change request on June 16, 2008.

SIZE
 Three (3) developed residential lots, with a combined total of approximately 41,718 square feet or approximately .96 of an acre.

PRESENT LAND USES:
 Developed residential dwellings

ADJACENT LAND USE:
 North and West: Single and multi-family residential
 East and South: Single-family residential, Golf Course

ADJACENT ZONING:
 North and West: R-3 and R-4 Districts
 East: R-3-T # 16
 South: R-2 District, PLI District

CURRENT ZONING:
 R-2 (Single-Family Residential) District

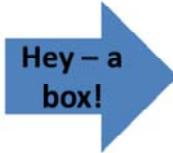
PROPOSED ZONING:
 R-3 (Medium Density Residential) District

RECOMMENDATION

Staff recommends **APPROVAL** for the adoption of an Ordinance amending City of Helena Ordinance No. 2359 and amending the official zoning map, for a zone change from R-2 (Single-Family Residential) to an R-3 (Multi-Family Residential) District for three (3) developed lots. Legally described as referenced from the Book of Deeds: A Tract of land containing .275 acres as described in Book M1 Page 9075, with a property address of 350 West Custer Avenue, Lot A-1 on COS #3119268, with a property address of 404 West Custer Avenue, Stamp Tracts Tract B from Book M24 Page 4370, with a property address of 408 West Custer Avenue, Helena, Montana, generally located Generally located north of Custer Avenue, South of Russell Lane.

EVALUATION

ZONE CHANGE CRITERIA
 Montana MCA Section 76-2-304, "Purposes of Zoning" states:



Helena, Montana puts the recommendation in a box so it is easy to find.

Formatting



7
May 12, 2010 Public Hearing
APPLICANT AND PROPERTY OWNER:
NEW OAK GROVE BAPTIST CHURCH

STAFF PLANNER: Karen Prochilo

REQUEST:
Conditional Use Permit (religious facility)

ADDRESS / DESCRIPTION: 3200 Head River Road

GPN: 13897505020000 ELECTION DISTRICT: PRINCESS ANNE 7 SITE SIZE: 10.2 acres AICUZ: Less than 65 dB DNL

SUMMARY OF REQUEST

The applicant requests a Conditional Use Permit to allow development of an addition to an existing church built in 1940. No Conditional Use Permits were associated with the construction of church facilities during that time period.

The applicant is proposing an addition that will consist of a new social hall, kitchen area, classrooms, conference room main lobby and additional restrooms. The total square footage of the addition is approximately 16, 500 square feet. The existing sanctuary space seats 250 people and will not be expanded.

The church office reports attendance currently at 175 for Sunday morning service. The church offers a 9:30 a.m. Sunday school followed by an 11:00 a.m. worship service. There is also a Wednesday evening Bible Study. The church office hours are 9:00 a.m. to 3:00 p.m. on Monday through Thursday. There is no day care and currently no plans to hold daycare at this facility.

The church addition continues the use of the brick veneer but with an updated look. Metal roofing is used with a larger cornice treatment. The main lobby wraps around the existing front entrance to allow the natural light into the space and provide for handicapped access. A new spire 85 feet in height gives more prominence to the facility and identifies the church as a spiritual place.

NEW OAK GROVE BAPTIST CHURCH
Agenda Item 7
Page 1

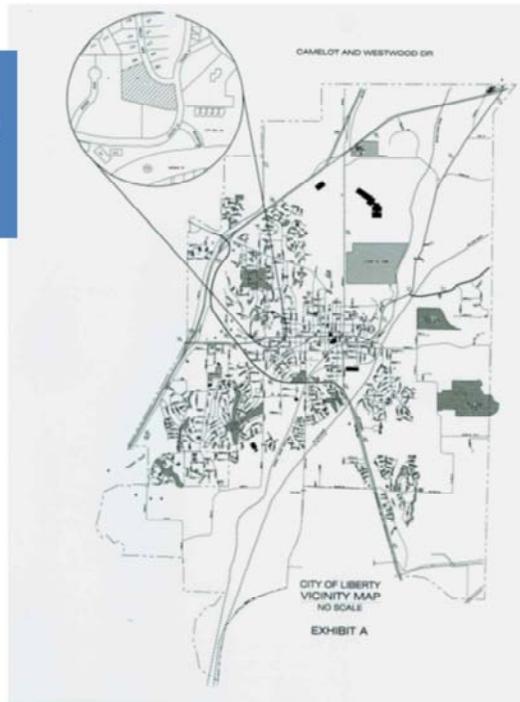
Virginia Beach, VA uses some different formatting to catch your attention.

Literally, a checklist.

BACKGROUND INFORMATION			
PRIOR CASES		Case Number & Date of Approval	
Annexation		N/A	
Zoning Map Amendment		N/A	
Sketch Plan		N/A	
Master Plan		N/A	
Preliminary Subdivision Plan		N/A	
Final Subdivision Plan		N/A	
Final Site Plan		None	
Forest Stand Delineation		N/A	
Preliminary Forest Conservation Plan		N/A	
Zoning Board of Appeals Cases		N/A	
Archaeological Assessment		N/A	
DEVELOPMENT CHARACTERISTICS		Area	
Total Lot Area		Approximately 17,000 square feet	
Property Zoning		Downtown Residential (DR)	
Number & Type of Units		N/A	
Roadway Dedication		N/A	
Open Space (HOA)		N/A	
Park Land Dedication		N/A	
ENVIRONMENTAL CHARACTERISTICS		Area	
Disturbed Lot Area		N/A	
Impervious Surface Ratio		N/A	
Floodplain on Site		N/A	
Disturbed Floodplain		N/A	
Nontidal Wetlands on Site		N/A	
Disturbed Wetlands		N/A	
MDE Permit Required		N/A	
FACILITIES AND SERVICE			
Road Name	Comprehensive Plan Classification	ROW	Access Provision
Winchester Street	Local Road	40'	Existing

Frederick, MD literally uses a checklist.

Where in the city?



This is a nice map showing the whole city then zooms in the site under consideration.

SPECIFIC INFORMATION

Roundtable L.L.C. has applied to rezone approximately 3.2 acres of property located at the southwest corner of Camelot and Westwoods Drives from RP-3, Planned One-family Cluster District and CP-2, Planned General Business District to C-0, Non-retail Business District. The proposal is to develop offices on the property (Exhibits B and C). The applicant has submitted conceptual drawings showing how the site could be developed with access off of Westwoods Drive via a bridge, office buildings resembling homes along Camelot, and parking hidden internal to the site.

The area to be rezoned consists of two tracts. The larger one is Tract B of "Camelot Lots 157-190" subdivision consisting of 2.5 acres zoned RP-3. The other is an unplatted tract zoned CP-2, originally part of the Seaport development, approximately 0.6 acres located east of Tract B and adjacent to Westwoods Drive.

HISTORY

The Camelot plans from the 1970's (Exhibit D) included apartments, townhomes and single-family homes for the area around Clayview Drive. These plans show the property under consideration as clustered single-family homes with shared parking zoned RP-3.

A preliminary plat for 11.7 acres south of Kings Ridge on Camelot was approved in 1984 (P&Z Case No. 84-154PP) (Exhibit E) and it was rezoned from RP-3 to R-1C, Standard Single-family Residential District in April of 1984 (P&Z Case No. 84-168). The final plat was approved in May of 1984 (P&Z Case No. 84-177FP). Part of the property under consideration along with the property now occupied by Saxon Medical Inc. on

C-0, Non-retail Business District

Permitted Uses: The main use allowed in this district is offices for professionals such as: accountants, architects, brokers, engineers, dentists, lawyers, physicians, and real estate agents. Other permitted uses are mortuaries, medical clinics, and day care centers. For day care centers, outdoor play is permitted only between 8:00 a.m. and 6:00 p.m.

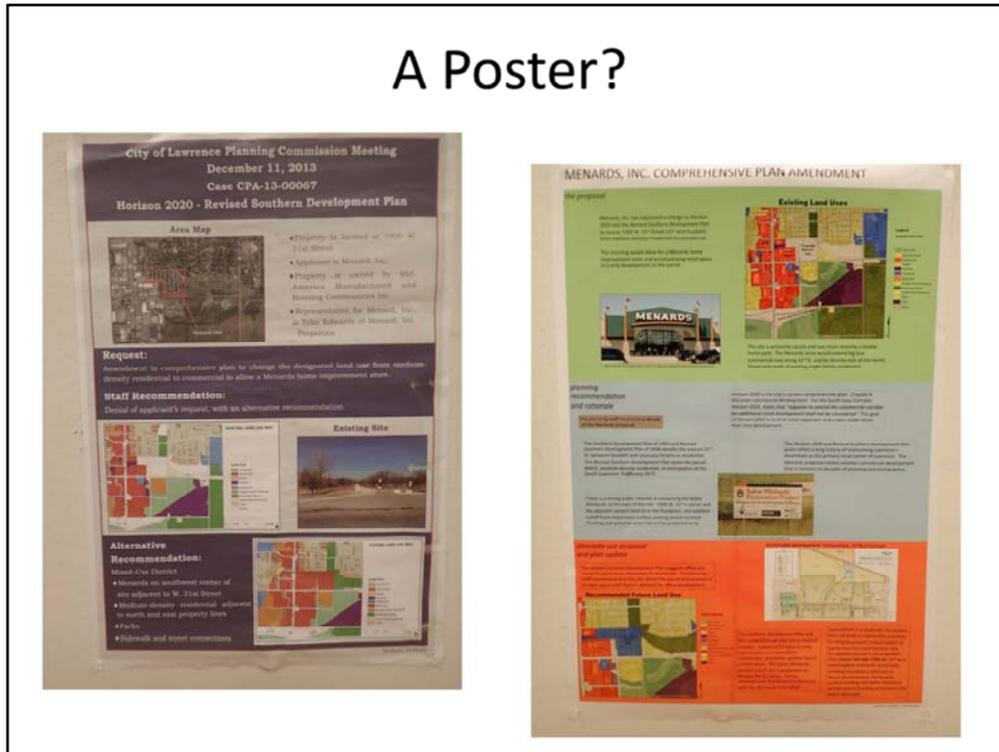
RP-3, Planned One-family Cluster District

Permitted Uses: This district is for single-family detached homes designed to allow individual ownership either under condominium statutes or other ownership procedures. The minimum lot area per family is 7,260 square feet. When the property was zoned R-3, a plan was submitted and approved at the same time making it a "planned" district, hence the RP-3 designation.

Sidebars

Sidebars can provide more information when needed.

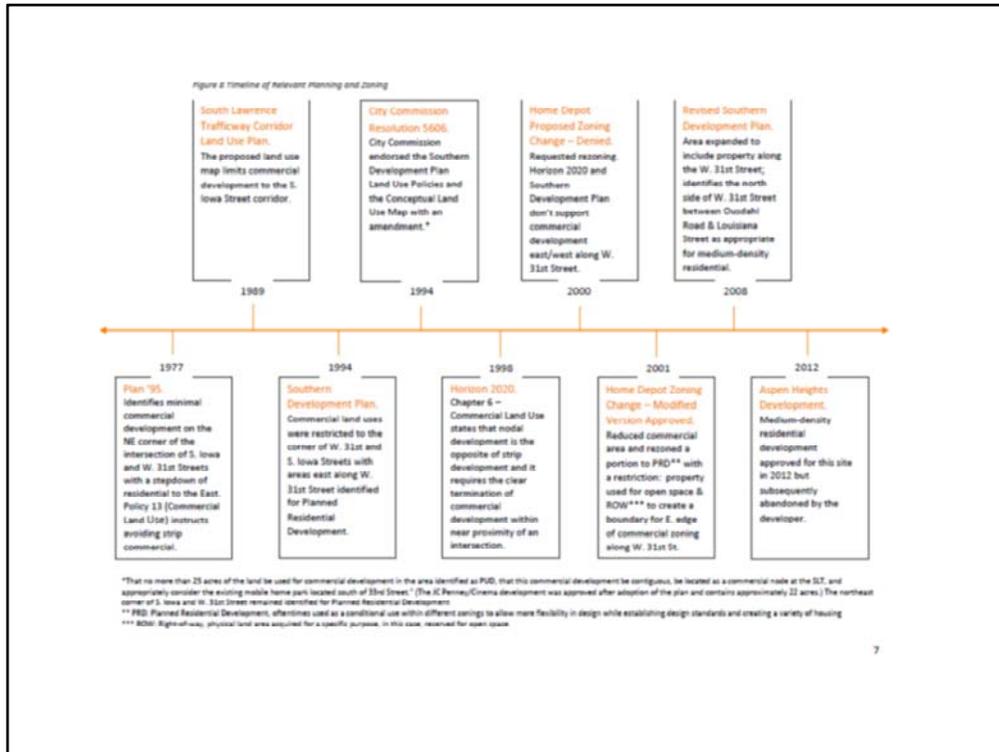
A Poster?



Maybe we should experiment – here are things students have done in my class. A staff report as a poster?

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A table of contents for long staff reports.



A timeline showing the history of a site.

Staff Analysis

Horizon 2020

For consistency, relevant goals, policies and values were pulled from the entire comprehensive plan, Horizon 2020, to be analyzed for compatibility with the proposed amendment. To access Horizon 2020, click [here](#).

Chapter	Policy or Goal	Content	Staff Finding
5	Goal 6	Use compatible transitions from low-density residential development to more intensive land uses	Allowing commercial on the Menards site area does not allow for transitions, it will be directly adjacent to single family residential
	Goal 1	Use criteria for location of medium- and higher-density residential development to ensure that livability, property values, open space, safety and the general welfare are sustained	Livability, property values, open space, safety and the general welfare are all inferred community value statements and may be affected by the amendment to allow commercial development
	Policy 1.2	Protect areas planned for medium- and higher-density development. Avoid reducing medium- and higher density residential areas designated on the Future Land Use Map.	This amendment would reduce the amount of medium-density residential area designated on the Future Land Use Map.
	Policy 2.1	Preserve and protect the environment and natural features such as drainage-ways and mature trees.	The site area has existing issues with drainage and flooding, which could be worsened with development of any kind.
	Policy 2.7	Encourage the use of a variety of housing types, including townhomes, patio homes and zero lot line homes, cluster housing, garden apartments and retirement housing.	The comprehensive plan currently identifies this area as appropriate for medium-density residential use which would increase the variety of housing available.
	Policy 4.5	Street/road configurations should be designed to avoid curb cuts and local street/road intersections on arterial street/roads and coordinate access with adjacent developments.	The additional commercial development would increase the amount of curb cuts along the north side of W. 31 st . St. and could potentially impact traffic flow.

Residential Density Examples

<p>Low</p>  <p>Single Family Home</p>	<p>Medium</p>  <p>Pine Tree Townhouses</p>	<p>High</p>  <p>Apartments East of KU Stadium</p>
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Image Sources: www.realtycars.com, www.pinetreevillatownhouses.com, www2.ksdail.com

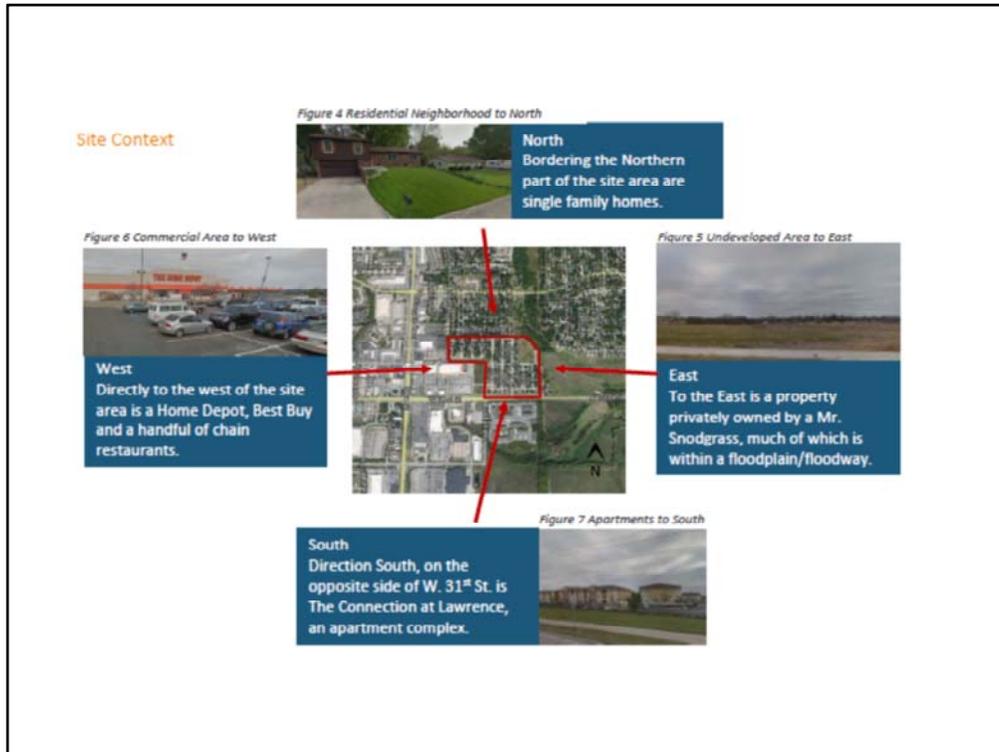
Curb Cuts

Curb cuts provide access to the road. A common type is a driveway to enter a parking lot. This can cause congestion by increasing the amount of cars turning on and off the street.



Driveway B
Driveway A
Road

Tables with illustrations.



Photos with captions and tied to a map.

REQUEST & RECOMMENDATION

Menards, Inc. submitted this application in order to construct a Menards home improvement store at 1900 W. 31st Street. The proposed commercial zoning does not align with the land use designation in *Horizon 2020* or the *Revised Southern Development Plan* - medium-density residential.

Given the findings stated in this report, the City of Lawrence Planning and Zoning Commission should deny the Comprehensive Plan Amendment (CPA-13-00067) to *Horizon 2020* and the *Revised Southern Development Plan*, to change the designated future land use from medium-density residential to commercial for the site located at 1900 W. 31st Street. In light of current City plans, an extension of the commercial intersection (node) in question contradicts sustainable planning principles and undermines market demand for retail development.

Simple and clean. This is all there is on this page.

SITE BACKGROUND

The site in question is located at 1900 W. 31st Street in Lawrence, Kansas. A mobile home park—Gas Light Village—currently exists on the site, but is noblesse as a community asset. Concerns of vacancy and a lack of maintenance create a desire to redevelop or reuse the property. The current zoning of the property is RS10 Single-Dwelling Residential.

Home Depot similarly considered this site for development in 2000. Their request to rezone the mobile home park on the entire site to commercial was denied on the basis of Horizon 2020 and Southern Development Plan, as rezoning this site would create strip commercial, instead of the desired nodal development. The surrounding low-density residential was also a factor in this decision. Home Depot was eventually approved to develop a home improvement store at a separate, yet proximate location in 2001.

In 2012—just last year—Aspen Heights Development, a multi-family complex, was considered and approved for the site in question. The developer abandoned the site for uncertain reasons. The site remains a mobile home park to this day.

CITY STAFF OPINION

Staff recommends denial of this comprehensive plan amendment to Horizon 2020, including the Revised Southern Development Plan, to change

the designated land use from medium-density residential to commercial for the property located at 1900 W. 31st Street and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission with a recommendation of denial.

City staff largely found that by approving this comprehensive plan amendment (CPA), the City Commission would be promoting strip commercial development—an outmoded style of development. Staff acknowledges that if Menards is able to find another suitable development site, only platting, site planning, and pulling building permits are required to construct a new store. Menards, Inc.'s proposal does not align with the comprehensive plan and area plan.

QUICK FACTS

Applicant // Menards, Inc.

Site in Question // 1900 W. 31st Street

Site Acreage // 41 acres

Current Land Use // Mobile Home Park

Land Use Designation // Medium Density Residential

Surrounding Land Uses // Single-Family Residential Regional Commercial

Fig. 1 Map of site in question



CPA-13-00067 5

Sidebar with “quick facts” and instead of a “staff recommendation” how about “staff opinion”?

ADDITIONAL GENERAL INFORMATION

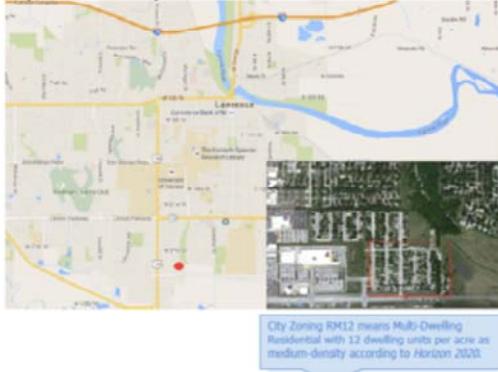
Horizon 2020:	"Commercial property exists both east and west of S. Iowa Street along 31st Street. Emphasis shall be given to maintaining this commercial node and requests to extend the commercial corridor for additional retail development shall not be considered; however office and office research activities would be appropriate land uses along this arterial corridor."
Revised Southern Development Plan:	The planning area for the <i>Revised Southern Development Plan</i> was expanded to include property along the W. 31st Street corridor to allow the consideration of future transportation issues. The plan identifies the north side of W. 31st Street between Ousdahl Road & Louisiana Street as appropriate for medium-density residential development.
Quick Summary:	Menards is seeking to add 255,328 retail square feet at the former location of the Gas Light Village mobile home park. Such a development requires a comprehensive plan amendment to Chapter 6 of Horizon 2020 and Chapter 14 of the Revised Southern Development Plan. The development would significantly expand the square footage available for retail sales in the area, and would stray significantly from previous planning work that prioritized the preservation of the intersection of W. 31st and Iowa Streets as a commercial node and the prevention of strip commercial development along W. 31st Street.
Advertisement:	<i>Lawrence Journal World</i> – April 1, 2013
Public Hearing:	April 22, 2013, Planning Commission Meeting
Written Public Opposition:	Email, Kirk McClure, Ph.D. – April 18, 2013 Email, David A. Buzzess, League of Women Voters – April 16, 2013

This is just pretty to me.

ACTION ALTERNATIVES	
<p>Given the findings in the Site Assessment and utilizing the Sustainability Framework and Legal Framework, the options for action include: (1) denial; (2) approval with no required changes; (3) approval with site and building design requirements; (4) continuance of land use application until a specific node plan can be created for the intersection of Iowa Street and 31st Street; and (5) stated future approval at a different site within Lawrence.</p>	<p>developer to create a site and building plan in line with community values.</p>
<p>OPTION 1</p> <p>The first action alternative is a simple denial of the Menards proposal in entirety on the grounds that it does not comply with Horizon 2020 or Revised Southern Development Plan, keeping in mind that an appeal by Menards, Inc. to each option is possible. This denial is certain if the City Commission denies the proposed development. This option is, in essence, non-action, until another developer decides to develop medium-density residential on the site.</p>	<p>OPTION 5</p> <p>The third option is approval of the comprehensive plan amendment and required rezoning to CR Regional Commercial with the requirement of an improved site and building plan that planning staff were comfortable with. This option relies directly on the Sustainability Framework, that understands the importance of moving away from strip commercial, auto-dependent development. The goal "will be to work with [Menards, Inc.] to achieve compact, pedestrian-oriented centers versus conventional strip malls. The overall goal of these standards is to improve community aesthetics, encourage more shopping per trip, facilitate neighborhood identification and support, and make shopping an enjoyable event" (Design Standards, Horizon 2020, 6-2).</p> <p>The site plan may include green infrastructure, such as bioswales, pervious pavement, small street frontage (that patches parking to the back of the site), or significant landscape cover. The building plan may include a rain catchment system, an extensive green roof, or architectural compatibility. This option is unlikely, as it would require significant public investment into multimodal infrastructure, such as recreational and bike paths.</p>
<p>OPTION 2</p> <p>The second option is complete approval of the comprehensive plan amendment and required rezoning to CR Regional Commercial. This option would extend the commercial node at Iowa Street and 31st Street, negating Horizon 2020 and Revised Southern Development Plan. This option appeases Menards, Inc. and does not attempt to work with the</p>	<p>OPTION 4</p> <p>The fourth option is a continuance of the land use application until a specific node plan can be created for the intersection of Iowa Street and 31st Street. "In order to facilitate the orderly development of future commercial nodes, Lawrence shall attempt to complete "node plans" for each future commercial center in advance of development proposals" (Horizon 2020, 6-8). The node plan will define the area of the node and provide details including:</p> <ol style="list-style-type: none"> 1. Existing natural features; 2. Appropriate transitional uses; 3. Appropriate uses for each specific corner of the intersection; 4. Access points of each corner; 5. Necessary infrastructure improvements; 6. Overall flow of traffic in and around the node and surrounding area; 7. Any other necessary information. <p>Once a node plan is created, planning staff, Planning Commission, and City Commission can reassess the need to extend the commercial node.</p>
<p>OPTION 3</p> <p>The third option is to approve the development of Menards at a different site within the City. "Recent amendments to Horizon 2020 have given direction to offer large retail locations at the intersection of W. 6th Street and G17 and included discussion regarding expanding the Regional</p>	<p>OPTION 5</p> <p>The fifth and final option is to approve the development of Menards at a different site within the City. "Recent amendments to Horizon 2020 have given direction to offer large retail locations at the intersection of W. 6th Street and G17 and included discussion regarding expanding the Regional</p>

Here are alternatives.

Applicant: Menard, Inc.
Property owner: Mid-American Manufactured Housing, Inc., property owner of record
Location: 1470 W 31st St, Lawrence, KS 66046
On Google map: <https://goo.gl/maps/WWsmVRkbzdw>
Video of the surrounding area on YouTube: <https://youtu.be/abM-v7Tdbk0>
Map in relation to city of Lawrence:



Relevant Code Section(s): RM12 (Multi-Dwelling Residential) District. Menard, Inc. requests to rezone approximately 41.5 acres from RM12 to CR (Regional Commercial Development), located at 1900 W 31st Street.

Reason for Request: Menard, Inc. requested to make amendment to the comprehensive plan *Horizon 2020* in order to develop the former Gas Light Village mobile home park located at the northeast corner of W. 31st Street and Ousdahl Rd. as commercial store.

Text, map, color.



Explain the application (on the left) but then what does it mean for community values (on the right)? Connect them.

What stands in the way of greatness?

- Short turnaround times
- Incomplete applications
- Multiple projects
- Attention spans
- Consistency (being evenhanded)
- Might be a court case someday
- Its always been this way

You have just seen different ways of “tinkering” with staff reports. No real earth shattering changes. When I discuss some of these changes with planners they point out the following obstacles. Planners have short turnaround times and are not able to spend a lot of time on “bells and whistles”. They need something that is efficient. Often applications are incomplete and this again results in staff reports being written at the last minute. Planners are also juggling multiple projects. Readers have short attention spans and little time to read lengthy, detailed reports. The reports must be fair and consistent. At any time, an application could turn into a court case someday.

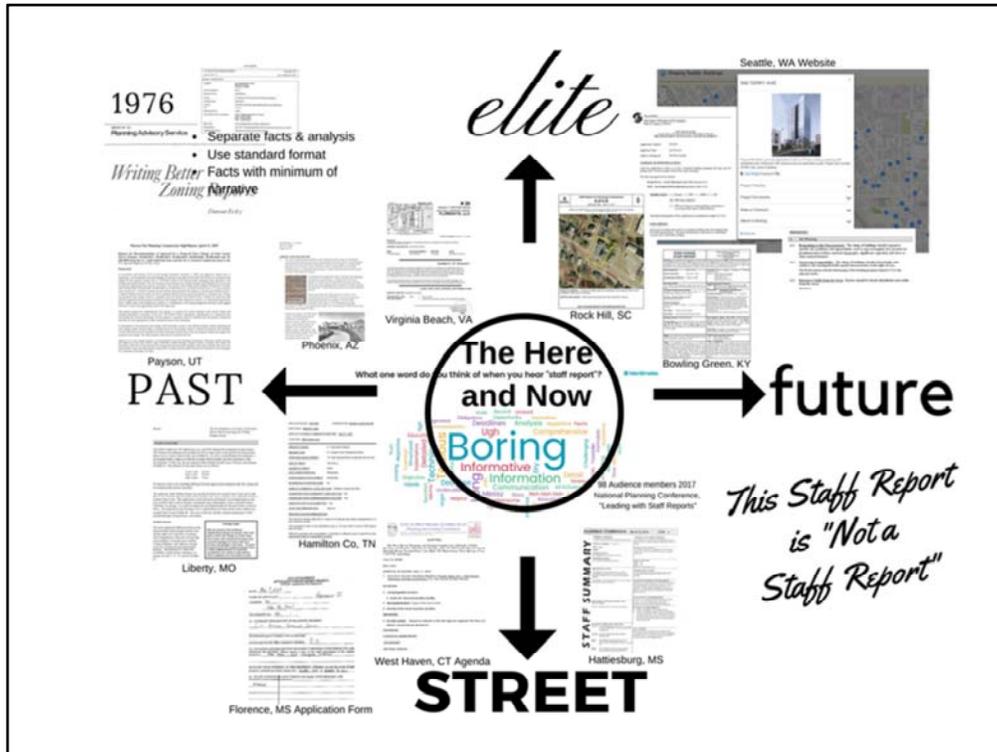
We need to think differently.

- Can staff reports be “avant-garde”?



Now, stay with me here. To get out of our staff report “rut”, we need to think differently. I love watching creative people work and that means I’m a fan of shows like “Project Runway” and “Top Chef”. On “Project Runway” fashion designers compete each week to create fashion that judges think is innovative, easy to manufacture, and saleable. The competitions often ask the designers to design something that is “avant-garde” to get them to think of something new. “Avant-garde” means the garment might not really be wearable (the models sometimes can barely get down the runway) BUT it then inspires what becomes “ready to wear”. Why can’t we do the same thing with staff reports? We can start with “avant-garde” (not very practical staff reports) but use them to inspire real world, effective staff reports.

Let’s do some rethinking of staff reports.



Let's start thinking about staff reports from a "fashion" point of view. Looking to the past, not much has changed since 1976. They are all very much alike, whether the city seems to be an "elite" with lots of resources or smaller with fewer resources resulting in "street" staff reports. You have seen a lot of variations on a theme so far with staff reports, but not much difference in style or substance.

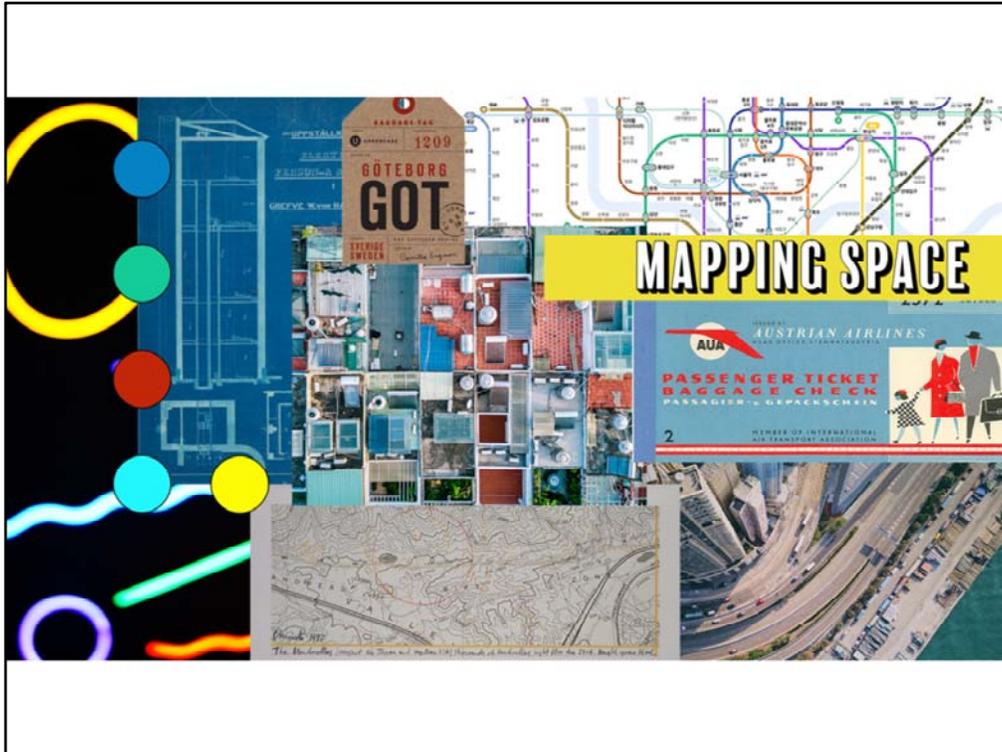
Some inspiration . . .



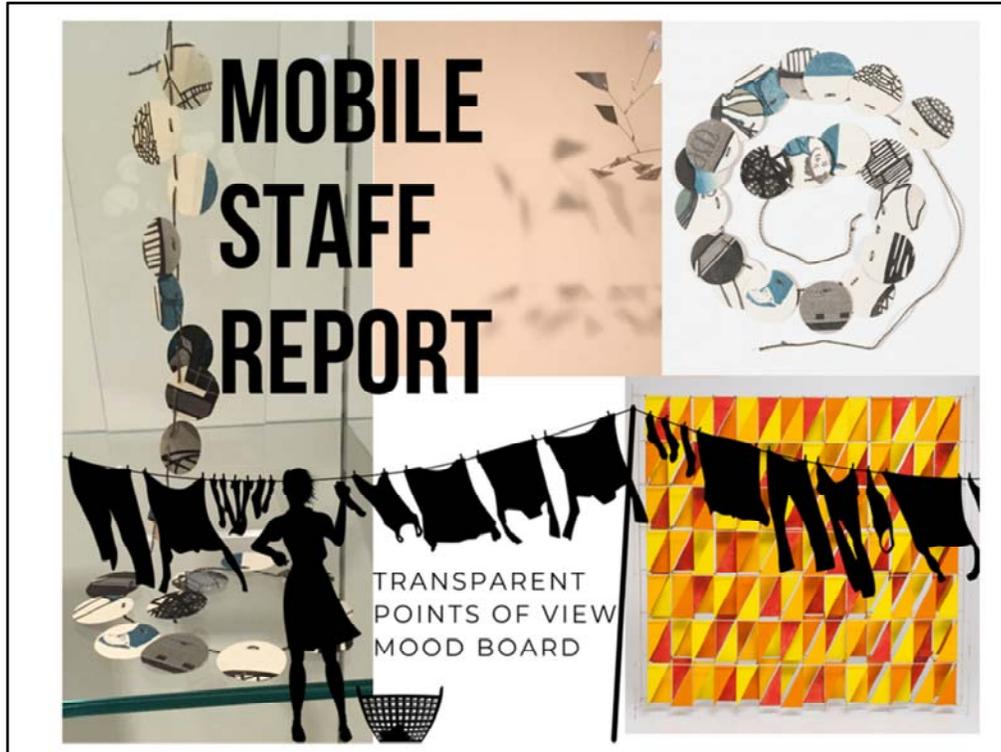
We went looking for inspiration in the University of Kansas' Spencer Art Museum. We started at the museum, you can find inspiration anywhere. Could be your own local art museum, history museum, etc. We created boards with bits and pieces of artworks and other resources that we hoped would inspire some "avant-garde" staff report thinking. Here's what we came up with -



A staff report as a collage. . . Even using short-cut symbols our community knows.



Inspiration from maps and travel. Maybe even moving pieces around a board.



Thinking in three-dimensions – how about a mobile?



A newsletter?

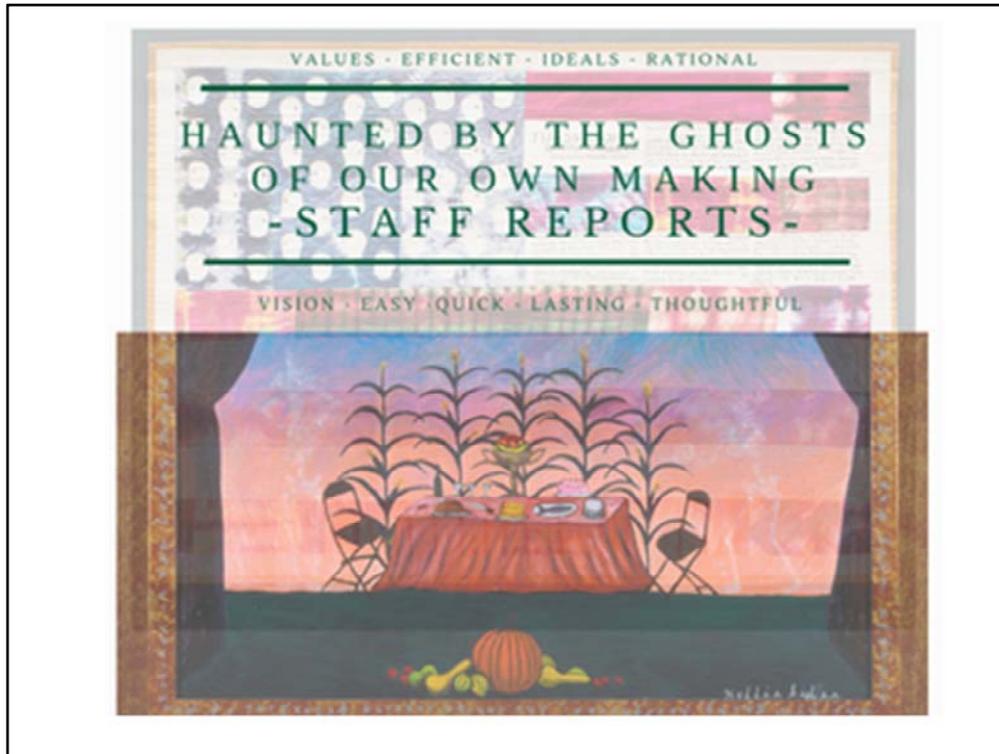


Very minimal? Keep it simple.

STORYTELLING & STAFF REPORTS
"Making Shapely Fiction" by Jerome Stern



What about a staff report that tells a story? Use stories your community knows.



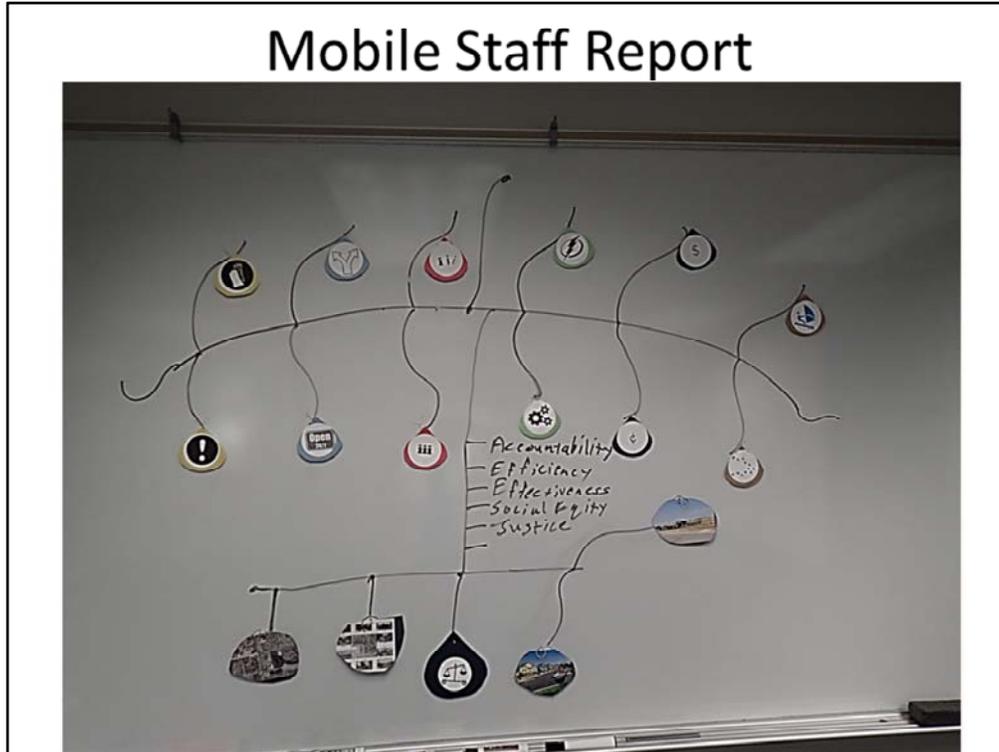
What about very high-minded staff reports that makes you think big thoughts? What are the long-term impacts of our decisions today?

Some avant-garde staff reports - -



I will show you two of our avant-garde staff reports here but there will be a few more in your packets. Remember, these are not necessarily practical, but do they make you think of staff reports in different ways? One is based on mobiles seen at museums and one is based on a game board (this game board exercise will actually be in your packet – I want you to give it a try and see how it might help you make a decision, bring this sheet with you to our study session).

Mobile Staff Report



Here I've drawn a "mobile" on a whiteboard. This is an avant-garde staff report for an application where the property owner wants to go from a residential zoning to a commercial zoning. The city's Future Land Use Plan actually calls for the site to be medium density residential (townhomes and/or apartments) in the future. At the very bottom is the decision point where you see some scales – what would you decide in this case? To the left of the scales is what was on and around the property in the past (single-family homes and trailers and manufactured homes), next is what the site is presently (a trailer park). To the right of the scales are competing proposals – on the left is a residential development with townhomes and apartments, to the right is the proposal under consideration for a Menard's store (at a Menard's you can buy lumber and a gallon of milk). Arching over the decision point are some criteria for what make a great neighborhood (*Site Planning and Community Design for Great Neighborhoods* by Frederick Jarvis, 1993). On the left being balanced is Excitement and Safety; Convenience and Separation; Relatedness and Identity; Tradition and Innovation; Affordability and Luxury; Unity and Variety. Hanging off the larger set of criteria are public values that we often have to think about as we are working for the public and are in a democracy: Accountability/Representation; Efficiency/Effectiveness; Social Equity/Diversity; and Justice/Individual Rights. With just about any public decision making these values will influence what we see as right and wrong. So, thinking in terms of balancing the criteria and attending to the public values – what do you want to decide? Try to go back in time, stick with what is on the site presently, go with the Future Land Use Plan, choose the Menard's – or does this make you think of something different?

Game Board Staff Report



For this avant-garde staff report (I have an exercise with this in your packet), it is the same proposal as the mobile staff report – Menard’s “yes”, Menard’s “no”, Menard’s “Yes with conditions”, stick with medium density residential in the Future Land Use Plan or “something else”?

