

PLANNING COMMISSION REPORT
Regular Agenda -- Public Hearing Item

PC Staff Report
06/27/2018

**ITEM NO. 2 TEXT AMENDMENT TO LAND DEVELOPMENT CODE; STORAGE USES IN
IBP DISTRICT (SLD)**

TA-18-00150: Consider a Text Amendment to the City of Lawrence Land Development Code, Articles 4, 5, 9, and 17 to define certain types of storage uses; *Mini-Warehouse, self-storage, climate-controlled self-storage and similar uses* and to permit some uses in the IBP (Industrial/Business Park) District. *Initiated by City Commission on 4/17/18.*

RECOMMENDATION: Staff recommends the Planning Commission forward the proposed amendment to Articles, 4, 5, 9, and 17 of the Lawrence Land Development Code defining certain types of storage uses; Mini-Warehouse, self-storage, climate-controlled self-storage and similar uses, and permitting some uses in the IBP (Industrial/Business Park) District to the Lawrence City Commission with a recommendation for approval.

Reason for Request: The City Commission initiated the text amendment to the Development Code at their April 17, 2018 meeting to define certain types of storage uses and to permit some uses in the IBP District.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received

ATTACHMENTS

- Attachment A – Map of Mini-Warehouse Facilities
- Attachment B – Visual Glossary
- Attachment C – Mini-Warehouse Definitions Other Communities
- Attachment D – Draft Article 4: Use Table [Section 20-403]
- Attachment E – Draft Article 17: Terminology [Section 20-1736]
- Attachment F – Draft Article 5: Use Standards

BACKGROUND

In 1995, the Lawrence-Douglas County Metropolitan Planning Commission initiated a text amendment to the City Zoning Ordinance to establish design standards for mini-warehouse uses. These standards addressed parking, landscaping, fencing, individual storage unit door openings, prohibited activities, and lighting standards. A copy of the 1995 staff report and the Planning Commission minutes are attached to this staff report as background information. These design standards were not carried forward into the 2006 Land Development Code. The establishment in the 2006 Land Development Code of specific buffer yard standards, lighting standards, and the adoption of commercial and industrial design guidelines replaced these use-specific design standards. Neither the 1966 Zoning Code, nor the current Land Development Code distinguish between the various types of self-storage uses.

Staff surveyed the city's self-storage facilities to define and characterize the types of facilities provided locally. Attached to this report is a visual glossary of common facility types in Lawrence. These facility types exclude business-to-business type operations, such as BC & R storage located along N. 2nd Street and other intensive industrial uses. Contractor storage yards and similar operations/warehousing uses were also excluded from this list. The focus of this report is on self-storage facilities catering to individuals rather than business operations.

Staff found that many of these facilities provide a range of support services including storage units that may or may not be "climate-controlled", truck and trailer rental, and limited retail packing supplies. These activities are incidental to the primary activity of providing storage units for rent.

The Land Development Code includes a separate category for *Recreational Vehicle and Boat Storage* as a distinctive use. This use is listed as a type of *Vehicles Sales and Service* use in the Commercial Use Group defined in Section 20-1766(10) of the Land Development Code, and is permitted as a primary use in the CC, CR, CS, IL, and IG Districts. There is at least one facility in Lawrence providing this service as its primary use. Some "mini-warehouse" providers list their facilities as providing some limited exterior storage for recreational vehicles, boats, and cars. This would be permitted as part of an approved mini-warehouse as an accessory use if properly site planned and the designated area is set aside for this specific accessory use/activity. Required parking for mini-warehouse uses cannot be utilized for long-term storage of recreation vehicles and boats.

Two projects surveyed by staff include limited climate-controlled units in addition to conventional self-storage buildings that are not climate-controlled. The two examples, 1201 E. 24th Place and 2201 St. James Court, include units in a climate-controlled building and conventional single-story mini-warehouse structures with overhead doors. These facilities are not exclusively one type or the other but a combination of both building and use typologies.

The facility located at 3630 Thomas Court, Professional Moving and Storage is a "full service" facility that meets the definition of a *Light, Wholesale, Storage, and Distribution* defined in Section 20-1767(2):

Wholesaling, storage, and warehousing services within enclosed structures. Typical uses include wholesale distributors, storage warehouses, and moving and storage firms.

In addition to the professional moving services, this facility offers self-storage units. This use was permitted in a Planned Industrial District (PID) with a specific set of restrictions including:

PROHIBITED STORAGE MATERIALS AND USES

The following are prohibited storage materials and uses. These items shall be included as part of any lease agreement to rent storage units.

- (1) Auctions, except those required by State Law to dispose of lien held property;*
 - (2) Commercial, wholesale or retail sales; or, miscellaneous or garage sales;*
 - (3) The servicing, repair or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment;*
 - (4) The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.*
 - (5) The establishment of a transfer and storage business; and*
 - (6) Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.*
- (H) Off-Street Parking.*

- ACE
- (1) Off-street parking shall be provided for industrial buildings in accordance with the requirements set forth in Use Group 7 – Community Facilities–Public Utilities; Use Group 8 – Temporary Uses; Use Group 9 – Professional Offices; Use Group 10 – Off Street Parking; Use Group 13 – Automotive Services and Retail Sales; Use Group 14 – Retail–Wholesale Sales and Services; Use Group 17 – Manufacturing–Low Nuisance; Use Group 18 – Research and Testing; Use Group 19 – Industrial–Medium Nuisance; Use Group 20 – Industrial–High Nuisance.*
 - (2) Parking shall not be allowed within any area of the periphery setbacks or the front yard setbacks.*

Figure 1: Prohibited Uses - Approved Final Development Plan

Several recent applications for climate-controlled mini-warehouse uses have been submitted to the Planning office for consideration. These include:

1601 W. 23rd Street, CS District. Approved site plan for the conversion of retail space into climate-controlled storage facility and the addition of buildings in the rear parking lot area for non-climate-controlled storage in a commercial area abutting a residential neighborhood. Commercial design guidelines were applied to the project as part of a larger commercial development. Approval included prohibiting the use of standing metal seam siding and requiring brick detailing and appropriate fencing and screening along the residential sides of the property.

