City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

Updated:
1/23/12 @ 10:30am
Added communications for the following items:
Item 5 - Text Amendment; Industrial Districts
Items 10A-10C - Aspen Heights; 1900 W 31st St
Item 11 - North Mass Development

1/20/12 @ 12:45pm
Added Item 10C - Special Use Permit for Aspen Heights; 1900 W 31st St
Added concept plan & communications for Item 11 - North Mass Development

1/19/12 @ 4:30pm
Added the following items:
Item 10A - Rezoning of 1900 W 31st St
Item 10B - Preliminary Plat for Aspen Heights Addition; 1900 W 31st St

1/18/12 @ 4:30pm
The following items will be added when available:
Item 10A - Rezoning of 1900 W 31st St
Item 10B - Preliminary Plat for Aspen Heights Addition; 1900 W 31st St
Item 10C - Special Use Permit for Aspen Heights; 1900 W 31st St

LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
CITY HALL, 6 EAST 6TH STREET, CITY COMMISSION MEETING ROOM
AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS
JANUARY 23 & 25, 2012 6:30 - 10:30 PM

GENERAL BUSINESS:

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of December 12, 2011.

COMMITTEE REPORTS

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

COMMUNICATIONS

a) Receive written communications from the public.
b) Receive written communications from staff, Planning Commissioners, or other commissioners.
   - Communication from the Historic Resources Administrator pertaining to the Landmark nomination of the Joseph Savage House located at 1734 Kent Terrace.
c) Receive written action of any waiver requests/determinations made by the City Engineer.
d) Disclosure of ex parte communications.
e) Declaration of abstentions from specific agenda items by commissioners.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE COMMISSION'S DISCRETION

REGULAR AGENDA (JANUARY 23, 2012) MEETING

PUBLIC HEARING ITEM:

Recess LDCMPC
Convene Joint Meeting with Lecompton Planning Commission

ITEM NO. 1 CONDITIONAL USE PERMIT FOR FRED'S BOAT STORAGE; 568 N 1800 RD (MKM)

CUP-11-7-11: Consider a revised Conditional Use Permit for Fred's Boat Storage, located at 568 N 1800 Road. The request amends CUP-8-7-06 to specifically include the covered storage of recreational vehicles, trailers and campers, as well as boats as currently permitted. Submitted by George Roll, Property owner of record. *Joint meeting with Lecompton Planning Commission.*

Adjourn Joint Meeting
Reconvene LDCMPC

NON-PUBLIC HEARING ITEMS:

ITEM NO. 2 ANNEXATION; 17.4 ACRES; YANKEE TANK (MJL)

A-8-3-11: Consider annexation of approximately 17.4 acres for Yankee Tank, located south of Bob Billings Pkwy, north of Clinton Parkway, east of Villa Drive, and west of Burning Tree Drive. Submitted by North Tank LC and Burning Tree LLC, property owners of record.

ITEM NO. 3 ANNEXATION; 109 ACRES; YANKEE TANK/LAKE ALVAMAR (MJL)

A-8-4-11: Consider annexation of approximately 109 acres for Yankee Tank (commonly known as Lake Alvamar), located north of Clinton Parkway, south & west of Lake Alvamar Drive, and east of E. 920 Road. Submitted by Alvamar Inc, and Kansas Athletics, Inc. property owners of record.

RESUME PUBLIC HEARING:

ITEM NO. 4 COMPREHENSIVE PLAN AMENDMENT TO H2020 - CHP 14; NORTHEAST SECTOR PLAN (DDW)

CPA-6-5-09: Reconsider Comprehensive Plan Amendment to Horizon 2020 – Chapter 14 to include the Northeast Sector Plan. *Approved by Planning Commission 5-4 on 9/20/10. Referred to Planning Commission by the Board of County Commission and City Commission for consideration of specific issues. Deferred by Planning Commission on 12/12/11.*

ITEM NO. 5 TEXT AMENDMENT TO CITY OF LAWRENCE DEVELOPMENT CODE; INDUSTRIAL DISTRICTS (MJL)

TA-10-16-11: Consider a text amendment to Chapter 20 of the City Code, Land Development Code, to review the uses of the existing industrial districts and explore creating a new district that permits uses with intensities between the IL (Limited Industrial) district and IG (General Industrial) district. *Deferred by Planning Commission on 11/14/11.*

****DEFERRED****

~~**ITEM NO. 6 TEXT AMENDMENT TO THE DOUGLAS COUNTY ZONING REGULATIONS; AGRITOURISM (MKM)**~~

~~**TA-8-11-11**: Consider a Text Amendment to the Douglas County Zoning Regulations for the Unincorporated Territory of Douglas County to establish *Agritourism* as a use in the A (Agriculture) District.~~

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

Recess until 6:30pm on January 25, 2012.

BEGIN PUBLIC HEARING (JANUARY 25, 2012):

COMMUNICATIONS

a) Receive written communications from staff, Planning Commissioners, or other commissioners.
b) Disclosure of ex parte communications.
c) Declaration of abstentions from specific agenda items by commissioners.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE COMMISSION'S DISCRETION

REGULAR AGENDA (JANUARY 25, 2012) MEETING
PUBLIC HEARING ITEMS:

ITEM NO. 7 IG TO H; 12.4 ACRES; 138 ALABAMA ST (SLD)

Z-11-27-11: Consider a request to rezone approximately 12.40 acres from IG (General Industrial) to H (Hospital), located at 138 Alabama Street. Submitted by Treanor Architects, for Alford-Clarke Post #852 VFW, property owner of record and Bert Nash Community Mental Health Center, contract purchaser.

ITEM NO. 8A IG TO IL; .20 ACRES; 920 & 920 ½ DELAWARE ST (SLD)

Z-11-26-11: Consider a request to rezone approximately .20 acres from IG (General Industrial) to IL (Limited Industrial), located at 920 and 920 ½ Delaware Street. Submitted by Struct/Restruct, LLC, property owner of record.

PUBLIC HEARING on Variances Only:

ITEM NO. 8B PRELIMINARY PLAT FOR EVEN LOWER EAST SIDE ADDIITION; 920 & 920 ½ DELAWARE ST (SLD)

PP-11-11-11: Consider a Preliminary Plat for Even Lower East Side Addition, a one lot subdivision containing approximately .20 acres, located at 920 and 920 ½ Delaware Street. The request includes a variance request from the Subdivision Design Standards, specifically 20-809(d) regarding the minimum area of the proposed lot. Submitted by Struct/Restruct, LLC, property owner of record.

RESUME PUBLIC HEARING:

ITEM NO. 9 CONDITIONAL USE PERMIT FOR US 59 HWY BORROW PIT (SLD)

CUP-11-6-11: Consider a Conditional Use Permit for US 59 Hwy Borrow Pit located west of US 59 between N 1100 and N 1000 Roads. The property address is 1297 N 1056 Road. The applicant proposes to sell soil for the nearby US 59 construction project. Submitted by Landplan Engineering, for Evelyn M. Johnston Trustee, property owner of record.

ITEM NO. 10A RS10 TO RM12; 41.15 ACRES; 1900 W 31ST ST (SLD)

Z-11-28-11: Consider a request to rezone approximately 41.15 acres from RS10 (Single-Dwelling Residential) to RM12 (Multi-Dwelling Residential), located at 1900 W. 31st Street. Submitted by Landplan Engineering, for Mid-America Manufactured Housing Communities, Inc., property owner of record.

PUBLIC HEARING on Variances Only:

ITEM NO. 10B PRELIMINARY PLAT FOR ASPEN HEIGHTS ADDITION; 1900 W 31ST ST (SLD)

PP-11-12-11: Consider a Preliminary Plat for Aspen Heights Addition, approximately 41.15 acres, located at 1900 W. 31st Street. The request includes variance requests from the Subdivision Design Standards, specifically 20-810(d) regarding the dedication of additional r-o-w for the adjacent arterial street; connection of at least one street connection to each adjacent subdivision; and the dedication of the remainder of r-o-w for Ousdahl Road (extended). Submitted by Landplan Engineering for Mid-America Manufactured Housing Communities, Inc., property owner of record.

RESUME PUBLIC HEARING:

ITEM NO. 10C SPECIAL USE PERMIT FOR ASPEN HEIGHTS; 1900 W 31ST ST (SLD)

SUP-11-5-11: Consider a Special Use Permit for Aspen Heights for the development of multiple detached dwelling structures on a single lot in an RM District as required by Section 20-402 of the Land Development Code. The property is located at 1900 W. 31st Street. Submitted by Landplan Engineering, for Mid-America Manufactured Housing Communities, Inc., property owner of record.

ITEM NO. 11 COMPREHENSIVE PLAN AMENDMENT TO H2020 - CHP 6; NORTH MASS DEVELOPMENT (AAM)

CPA-11-8-11: Consider a Comprehensive Plan Amendment to Chapter 6 of Horizon 2020 to expand the identified boundaries of Downtown Lawrence to accommodate a proposed mixed use project known as the *North Mass Development*. The request includes a proposal to exempt the proposed *North Mass Development* from the current requirement that individual stores in the Downtown Commercial Center have a maximum footprint of no more than 25,000 square feet. Proposed by Paul Werner Architects.

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

ADJOURN

CALENDAR

December 2011

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

January 2012

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2012

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

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

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City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

PLANNING COMMISSION MEETING
December 12, 2011
Meeting Minutes DRAFT

December 12, 2011 – 6:30 p.m.
Commissioners present: Belt, Blaser, Britton, Burger, Culver, Finkeldei, Hird, Liese, von Achen
Staff present: McCullough, Stogsdill, Day, Larkin, Leininger, M. Miller, Warner, Ewert

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MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of November 14, 2011.

Motioned by Commissioner Liese, seconded by Commissioner Finkeldei, to approve the November 14, 2011 Planning Commission minutes.

Unanimously approved 9-0.

COMMITTEE REPORTS

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

Commissioner Liese said during the December Planning Commission Mid-Month meeting they were not able to have a full meeting because there wasn't quorum. He asked for suggestions about how to achieve better attendance from the Commissioners at the Mid-Month meetings.

Commissioner Belt said due to his current employment he would periodically have scheduling conflicts but more often than not he would be able to attend.

Commissioner Liese said he preferred the morning but was flexible.

Commissioner Burger said she could not attend before 8:00am.

Commissioner Britton said early morning was better for him.

Commissioner Hird asked what they thought of an evening Mid-Month meeting. He felt Mid-Month meetings were important valuable time and that all of the Commissioners attendance was needed. He wanted to find the best option for better attendance.

Mr. McCullough said staff could propose some alternatives and survey the Commission to see what the majority consensus was.

Commissioner Liese suggested the possibility of longer meetings six times a year.

Commissioner Hird said the Agritourism Committee continues to meet monthly and are scheduled for the Mid-Month agenda for January.

COMMUNICATIONS

Mr. Scott McCullough, Planning Director, reviewed new attachments and communications that were posted to the online Planning Commission agenda after the initial posting date.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- Ex parte:
  Commissioner Liese said about six weeks ago he had a brief conversation with County Commissioner Nancy Thellman regarding where Planning Commission stood with the Northeast Sector Plan.

  Commissioner Britton said he had a similar discussion last week with County Commissioner Thellman about the Northeast Sector Plan.

- Abstentions:
  Commissioner Burger said she would like to abstain from Item 6 because she did not review the material.

ITEM NO. 1 PRELIMINARY PLAT AND VARIANCE; DAN & TRISHA SIMONS ADDITION; 444 COUNTRY CLUB TERR (MKM)

PP-10-10-11: Consider a 1 lot Preliminary Plat for Dan & Trisha Simons Addition, approximately 2.36 acres, located at 444 Country Club Terrace and associated variance from requirement in Section 20-810(b) that all lots have frontage on a public street. Submitted by Treanor Architects, PA for Dan & Trisha Simons, property owners of record.

STAFF PRESENTATION
Ms. Mary Miller presented the item.

APPLICANT PRESENTATION
Mr. C.L. Mauer, Landplan Engineering, was present for questioning.

PUBLIC HEARING on Variance Only
No public comment.

ACTION
Motioned by Commissioner Finkeldei, seconded by Commissioner Blaser, to approve the variance requested from Section 20-810(b) to allow the creation of a lot without street frontage.

Unanimously approved 9-0.

Motioned by Commissioner Finkeldei, seconded by Commissioner Blaser, to approve the Preliminary Plat of the Dan and Trisha Simons Addition; 444 Country Club Terrace and referring it to the City Commission for acceptance of dedication of easements subject to the following conditions of approval:

1) If the Planning Commission approves the variance requested from the frontage requirement in Section 20-810(b), a note shall be added to the plat with the section and the date the Planning Commission approved the variance.
2) The property owner shall execute an easement for the off-site service line and the Book and Page Number shall be noted on the face of the final plat.

Unanimously approved 9-0.

PC Minutes 12/12/11 **DRAFT**

ITEM NO. 2 VARIANCE FOR MINOR SUBDIVISION; 1043 INDIANA ST (MKM)

Request for variance from standard street and alley right-of-way associated with a minor subdivision application, MS-11-6-11, Varsity House Addition for property located at 1043 Indiana Street.

STAFF PRESENTATION
Ms. Mary Miller presented the item.

APPLICANT PRESENTATION
The applicant was not present.

PUBLIC HEARING on Variance Only
No public comment.

ACTION
Motioned by Commissioner Finkeldei, seconded by Commissioner Culver, to approve the variance request from the requirement to dedicate additional street and alley right-of-way as required by Sections 20-810(d)(4)(i) and Section 20-810(d)(10)(ii).

Unanimously approved 9-0.

ITEM NO. 3 CONDITIONAL USE PERMIT FOR GOOD EARTH GATHERINGS; 858 E 1500 RD (SLD)

CUP-10-5-11: Consider a Conditional Use Permit for Good Earth Gatherings, a recreation facility, to provide community outreach, education, and ancillary retail sales on approximately 10.5 acres, located at 858 E 1500 Rd. Submitted by Tamara Fairbanks-Ishmael, property owner of record.

STAFF PRESENTATION
Ms. Sandra Day presented the item.

APPLICANT PRESENTATION
The applicant was not present.

PUBLIC HEARING
No public comment.

COMMISSION DISCUSSION
Commissioner Finkeldei asked staff to address the correspondence received regarding the possible expanding scope and enforcement.

Ms. Day said typically it would be through a complaint or some other follow up by County staff looking at an enforcement issue. She also stated if the applicant contacted staff wanting to expand the scope it would probably require a new public hearing.

Commissioner Finkeldei inquired about the concern of a retail shop. He said it would not be allowed because it would only be ancillary retail sales.

Ms. Day said that was correct.

Commissioner Liese asked staff to comment on the applicant and the writer of the correspondence with concerns not being present at the meeting.

Ms. Day said the individual that wrote the letter indicated they would not be able to attend this evening. She stated the significant concern she heard from the public was regarding the lake. She said she did not know why the applicant was not present.

Commissioner Liese said he was uncomfortable with the absence of the applicant and letter writer but would reluctantly vote in favor of the item.

Commissioner Burger asked if Good Earth Gatherings currently held classes in the community.

Ms. Day said she did not know.

Commissioner Burger inquired about the precedence of deferring for the applicant to be present.

Mr. McCullough said the letter writer provided testimony through the letter and indicated to staff they would not be able to make it to the meeting. He said if Planning Commission found they were not able to accept staff's recommendation, wanted to revise conditions, or if there was public comment that needed a response from the applicant, then they might want to consider a deferral.

He stated if Planning Commission was willing to accept staff's recommendation then he did not necessarily think a deferral would be prudent in this case.

Mr. McCullough asked Ms. Day if there were any timing issues that she knew of.

Ms. Day said she was not aware of any timing issues.

Commissioner von Achen answered Commissioner Burger's earlier question. She said the applicant currently does teach an herb class once a month at the Unitarian Fellowship.

Commissioner Hird said it was always helpful to have the applicant present but if there was no controversy he did not see anything wrong with trusting the application to the process.

ACTION

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

1. Provision of a revised site plan to include the following notes
2. Use of the lake for public, business, commercial, and recreation activities associated with the home occupation is prohibited.
3. Class size shall be limited to not more than 12 students and 1 instructor.
4. No more than on class shall be conducted/offered at a time.

Unanimously approved 9-0.

PC Minutes 12/12/11 **DRAFT**

ITEM NO. 4 TEXT AMENDMENT TO CITY OF LAWRENCE DEVELOPMENT CODE; DEFINING OCCUPANCY & CLARIFYING OCCUPANCY LIMITS IN NON-RS ZONING DISTRICTS (MJL)

TA-10-15-11: Consider a text amendment to the City of Lawrence Land Development Code, Articles 2 and 17, defining occupancy and clarifying the applicability of occupancy limits in RS and non-RS districts. *Initiated by City Commission on 10/4/11.*

STAFF PRESENTATION
Ms. Michelle Leininger presented the item.

PUBLIC HEARING
Mr. Bob Schumm said he was interested in this issue because there has not been an efficient way of dealing with people who overload single-family dwelling homes. He said the home across the street from his house had about six individuals living in it right now and were taken court and fined $100. He said the City Commission's intension was to try and get some language with teeth in the ordinance so the inspectors can do their job. He stated it was not just one neighborhood where this was occurring.

COMMISSION DISCUSSION
Commissioner Finkeldei discussed the definition of family.

Mr. McCullough said the direction from City Commission was to bolster several parts of the current enforcement in terms of occupancy and its link to rental registration. He said the Development Code portion was for cleanup of applicability sections in Article 2 established for all the districts and to define what occupancy meant. He said that was important from an enforcement standpoint because often times when people are found living in a residence they will claim they have another residence so staff has to try and prove they are there a majority of the time. He said staff looked at several alternatives to look at whether or not to create a term occupancy or occupant and how that could fit into the architecture of the Code. He said they kept going back to the definition of family and felt that in discussing this with the Code Enforcement Manager that it was important to maintain the broad terms of living in a dwelling unit, which was existing Code language in the definition of family. He said it gets at the same value but if they can show through prosecution that a person is residing or sleeping at a dwelling unit the majority of the time they would be recognized, from a Code perspective, as an occupant of that address.

Commissioner Finkeldei inquired about someone who says they are just visiting a residence.

Mr. McCullough said staff started out with the framework of residing 15 of 30 days. He said they didn't want to create a loophole or rule where people could stay a certain amount of days and then come back and start the time over. He said they wanted to be able to keep it broad enough to use for specific enforcement scenarios and also define it in such a way where it can show the court that someone is residing in a certain residence.

Commissioner Finkeldei said he liked the League of Women Voters suggestion about pulling it out of non-RS districts that do not have accessory dwelling units.

Commissioner Blaser asked if it would then make the two areas that can have ancillary in RS non-compliant.

Mr. McCullough said the League of Women Voters comment was that the language was consistent throughout Article 2 and shouldn't be consistent because some of those districts don't allow accessory dwelling units. He said the League was seeing an appearance of conflict between one Code section appearing to allow accessory dwelling units even though from a technical standpoint it doesn't because it refers to another Code section that prohibits them. He said it doesn't lend itself any value to the Code to keep it in there so he agreed with the League's comment about it being stricken from those districts that don't allow accessory dwelling units.

ACTION

Motioned by Commissioner Liese, seconded by Commissioner Belt, to approve amendments, TA-10-15-11, to the City of Lawrence Land Development Code and forward to the City Commission based on the analysis in the staff report.

Unanimously approved 9-0.