Across the top is the site context. Going from left (west) to right (east) there is a major intersection, Best Buy, Home Depot, the site is where the gold star is, Naismith Valley Park/Creek, the Indian Hills neighborhood, and Broken Arrow Elementary School. At the very bottom there is an aerial of the site in the Past with residential on the site and where there is commercial today, then next is the Present with a mobile home part on the site, then the proposal for a Menard’s, and the on the right is what is in the Future Land Use Plan medium density residential with townhomes and/or apartments.

In the middle are “symbols” from the community, symbols representing what has been important to the community or issues with the community in the past. In the upper left is a “commercial node” with commercial around a major intersection and figuring out where the node stops and residential areas begin, another issue is “retail vacancy” and concerns that if we build too much retail then we will have vacant space, “downtown” is very important to protect, “wetlands” this site drains into Naismith Creek and into the Baker Wetlands, “strip commercial” along major roadways means commercial businesses and their driveways slow traffic down and slowing traffic down can be good or bad, “mature trees” shows mature trees on the actual site under consideration – that mobile home park was there for years and years and large trees line the streets, “near retail” points out that

there would be a Home Depot next door and also nearby is a hardware store, "red brick and limestone" - these are traditional building materials in the community, "prairie style" is a common style of architecture in the newer parts of the community, "transition from commercial to residential" shows the actual proposal for the site for how the back of the Menard's would relate to residential nearby.

With these "symbols" in mind, which do you choose for the site? Go back to the Past, stay with the Present, stick with the Future Land Use Plan, say "yes" to Menard's – or maybe something else?

More - -

- Look in your packet for some other avant-garde staff reports
 - Board game (do this exercise and bring it to the meeting)
 - Minimal
 - Newsletter
 - Video as staff report (15 minutes to watch)

Thank you for your time and
attention – now, what do you
advise?

Bonnie Johnson

bojojoh@ku.edu



PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
4/22/13

ITEM NO. 3: HORIZON 2020 CHAPTER 6 AND REVISED SOUTHERN DEVELOPMENT PLAN (MJL)

CPA-13-00067: Consider Comprehensive Plan Amendment, CPA-13-00067, to *Horizon 2020* Chapter 6 Commercial Land Use and Chapter 14 Specific Plans, *Revised Southern Development Plan*, to expand the S. Iowa Street commercial corridor east along W. 31st Street to include 1900 W 31st Street and identify the area as a Regional Commercial Center. Submitted by Menards, Inc.

STAFF RECOMMENDATION: Staff recommends denial of this comprehensive plan amendment to *Horizon 2020*, including the *Revised Southern Development Plan*, to change the designated land use from medium-density residential to commercial for the property located at 1900 W. 31st Street and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission with a recommendation of denial.

KEY POINTS

1. The S. Iowa Street corridor is classified as an existing Regional Commercial Center with the intersection of S. Iowa and W. 31st Streets being a commercial node.
2. This is a request to accommodate a Menards home improvement store, as well as additional commercial retail space, at the northeast corner of W. 31st St. and Ousdahl Rd.
2. The S. Iowa Regional Commercial Center limits the amount of retail to 1.5 million square feet. The center currently contains 1,996,450 square feet and this request would add 255,328 retail square feet in an area outside the designated commercial center, bringing the total for the center to 2,251,778 square feet (2.25 million sf) of retail.
3. This area, since the 1970's and through multiple planning efforts, has been identified for residential development including the most recent *Revised Southern Development Plan*.
4. Policy 3.11(K) in Chapter 6 of *Horizon 2020* states that existing centers shall not intrude or expand into the surrounding residential or lower-intensity uses. The proposal would expand into a lower-intensity area along an arterial street.
5. Policy 3.1(B) in Chapter 6 of *Horizon 2020* states: "Strip Commercial Development: Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern".
6. The submitted market study does not support increasing the amount of commercial use available in this center when other approved locations are taken into account.
7. There are limited commercial areas to accommodate a Menards store in the city. W. 6th and SLT is one location and there is the potential to extend the Regional Commercial Center south of the S. Iowa and SLT interchange to maintain commercial uses along the S. Iowa Street corridor while taking advantage of the planned S. Iowa St. and SLT interchange. Menards has stated that these locations do not meet their needs at this time.

PROJECT SUMMARY

This comprehensive plan amendment (CPA) was requested by Menards, Inc. in order to develop the former Gas Light Village mobile home park located at the northeast corner of W. 31st St. and Ousdahl Rd. commercial development. Currently Chapter 6 of *Horizon 2020* states, "Commercial property exists both east and west of S. Iowa Street along 31st Street. Emphasis shall be given to maintaining this commercial node and requests to extend the commercial corridor for additional retail development shall not be considered; however office and office research activities would be appropriate land uses along this arterial corridor." The *Revised Southern Development Plan* which is incorporated by reference into Chapter 14 – Specific Plans, identifies this property as medium-density residential uses.

STAFF REVIEW

S. Iowa Street corridor is classified as an existing Regional Commercial Center. A Regional Commercial Center attracts and serves a population greater than and beyond that of the community. Within the Regional Commercial Center, nodal development occurs. The S. Iowa Regional Commercial Center is an existing strip commercial development between 23rd Street and K-10 with nodal development specifically centering around the intersection of W. 31st and S. Iowa Streets. Nodal development requires the clear termination of commercial development within near proximity of an intersection.

Area History:

The S. Iowa Street Regional Commercial Center has had a long history of a large amount of commercial space that generally fronts S. Iowa Street, with a small amount of commercial use expanding west and east along W. 31st Street. The applicant is requesting extension of the S. Iowa and W. 31st Street node beyond its current boundaries to the east along W. 31st St. The argument was made that W. 6th, 23rd and Iowa Streets have similar commercial development and similar traffic counts as the area of S. Iowa and W. 31st Streets and should be developed with a similar strip commercial pattern. It was stated that the property east of the Home Depot site would be an island of residential before the undevelopable floodplain further east on W. 31st Street making the property suitable for commercial development. Long-range documents have made a point to discontinue strip commercial development along street corridors that are not already stripped out, in favor of nodal development.

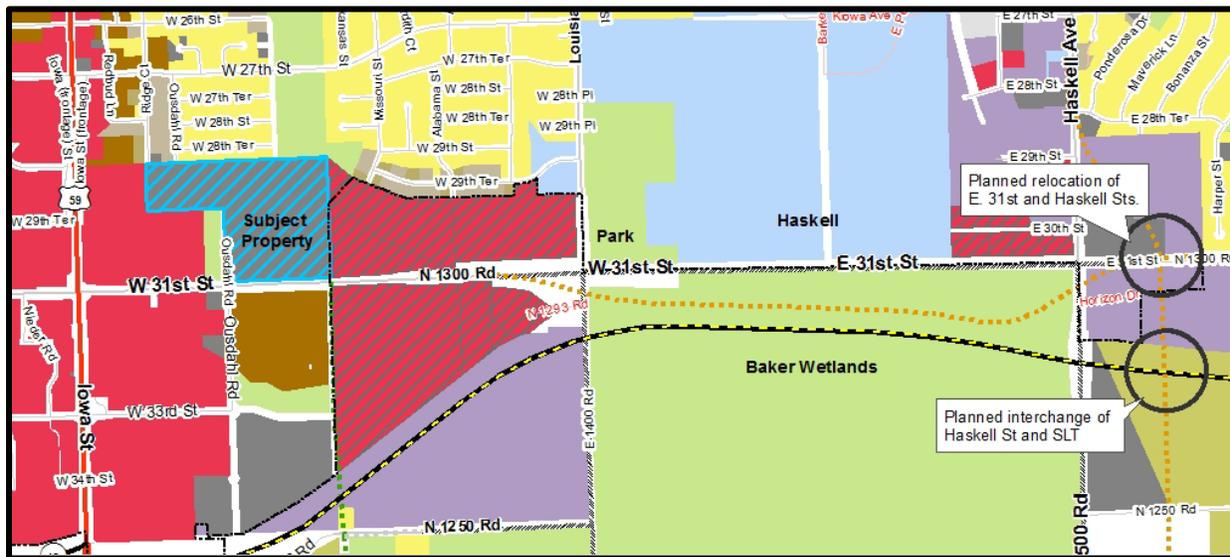
Below is a timeline summary of planning and zoning recommendations and actions over the past 20+ years regarding this commercial center. The history reflects continuous support for limiting the commercial node from expanding along W. 31st Street. The current commercial uses at the intersection of W. 31st and S. Iowa are considered nodal development and is approximately .3 miles west and east of S. Iowa St., along W. 31st Street.

- *Plan '95* – Approved in 1977. The plan identifies minimal commercial development on the northeast corner of the intersection of S. Iowa and W. 31st Streets and then step-down of residential to the east. Policy 13 for Commercial Land Use states that strip commercial shall be avoided.
- *South Lawrence Trafficway Corridor Land Use Plan* – Approved July 1989. The proposed land use map limits commercial development to the S. Iowa Street corridor.

- *Southern Development Plan* – Approved January 1994. Commercial land uses were restricted to the corner of W. 31st and S. Iowa Streets with areas east along W. 31st Street identified for Planned Residential Development.
- *City Commission Resolution 5606* – Approved March 1994. The resolution stated the City Commission endorsed the *Southern Development Plan* Land Use Policies and endorsed the Conceptual Land Use Map with the following amendment: “that no more than 25 acres of the land be used for commercial development in the area identified as PUD, that this commercial development be contiguous, be located as a commercial node at the SLT, and appropriately consider the existing mobile home park located south of 33rd Street.” (The JC Penney/Cinema development was approved after adoption of the plan and contains approximately 22 acres.) The northeast corner of S. Iowa and W. 31st Street remained identified for Planned Residential Development.
- *Horizon 2020* – Approved May 1998. Chapter 6 – Commercial Land Use is built around the concept of nodal development. It states that nodal development is the antithesis of strip development and that nodal development concept requires the clear termination of commercial development within near proximity of an intersection. Discussion of the center as it exists today states that “Commercial property exists both east and west of S. Iowa Street along 31st Street. Emphasis shall be given to maintaining this commercial node and requests to extend the commercial corridor for additional retail development shall not be considered; however office and office research activities would be appropriate land uses along this arterial corridor.”
- *Home Depot Proposed Zoning Change* - Denied August 2000. Requested to rezone entire trailer park to commercial. The proposal was denied based on *Horizon 2020* and *Southern Development Plan* – commercial development should not be extended east/west along W. 31st Street.
- *Home Depot Proposed Zoning Change (smaller area)* – Modified version approved December 2001. The original request for 24 acres was approved with a reduction in commercial area and Tract A rezoned to PRD with a restriction that the property be only used for open space & right-of-way to specifically provide a boundary for the eastern limits of the commercial zoning along W. 31st Street.
- *Revised Southern Development Plan* – Approved January 2008. The planning area for the *Revised Southern Development Plan* was expanded to include property along the W. 31st Street corridor to allow the consideration of future transportation issues. The plan identifies the north side of W. 31st Street between Ousdahl Road & Louisiana Street as appropriate for medium-density residential development.
- *Aspen Heights Development* – Medium-density residential development approved for this site in 2012 but subsequently abandoned by the developer.

Horizon 2020:

Horizon 2020 states that a nodal development concept requires a clear termination of commercial development and has policies regarding the discontinuation of strip type commercial (Policy 3.1(B)). In 2001, when the Home Depot project was approved, the City Commission provided for that clear edge of the S. Iowa and W. 31st Street commercial node by zoning a tract at the edge of the development for open space and right-of-way for a transition to the residential to the east. If the subject property is changed to be the new edge of the node, a precedent may be set for requests for the continuation of commercial development east along W. 31st Street to Haskell Street where a new interchange is planned for the SLT. This would create strip commercial development similar to W. 6th and 23rd Streets. Below is a map showing the vacant properties which could potentially become a part of a strip commercial development pattern if requested and approved. The subject property is shown in blue stripe and the vacant or potentially redevelopable property is shown in pink and gray stripe.



The S. Iowa Street corridor is designated as a Regional Commercial Center. Policy 3.11 in Chapter 6 identifies criteria for Regional Commercial Centers. Policy 3.11(C)(3) limits these centers to a maximum of 1.5 million gross square feet of commercial space. Currently the center has 1,996,450 square feet and the addition of this property to the center would continue to be inconsistent with this policy, though intensification of the corridor itself is not necessarily negative given that S. Iowa is an existing strip commercial corridor. Policy 3.11(K) states that existing centers shall not intrude or expand into the surrounding residential or lower-intensity uses. The proposal would not be consistent with this policy.

Retail Market Study:

The applicant has submitted a project specific retail market study as required by Section 20-1107 of the Land Development Code and Chapter 6, Commercial Land Use of *Horizon 2020*, specifically Policy 3.13. That market study includes all of the required information, including analysis based on vacancy rates, income trends, population trends, mix of businesses, etc. The market study includes this analysis for the addition of a Home Improvement Store (189,988 sf) to be located in Phase I of the development. The report also indicates that an additional 65,350 sf will be built as part of Phase II, for a total of 255,328 sf.

Policy 3.13 in *Horizon 2020* requires a project specific retail market study for projects that would create 150,000 square feet or more of commercial space. Section 20-1107 of the *Land Development Code* applies to zoning or site plan applications that could create 50,000 square feet of retail space. Staff is reviewing the market study based on the *Land Development Code*, in addition to the criteria in *Horizon 2020* and because the criteria in the *Land Development Code* is the most recently adopted set of criteria.

Horizon 2020, Policy 3.13 (b) states that, "The project shall not be approved if the market study indicates the commercial project or any proposed phase cannot be absorbed into the community within three years from the date of its estimated completion, or that it would result in a community-wide retail vacancy rate greater than eight percent." The Development Code uses a vacancy rate threshold of 8% as one factor in order to determine market health, and the most recent citywide market study completed in Fall of 2010 figured the city-wide vacancy rate at 7%, slightly higher than the 2006 vacancy rate of 6.7%. (<http://www.lawrenceks.org/planning/documents/2010Retail.pdf>) The market study for this

project shows that, when completed and entirely vacant, the the construction of the 189,988 sf home improvement store will push the city-wide vacancy rate to 8.9%. If the total square footage for both Phase I and II were constructed (255,328) and vacant, the city-wide vacancy rate would rise to 9.6%. Staff conducted additional analysis to take into consideration other commercial projects that have received approvals, but have not been constructed to date. The below table illustrates the impact that other projects that have been approved will have on the overall vacancy rate:

	Total Square Feet	Total Occupied Square Feet	Total Vacant Square Feet	City-wide Vacancy Rate
Total Current Retail Inventory	9,120,567	8,478,372	642,195	7.0%
Approved Northwest corner – 6 th and K-10 Node	155,000	0	155,000	
Mercato	359,640	0	359,640	
Fairfield Farms	200,000	0	200,000	
North Mass	217,337*	0	217,337	
31 st & Ousdahl – Phase I (Menards)	189,988	0	189,988	
31 st & Ousdahl – Phase II	65,340	0	65,340	
Total	10,307,872	8,478,372	1,829,500	17.8%

If all commercial space that has been approved were to be constructed and assumed vacant, the city-wide vacancy rate would rise to 17.8%.

While the market study shows that the project, upon completion, will push the city-wide vacancy rate above 8%, this figure alone is not an adequate representation of the impact of this development. This figure is computed by assuming that the project will either be entirely vacant upon completion, or that it will cause the same amount of space to become vacant in other areas of town. Because the majority of the retail space is being built to satisfy a specific tenant, the applicant has stated that there is “no possibility” that the space will be vacant upon completion. While new commercial development can lead to vacancies in other parts of town, the current economic conditions have all but halted speculative commercial building in Lawrence. The current development trend is that buildings are built with known users or committed tenants and therefore, it is unlikely that the space will be vacant upon completion.

The applicant has also provided information on the mix of business types and the potential impact on the downtown area. While the main proposed use exists elsewhere in Lawrence, it is expected to have a limited impact on downtown. The only similar use downtown is a small scale hardware store that is not a direct comparison to the large home improvement store being proposed. It is possible that a large store of this use might pull some business away from other mixed-use or smaller scale hardware stores in the area, in addition to the immediately adjacent existing home improvement store, Home Depot. However, the exact impact that this development may have cannot be determined.

Other demand factors, such as income, employment and population need to be taken into account as well, when looking at the overall impact of this project on the market as a whole. The market study does show that from 2000 to 2010, population has grown 11%, income,

adjusted for inflation, has grown 11.3%, while retail sales have only increased 4.8% for the ten year period. On the supply side of the market, retail stock has increased 70% from 2000 to 2010, however, it is important to note that some of that increase is because of changes in the methodology for figuring total retail space. Supply has increased an average of 7% annually, while population and income have only increased an average of 1.1% annually and retail sales have increased only an average of .48% annually since 2000. What is important to take away from the above number is that demand has not kept pace with supply as shown by the limited income, population, and retail sales growth.

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

The market study also provides a demand analysis based on the amount of square feet of retail space per capita. Currently, in Lawrence there are approximately 104 sf of retail space per capita. With the addition of this projects square footage to the market, there would be approximately 107 sf of retail space per capita. In Section 20-1107 (c)(3)(iv) of the Land Development Code, a maximum threshold of 100 square feet per resident is established to help maintain market health. It would take more than 5 years for the ratio to fall below 100 sf per capita if no more retail space were added to the market. However, this analysis does not take into consideration any of the other approved commercial development. The addition of Mercato, Fairfield Farms, NW Corner of 6th and the SLT, and the remainder of the Bauer Farm development that is approved, but not constructed, would result in a ratio of 117 retail square feet per capita.

The market study satisfies the submission requirements of the Land Development Code and *Horizon 2020*. In staff’s opinion, proposals to add retail space should be carefully scrutinized with respect to the indicators associated with demand not keeping pace with supply and because vacancy rates are arguably reaching unhealthy levels. In light of the availability of other suitable commercially zoned sites, including Mercato, NW Corner of 6th and SLT, and Fairfield Farms, the fact that retail demand is not keeping pace with supply, the high retail space per capita figures, and a vacancy rate that is approaching unhealthy levels, this project is not supportable based on the market study.

Other Considerations:

If the Planning Commission wishes to recommend approval of the CPA, staff has provided draft language to Chapter 6 and Chapter 14 - Specific Plans, *Revised Southern Development Plan* to address the requested changes.

The changes to Chapter 6 include revising on pg. 6-15 and 6-16 where the center should be permitted to expand east along W. 31st St.

The changes to Chapter 14 include the *Revised Southern Development Plan*, Future Land Use Maps 3-1 and 3-2, to change the current medium-density residential designation to commercial and the land use descriptions as to where the designations are located.

Copies of the revised Chapter 6: Commercial Land Use and Chapter 14: Specific Plans, *Revised Southern Development Plan* are attached to this staff report with the changes marked.

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: When the plan was adopted, it was anticipated that commercial development could be pushed to the outskirts of the city limits and the market conditions would drive the need for more multifamily housing on the interior. Since the economic downturn multifamily housing has decreased significantly because it requires a developer with enough financing to build the housing units with no guarantee of occupancy. The subject tract is 41 acres and because of the shape it would have to be sold as a whole to ensure no parts of the property was not wasted. It is not longer a reasonable expectation that lenders will finance a project of such a large magnitude. Commercial development has also slowed significantly and retailers are becoming much more selective on the sites they choose. If the site will not be profitable they will not make the investment to build there. it is unreasonable to expect retailer to develop on sites that are on the outskirts of the town away from the consumers they are trying to serve. It is very common for retailers to locate near each other to promote multi trip shopping outings and competition. During the time the plan was adopted Lawrence was home to several national big box retailers and 17 acres of additional land required for a large store near the commercial center was not anticipated.

Staff's Response: *Horizon 2020* anticipates changes and additions over time. Chapter 6 discusses current commercial developments and future developments. It also outlines how development and redevelopment should occur. The chapter is specific on requiring commercial development to be nodal and not continuing strip development as it has occurred in the past. Commercial nodes have been added or changed over time in order to address type and location. Past plans for this area and the city as a whole have supported nodal development vs. strip type development and not expanding the existing S. Iowa Regional Commercial Center west and east along W. 31st Street. The most recent plan, the *Revised Southern Development Plan*, which was approved in 2008, identified the subject property as medium-density residential. That designation was utilized with the recent Aspen Heights plan, though that potential developer choose not to develop at this time. Additionally the apartment complex at the southeast corner of W. 31st and Ousdahl established a residential pattern consistent with the sector plan.

Some may consider the approval and forward movement of the completion of the SLT project as a change in circumstances. A land use plan for the SLT corridor was completed in 1989 (*South Lawrence Trafficway Corridor Land Use Plan*) and in general, circumstances have not changed since the completion of this plan. Plans completed since 1989 have maintained limiting the commercial uses along S. Iowa St.

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, the existing subject property is a former mobile home park. the owner was under contract with another purchaser during 2011 and 2012, during that time the tenants left the park leaving about 10 holdouts, 25 abandoned trailers, and a lot of garbage. Trailer parks provide affordable housing to low income residents, however they also tend to have higher crime rates and are generally not maintained in the same first class condition as a single family house. The park that occupied the subject property was deteriorating and needed some major renovations to the roads and the housing units. Because the park is currently empty it is likely that it would stay that way until a residential developer stepped in with the capital to develop 41 acres of residential units. The second possibility is the park owners restart the former use as a trailer park and operate it under those conditions until it is sold to another user. The third option is that Menards purchases the property and develops all 41 acres into a commercial node attracting additional businesses to Lawrence in a well maintained development. Under this option the land would not sit empty and would be developed into a first class retail development center that complements the city of Lawrence and fits well within the character of the neighborhood.

Staff's Response: The proposed amendment is not consistent with the goals and policies outlined in *Horizon 2020* or in the *Revised Southern Development Plan*. Chapter 6 specifically states that the commercial node at S. Iowa and W. 31st Streets shall be maintained. Recent amendments to *Horizon 2020* have given direction to offer large retail locations at the intersection of W. 6th St and SLT and included discussion regarding expanding the Regional Commercial Center designation south of the SLT on S. Iowa St. Specifically the Mercato development at the northeast corner of the intersection of W. 6th and SLT would be the only location that would be able to accommodate a store of that size.

The *Revised Southern Development Plan* identifies the subject property as medium-density residential and the commercial node at S. Iowa and W. 31st Street to be maintained.

In order for the proposal to be consistent with long-range plans, changes to the *Revised Southern Development Plan* and Chapter 6 will need to be made.

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

Applicant's Response: Menards, Inc. is requesting the amendment because it does not conform with the future land use designation of this property. The long range goals listed in *Horizon 2020* include Diversity, Pursuit of Quality, Compatibility, and Sustainability. These goals can be met through the comprehensive design of the development and the developments buildings, landscaping, and open space. The property location on a busy arterial road and access points are ideal for a commercial property however the future land use plan did not take these matters into consideration and designated the property residential. The comprehensive plan was designed to prevent unrestricted commercial growth and encroachment into residential areas. It is the intent of this project to prevent any impacts on the adjacent residential properties and increase the quality of living by providing a new aesthetically appealing commercial development.

Staff's Response: This policy from pg. 6-2 states: *Nodal Development is the antithesis of "Strip Development". "Strip Development" is characterized by high-intensity, auto-oriented uses, shallow in depth and extending linearly along a street corridor, with little consideration given to*

access management and site aesthetics. The Nodal Development concept requires the clear termination of commercial development within near proximity of an intersection. Further, Policy 3.1B states: "Strip Commercial Development: Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern".

Public policy has not changed regarding nodal commercial development versus strip commercial development. The policy directs stand alone commercial uses to commercial nodes. In this case, a mostly built commercial center. The description of the commercial center states that commercial development along W. 31st Street should not expand in order to maintain the node in its current boundaries. A transitional area has been provided between the existing commercial node edge and planned medium-density residential on the north side of W. 31st Street and an existing medium-density residential development on the south side of W. 31st Street offers a boundary for the commercial node. A proposal for a medium-density residential development was approved in 2012 for this site and there was no discussion that this site would be more appropriate for commercial development during that process.

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 project and amendment will not have a negative impact on any facilities or services. There are no public facilities around the site that could be impacted by the change from residential to commercial. Menards, Inc. is performing the required due diligence on traffic impacts and will be responsible for maintaining adequate intersection operations. All utilities will be analyzed as part of the civil engineering plans and will be reviewed by the city engineering staff prior to any permits being issued.

Staff's Response: The property is currently served by existing facilities and services. Further review would be completed as part of site planning to address the potential issues but the property is generally able to be served.

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

Applicant's Response: Adjacent to the subject property to the west is the largest commercial node in the City of Lawrence. The Menards development project would extend this commercial development along a well traveled arterial road. The same development has taken place along 23rd St. to the north and 6th St. along the north edge of town. The land to the east is undevelopable due to the expansive floodway that runs through it, leaving this property as an island of residential in the city's largest commercial district.

Staff's Response: This development conflicts with the nodal development policy by extending an already existing commercial node and transforming it into strip development along W. 31st St. The proposal does not meet Goal 2 in Chapter 6 which is to ensure a compatible transition between the commercial development and less intensive uses. There is no transition in land use or zoning to the existing low-density, planned medium-density residential to the east or RS7 zoned property to the north.

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 commercial development will draw more consumers into the city of Lawrence increasing the economic impact on the entire community. The project will create 250 new jobs for the Menards store along and depending on the final uses at least 50-200 jobs when the outlots are developed. The city of Lawrence has on national home improvement retailer within 30 miles, this allows that retailer to sell merchandise at a non-competitive pricing. Competition would allow the consumers that will come from 25+ miles to shop in Lawrence to purchase goods at competitive prices increasing the economic value of each trip, and increasing the likelihood of a return trip.

Staff's Response: The expansion of this commercial node will provide new retail opportunities for the community as a whole, as well as potentially attract visitors to the city, contributing non-local dollars to the local economy which can be considered an advancement of the interests of the citizens of Lawrence and Douglas County if the potential is realized.

PROFESSIONAL STAFF RECOMMENDATION

While staff welcomes the opportunity to accommodate Menards at an appropriate location, the request is not, in staff's opinion, compatible with the existing land use designations of the *Revised Southern Development Plan* and revising the plan is not appropriate for the reasons outlined in this report and when the comprehensive plan policies are reviewed as a whole.

Staff recommends denial of this comprehensive plan amendment to *Horizon 2020*, including the *Revised Southern Development Plan*, to change the designated land use from medium-density residential to commercial for the property located at 1900 W. 31st Street and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission with a recommendation of denial.

Findings for recommendation of denial:

1. The S. Iowa Street corridor is designated as Regional Commercial Center which limits the amount of retail to 1.5 million square feet. The center currently contains 1,996,450 square feet and this request would add 255,328 retail square feet in an area outside the designated commercial corridor, bringing the total for the corridor to 2,251,778 square feet (2.25 million sf) of retail.
2. The proposal is in conflict with *Horizon 2020* Policy 3.11(K) which states that existing centers shall not intrude or expand into the surrounding residential or lower-intensity uses.
3. The proposal is in conflict with *Horizon 2020* policy 3.1B which states: "Strip Commercial Development: Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern."
4. This development does not comply with the *Revised Southern Development Plan* which is adopted as part of *Horizon 2020*, Chapter 14: Specific Plans and identifies the subject property as medium-density residential. The applicant has not demonstrated a clear change in public policy or change in circumstances to support a change in the plan.
5. The submitted market study does not support increasing the amount of commercial use available at this center when other approved locations are taken into account.

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 *Revised Southern Development Plan*.

CHAPTER SIX - COMMERCIAL LAND USE

The Plan's goal is to strengthen and reinforce the role and function of existing commercial areas within Lawrence and Douglas County and promote economically sound and architecturally attractive new commercial development and redevelopment in selected locations.

STRATEGIES: COMMERCIAL DEVELOPMENT

The principal strategies for the development and maintenance of commercial land use areas are:

- Support downtown Lawrence as the Regional Retail/Commercial/Office/Cultural Center with associated residential uses through the careful analysis of the number, scale, and location of other mixed-use commercial/retail developments in the community. Downtown Lawrence is the cultural and historical center for the community and shall be actively maintained through implementation of the adopted design guidelines that regulate the architectural and urban design character of this regional center.
- Establish and maintain a system of commercial development nodes at selected intersections which provide for the anticipated neighborhood, community and regional commercial development needs of the community throughout the planning period.
- Require commercial development to occur in "nodes", by avoiding continuous lineal and shallow lot depth commercial development along the city's street corridors and Douglas County roads.
- Encourage infill development and/or redevelopment of existing commercial areas with an emphasis on Downtown Lawrence and existing commercial gateways. Sensitivity in the form of site layout and design considerations shall be given to important architectural or historical elements in the review of development proposals.
- Improve the overall community image through development of site layout and accessibility plans that are compatible with the community's commercial and retail areas.
- Require new Commercial Centers in the unincorporated portion of Douglas County to be located at the intersection of two hard surfaced County Routes or the intersection of a hard surfaced county route and a state or federally designated highway and no closer than four miles to another Commercial Center in the unincorporated portion of Douglas County.

NODAL DEVELOPMENT

The Goals and Strategies in this chapter center on the Nodal Development Concept for new commercial development and the definitions of the four different categories of commercial nodes: Neighborhood, CC200, CC400, and Regional Commercial. The Nodal Development Concept encompasses all four corners of an intersection, although all four corners do not need to be commercially developed. The concept of nodal development shall also be applied to the redevelopment of existing commercial areas when the redevelopment proposal enlarges the existing commercial area. The following text provides a detailed description of the appropriate uses and development patterns for each respective category of commercial development.

Nodal Development is the antithesis of "Strip Development". "Strip Development" is characterized by high-intensity, auto-oriented uses, shallow in depth and extending linearly along a street corridor, with little consideration given to access management and site aesthetics. The Nodal Development concept requires the clear termination of commercial development within near proximity of an intersection. Commercial development that does not occur directly at the corner of an intersection must be integrated, through development plan design and platting with the property that is directly at the intersection's corner. Termination of commercial development can be accomplished through a number of methods, including: 1) Placement of transitional uses, such as office and multi-family to buffer the adjoining neighborhood from the commercial area; 2) restricting the extension of new commercial uses past established commercial areas; and 3) defining the boundaries of the development through the use of "reverse frontage" roads to contain the commercial uses.

DESIGN STANDARDS

The city shall strive to improve the design of shopping areas. The objective will be to work with commercial developers to achieve compact, pedestrian-oriented centers versus conventional strip malls. The overall goal of these standards is to improve community aesthetics, encourage more shopping per trip, facilitate neighborhood identification and support, and make shopping an enjoyable event.

New design standards shall be developed and adopted which better integrate the centers into the surrounding neighborhoods and create a focal point for those that live nearby. They should include elements that reflect appropriate and compatible site design patterns and architectural features of neighboring areas. Site design and building features shall be reflective of the quality and character of the overall community and incorporate elements familiar to the local landscape. Using a variety of building incentives to encourage mixed use development will bring consumers closer to the businesses

Design elements of particular interest that will receive close scrutiny include:

1. Site design features, such as building placement, open space and public areas, outdoor lighting, landscaping, pedestrian and bicycle amenities, interfacing with adjacent properties, site grading and stormwater management, parking areas and vehicular circulation (including access management).
2. Building design features, such as architectural compatibility, massing, rooflines, detailing, materials, colors, entryways, window and door treatments, backsides of buildings, service/mechanical/utility features and human-scale relationships.

COMMERCIAL CENTER CATEGORIES

The Comprehensive Plan includes recommendations for the improvement of existing commercial areas and the development of compatible new commercial areas. It establishes a system of commercial and retail development that applies to both existing and new development locations. This system involves the designation of different types of commercial areas to distinguish between the basic role and types of land uses and the scale of development. These include the neighborhood, community and regional commercial classifications. The following descriptions are based upon recognized standards formulated by the Urban Land Institute (ULI) and knowledge gathered by the community through past experiences.

An integral component in the description of each commercial center category is the designation of an amount of commercial gross square footage deemed appropriate for each center classification. However, this plan recognizes that there will be instances in which a rezoning request for a commercial district will not be accompanied by a development plan showing the total amount of gross square footage associated with the rezoning request. In such circumstances, part of the commercial rezoning request shall include a statement regarding the maximum amount of commercial square footage that will be permitted with each particular commercial rezoning request.

■ *Commercial Uses*

For the purposes of this section of the Plan, the term “commercial” means retail businesses as defined as one whose primary coding under the North American Industrial Classification System (NAICS) falls into at least one of the following sectors:

1. Sector 44-45: Retail Trade;
2. Subsector 722: Food Services and Drinking Places;
3. Subsector 811: Repair and Maintenance; and
4. Subsector 812: Personal and Laundry Services

■ *Downtown Commercial Center*

The Downtown Commercial Center is the historic core of governmental, commercial, institutional, social and cultural activity. Transitions to adjacent neighborhoods are traditionally provided through alleyways or landscaping improvements rather than a change in use or density. The Downtown Commercial Center is restricted to the historic commercial core of Lawrence. The boundaries of Downtown Lawrence correspond with the boundaries outlined in the “Comprehensive Downtown Plan”, and are described as: *starting at the Kansas River, south along Kentucky Street to just south of Vermont Towers, then east to Vermont Street, south along Vermont Street to North Park Street, east along North Park Street to Rhode Island Street, north along Rhode Island Street to 11th Street, west along 11th Street to the alley east of New Hampshire Street, north along the New Hampshire Street alley to 9th Street, east on 9th Street to Rhode Island Street, then north on Rhode Island Street to the Kansas River.*

The Downtown Commercial Center is the Regional Retail/Commercial/Office/Cultural Center for the community and is considered a destination driver that attracts and serves the area beyond that of the local community. The Downtown Commercial Center has an established development and architectural/urban design pattern. Unique among commercial centers in Lawrence, the Downtown Commercial Center combines a variety of land uses, including governmental, retail, office, public facilities, institutions, churches, and residential. Linear in

design, the Downtown Commercial Center is focused along Massachusetts Street with New Hampshire and Vermont Streets serving as secondary activity areas. General building patterns are urban. Mixed-use, multi-story buildings are the most common building form and parking is provided on-street and through community parking lots and parking structures.

Building designs and public improvements are focused on providing a pedestrian-oriented commercial experience. Massachusetts Street has a distinct streetscape with sawtooth parking and a focus on first floor (pedestrian oriented) retail use. Vermont and New Hampshire Streets provide the major vehicular movement patterns and provide access to the majority of the community parking areas. Alleyways, which provide service access, are one of the main character-defining elements that distinguish the Downtown Commercial Center from other commercial centers. To ensure there are a variety of commercial uses, the maximum footprint for an individual store is limited to approximately 25,000 gross square feet. One of the keys to the success of the Downtown Commercial Center is the ability to provide a wide range of leasable square footage that is both flexible and capable of being tailored to a specific use. Construction within the Downtown Commercial Center is regulated by a set of design guidelines administered through an Urban Conservation Overlay Zoning District.

An important ingredient to ensuring the continued viability of Downtown is keeping it the center of the city's social and institutional activities. To maintain downtown as the city and County's hub of governmental functions; uses and buildings such as City Hall, the County Courthouse, Municipal Library, Douglas County Senior Center, Fire/Medical Department's Main Office, Police and Sheriff Offices, the Municipal Pool and the Municipal and District Courts shall remain located in Downtown.

■ ***Neighborhood Commercial Centers***

The typical nodal development concept for Neighborhood Commercial Centers includes commercial on only one corner of an arterial/collector street intersection or arterial/arterial street intersection. The remaining corners are appropriate for a variety of other land uses, including office, public facilities and high density residential. Commercial development shall not be the dominant land use at the intersection or extend into the surrounding lower-density residential portions of the neighborhood. The surrounding residential area shall be provided adequate buffering from the commercial uses through transitional zoning or lower-intensity developments. Transitions shall be accomplished by using a number of methods, such as intensive landscaping and berming, grouping of lower-intensity developments, incorporation of existing natural land features into site layout and design (ex. open space along a creek), or a combination of these methods.

Neighborhood Commercial Centers may contain a variety of commercial uses, including a grocery store, convenience store, and other smaller retail shops and services such as a barbershop or beauty salon. To insure there are a variety of commercial uses and that no one use dominates a Neighborhood Commercial Center, no one store shall occupy an area larger than 40,000 gross square feet. The only exception is a grocery store, which may occupy an area up to 80,000 gross square feet.

A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. Neighborhood Commercial Centers shall contain no more than a total of 100,000 gross square feet of commercial space with the exception of Neighborhood Commercial Centers that include a grocery store. Neighborhood Commercial Centers that have a grocery store larger than 60,001 gross square feet may have up to a total of 125,000 gross square feet of commercial space.

To ensure that the commercial area in a new Neighborhood Commercial Center has adequate lot size and depth, any proposal for a commercial development shall have a length-to-depth ratio between 1:1 and 3:2.

In order to facilitate the orderly development of future commercial nodes, Lawrence shall attempt to complete “nodal plans” for each future commercial center in advance of development proposals.

If a nodal plan had not been created by the city, the need to create a nodal plan for a specific intersection shall be “triggered” by the first development request (rezoning, plat, preliminary development plan, etc.) submitted to the Planning Department for any portion of the node. The creation of the nodal plan may involve input from landowners within the nodal area, adjoining neighborhoods and property owners, and appropriate local and state entities. The appropriate governing body (City or County Commission) shall approve the nodal plan before development approval within the nodal area can move forward.

■ ***Mixed-Use Redevelopment Center***

The City of Lawrence includes areas where existing structures that have not been utilized for their original purposes for an extended period of time, have experienced a high turnover rate, or have remained vacant for an extended period of time and, therefore, are suitable for redevelopment. Such areas present potential opportunities for redevelopment into mixed-use centers, offering a mix of residential, civic, office, small-scale commercial, and open space uses. This mixed use is encouraged in individual structures as well as throughout the area.

Mixed-use redevelopment centers shall include a mix of uses designed to maintain the character of the surrounding neighborhood, achieve integration with adjacent land uses, and be no larger than six acres in size. As such, retail uses within mixed-use redevelopment centers shall not exceed 25% of the net floor area within the subject area, and a single retail shop or tenant shall not occupy more than 16,000 square feet of a ground-floor level, net floor area. Neighborhood integration shall also be accomplished by providing transitions through alleyways and use and landscaping buffers, and by ensuring existing structures are incorporated into the new center where possible. New development shall respect the general spacing, mass, scale, and street frontage relationships of existing structures and surrounding neighborhoods. The City’s Historic Resources Administrator shall be contacted if it is likely that historic structures exist within or near the project area.

Centers shall provide multi-modal services, allowing bicycle, pedestrian, vehicular, and, if available, transit options. Pedestrians should be able to navigate the site safely and efficiently, and travel to and from the site with ease. Pedestrian-scaled street furnishings, plantings, and gathering places shall be utilized to allow for social activity in public places. Bicycle parking shall be provided when required by the Zoning Regulations, and transit services shall be incorporated into the design where necessary.

■ ***Mixed-Use Districts***

The City of Lawrence includes areas where infill and new development opportunities exist that would appropriately be developed or redeveloped as a mixed-use district. Such areas present

potential opportunities for development and redevelopment as mixed-use districts, offering a mix of residential and non-residential uses. This mixed use is encouraged in individual structures as well as throughout the area. There are also areas that are currently mixed use in nature that should be preserved.

Mixed-use districts shall include a mix of uses designed to maintain the character of the surrounding neighborhood, achieve integration with adjacent land uses, and be no larger than 20 acres in size. Neighborhood integration may also be accomplished by providing transitions through alleyways, variation among development intensity, implementation of landscaping buffers, or by ensuring existing structures are incorporated into the development where possible. New development shall respect the general spacing, mass, scale, and street frontage relationships of existing structures and surrounding neighborhoods. The City's Historic Resources Administrator shall be included in the review process if it is likely that historic structures exist within or near the project area.

Mixed use districts shall provide multi-modal services, allowing bicycle, pedestrian, vehicular, and transit options. Pedestrians should be able to navigate the site safely and efficiently, and travel to and from the site with ease. Pedestrian-scaled street furnishings, plantings, and public spaces shall be planned to be utilized to allow for social activity. Bicycle parking shall be provided when required by the Zoning Regulations, and transit services shall be incorporated into the design where necessary.

■ ***Inner-Neighborhood Commercial Centers***

A subcategory of this section is Inner-Neighborhood Commercial Centers. Typically, this is an existing commercial area within an established neighborhood. Existing Inner-Neighborhood Commercial Centers are located at:

- Southeast corner of 12th Street and Connecticut Street
- West side of the intersection of 14th Street and Massachusetts Street
- Intersection of N. 7th Street and Locust Street
- 6th Street between Indiana Street and Mississippi Street
- E. 9th Street corridor starting at Rhode Island and going east
- Northeast corner of Barker Street and 23rd Street
- 7th Street and Michigan Street.
- Northeast corner of 13th and Haskell

Redevelopment of these existing Inner-Neighborhood Commercial Centers should be facilitated through the use of alternative development standards that allow for reductions in required parking, open space, setbacks, lot dimensions and other requirements that make it difficult to redevelop existing commercial areas

■ ***Community Commercial Center***

A Community Commercial Center provides goods and services to several different neighborhood areas. It requires a site of sufficient size to accommodate buildings, parking, stormwater detention and open space areas. Although it may include a food or drug store, it is likely to provide a broad range of retail uses and services that typically generate more traffic and require

larger lot sizes than found in a Neighborhood Commercial Center. Community Commercial Center uses may include hardware stores, video outlets, clothing stores, furniture stores, grocery store, movie theaters, home improvement stores, auto supply and services, athletic and fitness centers, indoor entertainment centers, etc.

Community Commercial Center (under 200,000 square feet): CC200

The primary purpose of the CC200 category is to provide for the expansion and redevelopment of existing Community Commercial Centers. However, a new CC200 Center can be designated. Expansion of an existing CC200 Center shall not intrude into surrounding residential areas or lower-intensity land uses. Any proposal for commercial expansion or redevelopment occurring in an area designated as a CC200 Center shall include a plan for reducing curb cuts, improving pedestrian connections, providing cross access easements to adjacent properties, and creating and/or maintaining buffering for any adjacent non-commercial uses.

