PLANNING COMMISSION REPORT Regular Agenda – Action Item

PC Staff Report 8/24/15

ITEM NO. 1: COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 6, CHAPTER 14, AND TO THE REVISED SOUTHERN DEVELOPMENT PLAN (JSC)

CPA-15-00335: Consider a Comprehensive Plan Amendment to Horizon 2020 Chapter 6 to change the designation from Auto-Related Commercial to Regional Commercial, and Chapter 14 (Revised Southern Development Plan) to revise the future land use designations from open space and auto-related commercial uses to open space and commercial use at the southeast corner of the intersection of South Lawrence Trafficway and US-59. Submitted by Landplan Engineering, P.A. for Armstrong Management L.C. and Grisham Management L.C., owners of record.

STAFF RECOMMENDATION: Staff recommends forwarding a recommendation of approval of this comprehensive plan amendment to *Horizon 2020*, to the Lawrence City Commission and the Douglas County Board of Commissioners to amend Chapter 6, and the *Revised Southern Development Plan* to expand the South Iowa Regional Commercial center to incorporate the proposed development.

STAFF RECOMMENDATION: If appropriate, approve and authorize the Chair to sign Planning Commission Resolution PCR-15-00366.

KEY POINTS

- 1. The amendment is requested by the applicant to allow for approximately 246,050 gross square feet of commercial use, of which 236,250 gross square feet would be retail uses.
- 2. Proposal would expand one of the two Regional Commercial nodes within the City of Lawrence and remove 1 of 3 identified Auto-Related Commercial locations.
- 3. Proposal is a departure from the adopted form, level, and type of commercial development envisioned for this site, though both the Auto-Related Commercial and Regional Commercial designation encourages higher-intensity commercial development.
- 4. Proposal would expand the commercially designated land in the South Iowa Regional Commercial center from 399.6 acres to 463.5 acres (15.9% overall increase) and increase square footages from 2.07 Million square feet to 2.3 Million square feet (11.9% overall increase).
- 5. Proposal could potentially have a positive effect on the City's pull factor and tax revenue.

6. Proposal could impact the timing of development for other entitled, but entirely or partially undeveloped, commercial areas including Mercato, Fairfield Farms, North Mass, Bauer Farms, and Menards properties; thereby potentially under serving these areas of the community.

SUMMARY

The applicant has requested an amendment to:

- 1) Horizon 2020: Chapter 6, Commercial Land Use, to change the designation from Auto-Related Commercial to Regional Commercial.
- 2) Chapter 14, Specific Plans amending the Revised Southern Development Plan to revise the future land uses designations from auto-related commercial uses to commercial use.

The reason for this Comprehensive Plan Amendment is to bring *Horizon 2020* and the *Revised Southern Development Plan* into alignment with the proposed commercial center.

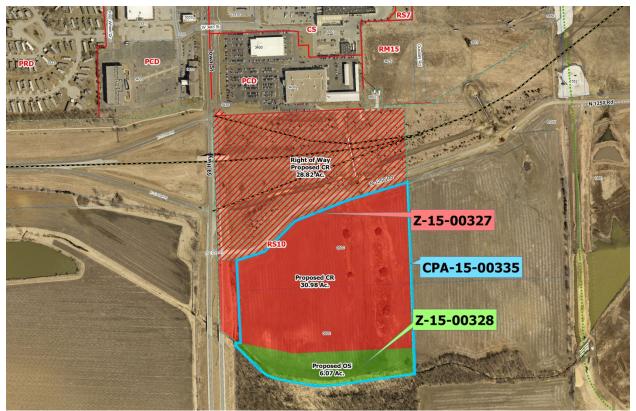


Figure 1: Portion requesting the Modification of Future Land Use Designations & Associated Applications with this Request

Items related to this Comprehensive Plan Amendment include:

Z-15-00327: Consider a request to rezone approximately 59.80 acres from RS10 (Single-Dwelling Residential) District to CR (Regional Commercial) District, located at the southeast corner of the South Lawrence Trafficway and US-59. Submitted by Landplan Engineering P.A., on behalf of Armstrong Management L.C. and Grisham Management L.C., property owners of record.

Z-15-00328: Consider a request to rezone approximately 6.07 acres from RS10 (Single-Dwelling Residential) District to OS (Open Space) District, located at the southeast corner of the South Lawrence Trafficway and US-59. Submitted by Landplan Engineering P.A. on behalf of Armstrong Management L.C. and Grisham Management L.C., property owners of record.

STAFF REVIEW

The applicant is requesting revisions to the adopted future land use map and commercial node designation on the southeast corner of the intersection of S. Iowa Street (US-59) and N. 1250 Road, at the interchange of S. Iowa Street and the South Lawrence Trafficway (K-10). The request would modify Chapter 6: Commercial, and Chapter 14, specifically the *Revised Southern Development Plan,* to allow a proposed commercial center to be located at this intersection. The development concept would entail extending the South Iowa Regional Commercial center by adding approximately 246,050 gross square feet of commercial use, of which approximately 9,800 gross square feet would be specifically restaurant uses and 236,200 gross square feet would be for general retail.

The maps in Figures 2 and 3 are the adopted Future Land Use maps options within the *Revised Southern Development Plan*. Policy 1 of the adopted Sector Plan specifies, "Traditional Neighborhood Design (TND) is encouraged where identified." Also, Policy 3 of the *Revised Southern Development Plan* also states, "Future commercial development and/or redevelopments of existing commercial areas shall be in the form of Planned Development Overlays."

The *Revised Southern Development Plan* contains two possible types of development plans. Figure 2 shows a more conventional development pattern that anticipates a Euclidean segregation of uses. Figure 3 shows a development pattern that includes an integration of uses within a single development (the TND option).

The *Revised Southern Development Plan* contains a policy that, "Future commercial development and/or redevelopments of existing commercial areas shall be in the form of Planned Development Overlays" (p. 23). Given the details of this project, Planning Staff does not believe that requiring the PD Overlay for this project would further the purposes of the Planned Development Overlay District outlined in Section 20-701 and does not recommend the application of the overlay at this time. If the Planning Commission believes otherwise, an option to satisfy the policy would be to recommend that the site plan be reviewed by the City Commission to ensure that that scope of the project is given proper consideration as it proceeds to construction.

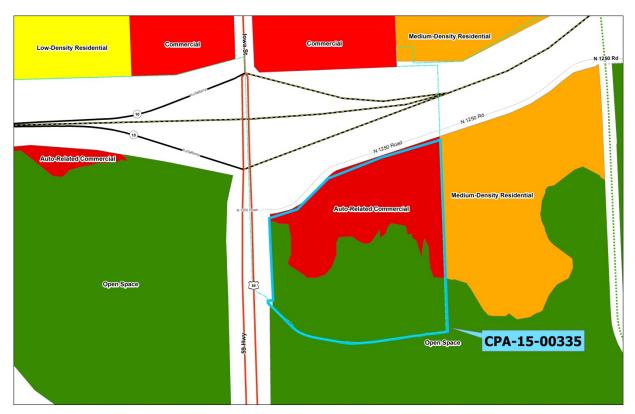


Figure 2: Currently Adopted Revised Southern Development Plan: Future Land Use Map 3-1

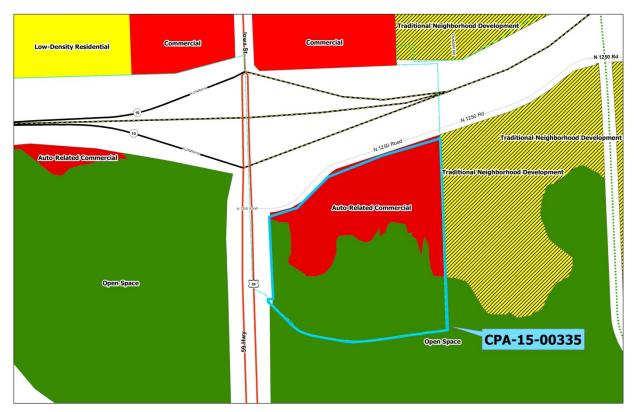


Figure 3: Currently Adopted *Revised Southern Development Plan*: Future Land Use TND Option Map 3-2

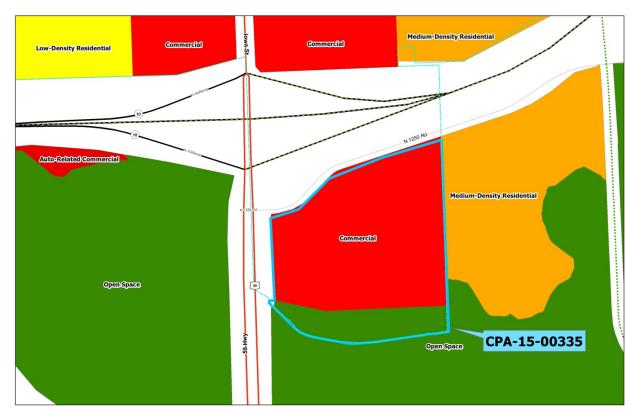


Figure 4: Proposed Modification to Revised Southern Development Plan Future Land Use Map

The anticipated commercial acreage under the currently adopted plan is smaller in area and of a different type than that proposed. The anticipated commercial acreage was originally planned to be approximately 42 acres to support the travel/auto-related commercial uses envisioned. *Horizon 2020* identifies an Auto-Related Commercial Center as:

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.

This proposal would increase the commercial acreage to approximately 59.80 acres to support the regional commercial scale of the proposed conventional retail development. Of the 59.80 acres, 28.82 acres are within the South Lawrence Trafficway right-of-way. This would also reduce the open space designated lands that currently are along the southern portion of the site.

This proposed development would be appended to the existing South Iowa Street Regional Commercial Center, which is northerly adjacent across the South Lawrence Trafficway. *Horizon 2020* defines this regional commercial center as:

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.

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.

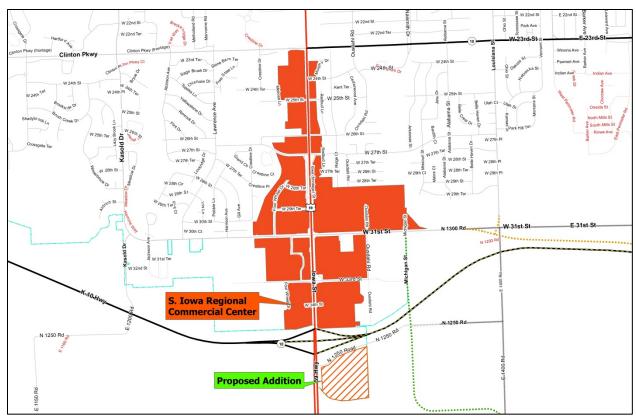


Figure 5: Existing South Iowa Regional Commercial Center with proposed extension indicated

Retail Market Study:

Staff is providing a retail market analysis of the proposed project's impact on the retail market per Policy 3.15 in *Horizon 2020* and Section 20-1303 (g) (10) of the Land Development Code. Policy 3.15 of *Horizon 2020* requires a project specific retail market study for projects that would create 150,000 square feet or more of commercial space. Section 20-1303 (g) (10) of the Land Development Code applies to zoning applications that could create 100,000 square feet of retail space and states:

"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."

Staff is reviewing this project for compliance with the Land Development Code, in addition to the criteria in *Horizon 2020*, based on the comprehensive plan amendment request and the rezoning request. Staff is conducting this analysis based on the most recent city-wide retail market study completed in 2012, and updating the supply figures based on this request to add roughly 247,000 square feet of commercial (retail) uses.

(http://www.lawrenceks.org/assets/pds/planning/documents/2012Retail.pdf)

Currently, there is a discrepancy between the requirements of the Land Development Code and those of *Horizon 2020*, specifically regarding the requirements for a retail market analysis of a proposed project. The Land Development Code was amended in 2013 to remove the requirement that an independent market study be submitted by an applicant. Instead, staff now provides the analysis based on the most recently adopted city-wide retail market study per the zoning map amendment criteria located in Section 20-1303 (g). *Horizon 2020* still contains the requirement for an independent market study to be submitted; however, staff recognizes that the language in the Land Development Code is the most current and will provide the majority of the analysis provided below based on the Land Development Code. Even though there is no longer a requirement in the Land Development Code for the applicant to submit an independent market analysis for this project, the applicant has supplied one with this submittal and it is included in the packet as supplemental information. Staff has neither accepted nor rejected the independent market study submitted by the applicant.

Projected City Wide Vacancy Rate with S				
	Total Built	Occupied	Vacant	Vacant % - City Wide
2012 City Wide Retail Market Analysis	9,105,151	8,451,929	653,222	7.2%
Southpoint Retail (247,000 sf) - 100% Vacant	9,352,151	8,451,929	900,222	9.6%
Southpoint Retail (247,000 sf) - 50% Vacant	9,352,151	8,575,429	776,722	8.3%
Southpoint Retail (247,000 sf) - 0% Vacant	9,352,151	8,698,929	653,222	7.0%

Horizon 2020, Policy 3.15 (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." Horizon 2020 uses a vacancy rate threshold of 8% as one factor in order to determine market health, and the most recent city-wide retail market study figured the city-wide vacancy rate at 7.2%, slightly higher than the 2010 vacancy rate of 7.0% and the 2006 vacancy rate of 6.7%. The addition of this project, when completed and entirely vacant, will push the city-wide vacancy rate to 9.6%. Staff also has conducted further analysis that takes into consideration other commercial projects that have received approvals, but have not been fully constructed to date. The table below illustrates the impact that other major projects, that have been approved, will have on the overall vacancy rate.

	Total Square Feet	Total Occupied Square Feet	Total Vacant Square Feet	City- wide Vacancy Rate
Total Current Retail Inventory	9,105,151	8,451,929	653,222	7.2%
31 st & Ousdahl – Phase I (Mendards)	189,988	189,988		
Approved Northwest corner – 6th and K-10 Node	155,000			
Approved Northeast corner- 6th and K-10 Node (Mercato)	360,000			
Approved Southside - 6th and K-10 Node	85,000			
Fairfield Farms	200,000			
North Mass*	217,337			
Langston Commons**	125,000			
31 st & Ousdahl – Phase II	65,340			
Total (without Southpoint) - 100% Vacant	10,502,816	8,641,917	1,860,899	17.7%
Total (without Southpoint) - 0% Vacant	10,502,816	9,849,594	653,222	6.2%
Southpoint	247,000			
Total with Southpoint project - All projects 100% Vacant	10,749,816	8,641,917	2,107,899	19.6%
Total with Southpoint project- Only Southpoint 100% Vacant	10,749,816	9,849,594	900,222	8.4%
Total with Southpoint project- All projects 0% Vacant	10,749,816	10,096,594	653,222	6.1%

^{*}This figure is taken from the project's market study and includes space that may not be truly retail in nature.

If all commercial space that has been approved were constructed and vacant, the city-wide vacancy rate would rise to 19.6%. If all approved commercial spaces that have been approved were to be constructed but occupied, except for the subject of this request (Southpoint), the city-wide vacancy rate would be 8.4%.

While the market study shows that the project, upon completion and vacant, will push the citywide 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. 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

^{**}This figure is taken from the project's zoning and is considered a maximum.

committed tenants, and therefore, it is unlikely that the space will be vacant upon completion. In addition, this request for additional retail square footage is being made with the understanding that the majority of the space is already leased to retailers.

In staff's opinion, the Lawrence retail market has remained healthy for the last 10 years because of the minimal fluctuation in the retail vacancy rate, and therefore, this project should have minimal impact on the market as a whole.

Demand Factor Analysis				
	Avg. Annual	Avg. Annual	Avg. Annual	
	% Change	% Change	% Change	
	Population	Sales Tax	Income	
Avg. Annual Change 2006-2011	0.8%	-1.1%	-0.9%	
Avg. Annual Change 2000-2005	2.1%	0.2%	0.7%	
Avg. Annual Change 1995-2000	1.8%	1.7%	3.7%	
Avg. Annual Change 1990-1995	2.4%	3.7%	1.8%	

Demand factors such as income, employment, and population need to be taken into account as well when looking at the overall impact of this project on the market as a whole. The 2012 Retail Market Report identified that from 2006-2011, population increased an average of .8% annually. However, during that same time period retail sales tax collections had an average annual decrease of 1.1%, and per capita income had an average annual decrease of .9%, adjusting all dollar figures for inflation.

Average Annual Retail Square Footage Trend		
Avg. Annual 2006-2012 Change	4.3%	

On the supply side of the market, retail stock has shown an average annual increase of 4.3% from 2006-2012. While demand may not have risen with supply, the relatively stable vacancy rates and positive pull factor (discussed below) signal that the market is relatively healthy.

Retail Space per capita			
	Total SF	Population	SF per capita
2012 City Wide Retail Market Study	9,105,151	93,944	97
31 st & Ousdahl – Phase I (Menards)	189,988		
Approved Northwest corner – 6th and K-10 Node	155,000		
Approved Northeast corner- 6th and K-10 Node (Mercato)	360,000		
Approved Southside - 6th and K-10 Node	85,000		
Fairfield Farms	200,000		
North Mass	217,337		
Langston Commons	125,000		
31 st & Ousdahl – Phase II	65,340		
Total of all approved projects			
without Southpoint	10,502,816	93,944	112
Southpoint	247,000		
Total of all approved projects with Southpoint	10,749,816	93,944	114
Total of 2012 City Wide RMS plus Menards with Southpoint (but not	0.477.454	02.044	101
all approved projects)	9,477,151	93,944	101

With the 2012 Retail Market Report, in Lawrence there were approximately 97 square feet of retail space per capita in 2012. With the addition of this project's square footage to the market, as well as the addition of the Menards store's square footage since they have started construction, there would be approximately 101 square feet of retail space per capita. However, this analysis does not take into consideration any of the other approved commercial development. If all approved projects were added, there would be 112 square feet of retail space per capita, and if the Southpoint project were added on top of that, this figure would rise to 114 square feet per capita. By the time the project is fully constructed and occupied in 2017, population will have grown (using our average annual growth rate to around 97,000 people, which would result in 98 square feet of retail space per capita, not including other approved projects. Staff does not view the addition of this retail space as having a significant impact on the retail market in terms of square feet per capita.

Lawrence Trade Pull Factors and Trade Capture Area Figures						
	Collections	Per Capita	Pull Factor	Trade Area	% of County	Population
				Capture	Sales	
				(People)		
FY 2014	\$82,384,844	\$907	1.04	94,760	93.00%	90,811
FY 2013	\$81,747,115	\$913	1.07	95,424	92.90%	89,512
FY 2012	\$79,524,295	\$896	1.07	94,639	93.00%	88,727
FY 2011	\$74,699,896	\$852	1.07	93,560	92.80%	87,643
FY 2010	\$61,696,381	\$674	1.02	93,630	92.40%	91,611
FY 2009	\$67,723,146	\$696	0.99	89,630	92.30%	90,083
FY 2008	\$63,864,019	\$714	0.99	88,638	92.50%	89,415
FY 2007	\$61,894,678	\$702	1.02	89,985	92.40%	88,168
FY 2006	\$60,892,108	\$748	1.12	90,982	91.30%	81,379
FY 2005	\$58,300,971	\$716	1.11	90,058	90.90%	81,417

^{*}The pull factor figures and population estimates are from the Kansas Department of Revenue.

Also important is 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 early 2015, states that Lawrence's pull factor was 1.04 in 2014, which is lower than the 1.07 pull factor that has held steady since 2011. While the pull factor has fallen slightly in the last year, the positive pull factor these last five years means that the City is attracting retail sales to the community.

In staff's opinion, proposals to add retail space should be carefully scrutinized with respect to the indicators above. The proposed additional retail square footage at this node has a focus of drawing local and non-local visitors by providing retail space that could potentially offer more choices and types of retail than currently exist in the market. Even though this project could push the vacancy rate above the 8% threshold identified in the comprehensive plan, it is unlikely that this development will be speculative in nature. The current economic conditions are showing a trend that buildings are built with committed tenants. In addition, the vacancy rate has remained steady since 2006, signaling a healthy retail market. The community also has been attracting retail sales in the last three years, and this development could serve to increase that attraction, thereby increasing the pull factor.

One challenge with this proposal is that the designation of this area for this amount of retail square footage may cause other identified, undeveloped commercial nodes (6th and SLT, Fairfield Farms, etc.) to delay development. Demand has not increased at the same rate that supply has increased; however, the stable vacancy rate and positive pull factor indicate a healthy retail market.

Retail Market Analysis Finding: Considering all factors noted above, this proposal should have a negligible impact on the health of the community's retail market.

Staff reviewed this amendment based upon the Comprehensive Plan Amendment review criteria listed below, as identified in Chapter 17 (Implementation) of *Horizon 2020*. The applicant's responses are also provided below:

COMPREHENSIVE PLAN AMENDMENT REVIEW

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

Applicant's response: Staff and Commissioners should bear in mind that this proposed Comprehensive Plan Amendment (CPA) is centered on discrete differences between proposed commercial land uses. The attached rezoning request proposes rezoning approximately 63 acres of land at the south end of the South Iowa commercial corridor from RS10 to CR (Regional Commercial). The location, size and intensity of this commercial rezoning request all generally comply with the policies and maps of the current Comprehensive Plan. The distinguishing factor is the land use type associated with the rezoning. The applicant proposes to extend the South Iowa Regional Commercial Center by developing a destination retail shopping center which would consist of large, medium and small retail stores and restaurants. The current Comprehensive Plan proposes an Auto Related Center at this location which might consist of car and RV dealerships, car washes and truck plazas. This CPA is not intended to provoke the typical debates over location, size or even intensity of land use. It focuses in on what types of commercial land uses Lawrence wants to see at its southern gateway.

Two factors are worth noting when discussing unforeseen conditions not understood at the time this portion of the Comprehensive Plan was adopted. In recent years, there has been significant expansion and redevelopment of auto related commercial properties across the City. Dealerships such as Briggs Subaru, Lawrence Kia, Jack Ellena Honda and Dale Willey Automotive have all invested additional capital toward their current locations. Such local redevelopment may reduce the demand to develop more vehicle sales and service uses in the future at the subject site.

The second factor to consider is that Lawrence's retail market is as strong as we have seen it in recent years. As reported in January by the local office of Colliers International and the Lawrence Journal World, at the end of 2014 the retail vacancy rate in Lawrence was 3.9%, as compared to 6.5% nationally and 8.5% regionally. These same reports indicated that the vacancy rate along the South Iowa corridor was 3.8%. As local, regional and national retailers continue to flock within this thriving commercial corridor, the demand for retail development, such as that being proposed by this CPA, rises.

Staff's response: Staff agrees that there is less identified need for auto-related uses now than at the time the *Revised Southern Development Plan* was adopted, which is a changed perspective since the plan's adoption. Other circumstances and conditions have not changed since the plan was adopted. The plan anticipates urbanization of this area with the completion of the South Lawrence Trafficway, and seeks to employ a reasonable development pattern to address the intersection of two state highways, as well as a local street to the east. While staff

believes the current plan addresses these conditions well, the applicant's proposal is also viable in this area since it primarily only changes the form of the commercial project encouraged at this site.

2. Does the proposed amendment advance a clear public purpose?

Applicant's response: The proposed CPA would facilitate the extension of the South Iowa Regional Commercial Center southward across the SLT to include the subject site. Such development would bring significant public improvements to the street and utility infrastructure at this location. It would also help to increase City sales tax revenue. More importantly, this development would provide an appropriate gateway to the southern entrance of our City. As opposed to the small service buildings and large car lots and truck plazas centers often associated with auto-related commercial centers, the proposed development would offer attractively designed retail buildings, graciously landscaped streets and parking lots and an appropriate open space buffer between it and the Wakarusa River and Baker Wetlands to the south and east.

Staff's response: As planned in Horizon 2020 and the Revised Southern Development Plan, Auto-Related Commercial 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." (*Horizon 2020*, p. 6-12)

This area is designated to accommodate auto-related commercial uses, including vehicle sales and service. In recent years, major redevelopment of existing vehicle sales and service uses has occurred in the area surrounding Four Wheel Drive and along South Iowa Street. That redevelopment may reduce the demand to develop more vehicle sales and service uses as originally intended. The proposal, while intensifying the type and amount of retail, could also accommodate certain auto-related uses such as restaurants, hotels, gas stations, vehicles sales and service, etc.

The amendment arguably advances the public purpose to address the gateway into Lawrence from the south. The change to more buildings in lieu of parking helps lessen the visual appearances of the site than was seen in previous applications. The application of the Commercial Design Guidelines at the time of site planning will help mitigate the appearances of large, unbroken surface parking lots.

3. Is the proposed amendment consistent with the long-range goals and policies of the plan?

Applicant's response: The proposed CPA is consistent with multiple goals and policies laid out in Chapter 6 of Horizon 2020. It provides for compatible transition from commercial development to less intensive land uses through an open space buffer (Policy 2.6). It follows the design criteria for Regional Commercial Centers (Policy 3.13). The applicant has already begun discussion with staff at KDOT to ensure that traffic impacts are analyzed and mitigated as set forth by this Chapter (Goal 4). Horizon 2020 currently prescribes auto-related commercial uses for this location. This CPA seeks to maintain commercial land uses at this location; however, it proposes land uses better suited to this gateway location them what is typically associated with an auto related center.

Staff's response: While the *Revised Southern Development Plan* anticipated commercial uses to be located at this intersection, it envisioned a different form and scale of a commercial center. The plan anticipated the commercial uses to be auto-related, mainly due to the location next to S. Iowa Street (US-59) and the South Lawrence Trafficway. The concept plan provided not only indicates a different form, but also an increase in size of 13.46 acres (77.48% increase) over the originally anticipated 17.45 acres. The expectation was that auto-related commercial uses were to provide goods and services for people traveling along K-10/South Lawrence Trafficway. The intent and scope of a Regional Commercial Center is to attract a retail market greater than the local community as a shopping destination.

The applicant is proposing to develop 30.98 acres of a 37.05 acre parcel. The remaining 6.07 acres are proposed to be zoned OS, since they are currently located in the Wakarusa River floodplain. A portion of the acreage proposed for development of commercial uses also lies in the regulatory floodplain. The Land Development Code does not prohibit development within the floodplain, and the expansion of commercial land use into this space would be subject to the floodplain regulation.