PC Minutes 12/12/11 **DRAFT**

ITEM NO. 5 COMPREHENSIVE PLAN AMENDMENT TO H2020 - CHP 14; NORTHEAST SECTOR PLAN (DDW)

CPA-6-5-09: Reconsider Comprehensive Plan Amendment to Horizon 2020 – Chapter 14 to include the Northeast Sector Plan. *Approved by Planning Commission 5-4 on 9/20/10. Referred to Planning Commission by the Board of County Commission and City Commission for consideration of specific issues.*

STAFF PRESENTATION

Mr. Dan Warner presented the item.

Commissioner Finkeldei asked how many acres were on each side of 24/40 Highway.

Mr. Warner said there was approximately 60 acres on each side.

Commissioner Blaser asked if the airport side, north of 24/40 Highway, was all city land.

Mr. McCullough said it was private and that he believed there was an avigation easement on a portion of it.

PUBLIC HEARING

Mr. Hank Booth, Lawrence Chamber of Commerce, discussed the creation and future of primary jobs. He said the area was a transportation hub and that the Chamber had been working on it for the last three years in a long range technological bioscience corridor that stretches from the Kansas City metropolitan area through Lawrence and Topeka to Manhattan. He said those communities have been working together. He said it was an aviation and agri-science hub. He wondered if the land shown on the Airport Master Plan been added into the Northeast Sector Plan.

Mr. McCullough said he thought the Airport Master Plan was specific to the boundaries within the airport and showed development within the airport itself. He said he would have to review the document to determine if there was anything outside of the airport that was shown in the plan.

Mr. Jerry Jost, Citizens for Responsible Planning steering committee, reviewed the letter and maps they sent. He said the northeast sector has historically been an area that was created by siltation from historical flooding. He stated the largest concentration of class I and II soils was in Grant Township. He did not feel the best place to have an industrial site was in the northeast sector north of the river that has a high concentration of class I and II soils and is prone to flooding. He felt the parcels should stay agricultural but if they were considered for industrial he recommended the following decision criteria be used by the governing bodies (he read from the letter submitted):

1. A clear and comprehensive cost/benefit analysis should be available to the public comparing the development of this area in contrast to other industrial development sites in Douglas County.
2. A comparison of the change in land use of class I and II soils with industrialization of this site with other industrial development sites in Douglas County.
3. At a minimum, the developer pays for all the additional infrastructure costs compared to similar development with other industrial development sites in the county.
4. A clear and comprehensive analysis determining whether the proposed development would have any adverse impact for floodplain management.

Ms. Debbie Milks said she owns an orchard in the area. She asked that farming be treated with the same respect given to industrial uses. She said there have been increased changes with floodplain and water problems in the 20 years she has owned the property. She felt incremental development had an effect on farming businesses in the area. She asked that they treat agriculture as a legitimate use of prime soils.

Mr. Lane Williams referenced the staff report and wondered how a $12.4 million dollar pump could be incrementally developed.

Ms. Barbara Clark asked Planning Commission to consider the 1993 flood when they look at the Northeast Sector Plan.

Ms. Julia Manglitz said there was no such thing as zero impact development in the floodplain. She said there was no way to design around 100 flood event and account for everything.

COMMISSION DISCUSSION

Commissioner Liese asked staff to review the 125 acres versus 300 acres that came about.

Mr. McCullough said the 125 acres was the subject of a rezoning a few years ago. He said in part that was what generated this plan. He said some in the township approached the County Commission to initiate the sector plan. He said when staff formulated the draft plan that Planning Commission approved it was the central issue of what, if any, size of industrial should occur there. He said regarding the 125 acres versus 300 acres staff understands what kind of infrastructure improvements and stormwater improvements would be necessary for that, and that was being offered as a consideration to Planning Commission. He asked if it was more appropriate to fall back to some reduced amount of industrial designation in this area or do the other proponents of industrial in the area lend itself to keeping 300 acres. He said the staff memo was a position that staff offered as a consideration.

Commissioner Liese said he was grateful to the City Commission and County Commission for sending this item back. He said he was new to Planning Commission when the item came before them previously and he did not feel like he understood as much as he wanted to but he voted in favor of the plan. He said he was relieved they could now consider a reduction because he was much more comfortable with what had been proposed.

Commissioner Finkeldei asked staff to reply to Mr. Lane's earlier question.

Mr. McCullough said the North Lawrence Drainage Study was an attempt to address the history of flooding in the area and it did have a set of assumptions that were more intense than what was being proposed with the sector plan. He said a lot of the improvements were build out improvements. He said as he understood it, from discussions with the City Stormwater Engineer, that the most immediate concerns were to increase the pump size of the existing pumps. He said it was not an exact science to say when improvements would be necessary for what development. He said there were a good number of community wide improvements that needed to go into it so he would not expect any one developer to put 12.5 million dollars into raising 24/40 Hwy. He said there were ways to help finance those community needs through such things as a benefit district.

Commissioner Finkeldei said it was important to answer the County Commission and City Commission questions. He felt staff did a good job of laying out the issues regarding cost. He said until you the project was known the cost would be unknown. He said a bunch of small projects was different than one large user. He said an industrial user doing ag-industry was completely different

than someone who was not doing ag-industry. He supported the staff finding of too many variables to determine cost. He said he appreciated staffs answer regarding urbanization. He said the issue of industrial development outside of the airport was a tough one. He supported the staff finding that this was a unique property, small area, and an area close to the airport, turnpike, and 24/40 Hwy. He appreciated staffs comments regarding the area southwest of the airport. He supported staffs analysis regarding drainage. He said language regarding soil conserving ag-industry was passed by both City and County Commission. He felt they should adopt the language in Horizon 2020 which encourages soil conserving ag-industry. He supported leaving 300 acres of industrial to allow for options available.

Commissioner von Achen asked for an explanation of option 1.

Mr. McCullough said in Chapter 7 of Horizon 2020 there is a 'snowflake' map that designates certain intersections and areas of the entire county for industrial purposes. He stated when this area was identified as an industrial area in Horizon 2020 it came with language associated with it that called out and encouraged soil conserving agri-industry uses. He said it wasn't necessarily a defined term in Horizon 2020 but once adopted it became the term of art that was used to build the assumption in the sector plan. He said one of the issues that everybody appeared to agree on was that soil conserving agri-industry needed some clarification and definition. He said part of the sector planning effort was an attempt to better define what that meant. He said the majority consensus of the Planning Commission determined that borrowing that language from Chapter 7 of Horizon 2020 and maintaining this as an industrial straight designation was the appropriate designation for this land. He said because Horizon 2020 designated with the caveat that it's a soil conserving agri-industry use, it was maintained that 'we'll know it when we see it' kind of a concept because it was very difficult to define soil conserving agri-industry. He said with any rezoning effort a user would have to demonstrate compliance with Horizon 2020 and the sector plan. He said the Planning Commission consensus was to leave it open ended in order to give flexibility to staff and Commissions.

Commissioner von Achen asked if preferential treatment would be given to soil conserving agri-industry.

Mr. McCullough said yes and that it had enough weight in the comprehensive plan and sector plan that it would be an expectation.

Commissioner Belt asked if both governing bodies were okay with the subjective and nebulous definition.

Mr. McCullough said he presumed otherwise since it was a comment in the list of things that the governing bodies wanted Planning Commission to consider.

Commissioner Burger inquired about the North Lawrence Drainage Study build out scenario map. She asked if it was an interpretation of a consultant as to what the future of this sector plus North Lawrence might look like.

Mr. McCullough said that was correct.

Commissioner Burger asked if Horizon 2020 would require including industrial zoning in every sector plan.

Mr. McCullough said no, however staff uses the chapters of Horizon 2020 as the starting point in sector planning. He said, for example, if industrial designation was stricken from the area then a

follow up to the sector plan approval would be to amend Chapter 7 and remove the 'snowflake' designations from that map.

Commissioner Burger asked if the 1000 acres requirement had been exceeded in other sectors.

Mr. McCullough said that was right, not all zoned, but designated for that category.

Commissioner Liese asked for clarification on what the Planning Commission action should be.

Mr. McCullough said going through the individual findings was helpful to the governing bodies. He said ultimately Planning Commission needs to affirm the plan they submitted to the governing bodies or submit a new revised plan to the governing bodies for consideration.

Commissioner Liese asked what a motion would be like in either case.

Mr. McCullough said there were two high level issues to look at. The first issue was soil conserving agri-industry and whether they stand with their recommendation, or revise that and seek further clarification. The second category was the idea of this particular area and whether or not it should remain as proposed with 300 acres of industrial or be reduced.

Commissioner Hird inquired about the parcel sizes of 125 acres.

Mr. McCullough said it depended on 125 acres compared with other designated areas of the community. He said it was probably a small to medium size industrially designated area. He said there were multiple zoning districts that could be employed here and accommodate small, medium, and large industrial sizes. He said there was a project proposed at this location so the market had value in the area.

Commissioner Hird asked staff to describe the process to the new Commissioners and how the 300 acres was arrived at.

Mr. McCullough said the 300 acres went through a public process. He said staff typically looks for boundaries of a land use category, and with the floodplain, airport, interstate highway, industry to the west, this appeared to be the starting point for discussion to complete the industry between the airport and highway. He said staff was asked to dig deeper on all the issues in the staff memo so the findings were based on that.

Commissioner Britton said from his perspective a sector plan was long term and with this particular piece of property it sounded like they ought to be thinking about the environmental and flooding issues first and foremost. He felt they needed to set a high bar to move to industrial and know there would be a return on the investment. He was concerned about the potential for flooding and safety issues for the residents living in the area. He did not see the need for additional industrial when they had already exceeded the 1000+ acres of additional identified industrial. He stated there were specific opportunities around the county, such as Farmers Turnpike area and Farmland Industries. He said he understood this was a unique area because of the airport but he felt it was a more unique area because of the flooding and soil conservation issues. He felt that opening the door to development opened the door for more future development and he was concerned about the long term impact. He wondered how limits could be put in place if development did move to the northeast sector.

Mr. McCullough said because of the elements that this has going for it, such as the limited number of interchanges to I-70, airport, state highways, proximity to Kansas City and Topeka, discussion to date in the governing bodies and Planning Commission has been that this is one of the few recognized areas of choice that the market may want to go to because of the airport and highway interchange.

Commissioner Britton asked if there were other options along the I-70 corridor or on the airport itself.

Mr. McCullough said the airport was an area that they were trying to get airport related uses at. He said the spinoff was that if the airport got some viable land uses and industry that they might need some land outside of the airport to support those businesses.

Commissioner Finkeldei said the basis of this was the adoption of Chapter 7 in Horizon 2020. He said the airport was specifically designated as having industrial around it. He said Planning Commission, County Commission, and City Commission have all changed members and that it was possible that the County and City Commission don't believe Horizon 2020 was accurate anymore and that it should be changed and the airport should be removed from the industrial conversation. He suggested that if that happened it should happen through an amendment process to Horizon 2020 not in the sector plan that implements it. He said he supported the 300 acres of industrial, not going down to 125 acres.

Commissioner Liese said he voted in favor of the Northeast Sector Plan previously but had reservations about environmental and flooding issues.

ACTION
Motioned by Commissioner Liese, seconded by Commissioner Blaser, to maintain all of the Northeast Sector Plan as voted by Planning Commission last year, including the agri-industry designation, except reducing the 300 acres of industrial to 125 acres.

Commissioner Blaser welcomed the opportunity to look outside the box. He agreed it was hard to try and decide if the airport would be more or less expensive. He was concerned about the intensity of industrial. He suggested making the north side of 24/40 Hwy industrial and the south side agri-land, which might lend itself better to bio-science uses.

Commissioner Hird said Planning Commission spent a lot of time on the Northeast Sector Plan and he was sensing some Commissioners wanted to start over.

Commissioner Blaser said he was not suggesting they start over. He felt the whole 125 acres should not be industrial.

Commissioner Hird said he would be uncomfortable in arbitrarily picking where industrial should go without studying it further. He said Planning Commission spent so much time on this and it was a difficult process that he did not want to rush through a decision. He said he could support the motion but that he sensed that we're heading toward further study of the issue.

Commissioner Blaser wondered if the conserving of agri-land could be made part of the industrial.

Mr. McCullough said the way the plan reads now is that where there are class I and II soils it is encouraged to be soil conserving agri-industry. He stated at one time, in the third draft, there was a

new category called soil conserving agri-industry. He said after that discussion it got changed to just industrial with the Chapter 7 language.

Commissioner Liese said if they could reduce the risk to the land and the people by reducing the amount of land potentially used for any kind of industry they would be doing something good for all community members.

Commissioner Culver said he would support the motion. He said when looking at the definition of soil conserving agri-industry it was hard to describe what that would look like, how it would be marketed, and if that would limit opportunities and defeat some of the purposes of the sector plan. He inquired about Mr. Booth's earlier comment regarding the Airport Master Plan including land outside of the airport.

Mr. McCullough said he would have to ask Mr. Booth which map he was looking at. He said there was a map that showed some purple for future acquisition for the airport, not necessarily for outside development potential. He said to his knowledge it was not a land use plan for outside of the airport boundaries.

Commissioner Finkeldei said he would not support the motion. He felt the acreage should remain 300. He expressed concern about which 125 acres were included in the motion. He said if they were recommending a reduction they needed to respect the land owners enough to have staff look at the issue with the specific acreage and where it was located before voting on it.

Commissioner Belt felt the entirety of the plan was about mitigating loss and reducing risk.

Commissioner Britton expressed concern for setting a long term precedent that the area was moving in that direction. He wondered what sort of tools they had to make it clear that they were not looking to expand this type of development out there.

Mr. McCullough said the Northeast Sector Plan and the Comprehensive Plan were tools. He said outside of the Planning regulatory process there were conservation easements that a property owner could put on their own property to preclude development. He said they could not turn away applications to amend the Comprehensive Plan or to request such things as rezoning and platting. He said staff tries to set the expectation through the Comprehensive Plan and sector plans that those are the highest tools used to judge requests.

Commissioner Hird said his recollection of the Planning Commissions discussion was that this would be an industrially designated area, not that it was an exception to another rule, but there were good reasons for the community at large in some industrial development by the airport. He said he had a hard time supporting the motion without knowing which 125 acres it was.

> Motion failed 4-5, with Commissioners Britton, Burger, Finkeldei, Hird, and von Achen voting in opposition. Commissioners Belt, Blaser, Culver, Liese voted in favor.

Motioned by Commissioner Hird, seconded by Commissioner Finkeldei, to defer and direct staff to present alternatives regarding acreage that could be included in the Northeast Sector Plan as industrial.

Commissioner von Achen asked that the motion include rewording of option 1.

Commissioner Hird said that would not be part of his motion and that he would prefer to leave the wording alone.

Motion carried 9-0.

PC Minutes 12/12/11 **DRAFT**

ITEM NO. 6 TEXT AMENDMENT TO CITY OF LAWRENCE DEVELOPMENT CODE & DOUGLAS COUNTY CODE; SUBDIVISION REGULATIONS (SMS)

TA-3-3-10: Consider Text Amendments to the joint city/county subdivision regulations in the City of Lawrence Land Development Code, Chapter 20, Article 8 and the Douglas County Code, Chapter 11, Article 1 to revise process requirements for division of property through Certificates of Survey, Minor Subdivisions and Major Subdivisions. Modifications include reformatting this article/chapter to eliminate duplicative text and to delete terminology not used. *Initiated by City Commission on 2/16/10. Re-initiated by Planning Commission on 5/23/11. Deferred by Planning Commission on 10/26/11.*

STAFF PRESENTATION

Ms. Sheila Stogsdill presented the item.

Commissioner von Achen inquired about a temporary set aside agreement.

Ms. Stogsdill said it was a protection measure for Certificates of Survey in the Urban Growth Area. She said it was like a conservation easement but not necessarily permanent. It protects or preserves the areas in the future development area of a Certificate of Survey. She stated once the property was annexed into the city it would expire if there was no action to replat the property or the city to actually acquire that through easement. She said originally the thought was that some of those sensitive lands would be areas prime for adding to the park network so they didn't want them to be specifically developed before they came into the city. She said if there was no proactive action by the city to acquire that within two years then the protection was lifted so the property owner had full use of it.

Commissioner von Achen asked if the clock started ticking after annexation.

Ms. Stogsdill said that was correct.

Commissioner Hird inquired about the language regarding parent parcel.

Ms. Stogsdill said staff was thinking of it from the standpoint of property owners that didn't have 20 acres so they wouldn't have enough to create that parent parcel. She said the League of Women Voters suggested the scenario where someone who had 21 acres and someone who had 19 acres, so with 40 acres there was the potential that multiple parent parcels could be carved out of that original tract.

PUBLIC HEARING

No public comment.

ACTION

Motioned by Commissioner Finkeldei, seconded by Commissioner Blaser, to approve the proposed revisions and forward a recommendation for approval of the proposed amendments TA-3-3-10 [*December 12, 2011 Edition*] to Chapter 20, Article 8 of the Land Development Code to the City Commission and Chapter 11, Article 1 of the County Code to the County Commission for consideration and action, including revised language as proposed by the League of Women Voters for Section 20-806(b)(1):

> *Original Tract – shall be composed of a Parcel or a combination of all adjacent Parcels under a single ownership [not separated by public Right(s)-of-Way]*

that share common boundary lines or two separate ownerships that share a common boundary line, for the purpose of creating one Parent Parcel.

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

PC Minutes 12/12/11 **DRAFT**

ITEM NO. 7 LONG RANGE PLANNING 2012 WORK PROGRAM

Receive Long Range Planning 2012 Work Program.

Mr. McCullough reviewed the Long Range Work Program.

Commissioner Hird asked for volunteers to work with the consultant on the Oread Neighborhood Overlay District.

Commissioners Belt and Hird both volunteered.

Motioned by Commissioner Liese, seconded by Commissioner Hird, to accept the Long Range Plan as described with consideration of moving up the sand dredging study.

Unanimously approved 8-0. Commissioner Burger was not present for the vote.

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

ADJOURN 10:01pm

2012
LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
MID-MONTH & REGULAR MEETING DATES

Mid-Month Meetings, Wednesdays 7:30 – 9:00 AM	Mid-Month Topics		Planning Commission Meetings 6:30 PM, Mon & Wed	
Jan 11	Industrial Districts TA		Jan 23	Jan 25
Feb 8	Agritourism		Feb 27	Feb 29
Mar 14			Mar 26	Mar 28
Apr 11			Apr 23	Apr 25
May 9	APA Conference follow-up		May 21	May 23
Jun 13 or 15	*PC Training – all day Friday?*		Jun 25	Jun 27
Jul 11 or 13	*PC Training – all day Friday?*		Jul 23	Jul 25
Aug 8			Aug 20	Aug 22
Sep 12			Sep 24	Sep 26
Oct 10			Oct 22	Oct 24
---			Nov 12	Nov 14
---			Dec 10	Dec 12

	Suggested topics for future meetings: *How City/County Depts interact on planning issues* *Stormwater Stds Update – Stream Setbacks* *Overview of different Advisory Groups – potential overlap on planning issues* *Open Space Acquisition/Funding Mechanisms – what do other states do?* *Library Expansion Update* *Joint meeting with other Cities' Planning Commissions* *Joint meeting with other Cities and Townships – UGA potential revisions*	*Presentation from KC-metro Planning Directors* *Tour City/County Facilities* *2010 Census Data* *Oread Overlay Districts* *KDOT 5-County Regional Transportation Study* *US40/K-10 Area Transportation Plan* *Water/Wastewater Master Plan Update*
Meeting Locations	The Planning Commission meetings are held in the City Commission meeting room on the 1st floor of City Hall, 6th & Massachusetts Streets, unless otherwise noticed.	