All corners of CC200 Center intersections should not be devoted to commercial uses. CC200 Centers should have a variety of uses such as office, employment-related uses, public and semi-public uses, parks and recreation, multi-family residential, etc.

To insure that there are a variety of commercial uses and that no single store front dominates the CC200 Center, no individual or single store shall occupy more than 100,000 gross square feet. A general merchandise store (including discount and apparel stores) that does not exceed 65,000 gross square feet in size may be located in a CC200 Center. The sum of the gross square footage for all stores that occupy space between 40,000 and 100,000 cannot exceed 50 percent of the gross commercial square footage for the corner of the intersection where it is located. To provide adequate access and adequate circulation, CC200 Centers shall be located at an arterial/collector street intersection or arterial/arterial street intersection.

CC200 Centers shall be located with primary access designed to occur from arterial or collector streets, with secondary access occurring from neighborhood feeder streets or reverse frontage roads. The purpose of the secondary access is to collect internal neighborhood traffic so that accessibility from the adjoining neighborhoods does not require exiting the neighborhood to access community shopping. These secondary access points are intended only for neighborhood traffic. The surrounding street design shall be done in a manner to discourage access to the Commercial Center by non-neighborhood traffic. Pedestrian and bike connection to the neighborhood shall be emphasized along the secondary routes.

In order to facilitate the orderly development of future commercial nodes, Lawrence shall attempt to complete "nodal plans" for each future commercial center in advance of development proposals.

In the absence of a city created nodal plan, the need to create a nodal plan for a specific intersection will be "triggered" by the first development request (rezoning, plat, preliminary development plan, etc.) submitted to the Planning Department for any portion of the node. The creation of the nodal plan may involve input from landowners within the nodal area, adjoining neighborhoods and property owners, and appropriate local and state entities. The appropriate governing body (City or County Commission) shall approve the nodal plan before approval of the development within the nodal area can move forward.

Community Commercial Center (under 400,000 square feet): CC400

The second category of Community Commercial Centers is the CC400 Center. Although these centers usually average 150,000 gross square feet, they may be as large as 400,000 gross square feet of retail commercial space if justified by an independent market study. CC400 Centers shall be located at the intersection of two arterial streets that have at least a four-lane cross-section or the intersection of a four-lane arterial with a state or federally designated highway.

CC400 Centers shall be located with primary access designed to occur from arterial or collector streets, with secondary access occurring from neighborhood feeder streets or reverse frontage roads. The purpose of the secondary access is to collect internal neighborhood traffic so that accessibility from the adjoining neighborhoods does not require exiting the neighborhood to access community shopping. These secondary access points are intended only for neighborhood traffic. The surround street design shall be done in a manner to discourage access to the Commercial Center by non-neighborhood traffic. Pedestrian and bike connection to the neighborhood shall be emphasized along the secondary routes.

The nodal development concept for CC400 Centers includes the possibility of commercial development on more than one corner of an intersection. The non-commercial corners of a community commercial node are appropriate for a variety of non-commercial retail uses including office, public or religious facilities, health care, and medium- to high-density residential development. Community Commercial development shall not extend into the surrounding lower-density residential portions of neighborhoods. The adjoining residential area shall be provided adequate buffering from the commercial uses through transitional zoning or development. Transitions may be accomplished by using a number of methods, including extensive landscaping and berming, grouping of lower-intensity uses, incorporation of existing natural land features into site layout and design (ex. open space along a creek), or a combination of these methods.

To insure that a specific intersection complies with the CC400 Center nodal standards, a nodal plan for each new CC400 Center must be created. The nodal plan will define the area of the node and provide details including: 1) existing natural features; 2) appropriate transitional uses; 3) appropriate uses for each specific corner of the intersection; 4) access points for each corner; 5) necessary infrastructure improvements; 6) overall flow of traffic in and around the node and the surrounding area; and 7) any other necessary information.

A key element to a nodal plan is the designation of the appropriate uses for each corner of the node, which shall be governed by the above-listed details. Those details will be used to analyze a potential node. The analysis of the node may readily reveal the appropriate use for each specific corner. However, the analysis may reveal that no one use is appropriate for each specific corner, but instead a variety of uses may be considered appropriate for a specific corner. In a situation where all the corners maybe considered appropriate for commercial uses, the location of the commercial space will be dictated by the timing of the development application and the development standards located in this chapter.

In order to facilitate the orderly development of future commercial nodes; Lawrence shall attempt to complete "nodal plans" for each future commercial center in advance of development proposals.

If the city has not created a nodal plan, the need to create a nodal plan for a specific intersection will be “triggered” by the first development request (rezoning, plat, preliminary development plan, etc.) submitted to the Planning Department for any portion of the node. The creation of the nodal plan may involve input from landowners within the nodal area, adjoining neighborhoods and property owners, and appropriate local and state entities. The appropriate governing body (City or County Commission) shall approve the nodal plan before approval of the development within the nodal area can move forward.

At least 95 percent of the commercial gross square footage in a new CC400 Center shall be located on two corners of the intersection. The remaining five percent shall be located on one of the remaining two corners. To comply with the square footage maximum for a CC400 Center and to ensure that the commercial area has adequate lot size and depth, any commercial development proposal for a single corner shall have a length-to- depth ratio between 1:1 and 3:2 and be a minimum of 20 acres in size. Proposals in which the commercial gross square footage is less than ten percent of the total square footage of the proposal do not have to meet the minimum acreage and lot length-to-depth ratio requirements.

No one store in a CC400 Center shall occupy more than 175,000 gross square feet. The sum of the gross square footage for all stores that occupy space between 100,000 gross square feet and 175,000 gross square feet shall not exceed 70 percent of the gross commercial square footage for the corner of the intersection. If a proposal for a corner of the intersection includes more than 100,000 gross square feet of commercial space, the proposal shall include a single store building that has at least 40,000 gross square feet of commercial space.

Community Commercial Center (under 600,000 square feet): CC600

The third category of Community Commercial Centers is the CC600 Center. The primary purpose of the CC600 center is to provide opportunities for development of new Community Commercial Centers for fringe areas as neighborhoods grow and develop,

These centers allow a maximum of 600,000 square feet of commercial retail space and shall be located at the intersection of two state or federally designated highways. Other uses of a non-retail nature do not have a space limitation. A maximum of 90 percent of the commercial retail square footage in a CC600 center shall be located on two corners of the intersection. The remaining 10 percent shall be located on one or both of the remaining two corners.

CC600 centers should be developed in a nodal development pattern and be part of a specific land use plan that includes the node. The nodal plan shall also address surrounding land uses and provide for adequate transitioning of uses.

■ ***Regional Commercial Centers***

A Regional Commercial Center may provide the same services as a Community Commercial Center but should provide a greater variety and number of general merchandise, apparel and furniture stores, among other tenants. Because of the overall scale and mix of uses, a regional retail commercial center attracts and serves a population greater than and beyond that of the

community.

The minimum area for a commercial development plan on any corner is 40 acres and the minimum street frontage is 1,400 linear feet. This will ensure a new Regional Commercial Center is capable of development with the critical mass mixture, including sites for multiple big box buildings, required parking, stormwater detention, and open space areas. A Regional Commercial Center node shall not contain more than 1.5 million gross square feet of retail commercial space. The only location for the next Regional Commercial Center is at the intersection of either two state or federal highways, or the intersection of a street identified on the Major Thoroughfares Map as an arterial street and a state or federal highway.

Development of another Regional Commercial Center will have significant impacts on the Lawrence/Douglas County community and its existing retail centers, and will place increased service demands on the community's infrastructure system. Due to these impacts, consideration of a Regional Commercial Center by the Planning and City Commissions shall utilize the best available information in the analysis, public hearing and decision making process. Therefore, when the next Regional Commercial Center is proposed, an independent market analysis shall be required at the review and analysis stage and prior to public hearing. The entity proposing the Regional Commercial Center shall provide the funds necessary for the city to hire an independent consultant, selected by the applicant from a list of approved consultants established by the city, to perform the market analysis study.

The market analysis study shall be required, at a minimum, to analyze the proposed Regional Commercial Center based on the following criteria: 1) the overall viability of the commercial proposal and the impact of the proposal on the economic vitality and health of the community in the form of impacts on existing commercial centers; 2) the appropriate phasing or timing of development of the ultimate center size based on the community's ability to absorb additional commercial square footage over a three year period; 3) a comparison of the private costs versus public infrastructure and services costs to develop the commercial center proposed; and 4) other factors identified as relevant impacts on the market by either the developer or the city. The three year time period is a typical cycle for a commercial development to go from a concept to the opening of a store.

As with the Community Commercial Center, in order to insure that a specific intersection complies with the Regional Commercial Center nodal standards, a nodal plan for a new Regional Commercial Center shall be created. The nodal plan shall define the area of the node and provide details, including: 1) existing natural features; 2) appropriate transitional uses; 3) appropriate uses for each specific corner of the intersection; 4) access points for each corner; 5) necessary infrastructure improvements; 6) overall flow of traffic in and around the node and the surrounding area; and 7) any other necessary information.

A key element to a nodal plan is the designation of the appropriate uses for each corner of the node, which shall be greatly governed by the above-listed details. Those details will be used to analyze a potential node. The analysis of the node may readily reveal the appropriate use for each specific corner. However, the analysis may reveal that no one use is appropriate for each specific corner, but instead a variety of uses may be considered appropriate for a specific corner. In a situation where all the corners may be considered appropriate for commercial uses, the location of the commercial space will be dictated by the timing of the development application and the development standards located in this chapter.

If the city has not created a nodal plan, the need to create a nodal plan for a specific

intersection shall be “triggered” by the first development request (rezoning, plat, preliminary development plan, etc.) submitted to the Planning Department for any portion of the node. The creation of the nodal plan may involve input from landowners within the nodal area, adjoining neighborhoods and property owners, and appropriate local and state entities. The appropriate governing body (City or County Commission) shall approve the nodal plan before development approval within the nodal area can move forward.

■ ***Existing Strip Commercial Developments***

Existing strip commercial development areas are characterized by developments that do not meet current standards for lot dimensions and area, lot frontage, curb cut location(s), or the presence of internal frontage roads for cross access. These areas developed at a time when development standards permitted smaller lots, shallower lot depth, minimum spacing between curb cuts and multiple access points from a site to an arterial street; traffic studies were also not required prior to development at that time. These strip commercial development areas have become obsolete as a result of their inability to adjust to increased traffic volumes and congestion, current needs for site area and depth for redevelopment, and the changing patterns of shopping of the motoring public. As these strip areas become less desirable locations, the ability to redevelop individual lots becomes a matter of both property owner and community concern. The community concern is primarily with the creation of vacant, undeveloped or underdeveloped commercial areas that have the potential to blight the city’s gateways.

A combination of innovative tools should be developed to assist owners of lots within the existing strip development areas to redevelop. These tools need to include regulations that provide accommodations for shallow lot depth, the combination of lots and access points, and the creation of cross access between lots to minimize the need for individual lot access to arterial streets. In addition, other tools of a policy nature which would be helpful to redevelopment need to be considered and, where appropriate, adopted by the appropriate governing bodies. These tools may include the ability for establishment of public/private partnerships, special overlay districts, modified development standards for redevelopment based on an adopted redevelopment plan, tools to assist in lot consolidation and purchase, adopted access management plans and access point relocations, special benefit districts for sidewalks and public transportation stops, assistance in acquiring cross access easements, and similar tools providing community benefit.

Existing Strip Commercial Development areas shall not be permitted to expand or redevelop into the surrounding lower-intensity areas. Redevelopment within Strip Commercial Development areas shall be approved only when the redevelopment complies with any adopted redevelopment plan or access management plan for the area. Cross access easements and curb cut consolidation should be considered a standard element of any redevelopment plan, as shall a solid screen or buffer along all property lines that adjoin residentially zoned or developed areas.

■ ***Auto-Related Commercial Centers***

A unique type of commercial development is an Auto-Related Commercial Center. These centers include a wide variety of uses such as auto sales and repair, restaurants, hotels, and other similar uses that attract a large amount of the traveling public. However, these uses are not limited to Auto-Related Commercial Centers. A common feature of all these uses is that

they typically have a small amount of commercial square footage under roof, but require a large amount of acreage for parking or sales display.

Because these centers have a limited variety of uses and a relatively small amount of commercial square footage, Auto-Related Commercial Centers do not fit within the definition of a Community or Regional Commercial Center. These types of centers are very intensive and therefore need to be directed to areas that have an ability to handle the intensive nature of an Auto-Related Commercial Center.

Auto-Related Commercial Centers shall be located at the intersection of two state or federally designated highways. To ensure that the Auto-Related Commercial Centers develop in a planned manner that provides a positive benefit to the community, Auto-Related Commercial Centers shall have a lot length-to-depth ratio between 1:1 and 3:2 and must be a minimum of 20 acres in size.

All the potential locations of an Auto-Related Commercial Center are in areas that serve as “gateways” into the city. Since they are in “gateway” areas, any proposal for an Auto-Related Commercial Center shall be closely scrutinized for architectural appearance, landscaping, signage, etc.

■ ***Recreational Uses***

Commercial uses that are primarily physical recreation in nature (uses such as go-karts, skating rinks, bowling alleys, basketball arenas, soccer arenas, miniature golf, pitch and putt golf, etc.) may be located in the appropriate Commercial Center classification. High levels of noise and light can be generated by Recreational Uses. Because of this high level of noise and light, Recreational Uses shall be compatible with the surrounding existing or planned uses. Proposals for such uses do not need to meet the size or ratio requirements stated in the respective Commercial Center definitions. Proposals for Recreational Uses shall provide adequate buffering for adjacent non-commercial uses, shall use a minimal number of curb cuts, and provide cross access easements to adjoining properties.

If a Recreational Use is proposed in a Neighborhood or CC200 Center, the amount of commercial gross square footage occupied by the Recreational Use shall be counted toward the maximum amount of commercial gross square footage allowed. A Recreational Use located in a CC200 can occupy up to 50,000 gross square feet. The purpose of regulating the size of Recreational Uses in Neighborhood and CC200 Centers is to preserve and protect the smaller, neighborhood scale associated with these types of Centers.

The amount of commercial gross square footage occupied by Recreational Uses located in a CC400 or a Regional Commercial Center shall not be counted toward the maximum amount of gross commercial square footage allowed in the respective Commercial Center. The square footage of a Recreational Use is not included in the total commercial square footage because CC400 and Regional Commercial Centers are typically larger-scale commercial developments. This reduces the impact of the Recreational Use on the scale and massing of the CC400 or Regional Center.

The acreage used to accommodate a Recreational Use may be used to meet the minimum acreage requirements for a respective Commercial Center, if the Recreational Use and

additional commercial uses at the corner of the node are integrated together.

Community facility-type recreational facilities can be located in non-commercial areas if given the extra scrutiny that is associated with the issuance of a special permit such as a Special Use Permit.

LAWRENCE - EXISTING COMMERCIAL AREAS

Lawrence currently has a number of commercial and retail development areas:

- Downtown Lawrence
- N. 2nd Street and N. 3rd Street
- Iowa Street (Harvard Street to W. 6th Street)
- S. Iowa Street (23rd Street to the South Lawrence Trafficway)
- W. 23rd Street (Iowa Street to the existing commercial development east of Louisiana Street)
- E. 23rd Street (Learnard Street to Harper Street)
- W. 6th Street (Alabama Street to Iowa Street)
- W. 6th Street (Iowa Street to Kasold Drive)
- W. 6th Street and Monterey Drive
- W. 6th Street and Wakarusa Drive
- Clinton Parkway and Kasold Drive
- Clinton Parkway and Wakarusa Drive
- 19th Street and Massachusetts Street
- 19th Street and Haskell Drive
- 15th Street and Kasold Drive
- 15th Street and Wakarusa Drive
- 9th Street (Kentucky Street to Mississippi Street)

Existing commercial areas in Lawrence will need to be upgraded in the future to remain viable in the marketplace. The Plan calls for the incremental improvement of these existing developments through the addition of landscaping and aesthetic improvements as uses change. Some existing developments may be converted to other uses as needs change within the community. Specific land use recommendations for the existing commercial development areas are provided below.

- ***Downtown Lawrence***

Throughout the development of this Plan, the need to preserve, improve and enhance Downtown Lawrence has been shown to have broad community support. Goals and policies in the Plan are written to ensure Downtown Lawrence remains competitive and viable as a Regional Retail Commercial Center. Downtown Lawrence shall remain the Regional Retail/Commercial/Office/Cultural Center because it is: 1) a physical and cultural symbol of the strength of the community; 2) a gathering point for many civic and cultural functions; 3) the "historic core" of the community which establishes a vital continuity between the past and the present community; and 4) the site of major public and private investment.

The Comprehensive Downtown Plan reiterates the specific functions of a downtown. These

functions include provisions for a retail core, office space, entertainment services, peripheral residential development, cultural facilities (including performing arts, museums and libraries) community social needs (including club and organizational meeting facilities), government offices and facilities, health services, convention and hotel facilities. The Comprehensive Downtown Plan also states this area should provide, "the economic, physical and aesthetic environment around which the populace can develop an intense pride in the community, a focal point for identification and drawing together for common interests, a meeting place where people can communicate and relax -- the heart of the city".

To distinguish Downtown Lawrence from other commercial and retail areas, and to preserve and enhance its role in the community, Downtown Lawrence is designated as the Regional Retail/Commercial/Office/Cultural Center and shall be the only location within the planning area developed for such use. Gateways to Downtown Lawrence should be emphasized and enhanced to contribute to the "sense of place" of this unique area of the community.

The distinction as the Regional Retail/Commercial/Office/Cultural Center, above and beyond other commercial areas within the community, is significant. Downtown Lawrence serves the greater needs of the community as a focal point for social, community and governmental activities. The Plan's goals and policies encourage the continued development of a broad mix of uses in downtown Lawrence with an emphasis on retail as a major land use. It is vital to the community's well-being that Downtown Lawrence remain the viable Regional Retail Commercial Center.

For Downtown Lawrence to remain economically stable and vital there is a need to expand the boundaries beyond the current configuration illustrated in the adopted Comprehensive Downtown Plan. This anticipates the need to provide additional parking areas and locations for commercial and public-related development in the future. At this time, the Comprehensive Plan does not recommend areas for downtown expansion, but opportunities for expansion and redevelopment do exist within the current boundaries of Downtown Lawrence. Action to expand Downtown Lawrence can only be reasonably undertaken following a comprehensive re-evaluation of downtown needs, assets, growth potentials, use mix, and preferred locations for conservation and development. Re-study of the Comprehensive Downtown Plan should explore the following options to improve Downtown Lawrence: development of a comprehensive parking plan and implementation schedule, evaluation of transportation options, improvement of access to downtown from the east, west and south, and inclusion of more uses along the river and integration of these developments into downtown.

- ***N. 2nd Street and N. 3rd Street***

The Comprehensive Plan recommends that N. 2nd Street and N. 3rd Street play an enhanced role in the community as a commercial corridor, acting as an important entryway/gateway to Lawrence. This corridor is considered to be an Existing Strip Commercial area. The Comprehensive Plan identifies the intersection of the N. 3rd Street and I-70 as a possible location for an Auto-Related Commercial Center.

Marginal, obsolete and underutilized sites and incompatible uses along this corridor should be redeveloped or reconstructed. For example, existing heavy industrial uses along the northern portion of the corridor should be relocated within the planning area and the sites redeveloped with compatible commercial, service or retail uses. New development and redevelopment shall

include improved parking, signage and landscaping improvements that enhance the overall aesthetic and environmental conditions along the corridor. The city should encourage and work with land owners to undertake property improvement within the area. The city should consider special financing mechanisms, such as benefit districts or tax increment financing to assist in private and public improvement projects for the area.

Historically, the North Lawrence area including the N. 2nd and N. 3rd Street corridor has had repeated floodwater and stormwater problems. The Comprehensive Plan recommends that a comprehensive drainage study be completed as soon as possible and before any additional new development occurs along the N. 2nd Street and N. 3rd Street corridor. The study shall be a joint project between the city and private property owners. The drainage study shall provide a plan for addressing existing flooding and stormwater problems, as well as devising a plan for dealing with additional runoff from future development in the area.

- ***N. Iowa Street (Harvard Road to W. 6th Street)***

N. Iowa Street is considered an existing Community Commercial Center limited to 200,000 square feet of commercial gross square footage (CC200 Center). The N. Iowa Street area includes a variety of independent developments and the Hillcrest Shopping Center. Most parcels within the northern segment are already developed. Future development and redevelopment shall occur within the existing commercially zoned areas and shall emphasize coordinated access control and transition yard improvements with adjoining residential areas.

- ***S. Iowa Street (23rd Street to K-10)***

S. Iowa Street is considered an existing Regional Commercial Center. S. Iowa is a strip development that is intensely development between 23rd Street and K-10. The corridor connects with existing commercial development along 23rd Street. With recent development at the northeast corner of 31st Street and Iowa Street, and the location of several discount stores in close proximity to one another, this commercial corridor has evolved into a Regional Commercial Center, serving regional shopping and entertainment needs.

K-10 provides a physical barrier and edge to the commercial corridor that has developed. Additional retail commercial uses shall not occur south of the highway, except for the possible location of an Auto-Related Commercial Center. Two of the four corners of the intersection have existing auto-related uses. Located at the northwest corner is a hotel and an automobile dealership is located on the northeast corner. Because of access to two major highways (K-10 and US-59) the area south of K-10 could be a location for an Auto-Related Commercial Center. Both corners are an appropriate location for an Auto-Related Commercial Center, provided that the floodplain issues for the southwest corner can be addressed.

~~Commercial property exists both east and west of S. Iowa Street along 31st Street. Emphasis shall be given to maintaining this commercial node and requests to extend the commercial corridor for additional retail development shall not be considered; however office and office research activities would be appropriate land uses along this arterial corridor.~~

In general, development and redevelopment along the Iowa Street segment shall emphasize consolidated access, frontage roads, coordinated site planning and design, and high quality development. Development signage should be in scale with sites and should complement and

not compete with signage of adjoining parcels. Improved landscaping would enhance the visual appeal of the corridor. Landscaped transition yards should be established between residential and non-residential uses.

- ***W. 23rd Street (Iowa Street to the existing commercial development east of Louisiana Street)***

The W. 23rd Street corridor is an Existing Strip Commercial area. The commercial development along W. 23rd Street is the prototypical "strip development" that is centered on the automobile. This area was once considered to be one of Lawrence's most desirable locations for a retail business. However, the status of the W. 23rd Street corridor as a highly desirable retail location has been supplanted by retail developments at South Iowa and in the western portion of the city.

The 23rd Street corridor will remain an important commercial location in the city. For the segment of the corridor between S. Iowa Street and Tennessee Street, the Plan emphasizes visual site improvements related to signage, landscaping and development design. A key factor in the long-term stability of this area is the improvement of traffic access and operations as properties along this corridor redevelop. If access and circulation are not simplified and the area made comfortable to the motorist, shoppers may seek other portions of the community in which to do business. In cooperation with property owners, the city should undertake parkway landscaping improvements. This action, coupled with placing utility lines underground (wherever practical), will help to improve the physical image of the area. All new development or redevelopment occurring along this corridor shall be required to consolidate curb cuts and provide access easements to adjoining properties.

Landscape and screening improvements between commercial and residential areas are particularly important along this segment where development is compact and differing land uses are situated in close proximity.

- ***E. 23rd Street (Learnard Street to Harper Street)***

E. 23rd Street is an Existing Strip Commercial Development. Redevelopment and infill opportunities are available along the entire corridor and are emphasized along the older commercial segment of 23rd Street, east of the Santa Fe Railroad. This area has historically been a "fringe location" and has not been developed as intensively as the western section of 23rd Street. The Comprehensive Plan recommends the area maintain a community commercial focus. A substantial amount of property exists between Haskell Avenue and Harper Street that should be redeveloped to geographically balance commercial development occurring in other areas of the community. The area should become more retail and office in orientation. Future development and redevelopment shall include parcel consolidation and re-subdivision to establish properly sized and configured commercial sites to encourage a coordinated and unified development pattern.

Like the Iowa Street corridor, emphasis is also placed on improved and coordinated signage in scale with development, as well as on minimizing curb cuts on 23rd Street.

- ***W. 6th Street (Alabama Street to Iowa Street)***

This is the oldest section of the W. 6th Street corridor and is an Existing Strip Commercial Development. There are a variety of uses along this corridor, but the primary two are fast food restaurants and medical offices and supplies. This section is typical strip development with small individual lots, each with a curb cut onto W. 6th Street. The Comprehensive Plan does not recommend the expansion of this area beyond the property currently zoned commercial or office. All new development or redevelopment occurring along this corridor shall be required to consolidate curb cuts and provide access easements to adjoining properties.

- ***W. 6th Street (Iowa Street to Kasold Street)***

This portion of the W. 6th Street corridor is an Existing Strip Commercial Development. The development patterns along this section of W. 6th Street are newer than eastern portion of W. 6th Street. However, the commercial area is still a “strip development”, characterized by numerous curb cuts and intensive retail development fronting the majority of W. 6th Street. The Comprehensive Plan does not recommend the expansion of this area beyond the property currently zoned commercial or office. All new development or redevelopment occurring along this corridor shall be required to consolidate curb cuts and provide access easements to adjoining properties.

- ***W. 6th Street and Monterey Way***

The intersection of W. 6th Street and Monterey Way is an existing Neighborhood Commercial Center with a nodal development pattern. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property.

- ***W. 6th Street and Wakarusa Drive***

The intersection of W. 6th Street and Wakarusa Drive is an existing Community Commercial Center limited to 200,000 square feet of commercial gross square footage (CC200 Center) with a nodal development pattern. While this intersection is designated a CC200 Center, there already exists more commercial gross square footage at the intersection than is recommended for a CC200 Center.

Portions of the intersection of W. 6th Street and Wakarusa Drive are still developing. However, the southern half of the intersection is almost completely developed and shall not be expanded beyond Congressional Drive to the west. The northern half of the intersection is undeveloped. Commercial development of this portion of the intersection shall not extend beyond Overland Drive (extended) to the north, Congressional Drive (extended) to the west; and Champion Lane (extended) to the east. Development proposals for the northern portions of the intersection shall include not only commercial uses, but also a variety of other uses including office, community, recreational and multi-family uses.

- ***Clinton Parkway and Kasold Drive***

The intersection of Clinton Parkway and Kasold Drive is an existing Neighborhood Commercial Center with a nodal development pattern. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property.

- ***Clinton Parkway and Wakarusa Drive***

The intersection of Clinton Parkway and Wakarusa Drive is an existing Neighborhood Commercial Center with a nodal development pattern. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property.

- ***E. 19th Street and Massachusetts Street***

The intersection of 19th Street and Massachusetts Street is an existing Neighborhood Commercial Center with a nodal development pattern. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property. New development and redevelopment proposals for this area shall include plans for the consolidation of curb cuts and provision of cross access easements to adjoining properties.

- ***E. 19th Street and Haskell Avenue***

The southeast corner of the intersection of E. 19th Street and Haskell Avenue is an existing Neighborhood Commercial Center with a nodal development pattern. The commercial zoning at this intersection includes the city park property on the southwest corner of the intersection. The Comprehensive Plan does not recommend expanding the commercial uses beyond the current commercial zoning at the southeast corner. Enhancement of the corner's existing retail space is highly encouraged. Like the Inner-Neighborhood Commercial Centers, this area would benefit from a reduction in development standards that would increase the potential for redevelopment.

- ***W. 15th Street and Wakarusa Drive***

The intersection of W. 15th Street and Wakarusa Drive is an existing Neighborhood Commercial Center with a nodal development pattern. The southeast corner is commercially zoned. The current uses at this corner are a bank and small shopping center. The Comprehensive Plan does not recommend expanding the commercial uses beyond the existing commercially zoned property.

- ***W. 15th Street and Kasold Drive***

The northeast corner of the intersection of W. 15th Street and Kasold Drive is an existing Neighborhood Commercial Center with a nodal development pattern. The commercial zoning at this intersection includes the southwest corner. The Comprehensive Plan does not recommend the expansion of commercial uses beyond the footprint of the existing retail uses on the northeast corner.

- ***W. 9th Street (Kentucky Street to Illinois Street)***

This area is an existing Neighborhood Commercial Center with a strip development pattern that serves as a gateway into Downtown Lawrence. The group of buildings at the northeast corner of W. 9th Street and Indiana Street has a scale and configuration of structures similar to Downtown Lawrence. The majority of the development along this corridor is characterized by stand-alone structures with multiple curb cuts. New development and redevelopment proposals

along this corridor shall include consolidation of curb cuts and cross access easements to adjoining properties. Because the corridor serves as a gateway to Downtown Lawrence, the Downtown Architectural Design Guidelines should be amended to specifically address this area.

Existing Commercial Areas	Strip	Nodal	Approximate Built Square Footage*	Neighborhood Commercial	Existing Strip Commercial	CC200	CC400	Regional Commercial
Downtown	X		1.3 million					X
N. 2 nd St and N. 3 rd St	X		225,000		X			
Iowa (Harvard Rd to W. 6 th St)		X	190,000			X		
S. Iowa (23 rd St to K-10)	X		1.3 million					X
W. 23 rd St (Iowa St to Louisiana St)	X		660,000		X			
E. 23 rd St (Learnard St. to Harper St.)	X		190,000		X			
6 th St (Alabama to Iowa St)	X		140,000		X			
W. 6 th St (Iowa to Kasold)	X		209,000		X			
W. 6 th St & Monterey Way		X	100,000	X				
W. 6 th St & Wakarusa Dr		X	400,000			X		
Clinton Pkwy & Kasold Dr		X	110,000	X				
Clinton Pkwy & Wakarusa Dr		X	28,000	X				
E. 19 th St & Massachusetts St		X	95,000	X				
E. 19 th St & Haskell Ave		X	27,000	X				
W. 15 th St & Kasold Dr		X	50,000	X				
W. 15 th St & Wakarusa Dr		X	19,000	X				
9 th St (Kentucky St to Illinois St)	X		40,000	X				

* This column includes all approved gross square footage of commercial space.

Linear and Nodal development definitions follow the definitions found on page 6-2.

The definitions of Neighborhood, Existing Strip Commercial, CC200, CC400, and Regional Commercial Centers are on pages 6-3 through 6-12.

A list of existing Inner-Neighborhood Commercial Centers is found on page 6-7.

LAWRENCE - NEW COMMERCIAL AREAS

All new commercial and office development shall occur in accordance with the plan recommendations. New commercial, retail and related uses shall be developed as a node with shared parking areas, common access drives, and related design and appearance. Nodes shall be positioned and oriented to the primary street intersections where they are located, avoiding a "strip" pattern as a result of extension of commercial uses along the streets from where the node originated.

Commercial nodes include other important community services and facilities, such as satellite post offices, police, fire and emergency services, religious facilities, community centers and other services and institutions. Inclusion of these uses assists the integration of the commercial area into the overall neighborhood, serving multiple communities and service needs in a single location, and creating physically distinctive use areas apart from traditional commercial areas.

The Comprehensive Plan includes recommendations for the location of new commercial development. As the community grows, it may be necessary to change the recommended location of a Commercial Center(s) or not use a designated intersection for a commercial uses. If there is a need to move the recommended location of a Commercial Center or downgrade the recommended size of a center, the Comprehensive Plan shall be amended. Through the amendment process, the proposed location and/or change in size of the Commercial Center will be reviewed based on the effects the change will have on infrastructure systems, the surrounding land uses, the neighborhood and the community-at-large.

The Comprehensive Plan does not support increasing the size or number of new Commercial Centers, however small, new inner-neighborhood centers are possible and/or anticipated as part of an overall new planned neighborhoods.

- ***Inner-Neighborhood Commercial Centers***

New Inner-Neighborhood Commercial Centers shall be allowed in very unique situations, such as when Center is part of an overall planned neighborhood development or can be easily integrated into an existing neighborhood. Inner-Neighborhood Commercial Centers are to be an amenity to the adjacent residents and serve only the immediate neighborhood.

A new Inner-Neighborhood Commercial Center shall have no gas pumps, drive-thru or drive-up facilities. The Center shall be pedestrian oriented and have no more than 3,000 gross square feet of commercial space. The Center shall be located on a local, collector or arterial street. It may also take access from an alley. Inner-Neighborhood Commercial Center uses may include book stores, dry cleaning services, food stores, beauty salons, etc. Inner-Neighborhood Commercial Centers may also include residential uses.

New Inner-Neighborhood Commercial Centers shall be designed as an integrated part of the surrounding neighborhood so that appearance of the commercial area does not detract from the character of the neighborhood.

Horizon 2020 does not specifically indicate the location of new Inner-Neighborhood Commercial Centers due to their unique situations.

- ***Neighborhood Commercial Centers***

The Comprehensive Plan recommends the following intersections as potential locations for new Neighborhood Commercial Centers.

1. Franklin Road extended and E. 28th Street extended
2. E 1500 Rd and N 1100 Rd
3. E 1000 Rd and N 1000 Rd
4. E 1000 Rd and N 1200 Rd
5. Clinton Parkway and K-10
6. W. 15th Street and K-10
7. E 800 Rd and at the potential east/west arterial 1 mile north of US-40
8. E 700 Rd and US-40
9. E 800 Rd and N 1500 Rd
10. E 1000 Rd and N 1750 Rd
11. E 1500 Rd and US Highway 24/40

These areas are all intended for development as small, compact commercial nodes that provide goods and services to the immediately adjoining neighborhood areas. They shall be developed in a manner that is consistent with the goals, policies and recommendations of the Comprehensive Plan.

- ***Community Commercial Centers (CC200)***

The Comprehensive Plan recommends the following intersection as potential location for a new CC200 Centers.

1. E. 23rd Street and O'Connell Road

- ***Community Commercial Centers (CC400)***

The Comprehensive Plan recommends the following intersections as potential locations for new CC400 Centers.

1. Eastern leg of the SLT and K-10 (southeast of the intersection of E 1750 Rd and K-10)
2. US-59 and N 1000 Rd

The development of these nodes shall carefully follow the commercial goals and policies. Commercial development shall not occur in advance of market conditions that would support such development, nor shall it be permitted to occur in a manner that is contrary to adopted city infrastructure plans.

- ***Community Commercial Centers (CC600)***

The Comprehensive Plan recommends the following intersection as potential location for a new CC600 Center.

1. W. 6th Street and K-10

- ***Auto-Related Commercial Centers***

The Comprehensive Plan recommends the following intersections as potential locations for new Auto-Related Centers.

1. I-70 and K-10
2. US-59/40 and I-70
3. US-59 and K-10

- ***Regional Commercial Centers***

The need for development of a new Regional Commercial Center within the community is not anticipated within the planning period. Consideration of requests to expand existing commercial areas shall include the potential for development of additional Regional Commercial Centers and the impact of such expansion and development on the existing commercial inventory. The need for additional regional commercial development within the community shall be evaluated on a regular basis, based upon updated land use and population data. Before a new Regional Commercial Center is considered, the Comprehensive Plan shall be amended to include the possibility of a new Regional Commercial Center.

UNINCORPORATED DOUGLAS COUNTY - EXISTING COMMERCIAL AREAS

Unincorporated Douglas County currently maintains a variety of commercial areas. Each of these areas provides neighborhood level retail goods and services to both farm and non-farm residents. As the rural areas of Douglas County continue to receive new non-farm residential development, demands will increase for retail goods and services.

It is recommended that these commercial locations be developed as small convenience service nodes, providing products to meet the day-to-day requirements of rural residents. The development of these nodes shall follow the basic principles described for commercial development or redevelopment. It is important that these commercial locations provide for adequate wastewater treatment facilities in the future. Any new or expanded developments shall utilize treatment systems that minimize potential environmental impacts.

The design of these locations should be consistent with the rural character of Douglas County. Therefore, design and development standards should promote larger, more spacious settings and encourage building and site design reflective of the unique characteristics surrounding each location.

UNINCORPORATED DOUGLAS COUNTY - NEW COMMERCIAL AREAS

Commercial locations in both unincorporated Douglas County and Douglas County communities together provide reasonable accessibility in terms of distance and the type of goods and services available. As Douglas County continues to urbanize, the need for additional commercial space in the unincorporated portions of Douglas County will increase. New commercial areas shall not be located within a four mile radius of any existing commercial area. There are already a number of existing commercially zoned areas in the unincorporated portions of Douglas County. Most of these locations are well placed at the intersection of a hard surfaced County Route and a state or federally designated highway.

Areas that are already zoned commercially and are located at the intersection of a hard surfaced county route and state or federally designated highway should be expanded to serve any increased demand for commercial space in the county. The Comprehensive Plan recommends that only one new commercial area be created in the unincorporated portion of the county. The southeastern area of the county does not have any commercially zoned areas. To serve this area a commercial development could be located at the intersection of US-56 and K-33 or US-56 and County Route 1061.

A limiting factor to the size of any commercial development in unincorporated Douglas County will be the availability of utilities, particularly water and sanitary sewer. Any on-site treatment system shall be designed to minimize its impacts on the environment. The amount of gross square footage of a commercial development shall be limited to a total of 15,000 gross square feet to serve the surrounding rural area.

Commercial activities related to conference, recreational, or tourism uses associated with Clinton Lake, Lone Star Lake, or Douglas County Lake shall be exempt from the locational criteria applied to new commercial areas or expansions of existing commercial areas. A commercial area serving the recreational needs (boat rental, bait shop, lodging, etc.) of persons using the county's lake facilities may be located at an entrance point to a lake.

Conference, recreational, or tourism uses located in the Rural Area, and which include some significant level of urban development, shall satisfy the criteria listed in Chapter Four. Such uses shall also include a mandatory minimum 200' natural buffer area or other appropriate distance as determined by the Board of County Commissioners. Proposed conference, recreational, or tourism facilities shall include a site specific site plan with rezoning applications to demonstrate that the criteria listed in Chapter 4, and the 200' buffer area, have been met.

Revised Southern Development Plan

April 2013 Draft

Lawrence/Douglas County Planning Commission Approved 11/28/07
Lawrence City Commission Approved 12/18/07
Board of County Commissions Approved 1/7/08

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INTRODUCTION

Background and Purpose

The original Southern Development Plan was adopted March 1, 1994 by the Lawrence City Commission. This plan covered an area roughly bounded on the north by W. 31st Street, to the west by Kasold Drive, to the south by the north bank of the Wakarusa River, and to the east by Louisiana Street. This land was historically used for agricultural purposes and with the growth of the city moving south and west, a guide for development was needed. The study area has not developed to the extent that the Southern Development Plan had anticipated, and the plan needs to be updated.

The purpose of the *Revised Southern Development Plan* is to update the boundaries of the study area and update the plan regarding land use, existing facilities, and transportation to show current information. Also, updated land use policies, and future land use maps are needed to reflect the current conditions and current community visions.

Description of Planning Area

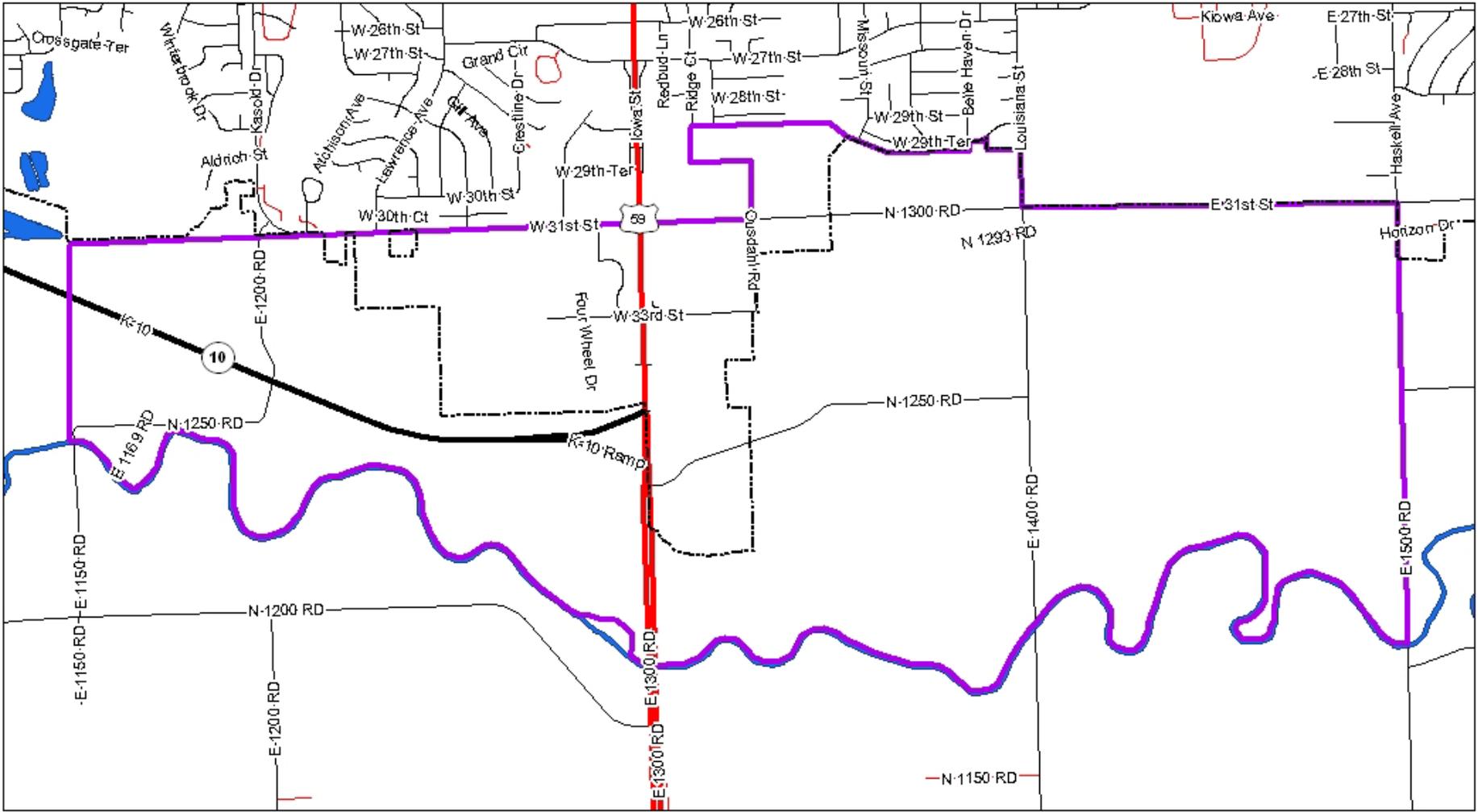
The planning area for the *Revised Southern Development Plan* has been expanded to include property along the W. 31st Street corridor to allow the consideration of future transportation issues. The adjusted planning area for the *Revised Southern Development Plan* contains approximately 2,260 acres, and is shown on Map 1-1. The planning area is contained as follows:

- to the north: W. 31st Street and the properties north of W. 31st Street between Ousdahl Road and Louisiana Street;
- to the west: E. 1150 Road extended;
- to the south: the north side of the Wakarusa River;
- to the east: E. 1500 Road (Haskell Avenue).