Below is Policy 3.13: Criteria for Regional Commercial Centers from *Horizon 2020*, and the criteria associated with this policy:

- A. The Comprehensive Plan does not anticipate the need for a new Regional Commercial Center within the planning period.
 - Staff Finding: The proposal is not to create a new Regional Commercial Center, but to expand the existing South Iowa Regional Commercial Center.
- B. Designating a new Regional Commercial Center will require an amendment to the Comprehensive Plan.
 - Staff Finding: This application fulfills this criterion as the applicant is seeking to amend the comprehensive plan to expand the South Iowa Regional Commercial Center.

C. Design Criteria

1. The commercial development plan for a corner shall have a minimum of 40 acres;

Staff Finding: The proposal is partially consistent with this criterion. The proposed total site is approximately 37 acres and is proposing Open Space zoning to buffer along the portion that is closest to the stream on-site.

2. The development shall have a minimum of 1,400 linear feet of frontage on a public street;

Staff Finding: This proposal has approximately 650 linear feet of frontage along S. Iowa Street/US-59, and also 1,446 linear feet of frontage along the South Lawrence Trafficway. The proposal is consistent with this criterion.

3. A Regional Commercial Center shall not have more than 1.5 million gross square feet of commercial space; and

Staff Finding: The South Iowa Regional Commercial Center currently has 2.07 million gross square feet of commercial space. This proposal will add 246,050 square feet, giving the center a total of 2.31 million square feet of commercial space. The center was already above this limit before this request.

4. A Regional Commercial Center shall be located at the intersection of two state or federally designated highways or the intersection of an arterial street and a state or federally designated highway.

Staff Finding: The proposal is consistent with this criterion.

D. A nodal plan shall be completed before a development proposal for a Regional Commercial Center is forwarded to the Planning Commission.

Staff Finding: The Revised Southern Development Plan does cover this particular site.

E. Parking lots shall be designed to minimize conflicts between pedestrians and vehicles.

Staff Finding: The concept plan for this proposal is early in development, and this criterion will be addressed at the time of site planning.

F. Centers shall be designed to facilitate the movement of pedestrians from store to store and building to building.

Staff Finding: The concept plan for this proposal is early in development, and this criterion will be addressed at the time of site planning.

G. Buildings shall be placed near adjacent street right-of-way.

Staff Finding: The concept plan for this proposal is early in development, and this criterion will be addressed at the time of site planning.

H. The majority of parking for the center shall be behind the front building line.

Staff Finding: The concept plan for this proposal is early in development, and this criterion will be addressed at the time of site planning.

- I. A proposal requiring a revised or new site plan for property in an existing Regional Commercial Center shall include a plan for reducing curb cuts, providing cross access easements to adjacent properties, and buffering for adjacent non-commercial uses.
 - Staff Finding: The concept plan for this proposal is early in development, and this criterion will be addressed at the time of site planning.
- J. New or existing Regional Commercial Centers shall not intrude or expand into the surrounding residential or lower-intensity uses.
 - Staff Finding: The proposal is consistent with this criterion.
- K. CC400 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Staff Finding: The concept plan for this proposal is early in development, and this criterion will be addressed at the time of site planning. Items requesting Regional Commercial designation would require compliance with the Community Design Manual guidelines for new construction.

While the South Iowa Regional Commercial Center corridor exceeds the policy of not having more than 1.5 million square feet, when analyzing the totality of the criteria, the proposal meets the criteria outlined in *Horizon 2020* for incorporating this area into the South Iowa Regional Commercial Center.

4. Does the proposed amendment result from a clear change in public policy?

Applicant's response: Please see the response to question #1. In general, this proposed CPA focuses on what types of commercial land uses are most appropriate for the subject site. Public discussion surrounding this development last summer has very much shaped this proposed CPA and the attached rezoning requests. During last summer, Planning Commissioners and members of the public voiced concern over the size of the proposed development and its appropriateness at this precise location. In response to such concerns, the applicant has curtailed the size of the development and is ready to further engage in a debate over what makes most sense at Lawrence's southern gateway: an auto related center or destination retail shopping center.

Staff's response: At present, there has not been a change in public policy. High-intensity commercial development is still viewed as appropriate for this location. *Horizon 2020* did provide a differentiation between the Regional Commercial and Auto-Related Commercial land uses when it was adopted. A key distinction between the two use categories is in the envisioned end users. The plan anticipated that the end users of the Auto-Related Commercial use would be oriented to travelers passing through the community, while the Regional Commercial was intended to be an attraction destination, drawing in people outside of Lawrence and Douglas County. Another key distinction *Horizon 2020* defines is in the site's typology. Following the site information included within Chapter 6, Auto-Related Commercial would call for the construction of a higher than needed amount of parking to serve the high

frequency turnover of customers that is usual with these types of development. While Regional Commercial would emphasize the opposite, seeking to have buildings being the dominant feature of the site instead of the parking.

While there are subtle differences in the use and site design for the two land use categories within *Horizon 2020*, the Land Development Code does not provide a zoning designation for Auto-Related Commercial because envisioned uses are contained within the CC and CR Zoning classifications.

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

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

Applicant's response: The proposed CPA would facilitate significant public improvements and extensions to infrastructure just south of the SLT. The applicant has held multiple meetings with KDOT and City staff to discuss these matters on a preliminary level. Further analysis will be provided at the time of preliminary plat and site plan review.

Staff's response: Infrastructure development will be required to ensure adequate support of this commercial development. Further analysis regarding the details towards traffic impacts and infrastructure capacity will be addressed in the forthcoming development proposal, site plan, and final plat approvals.

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

Applicant's response: The proposed CPA conforms to land use transitions already prescribed by the current Comprehensive Plan. The proposed commercial development will about state and federal highways to the north and west. An attached rezoning request ensures an open space buffer between the proposed commercial development and the Wakarusa River floodplain to the south.

Staff's response: The site is adjacent to the South Lawrence Trafficway to the north and US-59 to the west. Otherwise, it is surrounded by farmland to the east and south. The primary compatibility issue for this proposal is with the medium-density residential uses planned to the east. A Type 2 buffer yard of 15 to 25 feet will be required, depending on the proposed landscape design. (Section 20-1005) However, the Revised Southern Development Plan anticipated this with the current designations of commercial for this subject property with residential uses anticipated due east of this site.

7. 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: The proposed CPA would facilitate a commercial development which would provide not only greater retail shopping opportunities for City and County residents but greater sales and property tax revenue for the City and County governments, as well. The proposed CPA will extend the South Iowa commercial corridor to its logical southern terminus, thereby establishing a generous open space buffer adjacent to the Wakarusa River and an attractive gateway to the southern entrance of the City.

Staff's response: This proposed amendment would provide expanded shopping opportunities for Douglas County and the City of Lawrence, and it could potentially have a positive effect on the city's tax base by increasing its pull factor.

While economic conditions have changed since the adoption of the *Revised Southern Development Plan*, the original vision for this portion involved a different intensity and form of commercial development, specifically oriented to automobile/travel support, not as a principal commercial destination. An intensification of the South Iowa Regional Commercial Center as proposed will potentially impact the city-wide retail market in terms of potentially detracting from other planned commercial areas. That impact will be somewhat mitigated by the phasing-in of this project, the potential increase in retail sales draw, and by this development most likely forming the new terminus to the South Iowa Regional Commercial Center. Staff does not anticipate continuing the strip-style commercial development pattern further south with the anticipated South of the Wakarusa Sector Plan.

Also factoring into this proposal is the consideration of the potential impact it could have on already entitled commercial areas within the City. The concern is not the addition of this retail square footage to the Lawrence market, but instead of the ability of other approved, undeveloped commercial nodes to attract retail tenants. If this project is approved, other approved, yet undeveloped commercial nodes may have to extend their development time frames in order to attract retail tenants, thus potentially underserving these areas of the community.

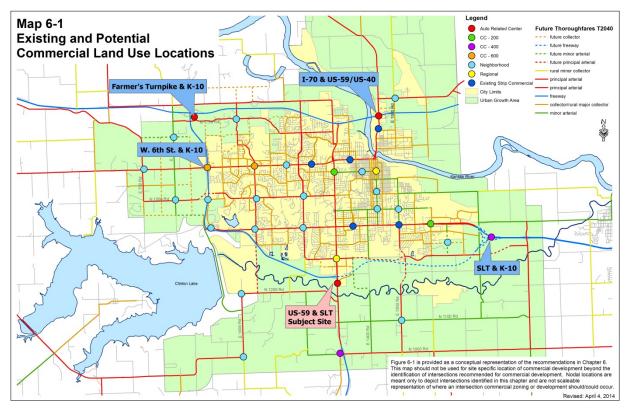


Figure 6: Other Entitled Commercial Centers

Due to the location of the proposed development, this project would serve as a primary gateway entry to traffic entering Lawrence along US-59, and also travelling along K-10/South Lawrence Trafficway. Space for the relocation of the community gateway signage, the detail and quality of four-sided building and landscape architecture will be given substantial consideration during site planning.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends forwarding a recommendation of approval of this comprehensive plan amendment to *Horizon 2020*, to the Lawrence City Commission and the Douglas County Board of Commissioners to amend Chapter 6, and the *Revised Southern Development Plan* with staff's suggested language in order to expand the South Iowa Regional Commercial center to incorporate the proposed development.

HORIZON 2020

The Comprehensive Plan for Lawrence and Unincorporated Douglas County

> February 26, 2015 August 24, 2015 Amendment

Plan prepared by the Lawrence/Douglas County Metropolitan Planning Office based upon recommendations from the HORIZON 2020 Steering Committee.

Adopted by the Planning Commission on May 22, 1996.

Adopted by the City Commission January 28, 1997.

Douglas County Board of County Commissioners May 18, 1998.

45. <u>Amendment to Chapter Six – Lawrence Existing Commercial Areas, S. Iowa Street (23rd Street to K-10) & Chapter Fourteen – Revised Southern Development Plan</u>

Lawrence-Douglas County Metropolitan Planning Commission – May 20, 2013

Lawrence City Commission – June 18, 2013

Douglas County Board of County Commissioners - June 12, 2013

Effective date - June 28, 2013

46. <u>Update to Chapter Eight – Transportation</u>

Lawrence-Douglas County Metropolitan Planning Commission – August 26, 2013

Lawrence City Commission - October 8, 2013

Douglas County Board of County Commissioners - September 25, 2013

Effective date - October 28, 2013

47. Amendment to Chapter Six – Lawrence Existing Commercial Areas, W. 6th Street and Wakarusa Drive & Chapter Fourteen – An Area Plan for the Intersection Area of West 6th Street & Wakarusa Drive

Lawrence-Douglas County Metropolitan Planning Commission - April 21, 2014

Lawrence City Commission – May 13, 2014

Effective date - May 16, 2014

48. Amendment to Chapter Fourteen - An Area Plan for the Intersection Area of West 6th Street &

Wakarusa Drive

Lawrence-Douglas County Metropolitan Planning Commission - January 26, 2015

Lawrence City Commission - February 17, 2015

Effective date - February 26, 2015

49. Amendment to Chapter 6 – Commercial & Chapter 14 – Revised Southern Development Plan

Lawrence-Douglas County Metropolitan Planning Commission - <DATE PENDING>

Douglas County Board of Commissioners - < DATE PENDING>

Lawrence City Commission - < DATE PENDING>

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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.

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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, CC600, 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, interfacings 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

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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

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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

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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.

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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

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■ 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 then 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

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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

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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.

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■ 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

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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

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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

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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

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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 reevaluation 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 $N.\ 2^{nd}$ Street and $N.\ 3^{rd}$ Street play an enhanced role in the community as a commercial corridor, acting as an important entryway/gateway to

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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.

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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

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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 600,000 square feet of commercial gross square footage (CC600 Center) with a nodal development pattern.

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.

Clinton Parkway and Kasold Drive

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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 19^{th} 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)

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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	Noda I	Approximate Built Square Footage*	Neighborho od Commercial	Existing Strip Commercial	CC200	CC400	CC600	Regional Commerc ial
Downtown	Х		1.3 million						Х
N. 2 nd St and N. 3 rd St	Χ		225,000		X				
Iowa (Harvard Rd to W. 6 th St)		Х	190,000			Χ			
S. Ipwa (23 rd St to K-10)	Х		1.32.3 million						X
W. 23 rd St (Iowa St to	Х		660,000		X				
Louisiana St)									
E. 23 rd St (Learnard St. to	Х		190,000		Χ				
Harper St.)									
6 th St (Alabama to Iowa St)	X		140,000		Χ				
W. 6 th St (Iowa to Kasold)	X		209,000		Χ				
W. 6 th St & Monterey Way		Χ	100,000	X					
W. 6 th St &Wakarusa Dr		Χ	480,000					X	
Clinton Pkwy & Kasold Dr		Χ	110,000	X					
Clinton Pkwy & Wakarusa Dr		X	28,000	Χ					
E. 19 th St & Massachusetts St		Х	95,000	X					
E. 19 th St & Haskell Ave		X	27,000	X					
W. 15 th St & Kasold Dr		Х	50,000	X					
W. 15 th St & Wakarusa Dr		Χ	19,000	X					
9 th St (Kentucky St to Illinois St)	Х		40,000	Х					

^{*} 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, CC600 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.

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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.

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• 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

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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.

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COMMERCIAL LAND USE GOALS AND POLICIES

Guidelines are needed to allow for the retention and expansion of the established commercial areas of the community.

GOAL 1: Established Commercial Area Development

Encourage the retention, redevelopment and expansion of established commercial areas of the community.

Policy 1.1: Recognize and Emphasize Downtown Lawrence as the Regional Retail/Commercial/Office/Cultural Center

- A. Encourage and support the development of a broad mix of land uses, with an emphasis on retail as a major land use, the provision of parking facilities, improved accessibility, and the expansion of Downtown Lawrence while maintaining the integrity of surrounding neighborhoods.
- B. Strengthen, define and support neighborhood residential areas adjacent to Downtown Lawrence in order to reinforce the safety, image and identity of Downtown Lawrence.
- C. Closely analyze (through Policies 1.7, 3.7 G, 3.9 E, and any other relevant Policies) the impact of requests for development of community and/or regional shopping areas to ensure that such development does not have a negative impact on the Regional Retail/Commercial/Office/Cultural Center. This analysis would be used to evaluate the potential impact on the future viability of the Regional Retail/Commercial/Office/Cultural Center as a whole and not the potential impact on individual businesses or properties.

Policy 1.2: Sustain Downtown Lawrence as a Mixed Use Activity Center

Continue to encourage a broad mix of uses in Downtown Lawrence, including retail, office, residential, entertainment, lodging, unique visitor attractions, expanded conference facilities, a core concentration of governmental, cultural and social facilities and services, as well as recreation, leisure and community events.

Policy 1.3: Assure Compatibility of Development

- A. Encourage new development and redevelopment to consider horizontal and vertical proportions, building forms, roof types, and exterior materials and details existing in the surrounding area.
- B. New development and redevelopment shall conform to the applicable adopted design guidelines.

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Policy 1.4: Redevelopment of Existing Commercial Areas

- A. Existing commercial areas should be improved and upgraded. Particular emphasis should be given to existing commercial gateways. Overall storm water management, vehicular and pedestrian access, and site maintenance shall be undertaken.
- B. Upgrade the image and appearance of existing developments with new lighting, landscaping, signage and pedestrian access.
- C. Encourage public and/or private partnerships for redevelopment.
- D. Consider financial and development incentives to encourage re-use (renovation or redevelopment) of commercial properties.

Policy 1.5: Provide Opportunities for Limited Commercial Development in the Unincorporated Areas of Douglas County

- A. Encourage redevelopment and limited expansion of existing commercial areas in the unincorporated areas of Douglas County.
- B. No new commercial development shall occur within the UGA.

Policy 1.6: Maintain an Inventory of Commercial Land

Maintain an appropriate supply of commercially zoned land so that site choices are available and infrastructure expansion can occur in an efficient and orderly manner. Annually evaluate current and approved planned land uses and land availability. The evaluation shall consider, but not be limited to: approved planned development not yet constructed, compatibility with existing nearby development, parcel size and infrastructure service delivery and phasing plans.

Policy 1.7: Monitor Economic Impact of Commercial Growth

- A. The amount of commercial space, the quality of commercial space, commercial space vacancy rates, and the size of commercial space shall be monitored for each quadrant of the city (15th Street shall be the north-south dividing line and Iowa Street the east-west dividing line). Each matrix cell shall include the total gross square footage of all the buildings in each respective size range and condition grade. Each cell shall also include the vacancy rate for buildings of each respective size and condition.
- B. These variables shall be placed in a matrix and used in analyzing any commercial rezoning request and/or development plan.
- C. The matrix shall be updated annually.
- D. Planning Staff shall be responsible for maintaining and revising the matrix. However some of the data for some of the variables, particularly vacancy rates,

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may have to be provided by outside sources.

- E. Planning Staff will provide an annual sales tax per square foot ratio. This data will be provided for different sectors within the city limits.
- F. Establish and implement a methodology for the annual collection of business use data in support of economic impact analyses.

Matrix

	Condition of the Commercial Space									
	Excellent	Good	Fair	Poor	Total					
0-2,500 Sq. Ft.	total sq. ft./vacancy	total sq. ft./vacancy	total sq.	total sq.	total sq.					
_	rate	rate	ft./vacancy rate	ft./vacancy rate	ft./vacancy rate					
2,501-5,000	total sq. ft./vacancy	total sq. ft./vacancy	total sq.	total sq.	total sq.					
	rate	rate	ft./vacancy rate	ft./vacancy rate	ft./vacancy rate					
5,001-15,000	total sq. ft./vacancy	total sq. ft./vacancy	total sq.	total sq.	total sq.					
	rate	rate	ft./vacancy rate	ft./vacancy rate	ft./vacancy rate					
15,001-30,000	total sq. ft./vacancy	total sq. ft./vacancy	total sq.	total sq.	total sq.					
	rate	rate	ft./vacancy rate	ft./vacancy rate	ft./vacancy rate					
30,001-60,000	total sq. ft./vacancy	total sq. ft./vacancy	total sq.	total sq.	total sq.					
	rate	rate	ft./vacancy rate	ft./vacancy rate	ft./vacancy rate					
60,001- 20,000	total sq. ft./vacancy	total sq. ft./vacancy	total sq.	total sq.	total sq.					
	rate	rate	ft./vacancy rate	ft./vacancy rate	ft./vacancy rate					
120,001-	total sq. ft./vacancy	total sq. ft./vacancy	total sq.	total sq.	total sq.					
00,000	rate	rate	ft./vacancy rate	ft./vacancy rate	ft./vacancy rate					
200,001+	total sq. ft./vacancy	total sq. ft./vacancy	total sq.	total sq.	total sq.					
	rate	rate	ft./vacancy rate	ft./vacancy rate	ft./vacancy rate					
Total	total sq. ft./vacancy	total sq. ft./vacancy	total sq.	total sq.	total sq.					
	rate	rate	ft./vacancy rate	ft./vacancy rate						

The above matrix will be completed for each quadrant of the city, plus an additional table summarizing the totals for the entire city.

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Guidelines are needed to allow for a compatible transition from commercial development to residential neighborhoods and other less intensive land uses. These guidelines are needed throughout the community, including both established commercial areas and anticipated development areas.

GOAL 2: Compatible Transition from Commercial Development to Less Intensive Uses

Ensure compatible transition from commercial development to residential neighborhoods and other less intensive land uses.

Policy 2.1: Use Appropriate Transitional Methods

- A. Commercial areas shall minimize adverse impacts on adjacent residential areas. Screening and buffering shall be provided which may include landscaped setbacks, berms and open space areas. Traffic and parking shall not adversely affect neighborhood quality. Noise, safety and overall maintenance of commercial properties shall be carefully monitored.
- B. Use landscaped transition yards between residential and non-residential uses that include additional lot depth, berms, landscape screening, and/or fences and walls to provide additional buffering between differing land use intensities.
- Compatible transition from commercial uses to less intensive land uses shall consider:

1. Site Orientation

- a. Vehicular access shall be from collector, arterial or access streets.
- b. Pedestrian access shall be designed to provide internal and external circulation from adjacent neighborhoods.
- Streets designed with elements to provide visual or physical buffering may serve as boundaries between different intensities of land uses.

2. Building Relationships

- a. A back-to-back relationship is preferable between uses.
- b. Commercial buildings and parking lots shall not have lesser setbacks than those required of abutting residential uses.
- c. The height and massing of commercial buildings and accessory structures shall be oriented to avoid creating a negative visual effect on residential neighborhoods.

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d. Vehicular access to commercial activities should be separated from pedestrian access.

Land Features

- Encourage the integration of mature trees, natural vegetation, and natural and environmentally sensitive areas whenever feasible to buffer commercial developments from other more or less intensive land uses.
- b. Encourage the use of existing topography to separate commercial developments and other more or less intensive land uses.

Screening and Landscaping

- Encourage creative and extensive use of landscaping and berming techniques for natural transitions between differing intensities of land uses.
- b. Fences shall not be used as a sole method of providing screening and buffering between differing intensities of land uses.
- c. Encourage site design that uses existing vegetation, such as stands of mature trees, as natural buffers or focal points.
- d. Encourage the use of high quality materials in the construction of screening and landscape areas to decrease long-term maintenance costs.

5. Lighting

a. Lighting used to illuminate parking areas, signs or structures should be placed to deflect light away from adjoining properties or public streets through fixture type, height and location.

Policy 2.2: Locate Less Compatible Uses Toward the Interior of Commercial Areas

- A. The overall design and arrangement of commercial development shall be compatible with adjacent residential uses.
- B. Ensure adequate screening of unsightly views of commercial developments (such as loading docks, rooftop equipment, service entrances, trash containers, parking areas, exterior storage) through the extensive use of elements such as landscaping, berms, fencing, architectural design, open space, setbacks, and/or building orientation.
- C. In order to ensure that parking lots are not the dominant visual feature associated with commercial areas, buildings shall be located adjacent to the public rights-of-way and parking located toward the interior of the development.

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Policy 2.3: Higher-Density Residential Development as Transitional Use

Use higher-density residential development as a transitional land use between commercial developments and the surrounding low-density residential neighborhoods.

Policy 2.4: Provide Sufficient Site Area for the Design of Transitional Elements

Site improvements within commercial areas such as lighting, signage and landscaping shall be designed and coordinated in order to create a positive identity and visual image throughout the development area.

Policy 2.5: Office, Research and Semi-Public Development as Transitional Use

- A. Encourage using low-intensity office, research and semi-public development as a transition between commercial development and low-density residential neighborhood. The development shall include:
 - 1. Design elements such as height, massing, and scale compatible with the surrounding low-density residential uses;
 - Site design that is compatible with surrounding residential neighborhoods with consideration given to extensive screening, building and parking orientation, and preservation of natural site amenities; and
 - 3. Site access provided from arterial, collector or access streets, with traffic directed away from surrounding residential areas.

Policy 2.6: Parks, Recreation and Open Space as Transitional Use

Encourage the use of medium- to low-intensity recreational facilities such as neighborhood parks, bike/hike trails and natural areas as transitional areas.

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Guidelines are needed to provide direction on how much, where and at what scale commercial development is appropriate for the market it is intended to serve.

GOAL 3: Criteria for Commercial Development

Provide regional, community and neighborhood shopping opportunities to meet the commercial and retail needs of the community.

Policy 3.1: Utilize Locational Criteria for Commercial Development

- A. **Commercial Nodes:** Nodes shall occur at arterial/collector or arterial/arterial intersections depending on the type of commercial center.
- B. **Strip Commercial Development:** Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern.
- C. Assembling of Land: Encourage the assembling of small tracts to form larger, more cohesive parcels to enable well-planned and orderly development to occur.
- D. **Vehicular Access:** Limit the principal vehicular access of commercial development to arterial, collector or frontage (access) streets.
- E. **Site Layout:** Commercial development shall be located to avoid substantial disruption of natural drainage and vegetation.
- F. Compatibility with Adjacent Land Uses: Encourage the location of commercial nodes where they can efficiently utilize local resources, where their adverse impacts on adjacent uses are minimized, and where they will effectively provide the community with desired products, services and employment opportunities.
- G. **Public Improvements:** Construction of a new commercial center cannot begin until all infrastructure improvements serving the center have been completed.

Policy 3.2: Establish Design Standards for Commercial Development

- A. The city shall develop reasonable design standards for new and redeveloped commercial areas which improve:
 - 1. Integration with the surrounding neighborhoods;
 - 2. Pedestrian movement to and within the commercial areas;
 - 3. The aesthetics of the districts from the surrounding street system; and
 - 4. The design to create attractive focal points for the surrounding populations.
- B. Incentive systems shall be developed to encourage commercial areas to provide

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mixed use projects that include residential and office uses integral to the design.

C. These design standards and incentives shall be adopted into HORIZON 2020 and implemented through zoning, subdivision and the Capital Improvements Plan.

Policy 3.3: Criteria for Inner-Neighborhood Commercial Centers

- A. Encourage redevelopment of existing Inner-Neighborhood Commercial Centers through alternative standards for:
 - 1. Required parking;
 - 2. Open space requirements;
 - 3. Required setbacks; and
 - 4. Required lot size.
- B. Do not encourage the expansion of existing Inner-Neighborhood Commercial Centers.
- C. Inner-Neighborhood Commercial Centers may be located on local, collector, or arterial streets. They may also take access from an alley.
- D. Standards for New Inner-Neighborhood Commercial Centers:
 - 1. Inner-Neighborhood Commercial Centers shall be allowed only in those situations where the center is an integral part of an overall planned neighborhood or if the Center can be integrated into an existing neighborhood;
 - 2. Centers shall not have gas pumps, drive-thru or drive-up facilities;
 - 3. Centers may include residential uses;
 - Centers shall no more than 3,000 gross square feet of commercial space;
 and
 - Centers shall be designed as an integrated part of the surrounding neighborhood so that their appearance does not detract from the character of the neighborhood.

