

**ITEM NO. 4      COMPREHENSIVE PLAN AMENDMENT TO H2020, CHP 6 TO ADD POLICIES FOR THE AUTO-RELATED COMMERCIAL CENTERS DESIGNATION (DDW)**

**CPA-5-5-11:** Comprehensive Plan Amendment to Chapter 6 of Horizon 2020 to add policies for the Auto-Related Commercial Centers designation. *Initiated by Planning Commission 5/25/11.*

**STAFF PRESENTATION**

Mr. Dan Warner presented the item.

Commissioner von Achen asked why there was a minimum of 20 acres.

Mr. Warner said the minimum of 20 acres was meant to establish a good size commercial center.

Commissioner von Achen asked if it included truck repair and if that was a stand alone use.

Mr. Warner said there were a variety of uses that could be part of this use. He said the 20 acres was not necessarily going to be one use. He said it could be, for example, a hotel along with some auto uses such as a car lot. He said it was a development that would likely have multiple uses within the development, with auto repair being one of those potential uses. He said auto repair would be a compatible use with the auto sales use.

Commissioner von Achen inquired about the requirement of 20 acres.

Mr. McCullough said typically the land use designations try to pit an appropriate amount of acreage for the intended use. He said they were not trying to set out exact uses in the language, they were trying to provide examples of what the auto-related center uses could be at any given auto related designation.

Commissioner von Achen said she did not understand the requirement of 20 acres.

Mr. McCullough said when seeking to designate an auto-related center there needs to be enough land to accommodate those things. He said they would not want to put an auto-related center on 5 acres because it would not probably be compatible with its surroundings. He said any one use may not need 20 acres, but as a node of commercial designation it should be significant enough to capture and actually work to accommodate those uses that could go there.

Commissioner von Achen asked if a truck repair business would have to build within the designated area.

Mr. McCullough said it depended on the context. He said, for example, South Iowa Street was also designated as a community regional strip from Clinton down to the highway so there would be any number of opportunities within that existing strip development to do a stand alone auto repair business.

**PUBLIC HEARING**

Mr. Ted Boyle, North Lawrence Improvement Association, said the only issue the North Lawrence residents had was with truck stops.

Ms. Gwen Klingenberg, League of Women Voters, referenced the letter the League of Women Voters sent. She expressed concern about truck stops. She felt the Comprehensive Plan Amendment would go through smoothly if truck stops were removed.

Mr. Alan Cowles said he did not understand all the implications of this proposal. He concurred with the League of Women Voters. He asked Planning Commission to figure out what it would really turn into.

**COMMISSION DISCUSSION**

Commissioner Liese asked if the term truck stops could be removed.

Mr. McCullough said yes. He discussed the history of truck stops. He said there was no application to establish a truck stop within the City of Lawrence. He said they had quite a bit of discussion on the issue of truck stop within the Development Code and Comprehensive Plan policies. He said the last debate happened in 2012 when there was a Text Amendment that went through Planning Commission and City Commission related to establishing the IM zoning district. He said they discovered that truck stop was wrapped up in the definition of gas and fuel sales, so essentially a truck stop was permitted just about anywhere commercial would allow a gas station. He said through the work of the Planning Commission and City Commission they really tightened up where truck stops could be permitted and reduced where truck stops could locate by placing them through a Special Use Permit in the CR and IG districts. He said the City Commission did have the opportunity to strike the use completely from the Development Code and made a conscious decision not to do that and found some value in maintaining the truck stop use in the Development Code but with protection through the Special Use Permit process. He said in that discussion three areas were pointed out that were likely to get that use because the language existed in the Comprehensive Plan at that time. He stated if they deny this Comprehensive Plan Amendment as proposed it would still exist in the Comprehensive Plan as truck stop language. He said Planning Commission had the option to delete it from the list of possible examples but that did not necessarily delete it from the opportunity of someone requesting a zoning change and Special Use Permit from the Development Code without a Text Amendment to the Development Code. He said City Commission, in his opinion, most recently wanted truck stops included in the documents as potential to be developed somewhere within the city with full knowledge of where the potential for a truck stop could go.

Commissioner von Achen inquired about the rationale of putting these at the gateways of the city.

Mr. McCullough said the issue was where they would be close to the state highway/interstate system. He said the truck stop may be the most moot of issues because there were good services along I-70.

Commissioner Liese said there was an empty lot across from his store in North Lawrence that was used as a truck stop even though it was not zoned for a truck stop. He said he could not imagine a truck stop benefiting Lawrence. He said he would be in favor of changing the Comprehensive Plan to remove truck stops.

#### **ACTION TAKEN**

Motioned by Commissioner Liese, seconded by Commissioner Hird, to approve the Comprehensive Plan Amendment, CPA-5-5-11, to Chapter 6 of Horizon 2020, with the removal of truck stops, and forwarding to the City Commission and the Board of County Commissioners.

Unanimously approved 9-0.

Commissioner Liese directed staff to review Horizon 2020 for other uses of truck stops.