Planning & Development Services |Lawrence-Douglas County Planning Division |785-832-3150 | www.lawrenceks.org/pds

Revised 1/5/12

Memorandum
City of Lawrence
Planning & Development Services

TO: **Lawrence Douglas County Planning Commission**

FROM: **Lynne Braddock Zollner, Historic Resources Administrator**

CC: **Scott McCullough, Director PDS**
Sheila Stogsdill, Assistant Director Planning

DATE: **January 18, 2012**

RE: **Nomination for listing in the Lawrence Register of Historic Places**

According to Chapter 22 of the Code of the City of Lawrence, the Historic Resources Administrator must notify the Planning Commission of nominations to the Lawrence Register of Historic Places and shall transmit to them copies of the application and report. The Planning Commission may comment on the nominations; however, **no action is required by the Planning Commission.**

The following property has been nominated by the property owner of record for inclusion in the Lawrence Register of Historic Places.

L-10-1-11 1734 Kent Terrace

Action Request. No action is required.

LAWRENCE HISTORIC RESOURCES COMMISSION
ITEM NO. 3: L-10-1-11
STAFF REPORT

A. SUMMARY

L-10-1-11 1734 Kent Terrace; Lawrence Register of Historic Places Nomination. Nominated by Shelley Hickman Clark and James W. Clark, property owners of record.

B. HISTORIC REGISTER STATUS

1734 Kent Terrace is not listed on the State or the National Registers of Historic Places.

C. REVIEW CONSIDERATIONS

1) History Summary

The Joseph Savage Farm is also known as Spring Hill Nursery or Spring Hill Farm. An article published August 4, 1870 in *The Lawrence Weekly Tribune* recounts a "History of Spring Hill Farm" given by Joseph Savage before the Douglas County Fruit Growers' Association. Savage identifies that John Mott owned the claim at what is now 1734 Kent Terrace before Savage purchased the property for $500 in gold. In the article, Savage relates that Mott had "a small turf house, a few split stakes and a few round poles."[1]

> "I took possession of the farm, and went forward building a wood house, which now stands here in sight. The lumber for the house was mostly drawn from a little new town on the Kaw river bank, up toward Lecompton, then called Benecia. It cost $35 per thousand feet… To avoid (losing my claim), I placed my house equidistant from the four others surrounding mine, which were then, Joel Grover on the west, Horace Hancock on the north, John Ladd on the east, and E.P. Fitch on the south. This measure was taken by paces and I found room for six or seven hundred between me and each of the others, and I waited with great anxiety for the surveys to be made, and which were not made until 1856."[2]

Savage's ambitions for Spring Hill included: growing an abundance of all kinds of fruit (peaches, pears, apples, strawberries, blackberries, cherries); keeping his numerous ponds of clear water with many kinds of fish; and having many fountains, shady nooks and bowers, arbors of evergreens bordered with roses and flowers of every hue, and cooling baths. His parting words to the Douglas County Fruit Growers' Association were: "Here I hope to spend the remnant of my days, and when life's fitful fever is over, to sleep in yonder grave, beside the remains of the wife of my boyhood's years and the four children who now so quietly rest beneath the shade of those silver maples in yonder inclosure."[3]

The structure at 1734 Kent Terrace is perhaps most significant for its association with early pioneer

[1] Reminiscences of Joseph Savage, History of Spring Hills Farm, published in the Lawrence Weekly Tribune, August 4, 1879.
[2] Ibid.
[3] Ibid.

Joseph Savage. According to the nomination application, the structure at 1734 Kent Terrace was constructed in 1855 by Joseph Savage. The completed application for preemption of the northwest quarter of Section 12, Township 13 south, Range 19 east from the Land Office of the Lecompton in Kansas Territory dated May 25, 1859 supports this. According to this document, "He [Joseph Savage] made the settlement on said land in person on the 1st day of May A.D. 1855 by laying a foundation for a house." The house he erected was "built of frame 17 by 25 feet, one story high, shingle roof, one door, five windows, a good floor and [was] a comfortable house to live in."[4]

Joseph Savage arrived in Lawrence, Kansas Territory on September 9, 1854 as a member of the Second Emigrant Aid party. Savage had stated that "without the active and ardent support of the Emigrant Aid Society and their agents, Kansas could never have been settled by free State men." According to Savage, four friends with musical instruments joined the Second Emigrant Aid party. "This was the origin of the old Lawrence Band – a band that has made patriotic music in times and celebrations that have tried men's souls…"[5]

After securing a claim in town, Joseph Savage returned to his home in Hartford, Vermont, to gather his family and return to Lawrence. Joseph had a family including a wife and three children, for whom he built the house. His young son Charlie took ill and died on the boat along the Missouri River from St. Louis. The three older children had been exposed to measles on the boat. "The chill winds of early Spring found the cracks and crevices of the roughly built cabin… It was with heavy heart that my father began building a house on our homestead farm. It was said to be the first framed house in all the country round about…" Often, Joseph Savage would stop work for guard duty at Blue Mound, "a lookout station where a watchman was continually on guard to give warning of hostile bands coming from the East… When father was away, mother would put the children to bed without undressing, and give them directions to escape through an open window into a corn field if the house was attacked…" Though relatives in Vermont urged the family to return, her mother refused. "She was a tower of strength to her husband. 'Dear Father,' she wrote, 'You ask if we intend to stay here. I answer emphatically 'Yes.' I must say that I never felt a duty more clearly pointed out than that all lovers of freedom should stand by their posts in Kansas.'"[6]

The personal sacrifice of Joseph Savage continued over the early years of his settlement in Kansas. His young wife Amanda died in childbirth on June 17, 1857, and three of his four children died within the year. Only one child of five survived to adulthood, Susan Daphne Savage.

Joseph Savage and His Family in the City of Lawrence

Joseph Savage came to Kansas not only to fight the pro-slavery forces, but also to build a home and a community. According to the documents in the nomination application, Savage was part of a group that established Plymouth church in 1854 in Lawrence.

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[4] Preemption Application, dated May 25, 1859, signed by William Savage, and filed the same date with the Land Office, Lecompton, K.T.

[5] Joseph Savage, Recollections of 1854 – No. 1, Western Home Journal, published June 23, 1870, republished at "Lawrence in 1854: Recollections of Joseph Savage," Kansas History 27 (Spring-Summer 2004), http://www.kansasmemory.org/item/90813.

[6] Reminiscences of Susan Savage Alford, entitled "My Father" published in the Lawrence Journal World, Lawrence, Kansas, dated August 12, 1939.

> "On October 15, a meeting was held to form a church… Samuel C. Pomeroy, afterward United States Senator, acted as scribe, and wrote on the crown of his beaver hat. Joseph held the candle as Mr. Pomeroy wrote, and O.A. Hanscom held the inkstand. When it came to the question, What shall we call it? 'Plymouth Church' was the unanimous response. They said their circumstances and their purposes corresponded with those of the Plymouth Pilgrims."[7]

As formerly mentioned, the Lawrence Band was established at the same time that Lawrence was being established by members of the Emigrant Aid Society, which included Joseph Savage.

> "The nucleus of the Lawrence Cornet Band was formed in a Boston railway station as members of the Second Emigrant Aid Party assembled for their journey. The band members consisted of Joseph Savage and his brother Forrest Savage, and their cousins, N. Hazen and A.H. Hazen. Each of the four was originally from Hartford, VT, and were members of the Hartford band."[8]

Quantrill's Raid

Mary Burgess Savage, who married Joseph after Amanda's death, gave an account of their experiences the day of August 13, 1863 in a letter written to her friend Jane Simpson.

> "Just before sunrise of the 21 (Aug) I heard the tread of hundreds of horsemen coming in the road above the house and looking out saw the road filled with them and the advance guard stopped at the gate and one of them rode up to the house and knocked at the door and hullowed but as it was not opened he rode off. He had his pistol in his hand and doubtless would have fired it if Joseph had opened the door. We did not know what they were till they reached town when they commenced firing as fast as they could and we heard cries of the frightened people running in every direction to make their escape as they shot right into the houses and at every man they could find. In a few minutes the fires began to burst out all over town and we thought it was best to be leaving. We live about a half mile out of town and we expected to have to take it on their return but they went back by another way so our house was saved. They set fire to nearly every house in town, and on their road as they left for miles was one continuous line of fire and smoke… We harnessed up as quickly as possible and started for Uncle Forest's, about four miles from town. We had not gone more than a mile when we saw one of our neighbors and a member of the same church running from his house and two of the bushwhackers after them. They were just taking aim at him as we drove up. Joseph comprehended the whole thing in a moment and jumping from the buggy was over the fence and into the cornfield in a second, while I sat about stupefied with horror at the scene before me. They shot Mr. Langly (sic) (the correct name is Otis Longley) three times and I can never efface from my memory the look and cry of anguish that he gave as he fell, the blood running in streams from his wounds. Joseph came to the edge of the corn and told me to turn around and go back and I did so, but they fired after me and cursing told me to come back. I did so and they said they were not killing women and children (Daphne was with us) but that they were going to kill the man (our hired man) who was with us. They told him to get out of the buggy. They accused him of having been in the militia, but I assured them that he had not and that he was sick and they let him go. They threatened me in hopes to get money but I assured them I had none, and told them to examine my pocket, at which they were quite indignant, telling me that they would make me give it to them. I then stood up and told them to examine the buggy if they did not believe me. They did so and taking Joseph's new silver horn,

[7] Rev. Richard Cordley, Pioneer Days in Kansas, sldfjdfj, 1898.
[8] Rev. Richard Cordley, Pioneer Days in Kansas, sldfjdfj, 1898.

> which I had taken to save it, and carried it off with them. They also took a halter from one of the horses and bidding me go one they started for the next house. They found the horn too large to carry, so they smashed it on the fence and left it there and we recovered it and sent it back to Boston to be made over. When they were talking with me, the one told the other to go in and see to the fires in the house (a nice brick one) so when they had gone I went in and found both the straw beds burning and put them out drawing water from the well to do so with. But first I went to Mr. Langly and turning on his side found he had been shot through the throat, but he opened his eyes and looked at me. A woman came at this time with a baby in her arms and I asked her if she would get some water and bath the blood from his face, and stay by him till help came as I did not dare to stay on Joseph's account. I was afraid he would come to me and they might see him as their horses were hitched to the fence at the next house in plain sight and if they saw our buggy still there they would know I was putting out the fire and come back as they did in many other places and set it over again. The wife of the murdered man had taken some valuables and gone out of the back door and through the cornfield to a neighbors not thinking they would kill her husband but that they only wanted plunder. She did not know that her husband was shot till she returned soon after. He died the next morning. We then drove on to Forest's and stayed there till the rebels left town. Joseph went round through cornfields till he got near town just as they left it and was busy till after dark helping to take care of the wounded and dead. I can give you no idea of the scene which presented itself after they left. The business part of the town a heap of ashes and the smell of burning flesh and the wail of the bereaved, all mingling together as they would discover the remains of their dear ones in the burning embers…"[9]

Joseph Savage and His Family at the University of Kansas

In 1878, Joseph Savage would make a contribution to the University of Kansas on Lilac Lane. As a reflection of his passion for plant life, he set out the large lilac hedge bordering the east edge of campus.

In addition to his love for horticulture, Joseph Savage was a self-educated amateur scientist and was a city member of the University of Kansas Science Club.[10] Professor E.H.S. Bailey's article *How and When "Rock Chalk" Came into Being…* explains: "It was one of our meetings (University Science Club) in 1887 or '88, over our doughnuts and cider, that someone suggested that we adopt a yell. Several were presented to the club, tried and found unsatisfactory." At the next meeting Professor E.H.S. Bailey proposed one that occurred to him: "Rah, Rah, Jay Hawk, K.U." three times with staccato emphasis. "[B]y some process of evolution, and I think at the suggestion of some of the Snow Hall men, the "Rah, Rah" was changed to "Rock Chalk,"…"[11]

Professor Bailey, in the second installment of his Recollections of the University Science Club, included the story of the chant as told by Susan Savage, Joseph Savage's daughter:

> "Mr. Savage's daughter, Mrs. Alford says, in reference to the meeting of the S.C.(,) held at the Savage farm: …'It seems that the Science Club meeting at my father's house were practicing numerous yells, and while throwing pebbles at the pile of chalk rocks in front of the house, as you may remember, hit upon the Rock Chalk, Jay Hawk, and evidently took a fancy to it, and after wards elaborated it still more. Mother's memory of it was that you were the lead of the gang that

[9] Kansas State Historical Society, Joseph Savage papers, #3029
[10] *Some Recollections of the University Science Club*, Edited by Prof. E. H S. Bailey, Graduate Magazine, December 1926, page 8.
[11] Prof. E.H.S. Bailey, *How and When "Rock Chalk" Came into Being…*, 1917 Jayhawker Yearbook, page 10.

originated this historic and melodious production.'"[12]

Joseph Savage's daughter, Susan, contributed her recollections of the yell, which were published as part of her obituary… "My father was an honorary member of the science club of K.U. and at least once every summer entertained the club at his farm. On one such occasion the K.U. yell originated."[13]

2) Architectural Integrity Summary

The original structure on this site was a small frame dwelling house built between May 1 and May 20, 1855 in order secure Joseph Savage's preemption claim to 160 acres in the Kansas Territory. The frame house is now the northwest section of a large stone farmhouse which was later constructed of field stone.

The original frame structure remains intact, although a large stone farmhouse was built as an addition in the mid 19th century. The stone section of the house was built as an addition to the 1855 frame structure as a single unit, two stories high, plus a stone basement and attic, with a medium pitch roof during the 1860s. It was constructed of rough stone, with no regular course, boasting quoined corners.[14] As originally built it was a gable end structure, facing east.[15] This stone construction on the east gable end is somewhat more regular than the other three exterior walls. One window on the east elevation, now filled in with stone, has a stone lintel in a rough pediment shape with a simple carved detail. The home is now oriented towards the south. The east facing front porch is now part of the kitchen addition, and the porch ceiling is intact. The original windows on the south and west elevations were enlarged in the 1940s to accommodate two large picture windows. The original shake roof was replaced with a clay tile roof in the 1960s. Because of these significant modifications, the property is not being nominated for its architectural features, but rather for its association with Joseph Savage.

3) Context Description

1734 Kent Terrace is a good example of the housing that was constructed in Lawrence during the "Settlement Period (1854-1863)" as defined by the Historic Resources of Lawrence, Douglas County, Kansas Multiple Property Documentation Form (MPDF). This MPDF notes that building construction evolved rapidly in early Lawrence from grass thatched huts and log cabins to wood-frame, stone, and brick buildings. This house is without a doubt a unique structure in the context of its current neighborhood.

The area surrounding 1734 Kent Terrace was platted in 1959 for a residential subdivision and is drastically different from the original context, of Spring Hill Farm, that the house was built within. Adjacent to and south of the property are single family residential, ranch-style homes that are horizontally-oriented and were built during the 1960s. Behind the nominated property to the north are multi-family residential, apartment buildings, which were also built during the 1960s. These apartment buildings, some as tall as four stories, act as a buffer zone between the quiet residential neighborhood and 23rd Street.

4) Planning and Zoning Considerations

[12] *Recollections of the University Science Club*, Edited by Prof. E.H.S. Bailey, Graduate Magazine, March, 1927, page 19.
[13] Mrs. D.S. Alford Dies, Kansas City Times, December 5, 1938.
[14] Wood, Brick, and Stone, Allen G. Noble, University of Massachusetts Press, Amherst, 1984.
[15] Letter from prior owner, Paul L. Garber, dated 2004.

1734 Kent Terrace is zoned RS-7, Single-Dwelling Residential District. The RS districts are designed for those areas where the land is presently being used, or where development appears desirable, for single-family dwellings. In addition to the general purposes applying to residential districts, the regulations for the RS Districts are designed to encourage the provision of single-family, detached residences in districts of four permitted densities.

5) Fiscal Comments

There are no monetary benefits directly associated with nomination of a structure to the Lawrence Register of Historic Places.

However, listing on the local Register does help preserve built resources important to Lawrence's history and helps to maintain streetscapes in older neighborhoods through environs reviews.

The original information submitted with nominations for properties to the Lawrence Register is kept on file in the City Planning office for public review and consultation with regard to development projects within the notification area. Copies of this information are also on file at the Kansas Collection in Spencer Research Library on the University of Kansas main campus and at the Watkin's Community Museum. This type of information is useful, for example, if present or future property owners seek nomination to the State or National Register of Historic Places.

6) Positive/Negative Effects of the Designation

The positive effect of designation is the creation of a permanent record of the historical significance of an individual property, for its architectural quality or its association with a significant local individual or event. This provides the local Historic Resources Commission, an advisory board, with pertinent historical data which can help to provide an 'historic' perspective to property owners when they desire to improve, add on, or redevelop a property within an older section of the City.

The public accessibility of this information is also a resource as it can be used by realtors, builders/developers, and others in the community prior to a property's resale, redevelopment or rehabilitation. In a more general sense, this information can be used by the Chamber of Commerce and existing businesses and industries to 'identify' one of the facets that makes up Lawrence's *Quality of Living.*

Additional effects of designation are the creation of an arbitrary, 250' environs notification and review area. Within this 250' circle, projects which require city permits, e.g., demolition, redevelopment, renovation or modification, require review by Historic Resources staff or the Commission. These environs reviews permit scrutiny of proposed development/redevelopment by individuals sensitive to historic preservation.

A *Certificate of Appropriateness* or a *Certificate of Economic Hardship* is required to be issued by the Historic Resources Commission before a City permit can be issued for the proposed project. If the Historic Resources Commission denies a *Certificate of Appropriateness* or a *Certificate of Economic*

Hardship, the property owner can appeal to the City Commission for a new hearing. The City Commission can uphold the decision of the HRC or it can grant the proposed development over the Historic Resources Commission's action.

The local ordinance 250' environs review area is exceeded by State law with regard to State and/or National Register properties. Certificates of Appropriateness or Economic Hardship are required for a project within the 250' radius of a Local Register property.

Examples of projects which would require review and approval are: projects involving the exterior building which are considered 'structural' changes, demolitions or partial demolitions, rezonings, replats, site plans, variance requests or other items which require a city permit or are the direct result of an action of the City Commission. Minor changes which require a city permit can be administratively approved by the Historic Resources Administrator.

7) Summary of Applicable Designation Criteria

Chapter 22, of the City Code is the *Conservation of Historic Resources Code* for the City of Lawrence. Section 22-403 of this code establishes criteria for the evaluation of an application for nomination to the Local Register of Historic Places.

D. CRITERIA FOR EVALUATION AND DESIGNATION - Section 22-403

Nine criteria are provided within this section for review and determination of qualification as a Landmark or Historic District. These criteria are set forth below with staff's recommendations as to which this application qualifies for:

(1) Its character, interest, or value as part of the development, heritage or cultural characteristics of the community, county, state, or nation;

(2) Its location as a site of a significant local, county, state, or national event;

(3) Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation;

1734 Kent Terrace is significant for its association with the early pioneer Joseph Savage.

(4) Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

(5) Its identification as a work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community, county, state or nation;

(6) Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

(7) Its embodiment of design elements that make it structurally or architecturally innovative;

(8) Its unique location or singular physical characteristics that make it an established or familiar visual feature;

(9) Its character as a particularly fine or unique example of a utilitarian structure; including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance.

The HISTORIC RESOURCES CODE establishes a procedure to follow in the forwarding of a recommendation to the City Commission on applications for listing on the local register.

> *"Following the hearing the commission shall adopt by resolution a recommendation to be submitted to the city commission for either (a) designation as a landmark or historic district; (b) not to designate as a landmark or historic district; or, (c) not to make a recommendation. The resolution shall be accompanied by a report to the city commission containing the following information:*

The Historic Resources Commission needs to formulate its recommendation in response to the following subsections section 22-404.2 (b):

(1) Explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation as set forth in section 22-403;

(2) Explanation of the integrity or lack of integrity of the nominated landmark or historic district;

(3) In the case of a nominated landmark found to meet the criteria for designation:
(A) The significant exterior architectural features of the nominated landmark that should be protected; and,
(B) The types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit, that cannot be undertaken without obtaining a certificate of appropriateness.