Policy 3.4: Criteria for Mixed-Use Redevelopment Centers

- A. Encourage redevelopment of areas where existing structures are underutilized, have experienced a high turnover rate, or have remained vacant for an extended period of time.
- B. Mixed-Use Redevelopment Centers shall be no larger than six acres in size.
- C. Mixed-Use Redevelopment Centers shall include a mix of the following uses within the subject area and where possible, include mixed-use structures:
 - 1. Residential;
 - 2. Civic;
 - 3. Office;

- 4. Small-scale commercial:
 - a. Total commercial spaces shall not exceed 25% of the net floor area within the subject area, and
 - b. A single retail space shall not occupy more than 16,000 square feet of ground-floor level, net floor area of a structure; and
- 5. Open space.
- D. Mixed-Use Redevelopment Centers shall maintain the character of the surrounding neighborhood*s* by:
 - 1. Achieving integration with adjacent land uses by providing transitions between uses through alleyways and use and landscape buffers;
 - 2. Incorporating existing structures wherever possible;
 - 3. Maintaining general structure spacing, massing, scale, and street frontage relationship when incorporating new structures.
- E. Mixed-Use Redevelopment Centers shall provide multi-modal services to include the following options:
 - Pedestrian, including pedestrian-scaled street furnishings, plantings and gathering spaces;
 - 2. Bicycle, including bicycle parking;
 - 3. Vehicular; and
 - 4. Transit, if available.

Policy 3.5: Criteria for Mixed-Use Districts

- A. Encourage preservation of areas that are mixed use in nature, as well as development and redevelopment of areas with vacant land, or where existing structures are underutilized, have experienced a high turnover rate, or have remained vacant for an extended period of time.
- B. Mixed-Use Districts shall be no larger than 20 acres in size.
- C. Mixed-Use Districts shall include a mix of the following uses within the subject area and where possible, in mixed-use structures:
 - a. Residential;
 - b. Non-residential.
- D. Mixed-Use Districts shall maintain the character of the surrounding neighborhoods by:
 - Achieving integration with adjacent land uses by providing transitions through alleyways, variation among development intensity, and implementation of landscape buffers;
 - b. Incorporating existing structures wherever possible;
 - c. Maintaining general structure spacing, massing, scale, and street frontage relationship when incorporating new structures.

- E. Mixed-Use Districts shall provide multi-modal services to include the following options:
 - Pedestrian oriented public spaces, which shall include pedestrianscaled street furnishings, and plantings;
 - b. Bicycle, including bicycle parking;
 - c. Vehicular; and
 - d. Transit.

Policy 3.6: Criteria for Neighborhood Commercial Centers

- A. Neighborhood Commercial Centers shall be located at the arterial/arterial or arterial/collector street intersections.
- B. Limit the commercial uses in neighborhood centers to one corner of the intersection.
- C. New Neighborhood Commercial Centers shall be at least one (1) mile from any existing or new Commercial Center.
- D. Neighborhood Commercial Centers shall contain no more than 100,000 gross square feet of commercial space with the exception of Neighborhood Commercial Centers that include a grocery store. Neighborhood Commercial Centers with a grocery store of 60,001 or more gross square feet may have up to a total of 125,000 gross square feet of commercial space.
- E. No one commercial use in a Neighborhood Commercial Center 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.
- F. A nodal plan shall be completed before a proposal for a Neighborhood Commercial Center goes before the Planning Commission.
- G. Locate office, public, semi-public, parks and recreation or medium- and higherdensity residential developments on remaining corners of intersection to avoid excessive concentrations of commercial traffic and unnecessary duplication of commercial services.
- H. Low-density residential uses may be located at the remaining corners of the intersection if sufficient screening measures are provided to offset noise and views of the intersection are provided.
- I. Integrate neighborhood commercial centers into the surrounding residential neighborhoods by including pedestrian access, appropriate transitional elements and, if possible, the location of public or semi-public uses or parks and recreation uses adjacent to the commercial development.
- J. Neighborhood Commercial Centers shall be designed with pedestrian mobility as a top priority.

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- Pedestrians shall be able to easily walk to all stores in a neighborhood center without using a vehicle.
- Parking lots shall provide pedestrian accessways to reduce the potential of pedestrian/vehicle conflicts.
- K. Facades shall have a variety of textures, colors, shapes, etc. such that the buildings in a Neighborhood Center do not have a single uniform appearance.
- L. Neighborhood Centers should have dedicated open space areas that useable by the Center's employees and shoppers.
- M. Neighborhood Commercial Centers shall not expand into the surrounding portions of the neighborhood.
- N. Any commercial development proposal for a corner in a new Neighborhood Commercial Center shall have a length-to-depth ratio between 1:1 and 3:2.
- O. Neighborhood Commercial Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.7: Criteria for Existing Strip Commercial areas

- A. A redevelopment plan should be made for each existing Strip Commercial Center
- B. Tools such as public/private partnerships, special overlay districts, reduced development standards, lot consolidation and purchase, access management plans, cross access easements, etc. should be used to enhance redevelopment opportunities for existing Strip Commercial areas.
- C. Existing Strip Commercial areas shall not expand into surrounding lower-intensity zoning areas.
- D. Curb cut consolidation and cross access easements shall be included when an existing site plan is revised or a new site plan proposed.
- E. Existing Strip Commercial areas shall develop or redevelop in a manner consistent with the city's adopted design guidelines.

Policy 3.8: Criteria for Community Commercial Centers (under 200,000 square feet) CC200

- A. CC200 Centers shall be located at the intersection of arterial/arterial streets.
- B. CC200 Centers shall have no more than 200,000 gross square feet of commercial space.
- C. No single store shall occupy more than 100,000 gross square feet.

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- D. A general merchandise store (including discount and apparel stores) shall not exceed 65,000 gross square feet.
- E. The sum of the gross square footage for all stores occupying space between 40,000 and 125,000 shall not be more than 75 percent of gross commercial square footage for the corner of the intersection.
- F. Corners of the node not developed with commercial uses shall have extensive on-site screening and shall be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area.
- G. New or existing CC200 Centers shall not encroach or expand into the surrounding residential or lower-intensity uses.
- H. A proposal requiring a revised or new site plan for property in a CC200 Center shall include plan for reducing curb cuts, providing cross access easements to adjacent properties, and buffering for adjacent non-commercial uses.
- I. A nodal plan shall be completed before proposals for the redevelopment or expansion of an existing CC200 Center that include more than 50 percent of the existing gross commercial square footage or plans to expand the center by more than 20 percent go before the Planning Commission.
- J. Proposals for the redevelopment or expansion of an existing CC200 Center that include more than 50 percent of the existing gross commercial square footage or plans to expand the center by more than 20 percent shall include a building with at least 40,000 gross square feet of commercial space.
- K. A nodal plan shall be completed before a proposal for a new CC200 Center goes before the Planning Commission.
- L. Proposals for a new CC200 Center shall include a building with at least 40,000 gross square feet of commercial space.
- M. CC200 Centers shall develop or redevelop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.9: Criteria for Community Commercial Centers (under 400,000 square feet) CC400

- A. CC400 Centers shall be located at the intersection of two arterial streets that both have at least a four lane cross-section or the intersection of a four-lane arterial and a state or federally designated highway.
- B. CC400 Centers must be a minimum of 3.75 miles apart.

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- C CC400 Centers shall have a maximum of 400,000 gross square feet of commercial space.
- D. 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.
- E. No single store in a CC400 Center shall occupy more than 175,000 gross square feet.
- F. The sum of the gross square footage for all stores occupying between 100,000 and 175,000 cannot be more than 70 percent of the gross commercial square footage for the corner of the intersection.
- G. If the proposal for a corner of the intersection includes more than 100,000 gross square feet of commercial space, the proposal shall include a single building that has at least 40,000 gross square feet of commercial space.
- H. Proposals in which the commercial gross square footage is less than ten percent of the total square footage of the project do not have to meet the minimum acreage and lot depth.
- I. Any commercial development proposal for a single corner in a new CC400 Center shall be a minimum of 20 acres in size.
- J. Any commercial development proposal for a single corner in a new CC400 Center shall have a length-to-depth ratio between 1:1 and 3:2.
- K. Access points into a new CC400 Center shall be from the two points furthest from the intersection.
- L. CC400 Centers shall be designed with feeder and/or reverse frontage streets to collect internal traffic and for easy access from the surrounding community.
- M. CC400 Centers shall be designed with pedestrian mobility as a top priority.
 - 1. Centers shall be designed to facilitate the movement of pedestrians from store to store and building to building.
 - 2. Parking lots shall provide pedestrian accessways to reduce the potential of pedestrian/vehicle conflicts.
- O. Facades shall have a variety of textures, colors, shapes, etc. such that the buildings in a CC400 Center do not have a single uniform appearance.
- P. CC400 Centers should have dedicated open space areas that useable are by the center's employees and shoppers.

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- Q. Buildings shall not be separated from adjacent street rights-of-way by large expanses of parking.
- R. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area.
- S. Existing CC400 Centers shall not expand into areas with existing less intensive uses (low-intensity residential, institutional uses, office, multi-family residential, etc.).
- T. A nodal plan must be completed before a development proposal for any corner of CC400 Center is forwarded to the Planning Commission.
- U. CC400 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.10: Criteria for Community Commercial Centers (under 600,000 square feet) CC600

- A. CC600 Centers shall be located at the intersection of two state or federally designated highways.
- B. CC600 Centers shall have a maximum of 600,000 gross square feet of commercial retail space as defined in this chapter. Other uses of a non-retail nature shall not have a space limitation.
- C. A maximum of 90 percent of the commercial square footage, as defined in this chapter, in a new CC600 Center shall be located on two corners of the intersection. The remaining commercial square footage, as defined in this chapter, shall be located on one or both of the remaining corners.
- D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node.
- E. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area.
- F. A nodal or area plan must be completed before a development proposal for any corner of a CC600 Center is forwarded to the Planning Commission. Expansion of

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the CC600 center shall require amendment of the nodal or area plan.

G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.11: Nodal Plan Criteria

- A. The city should attempt to complete a nodal plan for newly designated Commercial Center before there is pressure to develop the node.
- B. A nodal plan shall be completed for any new Commercial Center before a development proposal for the node can go before the Planning Commission.
- C. A nodal plan shall include the following information:
 - 1. Existing natural features;
 - 2. Appropriate transitional uses;
 - 3. Appropriate use for each specific corner of the intersection;
 - 4. Access points from each location;
 - 5. Necessary infrastructure improvements;
 - 6. Overall traffic flow in and around the node and the surrounding area;
 - 7. The "ultimate geometric design" for the intersection based on the proposed land uses for the intersection; and
 - 8. Any and all other necessary information needed to create the nodal plan.

Policy 3.12: Criteria for the Regional Retail/Commercial/Office/Cultural Center

- A. Recognize and emphasize Downtown Lawrence as the Regional Retail/Commercial/Office/Cultural Center -- which is an intensely developed, large-scale, mixed use location that serves as an activity center for the community.
- B. Continue to encourage a broad mix of uses in downtown Lawrence, including retail, office, residential, entertainment, lodging, unique visitor attractions, expanded conference facilities. Maintain the core concentration of governmental, cultural/social facilities and services and recreation, leisure and community events in this area.
- C. Encourage the continuation of community social activities (Art in the Park, holiday parades, etc.) to occur in Downtown Lawrence.
- D. Continue to support the building design criteria set forth in the "Downtown Architectural Design Guidelines".
- E. The "Downtown Architectural Design Guidelines" should be amended to include the W. 9th Street area that serves as a gateway into Downtown Lawrence.
- F. Maintaining and protecting the vitality of Downtown Lawrence is important to the

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citizens of Lawrence. Because of its high importance as an asset to the community, any new proposal for a new Regional Commercial Center must demonstrate that it will not have a substantial impact on Downtown Lawrence.

Policy 3.13: Criteria for Regional Commercial Centers

- A. The Comprehensive Plan does not anticipate the need for a new Regional Commercial Center within the planning period.
- B. Designating a new Regional Commercial Center will require an amendment to the Comprehensive Plan.
- C. Design Criteria
 - The commercial development plan for a corner shall have a minimum of 40 acres;
 - 2. The development shall have a minimum of 1,400 linear feet of frontage on a public street;
 - 3. A Regional Commercial Center shall not have more than 1.5 million gross square feet of commercial space; and
 - 4. A Regional Commercial Center shall be located at the intersection of two state or federally designated highways or the intersection of an arterial street and a state or federally designated highway.
- D. A nodal plan shall be completed before a development proposal for a Regional Commercial Center is forwarded to the Planning Commission.
- F. Parking lots shall be designed to minimize conflicts between pedestrians and vehicles.
- G. Centers shall be designed to facilitate the movement of pedestrians from store to store and building to building.
- H. Buildings shall be placed near adjacent street right-of-way.
- I. The majority of parking for the center shall be behind the front building line.
- J. A proposal requiring a revised or new site plan for property in an existing Regional Commercial Center shall include a plan for reducing curb cuts, providing cross access easements to adjacent properties, and buffering for adjacent noncommercial uses.
- K. New or existing Regional Commercial Centers shall not intrude or expand into the surrounding residential or lower-intensity uses.
- L. CC400 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

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Policy 3.14: Criteria for Commercial Development in Unincorporated Areas

- A. Existing commercial areas that are located at the intersection of a hard surfaced County Route and a state or federally designated highway should be allowed to expand if the necessary infrastructure (water, road, approved wastewater treatment facility, etc.) is available.
- B. Encourage new commercial development at key access points on major corridors only if served by adequate infrastructure, community facilities and services.
- C. The commercial gross square footage of a development shall be limited to a total of 15,000 gross square feet.
- D. The only new commercial area shall be located at the intersection of either US-56 and K-33 or US-56 and County Route 1061.

Policy 3.15: Require a Market Impact Analysis

- A. Proposals to create any shopping district that, when considering the entire node, will result in greater than 150,000 gross square feet of commercial building space shall include an independent market analysis. Initial development proposals of 50,000 gross square feet or less on any single corner are exempt from this market analysis requirement, but will be limited to one exemption per corner of the intersection. The market analysis shall adhere to all of the following criteria:
 - 1. The entity proposing the commercial project shall provide the funding of the study.
 - 2. The independent consultant that performs the market study shall be chosen by the city and agreed upon by the entity submitting the proposal for the shopping center.
 - 3. The study shall analyze the commercial proposal and provide at least the following information:
 - a. The overall viability of the proposal;
 - The validity of the proposal considering any community retail vacancy, sales/square foot and square footage/capita data as outlined in Policy 1.7;
 - c. How the proposal will impact existing commercial development in the community;
 - d. How the mix and sizes of proposed uses of the development will impact the viability of Downtown Lawrence;
 - e. A building phasing schedule based upon the community's ability to absorb the additional commercial square footage; and
 - f. Any other additional information required by the Planning Commission.

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B. 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 of greater than eight percent.

Policy 3.16: Criteria for Auto-Related Commercial Centers

- A. Auto-Related Centers shall be located at the intersection of two state or federally designated highways.
- B. Auto-Related Centers shall have a lot length-to-depth ratio between 1:1 and 3:2 and shall be a minimum of 20 acres in size.
- C. As Auto-Related Centers are located in areas that serve as "gateways" to the city, any proposal shall be closely scrutinized for architectural appearance, landscaping, signage, etc.

HORIZON 2020 6-41 COMMERCIAL

Traffic impacts continue to be a major concern in commercial developments. Ensure safe and efficient access and circulation within and around commercial areas.

GOAL 4: Transportation Considerations

Promote a multi-modal transportation system that provides or improves access and circulation within and adjacent to commercial areas.

Policy 4.1: Levels of Service

The expansion of existing or new commercial development shall not occur until the surrounding street system can provide an acceptable level of service.

Policy 4.2: Evaluate Traffic Impacts

An evaluation of the traffic impacts of a development on the surrounding area shall consider the existing and projected traffic conditions in relation to the existing transportation system. This evaluation should be based on planned improvements identified in the *Capital Improvement Plan (CIP)*, the *Comprehensive Plan*, and/or the *Long-Range Transportation Plan*. These plans shall be updated periodically to recognize changes in priorities and to add new projects with designated priorities.

Policy 4.3: Minimize Traffic Diversion

- A. Prohibit direct vehicular access from commercial developments to local residential streets.
- B. Discourage commercial traffic through residential neighborhoods.

Policy 4.4: Ensure Adequate Ingress and Egress

- A. Limit the principal access of commercial development to arterial, collector or access/frontage streets.
- B. Develop ways to improve access to downtown and other commercial centers within the community through improved bike and pedestrian paths, bus access (loading/unloading) and parking areas, public transportation, and vehicular access.

Policy 4.5: Limit Access

- A. Minimize curb cuts along arterial and collector streets.
- B. Encourage shared access between adjacent commercial developments and coordinated traffic circulation within proposed development areas.

HORIZON 2020 6-42 COMMERCIAL

C. Lot access and street configurations shall be designed to avoid curb cuts and local street intersections on arterial streets and to coordinate access with adjacent developments.

Policy 4.6: Provide Vehicular Circulation

- A. Development proposals shall provide adequate internal circulation within commercial developments that allows access to adjacent commercial buildings and commercial or mixed-use centers.
- B. Development proposals shall ensure that vehicular circulation related to a specific proposal does not rely on public streets for internal traffic circulation needs but provides circulation within the development.

Policy 4.7: Provide Pedestrian Access

- A. The city should develop a pedestrian/bicycle pathway system that provides access from the University of Kansas campus to Downtown Lawrence.
- B. Development proposals should provide safe, convenient pedestrian access to concentrated retail areas from parking areas.
- C. Development proposals should include sidewalks on one side of local streets (public and private) and both sides of collector and arterial streets.
- D. Development proposals should include pedestrian access linking developments to neighborhoods while ensuring physical separation from vehicles along both public and private streets and within parking areas.
- E. Development proposals shall give consideration to providing a safe, reasonable method for pedestrian access across major intersections.

Policy 4.8: Provide Bicycle Access

- A. Commercial development proposals should provide for interior bicycle access.
- B. The city should develop a plan to provide bicycle links between major activity generators within the community.

Policy 4.9: Encourage Convenient Parking within Commercial Areas

- A. Development proposals shall provide convenient parking for retail areas.
- B. The city and property owners should work together to develop convenient parking for short-term visitors and long-term parking areas for employees.

Policy 4.10: Utilize Outlying Parking Lots

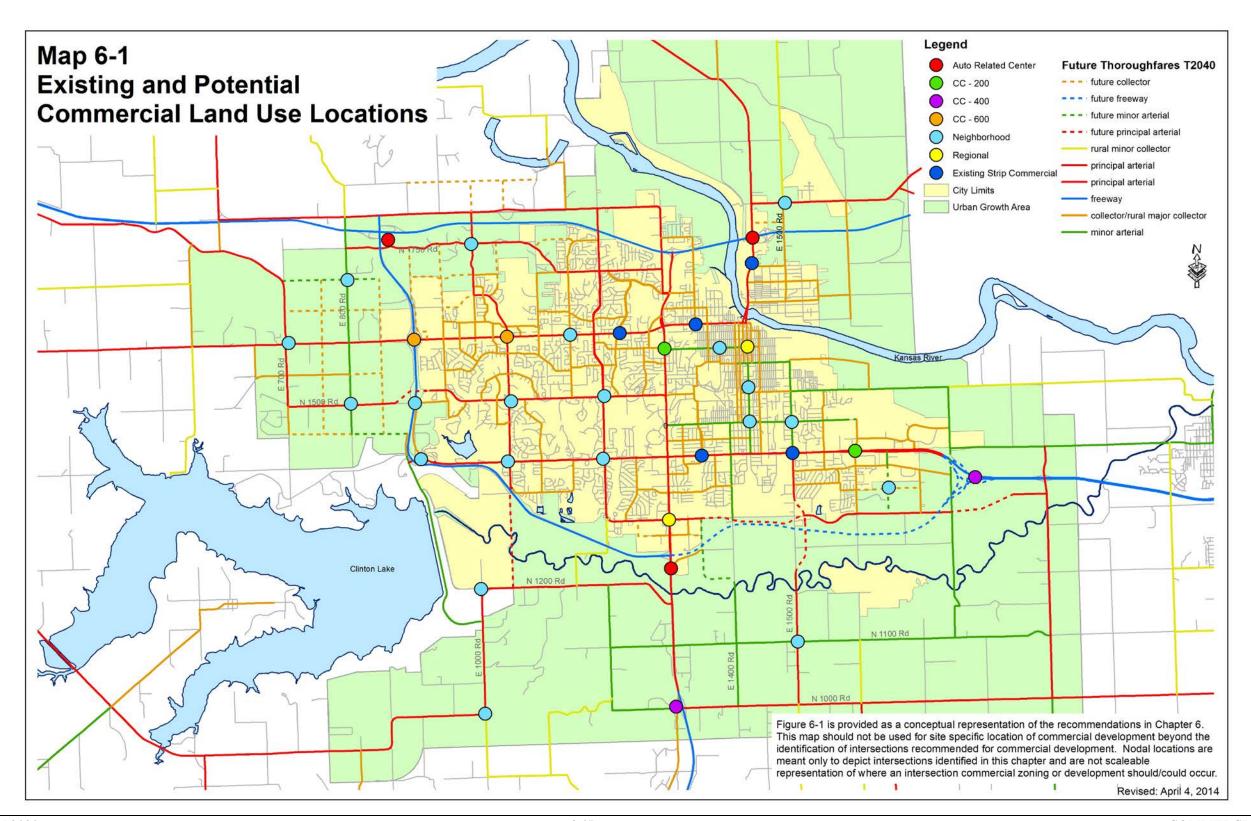
Identify potential parking areas which can serve mass transit and carpooling.

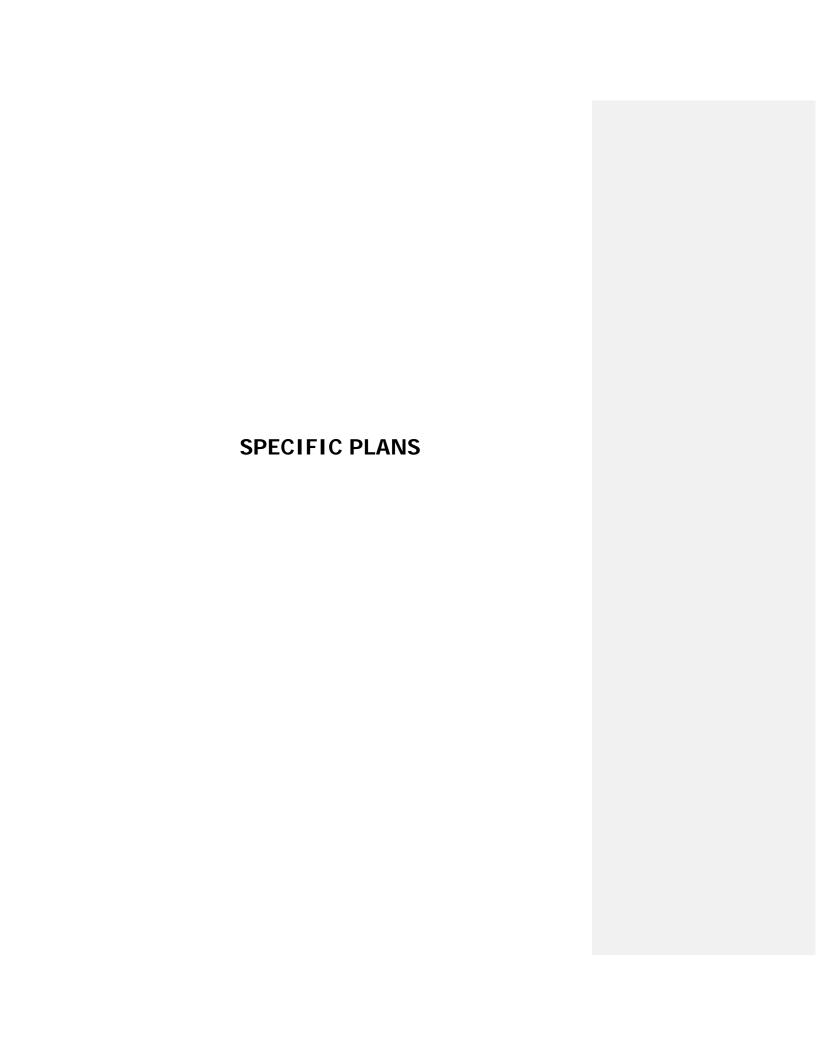
HORIZON 2020 6-43 COMMERCIAL

Policy 4.11: Ensure Adequate Truck Loading and Maneuvering Areas

Development proposals shall provide adequate loading space within a building or a side or rear yard, designed in such a way that all storage, standing and maneuvering of trucks will take place solely on private property.

HORIZON 2020 6-44 COMMERCIAL





CHAPTER FOURTEEN - SPECIFIC PLANS

Purpose

Long-range planning in an area specific manner is an important aspect of the overall community planning process. Specific plans provide the focused guidance necessary for proper decision making regarding an area's future. Chapter 14 references adopted specific plans and provides guidance, through the Hierarchy of Plans, for completing the proper type of plan for an area.

The plans referenced below have been adopted through a Comprehensive Plan process, as described on pages 17-8 and 17-9. As such, these plans are considered Comprehensive Plan policy and are an element of *Horizon 2020*. The plans are separate documents from *Horizon 2020* and can be accessed online at http://www.lawrenceks.org/pds or copies can be obtained by contacting the Lawrence-Douglas County Planning Department.

Plans prepared for specific areas, whether they are areas within the City of Lawrence or areas within unincorporated Douglas County contain detailed policy guidance for those areas. The plans, when adopted through a Comprehensive Plan process, and referenced in this chapter, become the official Comprehensive Plan policy for the respective areas. The policy contained in the plans take precedence over other policy found in *Horizon 2020*, unless specifically stated otherwise in the Plans.

Plan Review

Plans can eventually lose their relevance to a specific area. Additionally, some plans will require review to confirm if policies are being followed, goals are being met, and implementation is occurring.