Legend

-  City Limits
-  Planning area
-  Water Bodies

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Map 1-1 Planning Area Revised Southern Development Plan

Map Date: April 20, 2007

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 serve as the general “umbrella” policies under which the 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.
- *Transportation 2025, Lawrence/Douglas County Long Range Transportation Plan.* Lawrence/ Douglas County Metropolitan Planning Office and LSA Associates. September 2002.
- *Lawrence-Douglas County Bicycle Plan,* Lawrence/ Douglas County Metropolitan Planning Office. May 2004.
- *Lawrence Parks & Recreation Department A Comprehensive Master Plan.* Leon Younger & PROS. 2000.
- *31st Street Corridor Study, Iowa Street to County Route 1057.* TransSystems Corporation. January 28, 2003.
- *City of Lawrence, Kansas Water Master Plan.* Black & Veatch. December 2003.
- *City of Lawrence, Kansas Wastewater Master Plan.* Black & Veatch. December 2003.

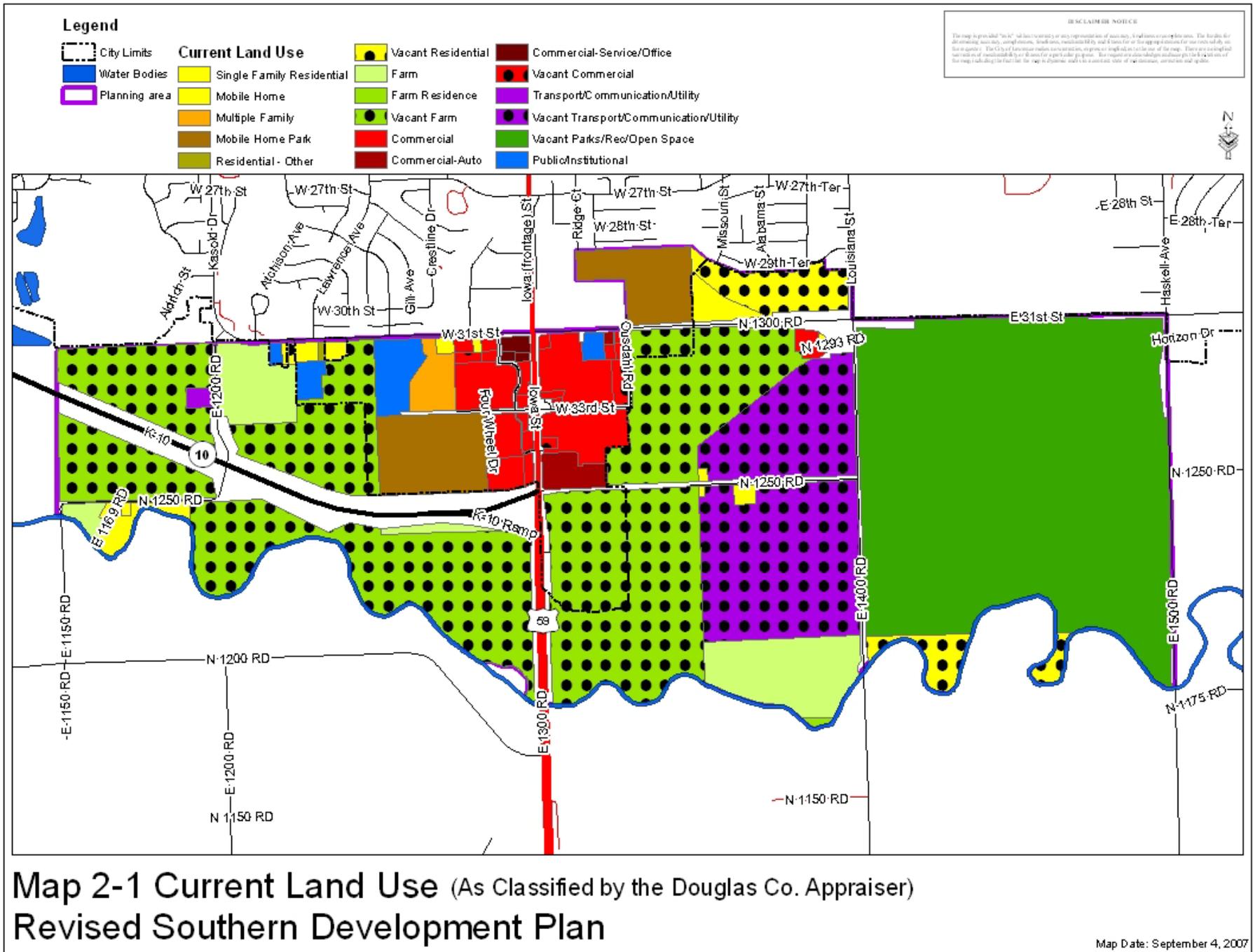
EXISTING CONDITIONS

Current Land Use

The *Revised Southern Development Plan's* current land uses vary from farmland to commercial uses within its approximately 2,260 acres. According to the Douglas County Appraiser's Office, the majority of the acreage is categorized as Parks/Rec/Open Space and Commercial land uses. These two uses comprise of over half of the planning area's acreage. The appraiser's land use acreage totals excludes most road right-of-ways.

Table 2-1

Appraiser's Land Use Classification	Acres
Single Family Residential	37.03
Mobile Home	0.74
Multiple Family	16.48
Mobile Home Park	96.87
Residential - Other	0.87
Vacant Residential	63.44
Farm	111.40
Farm Residence	1.41
Vacant Farm	692.24
Commercial	104.16
Commercial-Auto	13.69
Commercial-Service/Office	4.38
Vacant Commercial	8.10
Transport/Communication/Utility	3.51
Vacant Transport/Communication/Utility	89.08
Vacant Parks/Rec/Open Space	763.22
Public/Institutional	31.52
TOTAL	2,038.13



Current Zoning

The City of Lawrence *Land Development Code* and the *Zoning Regulations* for the Unincorporated Territory of Douglas County are intended to implement the goals and policies in *Horizon 2020* in a manner that protects the health, safety, and general welfare of the citizens. The *Land Development Code* and the Douglas County *Zoning Regulations* establish zoning regulations for each land use category which development must follow.

The *Revised Southern Development Plan* planning area is located partially in the county and partially within the city. Map 2-2 shows the current zoning designations and the tables below describe the map designations.

Table 2-2

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
RM12	Multi-Dwelling Residential (12 dwelling units per acre)	Medium-Density Residential
PRD	Planned Residential Development	N/A
CO	Office Commercial	Office or Office/Research
CS	Strip Commercial	N/A
PCD	Planned Commercial Development	N/A
GPI	General Public and Institutional	N/A
UR	Urban Reserve	N/A

Table 2-3

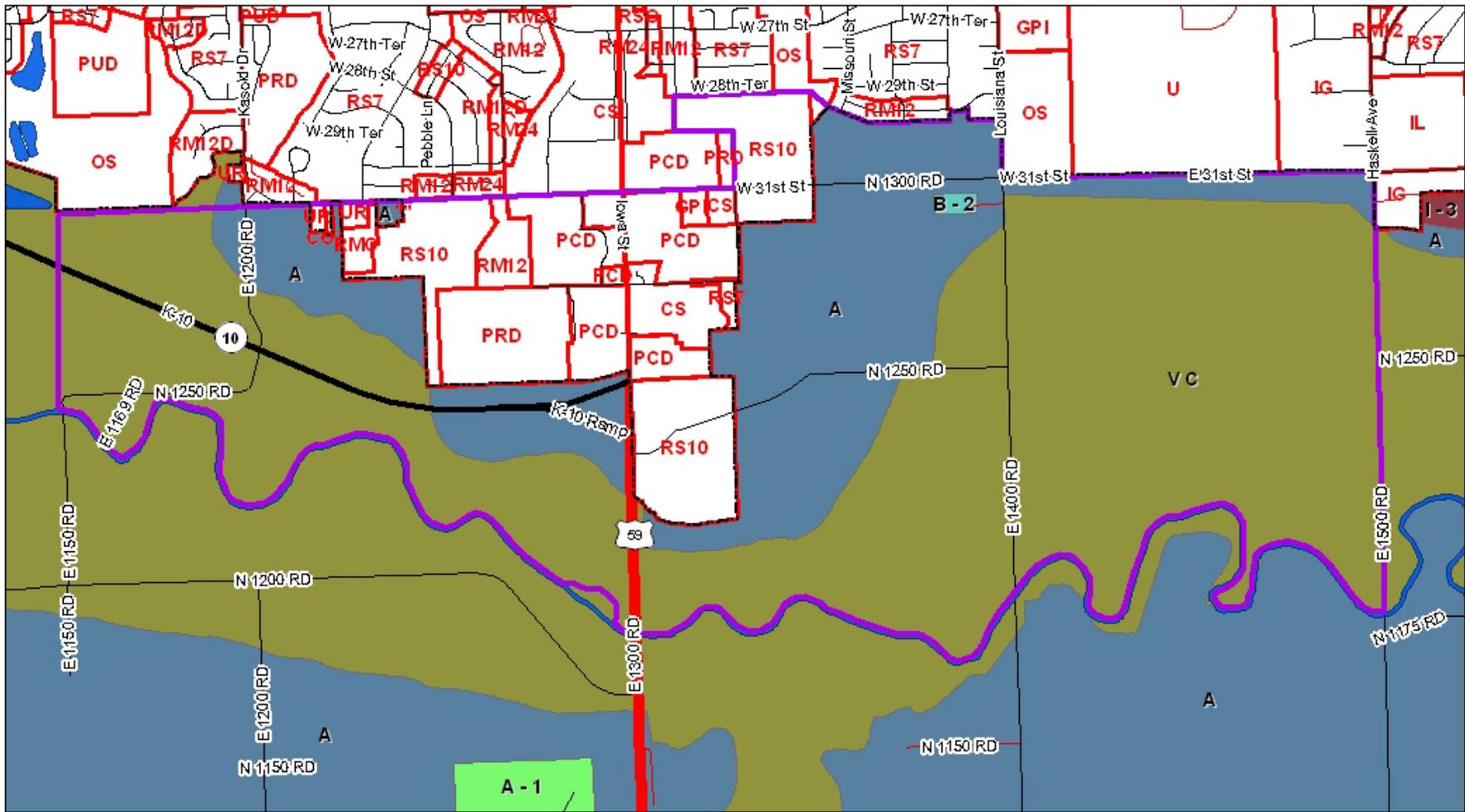
County Zoning	District Name	Comprehensive Plan Designation
A	Agricultural District	Agriculture
B-2	General Business District	N/A
V-C	Valley Channel District	N/A

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Legend

- | | | |
|---------------|----------------------|-----|
| City Limits | County Zoning | B-2 |
| Water Bodies | A | I-3 |
| Planning area | A-1 | VC |
| City Zoning | | |



**Map 2-2 Current Zoning
Revised Southern Development Plan**

Map Date: September 4, 2007

Current Infrastructure

Water

City water is supplied to most of the planning area that is within the city limits. The portions of the planning area that are located in the county are not located in a rural water district. These properties are obtaining water from wells located on the property. The City water lines are shown on Map 2-3.

Sanitary Sewer

City sanitary sewer is supplied to most of the planning area that is within the city limits and to limited areas in the county. The portions of the planning area located in the county that are not serviced by City sanitary sewer are serviced by private septic systems. The City sanitary sewer lines are shown on Map 2-3.

Storm Sewer

City storm sewer is provided throughout the planning area that is within the city limits by storm pipes, storm channels, or by way of streams. The portion of the planning area that is in the county is partially serviced by way of streams. The City storm sewer and streams are shown on Map 2-4.

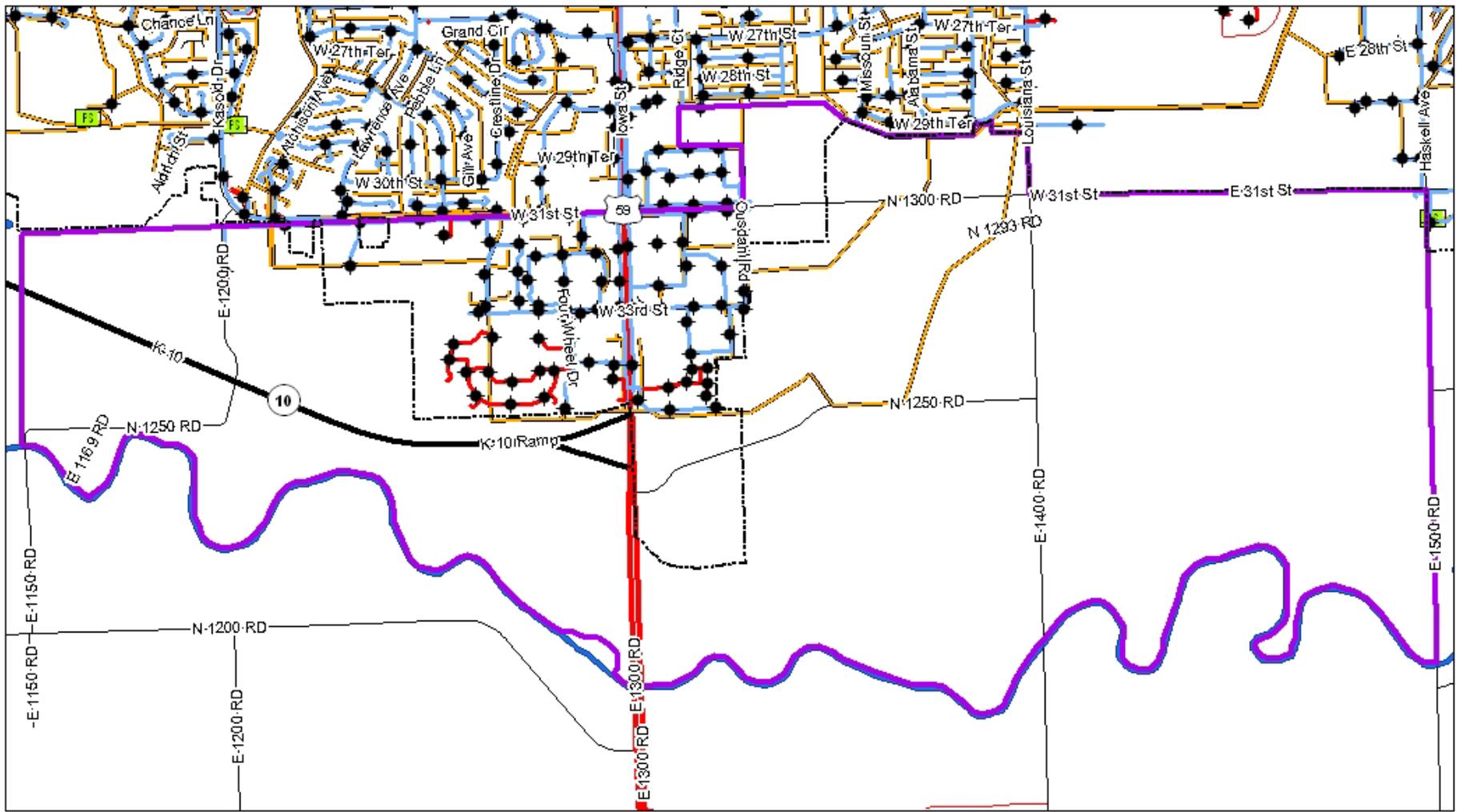
Gas

Southern Star Gas has pipes that pass through a large portion of the planning area. These pipelines are shown on Map 2-4.

Legend

- City Limits
- Planning area
- Water Bodies
- ◆ Water Hydrant
- Private Water Main
- Water Main
- Lift Station
- Sanitary Sewer Main

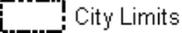
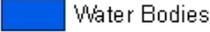
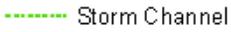
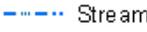
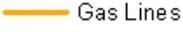
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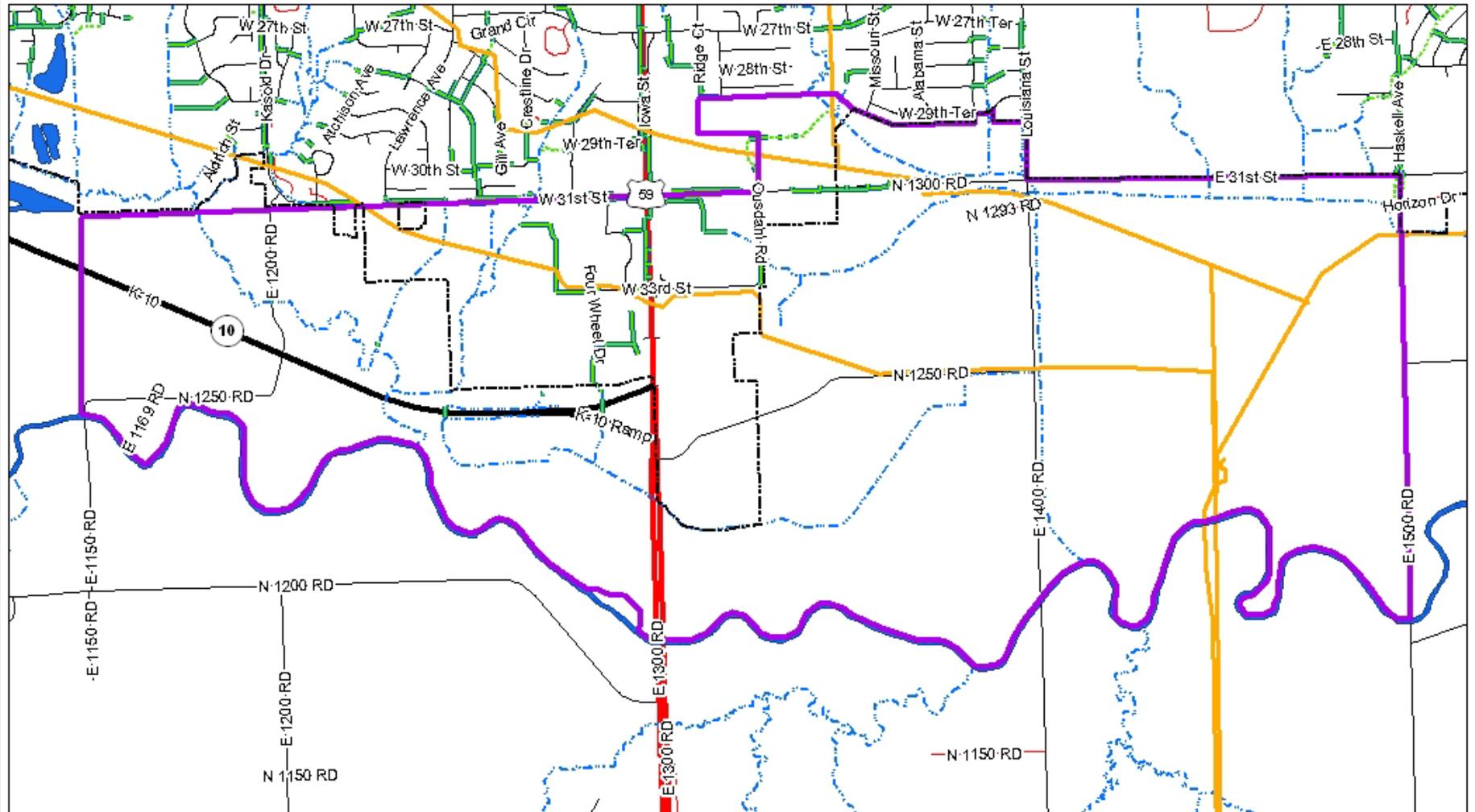
Map 2-3 City Sanitary Sewer and Water Revised Southern Development Plan

Map Date: April 20, 2007

Legend

-  City Limits
-  Planning area
-  Water Bodies
-  Storm Pipe
-  Storm Channel
-  Stream
-  Gas Lines

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Map 2-4 City Storm Water and Southern Star Gas Revised Southern Development Plan

Map Date: April 20, 2007

Floodplain

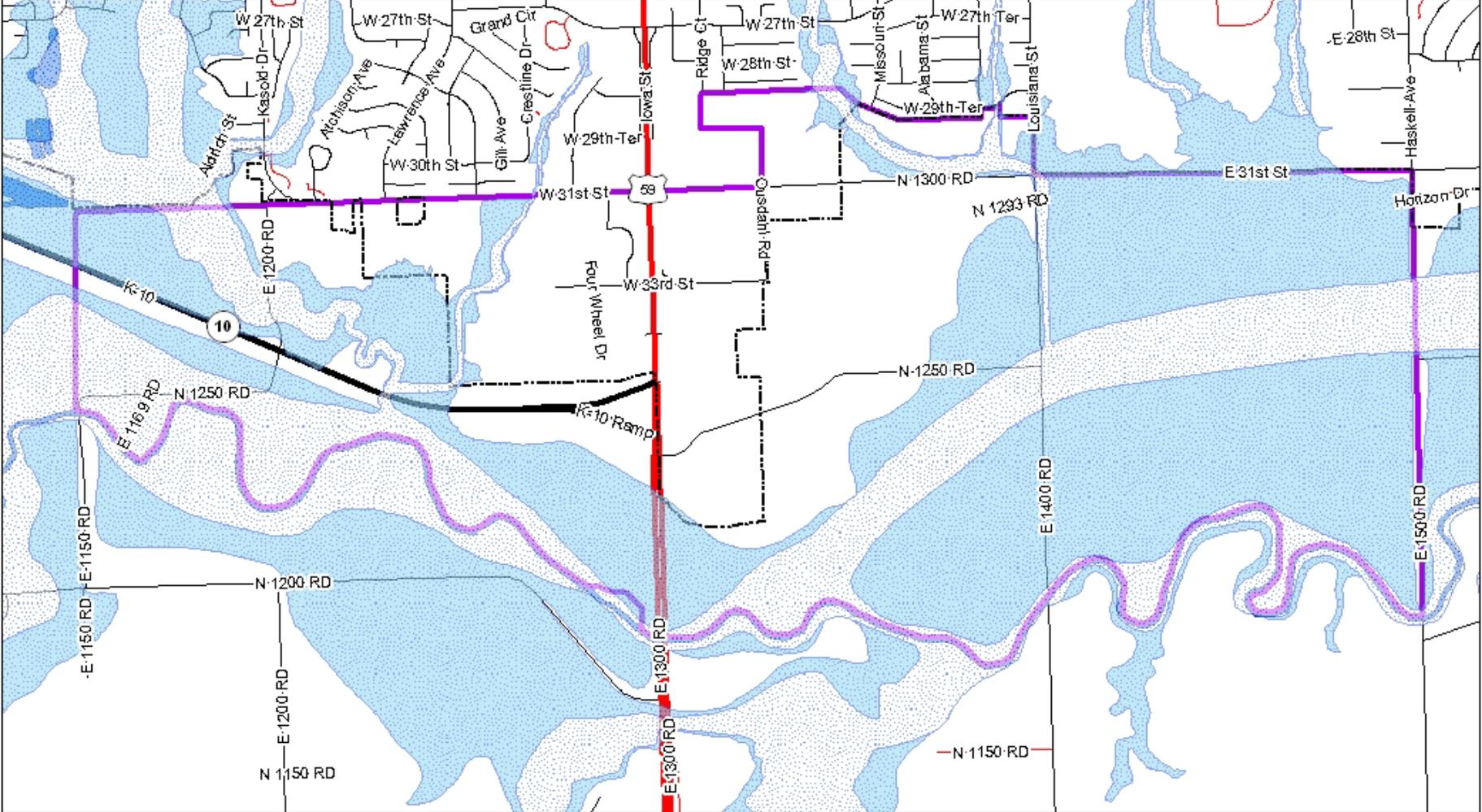
The FEMA (Federal Emergency Management Agency) designated special flood hazard area makes up a large portion of the *Revised Southern Development Plan* planning area and is shown on Map 2-5. Of the total 2,260 acres within the planning area, 1,464 acres are located within the floodplain and/or the floodway. 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.

Legend

-  City Limits
-  Planning area
-  Water Bodies
-  Floodway
-  Floodplain

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**Map 2-5 Floodplain
Revised Southern Development Plan**

Map Date: April 20, 2007

Parks and Recreational Facilities

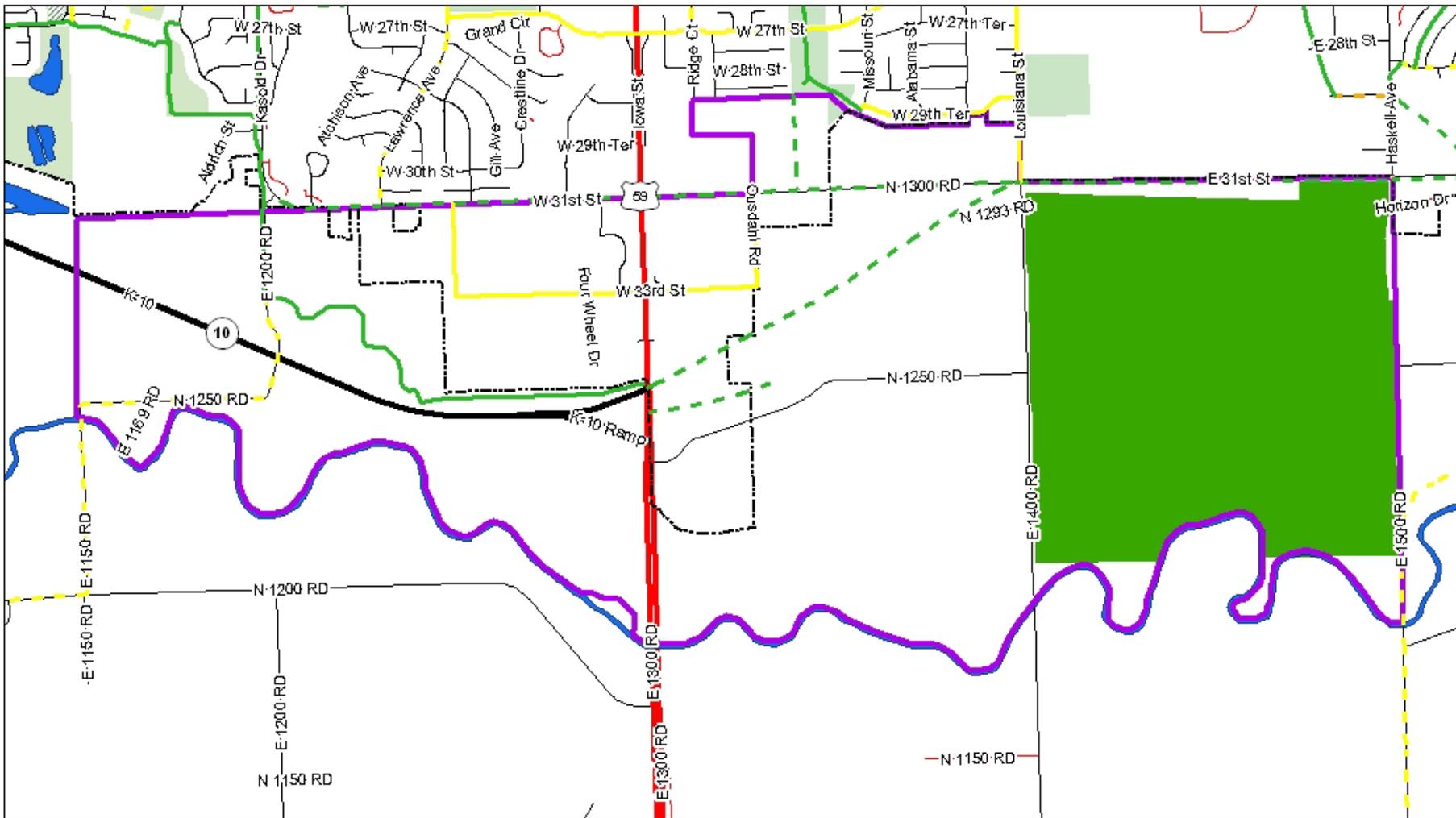
The planning area of the *Revised Southern Development Plan* includes one park and recreational facility shown on Map 2-6. The planning area includes existing and future bike routes and recreational paths. Bike routes are a network of streets to enable direct, convenient, and safe access for bicyclists. A Recreational path is a separate path adjacent to and independent of the street and is intended solely for non-motorized travel.

The Haskell-Baker Wetlands is located on the eastern edge of the planning area and includes approximately 583 acres of wetlands. These wetlands are jointly owned by Baker University, Haskell Indian Nations University, the Kansas Department of Wildlife and Parks, and University of Kansas. The wetlands are a National Natural Landmark and they support 471 documented species of vascular plant, 254 species of bird, and 61 additional vertebrate species. A self guided tour of the wetlands via a boardwalk is provided through the wetlands.

Legend

- | | | | |
|---------------|-------------------|---------------------|-------------------|
| City Limits | City Parks | Existing Bike Lane | Future Bike Route |
| Planning area | Community | Future Bike Lane | Existing Rec Path |
| Water Bodies | Neighborhood | Existing Bike Route | Future Rec Path |
| BakerWetlands | Future | | |

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Map 2-6 Parks and Recreational Facilities
Revised Southern Development Plan

Map Date: April 20, 2007

Transportation

Streets

Transportation 2025 (T2025) is the comprehensive, long-range transportation plan for the metropolitan area. T2025 designates streets according to their functional classification or their primary purpose. These functional classifications are shown on Map 2-7. 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.

The planning area for the *Revised Southern Development Plan* includes all the *Transportation 2025* identified gateways into Lawrence from the south. S. Iowa Street/Hwy 59 is identified as a major gateway, and Louisiana Street /E. 1400 Road and Haskell Avenue/E. 1500 Road are identified as minor gateways.

Transportation 2025 identifies the South Lawrence Traffic Way (SLT/K-10) and S. Iowa Street/Hwy 59 as truck routes.

Transit

Lawrence has a public transportation system (The "T") which operates throughout the city. This system allows people that do not live within walking distance of a neighborhood to utilize the neighborhood services without relying on an automobile. The city transit system has three routes that travel into the *Revised Southern Development Plan* planning area, which are shown along with shelters and a transfer location, on Map 2-8.

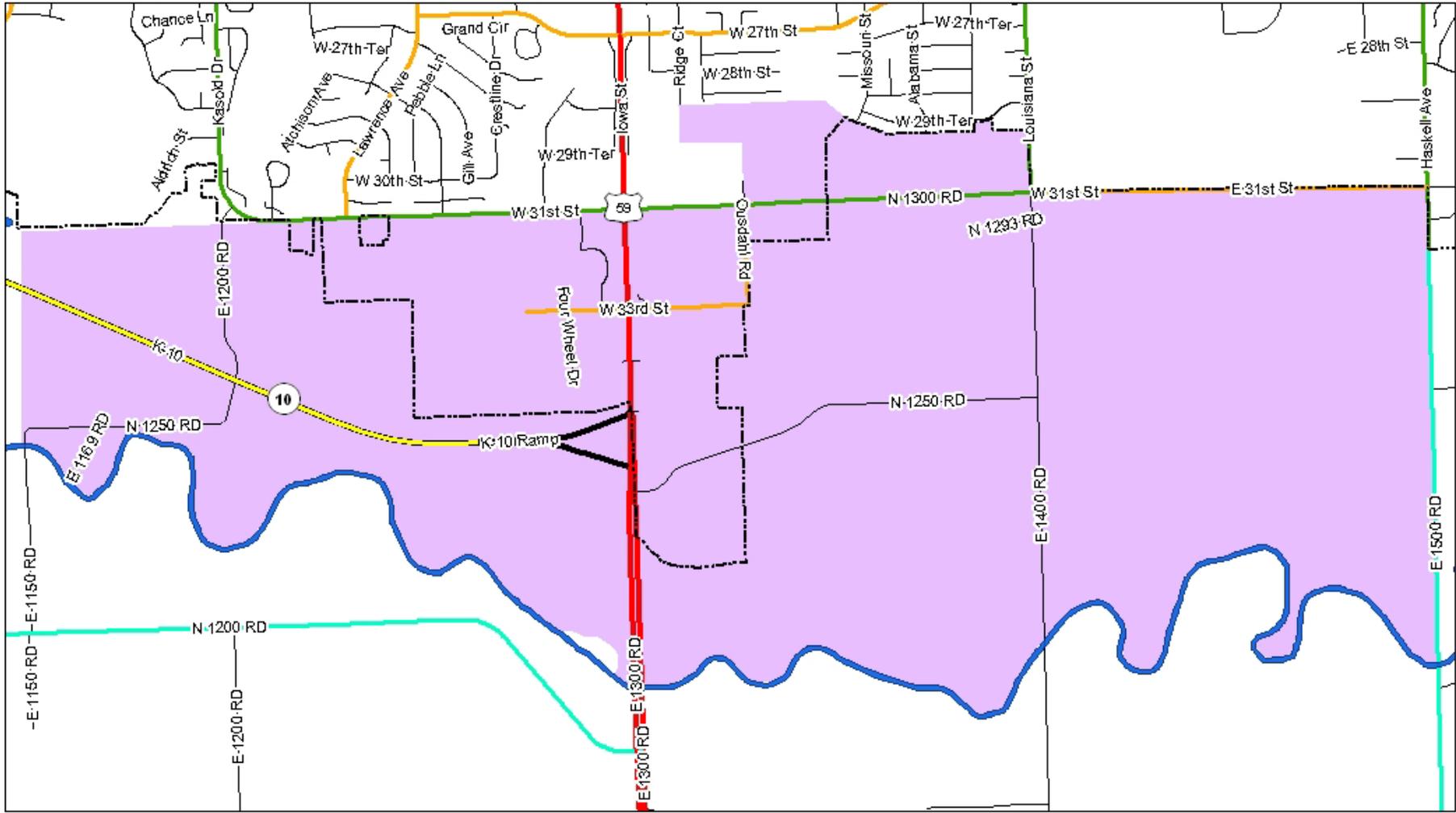
- Route 5, 23rd/Clinton Crosstown - Wakarusa/South Iowa/Industrial Park, travels through the planning area along Kasold Drive, W. 31st Street, Neider Road, Four Wheel Drive, and S. Iowa Street.
- Route 7, South Iowa/Downtown, travels through the planning area along Lawrence Avenue, W. 31st Street, Neider Road, Four Wheel Drive, W. 33rd Street, Ousdahl Road, and S. Iowa Street.
- Route 8, KU/South Iowa/Downtown, travels through the planning area along Lawrence Avenue, W. 31st Street, Neider Road, Four Wheel Drive, W. 33rd Street, Ousdahl Road, and S. Iowa Street.

Legend

- City Limits
- Freeway
- Arterial
- Planning area
- Principal arterial
- Collector
- Water Bodies
- Minor arterial
- Street/Rural Roads

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Map 2-7 Road Classification Revised Southern Development Plan

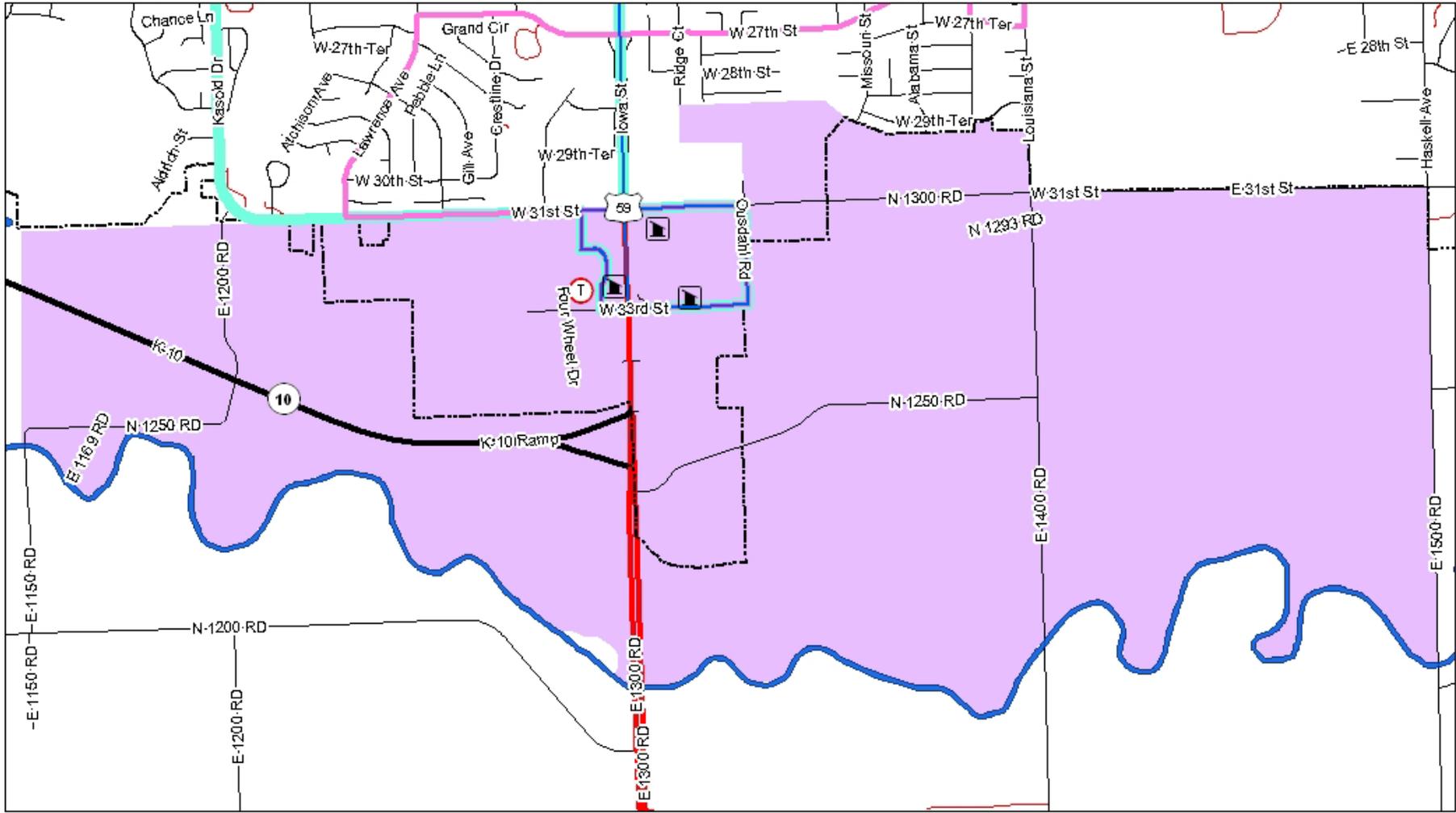
Map Date: April 20, 2007

Legend

- City Limits
- Planning area
- Water Bodies
- Bus Shelter
- Transfer Location
- Transit Routes**
- 5
- 7
- 8

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Map 2-8 Transit Routes
Revised Southern Development Plan

Map Date: April 20, 2007

RECOMMENDATIONS

Land Use (See Map 3-1 or Map 3-2)

Low-Density Residential:

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

Density: 6 or fewer dwelling units per acre

Intensity: Low

Applicable Areas:

- Property southwest of the intersection of Kasold Drive and W. 31st Street, and west and east of E. 1200 Road.
- Property southwest of the intersection of Four Wheel Drive and W. 33rd Street.

Zoning Districts: RS7 (Single-Dwelling Residential), RS5 (Single-Dwelling Residential), RM12 (Multiple-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), PD (Planned Development Overlay)

Primary Uses: Single-family dwellings, duplex, attached dwellings, group home, public and civic uses

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:

- Property to the south of W. 31st Street and west and east of Lawrence Avenue.
- Property to the southwest of the intersection of Four Wheel Drive and W. 31st Street.
- Property between Ousdahl Road and Louisiana Street, south of W. 31st Street.
- ~~Property to the northeast of the intersection of W. 31st Street and Ousdahl Road.~~
- Property to the north and west of the intersection of Louisiana Street and W. 31st Street.
- Property to the southwest of N. 1250 Road.

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

Primary Uses: Single-family dwellings, duplex, attached dwellings, multi-dwelling structures, group home, civic and public uses

Residential/Office:

The intent of the residential/office use is to allow a mix of office use with low-density residential uses.

Density: 4-15 dwelling units per acre

Intensity: Low-Medium

Applicable Areas:

- Property along the east side of Ousdahl Road, south of W. 31st Street.

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

Primary Uses: Single-family dwellings, duplex, group home, civic and public uses, veterinary, offices, personal improvement

Office:

The intent of the office use is to allow for general office uses that would be minimally evasive to nearby residential uses.

Intensity: Medium

Applicable Areas:

- Property to the south of W. 31st Street and west and east of Lawrence Avenue.

Zoning Districts: CO (Commercial Office), PD (Planned Development Overlay)

Primary Uses: Civic and public uses, medical offices, veterinary office and grooming, general office

Traditional Neighborhood Development (TND):

The intent of Traditional Neighborhood Development areas are characterized by mixed land uses, grid like street patterns, pedestrian circulation, intensively-used open spaces, architectural character, and a sense of community.

Density: Variable

Intensity: Variable

Applicable Areas:

- Property between Ousdahl Road and Louisiana Street, south of W. 31st Street.
- Property to the southwest of N. 1250 Road

Zoning Districts: T3, T4, T5, T5.5

Primary Uses: Residential, retail, office, civic

Commercial:

The intent of the commercial use is to allow for retail and service type uses geared toward the community as a whole and auto-related uses geared toward traffic from Hwy K-10.