1310 Research Park Drive, IBP District. Proposed site plan for new construction of a single use building for climate-controlled storage, multi-story, facility. This building would have only one overhead door access located on the rear of the building. The access is covered and sheltered by an enclosed garage structure. There are no other buildings proposed for the site. This site is being reviewed for conformance with the Industrial Design Guidelines.

1547 E. 23rd Street, CS District. Proposed site plan for conversion of an existing retail space into a climate-controlled storage facility. This would be a single use building without any additional exterior storage or additional buildings providing non-climate-controlled storage.

This text amendment's purpose is to define mini-warehouse, climate-controlled uses, and if appropriate permit them in the IBP (Industrial Business Park) District.

Concurrent to this review, there has been an on-going discussion between staff and an applicant regarding a use generally referred to as "Car Condos". An example of this use can be seen developed at 29230 W. 83rd Street, De Soto Kansas (Carriage Houses of Johnson County). This type of mini-warehouse

use differs from traditional self-storage facilities in that the defining characteristic of these units are individually owned rather than rented. Otherwise, they are similar in form and function. One notable difference is that these units are often finished and provide power allowing for the use of power tools within the units. In no instance are any of the various types of mini-warehouse unit types intended to be occupied as residential dwelling units, offices, places of business, or other habitable spaces. The facility in De Soto specifically does not include water or sanitary sewer service to individual units, only power via individual meter service. A common clubhouse is provided to meet minimum sanitary health and comfort needs.

OVERVIEW OF PROPOSED AMENDMENT

The following is a summary listing of the proposed Land Development Code changes:

1. Section 20-403 – Nonresidential District Use Table
2. Section 20-552 – Mini-Warehouse Use Standards
3. Section 20-1767 – Wholesale, Storage, and Distribution

CRITERIA FOR REVIEW AND DECISION-MAKING

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

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

The City of Lawrence has seen a growth in development of a variety of *Mini-Warehouse* uses. The current definition does not reflect the broad range of types and forms able to be constructed. *Mini-Warehouse* uses, or self-storage facilities, provide an opportunity for residents and businesses to accommodate storage needs in a safe and secure location. Current facilities include traditional buildings with exterior garage door access, converted box containers, and self-contained climate-controlled buildings with interior-only access. Buildings can be architecturally designed to fit a variety of settings, such as in business parks or renovated commercial buildings as demonstrated by recent local applications.

The use is currently permitted in the CC, CR, CS, IL, and IG Districts. Not all forms of *Mini-Warehouse* uses are appropriate in all districts. Applying the Community Design Manual to these uses can be challenging to meet the prescribed design intents by buildings with multiple overhead doors as their primary access means. The Community Design Manual is generally applied by the property's use type as defined by the Land Development Code, not by its base zoning district. If the use is part of the Commercial Use Group then the Commercial Design Manual would be applicable. If the use is part of the Industrial Use Group then the Industrial Design Guidelines apply.

By providing additional definitions and determining more appropriate classifications the Land Development Code can respond more appropriately to the uses. The addition of specific standards would provide a more detailed response to design considerations unique to this use than those general ones addressed in the Community Design Manual.

2) Whether the proposed text amendment is consistent with the Comprehensive Plan and the stated purpose of this Code (Sec. 20-901)

Depending on the operational characteristics, this use type can be suitably located in either commercial or industrial districts. The use can function as a transitional use until a “higher or best use” can take its place, or it can serve as a second-tier commercial or industrial use as needed when prime frontage or access needs are better suited for other uses.

From *Horizon 2020*:

Protect, enhance and retain existing industrial-related land use areas serving the community. (Strategies: Industrial and Employment-Related Land Use 7-2)

Encourage site availability, site improvements and community amenities which best respond to the market demands for industrial and business development while maintaining the community objectives for the type and quality of such development. (Strategies: Industrial and Employment-Related Land Use 7-2)

The proposed text amendment is made in direct response to market changes and related changes in the industry regarding the variety of self-storage (mini-warehouse) forms. This use is currently permitted in both commercial and industrial zoning districts. *Horizon 2020* recommends the application of appropriate and compatible site design principles minimizing unnecessary impacts to surrounding neighborhoods and promoting compatible land use activities

Conclusion

Based on research about the various local self-storage providers, staff found that the following characteristics depend on the type and level of service provided at the facility.

- May or may not include an on-site/resident manager,
- May or may not include moving truck/trailer rental,
- May or may not include limited retail sales of moving and packing supplies,
- May or may not include outdoor storage for boats, RV's, cars, trucks, and other similar items as an accessory use to the primary *mini-warehouse* activity,
- Storage activity is generally seasonal in nature. Daily access to units is limited.

Expanding the definition of mini-warehouse to provide a more nuanced approach, this would permit a broader range of self-storage options within the community. This also requires the inclusion of specific use regulations to ensure compatibility with possible surrounding uses.

Staff recommends the Planning Commission forward the proposed amendment to Articles 4, 5, 9, and 17 of the Lawrence Land Development Code expanding the mini-warehouse use definition to the Lawrence City Commission with a recommendation for approval.