Therefore, it is necessary to ensure plans are reviewed on a regular basis to update them or to rotate them out of the Comprehensive Plan if they have lost their relevance. Each plan listed below has a date which will trigger a review of that plan. Planning Staff will review the plan to determine if it meets one of the following criteria and needs the required action:

- 1. Plan remains relevant no action necessary.
- 2. Plan has been superseded by another plan remove from Chapter 14.
- 3. Plan is out of date and no longer relevant remove from Chapter 14.
- Plan requires updating staff will update and forward recommendations for Commission consideration.

Staff will report on the review of a specific plan to the Planning Commission along with a recommendation for action, if necessary. If an update is required, staff will provide the Planning Commission a plan to complete the update. A Comprehensive Plan Amendment will be required to remove a specific plan from Chapter 14 or to update a specific plan.

HORIZON 2020 14-1 SPECIFIC PLANS

Specific Plans

6th and Wakarusa Area Plan

Location: The intersection of 6th Street and Wakarusa Drive Adoption Date: December 2, 2003 by Lawrence City Commission

July 10, 2012 by Lawrence City Commission

May 13, 2014 by Lawrence City Commission

REVISED

February 17, 2015 by Lawrence City Commission

Review Date: 2017

HOP District Plan

Location: Bordered by W. 5th St. on the north, California St. on the west, W. 7th

St. on the south and Alabama St. on the east.

Adoption Date: May 10, 2005 by Lawrence City Commission

Review Date: 2010

Burroughs Creek Corridor Plan

Location: Area around the former BNSF railroad corridor between E. 9th St. and

Adoption Date: February 14, 2006 by Lawrence City Commission

Review Date: 2011

• East Lawrence Neighborhood Revitalization Plan

Location: Bordered by the Kansas River on the North; Rhode Island Street from the Kansas River to E. 9th Street, New Hampshire Street from E. 9th Street to approximately E. 11th Street, Massachusetts Street from approximately E. 11th Street to E. 15th Street on the west; E. 15th

Street on the south; BNSF railroad on the east.

Adoption Date: November 21, 2000 by Lawrence City Commission

Review Date: 2010

Revised Southern Development Plan

Location: Bounded roughly to the north by W. 31st Street and the properties north of W. 31st Street between Ousdahl Road and Louisiana Street; to the west by E. 1150 Road extended(Kasold Drive); to the south by the north side of the Wakarusa River; and to the east by E. 1500

Road (Haskell Avenue).

Adoption Date: December 18, 2007 by Lawrence City Commission

January 7, 2008 by Douglas County Board of Commissioners

June 18, 2013 by Lawrence City Commission

June 12, 2013 by Douglas County Board of Commissioners

REVISED

<DATE PENDING> by Lawrence City Commission

<DATE PENDING> by Douglas County Board ofCommissioners

Review Date: 2017

Southeast Area Plan

Location: Bounded roughly to the north by E. 23rd Street/K-10 Highway; to the west by O'Connell Road; to the south by the northern boundary of the FEMA designated floodplain for the Wakarusa River; and to the east

by E. 1750 Road (Noria Road).

Adoption Date: January 8, 2008 by Lawrence City Commission

January 28, 2008 by the Douglas County Board of

Commissioners

REVISED

June 14, 2008 by Lawrence City Commission

July 24, 2008 by Douglas County Board of Commissioners

REVISED

October 7, 2008 by Lawrence City Commission

November 10, 2008 by Douglas County Board o

Commissioners

UPDATED

September 27, 2011 by Lawrence City Commission

November 11, 2011 by Douglas County Board of

Commissioners

Review Date: 2021

Farmland Industries Redevelopment Plan

Location: The former Farmland Industries property is located east of Lawrence along K-10 Highway and just west of the East Hills Business Park. It is approximately one half mile south of the Kansas River.

Adoption Date: March 11, 2008 by Lawrence City Commission

March 31, 2008 by Douglas County Board of Commissioners

Review Date: 2013

K-10 & Farmer's Turnpike Plan

Location: Generally located around the intersection of I-70 and K-10 and to the east approximately four miles.

east approximately four fillies.

Adoption Date: December 9, 2008 by Lawrence City Commission

January 7, 2009 by Douglas County Board of Commissioners

Review Date: 2019

nonon bato. 2019

Lawrence SmartCode Infill Plan

Location: General areas are: 19th St. and Haskell Ave., 23rd St. and Louisiana St.

Adoption Date: January 27, 2009 by Lawrence City Commission

February 23, 2009 by Douglas County Board of Commissioners

HORIZON 2020 14-3 SPECIFIC PLANS

Review Date: 2019

West of K-10 Plan

Location: Generally located north and south of Highway 40 and west of K-10

Highway. It does contain some land east of K-10 Highway

Adoption Date: June 9, 2009 by Lawrence City Commission

May 6, 2009 by Douglas County Board of Commissioners

REVISED

March 26, 2013 by Lawrence City Commission

April 10, 2013 by Douglas County Board of Commissioners

Review Date: 2019

Oread Neighborhood Plan

Location: Generally located between W. 9th Street and W. 17th Street and

between the KU campus and Massachusetts Street.

Adoption Date: September 28, 2010 by Lawrence City Commission

Review Date: 2020

Inverness Park District Plan

Location: Generally located south of Clinton Parkway between Inverness and

Crossgate Drives, and north of K-10 Highway.

Adoption Date: September 20, 2011 by Lawrence City Commission

November 12, 2011 by Douglas County Board of

Commissioners

REVISED

May 15, 2012 by Lawrence City Commission

June 13, 2012 by Douglas County Board of Commissioners

Review Date: 2021

Northeast Sector Plan

Location: Generally located north and east of Lawrence and north of the Kansas

River to the Douglas County line.

Adoption Date: September 11, 2012 by Lawrence City Commission

June 13, 2012 by Douglas County Board of Commissioners

Review Date: 2022

Revised Southern Development Plan

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

REVISED

Lawrence-Douglas County Planning Commission Approved 5/20/13
Lawrence City Commission 6/18/13
Board of County Commissions Approved 6/12/13

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INTRODUCTION

Background and Purpose

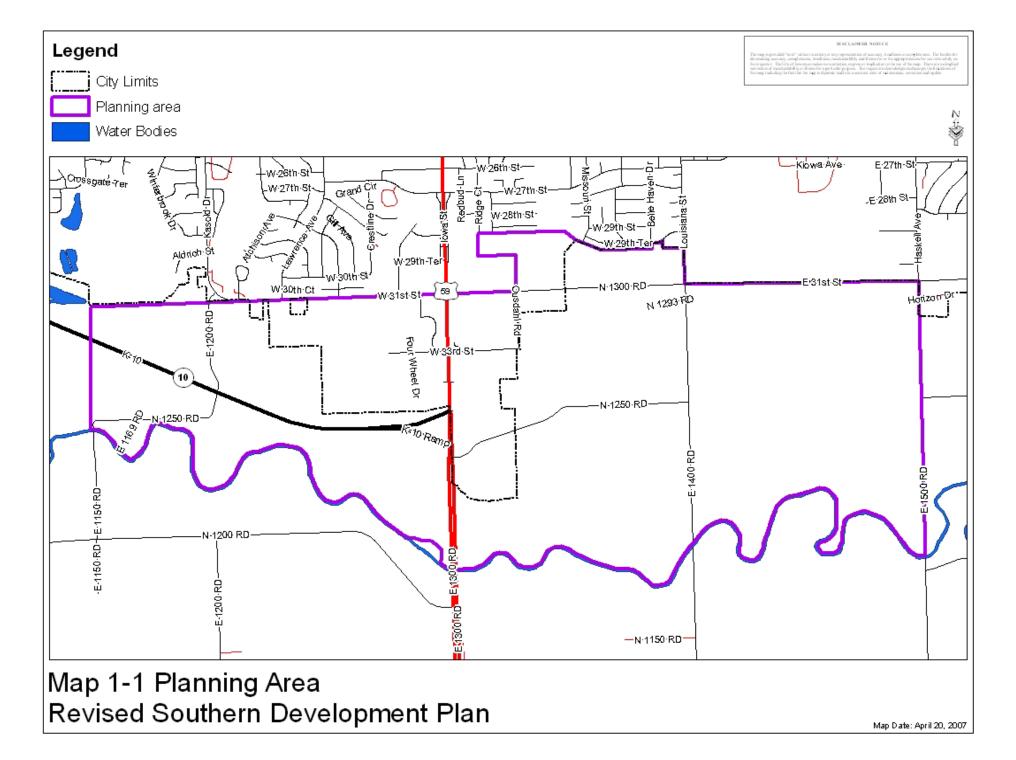
The original Southern Development Plan was adopted March 1, 1994 by the Lawrence City Commission. This plan covered an area roughly bounded on the north by W. 31st Street, to the west by Kasold Drive, to the south by the north bank of the Wakarusa River, and to the east by Louisiana Street. This land 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).



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.

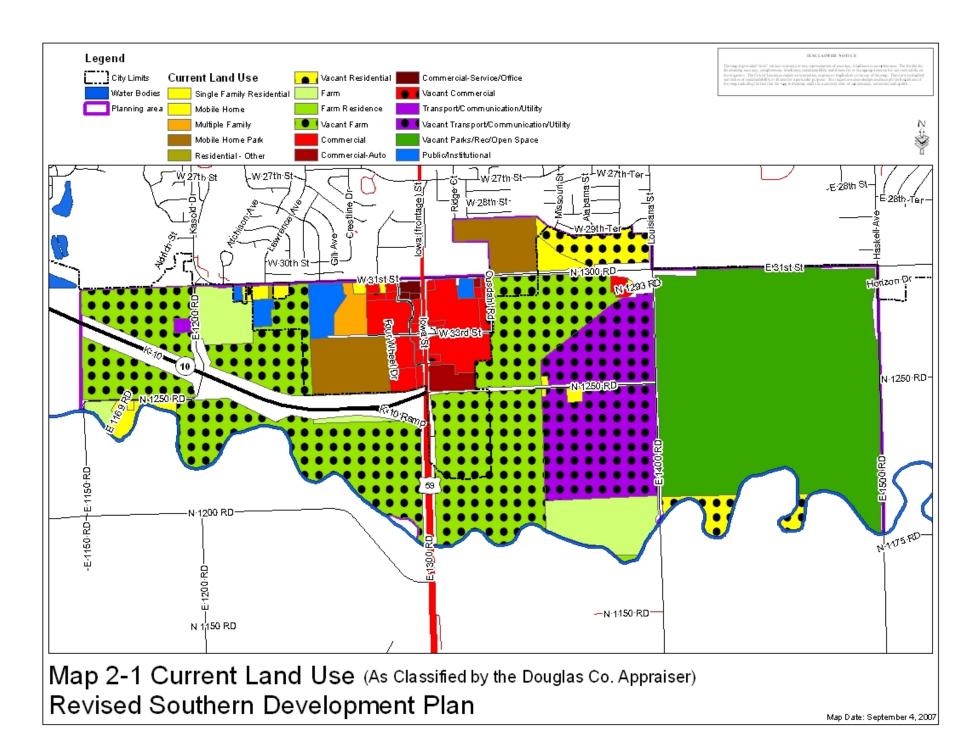
EXISTING CONDITIONS

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.

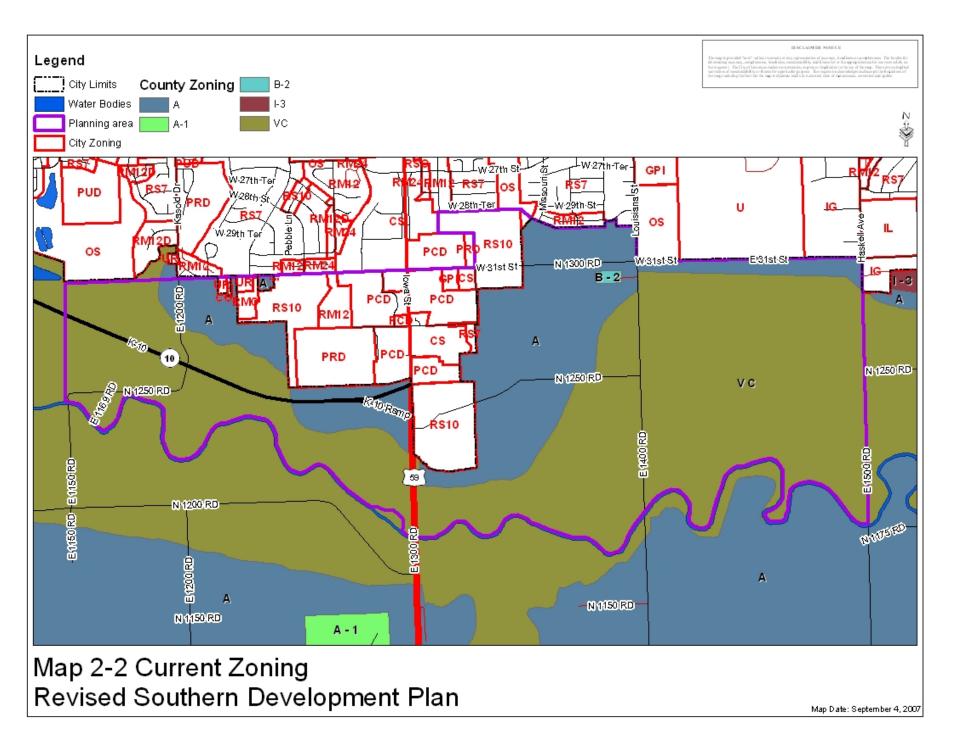
The *Revised Southern Development Plan* planning area is located partially in the county and partially within the city. Map 2-2 shows the current zoning designations and the tables below describe the map designations.

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
СО	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
А	Agricultural District	Agriculture
B-2	General Business District	N/A
V-C	Valley Channel District	N/A



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

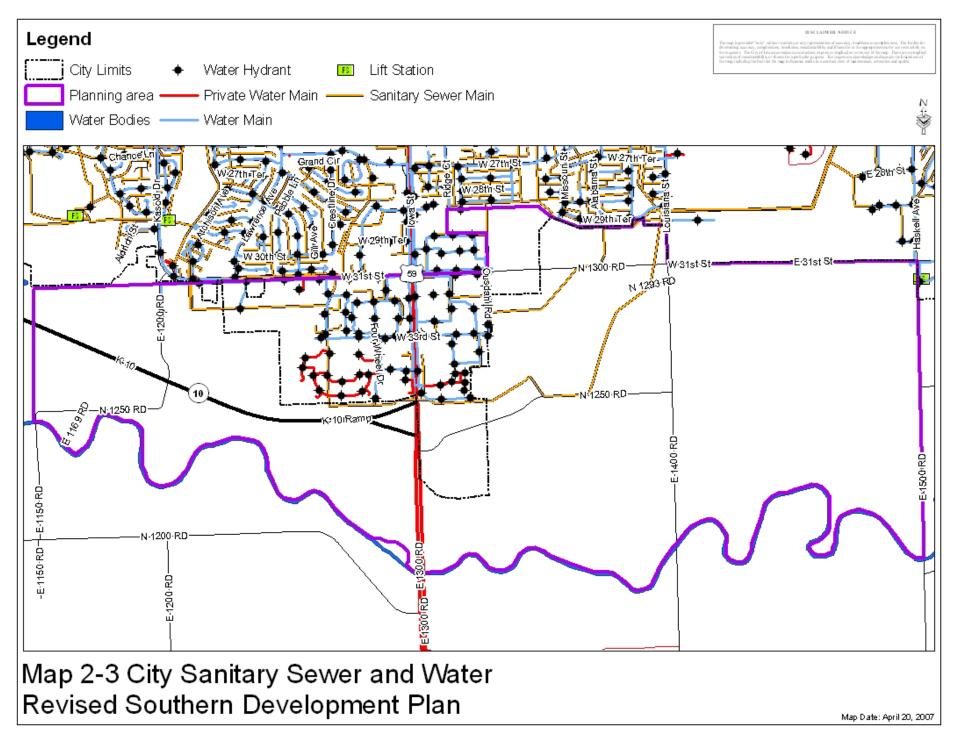
City sanitary sewer is supplied to most of the planning area that is within the city limits and to limited areas in the county. The portions of the planning area located in the county that are not serviced by City sanitary sewer are serviced by private septic systems. The City sanitary sewer lines are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

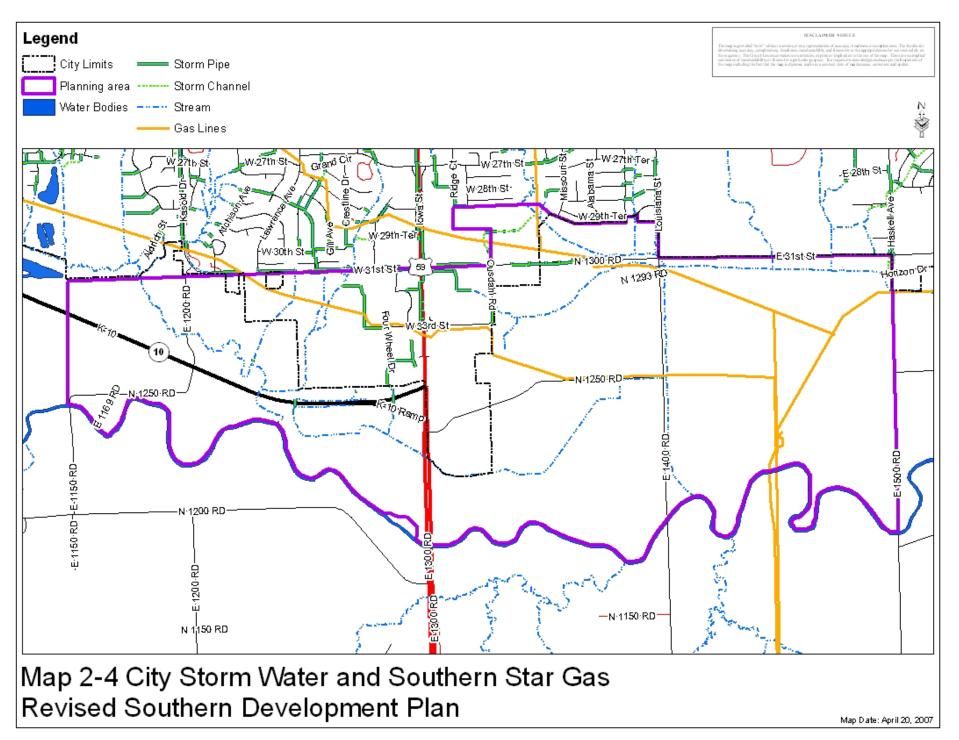
Storm Sewer

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

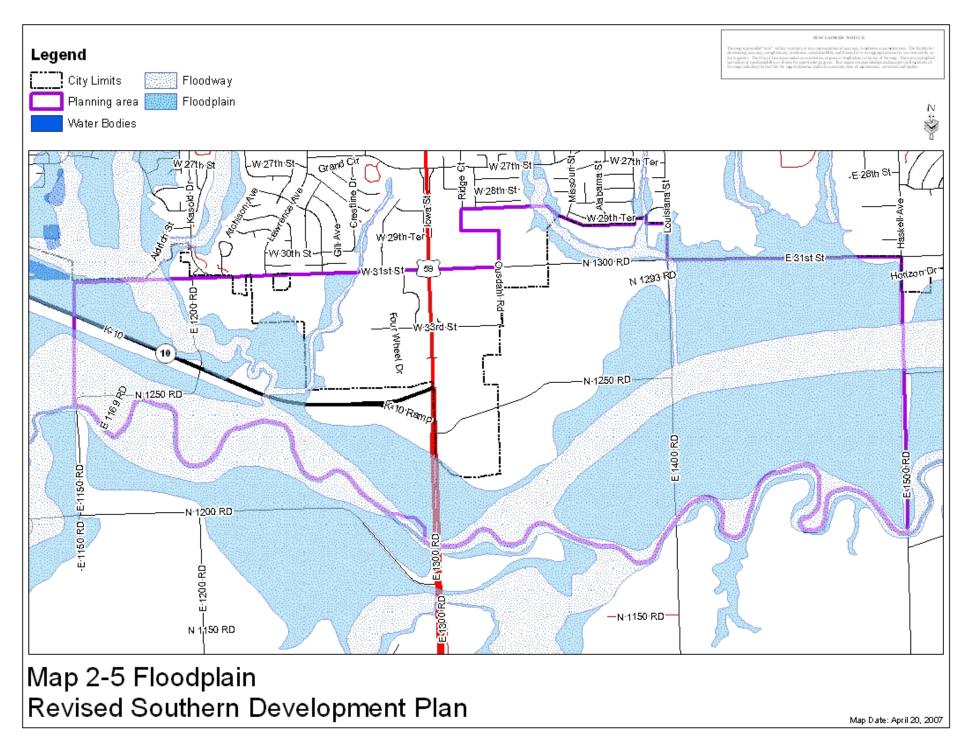
Southern Star Gas has pipes that pass though a large portion of the planning area. These pipelines are shown on Map 2-4.





Floodplain

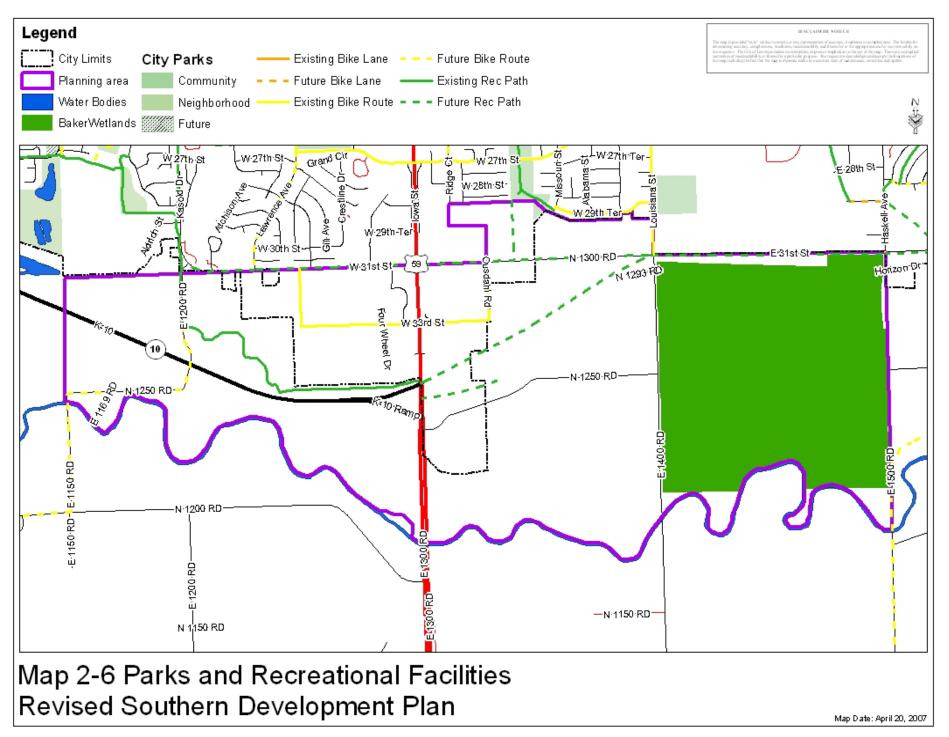
The FEMA (Federal Emergency Management Agency) designated special flood hazard area makes up a large portion of the *Revised Southern Development Plan* planning area and is shown on Map 2-5. Of the total 2,260 acres within the planning area, 1,464 acres are located within the floodplain and/or the floodway.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



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.



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.

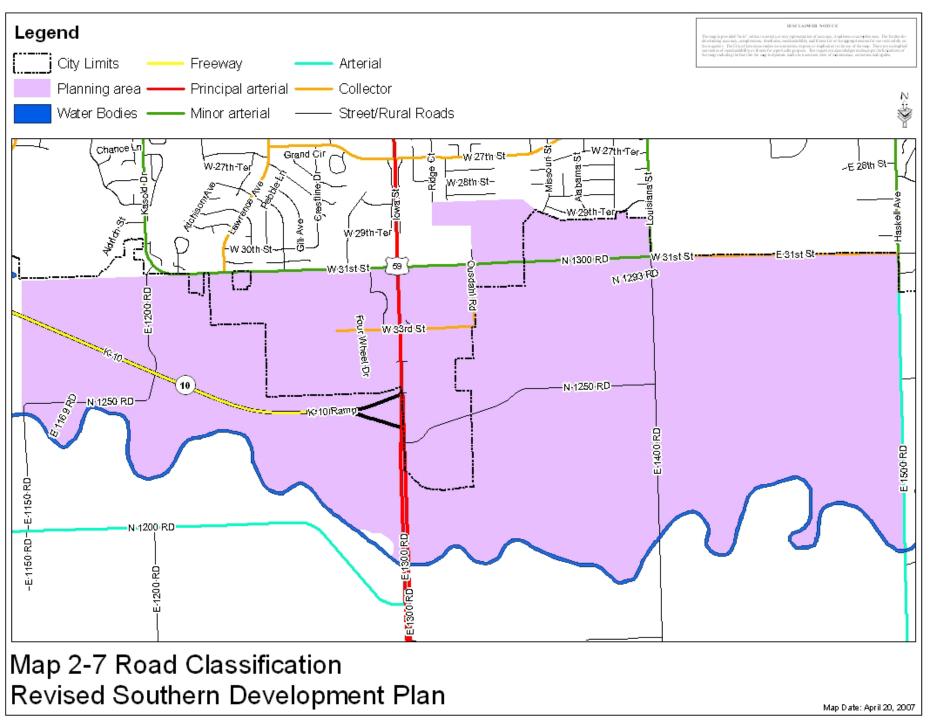
The planning area for the *Revised Southern Development Plan* includes all the *Transportation 2025* identified gateways into Lawrence from the south. S. Iowa Street/Hwy 59 is identified as a major gateway, and Louisiana Street /E. 1400 Road and Haskell Avenue/E. 1500 Road are identified as minor gateways.