Intensity: Medium to High

Applicable Areas:

- Property to the south of W. 31st Street and west and east of Iowa Street/Hwy 59 including the northeast corner of W. 31st Street and Ousdahl Road. (Regional Commercial Center)
- Property to the southeast and southwest of the intersection of K-10 and Hwy 59. (Auto-Related Commercial Center)

Zoning Districts: CC (Community Commercial Centers District), PD (Planned Development Overlay)

Primary Uses: Civic and public uses, animal services, eating and drinking establishments, general office, retail sales and services, vehicle sales and services

Open Space:

The intent of the open space use is to protect the FEMA designated floodplain by allowing very minimal development for the public use.

Intensity: Minimal

Applicable Areas:

- Property to the north of the Wakarusa River.
- Property designated by FEMA to be 100 year floodplain or floodway.

Zoning Districts: OS (Open Space), UR (Urban Reserve)

Primary Uses: Passive recreation, nature preserve, agricultural

Public/ Institutional:

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

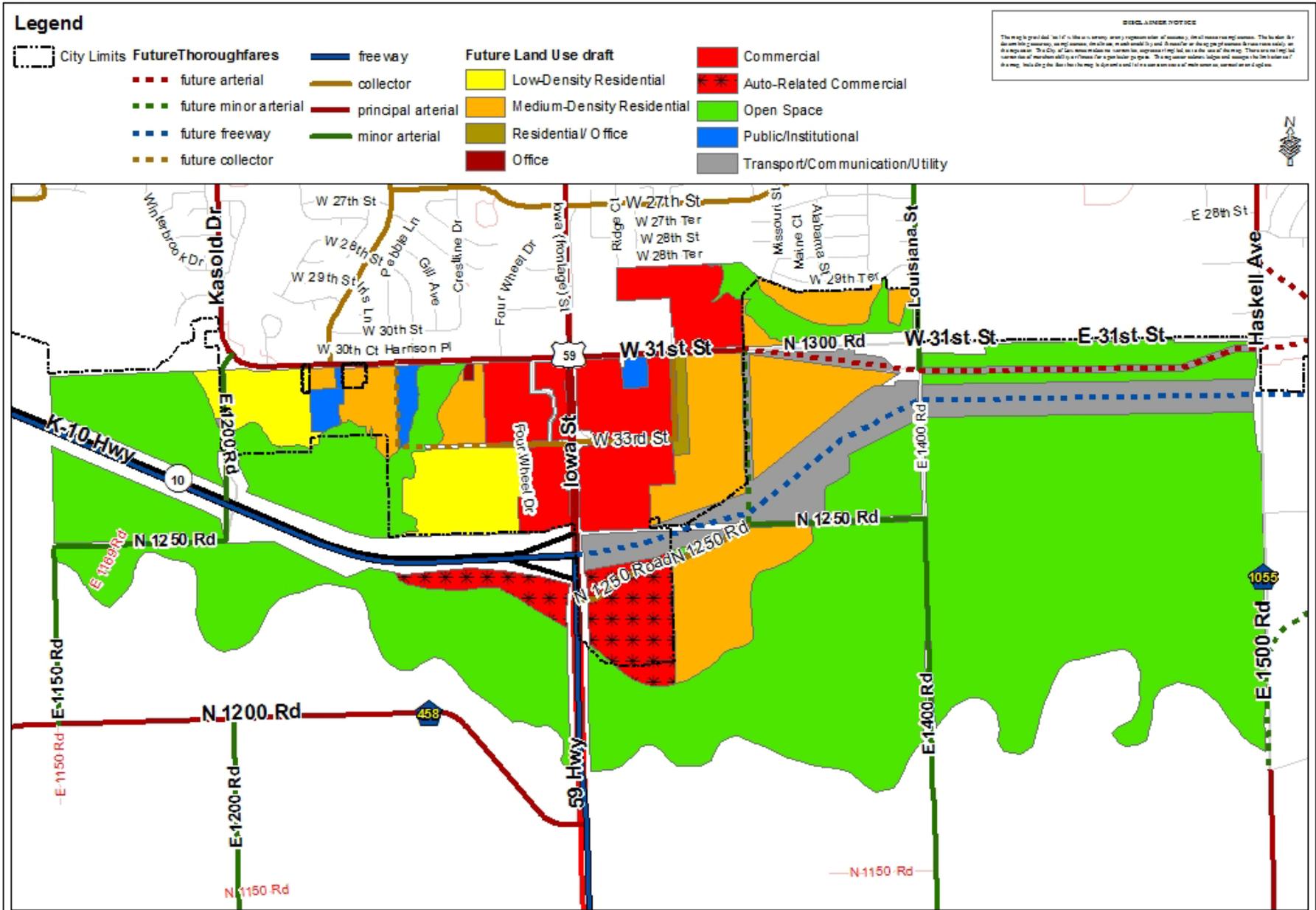
Intensity: Variable

Applicable Areas:

- Residential care facility south of the intersection of W. 31st Street and Lawrence Avenue.
- Social service facility south of the intersection of W. 31st Street and Harrison Avenue.
- Post office west of Ousdahl Road and south of W. 31st Street.

Zoning Districts: GPI (General Public and Institutional)

Primary Uses: Civic and public uses, recreational facilities, utility services



Map 3-1 Future Land Use Map Draft
Revised Southern Development Plan

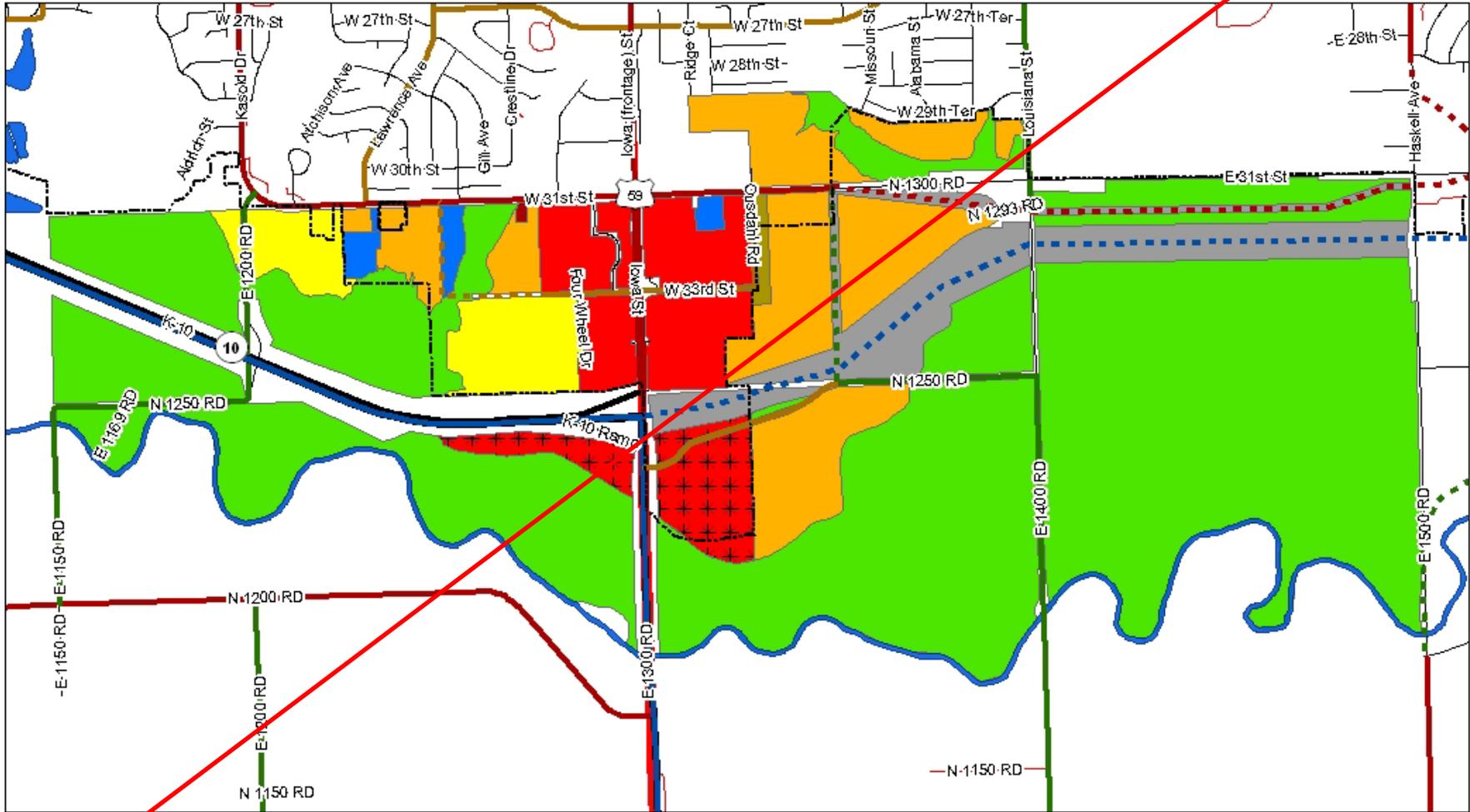
Map Date: April 10, 2013

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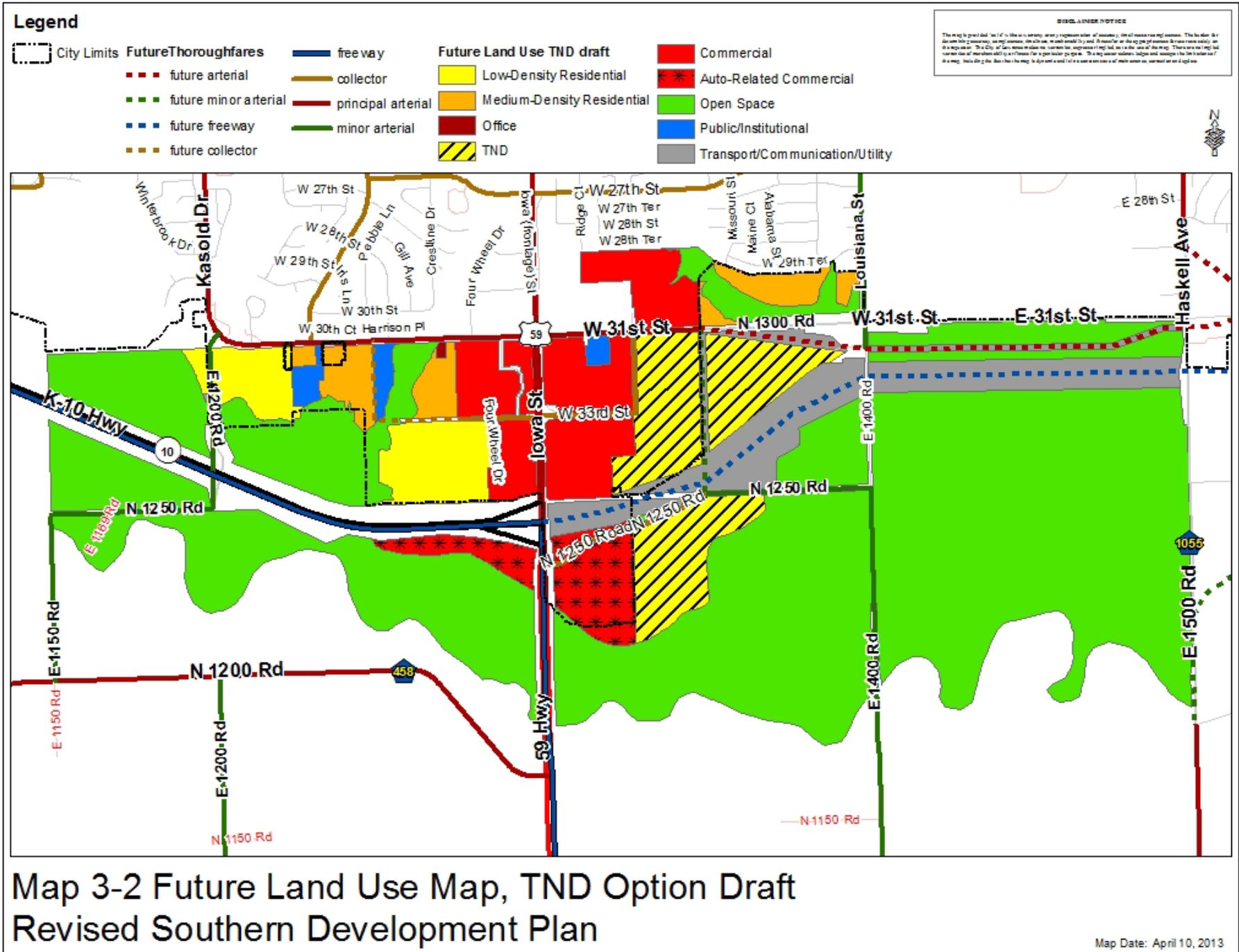
Legend

- City Limits
- future arterial
- freeway
- future minor arterial
- collector
- future freeway
- principal arterial
- future collector
- minor arterial
- Low-Density Residential
- Medium-Density Residential
- Residential/ Office
- Commercial
- Auto-Related Commercial
- Open Space
- Public/Institutional
- Transport/Communication/Utility



**Map 3-1 Future Land Use Map
Revised Southern Development Plan**

Map Date: November 28, 2007

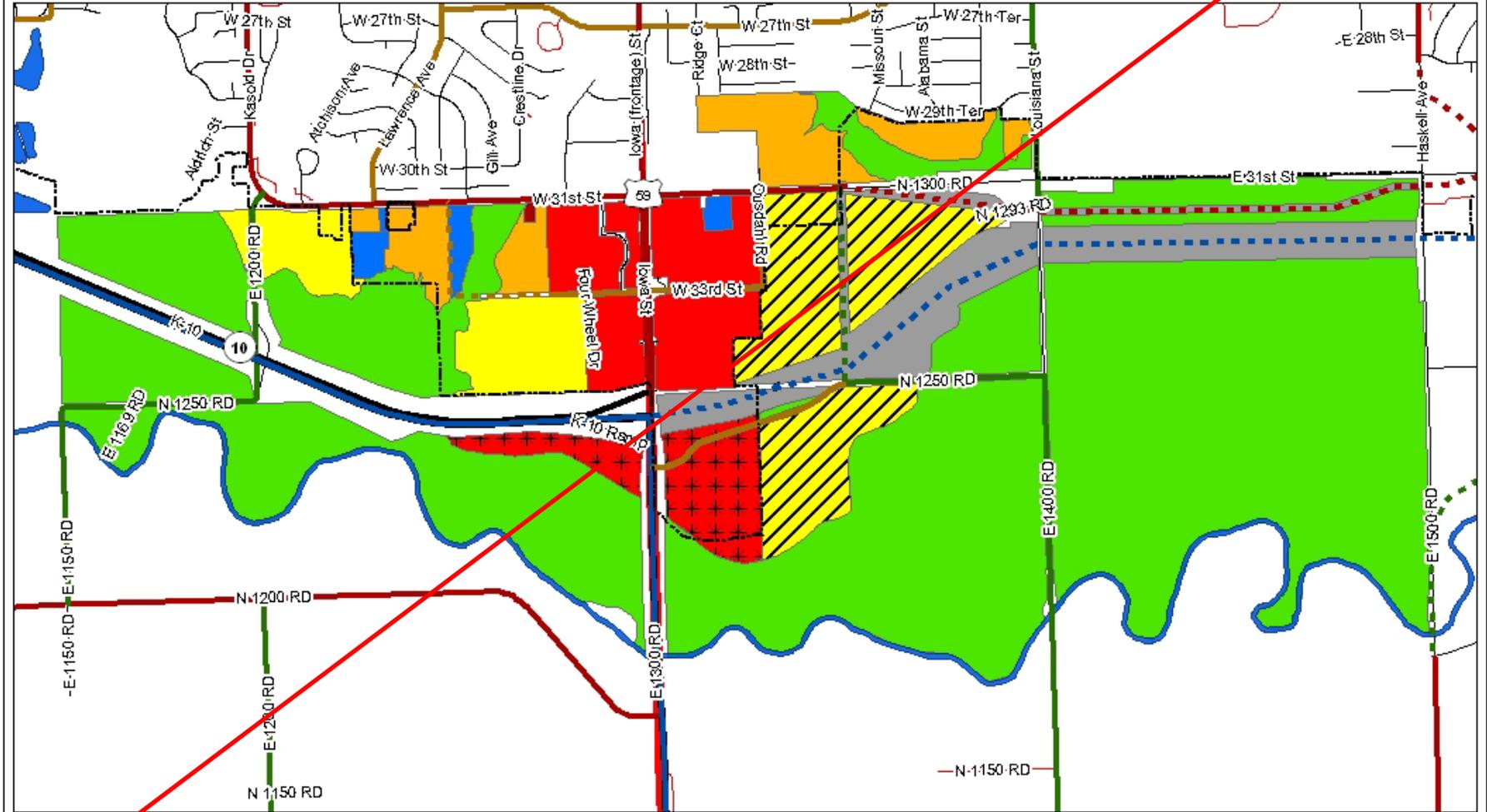


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Legend

- City Limits
- freeway
- collector
- Low-Density Residential
- Commercial
- Water Bodies
- future minor arterial
- principal arterial
- Medium-Density Residential
- Auto-Related Commercial
- future freeway
- minor arterial
- Open Space
- future collector
- Office
- Public/Institutional
- Transport/Communication/Utility
- TND



Map 3-2 Future Land Use Map, TND Option Revised Southern Development Plan

Map Date: November 28, 2007

Policies

General

1. Traditional Neighborhood Design (TND) is encouraged where identified.

Gateways

1. Development shall enhance 'Gateways' by creating an aesthetically pleasing view into the city.
2. Aesthetically pleasing landscaped entry way along Gateways shall be required. Both public and private property owners are responsible for achieving and maintaining this aesthetically pleasing landscaping.
3. Fencing installations shall incorporate continuous landscaping at the base and edges of the fence to integrate the fence with site and landscaping
4. High quality, aesthetically pleasing building materials should be used.
5. Pedestrian friendly connectivity between properties shall be incorporated.

Commercial

1. Encourage diversity and gradation of uses with access restricted to arterial, frontage road, or collector streets. Commercial curb cuts on major arterials shall be discouraged and frontage roads shall be encouraged.
2. Planned Development Overlay zones shall be self-contained with consideration given to: independent traffic networks; land use buffers; and/or a gradation of land uses, as well as, landscaped buffer(s) along the perimeter of the planned commercial development.
3. Future commercial development and/or redevelopments of existing commercial areas shall be in the form of Planned Development Overlays.

Residential

1. Landscaped or open space buffers shall occur between major arterials and residential developments (exclusive of dedicated right-of-way).
2. The gradation of residential intensities of land uses is encouraged as this area develops or redevelops. Medium intensity areas shall be used as buffers between more intensive developments and low-density residential areas. Low-density residential developments shall be encouraged to develop on the interior of the neighborhoods units.
3. Single-family lots shall be designed to take access only from local streets.
4. Planned Residential Developments are encouraged where creative design solutions are warranted.
5. Property northwest of the intersection of W. 31st and Louisiana Streets, north of the FEMA designated floodplain shall:
 - have a gross density of no more than 8 dwelling units per acre, and
 - develop with similar residential character to the neighborhood to the north including such structures as single-family dwellings, duplexes, triplexes, and rowhouses.

Open Space/Floodplain

1. Encourage recreational uses that do not alter the natural character of the area.
2. Encourage preservation of the floodplain or open space through private or public/private partnerships.
3. Areas within the regulatory floodplain shall not be counted as *contributing* more than 50% of the open space *used* in the computation of density for Planned Development Overlays e.g., areas designated as open space/floodplain cannot be used to justify increased residential development densities.
4. Encourage connection between public lands and bicycle/pedestrian trails along the South Lawrence Trafficway (SLT).
5. Encourage acquisition or development of land for neighborhood recreational paths.

Landscaping

1. Encourage extensive open space and/or berming between different land use categories (e.g., commercial and residential) to provide noise and visual buffers.
2. Encourage native/low-maintenance landscape materials on public lands.

Transportation Network and Corridors

1. Proposed development along W. 31st Street east of S. Iowa Street should assist in the cost of the interim W. 31st Street and Louisiana Street intersection improvements.
2. Commercial vehicular circulation patterns shall be primarily self-contained within the commercially zoned and developed area.
3. Limit access points onto arterial streets through the use of frontage roads and encourage reverse frontage road(s) access to be located at mid-points of blocks.
4. Sufficient area, outside of the required street rights-of-way, shall be required to provide screening along major transportation corridors. This area shall be restricted in use to providing for: utility needs, berming, and landscaping needs.
5. Churches and other community facilities shall be located where access is available from collector or arterial streets.
6. *Transportation 2030* or subsequent long-range transportation plans, once adopted, shall supersede any recommendations, actions, or policies referenced in *Transportation 2025*.

Signage

1. Signs shall be restricted to one building face (side).
2. Signage on the site (in addition to the building face sign) shall be restricted to monument type signs.
3. Allow only interior illuminated (or comparable) signs.

Utilities

1. Future utility transmission lines and existing overhead lines shall be placed underground when installed or replaced.
2. Easements for utility lines shall not coincide with easements dedicated for another specific purpose e.g., greenspace, drainage, or to protect environmental or natural characteristics such as wetlands areas.
3. All utilities should be provided, whether public or private, before development is allowed to proceed.

Exterior Lighting

1. Encourage maximum efficiency, low wattage, downward directional exterior lighting. The point source shall be screened from view off-site.

From: Burress, David A. [mailto:d-burress@ku.edu]

Sent: Tuesday, April 16, 2013 10:37 AM

To: Denny Ewert

Subject: RE: ITEM NO. 3 SOUTHERN DEVELOPMENT PLAN; REGIONAL COMMERCIAL CENTER and ITEM NO. 4 RM12 TO CR; 41.5 ACRES; 1900 W 31ST ST

April 16, 2013

To: Dr. Bruce Liese, Chair, and Lawrence/Douglas County Planning Commission

Dear chairman Liese and Planning Commissioners:

Re: ITEM NO. 3 SOUTHERN DEVELOPMENT PLAN; REGIONAL COMMERCIAL CENTER (MJL)
ITEM NO. 4 RM12 TO CR; 41.5 ACRES; 1900 W 31ST ST (SLD)

The League asks that you not change the Southern Development Plan to expand the existing designated area for a Regional Commercial Center and that you deny the request for a 41.5 acre tract to permit the development of a Menards store. We ask this for the following reasons:

We question whether the current 23rd and South Iowa designated Regional Commercial area has the capacity for any additional commercial zoning beyond that already designated and zoned for commercial use. The amount of commercial zoning existing now in this Horizon 2020 designated CR has been listed as 1.3 million square feet and the date on this is April, 2012.

The Revised Southern Development Plan does not recommend that this area be expanded for commercial use and designates it for medium residential use. The commercial zoning to the west of this was intentionally given a buffer of residential zoning so that the commercial area would not expand to the east to create a continuous commercial strip to Louisiana.

If this 41-acre parcel, or even a portion of it is rezoned CR, it will be the only so-zoned property in Lawrence. The CR District is a conventional district and strictly speaking was not intended to be conditioned to limit the uses. The fact that only a portion of the property has been configured to include the Menards store (and parking) creates a major uncertainty on how this property would actually develop. Because this is a CR District request, the potential for high intensity uses located here exists and because it is surrounded by residential uses on three sides makes the potential negative impact even more serious.

For these and many other reasons, we urge that the Planning Commission not change the Southern Development Plan to accommodate the CR District and not grant the current **Z-13-00071** request for CR Zoning.

Thank you for considering our letter.

Sincerely,

David Burress

/s/

President-Elect

League of Women Voters of Lawrence/Douglas County

Cille King

/s/

Land Use Committee

Kirk McClure, Ph.D.
707 Tennessee Street
Lawrence, KS 66044
mcclurefamily@sbcglobal.net

April 18, 2013

Amalia Graham
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Bryan Culver (Vice-Chair)
bculver@bankingunusual.com

Bruce Liese (Chair)
bruce@kansascitysailing.com

Re: AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS, Meeting APRIL 22, 2013
ITEM NO. 3 SOUTHERN DEVELOPMENT PLAN; REGIONAL COMMERCIAL CENTER (MJL)
CPA-13-00067: Consider Comprehensive Plan Amendment to expand the S. Iowa Street commercial corridor east along W. 31st Street to include 1900 W 31st Street.
ITEM NO. 4 RM12 TO CR; 41.5 ACRES; 1900 W 31ST ST (SLD)
Z-13-00071: Consider a request to rezone approximately 41.5 acres from RM12 (Multi-Dwelling Residential) to CR (Regional Commercial), located at 1900 W 31st Street.

Dear Members of the Lawrence Douglas County Metropolitan Planning Commission,

The proposal to expand the S. Iowa Street commercial corridor east along W. 31st Street is an example of predatory development which is not beneficial to our community.

Capacity of Lawrence to Absorb a Second Home Improvement Center

The Lawrence area, including all of Douglas County, is only barely large enough to support one home improvement center. Adding a second home improvement center will serve only to force the city's existing home improvement center out of business.

As the table below illustrates, Lawrence has enough population to support one store, but it is actually rather small in terms of the number of homeowners normally needed to support a home improvement center. If a second store is added, there will be too few people, and especially too few homeowners, to support both stores. The result is that one store will probably go out of business. All too often in this type of cutthroat competition, the older store is the one that fails.

The taxpayers of Lawrence are not indifferent to this process. The taxpayers invested heavily, in excess of \$1.5 million, to facilitate the development of the Home Depot store at 31st and South Iowa Streets. The taxpayers do not want to see this investment lost. Nor do the taxpayers want to see the Home Depot store become another retail building that becomes vacant and sits for years without a tenant.

Ratio of Home Improvement Stores to Population and Homeowner Households Kansas City and Lawrence

	<i>Kansas City Metropolitan Area</i>	<i>Lawrence Douglas County</i>	<i>Lawrence with Added Center</i>
Total Centers	19	1	2
Population	1,980,619	113,569	
Owner households	538,827	24,800	
Population:center ratio	104,243	113,569	56,785
Owners:center ratio	28,359	24,800	12,400

Market Analysis

The market analysis submitted in support of these proposals is flawed in many ways.

Rate of Absorption

The retail study begins with the assertion that Lawrence can absorb 129,000 to 236,000 square feet per year by the year 2020. This assertion would assume that Lawrence has a balanced market now. Even the retail market study submitted admits that the stock of retail space has grown by 72 percent since

2000 while retail sales have risen by only 37 percent. Clearly, the City has permitted developers to build space at a pace much faster than the spending can support. The result is an over-built condition leading to underutilization of space and a lack of interest in the maintenance of properties.

Pull Factor

The retail study goes on to assert that the City's retail pull factor is low. The pull factor measures the amount of spending per capita in the retail market compared to a statewide average. If the pull factor is above 1.0, it indicates that the market pulls in more spending than is available from the local population. Lawrence's pull factor has been above 1.0 for 10 of the last 12 years. It has been rising for the last three years. This is an admirable record for a small city located between two larger cities.

The study suggests that a Mendards will improve the pull factor. It is not credible that the consumers will drive to Lawrence to shop at our home improvement center any more than they do now. The consumers in the Topeka and the Kansas City metropolitan areas have several home improvement centers in close proximity to them. They will not drive Lawrence for this purpose.

Population and Income Growth

The retail study does on to suggest that the future growth of Lawrence's population and income will support expansion of the stock of retail space. The ultimate limit on the amount of space that the city can absorb is the spending in the retail market. Income growth in Lawrence continues to lag behind the Kansas City metropolitan area, holding back the growth in the retail spending. It is unwise to let the retail market grow faster than the growth in retail spending.

Recommendation

To avoid predatory development that will waste the taxpayers' investment, I recommend against the proposed plan amendment and rezoning at 1900 West 31st Street.

To regain strength in the retail market of Lawrence, the Planning Commission needs to exercise extreme caution with any expansion of the stock of retail space until the retail spending levels grow sufficiently to return to the balance found in the past.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk McClure", written over a horizontal line.

Kirk McClure



April 19, 2013

Kirk McClure
707 Tennessee St
Lawrence, KS 66044

Dear Mr. McClure,

Your letter regarding the proposed Menards project was forwarded to me by city staff. I have taken the time to respond to every resident that submits comments to the Planning Commission, city staff, or myself regarding this development. Responses to your concerns are below.

The term "predatory development" implies that Menards is in some way taking advantage of and individual or group of people with no regard for their wellbeing. That is certainly not the case with our Lawrence project. Menards has taken great steps to ensure that not only will our project not harm the city but improve the city as a whole. On April 8th I met with homeowners surrounding the project site and the response to our plans was very positive. We have included the residents in the planning process from the very beginning and plan to continue that practice.

I understand your main point to be the competition between Menards and Home Depot and their viability in the future. Your concerns are shared among several residents of Lawrence and often in other communities which we are new to. However no one understands the viability of a business better than the business itself. Menards is in no way trying to put Home Depot out of business here or in any other location. Competition is healthy and what makes the American economy strong. If Menards felt there was a chance their either Menards or Home Depot could not support a store we would not have a desire to build in the first place. For your information I have attached a list of a few of our western Menards stores in communities of similar size with either a Home Depot or Lowes located nearby.

I do not know the history of the taxpayer money that was used in the Home Depot project. However I can say that Menards is asking for nothing from the city of Lawrence financially. All Menards is asking for is the ability to compete on a fair playing field with every other business. Menards has performed studies regarding traffic, flooding, and utilities to ensure that our project will not harm any other property in the process.

Menards has a pull factor that is not ordinarily anticipated by a market study such as this. This is very evident by the number of Lawrence residents that travel to our Topeka store to shop in large numbers. Not only is that Menards store drawing consumers from outside of the Topeka region where there are other home improvement stores nearby. It is taking them from the City of Lawrence and it has a home improvement store. It is a reasonable



assumption that consumers will drive from all across Douglas County to shop at the Menards store just like they do in Shawnee County to the west.

Retail studies are only one element in the review of impacts a retailer would have on a community and they often fail to consider items that make retailers unique. Many communities have done away with these studies and relied more on experience and review of each project individually. Again there will be no investment by the residents of Lawrence to build the store. It is also unlikely that Menards or Home Depot would be put out of business by this project. Menards would be a great fit within the community and draw more consumers into the city that would otherwise be driving elsewhere to shop. If you have more questions please do not hesitate to contact me.

Sincerely,
Menard, Inc.

A handwritten signature in black ink, appearing to read "Tyler Edwards", is written over a white background.

Tyler Edwards
Real Estate Representative
Menard, Inc. – Properties
5101 Menard Drive
Eau Claire, WI 54703
P: 715-876-2143
C: 715-579-6699
F: 715-876-5998
tedwards@menard-inc.com

	Menards	Next Door	1/2 Mile	1 Mile	Under 3 Miles
1	Topeka	Lowes		Home Depot	
2	Manhattan				Home Depot
3	Salina			Lowes	
4	Wichita West			Lowes	
5	Wichita East				Home Depot
6	Garden City	Home Depot			
7	Sedalia		Lowes		
8	Lake Ozark				Lowes Home Depot
9	Jeff City				Lowes
10	Colombia		Home Depot		Lowes
11	St Peters				Home Depot
12	Manchester		Home Depot		Lowes
13	O'Fallon				Home Depot Lowes
14	Lincoln South				Home Depot Lowes
15	Lincoln North	Home Depot			
16	Grand Island			Home Depot	
17	Council Bluffs	Home Depot			
18	Sioux City				Lowes
19	Sioux Falls West	Home Depot	Lowes		
20	Clive			Lowes	
21	Altoona	Lowes			
22	De Moines		Home Depot		
23	Ankeny	Home Depot			
24	Waterloo	Home Depot	Lowes		
25	Marion			Home Depot	
26	Davenport				Lowes
27	West Burlington			Lowes	
28	Rochester			Home Depot	
29	Rochester South				Lowes
30	Mankato	Home Depot			Lowes
31	Coon Rapids	Lowes			
32	Blaine				Lowes
33	West St Paul		Lowes		
34	Stillwater		Lowes		
35	Maple Grove		Home Depot		
36	Brooklyn Park				Home Depot
37	Fridley				Home Depot
38	Richfield		Home Depot		
39	Eden Prairie	Home Depot			
40	Hudson	Home Depot			
41	Rapid City				Lowes
42	Fargo	Lowes			
43	Hermantown				Home Depot

44	Cape G		Lowes		
45	Marion IL				Home Depot
46	Evansville				Lowes
47	Bloomington			Lowes	
48	Champaign	Lowes		Home Depot	
49	Danville			Lowes	
50	Normal	Home Depot			
51	Springfield South		Lowes		
52	Springfield North	Lowes			
53	Forsyth		Lowes		
54	Peoria				Home Depot
55	Galesburg			Lowes	
56	Peru	Home Depot			
57	Dubuque			Lowes	
58	Janesville			Home Depot	
59	Racine			Home Depot	
60	Fox lake	Home Depot			
61	Gurnee	Home Depot			Lowes
62	Kenosha		Lowes		
63	Cherry Valley				Lowes
64	Machesney Park	Home Depot		Lowes	
65	Wausau	Home Depot			
66	Plover				Lowes
67	Oshkosh	Lowes			
68	Appleton East		Lowes		
69	Manitowoc		Lowes		
70	Appleton West			Home Depot	
71	West Bend	Home Depot			

Avant-Garde Game Board Staff Report – Exercise **What would you decide?**

Directions: Take a look at the context and criteria. Gold stars indicate the actual site or what is being proposed for the actual site. Red tags indicate the Future (hasn't happened yet). Circle which option you would choose. Circle the criteria you used to make your decision. Thank you. Bring this to the study session.

CONTEXT – Left to Right is West to East



CRITERIA



OPTIONS



???

SOMETHING ELSE

What would that be?

STAFF REPORT:

CPA-13-00067: HORIZON 2020 CHAPTER 6 & REVISED SOUTHERN DEVELOPMENT PLAN

Submitted to the City of Lawrence Planning & Zoning Commission

In response to Comprehensive Plan Amendment application submitted by Menards, Inc.

Regular Agenda - Public Hearing Item

Prepared by Taylor Plummer

18 April 2016

QUALIFICATIONS

CLIENT RECORD

The City of Olathe, Kansas

The Unified Government of Wyandotte
County and Kansas City, Kansas

The City of Independence, Missouri

Noland Road Community Improvement
District

The City of Salina, Kansas

Salina 2020, Inc.

Healthy Communities Wyandotte

The Unified Government of Wyandotte
County and Kansas City, Kansas Public
Health Department

Kansas City, Missouri Housing Authority

REFERENCES

Rob Richardson,
Director of Planning,
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County and Kansas City, Kansas

Ken Boone,
Team Leader
Ochsner Hare & Hare, a design studio
of Olsson Associates

EDUCATION

Masters of Urban Planning,
Specialization in Sustainable Land Use
and Housing and Community
Development,
The University of Kansas

Bachelor of Science
Environmental Science
Creighton University

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REQUEST & RECOMMENDATION

Menards, Inc. submitted this application in order to construct a Menards home improvement store at 1900 W. 31st Street. The proposed commercial zoning does not align with the land use designation in *Horizon 2020* or the *Revised Southern Development Plan* - medium-density residential.

Given the findings stated in this report, the City of Lawrence Planning and Zoning Commission should deny the Comprehensive Plan Amendment (CPA-13-00067) to *Horizon 2020* and the *Revised Southern Development Plan*, to change the designated future land use from medium-density residential to commercial for the site located at 1900 W. 31st Street. In light of current City plans, an extension of the commercial intersection (node) in question contradicts sustainable planning principles and undermines market demand for retail development.

SITE BACKGROUND

The site in question is located at 1900 W. 31st Street in Lawrence, Kansas. A mobile home park—Gas Light Village—currently exists on the site, but is not viewed as a community asset. Concerns of vacancy and a lack of maintenance create a desire to redevelop or reuse the property. The current zoning of the property is RS10 Single-Dwelling Residential.

Home Depot similarly considered this site for development in 2000. Their request to rezone the mobile home park the entire site to commercial was denied on the basis of Horizon 2020 and Southern Development Plan, as rezoning this site would create strip commercial, instead of the desired nodal development. The surrounding low-density residential was also a factor in this decision. Home Depot was eventually approved to develop a home improvement store at a separate, yet proximate location in 2001.

In 2012—just last year—Aspen Heights Development, a multi-family complex, was considered and approved for the site in question. The developer abandoned the site for uncertain reasons. The site remains a mobile home park to this day.

CITY STAFF OPINION

“Staff recommends denial of this comprehensive plan amendment to *Horizon 2020*, including the *Revised Southern Development Plan*, to change

the designated land use from medium-density residential to commercial for the property located at 1900 W. 31st Street and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission with a recommendation of denial.”

City staff largely found that by approving this comprehensive plan amendment (CPA), the City Commission would be promoting strip commercial development—an outmoded style of development. Staff acknowledges that if Menards is able to find another suitable development site, only platting, site planning, and pulling building permits are required to construct a new store. Menards, Inc.’s proposal does not align with the comprehensive plan and area plan.

QUICK FACTS

Applicant //
Menards, Inc.

Site in Question //
1900 W. 31st Street

Site Acreage //
41 acres

Current Land Use //
Mobile Home Park

Land Use Designation //
Medium-Density Residential

Surrounding Land Uses //
Single-Family Residential
Regional Commercial

Fig. 1 Map of site in question





Image of Massachusetts Street

SUMMARY POINTS

- The surrounding area is designated as a Regional Commercial Center, or the most “intense” commercial land use designated within the City.
 - The site is designated as medium-density residential and abuts single-family residences.
 - Without a lower intensity use, no true buffer exists between the commercial node and residences.
 - An extension of the commercial node creates strip commercial development, which is outmoded.
 - Strip commercial development is auto-oriented, effectively barring safe pedestrian and bicyclist transportation.
 - The proposed development does not comply with the Development Code of the City of Lawrence, Kansas, *Horizon 2020*, or *Revised Southern Development Plan*.
 - Without a stormwater management study, site plan, and traffic impact study, it is difficult to understand the full impact of the proposed development on the surrounding uses, traffic flow, and the water quality of the nearby stream.
- The submitted retail market study finds Lawrence’s population and income growth unsatisfactory to support an additional large-scale home improvement store.
 - Sustainability is found when economic growth, environmentally beneficial actions, and equity (in process and in result) are balanced.
 - Lawrence citizens value sustainability, planned and managed growth, and compatibility between land uses, as stated in the Overall *Horizon 2020* Planning Goals.
 - The Planning profession understands sustainability to be the balanced outcome of economic growth, environmentally beneficial actions, and equity (in process and in result).

ANALYSIS OF EXISTING PLANS

Chapter six of *Horizon 2020* states that existing commercial centers at all sizes will not intrude or expand into a lower-density area along an arterial street (Policy 3.11(K)). Chapter six also speaks against strip commercial development: “Stop the formation or expansion of

Strip Commercial Development by directing new development in a more clustered pattern” (Policy 3.1(B)).

The site in question is adjacent to the South Iowa Regional Commercial Center. Regional Commercial Centers allow for the highest commercial densities—1.5 million square feet or retail space—when compared to other commercial center designations. Without the Menards development, the center currently contains 1,996,450 square feet of retail space, already exceeding regulation by 496,450 square feet. Menards proposes 255,328 retail square feet, further exceeding standing regulation. Importantly, both *Horizon 2020* and *Revised Southern Development Plan* designate the site in question at medium-density residential. Both plans made several public involvement efforts; therefore, both plans are representative of the community’s desires.

Key to any public decision is public involvement. The community members help “decision makers understand how the community envisions future development” (*Horizon 2020* 1-3). Discrediting the work and desires



Image of Massachusetts Street during a community parade

of planning staff and community members represented in *Horizon 2020* and *Revised Southern Development Plan* for sole economic development advancement devalues community involvement and democratic processes.

SITE ANALYSIS

In order to understand the site's complexities, limitations, and assets, an in-depth site analysis was completed. The site's physical, biological, and cultural features were examined using a wide array of resources. Data sources are documented throughout the analysis.

PHYSICAL ANALYSIS

A physical site analysis focuses on the physical features of a site, including soil type and quality, hydrology, and topography. Any limitations that arise due to the examined physical features are summarized in *Site Limitations*.

SOIL

Soil quality, type, and slope play an important role when determining if a site is developable or not. For example, certain types of soil drain faster than others, while other types are comprised

of different materials. Essentially, soils differ by porosity and permeability. The Web Soil Survey, created by the Natural Resources Conservation Service under the United State Department of Agriculture, provides soil data and analysis information to the public. It is the sole authoritative source of soil surveys. Many professions utilize this information, such as farmers, but wider planning efforts can benefit from the quality assessments.

Fig. 2 below shows four soil types present on the site, all of which alter

the site's ability to be developed.

HYDROLOGY

Certain land uses affect runoff's direction, speed, and effect. For this reason, understanding the hydrological system as a whole is key. Water management is one tool that can be used to investigate and understand impaired waters and synthesize information to make future planning decisions. Section 303(d) of the Clean Water Act requires states to identify all water bodies where state water quality standards are not being met.