(4) In the case of a nominated historic district found to meet the criteria for designation:
(A) The types of significant exterior architectural features of the structures within the nominated historic district that should be protected;
(B) The types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit, that cannot be undertaken without obtaining a certificate of appropriateness.
(C) A list of all key contributing, contributing and noncontributing sites, structures and objects within the historic district.

(5) Proposed design guidelines for applying the criteria for review of certificates of

appropriateness to the nominated landmark or historic district.

(6) The relationship of the nominated landmark or historic district to the on-going effort of the commission to identify and nominate all potential areas and structures that meet the criteria for designation.

(7) A map showing the location of the nominated landmark or the boundaries of the nominated historic district.

E. RECOMMENDATION:

Staff recommends the following:

1. The Joseph Savage House at 1734 Kent Terrace qualifies for designation as a Landmark on the Lawrence Register of Historic Places pursuant to Criteria #3, as described in Section 22-403 based on the information in the body of the staff report.

2. The types of construction, alteration, demolition, or removal other than those requiring a building or demolition permit, which cannot be undertaken without obtaining a Certificate of Appropriateness should be as follows:

> Any work undertaken which would alter the exterior of the building shall require a certificate of appropriateness. Regular maintenance, including such items as painting previously painted surfaces, glazing, repair of glass, caulking, etc., do not require the issuance of a certificate of appropriateness.

3. In considering an application for a Certificate of Appropriateness, and in reviewing and commenting on matters before other bodies concerning the Joseph Savage House, the Historic Resources Commission shall consider the U.S. Secretary of the Interior's Standards for Rehabilitation, published in 1990, and any future amendments, in addition to any criteria specified by Chapter 22 of the Code of the City of Lawrence, Kansas.

4. In considering an application for a Certificate of Appropriateness and in reviewing and commenting on matters before other bodies concerning properties located within 250 feet of the Joseph Savage House, the Historic Resources Commission shall consider the Standards and Guidelines for evaluating the Effect of Project on Environs, 1998 Edition, and any future amendments, in addition to any criteria specified by Chapter 22 of the Code of the City of Lawrence, Kansas, and the adopted environs delineation for 1734 Kent Terrace.















City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

Pre-Application Meeting Required
Planner LBZ
Date 10-26-11
Application Number
L- 10-1-11
Date Received 10-26-11

6 East 6th St.
P.O. Box 708
Lawrence, KS 66044

www.lawrenceks.org/pds

Phone 785-832-3150
Tdd 785-832-3205
Fax 785-832-3160

APPLICATION FOR LANDMARK DESIGNATION IN THE LAWRENCE REGISTER OF HISTORIC PLACES

1. Property Nomination Information

Historic Property Name:	Joseph Savage Farm, Spring Hill Nursery
Property Address:	1734 Kent Terr.
City, State, Zip Code:	Lawrence, Kansas 66046
Legal Description:	Southridge Addition No. 2, Block 4, Lots 3 & 4

2. Applicant Information

Name:	Shelley Hickman Clark and James W. Clark
Street Address:	1734 Kent Terr.
City, State, Zip Code:	Lawrence, Kansas 66046
Home Phone:	785.842.7986
Work Phone:	785.864.9291
Email Address:	sclark@ku.edu

3. Owner Information

Name:	Same as above
Street Address:	
City, State, Zip Code:	
Home Phone:	
Work Phone:	
Email Address:	

Is this an owner initiated nomination?: ☒ **Yes** ☐ **No**
If not, has the owner been notified by the applicant of this nomination?: ☐ **Yes** ☐ **No**
If sponsored by an organization:
Organization Name:
Organization Address:
Organization City, State, Zip Code:

4. **This property is being nominated for its:**
Historic Significance: ☐
Architectural Significance: ☐
Association with an Important Local, State or National individual or event: ■

5. **Historic Background Information**

Date Built: 1855	**Estimated** ■ **Documented** ☐	**Source:** Preemption application	**Comments:** Attached
Date of Building Alterations or Additions: 1860's	**Estimated** ■ **Documented** ☐	**Source:** Oral construction Tarrigue	**Comments:**

Description of Building Additions or Alterations:

Original Owner: Joseph Savage	**Source:** Preemption application
Original Builder or Architect: Joseph Savage	**Source:** Preemption application
Original Use: Farmhouse	**Source:** Preemption application

6. **Architectural Significance**

7. **Historic Significance**

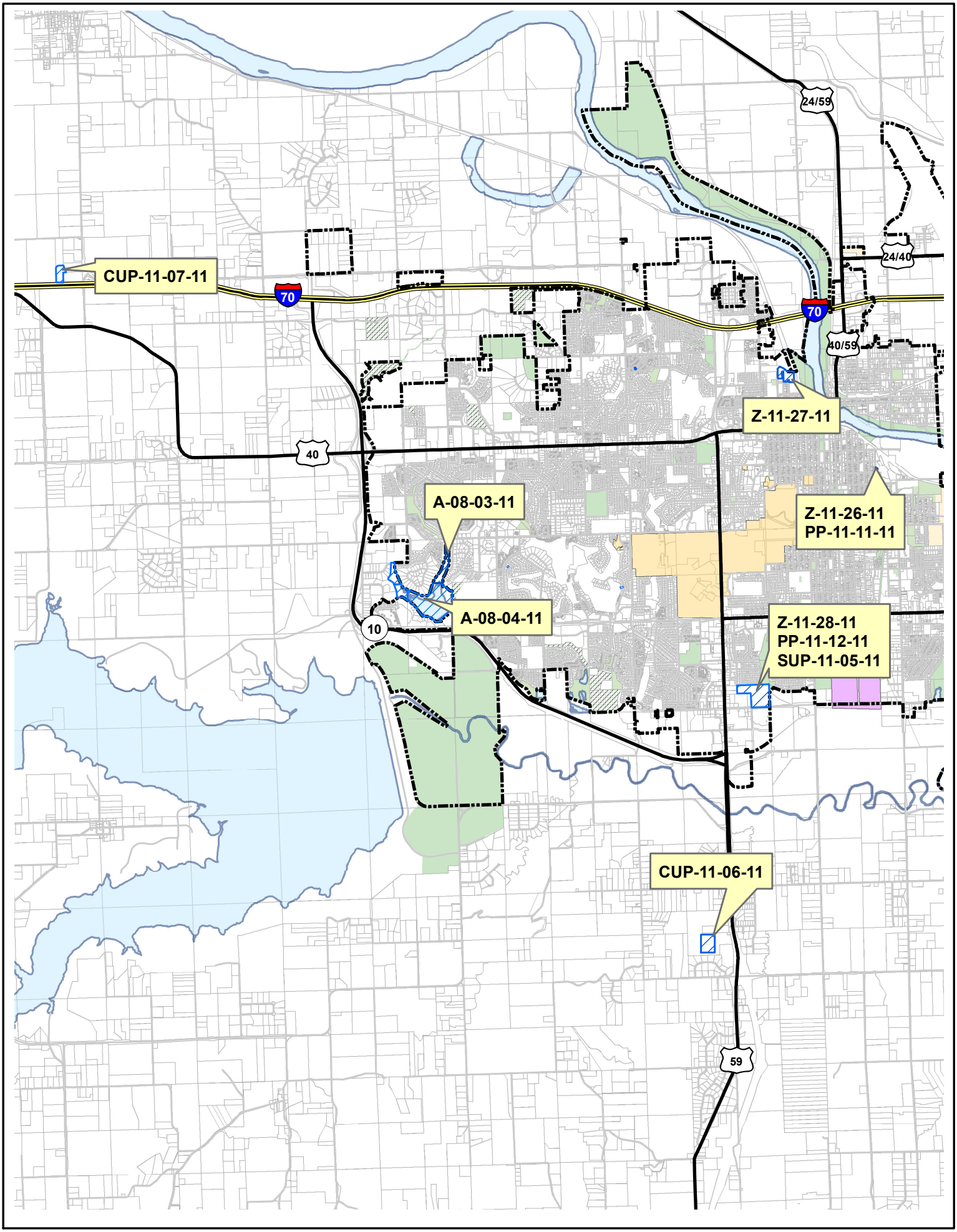
Please see attached narrative.

8. **Authorization and Certification**

I, the undersigned do hereby have the legal authority to submit this nomination and I certify that the information provided on this application is true and correct to the best of my knowledge.

Signature: Shelley McKernan Clar **Date:** 10-25-2011

Signature: [signature] **Date:** 10-25-2011


CUP-11-07-11
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24/59
24/40
70
40/59
Z-11-27-11
40
A-08-03-11
Z-11-26-11
PP-11-11-11
A-08-04-11
10
Z-11-28-11
PP-11-12-11
SUP-11-05-11
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CUP-11-06-11
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PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item
Joint Hearing with Lecompton Planning Commission

PC Staff Report
01/23/12

ITEM NO. 1 : REVISED CONDITIONAL USE PERMIT FOR FRED'S BOAT STORAGE; 568 NORTH 1800 ROAD (MKM)

CUP-11-7-11: Consider a revised Conditional Use Permit for Fred's Boat Storage, located at 568 North 1800 Road. The request amends CUP-8-7-06 to specifically include the covered storage of recreational vehicles, trailers and campers, as well as boats as currently permitted. Submitted by George Roll, property owner of record. *Joint meeting with Lecompton Planning Commission.*

STAFF RECOMMENDATION: Staff recommends approval of the revised Conditional Use Permit for the storage facility subject to the following conditions:

1) The provision of a revised site plan with the following changes:
   a. Note 'a' revised to read: "*All boat, RV, trailer and camper storage must be stored entirely inside the buildings."*
   b. Note 'c' revised to read: "*Conditional use Permit (CUP-11-7-11) replaces the previous permit (CUP-08-07-06) and will be administratively reviewed by the Zoning and Codes Office in 5 years and will expire in 10 years from the approval date noted on the plan."*
   c. Note 'd' revised to read: *"Screening from the adjacent public road shall be provided by four evergreen trees on approximately 30 ft centers south of the storage facility."*
   d. The approximate location of the 4 trees shall be shown on the plan.

Reason for Request: *"To amend CUP to allow storage (covered) of RVs, trailers, campers as well as boats."*

KEY POINTS

- Per Section 12-319-4.11 of the Zoning Regulations for the Unincorporated Territory of Douglas County, *boat storage* is a use which may be approved as a Conditional Use. The Regulations do not specifically mention the storage of RVs. The Planning Director and Director of Zoning and Codes determined that the storage of RVs would be similar to the storage of boats, and made the interpretation that the enumerated use in Section 12-319-4.23 of the Zoning Regulations of 'Boat Storage' would include the storage of other recreational vehicles such as trailers, campers, pop-up tents, etc. However, as the applicant's CUP was specifically for the storage of boats, a revised CUP to include RV storage was necessary.
- The term RV storage includes the storage of trailers, campers, and other recreational vehicles.
- This Conditional Use Permit replaces the previous permit [CUP-08-07-06] and will be administratively reviewed in 5 years from the approval date and will expire in 10 years from the approval date. Continuation of the use beyond that date will require rezoning or approval of a new CUP.

DESCRIPTION OF USE

The subject property, 568 N 1800 Road, contains a residence, barn and 2 pole sheds which are used for boat storage. The applicant has allowed customers to also store RVs, such as trailers and campers, in this facility. After being notified by the County Zoning and Codes Office that the storage of RVs was in violation of the conditions of the approved Conditional Use Permit (CUP-08-07-06), the applicant submitted this application for an amended Conditional Use Permit to bring the

property into compliance.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Board of County Commissioners approval of the revised Conditional Use.
- Zoning and Codes Office issuance of a Conditional Use Permit when plans have been released to the Zoning and Codes Office and conditions of approval have been met.

PUBLIC COMMENT

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

GENERAL INFORMATION

Current Zoning and Land Use:	A (Agricultural); residence and boat storage facility.
Surrounding Zoning and Land Use:	A (County Agricultural District) in all directions. Existing rural residential homes, wooded areas and agricultural uses. I-70 Turnpike right-of-way abuts the south property line and a commercial dog kennel is located on the property to the east.

Site Summary:	
Subject Property:	10.27 acres
Proposed Buildings:	Two pole sheds currently house the storage. No new buildings are being proposed.

I. ZONING AND USES OF PROPERTY NEARBY

The subject property is located in Section 15, Township 12 S, Range 18 E of Douglas County (568 N 1800 Road) and is within 3 miles of Lecompton city limits. Agricultural zoning and related land uses surround subject property. KTA right-of-way for the I-70 Turnpike abuts the property on the south and the property to the east contains a commercial dog kennel. The surrounding area is zoned for agricultural use and includes primarily agricultural and rural residential uses.

Staff Finding – Nearby properties are zoned agricultural and contain agricultural and residential land uses as well as an interstate highway. A commercial dog kennel is located on the property to the east.

II. CHARACTER OF THE AREA

The subject property is approximately 10.39 acres in size, and slopes gently from the south to the north placing the buildings at a higher grade than the road. According to the 2010 FEMA Floodplain map, the property is not within any floodplain or flood hazard area. The property is developed with a residence, a barn and two 60' x 120' boat storage buildings. The buildings are set back over 600 ft from N 1800 Road.

The surrounding area is agricultural with rural residential uses. There are some commercial/industrial land uses in the area with a commercial dog kennel on the property to the east and 2 properties further east on N 1800 Road have recently been rezoned and have received site plan approval for development of a Berry Plastics Warehouse and The Woods, a corporate retreat. N 1800 Road to the east has recently been improved by the County and is classified as a 'principal arterial'; however, west of the E 600 Road intersection N 1800 is a local road and extends only to the access point of the property to the west of the subject property. (Figure 1)

Staff Finding – This agricultural area is characterized by its close proximity to the city of Lecompton and the major transportation network. It is in close proximity to the improved principal arterial; N 1800 Road and Interstate 70 is adjacent to the subject property. Some development is occurring in the area, with the Barry Plastics warehouse and the proposed Woods Corporate Retreat both on N 1800 Road.

III. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

Applicant's response:
"It is strategically located between Clinton and Perry Lakes."

The current zoning designation for the property is A (Agricultural) District, a district in which many different agriculture-related uses are allowed. Boat storage facilities are allowed in the A District with approval of a Conditional Use Permit. The proposed request will not revise the underlying zoning district.

Staff Finding – A Conditional Use Permit (CUP) does not change the base, underlying zoning; therefore, the suitability of the property for agricultural uses will not be altered. The property has been developed with structures for covered storage and is well suited for the uses to which it has been restricted, as well as the proposed addition of *RV Storage*.

IV. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Staff Finding – The property is not vacant. It is developed with a residence, barn, and pole sheds that are used for covered boat storage.

V. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Applicant's Response:
"There will no detrimental effects to existing structures. I have been using this site since '03 with no negative consequences."

Section 19-01 of the County Zoning Regulations recognize that "*Certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a district…when found to be in the interest of the public health, safety, morals and general welfare of the community may be permitted, except as otherwise specified in any district from which they are prohibited."*

The proposed revision would allow the storage of RVs within the covered storage facility as well as boats. The Zoning Regulations do not specify 'RV storage' as a use permitted with CUP approval. As *boat storage* is a permitted conditional use and RV storage would be very similar in nature and traffic generation to boat storage, the interpretation was made that RV Storage would be included in the conditional use *boat storage*. In this case, the previously approved CUP specifically limited the facility to 'boat storage' so it is necessary to revise the CUP to allow the storage of RVS.

This is a technical change to bring the CUP into compliance with the actual use of the property. The storage of RVs within the covered storage area is very similar to the storage of boats and should have no negative impact on neighboring properties. The appearance of the facility should remain

the same, and it is expected that the traffic associated with the storage of RVs will follow the same basic pattern as that associated with boat storage.

Staff Finding – The addition of RV Storage to the current boat storage facility will not significantly alter the use and should have no detrimental effect on surrounding property.

VI. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE PETITIONER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNERS

Applicant's Response:
"Renters of existing spaces do so because of neighborhood restrictions that prohibit boats, trailers, RVs, campers being parked in sight in drives and on streets."

The purpose of this criterion is to compare the effect of denial of the request on the public health, safety and welfare to the effect on the individual landowner. If the request were denied, the facility could continue to provide covered storage for boats; the only effect this would have on the public is that RVs, such as trailers, could not be stored at this site. As N 1800 Road is a principal arterial which has recently been improved, restricting storage traffic to the subject property to boats does not provide any gain to the public health, safety, or welfare.

On the other hand, the property owner indicated that he receives requests to store RVs in addition to boats, and being limited to storage of only boats he is not able to serve customers that have both or have only RVs. Denial of the request would limit the customer base for the applicant.

Staff Finding – As the addition of RV Storage to the CUP would result in no physical change except for different type of traffic on N 1800 Road, the approval or denial of the revision would have little impact on the public health, safety, and convenience. The denial of the request would limit the applicant's customer base.

VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN

The subject property is not located within an identified urban growth area but is within 1 mile of the city limits of Lecompton. The comprehensive plan recommends that agricultural uses continue to be the predominant land use within the areas of the county beyond the designated urban growth areas. Uses permitted in the rural area should continue to be limited to those which are compatible with agricultural production and uses.

Staff Finding – The Comprehensive Plan recommends that uses in the rural area be limited to those compatible with agricultural uses and that the design should be consistent with the rural character. A Conditional Use Permit can be used to allow specific non-residential uses subject to approval of a site plan. This tool allows proportional development in harmony with the surrounding area. As recommended by *Horizon 2020,* the proposed request is consistent with the Comprehensive Plan.

STAFF REVIEW

The original CUP [CUP-10-11-02] for Fred's Boat Storage was approved by the Board of County Commissioners in February of 2003. On January 17, 2007, the Board of County Commissioners approved CUP-08-07-06 for an expansion of Fred's Boat Storage subject to various conditions of approval. These included:

1. All Boat Storage must be stored entirely inside the buildings.

2. No non-agricultural storage is permitted outside the buildings.
3. This Conditional Use Permit replaces the previous permit [CUP-10-11-02] and will be re-evaluated by the County Commission in 5 years from the approval date and will expire in 10 years from the approval date. Continuation of the use beyond that date will require rezoning or approval of a new CUP.
4. Screening must be provided for the proposed building from the adjacent public road per Section 19-4(23) of the *County Zoning Regulation.*
5. No signs will be mounted or painted on the roofs of the boat storage buildings.

Condition 1 should be revised to require all the recreational vehicles, trailers, or campers stored to also be inside the buildings.

Condition 3 should be revised to reflect the new approval date of the revised CUP. Condition 4 required that the building be screened from adjacent roads per Section 19-4(23) of the Regulations (current Section 12-319-4.23, due to renumbering). This section states: *"Open storage must meet the minimum yard requirements of the district in which it is located and must be screened by a view reducing wall, fence or landscaping material from adjacent public roads and residentially zoned property."*

The screening requirement is intended to reduce the visual impact of open storage on neighboring roads or properties. The properties to the east are not residentially zoned but do contain residences. Trees and other vegetation on the west side of these properties provide screening. Given the distance of the structures to the road (over 600 ft), and the nature of the adjacent roadway (Interstate Highway), in addition to the fact that the pole sheds screen the boats fairly well, minimal landscaping should adequately screen the property from the adjacent road. (Figure 2)

The previous CUP did not include specific landscaping requirements; however, the previously approved plan included a berm to the south of the storage facility. Specific landscaping measures should be designated on the CUP to clarify what landscaping is required for compliance. Staff recommends the plan be revised to specify that 4 evergreen trees, planted on 30 ft centers are required south of the southern graveled area. This landscaping, coupled with the deep setback, should provide adequate screening from both N 1800 Road and Interstate 70.