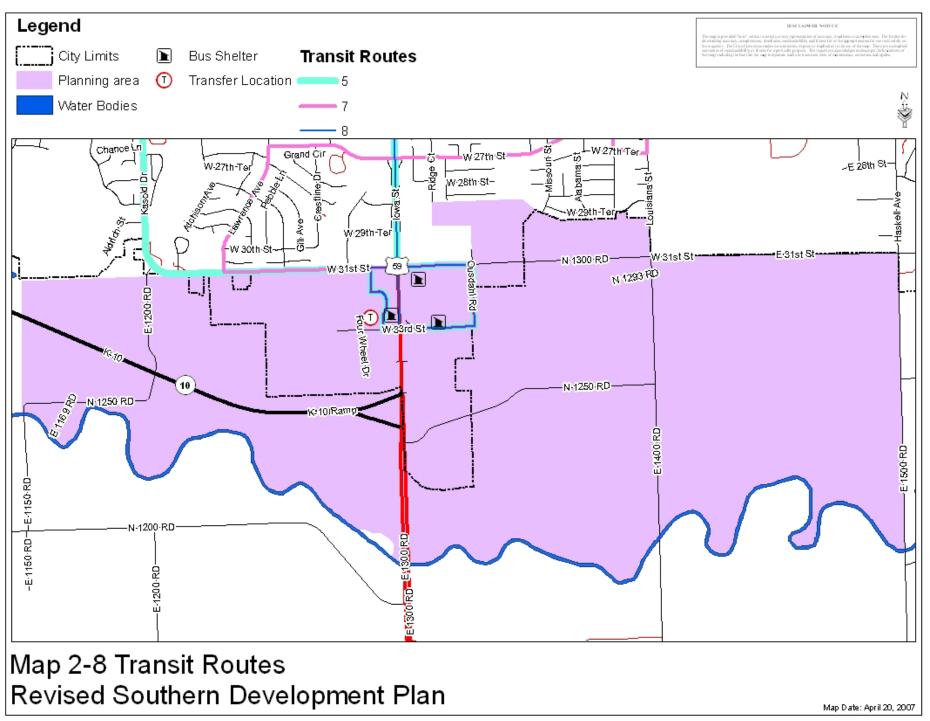
Transportation 2025 identifies the South Lawrence Traffic Way (SLT/K-10) and S. Iowa Street/Hwy 59 as truck routes.

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.





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 north and west of the intersection of Louisiana Street and W. 31st Street, north of the floodplain.
- 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

<u>Traditional Neighborhood Development (TND)</u>:

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 autorelated 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 to the floodplain of Iowa Street/Hwy 59. (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:

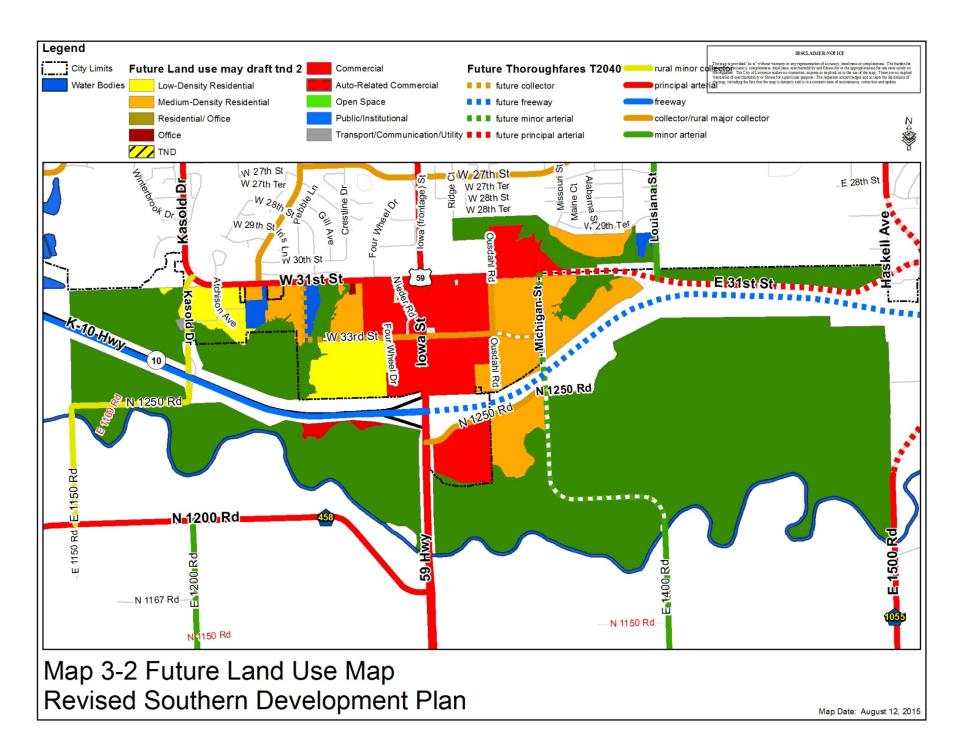
The intent of the public/institutional use is to allow for public and civic uses, recreational facilities, and utility uses.

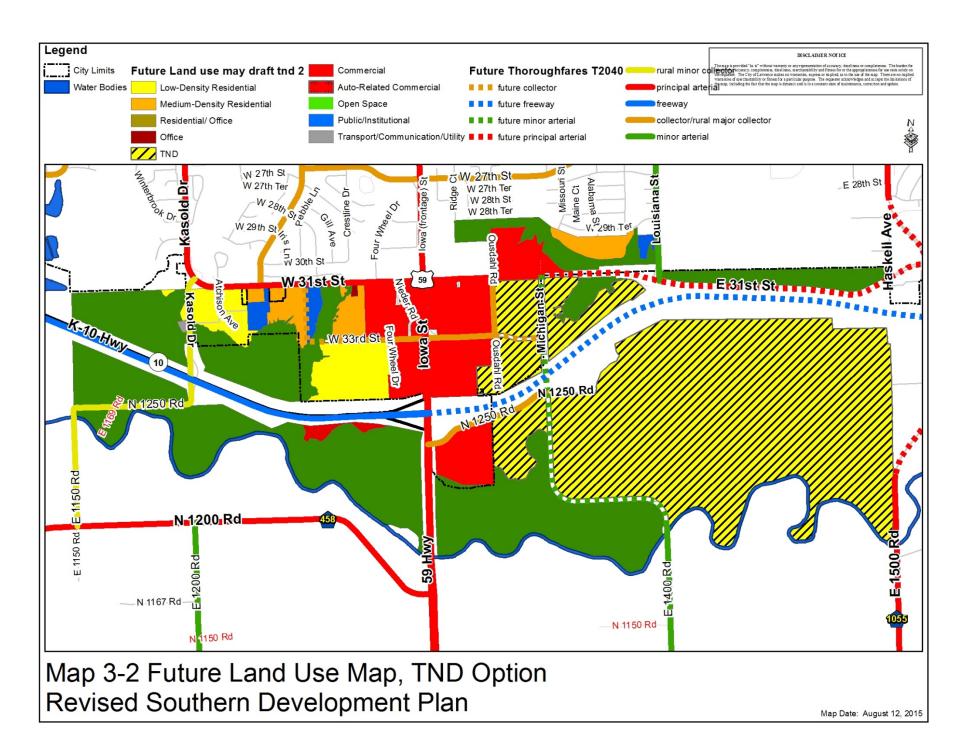
Intensity: Variable Applicable Areas:

- 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.
- Property at the northwest corner of W. 31st and Louisiana Streets.

Zoning Districts: GPI (General Public and Institutional)

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





Policies

<u>General</u>

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

- 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 selfcontained 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.

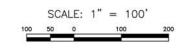
















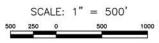
















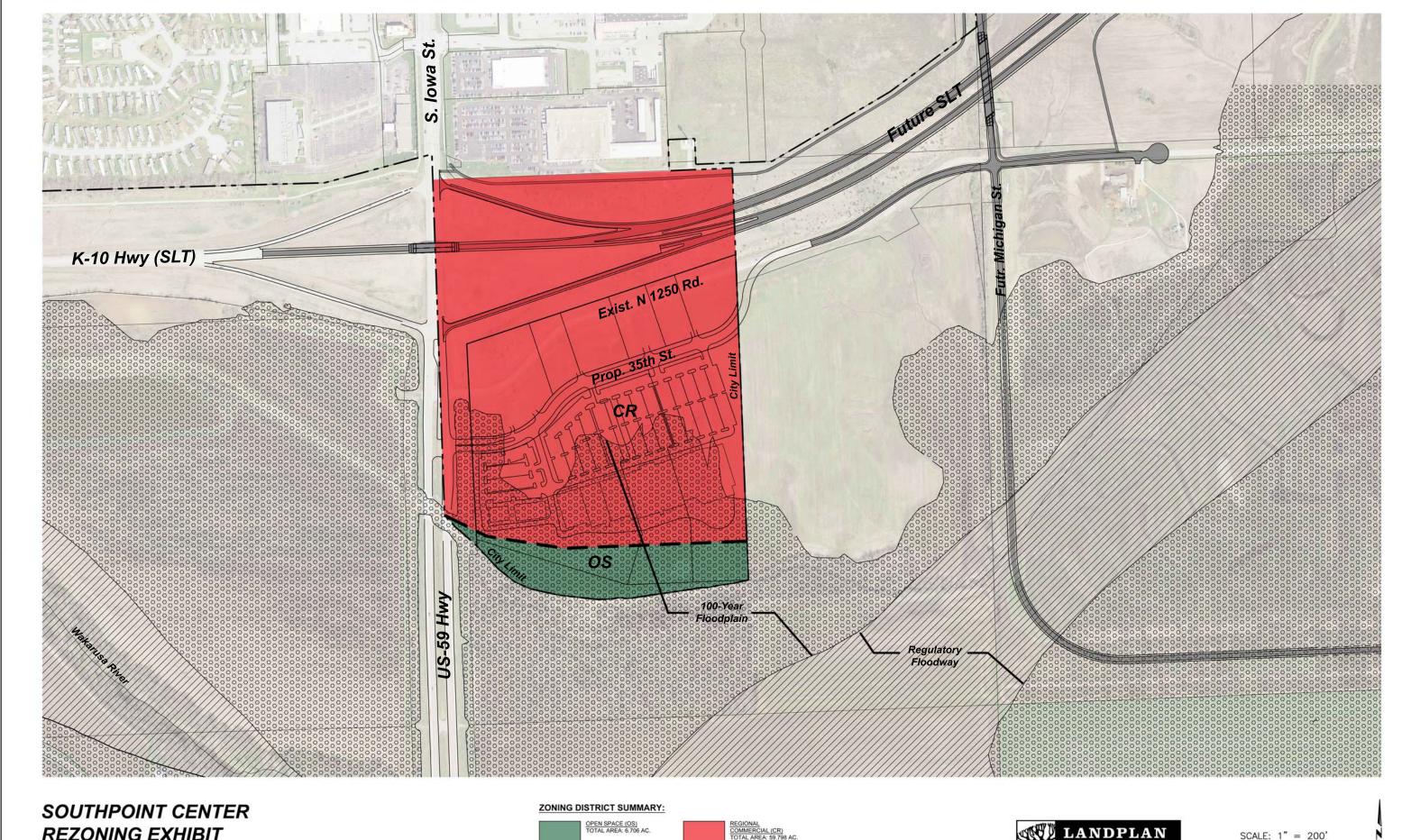










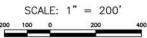


REZONING EXHIBIT









Southpoint Retail Market Study Lawrence, Douglas County, Kansas

August 14, 2015

Prepared by

RICHARD CAPLAN & ASSOCIATES

609 w. 70th Street

Kansas City, MO 64113

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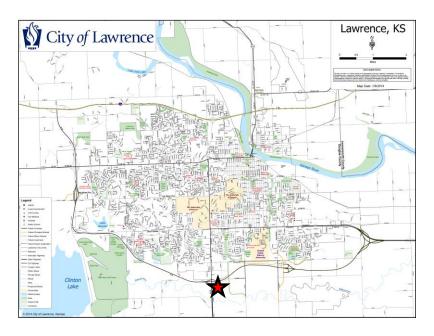
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Executive Summary

A retail market study has been prepared on behalf of Collett for the company's commercial center, Southpoint, planned on South Iowa Street at K-10/South Lawrence Trafficway in Lawrence, Kansas scheduled for opening in 2017.

Southpoint will offer the Lawrence market area national retail companies that currently do not have a retail outlet in Lawrence. These businesses will occupy at least one-half of the retail space at Southpoint. However, as a result of their addition to the Douglas County market, Douglas County and Lawrence will be able to increase its retail sales capture rate (pull factor) through new and expanded retail offerings and attract shoppers who historically spend a portion of their retail dollars outside of Douglas County.

Southpoint Center Locational Map, Lawrence, Douglas County



The Southpoint project also plans to accommodate one existing retail establishments in Lawrence. Their relocation to Southpoint offers this business building space that is more tailored to their operations as well as an easily accessible location to all Douglas County residents.

In summary, the results of this retail market study quantify the following key economic indicators:

- I. The amount and type of retail sales leakage occurring in Douglas County;
- II. The projected amount of retail sales generated by Southpoint (see Table A on the following page);
- III. The net projected retail sales impact on the City of Lawrence; and
- IV. An analysis of the projected impact of Southpoint on Douglas County and the City of Lawrence's pull factors and commercial vacancy rate.

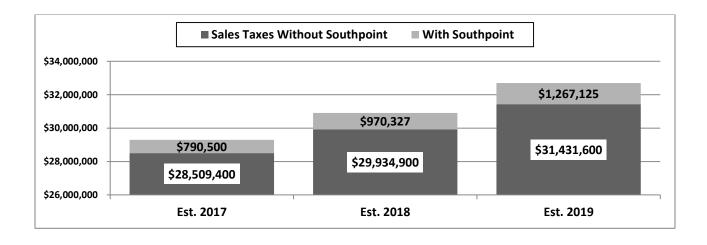
Based on the findings of this analysis, Southpoint will generate approximately \$1,267,125 in additional sales tax revenue to the City of Lawrence upon build out in 2019 and increase the city's retail pull factor from 1.07 to 1.11 as summarized in the following Table A and described in detail in this market study.

Table A

<u>Projected Lawrence Retail Sales Taxes and Pull Factor 2010 – 2020</u>

Year	Actual / Projected Sales Taxes (@ 1.55%)	Plus: Southpoint Net Sales Taxes	Revised Total Sales Taxes <u>with</u> Southpoint	Existing / Projected Pull Factor
2011	\$ 21,812,424	\$ -	\$ -	1.02
2012	\$ 22,906,979	\$ -	\$ -	1.07
2013	\$ 23,347,479	\$ -	\$ -	1.07
2014	\$ 24,627,520	\$ -	\$ -	1.07
2015 (Budget)	\$25,858,896	\$ -	\$ -	N/A
Est. 2016	\$27,15,800	\$ -	\$ -	1.07
Est. 2017	\$28,509,400	\$790,500	\$29,299,900	1.10
Est. 2018	\$29,934,900	\$970,327 \$30,905,227		1.10
Est. 2019	\$31,431,600	\$1,267,125	\$32,698,725	1.11
% Change 2017 - 2019	15.0%	N/A	20.4%	4.0%

Source: City of Lawrence; RICHARD CAPLAN & ASSOCIATES.



I. Douglas County Retail Sales Analysis

An analysis of Lawrence and Douglas County, Kansas retail sales has been performed that quantifies the retail sales leakage by major retail categories. The results of these findings are beneficial in strategically planning for those businesses committed to Southpoint, potential retail tenants being solicited by Collett and existing businesses seeking expansion in Douglas County. These findings also will result in the City of Lawrence and Douglas County increasing their retail pull factors and local sales

as discussed in greater detail in Section II of this market study.

Southpoint Market Area

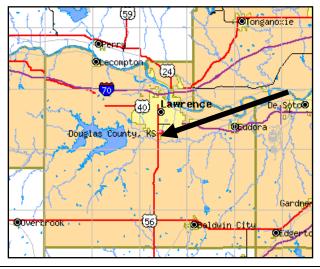
This analysis utilized Douglas County retail sales data since the county provides a more comprehensive insight into the potential retail for Southpoint. The primary market area for Southpoint is all of Douglas County, Kansas, not only the City of Lawrence.

Southpoint market area is based on a combination of the following factors:

- The presence of national retailers, many not currently serving Douglas County shoppers;
- The size and mix of new tenants of the center;
- The central location within Douglas County;
- The South Iowa Street location adjacent to the Lawrence's largest commercial district;
 and
- The visibility and direct access to the site from K-10/South Lawrence Trafficway and U.S. 59 Highway providing easy access and visibility to all Douglas County residents.

Southpoint will also attract some shoppers from Franklin County, located south of the site on U.S. Highway 59 and others who will utilize the new K-10/South Lawrence Trafficway between Topeka to the west and Johnson County, Kansas to the east.

Douglas County, Kansas: Southpoint Site



Retail Sales Categories

Retail sales are paid to and reported by the Kansas Department of Revenue according to the standardized NAICS (North American Industry Classification System). There are 11 major retail reporting categories. These categories and the most common type of retail establishments found in each category are presented in the following Table I-A ("NAICS Retail Classifications").

Table I - A NAICS Retail Classifications

Code	Sector	Businesses in the Subsector
441	Motor Vehicle and	New car dealers, Used car dealers, Recreational vehicle dealers,
	Parts Dealers	Motorcycle, boat, and other motor vehicles, parts and tire stores
442	Furniture and	Furniture and home furnishings stores, floor covering stores and Window
	Home Furnishings	treatment stores
443	Electronics and	Electronics and appliance stores, Computer and software stores, camera
	Appliances	and photographic supplies stores
444	Building Materials	Building material and garden equipment and supplies dealers, Home
	and Garden	centers, Paint and wallpaper stores, Hardware stores, Lawn and garden
	Equipment	equipment, Nurseries, garden center, and farm supply stores
445	Food and	Grocery stores, Supermarkets, Convenience stores, Specialty food
	Beverage	stores, Meat markets, Baked goods stores, Confectionery and nut
		stores; Beer, wine, and liquor stores
446	Health and	Pharmacies and drug stores, Cosmetics, beauty supplies, and perfume
	Personal Care	stores, Optical goods stores and food (health) supplement stores
447	Gasoline	Gasoline stations and stations with convenience stores
448	Clothing	Clothing and clothing accessories stores; Men's clothing stores;
		Women's clothing stores; Children's and infants' clothing stores; shoe
		stores, jewelry, luggage, and leather goods stores
451	Sporting Goods,	Sporting goods stores, Hobby, toy, and game stores, Sewing,
	Hobby and Books	needlework, Musical instrument and supplies stores, Book, periodical,
		and music stores, News dealers, Compact disc and dvd stores
452	General	Department stores, Discount department stores, Warehouse clubs,
	Merchandise	Florists, Office supplies, stationery, gift, novelty stores, Used
		merchandise, Pet, pet supplies, Art dealers & Tobacco stores
722	Food and	Meals, snacks, and beverages to customers for immediate on-premises
	Drinking Places	and off-premises consumption, drinking places

Source: U.S. Census.

Eight of the retail categories are planned to be located in Southpoint. The retail uses not planned to be tenants in Southpoint are well represented north of Southpoint along the South lowa Street corridor, as well as elsewhere in Lawrence. Category 444 will be well served by the addition of Menards to the Lawrence market in 2015.

Douglas County Retail Sales Leakage by Category

In order to perform this leakage analysis, sales tax data reported to the State of Kansas was analyzed for 2012. The pull factor for Douglas County in 2013 and 2014 has remained the same as 2012.

Douglas County has a retail pull factor of 0.91. This pull factor, analyzed in Section III, indicates that \$0.09 cents of every Douglas County retail dollar is spent outside of the county. In summary, this analysis finds that only four retail categories exceeded the 0.91 retail pull factor for the county. (See Table & Graph I – B "Douglas County Retail Pull Factors by Category.") More importantly, only two retail categories exceeded 1.00 retail pull factor, indicating an inflow of dollars into the county. Altogether, this leakage offers an opportunity for retail growth, especially among those sectors where the sales leakage is greatest.

Not surprisingly, Douglas County's two retail pull factors over 1.00 can be attributed to the demographic fact that Lawrence is home to more than 24,400 University of Kansas students, as well as full-time university students at Haskell Indian Nations University (student enrollment 1,000) and Baker University (student enrollment 3,280) also in Douglas County in nearby Baldwin City. More specifically,

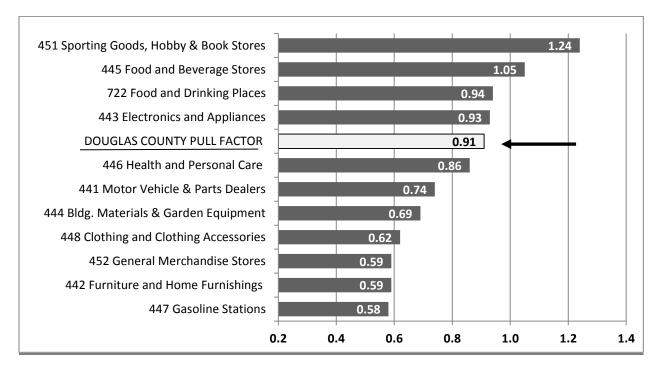
- Food and Beverage Stores (NAICS 445) has a pull factor of 1.05.
 - This sales factor is greatly influenced by university students who buy groceries and beverages. Furthermore, many students are, in fact, not accounted for in the Douglas County official population but rather counted by the U.S. Census in their permanent place of residence when it is not Douglas County. This does not reflect itself in the sales expenditure data but impacts the pull factor. The precise number of full-time college students not accounted for in Douglas County is uncertain.
- Sporting Goods, Hobby and Book Stores (NACIS 451) has a pull factor of 1.24.
 This category's high pull factor is due to the inclusion of book stores. Given the quantity and prices of college text books, as well as related materials sold to college students, this high pull fact is to be expected. Analysis of confidential information in this category indicates that the retail sales attributed to sporting goods and hobby related expenditures are below 1.00.

The other nine retail categories presented in the following table (Table I-B – "Douglas County Retail Pull Factors by Category") and depicted in the accompanying graph reflect opportunities for real retail expansion in Lawrence and Douglas County achieved, in part, by the introduction into the market of a greater selection of goods and products in these retail areas.

Table I - B & Graph

<u>Douglas County Retail Pull Factors by Category 2012</u>

NAICS Category	State Taxes Collected Per Capita (@ 1%)	1% Douglas County Sales Taxes Collected Per Capita	Douglas County Retail Pull Factor
441 Motor Vehicle and Parts Dealers	\$137.	\$101.	0.74
442 Furniture and Home Furnishings Stores	\$23.	\$14.	0.59
443 Electronics and Appliance Stores	\$18.	\$16.	0.93
444 Building Materials, Garden Equipment	\$60.	\$41.	0.69
445 Food and Beverage Stores	\$94.	\$99.	1.05
446 Health and Personal Care Stores	\$14.	\$12.	0.86
447 Gasoline Stations	\$27.	\$15.	0.58
448 Clothing and Clothing Accessories Stores	\$35.	\$22.	0.62
451 Sporting Goods, Hobby, Musical Instruments, and Book Stores	\$21.	\$26.	1.24
452 General Merchandise Stores	\$165.	\$97	0.59
722 Food and Drinking Places	\$94.	\$88.	0.94
TOTAL	\$608.	\$553.	0.91



The sectors with the lowest pull factors in Douglas County offer real potential sales that can be achieved with increased product availability and selection.

II. Southpoint Projected Retail Sales

Upon full build out in 2019, Southpoint is planned to have 247,000 square feet of commercial use which includes 18,000 square feet of office users. The following rendering displays the site plan and the square footage for each site, space or building. Southpoint is planned to contain a mix of 19 commercial businesses. These 19 businesses include the relocation of one existing establishment to Southpoint. (See Table II-A – "Southpoint Tenant Mix by Category and Size") This business will occupy one of the anchor sites and may result in an interim increase of vacant square feet to the Lawrence retail inventory, at least on a temporary basis. The Lawrence market has routinely refilled prime retail spaces vacated due to a variety of market factors.

Table II - A
Southpoint Tenant Mix by Category and Size

NAISC	Category	Number in Southpoint	Total Square Feet Planned	Opening Year(s)
441	Motor Vehicle and Parts Dealers	None	N/A	N/A
442	Furniture and Home Furnishings	2	28,000	2017, 2019
443	Electronics and Appliances	None	N/A	N/A
444	Bldg. Materials & Garden Eqpmnt.	None	N/A	N / A
445	Food and Beverage	2	22,300	2018, 2019
446	Health and Personal Care	1	1,900	2018
447	Gasoline Station with C-Store	None	N/A	N / A
448	Clothing Stores	3	24,900	2017, 2018, 2019
451	Sporting Goods, Hobby & Books	2	117,000	2017
452	General Merchandise	2	17,500	2018
722	Food and Drinking Places (3 sit down restaurants; 2 fast food establishments)	5	30,500	2017, 2018, 2019
Other: 523	Office uses, Medical offices	2	4,900	2018, 2019
TOTAL		8 Categories; 19 businesses (a)	247,000 Sq. feet	-

⁽a) Includes one existing Lawrence establishment.

Source: Collett; RICHARD CAPLAN & ASSOCIATES.

SOUTHPOINT CENTER CONCEPT PLAN FINANCE OF THE PROPERTY OF THE

Southpoint Site Plan

Projected Retail Sales

Southpoint is projected to result in a net increase of over \$60 million in retail sales to Lawrence and Douglas County. (See Table II–E "Southpoint Projected Retail Sales").

Sales for the retailers are based on the proposed tenant list and projected other uses provided on a confidential basis for this study by Collett. These sales projections incorporate a combination of the following economic and market factors:

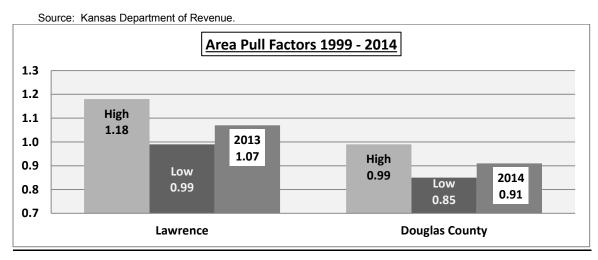
- Average store data published for those Southpoint tenants that are publicly owned companies as reported in the company's most recent SEC filing;
- Confidential data provided to Collett by several of the national retailers that have committed to locate in the Southpoint project;
- Historical retail sales trends for Lawrence and Douglas County including number and reported retail sales of the retailers already in Douglas County;
- Retail industry averages by category as published by the Urban Land Institute's <u>Dollar</u> and Cents of Shopping Centers;
- Key Douglas County and Lawrence demographic trends and conditions especially population growth and per capita income; and

Recapturing Douglas County retail sales leakage described on the following pages
offering a combination of new national retailers to the community and expanding the
selection of goods and products to residents.