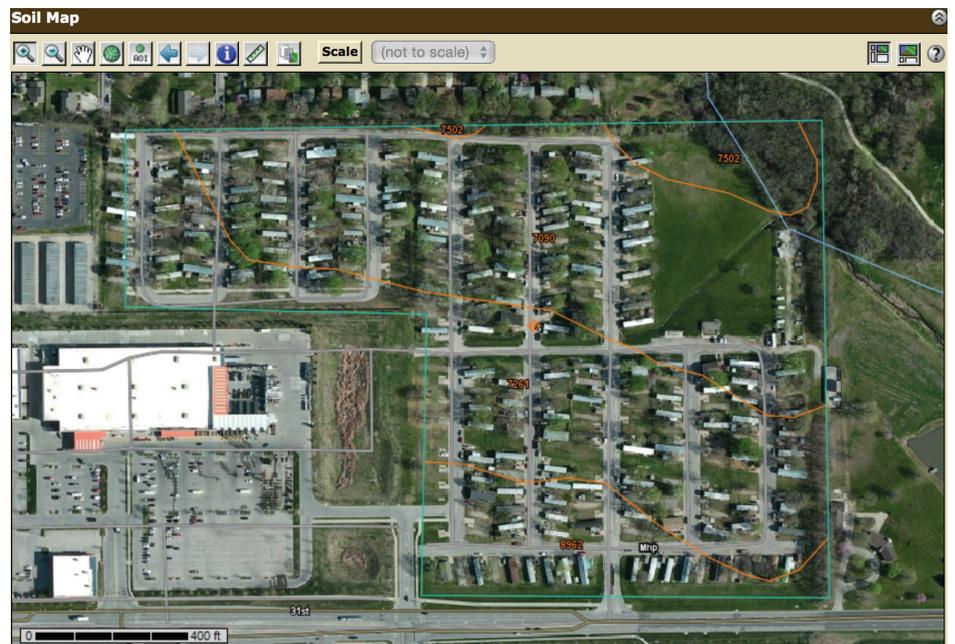


Fig. 2 - Soil survey map of site in question

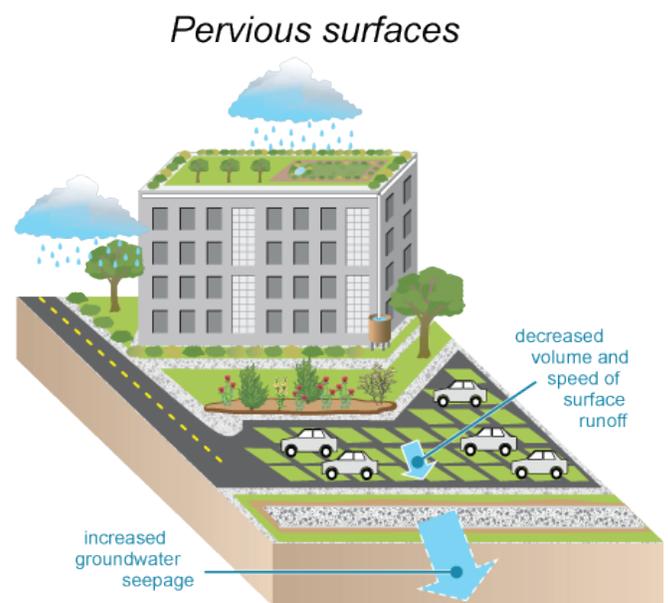
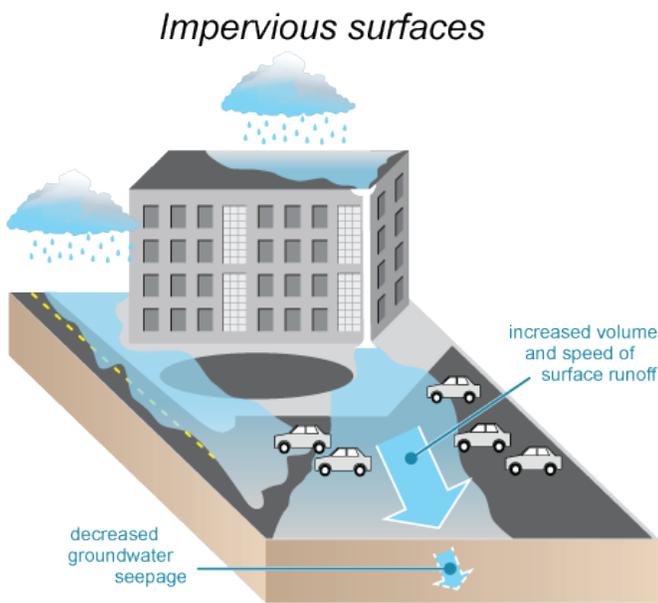
The Kansas Department of Health and Environment prepares lists of water quality impaired stream segments, wetlands, and lakes; planners must monitor these lists when make land use planning decisions. For example, open space is along a stream will limit negative impacts on water quality due to impervious surface runoff and attributable pollution.

Along similar lines, urban stream syndrome is cause for concern. Impervious surfaces can alter hydrological patterns, geomorphology, and habitat, and can cause polluted runoff. Many higher-intensity land uses, such as commercial or multi-family residential, may not be the proper land use in proximity to a stream.

Parking lots and other impervious cover increase stormwater runoff, which carries pollution to water sources, unless proper mitigation techniques are employed. It is necessary to study the discharge levels, measured by total maximum daily loads, from the site into the stream along the site.

A hydrologic and hydraulic study is recommended for this site, as well. Stormwater management is a vital step when assessing a site's ability to be developed. A stream is located on the northeast section of the site in question; therefore the northeast portion of the site is in the regulatory floodplain. Lawrence's Land Development Code outlines the requirements for development in and around a floodplain.

Planning best practices now include sustainable stormwater management principles, which include swales, buffers, wet and dry retention ponds, rain barrels, and green roofs. These methods attempt to mimic natural processes to manage stormwater and its negative effects. This site's proposed high-intensity commercial use typically involves large swaths of parking and a high impervious to pervious surface ratio. Without proper stormwater management techniques, this use may not be appropriate for this site. Comprehensive watershed management can be more fully understood using the Environmental Protection Agency's *Handbook for Developing Watershed Plans to Restore and Protect Waters*.



Impervious 'hard' surfaces (roofs, roads, large areas of pavement, and asphalt parking lots) increase the volume and speed of stormwater runoff. This swift surge of water erodes streambeds, reduces groundwater infiltration, and delivers many pollutants and sediment to downstream waters.

Pervious 'soft' surfaces (green roofs, rain gardens, grass paver parking lots, and infiltration trenches) decrease volume and speed of stormwater runoff. The slowed water seeps into the ground, recharges the water table, and filters out many pollutants and sediment before they arrive in downstream waters.

Fig. 3 - Negative consequences of impervious surfaces

TOPOGRAPHY

The topography of the site in question is important to analyze as it can greatly affect the development potential. *Horizon 2020* states, "Site layout and design of developments shall be planned with attention: to natural topography and drainage, adjacent land uses, road classifications, minimum frontage and entrance spacing requirements..." as a growth management policy (4-6). The U.S. Geological Survey develops topographic maps—"U.S. Topos"—that show changes in elevation across a site. This information is necessary to understand drainage patterns and proper site layouts.

The site in question abuts a stream. This fact alone indicates the need to analyze the topography, as the site slopes downward as it approaches the stream. In this way, sustainable stormwater management and topography align.

Proper stormwater management techniques will insure minimal impacts caused by the development of the site.

U.S. Topos are downloadable free of charge from the U.S. Geological Survey. The City of Lawrence utilizes this information in a geospatial format. While public sector planners do not rely on topographic information regularly, the applicants/developers must ensure that the site is developable at its' current grade.

BIOLOGICAL ANALYSIS

A biological site analysis focuses on the wildlife and vegetation within and surrounding the site.

WILDLIFE

This site may be habitat for certain wildlife species important to the ecosystem. In order to protect these species, wildlife sightings should be

reported. The Kansas Department of Wildlife, Parks, and Tourism monitors threatened and endangered wildlife: <http://ksoutdoors.com/Services/Threatened-and-Endangered-Wildlife>. This site informs the public of common wildlife species in the area, as well as critical species to monitor.

The Menards proposal is one of redevelopment, not development of vacant land. For this reason, wildlife concerns will be minor, yet are still worth noting. As a part of the proposed redevelopment, habitat serving critical species may be integrated into the landscape, such as milkweed for monarch butterflies.

VEGETATION

Vegetative cover plays a large role in the hydrological cycle of a site. In order to understand the current vegetative cover of the site, Google Earth and field visits are key. Enhancing vegetative

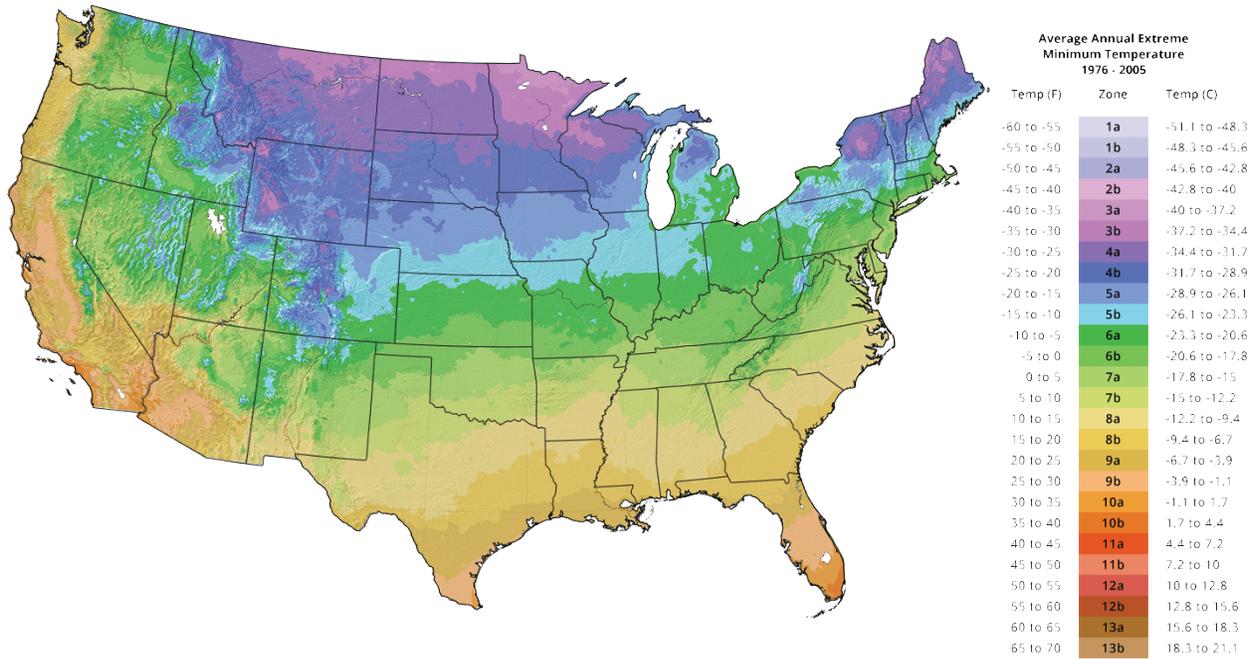


Fig. 4 - Hardiness zones map

cover is one way to take sustainable planning practices into developed areas. For example, the urban forest can be improved on this site with additional tree planting. Trees provide \$14 million a year in energy benefits and reduce more than \$500,000 a year in carbon emissions.

The Menards proposal, if realized, must include an innovative and sustainable landscape plan. Native plants, which are increasingly popular, should be integrated into the site in a strategic manner. The site in question falls into the hardiness zone 6A. Hardiness zones (see Fig. 4) delineate which plants are most likely to thrive at a certain location. Zones are based on the average annual minimum winter temperatures, divided into 10-degree F

zones. Landscape architects utilize this tool to property design the landscape of a site.

CULTURAL ANALYSIS

Cultural site analysis includes a wide variety of factors. This type of analysis essentially determines if the site’s proposed development fits with the surrounding properties legally and if the use is desirable by the community.

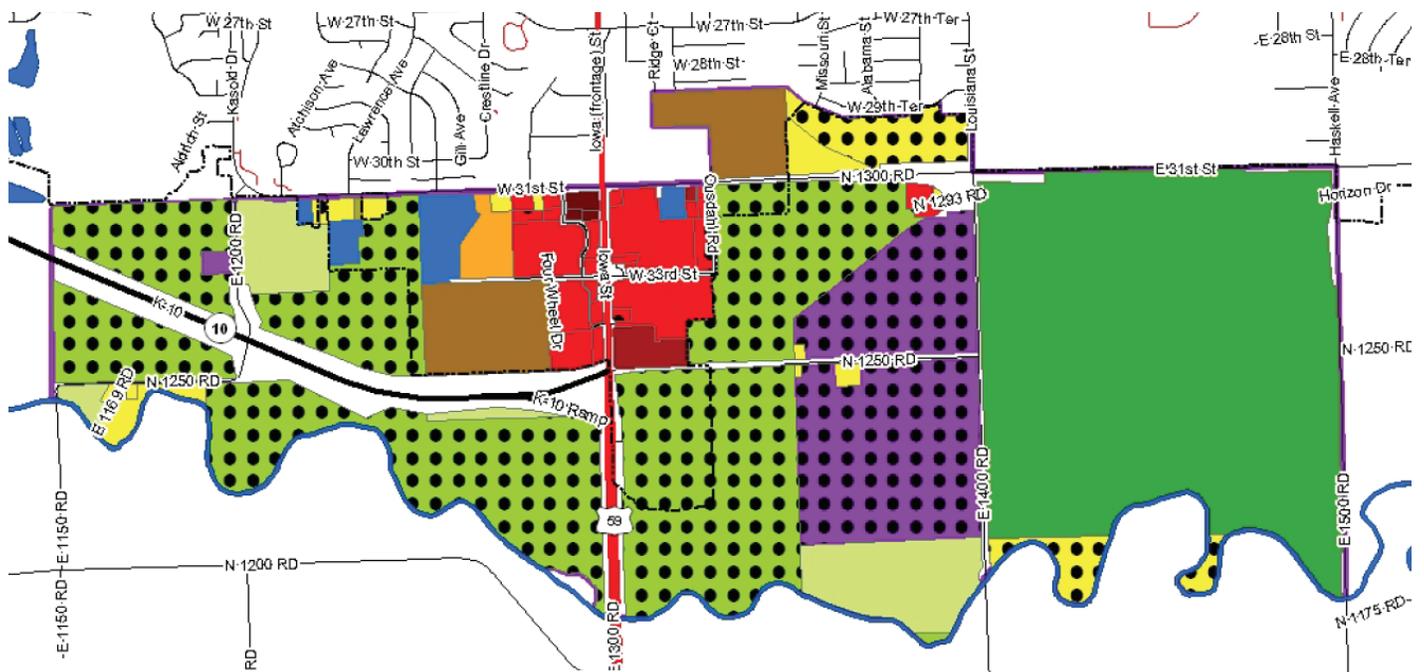
ZONING & LAND USE

The current zoning of the property is RM12 Multi-Dwelling Residential (12 dwelling units per acre), a medium-density residential district. The surrounding properties are zoned PRD Planned Residential Development, OS Open Space, RS7 (7,000 square feet

per dwelling unit) Single-Dwelling Residential, RM12 Multi-Dwelling Residential (12 dwelling units per acre), and County A Agricultural District.

The current land use of the property is a mobile home park. Surrounding the site is commercial, single-family residential, vacant residential, and

The site in question is not entirely compatible with the surrounding land uses as it is currently used. The Menards proposed development would be an extension of the commercial node that exists at the intersection of 31st and Iowa. The highest and best use for this site is not a continuation of commercial, but a land use that buffers the single-family residential from the commercial node. Single story office



Legend

City Limits	Single Family Residential	Vacant Residential	Commercial-Service/Office
Water Bodies	Farm	Vacant Commercial	Transport/Communication/Utility
Planning area	Mobile Home	Farm Residence	Vacant Transport/Communication/Utility
	Multiple Family	Vacant Farm	Vacant Parks/Rec/Open Space
	Mobile Home Park	Commercial	

Fig. 5 - Existing land uses, Revised Southern Development Plan

space or multi-family residential both can be used in this way.

EXISTING PLANS

As stated in *Analysis of Existing Plans*, chapter six of *Horizon 2020* and *Revised Southern Development Plan* both speak against strip commercial development. The site in question has continually been designated as medium-density residential. *Plan '95*, approved in 1977, also limits further commercial expansion around this intersection and supports residential development the east of the intersection. Similarly, the *South Lawrence Trafficway Corridor Land Use Plan* (1989) and *Southern Development Plan* (1994) identify the site in question as residential.

Additionally, a precedent was set for this property in 2001. Home Depot's original proposal was approved with a clear reduction in commercially zoned area and an additional restriction on the tract to the east. This decision recognized the importance of a buffer, whether natural or through certain uses, between the residences and the commercial node.

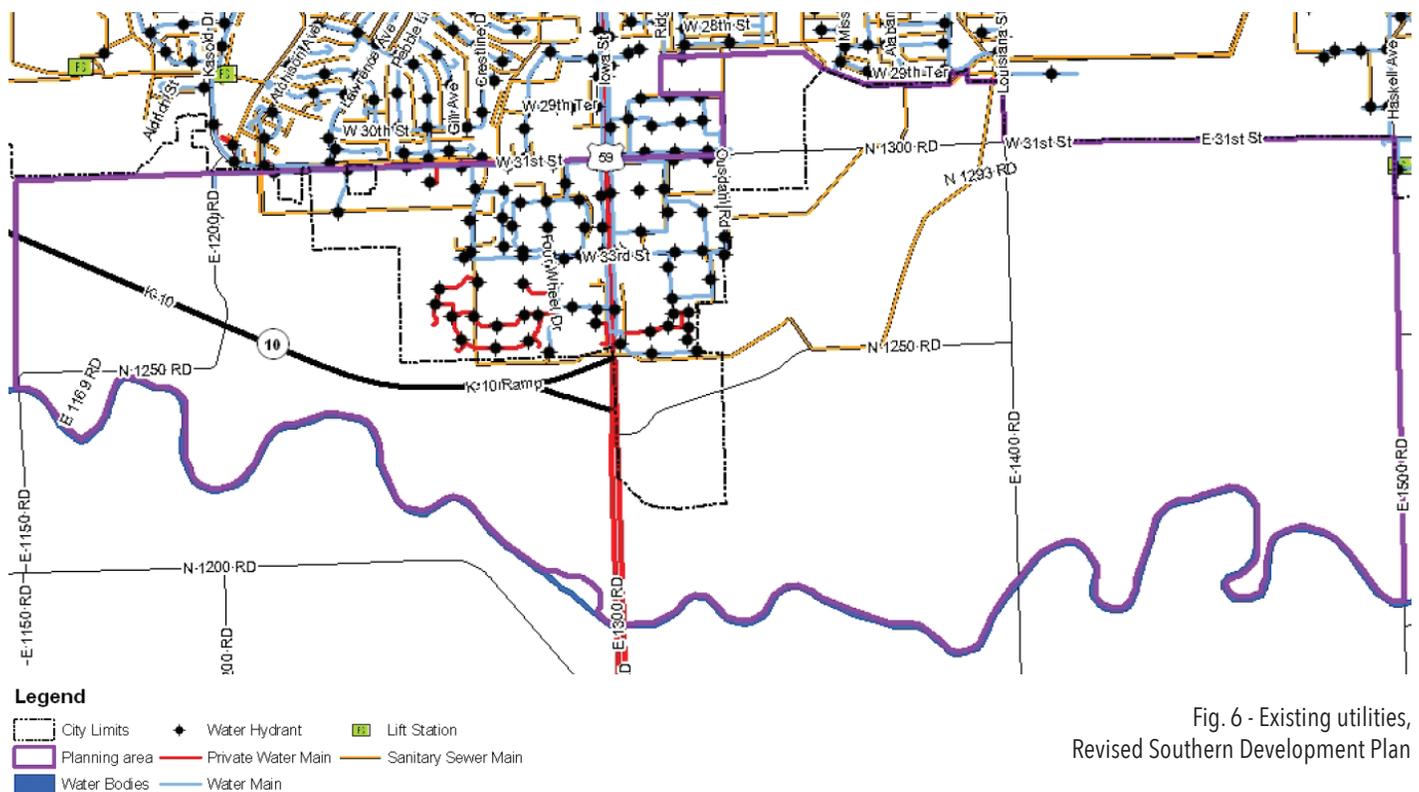
UTILITIES

Providing public infrastructure (water, sanitary sewer, and storm sewer) to a property is an expensive process and can be a limiting factor when developing a property. Utility service is a non-issue on the site in question, as it is already developed and within City limits.

It is now common practice for a city to provide a utility map through an online mapping system. Oftentimes this online geospatial data is available to the public through an online service. Even so, planners traditionally insure that a site is currently serviced or will be able to be serviced by this public infrastructure. Utility companies, such as Southern Star Gas, also can provide this utility locater service.

TRANSPORTATION

In the same way as utilities, providing viable, multimodal transportation options for all developments is a municipal concern. The site in question is serviced by a minor arterial, and is nearby a principal arterial. Streets are classified by their function or primary purpose. Both types of roadway—minor



and principal arterial—will likely receive maintenance dollars, as they are heavily traversed. Automobiles will be served primarily on a minor arterial. At 40 miles per hour, bicyclist and pedestrian traffic is more unlikely.

Nonetheless, a future recreational trail is planned for this site, running north and south through the middle of the site. This trail will connect to the north/south recreational trail to the north of the site. A future recreational trail is also planned along 31st Street. The site's proximity to the Baker Wetlands presents a recreational amenity for the surrounding residential. Most cities can provide spatial data showing existing and future bike and trails throughout the city. Lawrence does just this.

Planning for pedestrians is increasingly important. Through clustered and mixed use development practices, the practicality of walking increases if services and goods are provided within a reasonable distance. Part of the practicality includes providing well-maintained sidewalks and other pedestrian infrastructure. Google Earth provides a simple way for planners to analyze sidewalk conditions. As a site develops, a developer may be in charge of completing the sidewalk network in and around his or her property.

Lawrence has a public transportation system: The "T." The Revised Southern Development planning area has three routes that serve it. Fig. 7 below shows the locations of bus shelters and the transfer station within the

planning area. It is important to ensure developments of all types, including residential, commercial, employment, and entertainment, have access to transit. This is a more sustainable form of transportation, similar to carpooling, which is increasingly demanded. Municipalities can direct those persons interested to the regional or city-level transit service available. As sites develop, especially around commercial nodes such as this, it is important to include transit stops to create an accessible atmosphere and increase their customer base. Fortunately, the site in question is in close proximity to transit routes.

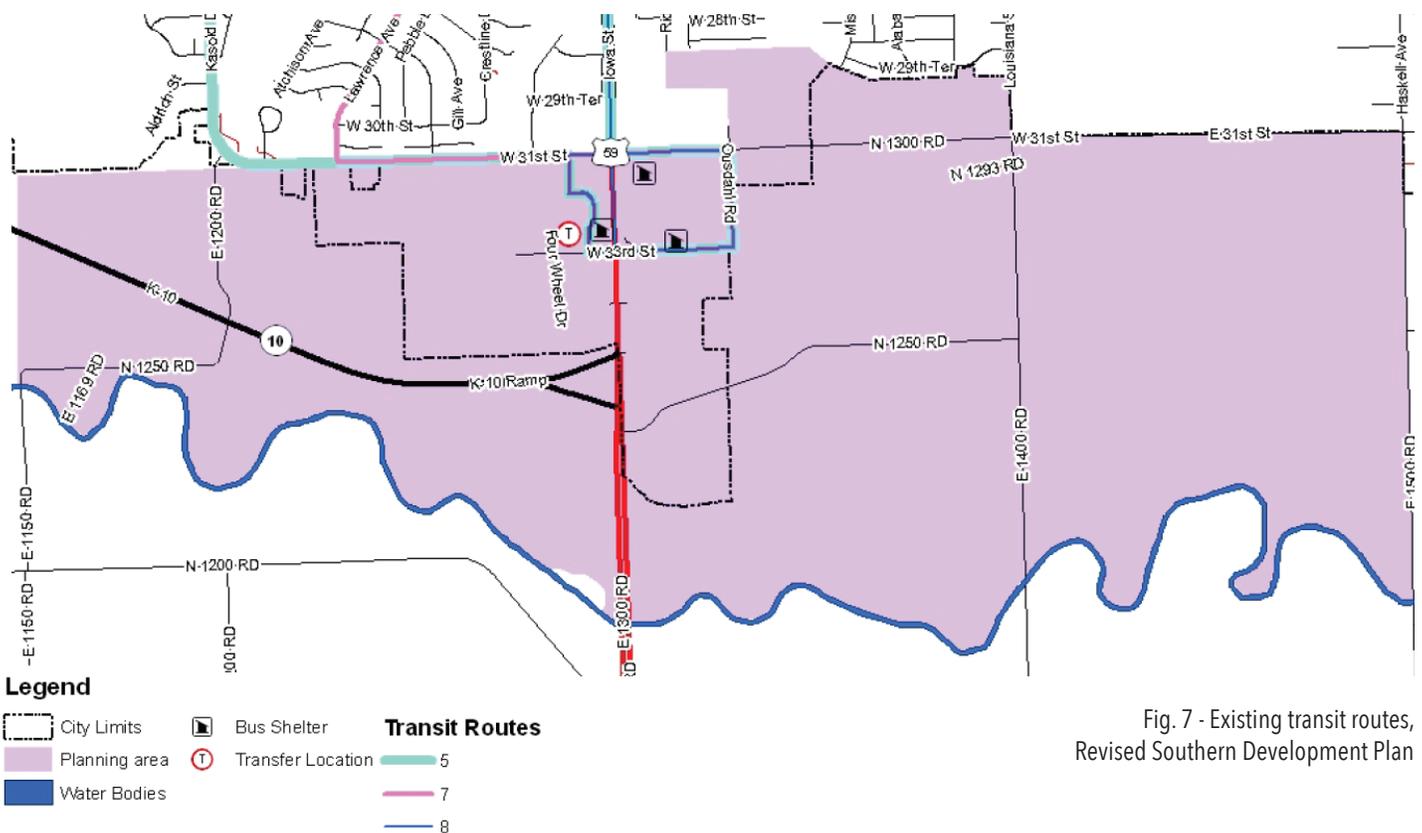


Fig. 7 - Existing transit routes, Revised Southern Development Plan

ECONOMIC ANALYSIS

LOCAL SUPPLY & DEMAND

A retail market study was completed and reviewed for the site in question. In order to achieve a balanced market it is important to measure the supply and demand of given uses frequently through a market study. This type of analysis requires supply side data, including the amount of retail space and the number of businesses, and demand side data, including population, income, and retail sales growth over time. Within the demand side, growth by specific age groups over time increasingly determines the type of goods and services to be demanded. Therefore, an accurate and consistent measure of commercial space over time is necessary. With this data, it is possible to understand the mismatch between supply and demand in order to guide development decision-making. The U.S. Census and American Community Survey are important sources of data for studies such as this, as they provide estimates of residential units over time. Yet, it is important to note the margin of error with these counts. The American Community Survey estimates generally have a higher margin of error, as the sample size is much lower than the U.S. Census.

The supply side data, including the amount of retail space and the number of businesses can be troublesome data to gather. As the 2010 Retail Market Report stated, accurate and consistent measures of retail square footage over time is necessary. Municipalities should (technically) be able to measure new growth through building permits,

yet non-tenant specific stores create inconsistency in this measure. The number of businesses can be measured through sales tax reports, as gathered by the Kansas Department of Revenue. The demand side data—population and income—is easily gathered through the U.S. Census or American Community Survey, depending on when the data is being gathered. Sales tax revenue data is collected by the Kansas Department of Revenue. Data inaccuracy issues arise if the businesses reporting reports from a reporting address, rather than the physical location of the retail store. Similarly, businesses with multiple locations may only submit one form. Both data limitations are important to keep in mind.

Once the data are gathered, vacancy rates over time can be determined, as well as retail space demand per capita. The vacancy rate can assess the health of a market. It is the ratio of occupied retail space to total retail space. Retail space demand per capita is the ratio of total retail space to total population. Similar analyses can be completed by commercial district if the districts are defined and square footage is measurable. The absorption rate, or how quickly a building can be absorbed into a market, can be determined with this data, as well.

It is important to note that at any given time, a market may not be balanced; each retail option may not be fully absorbed into the market. Therefore, forecasted absorption rates can be limited in accuracy. Ultimately, the absorption rate is limited by spending in the retail market.

REGIONAL ANALYSIS

When analyzing the potential impact of a development on the health of a market, it is important to take a regional approach. In essence, Lawrence can be seen as part of the periphery of the larger Kansas City metropolitan area. Given Lawrence's proximity to the Kansas City metropolitan area, it is necessary to understand that Lawrence residents likely travel to Kansas City for some of their retail needs. Lawrence and Kansas are economically and socially tied. As a way to understand this connection, Reilly's Law of Retail Gravitation, a trade area analysis, or the Huff Model analysis should be used/ completed. An overview of Reilly's *Law of Retail Gravitation* analysis method is provided below.

Reilly's Law of Retail Gravitation:

- This provides an estimate of the maximum distance customers will travel to shop for goods or services.
- The premise is that people are attracted to larger places to shop, but time and distance influence these decisions.
- The "breakpoint," where trade is equally divided between the two centers (in this case, Lawrence and Kansas City).
- The breakpoint is the point where trade is equally divided between two centers.
- The data needed are distances between locations and populations.
- This analysis can be integrated into the Menards proposal in order to understand if Kansas City residents would utilize this store location, or if Lawrence residents would be the only patrons.

SITE LIMITATIONS

While a full analysis of the site was not completed, various key limitations arose from the preliminary analysis. The limitations are summarized as follows.

- The northeast portion of the site is in the floodplain and slopes downward towards the floodway. Development should be limited in this area and polluted stormwater runoff should not be directed towards the floodway.
- Hardiness Zone 6A vegetation must be integrated into the site landscape plan to minimize irrigation needs and maintenance expenses.
- The current zoning of the property is RM12 Multi-Dwelling. A commercial use is not permitted within this zoning district.
- The planned future land use is medium-density residential. A commercial use does not align with the future land use plan.
- The proposed use does not align with the existing plans - *Horizon 2020* or *Revised Southern Development Plan*.
- Pedestrian and bicyclist transportation may be limited depending the site design.
- Limited population and income growth in Lawrence will limit the market's ability to support two home improvement stores, especially with Kansas City providing ample retail options.

SUSTAINABILITY FRAMEWORK

Climate change is one of the most serious issues facing the globe today. A strong consensus finds man-made emissions as the cause of the changes in the globe's climate. Land use actions such as sprawling development, deforestation, and agriculture contribute to the growing levels of greenhouse gases in the atmosphere. Planners are increasingly professing the need to grow sustainably. Urban sprawl, or auto-dependent growth, has created quantified negative consequences for water, air, and human health quality.

Planners have historically recognized the importance of caring for nature and living within it. For example, Benton McKaye wanted to set wilderness aside for conservation purposes, while also making it accessible as a retreat. Sustainability is in essence a

balanced effort of economic growth, equitable process and distribution, and environmentally friendly actions. The nature of sustainability creates conflicts during development decisions. Because of this, rational planning is not the best planning method. Instead, planners must utilize collaborative or communicative planning practices to build consensus between decision makers, developers, and citizens.

The City of Lawrence utilized a similar process during the *Horizon 2020* planning process. Because the plan was a true public product, it is important to rely on the document as a representation of Lawrence in the future. Sustainability and growth management is integrated within *Horizon 2020* (1-3). Extending commercial corridors does not align with proper growth management. The existing commercial node at Iowa Street and 31st Street is shown in the image below.



Intersection of 31st Street and Iowa Street

LEGAL FRAMEWORK

COMPREHENSIVE PLAN

The federal government created an advisory committee in 1921 to create model state planning and zoning enabling acts. The Standard State Zoning Enabling Act delegated power to zone to municipalities, established procedures for special zoning exceptions, variances from the zoning code, and procedures for amendments to the zoning code. The model act also created a board of zoning appeals and emphasized that the zoning code must be "in accordance with a comprehensive plan."

The Standard City Planning Enabling Act established a municipal planning commission, authorized the preparation of a city master plan, and required review of proposed public improvements by the established planning commission. Additionally, the Act created and authorized subdivision (how land is divided and managed) regulation, created regional planning commissions, and authorized the preparation of the "official map" to document the location of proposed public improvements. Both acts acknowledged that land use planning is a local issue, best handled by those who reside there.

The evolution of land use control influenced the idea that land is both a commodity and a resource. Comprehensive plans now act as a growth management tool. Comprehensive plans constitute the general outline of projected devel-

opment, while zoning is a regulatory tool designed to implement the plan. Comprehensive plans also:

- Establish community vision
- Establish fundamental land use policies
- Are a source of information and legislative findings
- Enhance legal basis for land use decisions

The comprehensive plan is official in nature, as it designed to be adopted into law by some form of local government. The document should then serve as a policy guide to decisions about community development. Throughout the entire comprehensive planning process, citizen input should be obtained, as it is a document for the community. Planning legislation and plans are unlikely to be overturned on constitutional grounds, and therefore it is authoritative.

LEGAL PROCESS FOR DEVELOPMENT

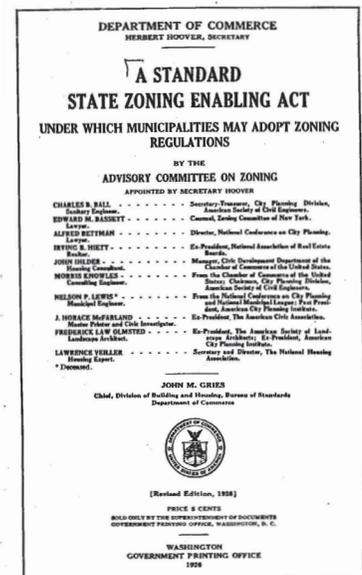
The legal process to be followed in this proposed Menards development is in process. Menards cannot simply acquire the property and construct a new store. Instead, Menards must submit a preliminary development plan to the City once proper zoning is secured.

If the zoning must be changed, the rezoning process must be completed as well. In this case, a zoning map amendment is necessary. If deemed necessary by planning staff, a traffic impact study, drainage study, market study, and downstream sanitary sewer analysis

may be necessary, as determined in the pre-application meeting. Other general documents are required, as well, including a conceptual plan and a legal description of the property. Oftentimes, a rezoning process and preliminary development plan will go to the Planning Commission and City Commission on the same schedule.

PUBLIC INPUT

This development process includes a public hearing and public notice through a posted sign on the property for a given amount of time. The applicant must "describe the reasonable effort(s) made to meet with and receive input from individuals required to receive notice" (City of Lawrence Preliminary Development Application). A public hearing takes place at the Planning Commission and City Commission meeting, which is advertised in the newspaper. Commissioners then take the staff report, existing plans, and public comment into consideration.



Standard State Zoning Enabling Act

ACTION ALTERNATIVES

Given the findings in the *Site Assessment* and utilizing the *Sustainability Framework* and *Legal Framework*, the options for action include, (1) denial; (2) approval with no required changes; (3) approval with site and building design requirements; (4) continuance of land use application until a specific nodal plan can be created for the intersection of Iowa Street and 31st Street; and (5) stated future approval at a different site within Lawrence.

OPTION 1

The first action alternative is a simple denial of the Menards proposal in entirety on the grounds that it does not comply with *Horizon 2020* or *Revised Southern Development Plan*, keeping in mind that an appeal by Menards, Inc. to each option is possible. This denial is certain if the City Commission denies the proposed development. This option is, in essence, non-action, until another developer decides to develop medium-density residential on the site.

OPTION 2

The second option is complete approval of the comprehensive plan amendment and required rezoning to CR Regional Commercial. This option would extend the commercial node at Iowa Street and 31st Street, negating *Horizon 2020* and *Revised Southern Development Plan*. This option appeases Menards, Inc. and does not attempt to work with the

developer to create a site and building plan in line with community values.

OPTION 3

The third option is approval of the comprehensive plan amendment and required rezoning to CR Regional Commercial with the requirement of an improved site and building plan that planning staff were comfortable with. This option relies directly on the Sustainability Framework, that understands the importance of moving away from strip commercial, auto-dependent development. The goal "will be to work with [Menards, Inc.] to achieve compact, pedestrian-oriented centers versus conventional strip malls. The overall goal of these standards is to improve community aesthetics, encourage more shopping per trip, facilitate neighborhood identification and support, and make shopping an enjoyable event" (Design Standards, *Horizon 2020*, 6-2).

The site plan may include green infrastructure, such as bioswales, pervious pavement, small street frontage (that pushes parking to the back of the site), or significant landscape cover. The building plan may include a rain catchment system, an extensive green roof, or architectural compatibility. This option is unlikely, as it would require significant public investment into multimodal infrastructure, such as recreational and bike paths.

OPTION 4

The fourth option is a continuance of the land use application until a specific nodal plan can be created for the intersection of Iowa Street and 31st Street. "In order to facilitate the orderly development of future commercial nodes; Lawrence shall attempt to complete "nodal plans" for each future commercial center in advance of development proposals" (*Horizon 2020*, 6-8). The nodal plan will define the area of the node and provide details including:

1. Existing natural features
2. Appropriate transitional uses
3. Appropriate uses for each specific corner of the intersection
4. Access points of reach corner
5. Necessary infrastructure improvements
6. Overall flow of traffic in and around the node and surrounding area
7. Any other necessary information

Once a nodal plan is created, planning staff, Planning Commission, and City Commission can reassess the need to extend the commercial node.

OPTION 5

The fifth and final option is to approve the development of Menards at a different site within the City. "Recent amendments to *Horizon 2020* have given direction to offer large retail locations at the intersection of W. 6th Street and SLT and included discussion regarding expanding the Regional



South Lawrence Trafficway construction process

Commercial Center designation south of the SLT on S. Iowa St." (City Staff Report). This option provides Menards the opportunity to develop at a location in line with the community's interests.

COMPLETE RECOMMENDATION

Option 5 is recommended to the City Commission. The *Site Limitations* are such that they outweigh the potential benefits from *Option 3*—an altered site and building plan. The first decision in a site plan is if the location is proper for the proposed use. In this case, the existing residential limits the use's

appropriateness. Large retail uses do not align with single-family residential uses. Property values, noise pollution, and traffic congestion are all valid concerns for property owners. These concerns were all professed during the public hearing on this land use action.

As a way to balance the needs of Menards, Inc. and the community, a different location is recommended. This way, nodal development (a sustainable practice) is furthered. This development style is more progressive and works to limit the negative consequences of urban sprawl. While Menards, Inc. has stated that this site, at the current time, does not meet their retail needs, it may

meet their needs in the future. As a large development, Menards can locate at W. 6th Street and SLT as a catalyst site for additional nodal development. If Menards does not agree with this decision, the development is not the right fit for the community. Developing at a later time will also give the retail market time to absorb the approved retail developments, further balancing the market and, in turn, keeping the vacancy rate at a desirable level.

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Planning Commission Staff Report City of Lawrence

Prepared by Zibers Consulting

Addition to CPA-13-00067: Submitted by Menards, Inc.

ITEM NO. 3: HORIZON 2020 CHAPTER 6 AND REVISED SOUTHERN DEVELOPMENT PLAN (MJL)

April 25, 2013 (2016)

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Executive Summary

Zibers Consulting was hired to examine the proposed Comprehensive Plan Amendment that would allow Menards, Inc. to develop a site previously identified as suitable for medium-density residential development as commercial. Four alternatives have been identified and outlined, however Alternative 4 was chosen as the most appropriate course of action. Alternative 4 reasons that due to the widespread incompatibility with the comprehensive plan, Revised Southern Development Plan, and the slow commercial market, **staff recommends that the City deny the request** for amending the comprehensive plan to allow for a Menards store to be built on this site

Application Date	March 31, 2013
Purpose of Request	To consider a proposed Comprehensive Plan Amendment (CPA), CPA-13-00067, to Horizon 2020: Chapter 6 Commercial Land Use and Chapter 14 Specific Plans, Revised Southern Development Plan. Menards wishes to rezone approximately 41.5 acres from RM12 (Multi-Dwelling Residential) to CR (Regional Commercial), located at 1900 W 31st Street.
Submitted By	Menards, Inc.
Property Owner	Mid-American Manufactured Housing, Inc., property owner of record.
Current Zoning	RM12 (Multi-Dwelling Residential)
Proposed Zoning	CR (Regional Commercial)
Current Use	Residential, site hosts a mobile home park that was largely abandoned when purchased for a previously approved medium-density residential development
Proposed Use	Commercial use as a home improvement retailer
Surrounding Use	Includes residential to the north, regional commercial to the west, medium-density residential to the south and privately owned, largely undeveloped land due to the presence of a floodplain to the east
Surrounding Zoning	CR (Regional Commercial), RM12 (Multi-Dwelling Residential), RS7 (Single Family Residential)
Current Language to be Removed	Commercial property exists both east and west of S. Iowa Street along 31st Street. Emphasis shall be given to maintaining this commercial node and requests to extend the commercial corridor for additional retail development shall not be considered; however office and office research activities would be appropriate land uses along this arterial corridor. (Chapter 6 of Horizon 2020) Commercial property exists both east and west of S. Iowa Street along 31st Street. Emphasis shall be given to maintaining this commercial node and requests to extend the commercial corridor for additional retail development shall not be considered; however office and office research activities would be appropriate land uses along this arterial corridor. (Revised Southern Development Plan)
Proposed Language to be Added (in red)	Applicable Areas: Property to the south of W. 31st Street and west and east of Iowa Street/Hwy 59 including the northeast corner of W. 31st Street and Ousdahl Road.
Public Notice	A public hearing was held April 22, 2013
Prepared By	Zibers Consulting

Key Points

- This area if allowed to develop east along W. 31st St. could create Strip Commercial Development
- Policy 3.1(B) in Chapter 6 of Horizon 2020 states: “Strip Commercial Development: Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern”.
- W. 6th and South Lawrence Traffic way (SLT) as a proposed alternate location, as well, there is the potential to extend south along Iowa. Menards has stated that these locations do not meet their needs at this time.
- Commercial use on this site is not consistent with several areas throughout the comprehensive plan, not just Chapter 6, and would need further attention if the amendment is passed
- There is inadequate public input to reflect whether an amendment to the comprehensive plan would be in the public’s best interests, more input is needed. Additionally impacts on public health and safety were not properly identified, more information is needed.

Background Information

Purpose for Request

To consider a proposed **Comprehensive Plan Amendment (CPA)**, CPA-13-00067, to Horizon 2020: Chapter 6 Commercial Land Use and Chapter 14 Specific Plans, Revised Southern Development Plan.

General Information

This comprehensive plan amendment (CPA) was requested by Menards, Inc. in order to develop the former Gas Light Village mobile home park located at the northeast corner of W. 31st St. and Ousdahl Rd. commercial development (See Figure 3). The site itself is located on the southern edge of the City of Lawrence (See Figure 1).

What is a CPA?

A Comprehensive Plan Amendment is when a revision is made to a city's comprehensive plan; the long-range guiding document for physical, economic and social growth. In this case, the amendment would alter the land use for the area east, along W. 31st Street allowing commercial development.