Joint Hearing

County Resolution No 80-5 established the policy that a joint hearing be held for requests within 3 miles of the incorporated cities in Douglas County so that the County Commission would have the benefit of both Planning Commissions' Recommendations.

Conclusion

Approval of a CUP can be tailored to address specific issues such as intensity or frequency of use, include time limitations, and provide screening requirements. This Conditional Use Permit (CUP-11-7-11) expands the use to include RV Storage and combines with the previous CUP for this property (CUP-08-07-06). The date of approval referenced in condition of approval 1(a) would be the date of approval for CUP-11-7-11. The landscape condition has been revised to specifically designate the type of landscaping which is required for compliance.

Staff recommends approval of CUP (CUP-11-7-11) as conditioned.

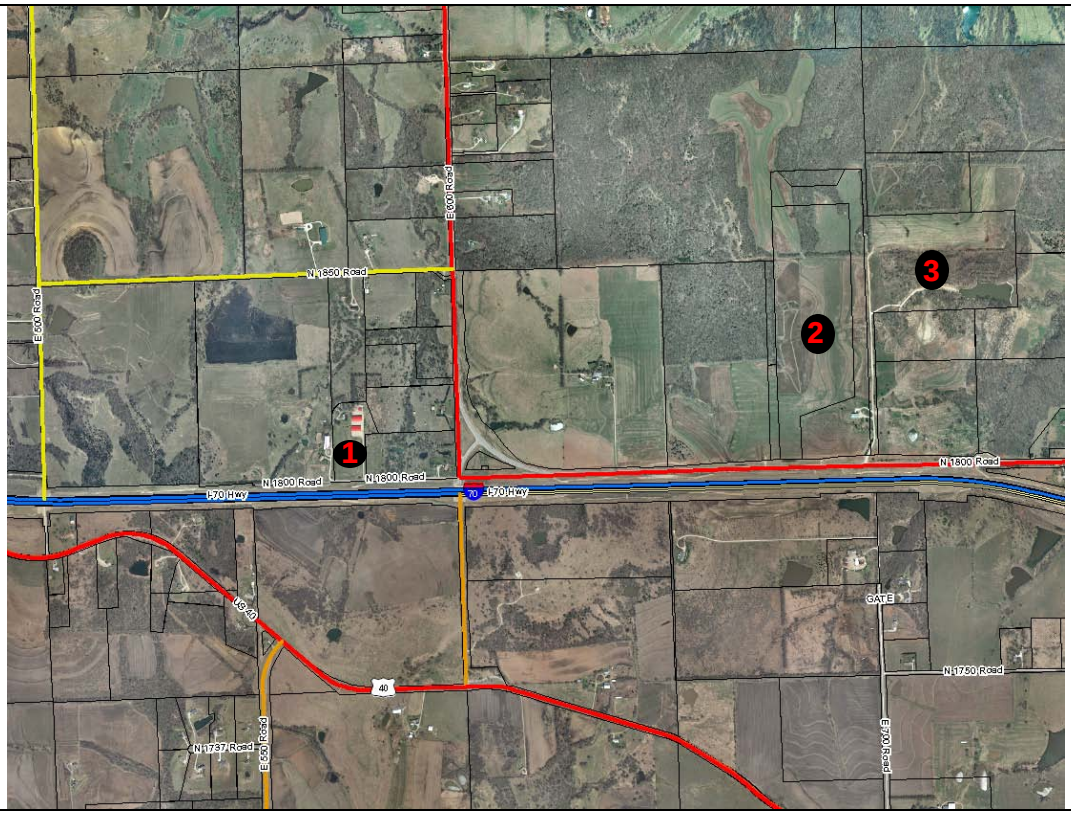


Figure 1a. Character of area includes major transportation network. (Subject property is identified as #1, Barry Plastics Warehouse and the Woods sites as #2 and #3.)



Figure 1b. This detail shows the buildings in relation to the adjacent roadways. N 1800 Road ends at property to west.



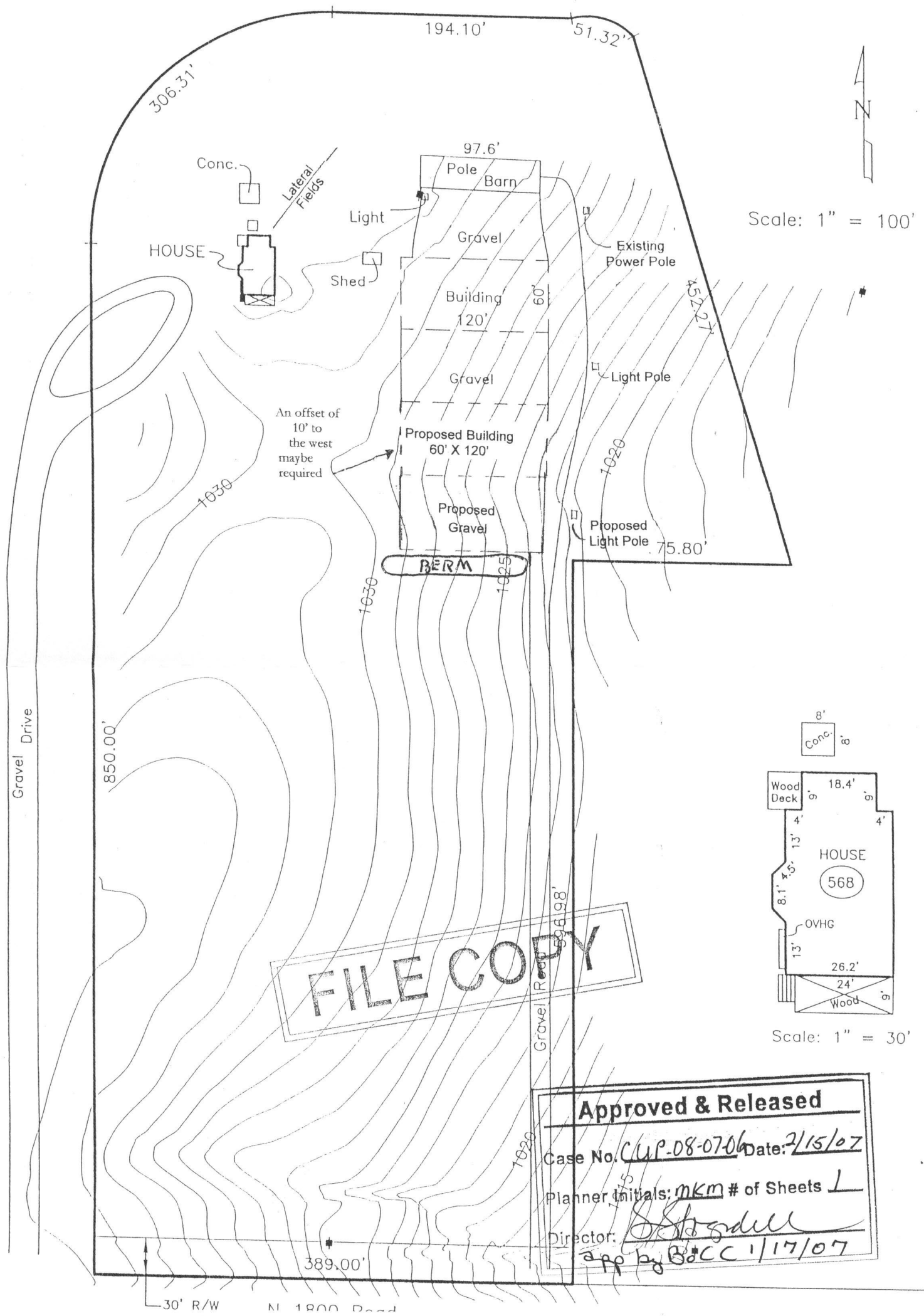
Figure 2 View of the boat storage building from Interstate 70. (photo from Google maps)

Fred Roll
568 N 1800 Road
Lecompton, Kansas 66050

PLOT PLAN

Provisions

a. All boat storage must be stored entirely inside the buildings.
b. No non-agricultural storage is permitted outside the buildings.
c. Conditional Use Permit (CUP-08-07-06) replaces the previous permit (CUP-10-11-02) and will be re-evaluated by the County Commission in 5 years from the approval date and will expire in 10 years from the approval date. Continuation of the use beyond that date will require rezoning or approval of a new CUP.
d. Screening must be provided for the proposed building from the adjacent public road per Section 19-4(23) of the County Zoning Regulation.
e. No signs will be mounted or painted on the roofs of the boat storage buildings.



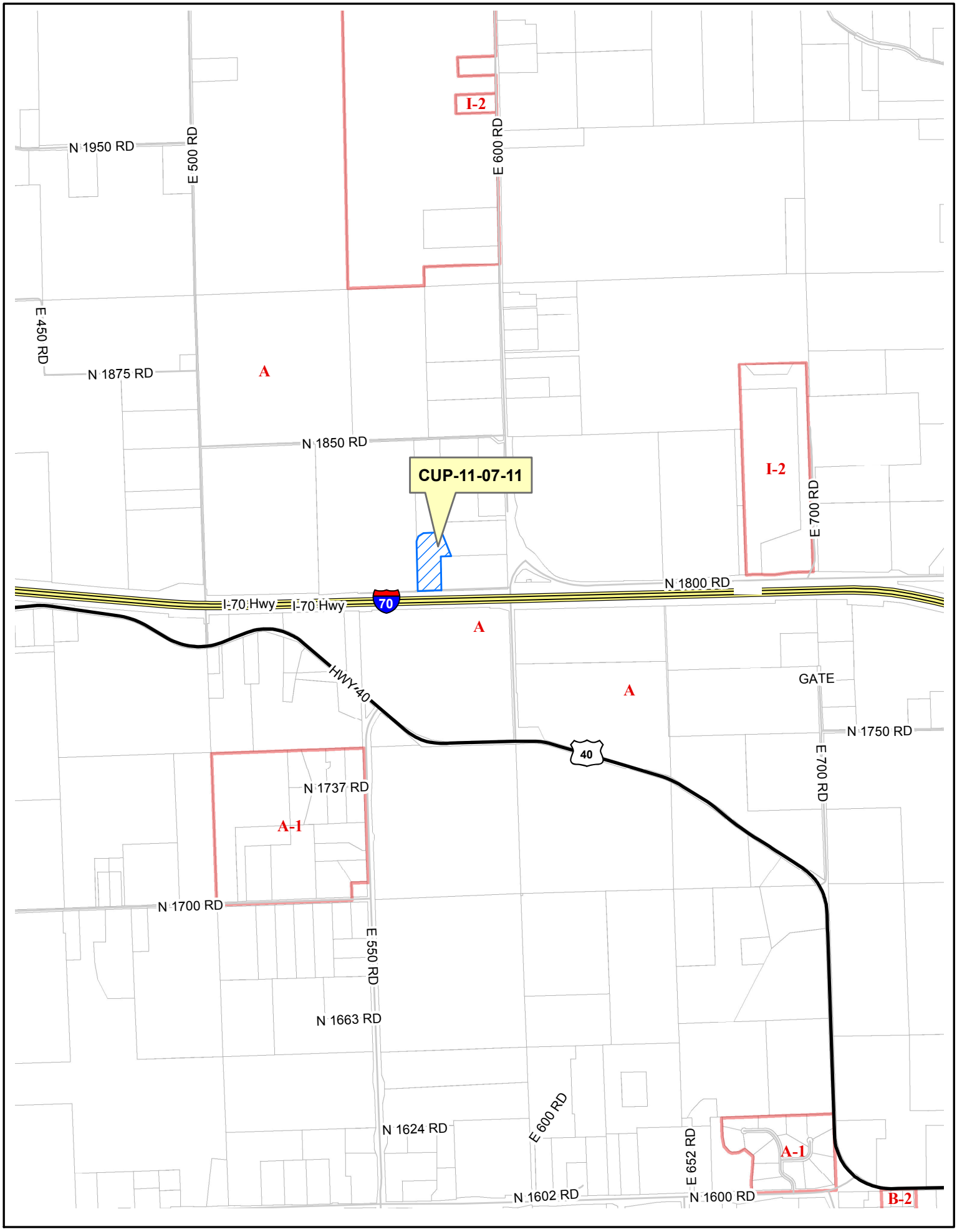
Approved & Released

Case No. CUP-08-07-06 Date: 2/15/07

Planner Initials: MKM # of Sheets 1

Director: [signature]

app by BoCC 1/17/07


I-2
N 1950 RD
E 500 RD
E 600 RD
E 450 RD
N 1875 RD
A
N 1850 RD
CUP-11-07-11
I-2
E 700 RD
N 1800 RD
I-70 Hwy
I-70 Hwy
70
A
HWY 40
A
GATE
N 1750 RD
40
E 700 RD
N 1737 RD
A-1
N 1700 RD
E 550 RD
N 1663 RD
E 600 RD
N 1624 RD
E 652 RD
A-1
N 1602 RD
N 1600 RD
B-2

PLANNING COMMISSION REPORT
Regular Agenda – Non Public Hearing Item

PC Staff Report
1/23/12

ITEM NO. 2 ANNEXATION; 17.4 ACRES; YANKEE TANK (MJL)

A-8-3-11: Consider annexation of approximately 17.4 acres for Yankee Tank, located south of Bob Billings Pkwy, north of Clinton Parkway, east of Villa Drive, and west of Burning Tree Drive. Submitted by North Tank LC and Burning Tree LLC, property owners of record.

ITEM NO. 3 ANNEXATION; 109 ACRES; YANKEE TANK/LAKE ALVAMAR (MJL)

A-8-4-11: Consider annexation of approximately 109 acres for Yankee Tank (commonly known as Lake Alvamar), located north of Clinton Parkway, south & west of Lake Alvamar Drive, and east of E. 920 Road. Submitted by Alvamar Inc, and Kansas Athletics, Inc. property owners of record.

STAFF RECOMMENDATION: Staff recommends the following:

1. Approval of the requested annexation of approximately 126 acres located between Bob Billings and Clinton Parkways and east of the South Lawrence Trafficway (SLT).
2. Initiation of rezonings from county A (Agriculture) and A-1 Districts (Suburban Home Residential) Districts to OS (Open Space) and OS (Open Space)-FP (Floodplain) District.

Reason for Request: Burning Tree LLC, Alvamar Inc, and Kansas Athletics Inc own portions of Yankee Tank Lake and dam (commonly referred to as Lake Alvamar Dam) and the property owners have received federal money to rehabilitate the dam structure. The City is partnering with the property owners, the State Water Office, KDOT, Douglas County and the Wakarusa Watershed District to rehabilitate the dam. City involvement would include the requirement that the dam facility be annexed into the City of Lawrence.

KEY POINTS

- This is a voluntary annexation.
- The lake and dam are almost entirely surrounded by the city limits.
- The annexation is supported by *Horizon 2020*.
- The city benefits from this rehabilitation because the lake is used for stormwater control in the area.
- Water and sanitary sewer facilities currently run through the property. No new city services will be required for to the subject properties.

COMPREHENSIVE PLAN FACTORS TO CONSIDER

- Chapter 4 – Growth Management outlines annexation policies. The subject properties are located in Service Area 1 which Chapter 4 encourages annexation of these areas.
- Chapter 16 – Environment; Goal 1, Policy 1.2 discusses preservation and protection of surface watercourses. Specifically Policy 1.2(c) discusses dams and proper maintenance of the structures. Policy 1.6 discusses protection of floodplain areas. This area and Yankee Tank Lake is floodplain and used as stormwater detention for the surrounding areas.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Initiation of rezoning from county A (Agriculture) and county A-1 (Suburban Home Residential) Districts to OS (Open Space)and OS-FP (Floodplain) District.

PLANS AND STUDIES REQURIED

- *Traffic Study* – Not required for rezoning.
- *Downstream Sanitary Sewer Analysis* – Not required for rezoning.
- *Drainage Study* – Not required for rezoning.
- *Retail Market Study* – Not applicable to this request.

ATTACHMENTS

- Area map

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None to date

EXISTING CONDITIONS

Current Zoning and Land Use:	County A (Agriculture) and county A-1 (Suburban Home Residential) Districts; undeveloped lake and dam
Surrounding Zoning and Land Use:	To the north: RS10 (Single-Dwelling Residential), RS7, PRD-Villas at Alvamar (Planned Residential Development); residential structures
	To the south: RS20, UR (Urban Reserve), RS40; vacant property, single-dwelling homes, athletic fields
	To the east: RS10, GPI (General Public and Institutional); single-dwelling residential, water treatment plant
	To the west: RS20, county A-1; vacant land, single-dwelling residential

Site Summary

Gross Area: 126 acres
Area Requested for Annexation: 126 acres
Subject property is located within Service Area 1 of the Urban Growth Area as defined in *Horizon 2020.*

Project Summary:

The dam was originally designed and constructed through a federal Soil Conservation Service (SCS) program as a low-hazard facility. Since construction, the program regulations have changed which has caused the dam to now be classified as high-hazard due to downstream development of Clinton Parkway, K-10 highway and the athletic fields. The reclassification does not reflect the integrity of the dam itself, only because of the development downstream. The dam currently meets state regulations but not federal regulations. The dam improvements will allow it to meet state and federal regulations and be reclassified back to a low-hazard facility. Generally the improvements are to increase the height of the dam. After the completion of the improvements, a Letter of Map Change will be submitted to FEMA to change the floodplain limits in relation to the improvements.

The property owners have secured federal earmark funds for this project and the Wakarusa Watershed District, KDOT, the State Water Office, Douglas County, adjacent property owners and

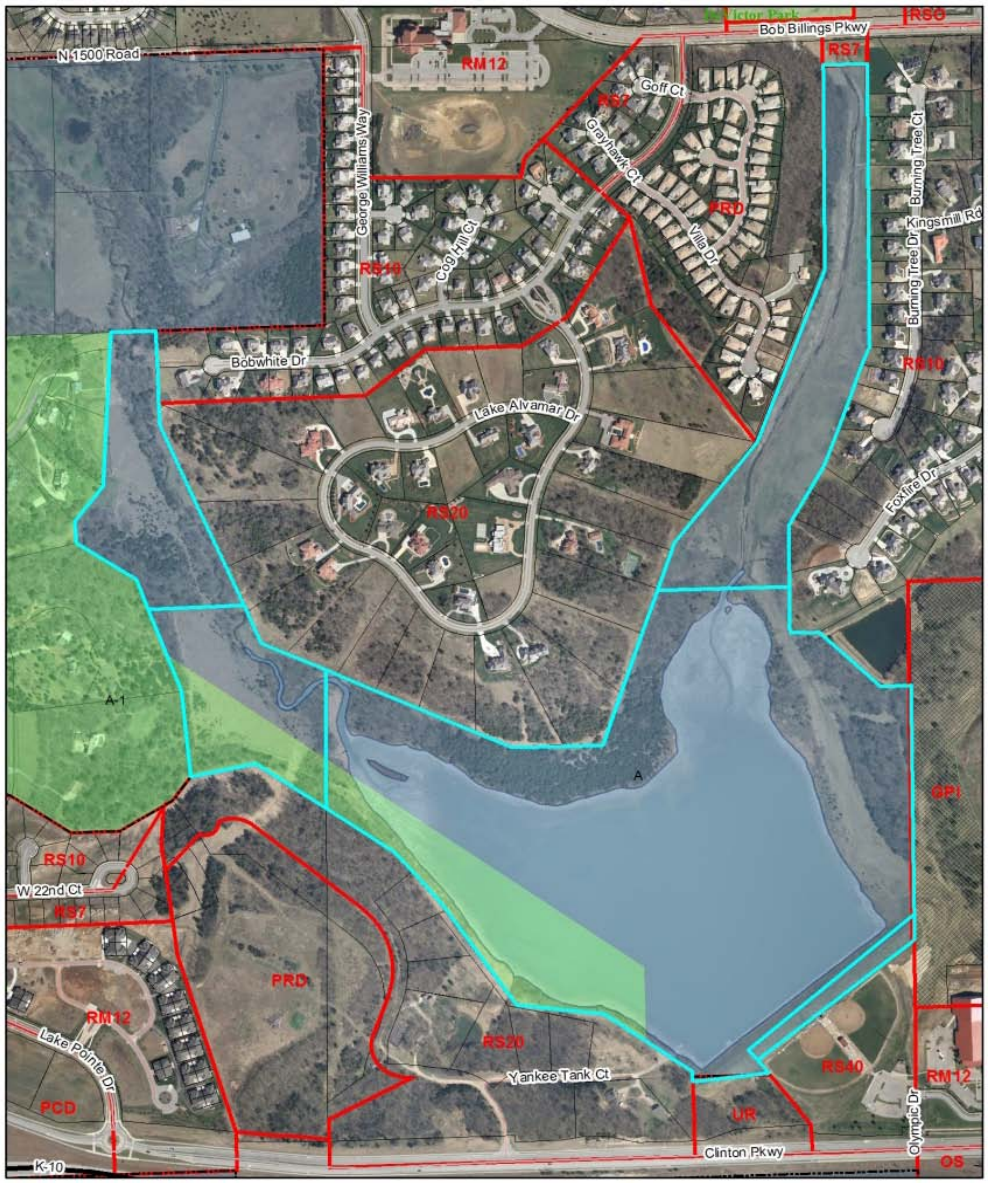
the City are also participating. In order for the city to participate, the property needs to be within the city limits.