The local retail pull factors are significant in that <u>Douglas County remains below 1.00</u>, a balanced retail sales threshold, declining to 0.91 in 2012 from a peak of 0.99 in 2005, and the City of Lawrence has declined 10.2% from its pull factor peak of 1.18 indicating retail sales dollars are increasingly leaving Douglas County. These figures reflect the potential for both the city and county to return, in not exceed, their high pull factor levels recorded in the last decade.

Table II - B
City of Lawrence and Douglas County Retail Pull Factors 2000 – 2013

Year	City of Lawrence Pull Factor	Douglas County Pull Factor
2000	1.13	0.93
2001	1.18	0.93
2002	1.13	0.92
2003	1.08	0.93
2004	1.11	0.96
2005	1.11	0.99
2006	1.12	0.97
2007	1.02	0.87
2008	0.99	0.85
2009	0.99	0.85
2010	1.02	0.86
2012	1.07	0.91
2013	1.07	0.91
2014	N / A	0.91
Range 2000 – 2014: Highest Level Lowest Level	1.18 0.99	0.99 0.85
2013/14 Difference from Highest Pull Factor Level	(10.2%)	(9.9%)



Douglas County leaks 9% of its retail sales. Furthermore, although Douglas County is the 5th most populated county in Kansas, it ranks 6th among the 10 most populated counties in Kansas. (See Table II-C – "Pull Factors for Kansas 10 Most Populated Counties 2014")

Table II – C
Pull Factors for Kansas' 10 Most Populated Counties 2014

Pull Factor Rank	Kansas County	2014 Population	FY 2014 Retail Pull Factor
1	Saline	55,755	1.32
2	Johnson	574.272	1.28
3	Sedgwick	gwick 508,803	
4	Shawnee	178,406	1.04
5	Reno	63,794	1.03
6	Douglas	116,585	0.91
7	Wyandotte	168,036	0.88
8	Riley	75,195	0.77
9	Butler	66,208	0.73
10	Leavenworth	78,979	0.54

Source: U.S. Census; Kansas Department of Revenue.

There is significant opportunity to increase Lawrence's retail sales. In 2013, the City of Lawrence's retail pull factor is lower than seven Kansas cities nearest to Lawrence in population. Lawrence's pull factor is 8th among the 10 mid-size populated cities in Kansas (cities with a population between 30,000 and 120,000 persons). Lawrence's retail pull factor is ranked 17th among the State of Kansas' 25 1st class cities. Consequently, retail sales in Lawrence and Douglas County have the potential to grow by approximately 10%. This growth is achievable as it reflects past pull factors reached by both the City of Lawrence and Douglas County.

In conclusion, because Lawrence is the employment center for Douglas County, is located at the convergence of all major highways in Douglas County and houses 79% of the county's population, the city and county have the potential to grow their retail base and recapture the county's sales leakage. Based on the realistic opportunity for Lawrence and Douglas County to grow their retail pull factors based on past sales levels and through the addition of national name brands add to the local market, **Southpoint will add approximately \$81.7 million in sales to the local economy upon full opening of the development.** The projected phasing for the opening of the Southpoint from 2017 until 2019 is summarized in the following Table II - D.

Table II – D
Southpoint Square Feet by Year and Projected Retail Sales & Sales Tax Receipts

Year Opened	No. of Businesses	Square Feet Open	Projected Sales (in Opening Year)	Projected Sales in 2019 (100% Open)
2017	5	168,500	\$51,000,000	\$56,330,000
2018	6	190,600	\$9,001,000	\$9,510,000
2019	8	247,000	\$15,900,000	\$15,910,000
Less Net from Relocation	N/A	(Confidential)	(~\$13,000,000)	N / A
NET TOTAL SALES 19 247,000 N / A				\$81,750,000
City of Lawrence Sales Tax	\$1,267,125			

III. Southpoint Projected Sales Tax to City of Lawrence

The total sales tax rate in Lawrence is 9.05% that includes the State of Kansas and Douglas County. The City of Lawrence share of sales tax is 1.55%.

Based on retail pull factors achieved by the City of Lawrence in 2001 and Douglas County in 2005, there is the potential to recapture Douglas County sales leakage and grow Lawrence retail sales by up to 10% based on historical data and through increasing the selection of products and an expanded choice of brand name national retailers.

Based on Southpoint projected City of Lawrence sales of \$81.7 million (in 2015 dollars) upon full development, This will result in a <u>net increase of approximately at least 6.7% in retail</u> sales growth to the city.

Southpoint will generate a total annual increase in Lawrence sales taxes of \$1,259,387 per year by 2019 (See Table III-A - "Projected Southpoint Annual Sales and City of Lawrence Tax Receipts.") These projections project the net change in retail sales from the three existing Lawrence tenants planning to relocate to Southpoint.

Sales tax from the project will build over the three year period (2017 - 2019) that the project is under development. The build out is presented in the following graph III-A Southpoint Total Square Feet by Year.

Based on this three year build out, total projected sales are presented in the following Graph and Table III – A.

Southpoint Total Sales by Year

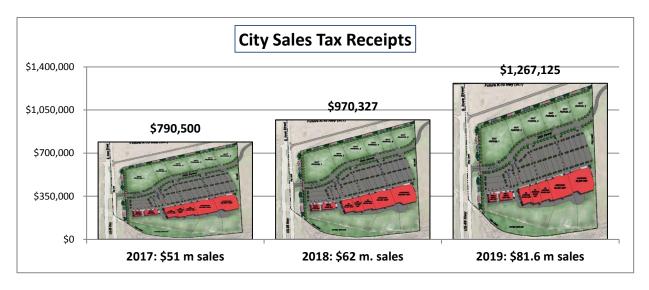


Table III – A

<u>Projected Southpoint Sales and City Sales Tax Receipts 2017 - 2019</u>

Year;	20	17	2018		2019	
Total Square Feet Open	Total Sales (in 2015 \$)	City Sales Taxes (@1.55%)	Total Sales (in 2015 \$)	City Sales Taxes (@1.55%)	Total Sales (in 2015 \$)	City Sales Taxes (@1.55%)
2017: 168,500 s.ft.	\$51,000,000	\$790,500	-	-	-	-
2018: 190,600 s.ft.			\$62,600,000	\$970,300	-	-
2019: 247,000 s.ft.					\$81,600,000	\$1,264,800
TOTALS	\$51 million	\$790,500	\$62.6 million	\$970,300	\$81.6 million	\$1,264,800

 $\underline{\text{Note}}$: Sales taxes reflect the net change in retail sales from the existing Lawrence tenant planning to relocate to Southpoint.

IV. Projected Impact on Lawrence Vacancy Rate

This study projects the impact on the Lawrence commercial vacancy rate upon adding Southpoint to the city's inventory and considering the impact of relocations from elsewhere in the city. These findings also provide insight into the ability of the project to achieve full occupancy. Upon occupancy of the Southpoint, the city-wide vacancy rate will decline by 0.4% to 6.8%. (See Table IV - D - "Proposed Development Impact on Lawrence Vacancy Rate").

Background

There has been an average over 334,000 added square feet of commercial development in Lawrence from 1995 through 2014. Since 1993, according to the City of Lawrence Planning & Development Services 2012 Retail Market Report. This amount has fluctuated from during periods of the city's highest population growth rates from 2002 to 2004 and declined during the national recession. For this reason, projecting commercial development based on a 20 year annual average has been used from 2015 through 2020. The projected absorption incorporates Southpoint and all outstanding major commercial projects approved by the City of Lawrence as summarized in the following Table. (See Table IV– A – "Lawrence, Kansas Unbuilt Commercial Inventory"). Excluding Southpoint, the City of Lawrence has an approved unbuilt inventory of 1,184,968 commercial square feet. Southpoint's addition to the market will raise this amount to 1,431,968 square feet.

Table IV - A
<u>Lawrence, Kansas Unbuilt Commercial Inventory</u>

Project	Approved Square Feet	Timing
Fairfield Farms	200,000	Unknown
Gateway	155,000	Unknown
Mercato	359,640	Unknown
31 st & Ousdahl Phase I (Menards)	189,988	2015
31 st & Ousdahl Phase II	65,340	Unknown
North Mass	215,000	Unknown
SUB-TOTAL	1,184,968	-
SOUTHPOINT	247,000	2017 - 2019
TOTAL	1,431,968	-
Projected Annual Average 2015-2020 (IF all constructed)	238,661	-

Source: City of Lawrence Planning & Development Services.

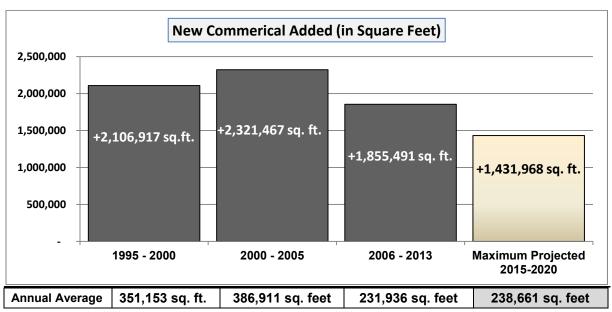
Phase I at 31st & Ousdahl, Menards, is under construction expects to be open in 2015. In addition, it should be noted that the sales category, Building materials and supplies category is not in competition with any of the expected tenants at Southpoint. In 2015, the city is also adding 39,075 square feet of predominantly food related sales at Bauer Farms

The Lawrence commercial market has demonstrated stability and its ability to absorb new commercial space. As noted elsewhere in this market study, the City has absorbed an average of 265,070 square feet since 2006. This is due, in part, to the permanence of city's economic base – the students, faculty and staff of the University of Kansas, as well as Haskell Indian Nations University.

This absorption projection in this study covers from 2017 through 2019, the years that Southpoint is planned to enter the market during which time the new K10/U.S. 59 (South Iowa Street) interchange immediately adjacent to Southpoint will be completed and opened.

If <u>all of these projects</u> are completed and phased into local market by 2020, an unlikely scenario since one or more the sites may compete for the same national tenants as Southpoint, this will result in adding an average increase of 238,661 square feet per year. <u>This amount is comparable to the 231,936 square feet annual average amount that has been absorbed by the Lawrence market between 2006 and 2013 and more than any five year period since 1995.</u>

Graph IV - B Lawrence Commercial Development Trends 1995 - 2020



Source: City of Lawrence Planning & Development Services 2012 Retail Market Study.

Commercial vacancy data is collected and reported by the City of Lawrence on a periodic basis, most recently published in 2013 for 2012. In addition to the city's vacancy data, the Lawrence office of a leading international commercial real estate firm, Colliers International, tracks and reports Lawrence commercial occupancy and vacancy on an annual basis. Since 2006, vacancy rates ranged from 3.9% to 7.2% and the city has absorbed an average of 279,733 per year. These figures, along with historical absorption rates, are a major barometer of projecting the city's future vacancy rate upon full build out of Southpoint. (See Table A – "Lawrence Commercial Vacancy Rates 2006 – 2014").

The following table reflects the City of Lawrence and private source's commercial vacancy data for the city since 2006. The city reported data reflects the fact that more has been absorbed in the last six years than was added to the market.

Table IV – C
Lawrence Commercial Vacancy Rates 2006 - 2014

	City o	f Lawrence Da	ita	Privat	e Real Estate Data
Year	Total Commercial Square Feet	Occupied Commercial Square Feet	Vacancy Rate	Retail Vacancy Rate	Source
2006	7,249,660	6,771,182	6.6%	3.9%	Development Strategies
2007	N/A	N/A	N/A	5.1%	Grubb & Ellis
2008	N/A	N / A	N/A	5.3%	Grubb & Ellis
2009	N / A	N/A	6.6%	5.4%	Grubb & Ellis
2010	8,800,567	8,184,527	7.0%	N / A	N/A
2012	9,105,151	8,449,580	7.2%	5.4%	Colliers International
2013	Est. 9.1 million	N/A	N/A	4.4%	Colliers International
2014	N/A	N/A	N/A	3.9%	Colliers International
2006 – 2013 Average	265,070 per year	279,733 per year	6.8%	4.9%	

As stated, Southpoint's square feet are projected to be opened beginning in 2017 through 2019 in the stages as summarized in the following Table IV – D and site plan.

Table IV – D
Southpoint Opening Schedule 2017 – 2019

Year Opening	Square Feet Completed	Total Square Feet Opened
2017	168,500	158,500
2018	22,100	190,600
2019	56,400	247,000
Total	247,000	247,000

Southpoint Site Plan - Phasing



Phase I: 168,000 square feet

Findings and Conclusion

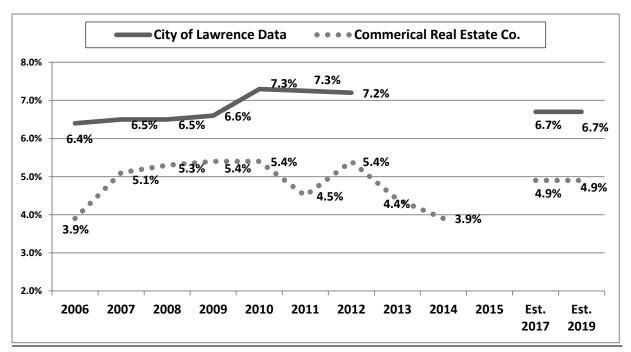
In conclusion, the city's commercial vacancy has been projected to be 7.2% upon completion of the Southpoint project in 2019. This projection is based on the following:

- 1. The city's average annual absorption rate since 1995;
- 2. The city's historically stable vacancy rate ranging from 6.6% to 7.2% in the last decade;
- 3. The phasing of building over three years through 2019 for Southpoint; and
- 4. The amount of commercial space that has been approved but unbuilt may be absorbed by the Douglas County market by 2020.

Furthermore, the attraction of new tenants to the Douglas County market will add more than \$81 million in retail sales and \$1.266,000 in sales tax receipts to the City of Lawrence by 2019.

In conclusion, upon occupancy of the Southpoint, the city-wide vacancy rate will remain within the range of 6.6% to 6.7% based upon the city's continued ability to absorb an average of 238,661 square feet annually, less than the amount since 2006 but incorporating all outstanding major projects and Southpoint. (See Table IV - D - "Commercial Vacancy Rate 2006 – 2019 and Proposed Development Impact on Lawrence Vacancy Rate"). This represents the city's historic average absorption and vacancy rates from 2006 through 2013. This vacancy projection incorporates the build out of the total approved inventory. This total build out amount represents less than the amount of square footage that has been added to the Lawrence market since 2006.

Graph IV - E Commercial Vacancy Rates 2006 - 2019



Source: City of Lawrence Planning & Development Services; Development Strategies; Colliers International.

Table IV - E

<u>Lawrence Commercial Square Footage and Vacancy Rates 2012 - 2019</u>

Year	Total Square Footage	Southpoint Square Footage Opened (a)	MAXIMUM Increase in Square Footage (Table IV-B)	Net Annual Absorption in Sq. Feet	Total Vacant Sq. Feet	Projected Vacancy Rate
2012	9,105,151	N/A	N / A	2006-2012: 279,733	653,222	7.2%
2014	9,336,979	N / A	238,661	70,914	637,427	6.8%
2015 (c)	9,568,807	N/A	238,661	222,432	637,427	6.7%
2016	9,807,468	N/A	238,661	222,432	653,656	6.7%
2017	10,046,129	168,500	238,661	222,432	669,885	6.7%
2018	10,284,790	22,100	238,661	222,432	686,114	6.7%
2019	10,523,451	56,400	238,661	222,431	702,343	6.7%
2015 - 2019 Change / Average	1,193,305; 238,661 per year	247,000; 21% of total	1,193,305	1,112,160; 222,432 per year	142,399	(0.0%)

- (a) Assumes that 100% of Southpoint will be absorbed by the market due to pre-lease commitments;
- (b) Conservatively assumes that 93.2% will absorbed, average 6.8% vacant, by the market through 2019;
- (c) Includes Menards and Bauer Farms additions in 2015 that are fully absorbed.

These projections assume that all major outstanding commercial projects will be built by 2020 (see Table IV-A) and that each phase of Southpoint will be fully occupied in the year opened as each anchor and our parcel will be preleased prior to construction. They also assume that space vacated space by relocations within Lawrence to Southpoint will be re-occupied by other commercial tenants by 2019.

This retail market study has been prepared exclusively for the use of Collett and the City of |Lawrence in planning a commercial development in Lawrence, Kansas. Otherwise, any use or reproduction of the material in this study without the expressed consent of RICHARD CAPLAN & ASSOCIATES is prohibited.

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Southpoint Retail Market Study

Addendum:

Economic Impact on the City of Lawrence

August 16, 2015

City of Lawrence Property Taxes

In 2014, the property tax mill levy for land within the City of Lawrence was 124.808 mills. Of this total, 23.7% of this total, 29.534 mills is the City of Lawrence share of the total and remitted to the City of Lawrence. Southpoint will pay **\$207,138 per year** (in 2015 dollars) to the City of Lawrence in property taxes for 46.10 acres upon full build out of the project.

The following table summarizes by the property tax payments by year beginning in FY 2018 through Southpoint build out projected in FY 2020.

The major assumptions for these figures are based on the average assessed values assigned by the Douglas County Appraiser's Office for comparable, recently appraised commercial land and commercial buildings in the City of Lawrence in 2015 and are described following Table A - 1.

Table A - 1
Southpoint Property Taxes to the City of Lawrence

Fiscal Year	Land (a)	Improvements (b)	City of Lawrence TOTAL TAXES
2018	\$86,558	\$82,260	\$168,818
2019	\$86,558	\$93,048	\$179,606
2020	\$86,558	\$120,580	\$207,138

Source: City of Lawrence, Douglas County Assessor.

Assumptions:

- (a) The assessed value of the land will average \$250,000 per acre.
- (b) The assessed value of the improvements will average \$65.00 per square foot of improvements.

Douglas County Projected Employment

Southpoint will generate **442 direct employment** opportunities in Lawrence and Douglas County upon full build out of the development.

Restaurant and hotel employment figures are based on national industry averages adjusted for the State of Kansas. Retail employment is based on the actual average retail employment per square foot in Lawrence. The following Table A -2 summarizes these employment figures by job category and year available.

Table A - 2 Southpoint Employment by Labor Market Category

Year Opened	Retail Services	Food Services	Office Workers	TOTAL JOBS
2017	202	27	0	229
2018	9	76	10	95
2019	56	47	15	118
2019 Total % of Total	267 60%	150 34%	25 6%	442

Source: National Restaurant Association; Kansas Department of Labor; Bureau of Labor Statistics.

ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTERS 6 & 14 (JSC)

CPA-14-00107: Consider a Comprehensive Plan Amendment to Horizon 2020 Chapter 6 and Chapter 14 (Revised Southern Development Plan) to revise the future land use designations from medium-density residential, traditional neighborhood development, and auto-related commercial uses to commercial use; and to designate the node as Regional Commercial from Auto-Related Center at the southeast intersection of US-59 Hwy and N. 1250 Road. Submitted by Landplan Engineering PA.

ITEM NO. 4A ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD (SLD)

A-14-00104: Consider a request to annex approximately 102.64 acres located along the east side of S. Iowa Street and the south side of N. 1250 Road (Armstrong Road). Submitted by Landplan Engineering PA on behalf of Armstrong Management LC and Grisham Management LC, property owners of record. *Initiated by City Commission on 4/8/14*.

ITEM NO. 4B RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY (SLD)

Z-14-00105: Consider a request to rezone approximately 122.96 acres from RS10 (Single-Dwelling Residential) District and County A (Agricultural) District to CR (Regional Commercial) District and CR-FP (Regional Commercial Floodplain Overlay) District, located at the SE corner of the South Lawrence Trafficway and US-59 Hwy. Submitted by Landplan Engineering PA, on behalf of Armstrong Management LC and Grisham Management LC, property owners of record.

ITEM NO. 4C RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY (SLD)

Z-14-00106: Consider a request to rezone approximately 46.10 acres from RS10 (Single-Dwelling Residential) District, County A (Agricultural) District, and County VC (Valley Channel) District to OS-FP (Open Space-Floodplain Overlay) District, located at the SE corner of the South Lawrence Trafficway and US-59 Hwy. Submitted by Landplan Engineering PA on behalf of Armstrong Management LC and Grisham Management LC, property owners of record.

STAFF PRESENTATION

Mr. Jeff Crick presented Item 3.

Ms. Amy Miller presented the Retail Market Study.

Ms. Sandra Day presented Items 4A-4C.

APPLICANT PRESENTATION

Mr. Dan Watkins, attorney representing Collett Development, said there were challenges to developing the property. He said he viewed this as an extension of the South Iowa Regional Commercial Center. He said he had conversations with Mr. Roger Boyd and Mr. John Boyd regarding this area being an extension of the Baker Wetlands. He said he also reached out to KDOT because of its location. He said they were working through some of the issues with them. He said the project would provide new and expanded retail opportunities for the community.

Mr. Robert Collett, Collett Development, thanked staff and Planning Commission for the open dialogue and fair process.

Mr. Chris Challis, Collett Development, said Lawrence had a great downtown and he knew the importance of preserving the main street character. He said he knew how important a gateway was to the community as well. He felt the project location was ideal for retail development. He felt it would be an extension of the south

Lawrence corridor. He said discussions with the Corps of Engineers involved conserving the open space portion of the property and putting it into a conservation easement and managed by the Baker Wetlands. He discussed some of the content from the retail analysis regarding retail development.

Commissioner Rasmussen asked if the Corps of Engineers would be granting wetland permits for the project.

Mr. Challis said yes.

Commissioner Rasmussen consulted staff attorney Mr. Randy Larkin and then said he would recuse himself. Commissioner Rasmussen said as of October 1, 2014 he would be a Corps of Engineer employee and would be providing environmental legal support. He said it was possible he could be involved in providing legal counsel on permitting activities for this project after October 1, 2014. He said he did not feel comfortable participating in the project. He did not want to create a legal problem with any conflict of interest.

Mr. Watkins asked if it would be better to have additional members of Planning Commission present.

Mr. McCullough said Planning Commission could consider deferring the item since multiple Planning Commissioners were absent.

Mr. Watkins said he was comfortable moving forward if Planning Commission was.

Commissioner Josserand said he was a little uncomfortable with multiple Planning Commissioners being absent but that staff and the applicant were comfortable moving forward.

Mr. Brian Sturm, Landplan Engineering, said the site was less than ideal for medium density or traditional residential development. He said the ground was adjacent to special natural amenities and located at the threshold of the city. He said regarding the annexation, the request met the recommendations of Horizon 2020. He said regarding the rezoning, it accommodated retail and floodplain practices. He said a large area of the commercial zoning district that would remain green to offset some of the other impacts by the development. He said the open space was consistent with the Comprehensive Plan.

PUBLIC HEARING

Ms. Laura Routh, 2235 East Drive, said she was disappointed that not all of the Planning Commissioners were present this evening. She said her primary complaint with the proposal was developing in the floodplain. She did not feel this development would be a good gateway to the community. She said the notion that somehow this development would provide a buffer or some benefit to what's left of the wetlands after the construction of the South Lawrence Trafficway, was offensive. She said the amount of runoff that would come from this development would not benefit the wetlands.

<u>Ms. Erica Fox Zabusky</u>, 1026 Ohio St, said it was laughable to think people would drive to Lawrence to shop at a strip development. She expressed concern about the pull factor away from Massachusetts Street. She felt this kind of project on the extremity of town would put stress on the infrastructure and transportation system.

Ms. Mary Jo Shaney, attorney on behalf of K-10/40 Development LC, said the proposal as presented tonight was not consistent with Horizon 2020. She said the proposal leapfrogs over the task force that the City set up in October of 2013 to begin to study and amend Horizon 2020. She felt the goals of Horizon 2020 would be compromised by the proposal. She said the project was 193% larger than the present auto related plan that was in place.

Ms. Betty Alderson, 1400 Lilac Lane, said she thought it had been established years ago that a mall was not wanted by the residents of Lawrence, especially at the proposed location. She felt the development would be harmful to downtown. She also stated that local stores would not be a part of this project.

Mr. Kirk McClure, 707 Tennessee St, said a well functioning market should have growth and supply. He said if they fail to have growth and demand they should not have growth and supply. He said shoppers pay the sales tax, not the vendors. He said without new income and new spending there would be no new sales tax. He said this would not be a regional mall, it would just be another strip mall. He said Planning Commission lacked growth managing tools. He felt the development was very premature.

Mr. Jim Bowers, White Goss Law Firm, representing the property owners of the northwest corner of 6th & K-10 Hwy. He discussed the planning process and interpretation of the plan by staff. He requested that the project be tabled or denied. He said the project violates the Horizon 2020 plan and policies which limits the development of commercial retail projects. He said they would be changing the Comprehensive Plan to bring the Comprehensive Plan into alignment with the project. He said the County and the City appointed a steering committee in October 2013 for the purpose of reviewing Horizon 2020. He felt it was inappropriate for Planning Commission to consider this application prior to the completion of the steering committees review and update of Horizon 2020. He said the Comprehensive Plan prohibited new regional commercial centers. He said the project would damage existing retail centers in Lawrence.

Ms. Candice Davis said she was astonished by what had been presented tonight. She wondered why she had just heard of the project a month ago. She said it appeared that planning in the community was a free-for-all. She said the recent Horizon 2020 study that was conducted revealed that downtown needed to be a focus. She said downtown was a unique destination and it was at risk.