Currently Chapter 6 of Horizon 2020, the City of Lawrence's Comprehensive Plan, states "Commercial property exists both east and west of S. Iowa Street along 31st Street. **Emphasis shall be given to maintaining this commercial node and requests to extend the commercial corridor for additional retail development shall not be considered;** however office and office research activities would be appropriate land uses along this arterial corridor." A commercial corridor is generally characterized as an area developed on an auto-dominant roadway, with larger retailers, large parking lots and oftentimes connection with transit services. The Revised Southern Development Plan which is a smaller area plan that was incorporated by reference in Chapter 14 – Specific Plans of the Comprehensive Plan, identifies **this property appropriate for medium-density residential uses**, such as townhomes or rowhomes. This amendment would allow expansion of the S. Iowa St. commercial corridor east along W. 31st Street to include 1900 W. 31st Street (See Figure 3).

Currently S. Iowa Street corridor is classified as an existing Regional Commercial Center, and this amendment would extend the center to include 1900 W. 31st Street. A Regional Commercial Center attracts a customer base beyond that of the immediate community, instead drawing people from neighboring communities as well. Within the Regional Commercial Center, nodal development occurs. Nodal development concentrates higher density development around intersections, usually with planned improvements to roadway services to account for increased traffic. These nodes concentrate development, allowing lower density development between them as well as a lower intensity of traffic.

The S. Iowa Regional Commercial Center is an existing strip commercial development between 23rd Street and K-10 with nodal development specifically centered on the intersection of W. 31st and S. Iowa Streets. Nodal development requires the clear termination of commercial development within near proximity of an intersection, currently commercial use extends approximately .3 miles west and east of S. Iowa St., along W. 31st Street. Imagine a circle centered on an intersection with commercial development restricted to the radius boundary (See Figure 2).

Figure 3 Site Relation to Lawrence as a Whole

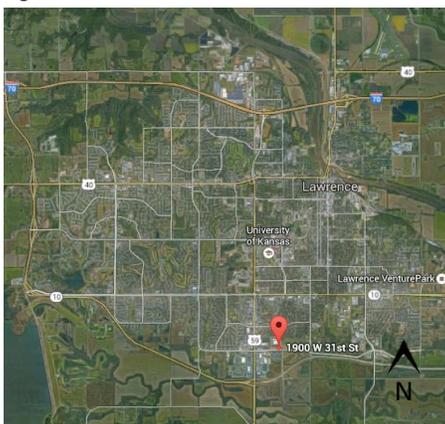


Figure 2 Site Area and Node Aerial



Figure 1 Menards Site Aerial



Site Context

Figure 4 Residential Neighborhood to North



North
Bordering the Northern part of the site area are single family homes.

Figure 6 Commercial Area to West



West
Directly to the west of the site area is a Home Depot, Best Buy and a handful of chain restaurants.

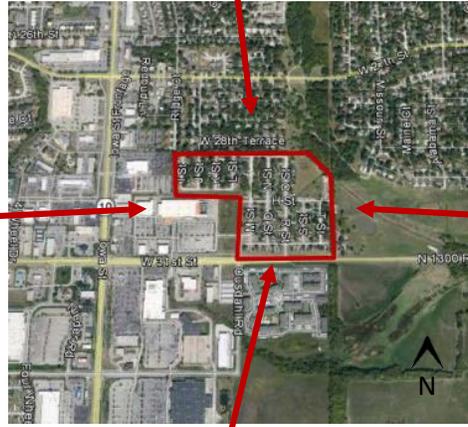


Figure 5 Undeveloped Area to East



East
To the East is a property privately owned by a Mr. Snodgrass, much of which is within a floodplain/floodway.

Figure 7 Apartments to South

South
Direction South, on the opposite side of W. 31st St. is The Connection at Lawrence, an apartment complex.



Note: Alternative sites have been proposed. Specifically, staff have suggested the intersection at W. 6th and SLT or further south along Iowa to take advantage of the South Lawrence Traffic way (SLT) updates. Menards has refused both alternatives citing that the sites would not support their development.

Relevant Historical Considerations

The S. Iowa Street Regional Commercial Center has had a long history of a large amount of commercial space that generally fronts S. Iowa Street, with a smaller amount of commercial use expanding west and east along W. 31st Street. The applicant is requesting extension of the S. Iowa and W. 31st Street node beyond its current boundaries to the east along W. 31st St.

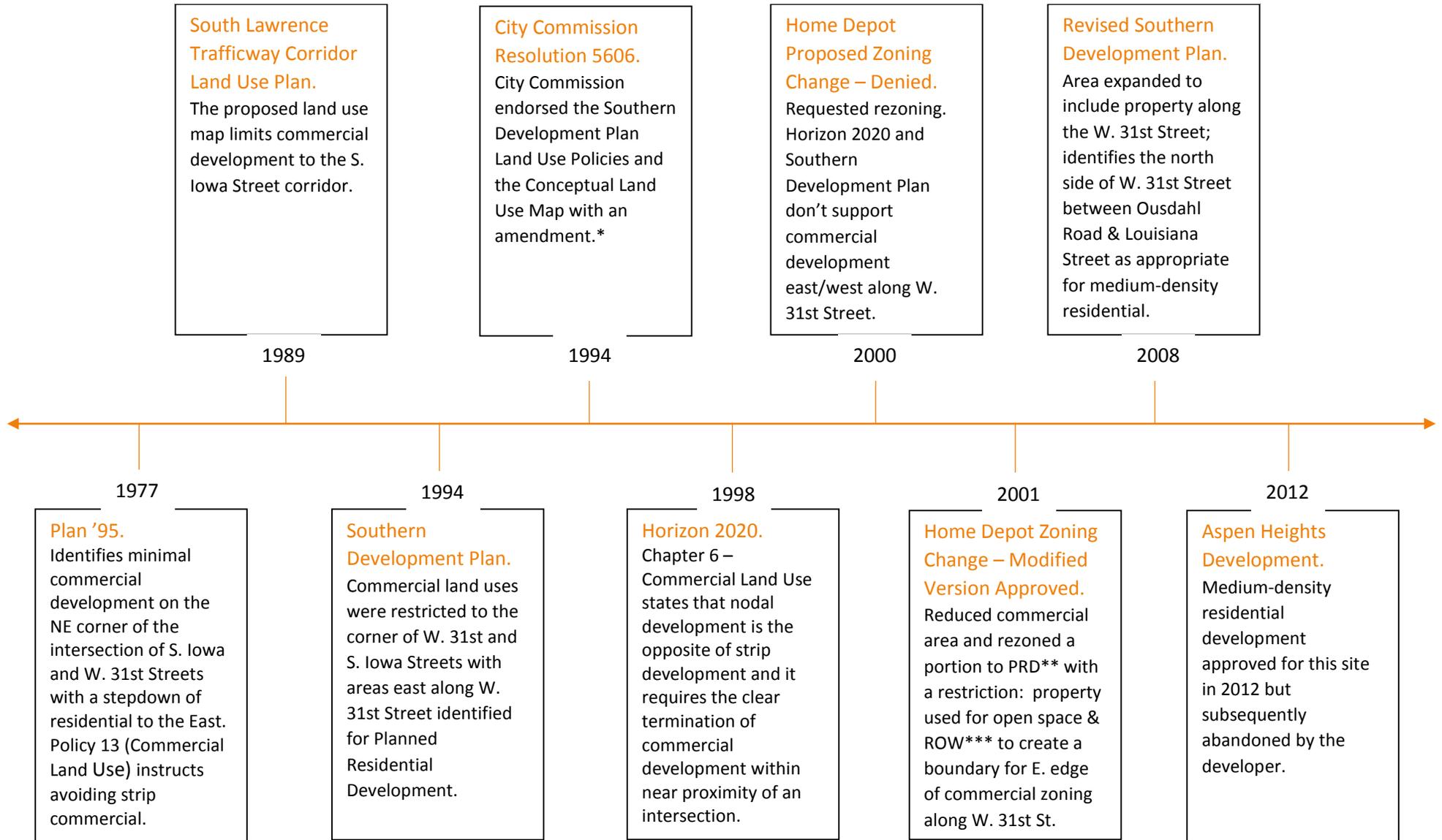
Strip Commercial Pattern

Strip commercial development is one of the most common types of post-WWII commercial developments. It is characterized by stretches of uniform, connected buildings (usually spanning the length of a block), with multiple driveways, increased traffic congestion and excessive parking. Many cities are trying to move away from this type of development and focus on more concentrated development patterns in an effort to combat sprawl.

The argument was made that W. 6th, 23rd and Iowa Streets have similar commercial development and similar traffic counts as the area of S. Iowa and W. 31st Streets and should be developed with a similar **strip commercial pattern**. It was stated that the property east of the Home Depot site would be an island of residential before the undevelopable floodplain further east on W. 31st Street making the property suitable for commercial development. Local long-range documents have made a point to discontinue strip commercial development along street corridors that are not already stripped out, in favor of nodal development.

Figure 8 is a timeline summary of planning and zoning recommendations and actions over the past 20+ years regarding this commercial center.

Figure 8 Timeline of Relevant Planning and Zoning



*That no more than 25 acres of the land be used for commercial development in the area identified as PUD, that this commercial development be contiguous, be located as a commercial node at the SLT, and appropriately consider the existing mobile home park located south of 33rd Street.” (The JC Penney/Cinema development was approved after adoption of the plan and contains approximately 22 acres.) The northeast corner of S. Iowa and W. 31st Street remained identified for Planned Residential Development

** PRD: Planned Residential Development, oftentimes used as a conditional use within different zonings to allow more flexibility in design while establishing design standards and creating a variety of housing

*** ROW: Right-of-way, physical land area acquired for a specific purpose, in this case, reserved for open space

Significance of a Comprehensive Plan

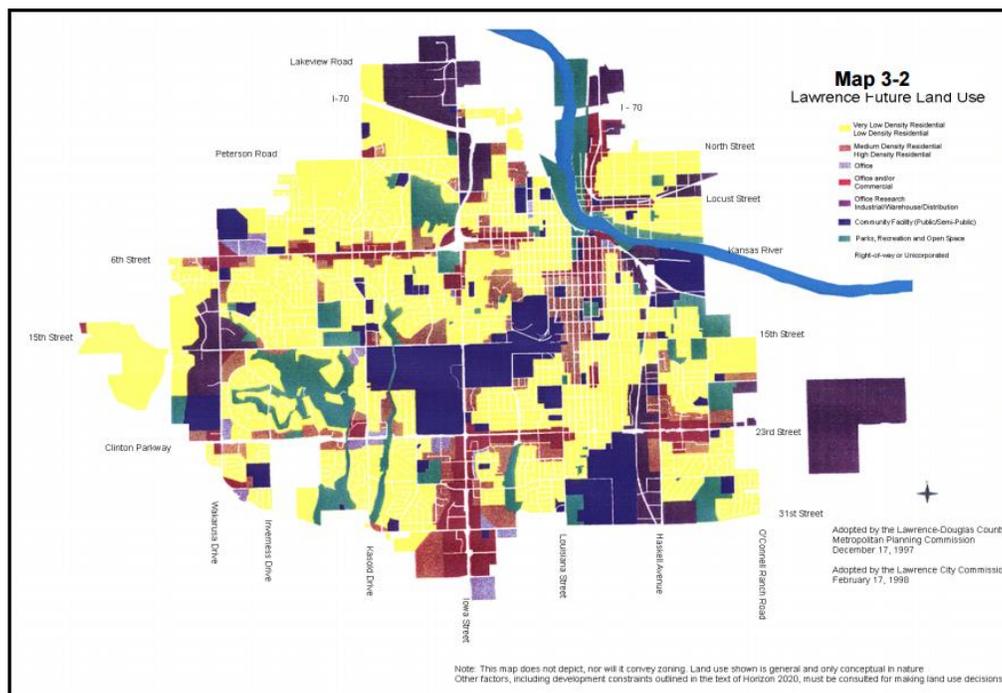
Comprehensive planning is recognized in the profession as beginning in 1909 with Daniel Burnham's Chicago Plan. In this, comprehensive planning began to combine function with form to create a safer, healthier and more beautiful city. It was initially coupled with public works and public health during the City Beautiful Movement but had separated by varying degrees by the mid-1900s. Since then it has undergone several changes. Recently, due to growing environmental and public health concerns comprehensive plans have begun to reintroduce topics such as food access, health and sustainability. Today, this is arguably one of the most important tools planners and cities have in regards to guiding development.

A well-conceived and effective comprehensive plan will provide the following:

- Long-range guidance (generally 20 years) for future development
- Reflect and uphold the values and goals of the community through recommendations; garnered through extensive public input
- Protect and preserve natural and cultural resources
- Provide a non-biased standard which will allow citizens, elected officials, city staff and the development community to reasonably anticipate the type, location and scope of desired new development
- Integrate any other supplemental or guiding documents or plans to ensure compatibility with each other
- Provide a clear pathway for implementation of the plan's recommendations
- And most importantly, provide a **legal basis** for denying development plans that do not conform in court

While amendments are appropriate at times, an amendment to the comprehensive plan should be examined diligently and with as much foresight as possible. Amendments should also keep in mind that the comprehensive plan should at all times remain a reflection of the community's vision for the future. The Future Land Use Map for Horizon 2020 can be seen below, outlining the communities desired land uses and identifying the site area as appropriate for medium-density residential use.

Figure 9 Future Land Use Map



Click [here](#) access the City of Lawrence's Comprehensive Plan.

Public Participation

A Public Hearing was held on April 22, 2013; 12 individuals spoke on the proposed amendment to the two plans. Speakers consisted of individual citizens and representatives from the League of Women Voters, The Connection Apartment Complex, Lawrence Association of Neighborhoods, Indian Hills Neighborhood Association, and Old West Lawrence Association. Of the 12 citizens that spoke, four were opposed, five were in favor and 3 did not concretely specify, however they appeared to be leaning towards supporting the amendments. There were also two letters received from citizens. See Appendix E for full details.

In public engagement theory, Sherry Arnstein's *A Ladder of Citizen Participation* is a long standing work that identifies the levels to citizen input, ranging from manipulation as the lowest to citizen control at the greatest (See Figure 10). Arnstein groups the rungs of the ladder into three categories: Non-participation, Tokenism and Citizen Power. So far, given the amount of input as well as the format, this process is squarely set in tokenism, at consultation. While this is a legitimate step in the public engagement process, if not coupled with additional types of participation it will not ensure that the public's feedback will be taken into account.

Pairing public engagement method to purpose is important for obtaining quality data from citizens. In Judy Rosener's article, *Matching Method to Purpose: The Challenges of Planning Citizen-Participation Activities*, she uses a matrix to explain what methods work best depending on the desired result. Rosener states that you must first identify the purpose of the engagement; is it to identify attitudes? Is it intended to generate ideas? Is it to measure opinion? Below is a condensed matrix with three additional public engagement techniques and their functions that could be done in addition to the public meeting.

Figure 10 Arnstein's Ladder of Participation

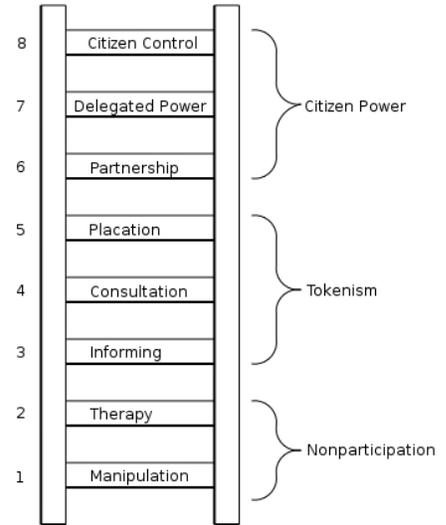


Table 1 Condensed Technique/Function Matrix from Rosener

Technique	Identify Attitudes and Opinion	Identify Impacted Groups	Solicit Impacted Groups	Facilitate Participation	Clarify Planning Process	Answer Citizen Questions	Disseminate Information	Promote Interaction between Interest groups	Plan Program and Policy Review
Public Hearing		X	X	X		X	X		X
Citizen Review Board				X					X
Focused Group Interview	X		X	X		X		X	
Neighborhood Meeting	X		X	X	X	X	X		

Much of the public has cited concerns regarding drainage of the site, concern over the formerly promised boundary at Home Depot, and concern that development would become Strip Commercial Development. Those in support felt expressed the desire to increase business, revitalize a "blighted" area and add variety to the commercial retail available in Lawrence. Overall, given the influential nature of the comprehensive plan, there is insufficient input at this time from the general public to adequately determine the public's interests.

Horizon 2020

For consistency, relevant goals, policies and values were pulled from the entire comprehensive plan, Horizon 2020, to be analyzed for compatibility with the proposed amendment. To access Horizon 2020, click [here](#).

Chapter	Policy or Goal	Content	Staff Finding
5	Goal 6	Use compatible transitions from low-density residential development to more intensive land uses	Allowing commercial on the Menards site area does not allow for transitions, it will be directly adjacent to single family residential
	Goal 1	Use criteria for location of medium- and higher-density residential development to ensure that livability, property values, open space, safety and the general welfare are sustained	Livability, property values, open space, safety and the general welfare are all inferred community value statements and may be affected by the amendment to allow commercial development
	Policy 1.2	Protect areas planned for medium- and higher-density development. Avoid reducing medium- and higher density residential areas designated on the Future Land Use Map.	This amendment would reduce the amount of medium-density residential area designated on the Future Land Use Map.
	Policy 2.1	Preserve and protect the environment and natural features such as drainage-ways and mature trees.	The site area has existing issues with drainage and flooding, which could be worsened with development of any kind.
	Policy 2.7	Encourage the use of a variety of housing types, including townhomes, patio homes and zero lot line homes, cluster housing, garden apartments and retirement housing.	The comprehensive plan currently identifies this area as appropriate for medium-density residential use which would increase the variety of housing available.
	Policy 4.5	Street/road configurations should be designed to avoid curb cuts and local street/road intersections on arterial street/roads and coordinate access with adjacent developments.	The additional commercial development would increase the amount of curb cuts along the north side of W. 31 st . St. and could potentially impact traffic flow.

Residential Density Examples

Low

Single Family Home



Medium

Pine Tree Townhouses



High

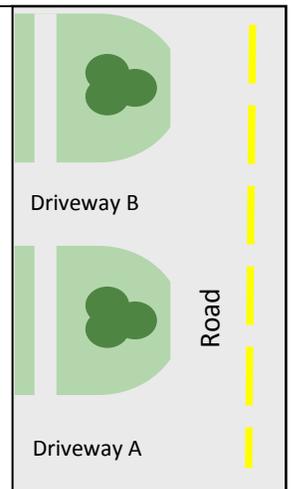
Apartments East of KU Stadium



Image Sources: www.realtystore.com, www.pinetreetownhouses.com, www2.ljworld.com

Curb Cuts

Curb cuts provide access to the road. A common type is a driveways to enter a parking lot. This can cause congestion by increasing the amount of cars turning on and off the street.



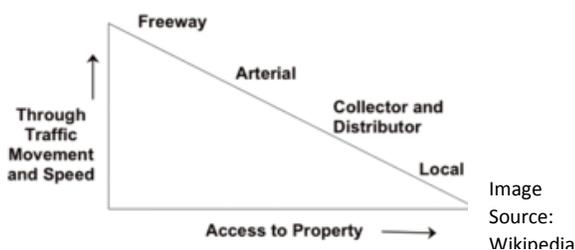
Chapter	Policy or Goal	Content	Staff Finding
6	Policy 2.1	Ensure compatible transition from commercial development to residential neighborhoods and other less intensive land uses.	The amendment would allow commercial to be built directly adjacent to residential that borders the northern edge of the property.
	Policy 2.6	Encourage the use of medium- to low-intensity recreational facilities such as neighborhood parks, bike/hike trails and natural areas as transitional areas.	Property is large enough to accommodate bike/hike trails to be used as a buffer between residential and commercial areas.
	Policy 3.1(B)	Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern.	This could set precedent for future commercial development east of the W. 31 st and Iowa node, resulting in Strip Commercial Development.
	Policy 3.5(C)	Existing centers shall not intrude or expand into lower intensity land uses.	The commercial development would be replacing a lower intensity land use.
	Policy 3.11	Require a Market Impact Analysis	Inferred community value, to protect existing business.
8	Policy 4.2	Encourage location and concentration of land uses and urban design which will promote and facilitate pedestrian access to public transportation.	The site area is just Northeast of 2 transit lines, any development further east would impede pedestrian and public transportation access.
9	Policy 1.2	Encourage private/public partnerships and innovative techniques for land acquisition and open space preservation.	This could be applied in modifying the application to be better suited for the site.
	Goal 2	Maintain and enhance the existing parks, recreation, and open space system to meet an expressed community need for improvements to this system and to improve the overall community image.	Stated community value, due to the site proximity to a stream and park there could be opportunity to modify the application to better support this goal.
	Policy 4.4	Provide connections for ecological processes such as greenbelts, which are connected swaths of natural land.	The stream in the Northeast corner of the property would be sensitive to development.
	Policy 5.2	Encourage and incorporate open space areas, especially natural areas, into development to serve as buffers and/or transitions between incompatible land uses.	Open space and/or natural areas could be used to serve as buffers between the proposed commercial and single family development to the north
12	Policy 1	Business retention and expansion of existing businesses has become the core foundation of economic development efforts for Douglas County. Nationally and locally, over 80% of new jobs and investment growth in a community come from the expansion of existing businesses.	Concern over business retention of other hardware/home improvement stores has been expressed by citizens.

Revised Southern Development Plan

The original Southern Development Plan was first adopted in 1994 and was used to help guide the southern development of the city as it developed from mostly agricultural uses. The purpose of the revised plan is to keep boundaries and uses up-to-date. To access the Revised Southern Development Plan, click [here](#).

Section	Page Number	Content	Staff Finding
Commercial Policies	23	Encourage diversity and gradation of uses with access restricted to arterial, frontage road, or collector streets . Commercial curb cuts on major arterials shall be discouraged and frontage roads shall be encouraged	Allowing commercial use on the Menards Site area does not allow for the gradation of uses, neither does it restrict access to W. 31st St. which is a minor arterial street.
	23	Planned Development Overlay zones shall be self-contained with consideration given to: independent traffic networks; land use buffers; and/or a gradation of land uses, as well as, landscaped buffer(s) along the perimeter of the planned commercial development.	The amendment would also be removing the previously designated land buffer on the eastern side of the Home Depot site.
Current Infrastructure	8	Municipal water is supplied to the majority of areas within the Southern Development Plan area, however residents in the county use private wells for water access. The Menards site area does not currently have water main access, however the adjacent commercial site to the west could potentially provide access through extension. Sanitary sewer and storm sewer are also coordinated by the city for properties within city limits. There is currently one sanitary sewer line that runs through the property, from Ousdahl and W. 31 st St. North to the residential neighborhood bordering the site area. A stream is located in the Northeast corner of the property, with a storm channel intersecting the site. Gas lines are also prevalent throughout the area, with two lines intersecting in the middle of the Menard’s site area. See map 2-3 and 2-4 in Appendix C.	Current infrastructure is well situated in regards to water, sewer and gas; all should be easily accessible with extensions to the site. Additional hydrants would need to be added within the site area, as the nearest ones is located at Ousdahl and W. 31 st St. Storm sewer and storm water runoff would need to be addressed. Public comments have already identified the site area as one prone to water overflow, and with its close proximity to a stream that connects to the Baker Wetlands, mitigation would need to be included to ensure that there is sufficient drainage while at the same time, contaminated water is not entering the wetland area.

Figure 11 Road Hierarchy and Traffic Flow



Arterial: A higher capacity road that move traffic across a city

Frontage: Also known as an access road, runs parallel to higher-speed roads and allows access to driveways and homes

Collector: A lower-capacity road that moves traffic from local streets to arterials, is designed to accommodate driveways.

Chapter	Policy or Goal	Content	Staff Finding
Floodplain and Parks	11-13	The majority of the Southern Development Area (65 percent) is within a FEMA designated floodplain and/or floodway. Development within the floodplain is allowed within certain regulations, however development in a floodway is prohibited except for certain conditions. The Northeast corner of the site property contains both a floodplain and floodway. There is one park in the plan area, the Baker Wetlands, directly southeast of the Menards site area. Recreational bike paths are also planned to intersect the Menards site area and connect with the park. See maps 2-5 and 2-6 in Appendix C.	Development of any sort would need to be done in a way that does not negatively impact the floodways capacity to discharge water efficiently, both during and after construction. Additionally, a commercial use could be designed to support a recreational bike path, however the location may need to be altered as it currently runs through the middle of the property.
Transportation	15	Access to the site would be from W. 31st St. which is a minor arterial street, which carries traffic across the city. The Southern Development Area covers all three identified southern gateways into the city. There are three transit bus routes in the area, with two of the routes, the 5 and 8, touching the southwest corner of the Menards Property at W. 31st St. and Ousdahl Rd. See map 2-7 in appendix x.	Additional driveway access to W. 31st St. could interfere with its effectiveness in moving traffic, minimizing vehicle conflicts, and improving safety. According to T2040, the City of Lawrence's Transportation Plan, development along W. 31st St. should be set back enough to accommodate future road improvements without being too far removed that transit access and walkability are impeded.

Baker Wetlands

The Baker Wetlands is one of the most diverse habitats in Douglas County and functions as open space and park space. To view a video of the wetlands, click [here](#).



Image Source: www.bakeru.edu

Floodplain vs. Floodway

A floodplain is an area adjacent to a stream or river that may flood in a 100 year event. A 100 year flood event means that the chances are 1/100 that the area will flood each year.

A floodway is a parts of a stream or channel that are required to discharge water during storm events.

Results of Retail Market Study

Background

Menards has submitted a project-specific retail market study as required by Section 20- 1107 of the Land Development Code and Chapter 6, Commercial Land Use of Horizon 2020. The comprehensive plan states that this is necessary for projects that would create 150,000 square feet or more of commercial space. Section 20-1107 of the Land Development Code applies to zoning or site plan applications that could create 50,000 square feet of retail space.

To determine whether or not a commercial project should be approved, Horizon 2020, Policy 3.13 (b) states that, “The project shall not be approved if the market study indicates the commercial project or any proposed phase cannot be absorbed into the community within three years from the date of its estimated completion, or that it would result in a community-wide retail vacancy rate greater than eight percent.” The Land Development Code reinforces this vacancy rate threshold of 8 percent as a factor for determining market health. The most recent citywide market study completed in fall of 2010 calculated the vacancy rate at 7%, which was a slight increase from 2006’s rate of 6.7 percent.

The market study shows that, when completed and entirely vacant, the construction of the 189,988 sf home improvement store will push the city-wide vacancy rate to 8.9% However, it has been expressed repeatedly by the applicant that the store will not be vacant upon completion. In fact, the current trend of building stores specifically for businesses has addressed the issue of vacancy upon completion. However, it has yet to be determined the vacancy length if a specific business leaves that building, how well other businesses are able to adapt and reuse the building.

Other factors such as supply and demand are also used to determine whether the effects of this commercial project. See Appendix H for a complete copy of the Retail Market Study and Appendix F for the City Staff’s Analysis.

Section	Subsection	Content	Staff Finding
Supply	Square Footage	Overall, the City has a total of 9,120,567 square feet of space in commercial zoning districts. Of the nineteen geographic districts, the South Iowa district contains the most space, with 1,996,450 square feet, or a 22% share of the 2010 Retail Market Report Page 5 market. The Downtown district contains 1,857,339 square feet of space or a 20% share of the market.	There are four other approved projects not yet constructed totaling an additional 2,888,017 sq. ft. of commercial space. Barring an economic crisis it seems overly prudent to assume 100% vacancy of newly built projects. However, a greater concern would be that the South Iowa District already contains a greater amount of space than the downtown district, as well, there could be potential loss of business to the smaller hardware store located in the Downtown District. The comprehensive plan in coordination with the Land Development Code have stated that the Downtown District should remain the economic core of the city. The introduction of ‘big box’, larger retailers, in other areas could weaken this core.
	Historical Trends	Change in supply Avg. Annual 2005-2010: Change 8.2% Avg. Annual 2005-2000: Change 4.5% Avg. Annual 2000-1995: Change 4.2%	Supply has nearly doubled during the 2005-2010 time period, however this could be in part due to the rapid economic growth before the recession in 2007.

Section	Subsection	Content	Staff Finding
Demand	Per Capita Analysis	One measure of demand involves population and the rate at which population growth corresponds with growth in retail sales and square footage. Usually this is measured as a per capita figure, or an average per person. From 2007 – 2010 there was an increase of 16.5 percent in commercial space.	Population is almost always increasing at a decreasing rate as population levels out. So the increase of 16.5 percent from 2007 to 2010 would be slightly higher than what could be expected from 2010 – 2013. Ideally, a longer range analysis is desired using census data from the decennial census, instead of the American Community Survey which are only estimates.
	Sales Tax Analysis	Sales tax is a measure by which to determine the demand of retail goods and services. The Lawrence market overall has decreased in the ratio of sales tax per sq. ft. between 2007 – 2009. Specifically the South Iowa District has decreased from 2.7 – 2.3.	Using sales tax for the years 2007 to 2009 could present an inaccurate picture of growth or decline since it is set squarely in the beginning of the recession. A longer range examination would be helpful of the Lawrence market overall.
	Pull Factors Analysis	The City of Lawrence’s pull factor has been decreasing, from 1.11 in 2005 to .99 in 2009, despite the population growing.	Lawrence’s decreasing pull factor demonstrates that more people are spending money outside of the city than within it. The U.S. Census Bureau offers a regional economics tool called OntheMap that easily analyzes the inflow/outflow of jobs, can provide a labor market profile, and compare two areas. Using this tool could enrich the current analysis.
	Historical Trends	Simply stated, the population generally has been growing at a faster pace than money being spent on retail goods. Most recently, from 2008 to 2009, the population far outpaced retail spending, which fell by 2.2%.	With this in mind, adding more retail that offers similar product as Home Depot, in an already large (slightly larger than it should be) area could exacerbate the situation’s decreased retail spending.

Conclusion

Added square footage to the already largest commercial district could create imbalance between the districts. Particular attention should be given to its potential impact on the Downtown District, which was stated as “minimal” due to its mostly non-competitive retail. Additionally, this would place two home improvement centers in the same commercial district, potentially causing undue competition.

The Retail Market Study advises that, “future additions to the retail market should not outpace demand, unless other factors outweigh the demand constraints. Such factors would include neighborhood commercial uses being needed to serve new residential development, market-benefiting redevelopment opportunities, or certain locations benefiting from specific uses.” This amendment meets none of these criteria.

Pull Factor

A perfectly balanced area has a pull factor of 1.00, meaning that the same amount that people spend outside of the area on goods is offset by the amount that people from out of the area come in to the area to purchase. A pull factor less than 1.00 means that more money is being spent elsewhere than is being brought into the area and is seen as an unfavorable balance of trade and vice versa.

Additional Criteria for Review

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: When the plan was adopted, it was anticipated that commercial development could be pushed to the outskirts of the city limits and the market conditions would drive the need for more multifamily housing on the interior. Since the economic downturn multifamily housing has decreased significantly because it requires a developer with enough financing to build the housing units with no guarantee of occupancy. The subject tract is 41 acres and because of the shape it would have to be sold as a whole to ensure no parts of the property was not wasted. It is no longer a reasonable expectation that lenders will finance a project of such a large magnitude. Commercial development has also slowed significantly and retailers are becoming much more selective on the sites they choose. If the site will not be profitable they will not make the investment to build there. It is unreasonable to expect retailer to develop on sites that are on the outskirts of the town away from the consumers they are trying to serve. It is very common for retailers to locate near each other to promote multi trip shopping outings and competition. During the time the plan was adopted Lawrence was home to several national big box retailers and 17 acres of additional land required for a large store near the commercial center was not anticipated.

Staff's Finding: Chapter 6 is explicit in requiring commercial development to be nodal and not continuing strip development, past plans for this area have supported this desired nodal development. Commercial nodes have been added or changed over time in order to address type and location. Additional plans included the Revised Southern Development Plan which identifies this site area as appropriate for medium-density residential. Surrounding land uses have also created a continuity with these plans, with the addition of the apartment complex just south of the site area. Furthermore, this designation of medium-density residential was used in the recent approval of the Aspen Heights plan, despite the developer choosing not to develop at this time. This however further demonstrates the interest and suitability of the site as medium-density residential. The economic decline was not anticipated during the creation of the plan, but as it affects housing as well as commercial retail, this does not justify the addition of commercial space.

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, the existing subject property is a former mobile home park. The owner was under contract with another purchaser during 2011 and 2012, during that time the tenants left the park leaving about 10 holdouts, 25 abandoned trailers, and a lot of garbage. Trailer parks provide affordable housing to low income residents, however they also tend to have higher crime rates and are generally not maintained in the same first class condition as a single family house. The park that occupied the subject property was deteriorating and needed some major renovations to the roads and the housing units. Because the park is currently empty it is likely that it would stay that way until a residential developer stepped in with the capital to develop 41 acres of residential units. The second possibility is the park owners restart the former use as a trailer park and operate it under those conditions until it is sold to another user. The third option is that Menards purchases the property and develops all 41 acres into a commercial node attracting additional businesses to Lawrence in a well maintained development. Under this option the land would not sit empty and would be developed into a first class retail development center that complements the city of Lawrence and fits well within the character of the neighborhood.

Staff's Finding: It is unclear if this amendment would serve a public purpose. It would effectively make use of an underused area due to the vacancy of the mobile home park. However, the extension of the commercial node is not consistent with several policies and goals listed throughout Horizon 2020 or the Revised Southern Development Plan (outline above). The change to commercial use is also not compatible with the surrounding residential uses, as it does not allow for a gradation of use.

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

Applicant's Response: Menards, Inc. is requesting the amendment because it does not conform with the future land use designation of this property. The long range goals listed in Horizon 2020 include Diversity, Pursuit of Quality, Compatibility, and Sustainability. These goals can be met through the comprehensive design of the development and the developments buildings, landscaping, and open space. The property location on a busy arterial road and access points are ideal for a commercial property however the future land use plan did not take these matters into consideration and designated the property residential. The comprehensive plan was designed to prevent unrestricted commercial growth and encroachment into residential areas. It is the intent of this project to prevent any impacts on the adjacent residential properties and increase the quality of living by providing a new aesthetically appealing commercial development.

Staff's Finding: No, public policy has not changed and is currently adverse to allowing the site to be developed for commercial purposes. The current identified best use of the land is for medium-density residential which would allow for gradation of uses, variety of housing, and superior connection to transit on the corner of Ousdahl Rd. and W. 31st St. Allowing commercial development would lead to an ill-defined edge of commercial development that set the precedent for allowing additional commercial development East on W. 31st St.

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 project and amendment will not have a negative impact on any facilities or services. There are no public facilities around the site that could be impacted by the change from residential to commercial. Menards, Inc. is performing the required due diligence on traffic impacts and will be responsible for maintaining adequate intersection operations. All utilities will be analyzed as part of the civil engineering plans and will be reviewed by the city engineering staff prior to any permits being issued.

Staff's Finding: The site currently has access to existing facilities and services. Detail for connection and adequate service would be addressed as part of the site planning process. Attention should be given to the proposed recreational bike path that is currently planned across the site.

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

Applicant's Response: Adjacent to the subject property to the west is the largest commercial node in the City of Lawrence. The Menards development project would extend this commercial development along a well traveled arterial road. The same development has taken place along 23rd St. to the north and 6th St. along the north edge of town. The land to the east is undevelopable due to the expansive floodway that runs through it, leaving this property as an island of residential in the city's largest commercial district.

Staff's Finding: No, the proposed change will not result in compatible land use relationships. In addition to creating new Commercial Strip Development, it will be directly adjacent to residential development to the north. The property to the east is almost entirely within a floodplain and relatively undevelopable. Without considerable screening and buffers the amendment would not be in compliance with the comprehensive plan.

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 commercial development will draw more consumers into the city of Lawrence increasing the economic impact on the entire community. The project will create 250 new jobs for the Menards store along and depending on the final uses at least 50-200 jobs when the out lots are developed. The city of Lawrence has on

national home improvement retailer within 30 miles, this allows that retailer to sell merchandise at a noncompetitive pricing. Competition would allow the consumers that will come from 25+ miles to shop in Lawrence to purchase goods at competitive prices increasing the economic value of each trip, and increasing the likelihood of a return trip.

Staff's Finding: If able to draw more people into the city, this amendment could increase the pull factor of the city, contributing positively to the local economy. This however only addresses the economic interests of citizens. Additionally, this amendment could negatively impact the stream corridor and nearby Baker Wetlands which is of intrinsic value to the entire community as well as future generations. Also, by replacing medium-density residential with commercial, there is a possible conceived loss of ridership for the city's transit system.

Land Development Code.

According to the Land Development Code, review and decision-making criteria in reviewing and making decisions on proposed zoning map amendments, review and decision-making bodies shall consider at least the following. To access the entire Land Development Code, click [here](#).

Criteria	Decision	Action Needed, If Any
Conformance with the Comprehensive Plan	Does not conform with current policies and goals throughout	
Zoning and use of nearby property, including any overlay zoning	Does not allow for gradation of uses compared to nearby properties	
Character of the neighborhood	Ill-defined effect	Need more public engagement to accurately assess amendment's effect on and compatibility with the neighborhoods character
Plans for the area or neighborhood, as reflected in adopted area and/or sector plans including the property or adjoining property	Does not conform to the Revised Southern Development Plan	
Suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations	Property is very well suited to its current proposed use	
Length of time the subject property has remained vacant as zoned	Unclear, as it hosted a mobile home park that was left vacant once purchased for a residential development in 2012	More information needed
The extent to which approving the rezoning will detrimentally affect nearby properties	Would create new Commercial Strip Development. Could cause negative competition with neighboring home improvement store. Could add additional runoff to a sensitive stream and subsequent wetland.	
The gain, if any, to the public health, safety and welfare due to denial of the application, as compared to the hardship imposed upon the Landowner, if any, as a result of denial of the application	Unclear. No assessments to public health, safety and welfare were considered.	Further analysis of public health, safety and welfare needed
The recommendation of the City's professional staff	Recommendation was to deny amendment.	
For proposals that will create more than 100,000 square feet of retail space within the city: the impact of the proposed project on the retail market. Staff will provide an analysis based on the addition of the square footage to the retail market, vacancy rate trends, square footage per capita trends, and current demand trends, including but not limited to population, income, pull factors, and retail sales using the latest available city-wide retail market report.	Provided. Demonstrated a growing population with decreasing spending.	

Staff Recommendations

Recommendations made will take into account the compliance, consistency and compatibility of the proposed amendment with the various plans, community values and surrounding land uses.

Due to the widespread incompatibility with the comprehensive plan, Revised Southern Development Plan, and the slow commercial market, **staff recommends that the City deny the request** for amending the comprehensive plan to allow for a Menards store to be built on this site. Staff is confident in this recommendation, as it is clear in the comprehensive plan that this use is not compatible or supported and if the issue goes to court, the comprehensive plan will provide legitimacy to the decision for denial.

However, below are four alternatives for your consideration. Listed next to the recommendations are the numbers 1-4, 1 being the highest recommended course of action, 4 being the least recommended course of action.

Alternatives

Table 2 Alternatives

	Alternative 1	Alternative 2	Alternative 3	Alternative 4
Option for Action	Approve	Approve with Modification	Incentivize an Alternative Site	Deny
Conditions	None	<ol style="list-style-type: none"> 1. Consider feasibility of a public/private partnership with Menards to purchase the neighboring Snodgrass property and maintain it as public open space which aligns with Goal 3: Acquire new parkland and open space areas to stay ahead of growth and to meet anticipated community demand and locate such areas in a manner that is consistent with the coordinated planning and development efforts of the community. Within urban areas, work towards providing public green spaces within ¼ mile of each residence. 2. Reduce Impervious surface runoff through options like green roofs, pervious lots; redirect contaminated runoff to a retention basin for filtration before reentering the watershed 3. Restrict curb cuts to 1 driveway on W. 31st St. 4. Connect pedestrian facilities and recreational bike facilities 5. Create an extensive buffer through native plantings between incompatible uses and ensure a 	<ol style="list-style-type: none"> 1. Counter with a more suitable alternative site 	<ol style="list-style-type: none"> 1. Long-term loss of business; Menards has stated they will not return for a ‘long time’

		strong riparian zone along the Northeast stream		
Recommendation	4 (least recommended action)	3	2	1 (most recommended action)
Reasoning for Recommendation	As is, the amendment does not comply with the comprehensive plan in its entirety.	Economic development is a strong consideration for new development. This recommendation would increase the presence of a new retailer, while also leveraging the site for more public good.	This would allow the comprehensive plan and Revised Southern Development Plan to remain intact, while also adding Menards to the City's retailers	This amendment is the antithesis of what is stated in the comprehensive plan and Revised Southern Development Plan and would alter the stated values within. At this time there is insufficient public input for so great a change.
Further Action Needed	None	<ol style="list-style-type: none"> 1. Public Input 2. Health and safety assessment 3. Consider incentive zoning to leverage increased public goods in the form of recreational or open space facilities. (Generally, incentive zoning is legally acceptable if goals and definitions are clearly outlined in the ordinance. The benefits must outweigh the negatives and should be given special attention so that they are not deemed a taking or an exaction. 	<ol style="list-style-type: none"> 1. Provide Incentives such as tax abatements, or other ways to reduce development costs for alternative sites 2. Public Input 3. Health and Safety assessment 	None

Taking and Exactions

Taking: A taking is when a land owner is limited in the uses of their property due to regulations, to the point that the property owner is denied full value or the potential of the full value of their property

Exaction: Exactions can come in several forms, most familiar are impact fees, which are requirements that the local municipality place on developers to dedicate land or pay for all/or a portion of capital improvements. This can look like paying for upgrades to roads, public facilities etc.