Annexation Procedure

Kansas Law [12-519 *et seq.*] provides for annexation by ordinance of the City Commission. Lawrence City policy requires the Lawrence-Douglas County Metropolitan Planning Commission to review and make recommendations on all annexation requests in excess of ten acres. Upon annexation, the property is required to be rezoned to a compatible City zoning district. The proposed request is not accompanied by a rezoning request.

General Location and Site Characteristics

Yankee Tank Lake is located just southwest of Lawrence and is almost entirely surrounded by the city of Lawrence. The lake acts as stormwater retention for the surrounding area. These properties have relatively steep topography draining south to the lake. Currently the lake is dry because of the possible risk involved with the dam not meeting federal standards. Once the dam improvements are made, water will again be retained in the lake.



Infrastructure and Utility Extensions

These properties are used for drainage for the watershed and city services are located within the properties currently. No development except for the dam improvements is proposed for these properties.

Sanitary Sewer - Sanitary sewer facilities currently exist throughout the area. No structure development is proposed to necessitate sewer facilities.

Water - Water facilities currently exist throughout the area. No structure development is proposed to necessitate water facilities.

Stormwater – Stormwater facilities currently exist throughout the area and the area itself is a stormwater retention area.

Public Rights-of-way – This area touches two rights-of-way. No new right-of-way is anticipated to be needed in the future.

Private utilities - No additional services are required for this area at this time.

Other Services – No additional services are required for this area.

School facilities – No residential development will be provided on these properties to require school facilities

COMPREHENSIVE PLAN

Horizon 2020

Chapter 4 – Growth Management outlines annexation policies. The subject properties are located in Service Area 1 of the Urban Growth Area. Chapter 4 encourages annexation of these areas.

Chapter 16 – Environment; Goal 1, Policy 1.2 discusses preservation and protection of surface watercourses. Specifically Policy 1.2(c) discusses dams and proper maintenance of the structures. Policy 1.6 discusses protection of floodplain areas. This area and Yankee Tank Lake is floodplain and used as stormwater retention for the surrounding areas.

Annexation of these properties is supported based on these goals and policies of *Horizon 2020*.

West of K-10 Plan

Yankee Tank Lake (Lake Alvamar) is within the planning area of the *West of K-10 Plan*. The plan identifies the properties on the future land use map as Park/Open Space use.

DISCUSSION OF LAND USE AND REQUEST:

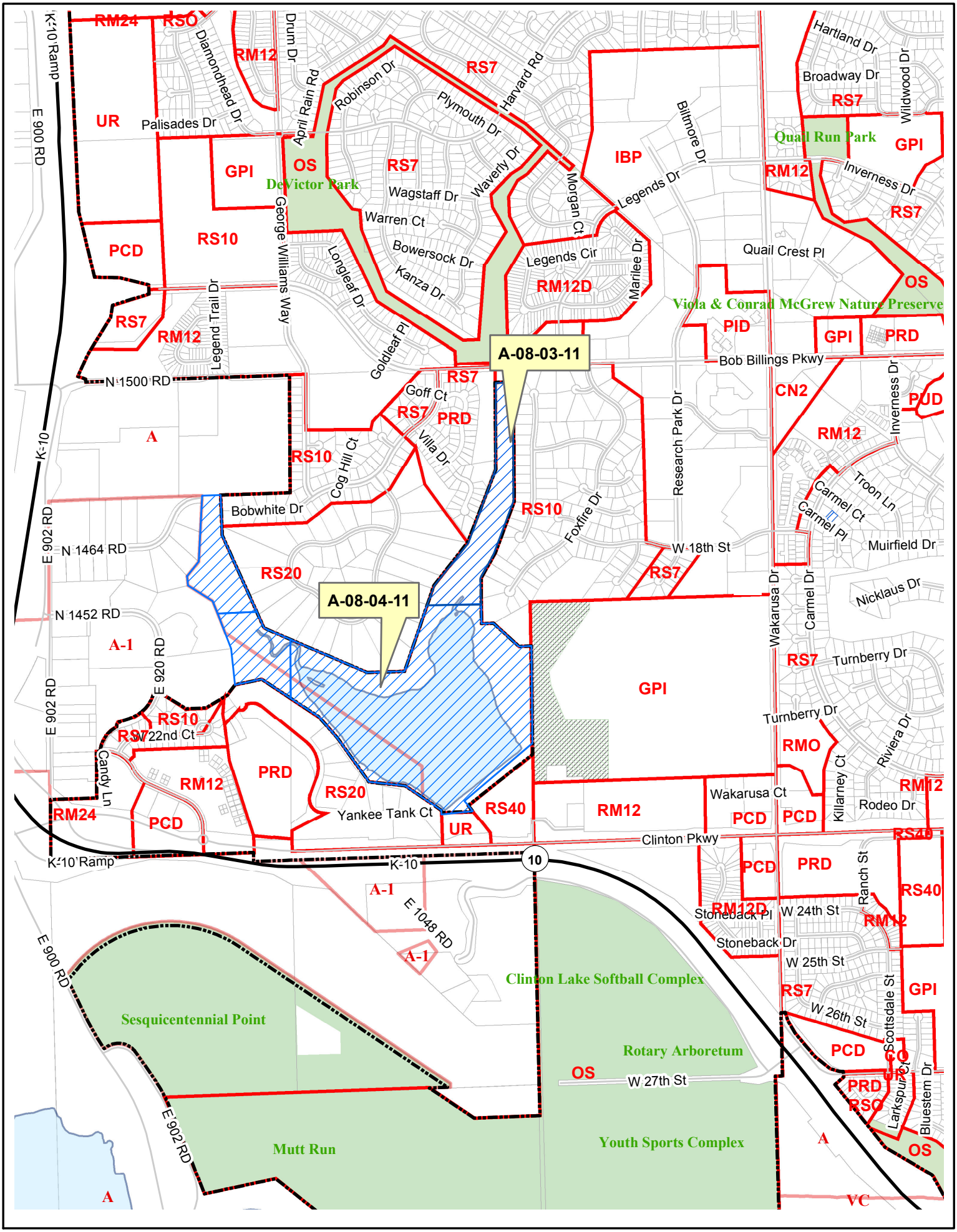
The properties are part of the drainage and stormwater retention for the surrounding area and watersheds. The request allows for the city to participate in the improvement of the dam to allow for the continued use of the facility for stormwater. These properties are not public properties and no plans for recreation, either public or private are anticipated at this time nor are any structures anticipated.

CONCLUSION

The request is to annex 5 parcels totaling approximately 126 acres that make up Yankee Tank Lake (Lake Alvamar). This proposal allows the city to participate in the improvements of the dam in order for it to meet state and federal requirements. The dam is not at risk of failing but does not meet current standards. The improvements will increase the height of the dam and as a result will remove certain properties adjacent to the lake out of the floodplain. These improvements benefit many people and properties in the community. New infrastructure and utilities are not needed as structure development is not anticipated (with the exception of the dam itself). Horizon

2020 supports the annexation with the properties being located in Service Area 1 and almost entirely surrounded by the city. *Horizon 2020* also supports the preservation and protection of dam and floodplain areas.

The recommendation also includes the initiation of the rezoning of these parcels to a city zoning designation. Rezoning to the FP Overlay District may be delayed until the LOMC (Letter of Map Change) is completed so that an accurate depiction of the floodplain limits is available.


A-08-03-11
A-08-04-11
RM24
RSO
RM12
RS7
UR
GPI
OS
DeVictor Park
IBP
RS10
PCD
RM12D
PID
PRD
CN2
PUD
RS20
RS40
RMO
A
A-1
VC
Quail Run Park
Viola & Conrad McGrew Nature Preserve
Clinton Lake Softball Complex
Sesquicentennial Point
Rotary Arboretum
Youth Sports Complex
Mutt Run
Palisades Dr
Diamondhead Dr
Drum Dr
April Rain Rd
Robinson Dr
Plymouth Dr
Harvard Rd
Waverly Dr
Wagstaff Dr
Warren Ct
Bowersock Dr
Kanza Dr
Morgan Ct
Legends Dr
Legends Cir
Biltmore Dr
Hartland Dr
Broadway Dr
Wildwood Dr
Inverness Dr
Quail Crest Pl
Marilee Dr
George Williams Way
Longleaf Dr
Goldleaf Pl
Legend Trail Dr
Goff Ct
Villa Dr
Cog Hill Ct
Bobwhite Dr
Foxfire Dr
Research Park Dr
Bob Billings Pkwy
Troon Ln
Carmel Ct
Carmel Pl
Muirfield Dr
Nicklaus Dr
Wakarusa Dr
Carmel Dr
Inverness Dr
W 18th St
Turnberry Dr
Riviera Dr
Killarney Ct
Rodeo Dr
Wakarusa Ct
Yankee Tank Ct
W 22nd Ct
Candy Ln
Clinton Pkwy
Ranch St
Stoneback Pl
Stoneback Dr
W 24th St
W 25th St
W 26th St
W 27th St
Scottsdale St
Larkspur Ct
Bluestem Dr
N 1500 RD
N 1464 RD
N 1452 RD
E 902 RD
E 920 RD
E 1048 RD
E 900 RD
K-10 Ramp
K-10
10

Memorandum
City of Lawrence – Douglas County
Planning & Development Services

To: **Lawrence-Douglas County Planning Commission**

From: **Dan Warner, AICP, Long Range Planner**

Date: **For January 23, 2012 Planning Commission Meeting**

RE: **CPA-6-5-09**: Reconsider Comprehensive Plan Amendment to Horizon 2020 Chapter 14 to include the Northeast Sector Plan.

Introduction:

The Northeast Sector Plan was approved the Lawrence-Douglas County Planning Commission by a vote of 5-4 on September 20, 2010. The Douglas County Board of Commissioners considered the Northeast Sector Plan at meetings on May 11, 2011 and June 1, 2011. The County Commission, by a vote of 2-1, referred the Northeast Sector Plan back to the Planning Commission with specific direction. The City Commission reviewed the Northeast Sector Plan at their meeting on August 9, 2011. The City Commission also provided direction to the Planning Commission.

The Planning Commission reconsidered the Northeast Sector Plan at their regular meeting on December 12, 2011. The Commission held a public hearing and discussed the Northeast Sector Plan. The Commission provided direction to reduce the industrially designate acreage west and south of the airport from 300 acres to 125 acres, and to bring back options on the configuration of those 125 acres. The full NE Sector Plan Planning Commission packet can be found with the December 12, 2011 PC agenda.

Those options, along with a discussion of existing county industrial zoning are presented below.

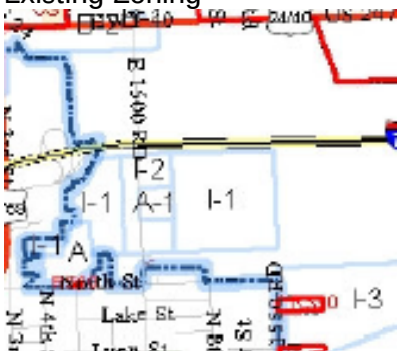
Existing Industrial Zoning Discussion

One item to point out to the Planning Commission is the current zoning of property south of I-70 and north of North Street. There is approximately 120 acres of property outside of the regulatory floodplain that is zoned County Industrial – I1 and I2 (see the map below). The use of the industrially zoned property is generally agriculture or residential. The industrially zoned properties today have zoning rights to seek a County Commission approved site plan to develop an approved industrial use; however, the presumption is that any significant development on these properties would require city services and be annexed into the city. In that case, the property would be rezoned and the Northeast Sector Plan would guide its development.

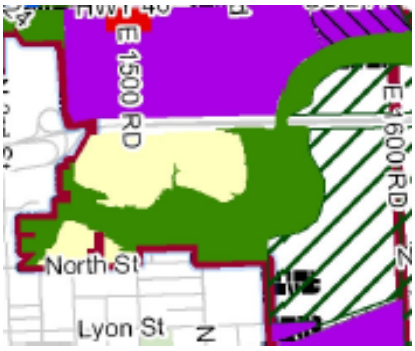
The Northeast Sector Plan designates the future land use of the area as Very Low Density Residential and Open Space (which is the regulatory flood hazard area). While it's true that those properties could develop industrial uses today with an approved site plan, for the reasons stated below, Staff believes very low density residential land use is the most appropriate land use for that area when it becomes part of Lawrence in the future.

That area is not targeted as a future industrial/employment area in Horizon 2020. The area south and west of the airport, and north of I-70, is the designated future industrial/employment area in Chapter 7 of Horizon 2020.

Existing Zoning



Future Land Use

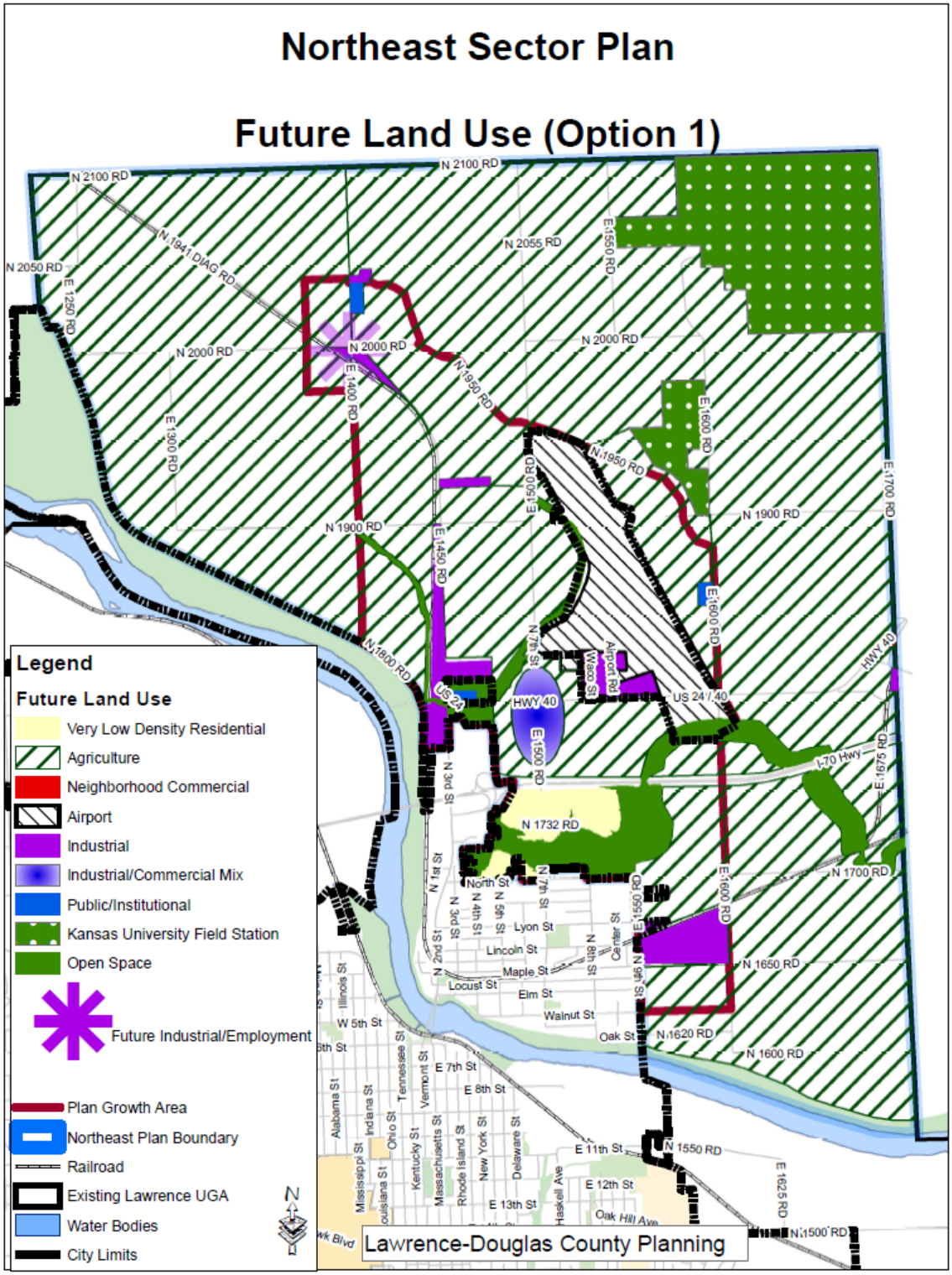


This information is important in considering new industrial designations as it is possible under the current county I-1 or I-2 zoning for additional industrial development to occur on these properties and would produce more industrial area than the Future Land Use Map of the sector plan reflects.

125 Acre Future Land Use Options

The Planning Commission directed staff to reduce the industrially designated land south and west of the airport from 300 to 125 acres. The Commission also directed staff to develop configuration options for the 125 acres. Staff is presenting three options for the Commission to consider. The options are presented on three land use maps along with changes to the future land use category descriptions. The future land use descriptions for Options 2 and 3 are the same.

Future Land Use Option 1



Option 1 land use description changes

3.2.1.3 ~~Neighborhood~~ Commercial ~~Center~~

~~A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. This commercial center is intended to serve the surrounding employment center area in addition to the commuters using Highway 24/40. *Horizon 2020*, Chapter 6 – Commercial Land Use offers more specific language regarding Neighborhood Commercial Centers. The Neighborhood Commercial Center classification is intended to urbanize around Highway 24/40 and E 1500 Rd. Other areas~~ This category designates the property at 1697 Hwy. 40 that ~~are~~ as a rural commercial use~~s~~ that ~~and~~ ~~are~~ is not anticipated to urbanize.