Mr. Gary Rexroad said the project was a positive step forward for Lawrence. He said the project had a positive endorsement from the Planning staff. He said when Horizon 2020 was written it provided guidance and it had been followed as much as it could be. He said they had a responsibility to take advantage of opportunities and adjust as they go. He said the project offered a number of things beyond just the straight forward elements. He said it appreciated the environment and wetlands around it. He thought downtown was precious and protected by density. He felt the project represented a great opportunity for sales tax dollars.

Ms. Bonnie Johnson, 2601 Belle Crest Drive, said the reasons to say no to the project included floodplain issues, the revised Southern Development Plan was completed with knowledge of the South Lawrence Trafficway, a recent community survey said growth management was a top issue, the impact of the South Lawrence Trafficway on 23rd Street, and in previous discussions about Menards it was decided that retail should not be at this location. She felt this development might be premature.

Mr. Roger Boyd, manager of the Baker Wetlands, said he had no objections to the development. He said the open space component would soften the impact to the agricultural land that would still be in place. He said the open space would also provide the opportunity for educational trails.

Ms. Heidi Simon, 5723 Westfield Drive, asked Planning Commission for support of the project to move it forward. She said the development would help balance the wants and needs of the community. She said the developer was not asking for special financing and would only bring revenue.

Mr. Brad Finkeldei, 821 Sunset Drive, said from a land use point of view if you look at a map of Lawrence to see where retail should go, the intersection of SLT and K-10 made perfect sense. He said Planning Commission created this location for retail and also created a new subcategory in Horizon 2020 of auto related. He said the location was considered to be a perfect location for the most intense use retail. He felt this was a downgrade in zoning compared to what the Southern Development Plan stated. He said there was a provision that said no retail development south of K-10, except for the auto related zone. He referenced a 2006 blog in which Mr. McClure said that if Walmart was approved it would cause vacant space, blighted shopping areas, and widespread vacancy. Mr. McClure also said that if Walmart was approved as a grocery store it would cause Dillons and Hy-Vee to close. In 2007 Mr. McClure said overbuilding would create vacancy. In 2008 Mr. McClure said Bauer Farm would create vacancies and blighted areas. In 2009 Mr. McClure said there would be damaging oversupply, blight, and vacancy. In 2012 and 2014 Mr. McClure said they had the same problem.

Mr. Finkeldei did not feel they had a problem with blight downtown or losing businesses. He felt Planning Commission should support the project.

Mr. Michael Almon, 1311 Prairie Ave, said the proposed site was the site of the 1978 cornfield mall was which was wisely rejected. He said Horizon 2020 does not support increasing the size or number of new commercial center but may consider small new inter neighborhood centers as part of new planned neighborhoods. He said the proposed project would be a two auto oriented strip malls across the street from each other. He said Horizon 2020 does require a nodal plan for a new regional commercial center be created. He felt the developer had moved too soon. He felt the sewer systems would be overloaded.

Ms. Janet Gerstner, 413 Vine Drive, expressed concern about the proposal. She was concerned about diluting the existing market. She said three retailers would relocate from existing locations. She did not feel the project would pull shoppers and that retailers would not be different than Topeka or Kansas City. She felt the developers would be rewarded for not adhering to plans. She wanted to sustain downtown and she felt this project may damage it. She stated it may also undermine the new Rock Chalk Park.

Ms. Marci Francisco, 1101 Ohio St, said commercial areas should be easily reached by transit. She felt the development would add traffic to the extension of Louisiana Street.

Mr. Tim Bateman, 6212 Berando Ct, said he wanted a strong downtown. He did not think adding retail to other locations in town would hurt downtown. He felt the project may help to keep shoppers from going other places. He said the project could help increase sales tax dollars.

Ms. Cille King, League of Women Voters, said regarding retail she did not think this was a draw. She said the stores would be scaled down versions and smaller than the ones in Topeka and Kansas City.

APPLICANT CLOSING COMMENTS

Mr. Watkins said nobody wants downtown to suffer. He said the community had worked through many issues over the years to mitigate concerns regarding development in Lawrence. He said the location was the perfect site for retail.

Mr. Challis said the plan did not include a faux main street experience. He said the project did not focus on small specialty shops. He said downtown Lawrence was extraordinarily successful and was a great destination. He said it was not the same battle as the cornfield mall. He said the project was not looking to recreate downtown.

Mr. Watkins did not feel putting a moratorium on the project until Horizon 2020 was revised was the appropriate way to go.

COMMISSION DISCUSSION

Commissioner Liese said Planning Commission had three options; vote, delay, or choose to end the meeting.

Commissioner Josserand said there was a fourth option of asking questions.

Mr. McCullough said Planning Commission should consider all the information obtained from the public hearing and staff report. He said they had quorum and it was their duty to act on the request. He said deferral was an option but typically that was for additional information. He said Planning Commission was making a recommendation to City Commission. He said if they needed additional information the items could be deferred to get specific information.

Commissioner Liese asked what happened if they did not extend the meeting.

Mr. McCullough said he would not advise that as an option.

Commissioner Josserand said Planning Commission had the ability to defer.

Mr. McCullough said that was correct.

Commissioner Josserand said the numbers in the retail market study, retail development report, and letter from Mr. McClure, over the past 8-10 years show declining sales tax revenue.

Ms. Miller said when adjusted for inflation the sales tax collections have declined.

Commissioner Josserand asked if that was unhealthy.

Ms. Miller said when determining the health of the market all of the factors needed to be looked at, not just one indicator.

Commissioner Josserand asked Mr. Finkeldei to comment about too much retail space on the market.

Mr. Finkeldei said it was an issue of whether or not you believe the market corrects. He said too much retail could be built in one place that could cause something else to happen. He said the question becomes if you look at the health of the environment. He said Mr. McClure said for years that it would cause vacancy and blight but today he said there wasn't vacancy problems, but rather retail problems. He said there had been adaption within the city and market so there have been historically low vacancy rates over the last 10 years. He said a healthy vacancy rate was fine.

Commissioner Josserand said he forgot to mention earlier that he had ex parte communications with Mr. Chris Challis. He asked staff if this kind of development would be considered four sided development.

Mr. McCullough said it would be considered with the site plan application. He said four sided architecture at a gateway location was typically the buildings you could see from the road.

Commissioner Josserand asked Mr. Finkeldei about other retail areas.

Mr. Finkeldei said there were discussions about commercial areas, for example Walmart in Bauer Farm, and how much retail should go there. He said Horizon 2020 had a limit on it depending on the size of the node. He said regional centers had different characteristics than commercial centers.

Commissioner Liese inquired about building on a floodplain.

Mr. McCullough said the proposal was to fill a portion of the floodplain which the Code allowed so it would be Code compliant. He said any development in the area would seek the same type of development.

Commissioner Liese asked staff to talk about the public comment that accommodations should be made so as not to threaten the environment and Baker Wetlands.

Mr. McCullough said that would be a change of philosophy and Code for the entire City of Lawrence to prohibit development in the floodplain. He said it would be Code compliant.

Commissioner Liese asked staff to talk about traffic on Louisiana Street.

Mr. McCullough said there would be an impact to the traffic system and that was being studied right now. He said it would be a little pre-mature to study every part of the technical studies. He said Louisiana, Michigan, and 31st Streets could expect traffic as the area urbanizes.

Commissioner Denney expressed concern about pedestrian connectivity.

Mr. McCullough said there would likely be a sidewalk required on the new Michigan Street.

Commissioner Denney asked if Michigan Street would go all the way through to 31st Street.

Ms. Day said yes. She said regarding pedestrian connectivity, the SLT project included extensive extension of the recreation path. This proposed project would have an expectation to tie the interior sidewalks back to the overall recreation path for full connectivity. She said during previous discussions about Menards there was a clear expectation that the commercial along the north and south sides of 31st Street would be the limit of where the commercial would go.

Commissioner Culver inquired about the comments made regarding the Horizon 2020 task force.

Mr. McCullough said generally speaking there was a public process going on to identify issues that may need to be addressed in a major revision to the current Comprehensive Plan. He said many of the sites they were discussing tonight had undergone Comprehensive Plan Amendments to change what was adopted into what the proposal would accommodate. He said the plan update itself was in a public identification phase and that the steering committee would work on what issues to land on for ultimately a plan amendment process in 2015 and 2016. He said he had not been directed to place a moratorium on Comprehensive Plan Amendments as they come forward.

Commissioner Culver inquired about the project being an extension of South Iowa.

Mr. McCullough said the crux of the project was mostly about changing the medium density residential on the east side of the proposed project from residential to commercial. He said essentially it had commercial designation with the auto related commercial use. He said the plan intent was a very intense commercial use.

Commissioner von Achen asked staff to comment on Mr. Almon's observations about wastewater and runoff.

Ms. Day said the design of a new wastewater and pump station was already in process and would be seen by Planning Commission next month. She said when those two facilities go online they will be capable of accommodating the site. She said runoff would be part of the H&H study, drainage study and more specifics of the site development in the future.

Commissioner Liese asked about the concern expressed about a shopping center not being a gateway.

Mr. Sturm said there would be a parking lot like any commercial or retail development. He showed renderings on the overhead. He said the buildings would have a mixture of materials and the architecture would highlight the stores as a place shoppers would want to visit. He said there were development standards in place for the K-10 corridor that require 50' of greenspace between the edge of K-10 right-of-way on the north and any development. He said the topography would lend itself for people driving on K-10 to see the greenspace and then the stores. He said it would be the most modern retail center in the community. He said it was a chance for Lawrence to put forth its retail design guidelines, corridor, and landscaping guidelines.

Commissioner Josserand asked the developer if they anticipate requesting economic incentives from the City.

Mr. Challis said the retail development did not require incentives and they did not intend to ask. He said part of the project included potentially realigning 35th Street. He said there are times when a project may add additional infrastructure beyond that which the project was demanding itself. He said he did not know what the engineering report would turn out to be.

Commissioner Struckhoff said that just because Horizon 2020 was in the process of a revision did not mean developments would come to a halt. He said a development like this will and must come to Lawrence. He said since first adopted the Comprehensive Plan had been amended 47 times. He said the plan reflected the will of the community. He said this was a massive project and the kind that Lawrence had envisioned for the

northwest corridor. He said his main problem with the proposal was the location. He said he could not support the project at this location.

Commissioner Culver said he was concerned about setting a precedent for outward development south. He said he could not support the project at this location.

Commissioner von Achen said she was afraid that such a large project would undermine commitments made to other retail projects in other areas of the community. She reviewed the staff responses to the Comprehensive Plan Amendment. She did not feel the responses overwhelmingly supported the plan. She said she would not support the proposal.

Commissioner Liese reviewed the Golden Factors.

Commissioner Denney said there were two factors; whether there should be a change to the Comprehensive Plan and from there everything else follows. He said the time to change the plan is when there was an error or when circumstances change. He said perhaps the plan did need to be clarified. He said it was unrealistic to consider K-10 a barrier. He said without looking at the zoning issue he was supportive of changing the Comprehensive Plan. He did not feel the project would cause harm to downtown. He said downtown was an entertainment and specialty destination. He said in the long run it should be businesses that decide where they put their business ventures. He said if he remembered correctly the result of the denial of the cornfield mall was the Tanger Outlet and Riverfront mall. He said he did not want to see car lots at the proposed location and a shopping center would be a better gateway. He said he would support the proposal.

Commissioner Josserand thanked the applicant for a thoughtful plan. He said the staff recommendation for the Comprehensive Plan was a little weak. He wondered if the project would negatively impact other retail within the community. He felt that too much retail had a toxic effect on existing development. He was not sure they should aspire to be a retail demand center. He did not feel new retail space necessarily created new retail sales. He said approval of this proposal at this time could be unbalancing of more even development. He said the area may be right for development later on.

Commissioner Liese said he was pleased to hear Mr. Challis say that the development was not designed to compete with downtown. He said he would support a motion for deferral to obtain more information about any changes that may be made to Horizon 2020. He said he would also vote in favor of all four proposals if that was the motion. He said the alternative to the proposal was a gigantic parking lot.

ACTION TAKEN on Item 3

Motioned by Commissioner Struckhoff, seconded by Commissioner Josserand, to deny the Comprehensive Plan Amendment, CPA-14-00107, to Horizon 2020 Chapters 6 and 14.

Motion carried 4-2-1, with Commissioners Denney and Liese voting in opposition. Commissioner Rasmussen abstained.

ACTION TAKEN on Item 4A

Motioned by Commissioner Struckhoff, seconded by Commissioner von Achen, to deny annexation, A-14-00104, of 102.64 acres on the east side of South Iowa and the south side of N 1250 Rd.

Motion carried 4-2-1, with Commissioners Denney and Liese voting in opposition. Commissioner Rasmussen abstained.

ACTION TAKEN on Item 4B

Motioned by Commissioner Struckhoff, seconded by Commissioner Culver, to deny rezoning, Z-14-00105, 122.96 acres at the southeast corner of SLT and US-59 Hwy.

Motion carried 4-2-1, with Commissioners Denney and Liese voting in opposition. Commissioner Rasmussen abstained.

ACTION TAKEN on Item 4C

Motioned by Commissioner Struckhoff, seconded by Commissioner Culver, to deny rezoning, Z-14-00106, 46.10 acres at the southeast corner of SLT and US-59 Hwy.

Motion carried 4-2-1, with Commissioners Denney and Liese voting in opposition. Commissioner Rasmussen abstained.

The previous Southpoint packet items, heard at the July 21, 2014 Planning Commission Agenda, can be found online here (pg 74):

http://www.lawrenceks.org/assets/pds/planning/pcagendaJulyFull14.pdf



August 12, 2015

Dear Commissioner Britton and members of the Lawrence Douglas County Planning Commission, Mayor Farmer and members of the Lawrence City Commission c/o Director of Planning Scott McCullough:

Some friends and I were sitting around talking the other afternoon after one of our get-togethers and the subject of the retail project that had been proposed for K-10 and South Iowa last summer came up in discussion. We were all fairly baffled as to why the project had not proceeded, and did a little research as to some of the issues surrounding this application. The result of our education was disappointment in the resistance we learned was directed toward the earlier project, and we wanted to share some thoughts with you to encourage you to approve the revised application.

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We believe there are more than satisfactory answers to any and all of the objections and comments made against the project last year. These are as follows:

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City will benefit downtown, and that downtown merchants will capture an additional share of the dollars we currently lose to other communities. Additionally, having multiple sites and opportunities for retailers to locate will keep retail rents at competitive market rates, which will in turn allow our wonderful eclectic mix of locally owned "mom and pop" downtown businesses able to continue to operate successfully.

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You may have received this same letter from other members of our group, it was a collaborative effort based on our joint discussions. Thank you again for consideration of our thoughts.

Respectfully yours,

De Bhel

From: "Doug Brown" < dougbrown@askmcgrew.com>

Date: August 4, 2015 at 2:48:13 PM CDT

To: <<u>clay.britton@yahoo.com</u>>
Subject: SEC K-10 and Iowa Street

Hi Clay

I wanted to reach out to you and see if you had any concerns or comments on the captioned property slated for discussion at the August 24th Planning Commission meeting. I am part of the applicant group and we would very much appreciate your support. As you are no doubt aware, we did not receive a positive vote the last time we made application back in July of 2014. We listened to all comments and I believe we've made adjustments that will please the commission.

The main argument we heard at the last meeting in July of 2014 was that the project was too big. We have reduced the size of the project by around 60%. We still have commitments from our major tenants, so sales tax revenue, jobs and property tax should still be of strong benefit, not to mention construction jobs. But the size of the overall center is significantly smaller.

We are still not asking for any assistance from the city or county in the way of TIF, CID, TDD, etc. Other proposed developments cannot claim that.

The other main argument for not approving last year was "it is in the wrong place." We assumed from those comments that officials wanted to give the Mercato development a chance to find and bring new tenants to their project. We respectfully submit that The Mercato has now had 8 years to sign tenants to their project and as of the writing of this email, I am not aware of one tenant willing to locate in that project. We cannot tell retailers where to locate their stores. They tell us. And they are telling us they want to be at Southpoint, not Mercato. Mercato will no doubt be developed with the success of Rock Chalk Park in mind. But it will not attract these types of retailers, at least not for awhile. I'm guessing Mercato will attract motels, restaurants and smaller retailers who will cater to the weekend attendees at Rock Chalk. If Academy Sports, Marshalls Home Goods, Old Navy, Designer Shoe Warehouse and others were attracted to Mercato, they would be building there now. The site is approved and has been for years. These retailers are waiting for our development to be approved. And with your vote we can welcome them to Lawrence.

There was an argument made that this project should not be approved because it would require an amendment to Horizon 2020. Respectfully, Mercato also required an amendment to be approved and just recently required another amendment to be increased in size. Horizon 2020 has been amended over 40 times including the amendments for Mercato. And frankly, the amendment for this project is far less reaching than the ones for Mercato. This ground is already approved for commercial activity, we just want to broaden the use groups.

Someone said they thought this project would "kill downtown Lawrence." I heard the same argument when I brought Target to Lawrence in the '90s, as well as when we brought Kohl's, Home Depot, etc. These stores help Lawrence keep shoppers here, which benefits downtown. Also, Downtown Lawrence is healthier than it's ever been with more living units coming and more businesses eyeing it for development. I've lived here all my life and have been in the commercial real estate business for 28 years and I've never seen our downtown stronger.

Finally, as was discussed last year, this will become a "gateway" entrance to Lawrence. The zoning is already in place to allow car dealerships, car repair shops, convenience stores, truck stops, etc. I think we could all agree that a high end shopping area with beautiful amenities such as the ones we propose would be nicer at the entrance to South Lawrence than these already approved "vehicle related" uses. This will also be a nice amenity for commuters to Topeka and Kansas City traveling on the bypass.

Please let us know if you will not be able to attend this meeting. Last year we were very surprised that three commissioners were absent for our presentation and one had to abstain. Therefore, we only had six commissioners available to hear our comments. We'd very much like to be heard by all of you.

Thanks for your time on this. We appreciate all you do for our community by serving on this board. Please don't hesitate to contact me with comments or questions regarding this development.

Highest Regards,

Doug Brown
Senior Commercial Partner
McGrew Commercial
1501 Kasold Drive
Lawrence, Kansas 66047
785-838-8244 D
785-766-9355 C
785-843-2466 F
dougbrown@askmcgrew.com

"Principles mean more than any money or success"



From: Karen Cochran [mailto:kccochran321@qmail.com]

Sent: Tuesday, August 11, 2015 2:06 PM

To: Scott McCullough; clay.britton@yahoo.com; Jeremy Farmer

Subject: RE: South Iowa retail

August 2015

Dear Commissioner Britton and members of the Lawrence Douglas County Planning Commission, and Mayor Farmer and members of the Lawrence City Commission

c/o Director of Planning Scott McCullough:

Some friends and I were sitting around talking the other afternoon after one of our get-togethers and the subject of the retail project that had been proposed for K-10 and South Iowa last summer came up in discussion. We were all fairly baffled as to why the project had not proceeded, and did a little research as to some of the issues surrounding this application. The result of our education was disappointment in the resistance we learned was directed toward the earlier project, and we wanted to share some thoughts with you to encourage you to approve the revised application.

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the city's plan to hire new police officers, build bike trails, and we support the homeless shelter and other not for profit organizations and agencies the city funds. Those are all desirable goals for our community that we should be able to afford without taxing ourselves out of our homes and businesses. This project would generate significant sales and property tax that could pay for many of the items on our community wish list. It is also our understanding that the developer is asking for an opportunity to make this multi-million dollar investment in our community without a request for any incentives.

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You may receive this same letter from other members of our group, so I want to let you know that it is the result of a collaborative effort based on our joint discussions.

Respectfully yours,

Karen Cochran

Karen Cochran

321 Woodlawn Drive Lawrence, KS 66049 785-550-5052 kccochran321@gmail.com From: Connie Friesen [mailto:confriesen@aol.com] Sent: Tuesday, August 11, 2015 12:36 PM

To: Scott McCullough; Clay Britton; Jeremy Farmer **Subject:** South Iowa project support request letter

August 11, 2015

Dear Commissioner Britton and members of the Lawrence Douglas County Planning Commission, Mayor Farmer and members of the Lawrence City Commission

c/o Director of Planning Scott McCullough:

Some friends and I were sitting around talking the other afternoon after one of our get-togethers and the subject of the retail project that had been proposed for K-10 and South Iowa last summer came up in discussion. We were all fairly baffled as to why the project had not proceeded, and did a little research as to some of the issues surrounding this application. The result of our education was disappointment in the resistance we learned was directed toward the earlier project, and we wanted to share some thoughts with you to encourage you to approve the revised application.

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Connie Friesen 3604 Quail Creek Court Lawrence, KS 66047-2133 From: joanwebgolden [mailto:joanwebgolden@sunflower.com]

Sent: Thursday, August 13, 2015 6:53 PM **To:** Scott McCullough; Clay Britton; Leslie Soden

Cc: marilyn.bittenbender@colliers.com

Subject: South Iowa Project

Scott, Clay and Leslie:

I wanted to add my vote of support to the South Iowa Project.

I know you are getting letters from other ladies, voicing their support, so am not going to duplicate that message.

However, I believe that there is synergy from development and the re-sized development proposal will be a good draw to increase our retail sales tax base; and it will not take away from our vibrant downtown.

I understand this proposal will come before the Planning Commission on August 24, and then before the City Commission.

I appreciate your consideration and support of this project.

Joan Golden 1132 West Hills Pky Lawrence, KS 66044 785-842-7544

Sheryl K Jacobs 1524 Fountain Drive Lawrence, KS 66047

August 12, 2015

Dear Commissioner Britton and members of the Lawrence Douglas County Planning Commission, Mayor Farmer and members of the Lawrence City Commission c/o Director of Planning Scott McCullough:

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Respectfully yours,
Sheryl Jacobs

From: Marcia O [mailto:mho3413@earthlink.net]
Sent: Wednesday, August 12, 2015 7:38 PM

To: Scott McCullough

Subject: South lawrence shopping center

I am very much in favor of the South Lawrence shopping center. Among many other things ,i think it would keep many people from doing their shopping in KC. Lawrence could use and would support more good shopping.

Marcia Oelschlager

PRICE T. BANKS

Attorney At Law, Retired P.O. Box 442341
2018 Camelback Drive Lawrence, Kansas 66047
785/766-5069
price@pricetbanks.com

TO: Lawrence-Douglas County Metropolitan Planning Commission

Amalia Graham (amalia.graham@gmail.com)

Jim Denney (denney1@sunflower.com)
Patrick Kelly (pkelly@usd497.org)
Pennie von Achen (squampva@aol.com)
Julia Butler (julia.v.butler@gmail.com)
Clay Britton (clay.britton@yahoo.com)
Bryan Culver (bcculver@gmail.com)

Bruce Liese (bruce@kansascitysailing.com)
Rob Sands (Robert.c.sands@gmail.com)

Eric Struckhoff (eric.c.struckhoff@gmail.com)

CC: Scott McCullough, Director, Planning and Development Services

(smccullough@lawrenceks.org)

FROM: Price T. Banks

DATE: August 24, 2015

RE: South Point Shopping Center

Please see the attached letter prior to tonight's Planning Commission hearing.

PRICE T. BANKS

ATTORNEY AT LAW, RETIRED P.O. Box 442341
2018 CAMELBACK DRIVE LAWRENCE, KANSAS 66047
785/766-5069
price@pricetbanks.com

August 22, 2015

City of Lawrence Planning Commission PO Box 708 Lawrence, Kansas 66044

Re: South Point Shopping Center

Commissioners:

The purpose of this communication is to voice opposition to the South Point Shopping Center proposals before you that fly in the face of good planning practices, and violate the policies and principals set out in the Comprehensive Plan for Lawrence and Douglas County.

I have been asked by a law firm to consult with landowners and others about the staff report findings generally and about whether the simultaneous action to amend the Comprehensive Plan and to rezone the subject property reflects the goals of the Comprehensive Plan.

By way of introduction:

I hold a Bachelor's degree in Urban Planning, and a Master's degree in "Community Development from Michigan State University. I hold a JD from Cooley School of Law.

I was Planning Director for Lawrence and Douglas County for 12 years from 1982 to 1994.

I have been a professional Planner for 47 years, and practiced Land Use Law and Municipal Law for over 20 years. I've worked in dozens of communities in Kansas, Missouri and Michigan, and have served as a City Attorney, and as a County Administrator.

I've taught Planning classes at the Graduate School for Urban Planning at the University of Kansas.

I presided over the ad-hoc committee that drafted the original version of the current Kansas Planning & Zoning Enabling Legislation.

I have drafted Land Use regulations for many Cities and Counties.

I am writing to encourage the Planning Commission to engage in sound, accepted planning practices when dealing with the South Point applications, and to uphold the

tradition of planning excellence in Lawrence and Douglas County. Moreover, I urge you to resist being rushed into decisions that imperil the existing commercial properties.

Horizon 2020 is the result of years of study and dialogue of many of the true stakeholders in Lawrence and Douglas County. Those were not efforts to be taken lightly. Amendments to the Comprehensive Plan should follow the same procedures and involve the same stakeholders. While the Plan has been amended many times in relatively minor ways, more significant amendments were carefully studied, and were not adopted until the planning commission and the governing bodies determined that there was a community consensus.

Community planning was originally conceived so that citizens, public officials and property owners would have policies and procedures on which they could base decisions regarding investments, both public and private. It was conceived as a mechanism to improve the quality of life in a community. Although plans must not be set in concrete, they should not be changed whenever a proposal is inconvenienced by those plans. They need to provide a steadying feature to assist planners to achieve a positive influence on the quality of life in the community. If they are amended on a reactive basis, they become meaningless.

About thirty two years ago, Lawrence denied an application for commercial zoning for what became known as the "Cornfield Mall" at the site of the current proposal. That application was denied, and the courts affirmed the action, and affirmed the right of our community to map a future that could be depended on by the citizens.

In the present case, it is suggested that the purpose of the amendment is to bring Horizon 2020 and the Revised Southern Development Plan into alignment with the proposed commercial center.

That simply stated is putting the cart before the horse. A development proposal should be in alignment with Horizon 2020, or should not be considered. Any proposal needs to meet all of the criteria of the Plan or it should not be considered. Piecemeal leapfrog amendments to the Comprehensive Plan are not planning but are anti-planning, and take us back to the days when there was no planning at all.