Appendix A: Contact Information

City of Lawrence

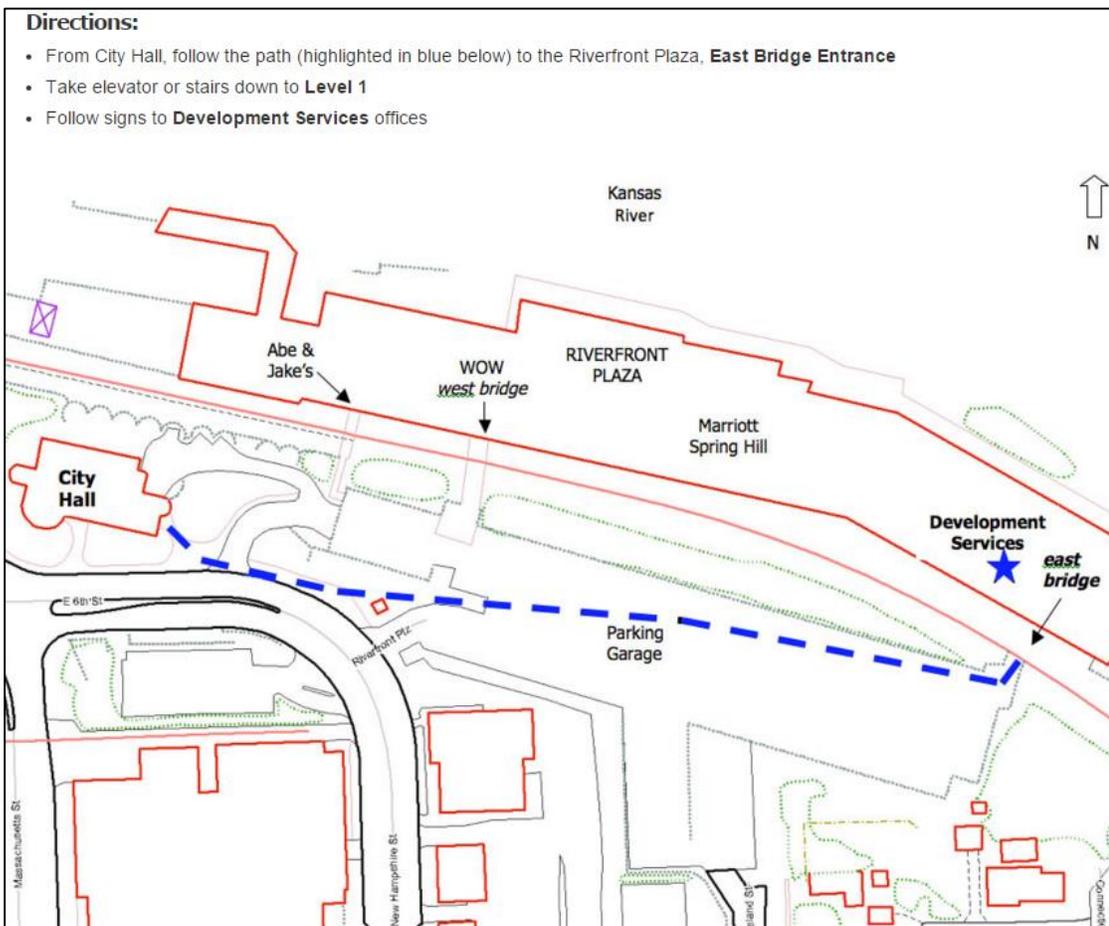
Planning Facilities

First floor, 6 E. 6th St.
Lawrence, KS 66044
Phone: (785) 832-3150
Fax: (785) 832-3160

Mailing address

P.O. Box 708, Lawrence, KS 66044

Directions to the City of Lawrence Planning Office



Zibers Consulting

Central Office

3725 North Cypress Avenue,
Kansas City, Missouri 64117
Phone: (816) 547-0549

Main Contact

Caitlin Zibers, MUP Candidate 2016

The following appendices are included as separate documents for the purpose of this assignment:

Appendix B: Comprehensive Plan, Chapter 6 – Commercial Land Use

Appendix C: Revised Southern Development Plan

Appendix D: Original Comprehensive Plan Amendment Review

Appendix E: Citizen Input

Appendix F: City of Lawrence Staff Report CPA-13-00067

Appendix G: Market Study



*A Golden Past.
A Shining Future.*

COMMUNITY DEVELOPMENT DEPARTMENT
Planning and Zoning Division
1725 Reynolds Street, Suite 200, Brunswick, GA 31520
Phone: 912-554-7428/Fax: 1-888-252-3726

Project Proposal Staff Report

Overview

Project: The Park at Village Creek (Single-Family Residential Subdivision)

Applicant: P&M Cedar Products Inc.

Property Address: 385 S Harrington Road, SSI

Property Area: 6.873 acres

Existing Zoning: Undeveloped R-6

~ Proposed 25 residential lots on the north side of South Harrington Road

~ Direct access to South Harrington Road with secondary access to Nature Pointe Lane

This application complies with all stipulations of Section 703 of Glynn County Subdivision Regulations.

This application has been deemed compliant by the Planners Pre-Review, Resubmit, Drainage, Engineering, Fire Department, GID Address, GIS Mapping, JWSC, Planning and Zoning, and Traffic with the following comments:

Engineering

- appropriate drainage measures will be needed for reduced right of way width
- Wetlands survey information will be needed on the construction plans.

JWSC

Final Review updated to 'OK/WC.' Details:

Review by transom on 5/4/2018 - Site Plan Review updated to 'OK.' Details:. The JWSC would sign off on a Preliminary Plat of 25 lots in Basin 2053 as:

“OK/WC- at present water production and waste water collection capacity is available (25 REU's) to serve this proposed demand. Capacity is not reserved until payment and acceptance of the JWSC.”

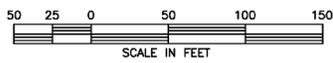
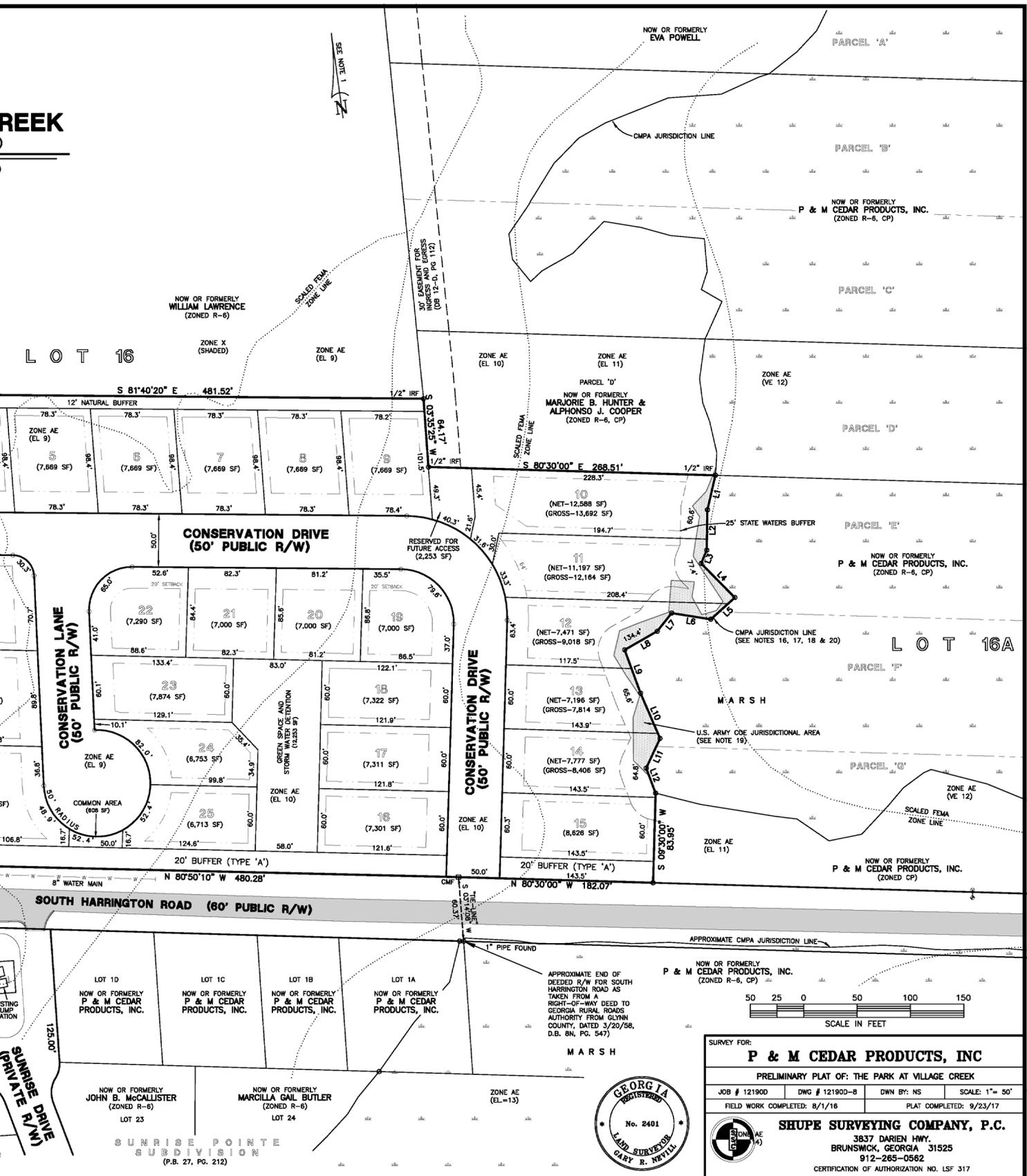
Review by transom on 5/4/2018 - Civil Review updated to 'NA.'

Details: review pending submittal

CREEK

LOT 16

LOT 16A



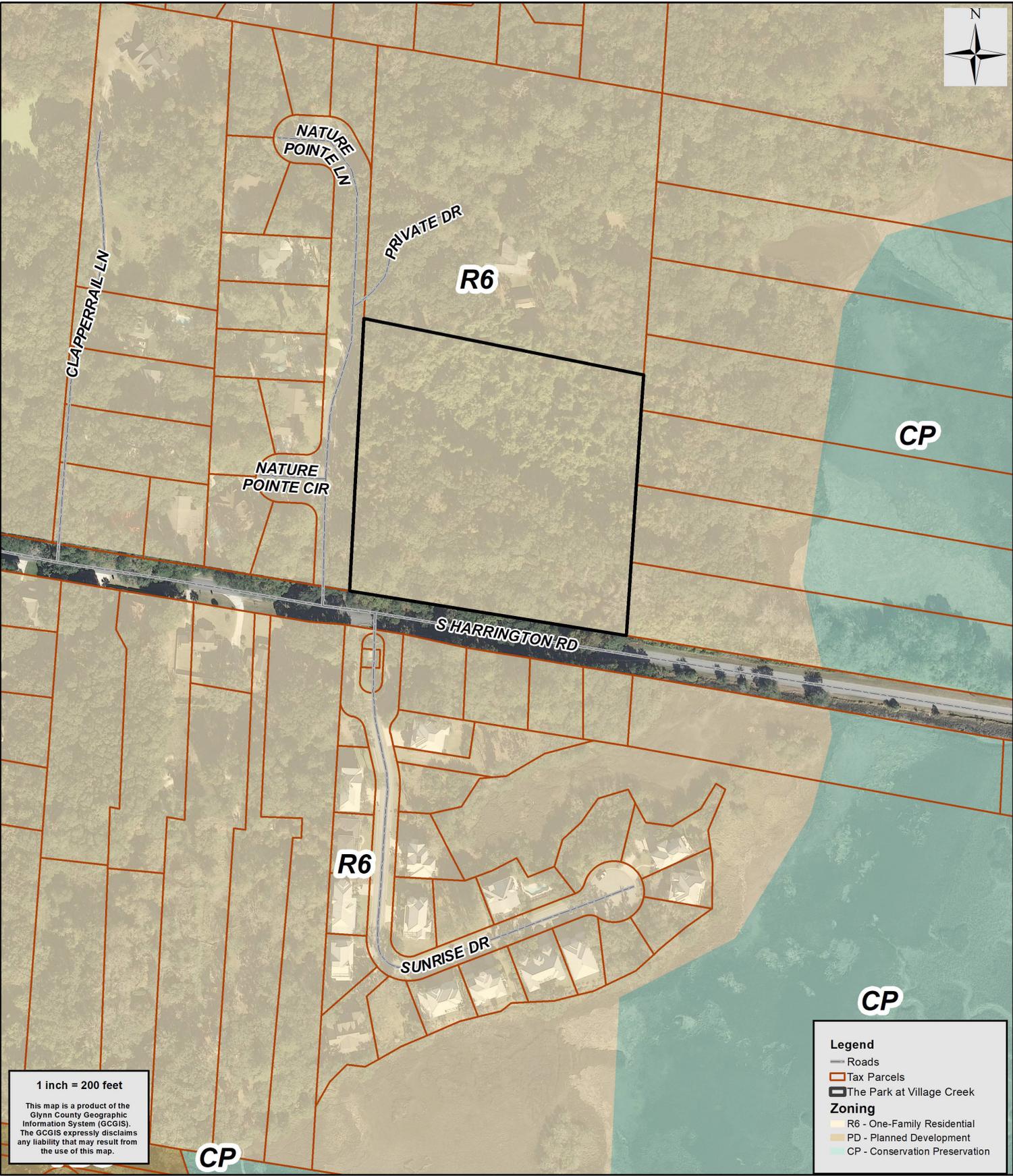
SURVEY FOR:	
P & M CEDAR PRODUCTS, INC	
PRELIMINARY PLAT OF: THE PARK AT VILLAGE CREEK	
JOB # 121900	DWG # 121900-8
FIELD WORK COMPLETED: 8/1/16	PLAT COMPLETED: 9/23/17
SHUPE SURVEYING COMPANY, P.C.	
3837 DARIEN HWY. BRUNSWICK, GEORGIA 31525 912-265-0562 CERTIFICATION OF AUTHORIZATION NO. LSF 317	



SUNRISE POINT SUBDIVISION
(P.B. 27, PG. 212)

SUNRISE DRIVE (PRIVATE R/W)

Existing Zoning



The Planner recommends to approve this subdivision application following the compliance to the comments from Engineering and JWSC.

Motions

- I move to approve application PP3629, as presented;
- I move to approve application PP3629, subject to any necessary modifications the nature of which shall be indicated on the Preliminary Plat or attached to it in writing;
- I move to disapprove the Preliminary Plat or any portion thereof based on its failure to comply with (state the section of the subdivision regulations with which the application fails to comply); or
- I move to defer application PP3629.

The background features a dark blue textured surface. Overlaid on this are several geometric shapes: a large yellow trapezoid on the left, a smaller cyan triangle on the right, and a small green square at the bottom center. The text is centered over the yellow shape.

**GLYNN COUNTY
OCT 2017
STAFF REPORTS**

CONTENTS

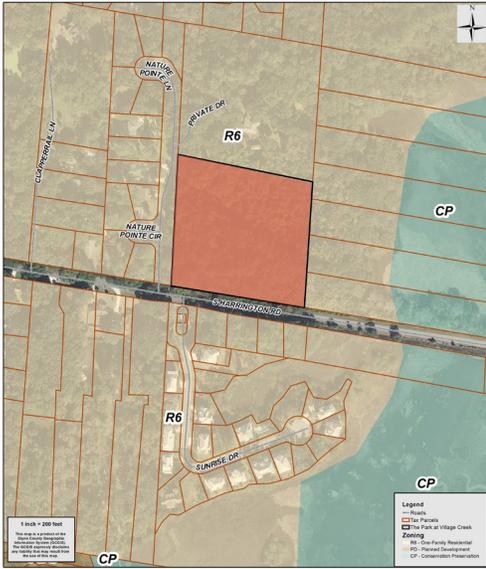
CONTENT 1 – PARK AT VILLAGE
CREEK SUBDIVISION APPLICATION

CONTENT 2 –

CONTENT 3 –



Aerial Photo/Zoning Map
PP3629
The Park at Village Creek
Parcel ID# 04-05334



PARK AT VILLAGE CREEK SUBDIVISION APPLICATION

The proposed preliminary plat is for the creation of twenty-five (25) new residential lots, with 25 lots on the north side of South Harrington Road with direct access to South Harrington Road a secondary access to Nature Pointe Lane.

Applicant: P&M Cedar Products, Inc.

Area of Property: 6.783 Acres

Existing Zoning: Undeveloped R-6

Proposed Land Use: Single-Family Residential Subdivision

REVIEW

- Planners Pre-Review
- Resubmit
- Drainage
- Engineering
- Fire Department
- GIS Address
- GIS Mapping
- JWSC
- Planning and Zoning
- Traffic

- Compliant
- Compliant
- Compliant
- Compliant with comment
- Compliant
- Compliant
- Compliant
- Compliant with Comment
- Compliant
- Compliant

Engineering

- appropriate drainage measures will be needed for reduced right of way width
- Wetlands survey information will be needed on the construction plans.

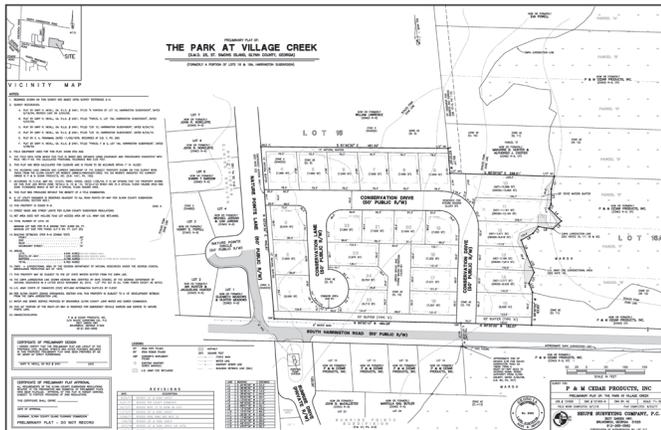
JWSC

Review by transom on 5/4/2018 - Site Plan Review updated to 'OK.' Details: The JWSC would sign off on a Preliminary Plat of 25 lots in Basin 2053 as: "OK/WC- at present water production and waste water collection capacity is available (25 REU's) to serve this proposed demand. Capacity is not reserved until payment and acceptance of the JWSC."

Review by transom on 5/4/2018 - Civil Review updated to 'NA.'

Details: review pending submittal

This application is compliant with Section 703 of the Glynn County Subdivision Regulations.



**THE PLANNER RECOMMENDS
TO APPROVE THIS
SUBDIVISION APPLICATION
FOLLOWING THE COMPLIANCE
TO THE COMMENTS FROM
ENGINEERING AND JWSC**

Larger version can be found at Appendix 1

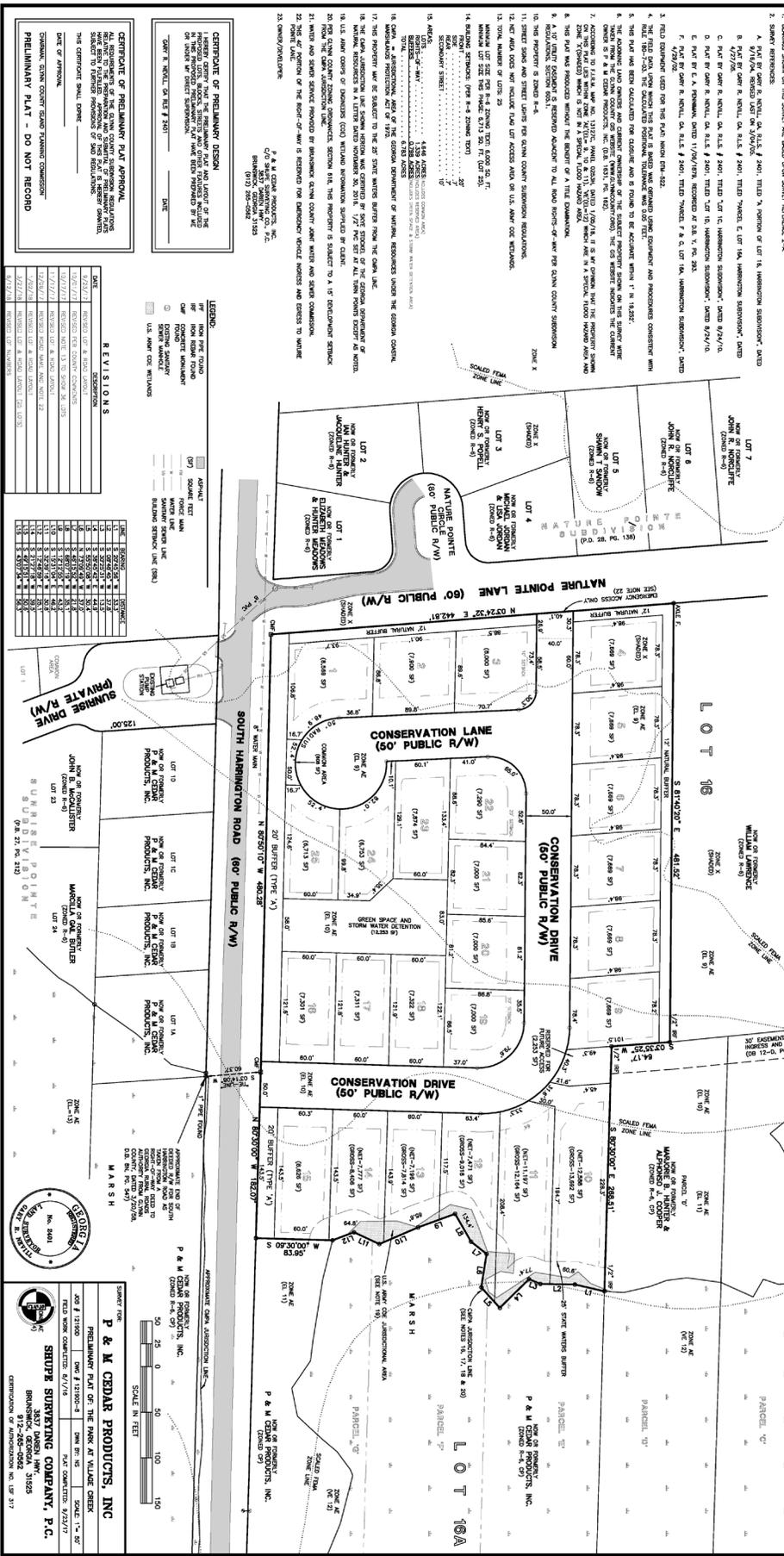


VICINITY MAP

- NOTES:
1. SHOWN SHOWN ON THIS SHEET ARE BASED UPON SURVEY REFERENCE P.L. 1.
 2. SURVEY REFERENCE:
 3. P.L. 104, HARRINGTON SUBDIVISION, DATED 4/27/06.
 4. P.L. 104, HARRINGTON SUBDIVISION, DATED 4/27/06.
 5. P.L. 104, HARRINGTON SUBDIVISION, DATED 4/27/06.
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 21. P.L. 104, HARRINGTON SUBDIVISION, DATED 4/27/06.
 22. P.L. 104, HARRINGTON SUBDIVISION, DATED 4/27/06.
 23. P.L. 104, HARRINGTON SUBDIVISION, DATED 4/27/06.

THE PARK AT VILLAGE CREEK

(GALD. 25, ST. SIMONS ISLAND, GWINN COUNTY, GEORGIA)
(PORTRAYING A PORTION OF LOTS 15 & 16A, HARRINGTON SUBDIVISION)



CERTIFICATE OF PRELIMINARY DESIGN

I HEREBY CERTIFY THAT THE PRELIMINARY PLAN AND MAP OF THE PROJECT HAS BEEN REVIEWED AND FOUND TO BE IN ACCORDANCE WITH THE PROVISIONS OF THE GEORGIA SUBDIVISION ACT AND THE REGULATIONS OF THE GEORGIA SURVEYING BOARD. THIS CERTIFICATE SHALL EXPIRE _____ DATE.

DATE OF APPROVAL: _____

COMMISSIONER, GEORGIA SURVEYING BOARD

PRELIMINARY PLAN - DO NOT RECORD

REVISIONS

NO.	DATE	DESCRIPTION
1	10/27/11	ISSUED FOR RECORD
2	11/17/11	ISSUED FOR RECORD
3	12/17/11	ISSUED FOR RECORD
4	1/17/12	ISSUED FOR RECORD
5	2/17/12	ISSUED FOR RECORD
6	3/17/12	ISSUED FOR RECORD
7	4/17/12	ISSUED FOR RECORD
8	5/17/12	ISSUED FOR RECORD
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98	11/17/19	ISSUED FOR RECORD
99	12/17/19	ISSUED FOR RECORD
100	1/17/20	ISSUED FOR RECORD

LEGEND

--- PROPERTY LINE

--- EASEMENT

--- RIGHT-OF-WAY

--- CONSERVATION DRIVE

--- NATURE POINT LANE

--- SOUTH HARRINGTON ROAD

--- SHIMMER DRIVE

--- PRIVATE DRIVE

--- M.A.R.S.H.

--- SCALED FEMAL ZONE LINE

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STAFF REPORT

HELLO
I am AICP

What about
Trail
Bayer Wetlands
mature trees
Empty retail
Downtown
The plan
Flood plain



What is a CDP?
A Comprehensive Zoning Amendment is when a revision is made to a city's comprehensive plan, the long-range guiding document for physical, economic and social growth. In this case, the amendment would alter the land use for the area east, along W 31st Street allowing commercial development.

Residential Density Examples

- Low: Single Family Homes
- Medium: Five Unit Townhouses
- High: Apartment Unit of 40 Units

To the Site
Date: 9/9 - 2012
Time
WHILE YOU WERE OUT



1991 (above) and 2003 (below)

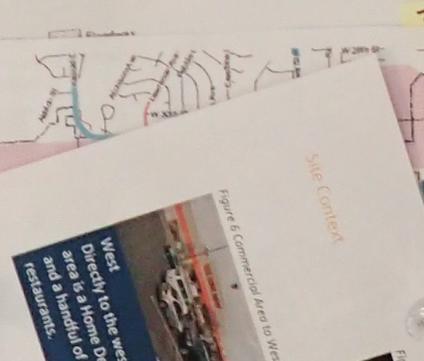


WHAT?



Context & Data

Legend

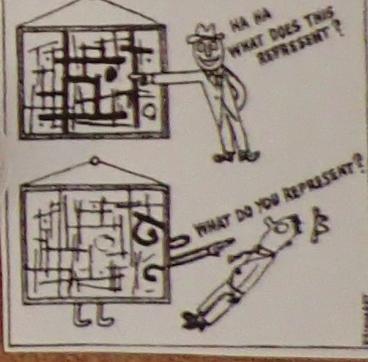


Transit Routes

Utilities

Flood plains

Maybe Yes No conditions
ACTION ALTERNATIVES



Analysis



QUICK FACTS

- Applicant // Menards, Inc.
- Site in Question // 1900 W 31st Street
- Site Acreage // 41 acres
- Current Land Use // Mobile Home Park
- Land Use Designation // Medium Density Residential
- Surrounding Land Uses // Single Family Residential, Regional Commercial

Site Context

West of the west of the site is a Home Depot, Best Buy and a handful of chain restaurants.

North of the northern border of the site area are single family homes.

Existing Land Uses

The plan for the site

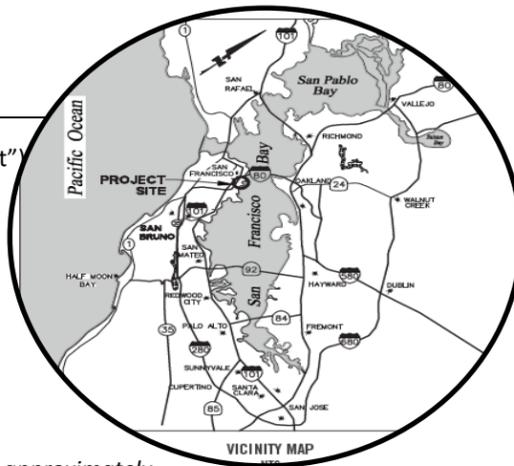
Fig. 5 - Existing land uses, Revised Southern Development Plan

REQUEST & RECOMMENDATION

Menards, Inc. submitted this application in order to request a Menards home improvement store at 1900 W. 31st Street. The current commercial zoning does not align with the Horizon 2020 or the Revised Southern Development Plan, to change the designated future land use from medium-density residential to commercial for the site located at 1900 W. 31st Street. In light of current City plans, an extension of the commercial intersection (node) in question contradicts sustainable planning principles and undermines market demand for retail development.

Application Summary
 "Mission Rock" Mixed use Development

Applicant: Seawall Lot 337 Associates, LLC and Port of San Francisco ("Port")
 BCDC Permit Application #: 2017.004.00
 Filed: June 5, 2018
 Scheduled for Commission: June 21, 2018
 Deadline for Commission Action: Sept. 3, 2018

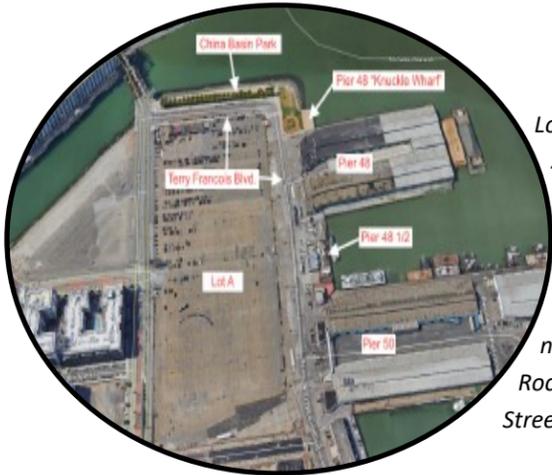


Summary Report Date: June 8, 2018

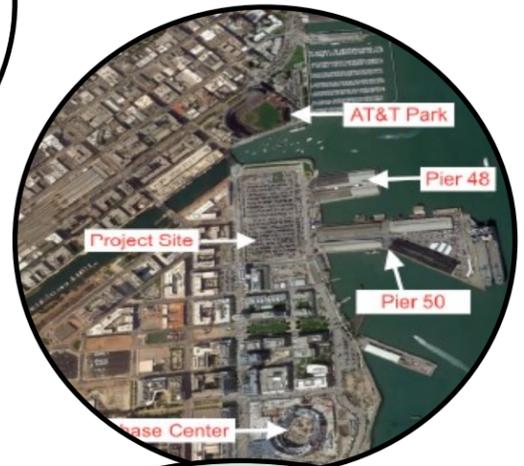
Staff Contact: Name, (415) 555-5555 email address

Staff Recommendation June 15, 2018: <http://www.bcdc.ca.gov/cm/2018/0621MissionRockRec.pdf>

Exhibits: <http://www.bcdc.ca.gov/cm/2018/0621MissionRock2017-004-00Exhibits.pdf>



Location: The approximately 21-acre project site is located on Seawall Lot 337, in the Mission Bay neighborhood of the City and County of San Francisco. The site is bounded by Mission Creek to the north, the Bay to the east, Mission Rock Street to the south, and Third Street to the west.

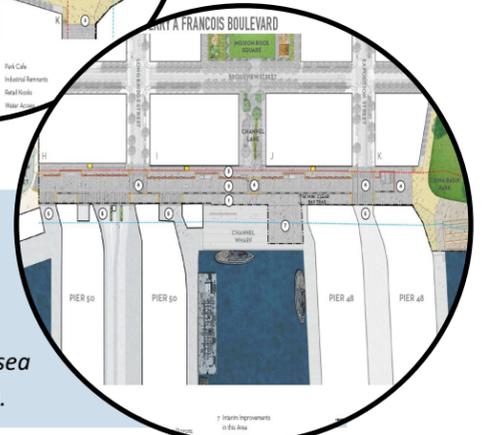


Project Existing & Proposed
 "Mission Rock" Mixed use Development

	Existing Uses & Commission Jurisdiction	Project Proposal & Commission Jurisdiction
Lot A	Parking lot for 2,170 vehicles for AT&T Park game day, some commuters, special events	Outside jurisdiction—4 phases over 10 years. 11 development blocks, buildings from 90 to 240 feet in height, street grid, network of parks and public spaces, associated utilities and infrastructure. At build-out, more than 9,000 people would use the site daily. Between 1,100 and 1,600 units of rental housing (estimated 3,570 residents). Between 972,000 and 1.4 million square feet of office and retail commercial space, employing 3,520 to 5,070 office workers and 740 to 750 retail employees.
China Basin Park	Shoreline park with baseball diamond and Giants history, 2.1 acres of project site, permanently guaranteed public access area pursuant to BCDC Permit No. 1997.010, which also authorized the construction of AT&T Park	Inside jurisdiction—Redevelop 2.1 acre park and construction of a public boat launch
Pier 48 Knuckle Wharf	3,000 square foot wharf structure, bay viewing, permanently guaranteed public access area pursuant to BCDC Permits No. M1997.004 and M1996.058	Inside jurisdiction—reuse of as an area for picnicking, Bay viewing (partly in 100-ft. shoreline band)
Pier 48 ½	Marginal wharf bridges Pier 48 and Pier 50 shed buildings, vehicle parking, equipment storage,	Inside jurisdiction— Reuse of historic marginal wharf as public access plaza
Terry Francois Blvd	Two-lane street, striped bicycle lanes, runs north-south on perimeter of the project site between Mission Rock St. to China Basin Park, then jogs east-west running between Lot A and China Basin Park, connecting to Third Street.	Inside jurisdiction—Terry Francois Boulevard would be reconstructed as a shared street accommodating a mix of commercial vehicular traffic and bicycle and pedestrian access.



6.61 acres of new or improved public access areas.



Sea Level Rise & Flooding—The Commission has limited authority regarding sea level rise over most shoreline development. The subject permit application includes a memorandum by Moffat and Nichol, Nov. 21, 2017 (revised Feb. 16, 2018), evaluating coastal flooding and sea level rise risk at the project site (See Exhibit J for details).

Staff Analysis

Criteria	Fill	Public Access	Recreation	Appearance, Design, Scenic	Public Trust
Jurisdiction	McAteer-Petris Act & Bay Plan—court cases call for an essential connection between requirements & permit conditions	China Basin Park doubles size to 4.4 acres BUT 0.42 of public access would be converted to storm water treatment planters & 2.135 sq. ft. of public access to retail café. Bay Trail moved and expanded. Proposal constructs & improves 6.61 acres of public space, 36% of total area (approx. 30 sq. ft. of shoreline public access for each new resident & workers—other projects range from 18—108 sf).*	Bay Plan Water oriented recreation: a public access dock and boat launch, Bay viewing areas, a picnic area, minimum 16-ft.-segment of Bay Trail, multi-use and pedestrian trails, small baseball diamond and similar), a lawn, public plazas, bicycle parking, seat areas, public restrooms at China Basin Park and Mission Rock Square.	Bay Plan Development on small dense blocks in network of internal streets & pedestrian ways leading to shoreline results in construction of tall buildings, but views of the Bay from Third St. still provided. Public access areas are directly along the shoreline (China Basin Park, Channel Wharf) or along view corridors to the shoreline (Mission Rock Square, Channel Lane).	Bay Plan The project would consist of the redeveloped China Basin Park, including development of a new public dock suitable for non-motorized boats, the redevelopment of Terry Francois Boulevard into a shared street and separated Bay Trail, and the creation of a public plaza on the Pier 48 ½ marginal wharf.

Public Access

Any lessons learned from past BCDC-Approved Projects?

- Treasure Island/Yerba Buena Island 2013,
- Mission Bay Redevelopment 2000,
- Brooklyn Basin Development, 2006

*Special Events—Commission's advisory Public Access Design Guidelines for the San Francisco Bay: "While some shoreline areas are best suited for quiet and contemplative public spaces, others lend themselves to be used for large public gatherings, such as festivals, outdoor markets or exhibits... Within every project, public access should be designed to respect all visitors' experiences of the Bay. Highly active uses should always be balanced with opportunities for passive activities, such as strolling, viewing and relaxing." The Commission has authorized special events within public access areas, with conditions limiting scope, size, duration or type of events, with the objective of maintaining functional public access areas whether people wish to participate in the events.

Informed Consent Statement

“Improving Staff Reports” - Staff Report Planning Commission Feedback

INTRODUCTION

The Urban Planning Program at the University of Kansas supports the practice of protection for human subjects participating in research. The following information is provided for you to decide whether you wish to participate in the present study. You may refuse to sign this form and not participate in this study. You should be aware that even if you agree to participate, you are free to withdraw at any time. If you do withdraw from this study, it will not affect your relationship with this unit, the services it may provide to you, or the University of Kansas.

PURPOSE OF THE STUDY

The purpose of this study is to understand what planning commission members would like to see in staff reports: content, formatting, tone, delivery, preferences and the roles of staff and commission members in addition to understanding how staff reports might impact decision making.

PROCEDURES

You are asked to give feedback at this public study session with questions about what you like or dislike about staff reports and your reactions to the staff report examples given to you earlier.

The study session will be recorded so that the moderator can fully participate in facilitating the focus group. The moderator will transcribe the recording and have access to them. They will be destroyed upon completion of the research project.

The feedback session should be 90 minutes to 2 hours long.

RISKS - It is anticipated that this research will not be a burden to participants and no risks are anticipated.

BENEFITS - The benefits to the study will be improvements to future staff reports.

PAYMENT TO PARTICIPANTS - Sorry, no payment.

PARTICIPANT CONFIDENTIALITY

Because this is at a study session and is public, I can't ensure confidentiality.

I will be identifying the planning commissions and cities I work with in future publications. I will not be using specific names of particular planning commissioners. If you want me to credit your statements to you, let me know by checking the box next to your signature below. Permission granted with this form to use and disclose your information remains in effect indefinitely. By signing this form you give permission for the use and disclosure of your information for purposes of this study at any time in the future.

REFUSAL TO SIGN CONSENT AND AUTHORIZATION

You are not required to sign this Consent and Authorization form and you may refuse to do so without affecting your right to any services you are receiving or may receive from the University of Kansas or to participate in any programs or events of the University of Kansas. However, if you refuse to sign, you cannot participate in this study.

CANCELLING THIS CONSENT AND AUTHORIZATION

You may withdraw your consent to participate in this study at any time during the feedback session or afterward.

QUESTIONS ABOUT PARTICIPATION

Questions about procedures should be directed to the researcher listed at the end of this consent form.

PARTICIPANT CERTIFICATION:

I have read this Consent and Authorization form. I have had the opportunity to ask, and I have received answers to, any questions I had regarding the study. I understand that if I have any additional questions about my rights as a research participant, I may call (785) 864-7429 or (785) 864-7385, write the Human Research Protection Program (HRPP), University of Kansas, 2385 Irving Hill Road, Lawrence, Kansas 66045-7568, or email irb@ku.edu.

I agree to take part in this study as a research participant. By my signature I affirm that I am at least 18 years old and that I have received a copy of this Consent and Authorization form.

Print Participant's Name

Date

Participant's Signature

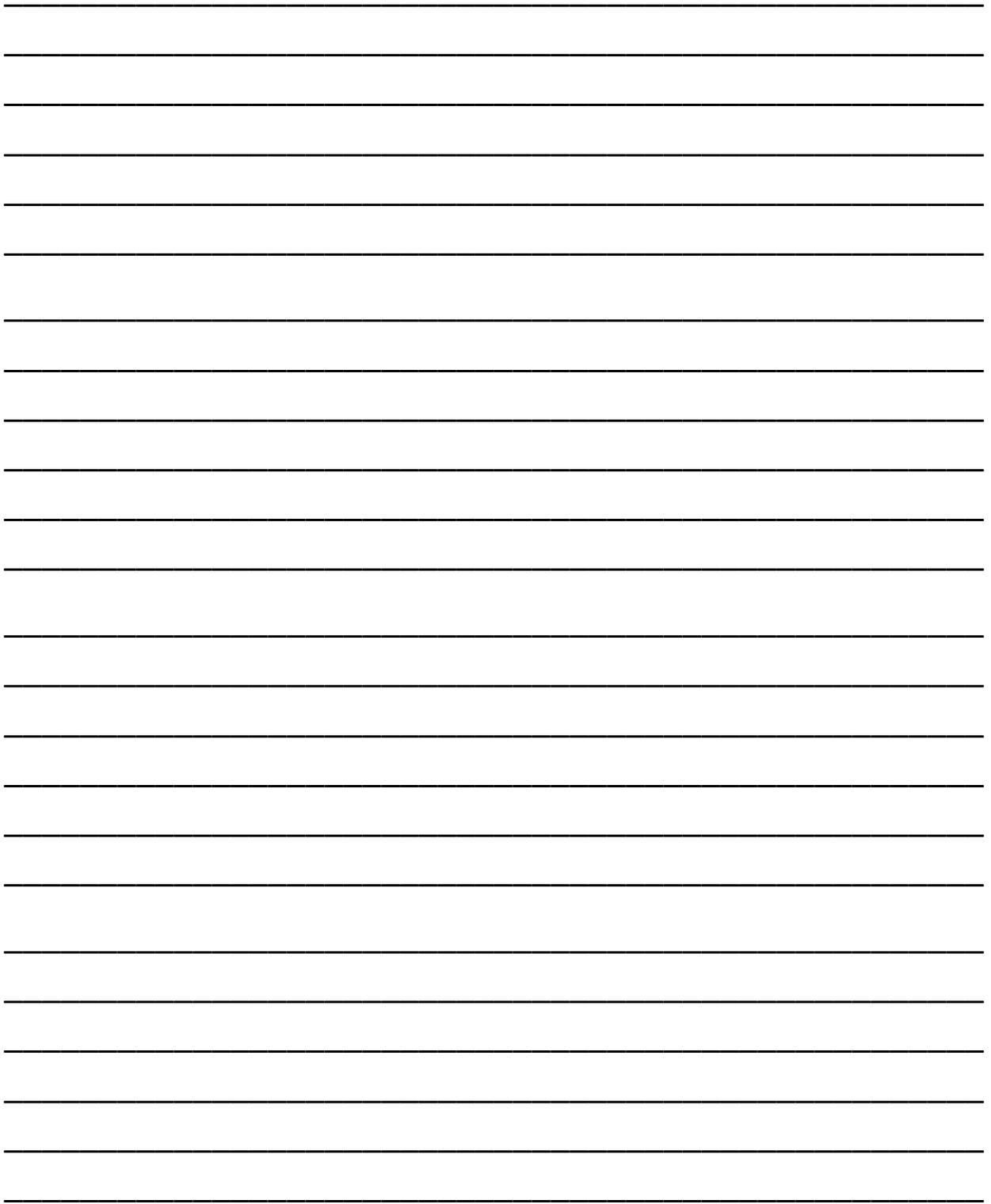
Check box if you want me to credit your statements to you by name.

Researcher Contact Information

Bonnie J. Johnson, PhD, AICP
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You can watch the presentation here on YouTube:

<https://youtu.be/gswQszJE2BU>



Video Staff Reports

Long version (16 minutes) -

<https://youtu.be/QXhcbyCbZ9A>

Short version (1 minute 30 seconds) –

<https://www.youtube.com/watch?v=XDyk85BC9gM>