Intensity: Medium-High

Zoning Districts: Douglas County – B-1 (Neighborhood Business District) and B-2 (General Business District); ~~Lawrence – MU (Mixed Use), CN1 (Inner Neighborhood Commercial District), CN2 (Neighborhood Commercial Center District), PD (Planned Development Overlay)~~

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

3.2.1.4 Industrial

The intent of the Industrial category is to allow for moderate to high-impact uses, including large scale or specialized industrial uses, that utilize Highway 24/40 and I-70 for materials transportation. This category includes existing industrial developments in the area. This category also includes approximately 35 acres of land at the airport dedicated to aviation related development, and approximately 20 acres of land at the airport which could be aviation or non-aviation related development. ~~Land west of the airport and north of Highway 24/40 and south of Highway 24/40 is also classified as industrial. Soil conserving agri-industry businesses that will protect the quality of existing high quality agricultural land either through agricultural use or preservation for future agricultural use should be encouraged to locate in areas with Class I and II soils. The industrial category~~ Properties in this category may or may not receive urban services ~~is expected to urbanize~~.

Intensity: Medium-High

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

Primary Uses: Aviation-related uses, utility facilities, building maintenance services, fleet storage, business support services, construction sales and service, industrial facilities, wholesale, distribution, and storage, research services, manufacturing and production limited and technology, ~~soil-conserving agri-businesses~~

3.2.1.5 Industrial/Commercial Mix

The intent of the Industrial/Commercial Mix category is to allow for a mix of commercial and industrial uses proximate to the intersection of Hwy. 24/40 and E. 1500 Rd. that utilize Highway 24/40 and I-70 for materials transportation. Soil conserving agri-industry businesses that will protect the quality of existing high quality agricultural land either through agricultural use or preservation for future agricultural use should be encouraged to locate in this area. Commercial uses in this category shall be of a Neighborhood Commercial Center nature intended to serve the surrounding employment center area in addition to the commuters using Highway 24/40. Properties in this category are expected to urbanize.

Several competing values have challenged the community on how best to plan for the area south of the airport between Hwy. 24/40 and I-70. While multi-modal transportation networks exist and a flat terrain promotes industrial uses, the area contains significant amounts of Class I & II soils, contributes to stormwater absorption, is valued for its potential agriculture production and rural character, and has public infrastructure costs related to stormwater management that must be factored into determining its future use. Additionally, the Lawrence Mayor's Peak Oil Task Force recently released their "Solutions to Peak Oil Vulnerabilities: Response Plan for Lawrence, Kansas", which includes a recommendation to: *Redraw the City's Urban Growth Area boundaries to preserve high quality soils for agricultural uses.*

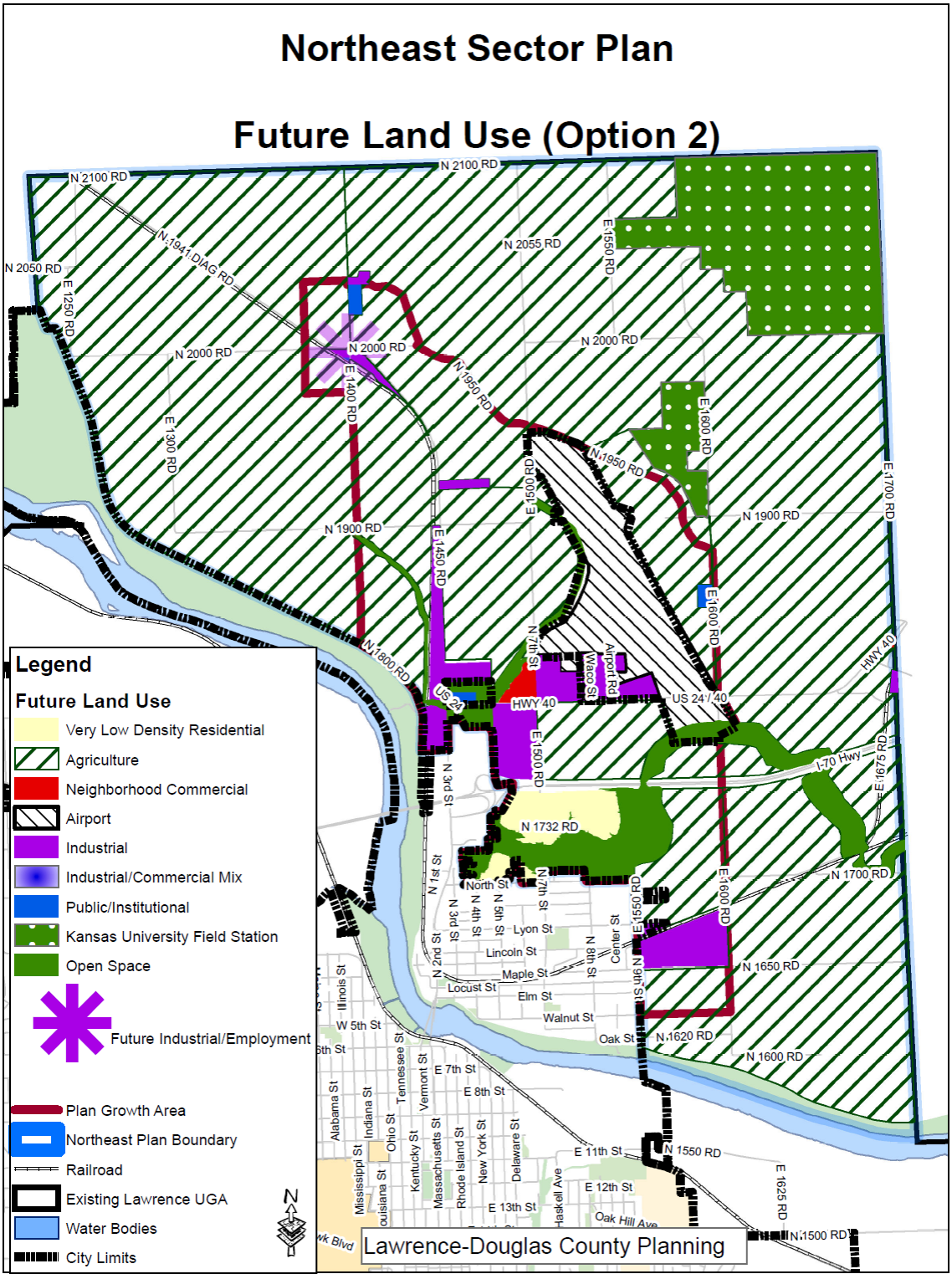
In order to balance the competing values noted above, the total approximate acreage for the industrial and commercial uses shall be no greater than 125 acres. The development should be organized in a contiguous manner. A master planned project is most appropriate for this category to ensure appropriate planning of all 125 acres.

Intensity: Medium-High

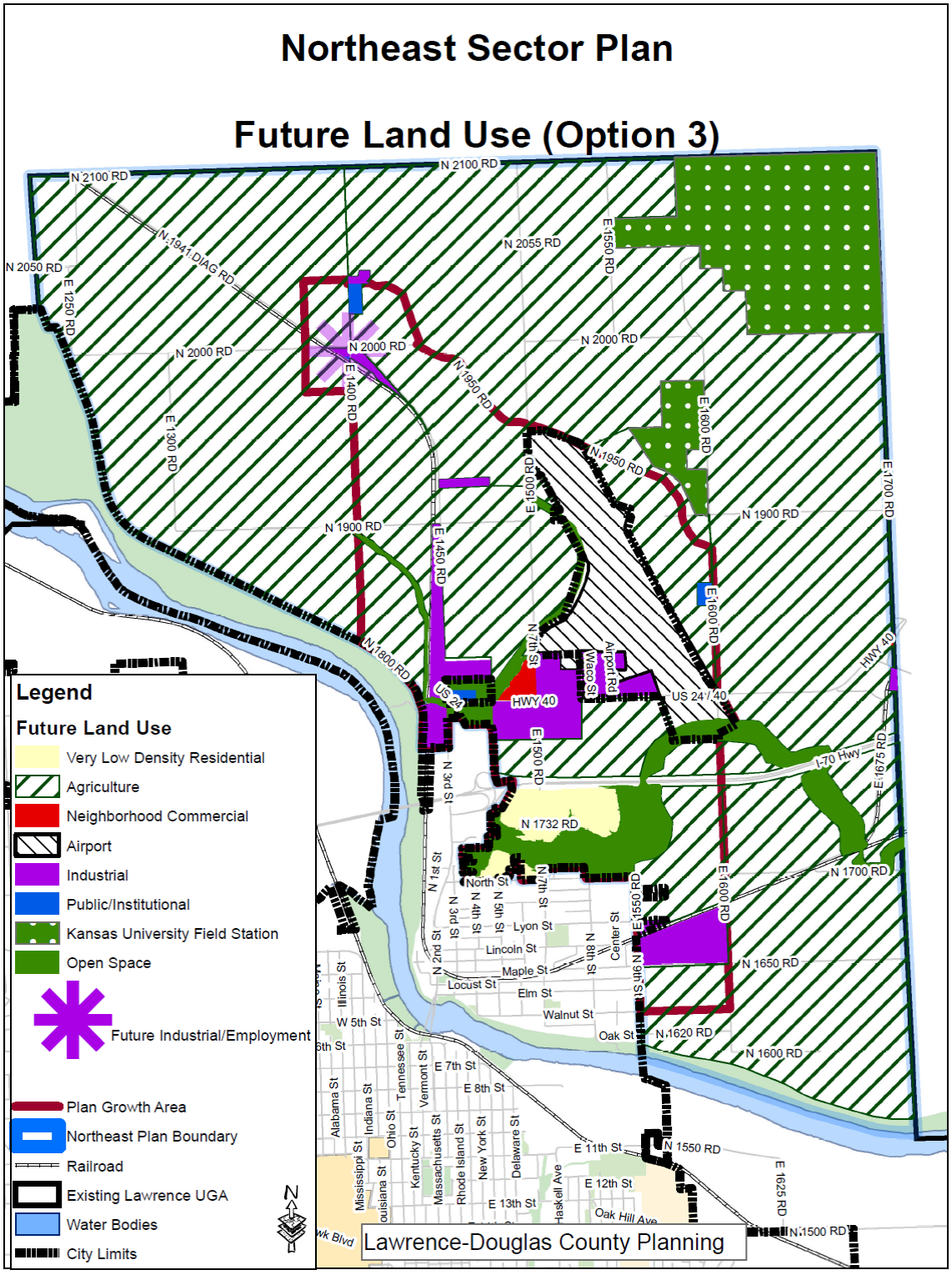
Zoning Districts: Lawrence – CN2 (Neighborhood Commercial), MU (Mixed Use), IBP (Industrial and Business Park District) IL (Limited Industrial District), IG (General Industrial District), PD (Planned Development Overlay)

Primary Uses: Utility facilities, building maintenance services, fleet storage, business support services, construction sales and service, industrial facilities, wholesale, distribution, and storage, research services, manufacturing and production limited and technology, soil-conserving agri-businesses, non-ground floor dwellings, civic and public uses, eating and drinking establishments, general office, retail sales and services, hotels, motels, gas and fuel sales, car wash

Future Land Use Option 2



Future Land Use Option 3



Options 2 and 3 description changes

3.2.1.3 Neighborhood Commercial Center

A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. This commercial center is intended to serve the surrounding employment center area in addition to the commuters using Highway 24/40. *Horizon 2020*, Chapter 6 – Commercial Land Use offers more specific language regarding Neighborhood Commercial Centers. The Neighborhood Commercial Center classification is intended to urbanize at the northwest corner of ~~around~~ Highway 24/40 and E 1500 Rd, and includes approximately 20 acres. ~~Other areas designated are rural and currently exist and are~~ This category also includes the property at 1697 Hwy. 40 that is an existing rural commercial use and is not anticipated to urbanize.

Intensity: Medium-High

Zoning Districts: Douglas County – B-1 (Neighborhood Business District) and B-2 (General Business District); Lawrence – MU (Mixed Use), CN1 (Inner Neighborhood Commercial District), CN2 (Neighborhood Commercial Center District), PD (Planned Development Overlay)

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

3.2.1.4 Industrial

The intent of the Industrial category is to allow for moderate to high-impact uses including large scale or specialized industrial uses that utilize Highway 24/40 and I-70 for materials transportation. This category includes existing industrial developments in the area. This category also includes approximately 35 acres of land at the airport dedicated to aviation related development, and approximately 20 acres of land at the airport which could be aviation or non-aviation related development. Land west of the airport and north of Highway 24/40 to E. 1550 Rd. and south of Highway 24/40 is also classified as industrial.

Several competing values have challenged the community on how best to plan for the area south of the airport between Hwy. 24/40 and I-70. While multi-modal transportation networks exist and a flat terrain promotes industrial uses, the area contains significant amounts of Class I & II soils, contributes to stormwater absorption, is valued for its potential agriculture production and rural character, and has public infrastructure costs related to stormwater management that must be factored into determing its future use. Additionally, the Lawrence Mayor's Peak Oil Task Force recently released their "Solutions to

Peak Oil Vulnerabilities: Response Plan for Lawrence, Kansas", which includes a recommendation to: *Redraw the City's Urban Growth Area boundaries to preserve high quality soils for agricultural uses.*

In order to balance the competing values noted above, the total approximate acreage for the industrial uses shall be no greater than 105 acres. The development should be organized in a contiguous manner that is most intense at the intersection of Hwy. 24/40 and E 1500 Rd. A master planned project is most appropriate for this category to ensure appropriate planning of all 125 commercial and industrial acres.

Soil conserving agri-industry businesses that will protect the quality of existing high quality agricultural land either through agricultural use or preservation for future agricultural use should be encouraged to locate in areas with Class I and II soils. ~~The industrial~~ Properties in this category ~~is~~ are expected to urbanize.

Intensity: Medium-High

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

Primary Uses: Aviation-related uses, utility facilities, building maintenance services, fleet storage, business support services, construction sales and service, industrial facilities, wholesale, distribution, and storage, research services, manufacturing and production limited and technology, soil-conserving agri-businesses

Northeast Sector Plan

Lawrence-Douglas County Planning and Development Services

Lawrence-Douglas County Planning Commission – 09/20/10
Douglas County Board of County Commissioners –
Lawrence City Commission –

I hereby certify that this is a true and correct copy of the comprehensive plan or part of the plan; that the Lawrence-Douglas County Metropolitan Planning Commission adopted said comprehensive plan or part of the plan on September 20, 2010.

Sheila M Stogsdill

Assistant Director of Planning and Development Services.

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Section 1: Introduction

1.1 Purpose

The purpose of the *Northeast Sector Plan* is to outline specific land use goals, policies and recommendations for the planning area shown on Map 1-1, while being consistent with the overall adopted comprehensive plan for the community. Portions of the planning area are adjacent to the city of Lawrence and because of their proximity to the city and highways, they are likely to be areas of rural and urban development pressure. However, this plan recognizes that this area is unique in its development potential and the community may benefit most by limited development.

The plan outlines future land uses for the planning area to be used as a guide for rural and urban development. This plan does not annex property nor does it rezone property upon adoption. These types of proposals are typically requested by the property owners and/or developers that have a stake in such property and wish to develop within Douglas County and within the city of Lawrence.

The plan should fit like a puzzle piece into the larger context of the surrounding street, utility, and land use network of the entire community. Logical connections between the planning area and adjacent neighborhoods are a key factor in the development of the plan. The recommendations contained within this plan are intended to guide the area's future growth patterns.

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

1.2 Description of Planning Area

The *Northeast Sector Plan* planning area is located north of the city of Lawrence (see Map 1-1) and within Grant Township, in northeastern Douglas County, Kansas. The planning area contains approximately 10,640 gross acres and encompasses Grant Township north of the Kansas River.

The planning area boundaries are: E 1700 Road on the east, N 2100 Road on the north, the riverfront park on the west, and the Lawrence city limits and the Kansas River on the south. See Map 1-1. The planning area encompasses the Lawrence Urban Growth Area (UGA) in northeast Douglas County, as currently identified in *Horizon 2020*. A majority of the planning area is located in Service Area 4 which is the outer most service area in *Horizon 2020*. For Service Area 4 *Horizon 2020* states: "The land uses north of US-24/40 shall be primarily non-residential uses such as industrial, warehouse and office" and "Urban development in Service Area 4 north of the Kansas River shall not occur until after an extensive drainage study for the area north of the Kansas River has been completed." The North Lawrence Drainage Study was completed in 2005.

A portion of the planning area, south of Highway 24/40 is located in Service Area 2. *Horizon 2020* states: "Until these areas, are served by the extension of municipal services, residential urban densities of development or non-residential urban development will not be permitted. Divisions of land for rural residential development shall be permitted only when the following criteria exist: access to paved roads, conformance with minimum road frontage requirements, and availability of rural water meters. Development shall not be permitted on steep slopes (15% or greater), regulatory floodplains or other environmentally sensitive areas, and state or federally designated historic sites or landmarks. The pattern and lot layout of rural residential developments shall provide, through early planning, dedications or reservations for the logical extension of public roads and infrastructure" and "Development of these areas to urban densities should be allowed only after coordination with the phasing of municipal services and public infrastructure improvements to serve these new urban densities."

As mentioned earlier, the entire planning area is within the Lawrence UGA. The UGA was expanded to the Douglas County line in this area in 2004. This action was largely in response to concerns that the Douglas County Subdivision Regulations did not regulate rural residential growth, i.e., the 5 and 10 acre exemptions allowed the creation of residential lots without platting. The UGA was expanded into this area to help regulate rural residential growth.

The subdivision regulations for Douglas County were amended and adopted in 2007 and put in place standards to regulate rural residential growth. These standards regulate rural residential growth in the Rural Area, as well as the UGA. Since there are now standards for the division of property in the Rural Area, one of the reasons for expanding the UGA to the county line in this area is no longer necessary.



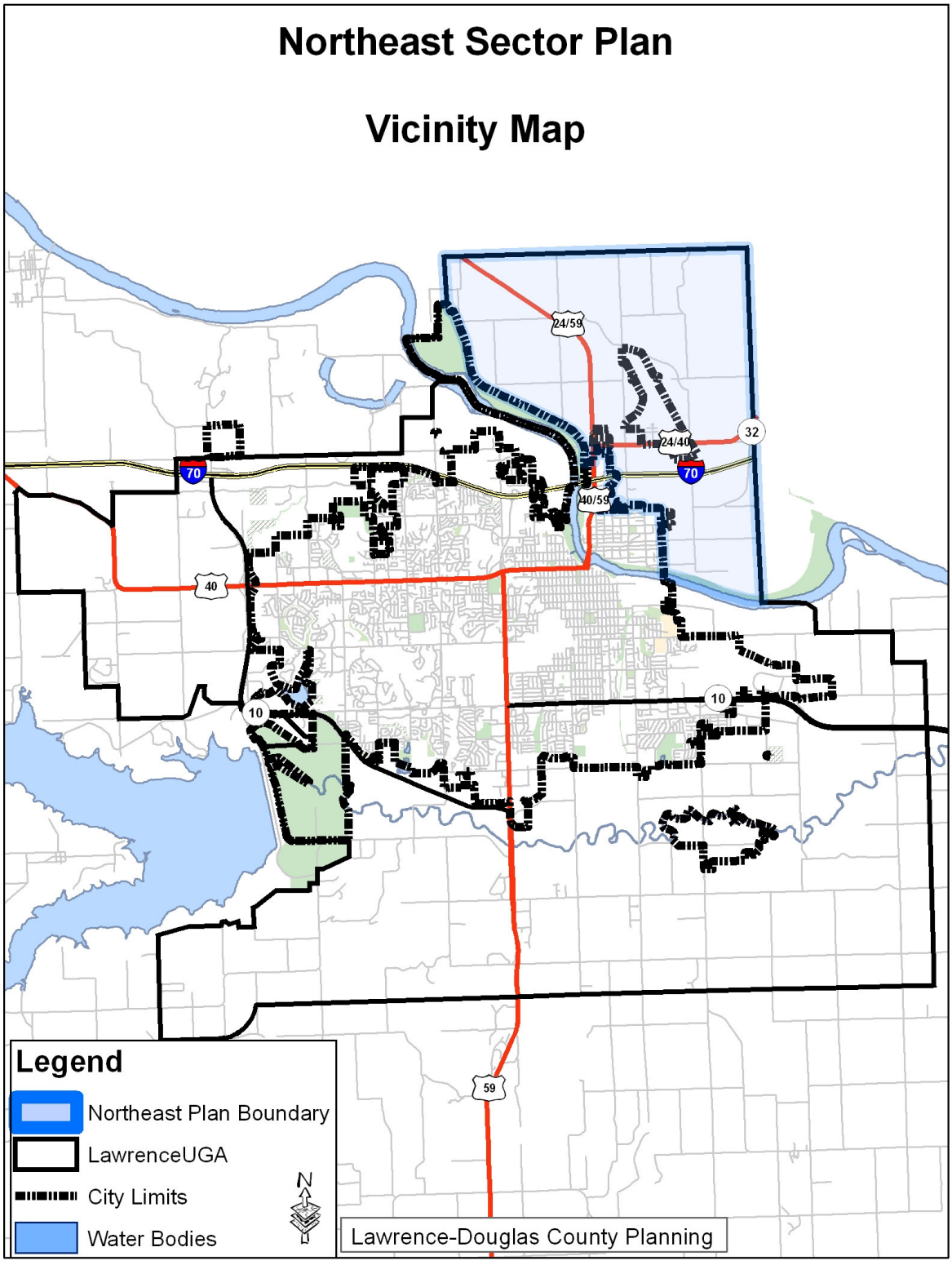
The dominant character of the area is rural in nature although there are a variety of uses within the planning area. The main rural uses in the flat, lower parts of the planning area are agriculture row crop, livestock production, and pastureland uses.