The present proposal expands the regional center to intrude into lower intensity land uses including agricultural land and open space and regulated flood plain, and therefore is contrary to the provisions of the Comprehensive Plan. It meets none of the design criteria of the Plan. It expands the center far beyond the set maximum of 1.5 million square feet, and creates a precedent for additional expansion and a precedent for a gauntlet of strip commercial land uses, signs and the resulting traffic congestion.

I urge you to deny the request to amend Horizon 2020, and to preserve the tradition of excellent planning practice in Lawrence and Douglas County.

. . . – ...

Dear Commissioner Britton and members of the Lawrence Douglas County Planning Commission, Mayor Amyx and members of the Lawrence City Commission c/o Director of Planning Scott McCullough:

I would like to express my support for the retail area being proposed for K-10 and South Iowa and encourage you to send it on to the city commission with a favorable recommendation.

We have a developer who is willing to invest their money in our community asking very little in return – only a zoning change from auto retail to general retail. What better place for this center than at a major intersection of two major roads. This center will keep shopping here in Lawrence and Douglas County as well as drawing from smaller communities around Lawrence.

This project would generate significant sales and property tax dollars that could help pay for many of the items on our community wish list. Many downtown merchants agree that this project will benefit their businesses and having additional shoppers, who make multiple stops in their shopping day, a positive for the city. Additional retail locations will keep the rents lower and benefit all of us.

Please give a favorable vote for the Southpoint development project.

Regards,

Jane Bateman 926 West 29th Street Lawrence, KS 66046



LEAGUE OF WOMEN VOTERS* OF LAWRENCE/DOUGLAS COUNTY

August 22, 2015

RECEIVED

AUG 2 4 2015

City County Planning Office Lawrence, Kansas

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Melissa Wick

TO: Mr. Clay Britton, Chair, and Members of the Lawrence-Douglas County Metropolitan Planning Commission

RE: ITEM NO. 1 COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTERS 6 & 14 (JSC) CPA-15-00335: ITEM NO. 2A RS10 TO CR; 63.89 ACRES; SE CORNER SLT & US-59 (JSC) Z-15-00327: ITEM NO. 2B RS10 TO OS; 2.61 ACRES; SE CORNER SLT & US-59 (JSC) Z-15-00328.

The League of Women Voters is opposed to the request to amend Horizon 2020 and to rezone the acres under discussion. A Horizon 2020 Steering Committee has been updating the plan since February 2014 and they have received valuable public input along the way. The Committee next meets on August 31, 2015 to consider recommending that the Planning Commission, City Commission and County Commission accept their Issue Action Report. The League believes it would be irresponsible for the Planning Commission to acquiesce to a rezoning request until it has had the opportunity to accept and review the Steering Committee's Report.

Should the Committee decide to continue with the current agenda, we would like to point out that a quick perusal of two commercial realty websites identified 41 retail properties for lease in the city of Lawrence, including eight located in the downtown area. While several of those are small, one is 30,000 square feet and another 20,226 square feet. The vacant Discovery Furniture/Roommakers building on Iowa Street is 47,979 square feet and, of course Mercato, adjacent to Rock Chalk Park, is 600,000 square feet of vacant retail space.

For those reasons, we respectfully request that you deny the amendment to Horizon 2020 and the rezoning requests.

Sincerely,

Debra Duncan, President

Alan Black, Chairman Land Use Committee

alan Block



August 24, 2015

VIA ELECTRONIC MAIL

Amalia Graham (amalia.graham@gmail.com) Jim Denney (denney1@sunflower.com) Patrick Kelly (pkelly@usd497.org) Pennie von Achen (squampva@aol.com) Julia Butler (julia.v.butler@gmail.com) Clay Britton (clay.britton@yahoo.com) Bryan Culver (bcculver@gmail.com) Bruce Liese (bruce@kansascitysailing.com) Rob Sands (Robert.c.sands@gmail.com) Eric Struckhoff (eric.c.struckhoff@gmail.com) Lawrence-Douglas County Metropolitan Planning Commission City of Lawrence, Kansas City Hall 6 East 6th Street Lawrence, KS 66044

Re: South of K-10 Commercial and Retail Applications, CPA-15-00335; Z-15-00327; Z-15-00328

Dear Members of the Planning Commission:

I represent K-10/40 Development, L.C., whose managers have an interest in commercial properties in Lawrence, Kansas, including in downtown Lawrence and in the Mercato retail and commercial development at the northeast corner of Highways 40 (6th St.) and 10 in Northwest Lawrence. Tonight, the Commission will consider a Comprehensive Plan Amendment to Horizon 2020 Chapters 6 and 14 relating to an application for commercial development south of K-10, along with considering two rezoning requests affecting the same Project (the "Project"). For the reasons outlined here, the Commission should not recommend approval of the changes to the Lawrence Comprehensive Plan and related zoning.

The proposed Comprehensive Plan Amendment *does not conform* to certain Horizon 2020 policies. Staff acknowledges the proposed Project is a departure from the adopted form, level and type of commercial development envisioned for the site. Traditional neighborhood design is encouraged at this location and development should be undertaken in the form of Planned Development Overlays (p. 1-3), but these policies are proposed to be abandoned at the point in time they should be considered, that is, now (p. 1-3).

Further, staff notes in multiple places that a number of retail and commercial developments will be negatively affected by the Project because it could impact the timing of development for other properties (p. 1-2) and by potentially underserving the areas around these other locations (p. 2A-13). This includes Mercato and a number of other sites mentioned in the report, and there are businesses and locations that are not mentioned in the report. The pending requests veer from existing policies and implicate significant questions of public policy and planning.

These are not abstract considerations. There are approximately 1.3 million square feet of commercial inventory already available in the City (p. 1-9). The City should not change its Comprehensive Plan to add another 247,000 square feet -- what the Project applicants seek -- at the risk of damaging what exists.

Horizon 2020's goals and criteria for directing land use decisions center on the Nodal Development Concept for new commercial development (Horizon 2020, 6-2). Nodal Development is the antithesis of "strip development." Yet, tonight's proposed Comprehensive Plan Amendment and related zoning amendments would allow the extension of the already largest strip center in the City to jump across K-10 and into the flood plain.

Critically, staff states that the reason for the Comprehensive Plan Amendment is to "bring Horizon 2020 and the Revised Southern Development Plan into alignment with the proposed commercial center." But this approach assumes the Project itself should dictate what Horizon 2020 and the SDP should contain, rather than the other way around, that is, that the City's policies should dictate whether the Project is appropriate. This is a significant and sharp departure from public policy and Horizon 2020.

The direction established in Horizon 2020 for this location is that regional commercial "shall not" occur south of K-10. K-10 is viewed in Horizon 2020 as a "barrier" to commercial development of the kind now being proposed.

The central issue for tonight is to address whether the City process and directives under Horizon 2020 are being followed. Staff recognizes that there has not been a change in public policy (see p. 1-17 of the report). That the City has been working with a task force to review Horizon 2020 establishes that it is premature to change or gauge public policy.

The Project proposed is smaller than the proposal disapproved by the Commission last year, but the same planning principles that applied to the denial then apply with as much force now. The Project proposed is a smaller but no less potent dose of the type of development that has not been contemplated by or authorized under the City's Comprehensive Plan, and staff acknowledges that nearby properties will be entitled to further commercial development (p. 2A-13).

Members of the Planning Commission August 24, 2015 Page 3

The proper focus for the Project plan is against the backdrop of the City's Comprehensive Plan policies and goals. We urge the Commission to adhere to Horizon 2020 and to vote against this Project until the public process has been properly engaged.

Very truly yours,

Mary Jo Shaney

MJS:hkm

cc: Scott McCullough, Director, Planning and Development Services, via e-mail smccullough@lawrenceks.org
James C. Bowers, Jr., Esq., via e-mail jbowers@whitegoss.com

From: Heidi Simon [mailto:heidi.j.simon@gmail.com]

Sent: Friday, August 21, 2015 4:42 PM

To: clay.britton@yahoo.com; Patrick Kelly < PKelly@usd497.org>; Amalia.graham@gmail.com; Julia.v.butler@gmail.com;

bculver@gmail.com; Robert.c.sands@gmail.com; Denney1@sunflower.com; squampva@aol.com;

bruce@kansascitysailing.com; Eric.c.struckhoff@gmail.com

Cc: mikeamyx515@hotmail.com; lsoden@lawrenceks.org; sboley@lawrenceks.org; matthewjherbert@gmail.com

Subject: SouthPoint Rezoning

Dear Commissioners,

First, I want to thank you for your time and commitment to Lawrence in your planning commissioner roles. What you do matters greatly to our amazing city and I know you fulfill this role with little recognition and appreciation. So, thank you!

I am writing today because I can't be at the meeting on Monday and I want to voice my strong support for the approval of the items on your agenda to rezone the Southeast corner of SLT and US-59.

I did attend the meeting last year and I was disappointed when the vote conversation turned from "rezoning" to how people feel about the development. My take on the vote is the following:

- 1. This area is already zoned for some type of commercial use. A vote for this is simply changing the type of zoning from auto-related to regional commercial. There will be development in this area. The question becomes what do we want this commercial development to add to our community (both visually and in tax dollars). I love me some Lawrence, KS, but one of my least favorite first impression/gateways to our city is the east 23rd st./K-10 entrance. All of the businesses along this corridor are great for Lawrence, however they just don't create a very welcoming entry point to Lawrence. I'm afraid if we keep the current zoning on the Southeast corner as auto-related, we will indeed have another E. 23rd st. entry to Lawrence.
- 2. Other developers in town might suggest that changing this to regional commercial will take away from other areas that are already zoned for this use. Before the Rock Chalk Park development I might have supported this thought. However, since RCP it is clear to me that area has special opportunities for development that won't work in other areas of the city. It is my personal belief that the RCP area would benefit most from hotels, restaurants and movie theatres. Not to mention, retail wants to be by other retail. I believe this be one of the biggest reasons it's not already developed. So even if we want this to happen, we can't make the retailers want this.
- 3. Tax dollars. I'm not sure if the developers estimates are exactly correct on the amount of money this development will bring to our city, but I know it's more than zero, which is the current amount. We are in desperate need of dollars staying in our city and coming into our city. I read somewhere that some say the stores coming in won't bring in more money, it will just shift it from other businesses in Lawrence. Although this may happen in few instances, it is a fact that millions of dollars leave our community for the exact type of stores that this development will be adding. I am an example of this and pretty much everyone else I know is too. This will keep money in Lawrence and will add money to Lawrence from our smaller communities surrounding us.
- 4. It is my understanding the developers are not asking for any tax breaks or incentives. This is unheard of. How can we turn this down when we so desperately need more tax dollars to come to and stay in Lawrence and on top of it they aren't asking for tax breaks?
- 5. I miss Old Navy.

At the end of the day, this really comes back to my first point. Do we want this to be auto-related or regional commercial? I want this commercial area to add tax dollars and a well-planned/designed/sculptured/landscaped area. Let's get this right.

Thank you for your time and I would be grateful to receive a response that you have at least read this email.

Heidi Simon 5503 Chameny Ct. Lawrence, KS 66049

THE LAW OFFICES OF

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August 21, 2015

Lawrence-Douglas County Planning Commission City of Lawrence, Planning & Development Services P.O. Box 708 Lawrence, Kansas 66044

Re: Supplemental Memorandum to the Lawrence-Douglas County "Planning Commission Report" for the August 24, 2015 Planning Commission Meeting

Dear Chairman Britton and Members of the Planning Commission:

I am writing on behalf of Collett in support of the opportunity the Commission has at its August 24, 2015 meeting to consider and recommend approval of the following agenda items:

<u>Item 1</u>: Comprehensive Plan Amendment to Horizon 2020 Chapters 6 & 14;

<u>Item 2A</u>: Rezoning from RS10 to CR at the Southeast Corner of SLT & US-59; and

Item 2B: Rezoning from RS10 to OS at the Southeast Corner of SLT & US-59.

Each of the foregoing applications was filed by Landplan Engineering on behalf of the owners of the subject property, Armstrong Management and Grisham Management (collectively, the "Applicant"). After withdrawing its previous application to address concerns stated at the prior Planning Commission hearing that the project be scaled-down, the Applicant has reduced the proposed development consistent with the Planning Commission's comments.

INTRODUCTION

By recommending approval of the three (3) requests above, the Planning Commission has an opportunity to benefit the entire City of Lawrence by creating expanded shopping opportunities that will prevent existing spending from exiting Lawrence and draw *new* dollars to the City, which will increase City sales and property tax revenues (to the tune of nearly \$1.5 million annually), and create nearly 500 new jobs for Lawrence and Douglas County residents.

But perhaps more importantly, SouthPoint presents the ideal opportunity to create an attractively-designed, graciously-landscaped southern "gateway" to the City of Lawrence at the

doorstep of the new K-10 expansion. The proposed shopping center generally complies with the long-term vision set forth in Horizon 2020, and enumerated in the Land Development Code, yet improves upon that vision, and brings it in-line with the significant opportunity that exists to grow Lawrence's retail market.

PLANNING COMMISSION REPORT

Upon receipt of staff's Planning Commission Report on August 18, 2015 (the "Staff Report"), the Applicant was pleased that staff recommended approval of all three (3) applications. In addition to staff's findings regarding the potential "positive effect on the City's pull factor and tax revenue" (Item No. 1-1), the Applicant generally agrees with the conclusions of the Staff Report. This memorandum is intended to highlight, and in some instances clarify, a few of the facts and findings contained therein.

A. The Current Zoning (RS10) is Inappropriate for the Subject Property and was Merely Intended to Serve as a "Holding Zone"

As noted in the Staff Report, the existing residential zoning designation is a remnant of a past practice to apply low-density residential zoning *automatically* upon annexation. *See e.g.* Staff Report, at Item No. 2B-9 ("In 1979, as properties were annexed into the City Limits, the RS-1 district was commonly used as a holding zone.").

Thus, a residential zoning designation was never intended to be the permanent zoning for the site, nor is it the most effective use of this highway-interchange location or a desirable spot to place single-family homes.

In fact, Horizon 2020 already prescribes a very high intensity use for the site (auto-related commercial). The question is not *if* the site should be rezoned, but which of the two options before you (auto-related commercial) or regional commercial) is the more appropriate alternative.

B. The Requested Comprehensive Plan Amendment Represents a Lateral Move to a Similar-in-intensity, But More Appropriate and Desirable Alternative for the Southern "Gateway" to the City

As set forth at Item 1-2 of the Staff Report, the Applicant is requesting that Horizon 2020 be amended to change the future land use designation from Auto-Related Commercial to Regional Commercial. These uses are essentially equivalent in terms of intensity and are subject to many of the same provisions under Horizon 2020. There is one major difference, however, in that auto-related commercial centers are not particularly attractive, and typically comprise small service buildings and large car lots and truck plazas. This stands in contrast to the attractively-designed and graciously-landscaped southern "gateway" that SouthPoint offers.

As the Staff Report explains:

SouthPoint will "provide a more substantial buffer for the Wakarusa River riparian areas," and "[t]he public stands to gain . . . through preservation of a linear connection of the riparian lands leading into the Baker Wetlands." *See* Staff Report, at Item No. 2B-1, -12.

In addition to the economic, aesthetic and environmentally-conscious factors that make SouthPoint a preferable alternative to an auto-related commercial center, the City has experienced significant redevelopment of auto-related commercial uses in recent years. Dealerships such as Briggs Subaru, Lawrence Kia, Jack Ellena Honda, Crown Toyota and Dale Willey Automotive have all invested significant additional capital toward enhancing and/or expanding their current locations. The result of this redevelopment is a limited demand for auto-related uses at the corner of SLT and US 59.

The Lawrence *retail* market, by contrast, is primed to see significant growth in the next few years through appropriate development, such as extending the South Iowa Regional Commercial Center to its logical southern terminus at SouthPoint. A commercial zoning designation *not* restricted to auto-related uses is the much more appropriate and desirable alternative.

C. <u>SouthPoint Embraces the Significant Opportunity that Exists to Grow</u> Lawrence's Retail Market

According to a recent study by Caplan & Associates, SouthPoint is the ideal location for a retail development based on a variety of factors. With the addition of national retailers who do not yet serve Douglas County shoppers and its prime location adjacent to Lawrence's largest commercial district, SouthPoint is projected to increase City sales and property tax revenues by a combined \$1.5 million annually. *See SouthPoint Retail Market Study*, prepared by Richard Caplan & Associates, at 12 (Aug. 14, 2015) (attached to Staff Report as exhibit to Item No. 1). The development will also create expanded shopping opportunities and nearly 500 new jobs for Lawrence and Douglas County residents. *Id*.

SouthPoint is Designed to Attract New-to-Market Tenants. The Applicant has assembled a mix of tenants that will allow the shopping center to thrive in Lawrence's retail market. As noted in the Caplan Study referenced above, Douglas County currently has a pull factor of 0.91, meaning the County "leaks" \$0.09 of every dollar to be spent elsewhere. Lawrence similarly ranks 17th out of the State's 25 first-class cities. "Altogether, this leakage offers an opportunity for retail growth, especially among those sectors where the sales leakage is greatest." *Id.* at 6.

Eight of the eleven major retail categories designated by NAICS are planned to be located at SouthPoint, including two of the poorest performing sectors in terms of pull factor:

NAICS CATEGORY	DOUGLAS COUNTY RETAIL PULL FACTOR	SOUTHPOINT TENANT
442 Furniture and Home Furnishings Stores	0.59	HomeGoods (Marshall's)
448 Clothing and Clothing Accessories Stores	0.62	DSW or Off Broadway Shoes

As framed by Caplan & Associates, this results in a "significant opportunity to increase Lawrence's retail sales." *Id.* at 11. SouthPoint seeks to take advantage of that opportunity by adding 237,000 square feet of retail space, an amount easily consumed by the market based on Lawrence's demonstrated ability to absorb new commercial space.

The SouthPoint Project will be Absorbed at the City's Historic Absorption Rate. According to the Caplan study, "the City has absorbed an average of 265,070 square feet since 2006." *Id.* at 16. Lawrence has an approved unbuilt inventory of approximately 1,184,968 square feet, which increases to 1,431,968 square feet upon the inclusion of SouthPoint. But even in an unlikely scenario where "all of these projects are completed and phased into the local market by 2020 . . . this will result in adding an average increase of [only] 238,661 square feet per year," an amount less than that averaged since 2006. *Id.*

Upon occupancy of SouthPoint, the city wide vacancy rate is, therefore, projected to drop from 7.2% to approximately 6.7%. These projections are actually quite conservative, however, in that they assume *all* approved unbuilt inventory will be completed and phased into the market by 2020. But as discussed in greater detail below, several of these undeveloped concepts are either unlikely to be completed in the near future, or involve commercial-retail categories that will not compete with any of the expected tenants at SouthPoint.

D. <u>Unlike Various Entitled, but Undeveloped Commercial Areas in the City, SouthPoint is Ready to Break Ground in 2016 and Provide Lawrence Residents with New-to-Market, National Tenants Shortly Thereafter</u>

Staff states that the "[p]roposal could impact the timing of development for other entitled, but entirely or partially undeveloped, commercial areas . . . thereby potentially under serving these areas of the community." *Id.* at 2. It is important to clarify, however, that several of the development examples for this assertion are either unlikely to be completed in the near future, or involve commercial-retail categories that will not compete with any of SouthPoint's tenants.

Menards is in the building materials and supplies category, for example, which "is not in competition with any of the expected tenants at SouthPoint." *Id.* at 16.

The Mercato development, on the other hand, appears to need additional rooftops in the vicinity before retailers are willing to locate there. After attempting for several years to obtain tenants and move the project forward, the Commission has no evidence that Mercato will experience meaningful progress in the near future. There has been no public announcement of

tenants, nor have any development plans been submitted to the City. SouthPoint, by contrast, has tenants ready to go if it receives approval of the requested plan amendment and rezoning, and the Applicant plans to break ground in the Spring of 2016. These tenants recognize the significant opportunity that exists to grow Lawrence's retail market by being strategically positioned in a modern retail development at the southern entrance to the City.

E. SouthPoint Meets or Exceeds Each of the Requisite Factors Set Forth in the Land Development Code and Identified Under Kansas Case Law

Finally, from a purely legal and land use perspective, SouthPoint meets and/or exceeds each of the factors required to be considered under Section 20-1303(g) of the Land Development Code; the same factors identified by the Supreme Court of Kansas in *Golden v. Overland Park* as the quintessential items to be considered in making any rezoning determination.

SouthPoint is consistent with the character of the neighborhood and complements the zoning and uses of nearby properties. The current zoning is not at all conducive to maximizing the value of this uniquely-situated property, evidenced by the fact that the property, as zoned, has remained vacant and underutilized for more than thirty-five (35) years. The *rezoning* will, therefore, provide a benefit, rather than a detriment, to nearby properties, whereas denial of the application will harm the public by depriving Lawrence and Douglas County residents of the numerous benefits discussed in this memorandum. Finally, staff recommended approval of all three (3) applications upon finding, among other things, that "Horizon 2020 lists several key strategies that are applicable to the proposed development and support the proposed request." *See* Staff Report, at Item No. 2B-3.

CONCLUSION

SouthPoint will provide a number of benefits, including an attractive southern "gateway" to the City, increased sales and property tax revenues, expanded shopping opportunities and new jobs for Lawrence and Douglas County residents. It will facilitate completion of the much-needed public improvements that are currently underway, and the scope of the requested amendments meet and/or exceed the quintessential zoning factors established in *Golden v. Overland Park* and in the City's Land Development Code.

SouthPoint represents a lateral move to a land use that is similar-in-intensity, but much preferable to that currently contemplated by Horizon 2020. The development will have a positive impact on the retail market, and help to alleviate the leakage of retail sales currently experienced in Lawrence as well as in Douglas County.

For the foregoing reasons and others, we respectfully request that you recommend approval of all three (3) applications, as did staff.¹ We look forward to discussing the project further at the August 24, 2015 Planning Commission meeting.

Sincerely,

Dan Watkins

 $^{^1}$ For the exact wording of staff's recommendations with respect to all three (3) applications discussed in this memorandum, please refer to **Exhibit A** attached hereto.

EXHIBIT A

STAFF RECOMMENDATIONS

ITEM NO. 1:

COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 6, CHAPTER 14, AND TO THE REVISED SOUTHERN DEVELOPMENT PLAN (JSC)

"Staff recommends forwarding a recommendation of <u>approval</u> of this comprehensive plan amendment to Horizon 2020, to the Lawrence City Commission and the Douglas County Board of Commissioners to amend Chapter 6, and the Revised Southern Development Plan to expand the South Iowa Regional Commercial center to incorporate the proposed development."

ITEM NO. 2A:

RS10 TO CR; 59.80 ACRES; SOUTHEAST CORNER SLT & US-59 HIGHWAY (JSC)

"Staff recommends <u>approval</u> of rezoning 59.80 acres from RS10 (Single-Dwelling Residential) District to CR (Regional Commercial) District, and forward it to the City Commission with a recommendation for approval based on the findings of fact found in this staff report."

ITEM NO. 2B:

RS10 TO OS; 6.07 ACRES; SE CORNER SLT & US-59 HWY (JSC)

"Staff recommends <u>approval</u> of the request to rezone 6.07 acres from RS10 (Single-Dwelling Residential) District to OS (Open Space) District, located at the southeast corner of the South Lawrence Trafficway and US-59 Highway based on the findings presented in this staff report, and forwarding it to the City Commission with a recommendation for approval, subject to the following condition:

- 1. The following uses shall be prohibited:
 - a. Public and Civic Use Groups:
 - i. Community Facilities; Cemetery, Cultural Center/Library and Funeral and Interment, Utility Minor, and Utility Major
 - ii. Recreation Facilities; Active Recreation and Entertainment & Spectator Sports, Limited
 - b. Commercial Use Groups:
 - i. Transient Accommodation; Campground
 - ii. Parking; Accessory Parking
 - c. Other Use Groups:
 - i. Communication Facilities; Amateur & Receive-Only Antennas,
 Telecommunications Antenna, Telecommunications Tower and Satellite Dish
 - ii. Recycling Facilities; Small Collection Recycling Facilities"



August 21, 2015

Lawrence –Douglas County Planning Commission C/o City Hall 6 E. 6th St.
Lawrence, KS 66044

RE: Proposed Retail Development at SLT and South Iowa

Dear Commission members:

I understand that the Lawrence-Douglas County Planning Commission will hear arguments for and against the proposed project for a new shopping center at the southeast corner of the SLT and Iowa Street interchange at its evening meeting on Monday, August 24th at City Hall. The Downtown Lawrence, Inc. board of directors has asked me to share their thoughts with the Planning Commission on this proposal.

In the past both the City Commission and the Planning Commission have been vigilant in maintaining Downtown Lawrence as the heart of the City. As far as this proposed project is concerned, we would ask the Planning Commission and the City Commission to continue this tradition of supporting locally owned, small and specialty businesses. Maintaining our retail mix and keeping Downtown vibrant and healthy are important not only to DLI but to our community as a whole. In the past year Downtown Lawrence has been named the number one tourist destination in the state by Trip Advisor and *Parade Magazine*, and the number two city for finding great local gifts by Yelp!. This is due in large part to the hard work of our local business owners and the excellent products and services that they offer.

Doubtless there are some advantages to welcoming new retail offerings to the community. As the discussion of it proceeds we would hope that the Planning Commission and the City Commission would be aware of the plans to include smaller, specialty businesses in the development and what effect that might have on downtown. Our goal and mission is to promote, preserve, and enhance this historic business district and to continue to engage the community and provide a place for locals and visitors alike to gather and enjoy our special brand of hospitality and tradition of unparalleled customer service.

Downtown Lawrence, Inc. would like to see the Planning Commission and City staff further explore this project including the various types of proposed retail businesses that might be included in it before any official recommendation or approval is determined. DLI wants to be an involved and active participant in the conversation as the conversation on this project proceeds.

Sincerely,

Sally Zogry
Executive Director

Sally Gr