Rural residential uses are found in the higher northern parts of the planning area. Rural uses dominate those portions of Jefferson County that are north of the planning area and also those parts of Leavenworth County east of the planning area. The KU Field Station is located in the northeast corner of the planning area and also within Jefferson and Leavenworth counties.

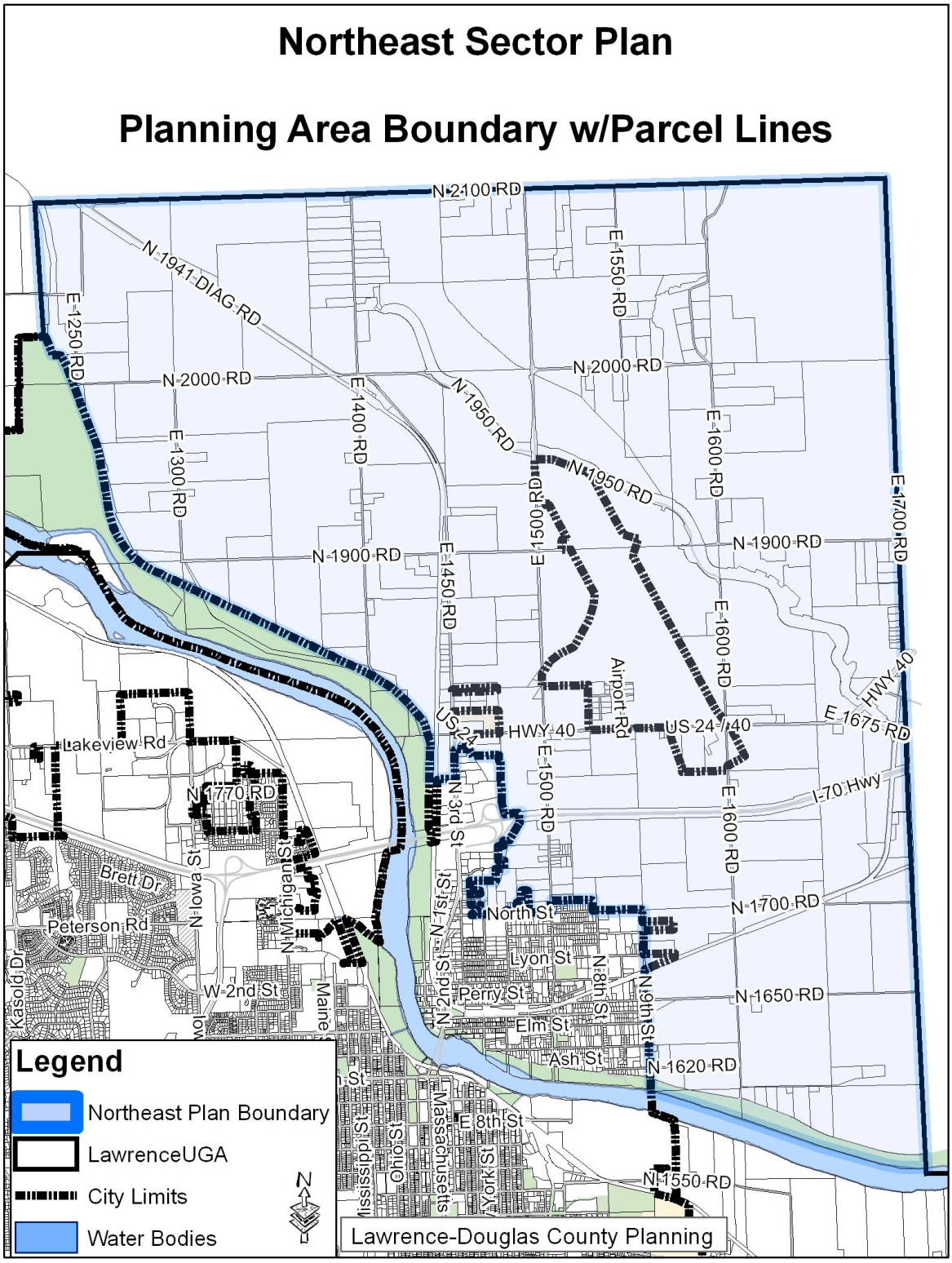
I-70 and a toll plaza, along with Highways 24/40/59 are major elements within the area. Industrial and commercial uses are located along Highway 24/59 and Highway 24/40. The Lawrence Municipal Airport is another major element within the planning area. The airport is annexed into the city, but is an island not contiguous with the corporate boundary of Lawrence. The Kansas River is generally west and south of the planning area. Urban uses within Lawrence are generally south of the planning area.

The planning area boundaries and parcel composition are illustrated in Map 1-2.

Map 1.1 – Vicinity Map



Map 1.2


Northeast Sector Plan
Planning Area Boundary w/Parcel Lines
N 2100 RD
N 1941 DIAG RD
E 1250 RD
E 1550 RD
N 2000 RD
E 1400 RD
N 1950 RD
E 1300 RD
E 1600 RD
E 1700 RD
E 1500 RD
N 1900 RD
E 1450 RD
Airport Rd
HWY 40
US 24
E 1675 RD
Lakeview Rd
N 1770 RD
I-70 Hwy
N 3rd St
Brett Dr
Peterson Rd
N Iowa St
N Michigan St
North St
N 1700 RD
Lyon St
W 2nd St
Maine St
Perry St
N 8th St
N 9th St
N 1650 RD
Elm St
Ash St
N 1620 RD
E 8th St
Massachusetts St
Ohio St
Mississippi St
New York St
N 1550 RD
Legend
Northeast Plan Boundary
LawrenceUGA
City Limits
Water Bodies
N
Lawrence-Douglas County Planning

1.3 Policy Framework

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

- *Horizon 2020*, the Comprehensive Plan for Lawrence and Unincorporated Douglas County. Lawrence-Douglas County Metropolitan Planning Office. 1998 as amended.
- *Transportation 2030*, Lawrence/Douglas County Long Range Transportation Plan. Lawrence/ Douglas County Metropolitan Planning Office and Parsons Brinkerhoff. March 26, 2008.
- *Lawrence-Douglas County Bicycle Plan*, Lawrence/Douglas County Metropolitan Planning Office. May 2004.
- *Lawrence Parks & Recreation Department A Comprehensive Master Plan*. Leon Younger & PROS. 2000.
- *City of Lawrence, Kansas Water Master Plan*. Black & Veatch. December 2003.
- *City of Lawrence, Kansas Wastewater Master Plan*. Black & Veatch. December 2003.
- *2008-2013 Capital Improvement Plan*. City of Lawrence. June 26, 2007.
- *North Lawrence Drainage Study.* 2005

Section 2 - Existing Conditions

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

2.1 Land Uses

2.1.1 Existing Land Uses

There are currently a variety of land uses within the planning area. The planning area has approximately 10,116 acres of land dedicated to uses other than public rights-of-way. The source information for the existing land use summary and map are based on the County Appraisers' land use code and updated by planning staff.

Agricultural uses, in the form of row crops, livestock production, pasturelands, and farms are the dominant land uses and encompass approximately 7,330 acres of land, which accounts for 72% of the planning area. There are farms of varying sizes (less than 5 acres up to hundreds of acres) within the planning area. Production includes row crops, local market production and animal production. Farms are owner operated or leased to larger operations. The City leases land around the airport for agriculture use.

The second largest land use category is parks/rec/open space use with approximately 956 acres. The parks/rec/open space use category includes the KU Field Station properties in the northeast portion of the planning area.

The third largest land use category is transport/communication/utility. This land use category includes the Lawrence Municipal Airport.

The next largest category is single family residential use. This category includes property with one dwelling unit located on it. The *Douglas County Zoning Regulations* define a dwelling as, "Any building or portion thereof designed or used for residential purposes. This shall include structures designed as underground structures but shall not include trailers or mobile homes". The single-family residential use is seen within the planning area primarily in the rural form – typically a house on 1 to 10 acres (although some larger single family properties in the area range between 10 – 40 acres).

The remaining land is designated a variety of uses ranging from industrial/warehouse/distribution to public/institutional uses. These uses are located primarily along Highway 24/59. The existing land uses are shown on Map 2-1 and the planning area breakdown is described in Table 2-1.

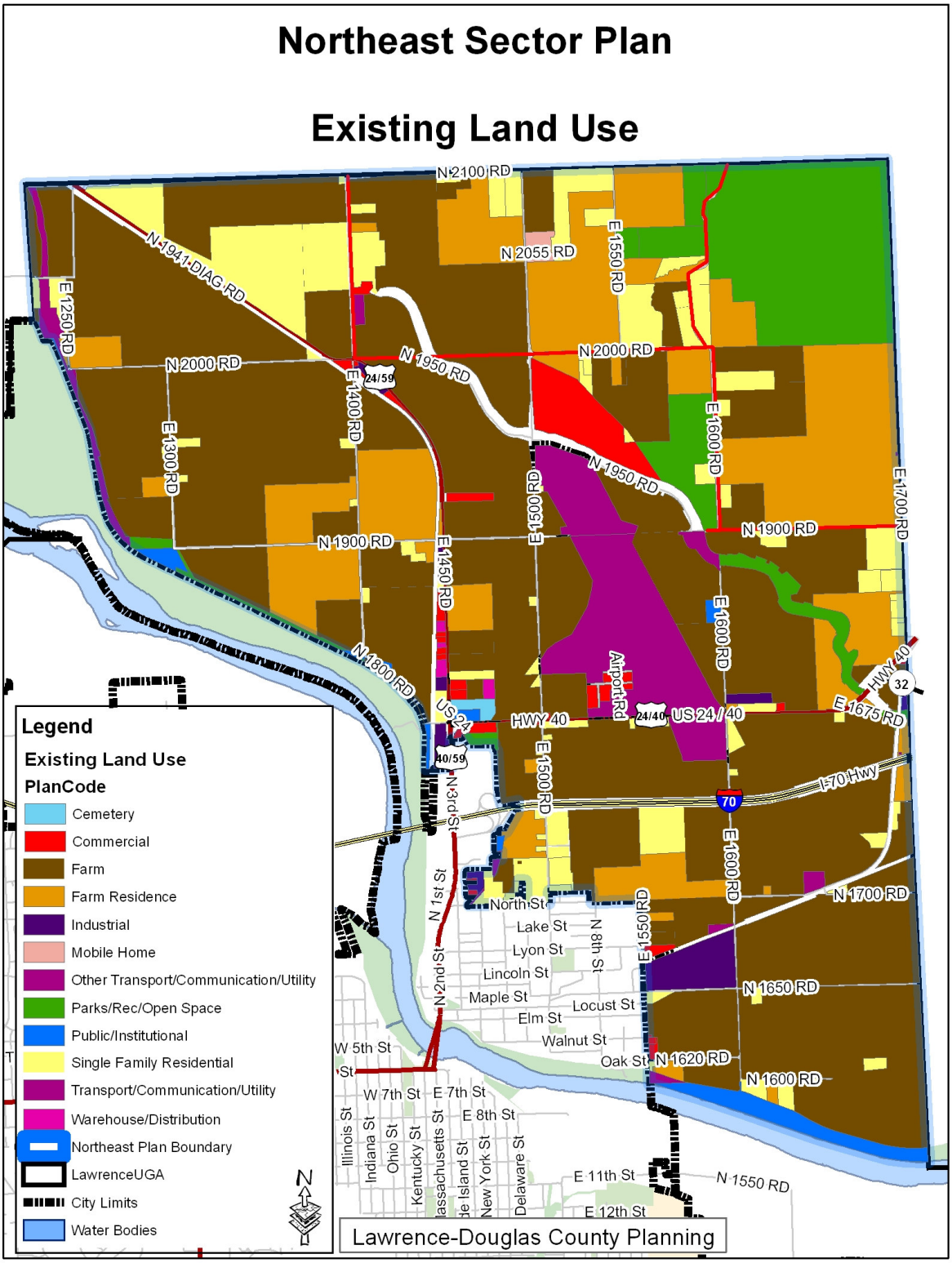
TABLE 2-1: EXISTING LAND USE SUMMARY

Land use	Acres	Percent
Agricultural	7,330	72%
Single Family Residential	550	5%
Vacant Residential	232	2%
Residential - Other	72	1%
Commercial	186	2%
Industrial/Warehouse/Distribution	125	1%
Public/Institutional	110	1%
Parks/Rec/Open Space	956	10%
Transport/Communication/Utility	555	6%
TOTAL	10,116	100%

2.1.1 Historic Resources

Currently, there is one structure listed on the National Register of Historic Places within the planning area. The Vermilya Boener House is located at the northwest corner of N 1900 Rd. and E 1400 Rd and was listed in 1992.

Map 2.1 – Existing Land Use



2.2 Zoning Patterns

The planning area encompasses approximately 10,640 acres of land including public rights-of-ways. Approximately 520 acres are located within the city of Lawrence and the rest is located within the unincorporated area of Douglas County. The majority of the planning area that is located within unincorporated Douglas County is zoned A (Agriculture District). This is mainly used for row crops, pasture land and farm purposes. Industrial zoning is found in the planning area with specific areas zoned I-1, I-2, I-3 and I-4 Districts. There is also some B-2 (General Business District) zoning along Hwy. 24/40. See Map 2-2.

The main portion of the planning area located within the city of Lawrence is the Lawrence Municipal Airport, which is zoned IG (General Industrial). The Maple Grove Cemetery is also within the city of Lawrence and is zoned OS (Open Space District). Both of these properties are islands that are not contiguous to the corporate limits of Lawrence. See Map 2-2.

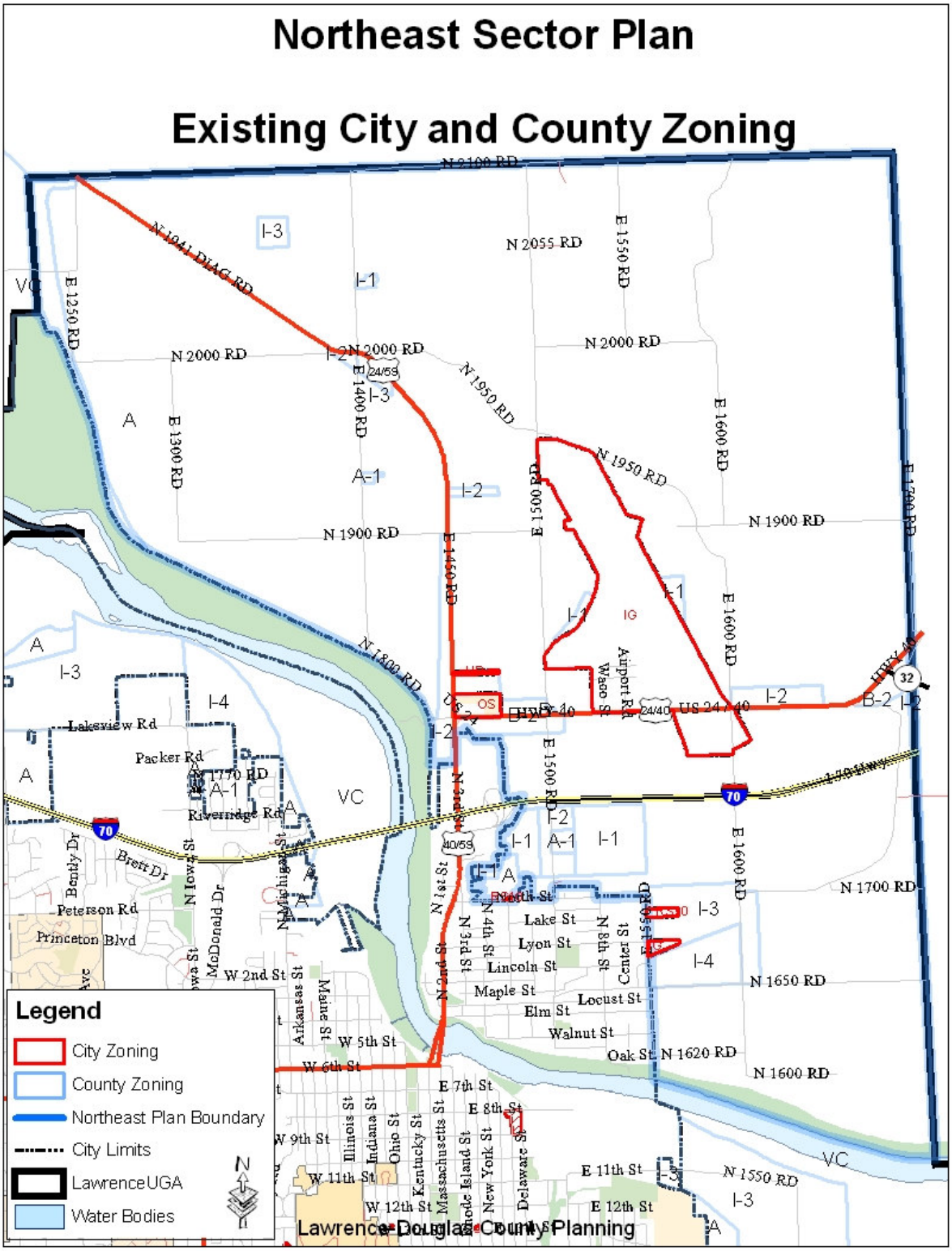
Table 2-2 County Zoning Classifications

County Zoning	District Name	Comprehensive Plan Designation
A	Agricultural	Agriculture
A-1	Suburban Homes	Very Low-Density Residential
I-1	Limited Industrial	Industrial
I-2	Light Industrial	Industrial
I-3	Heavy Industrial	Industrial
I-4	Heavy Industrial	Industrial
VC	Valley Channel	N/A

Table 2-3 City Zoning Classifications

City Zoning	District Name	Comprehensive Plan Designation
RS20	Single-Dwelling Residential (20,000 sq. feet per dwelling unit)	Low-Density Residential
IG	General Industrial	Warehouse and Distribution or Industrial
OS	Open Space	N/A

Map 2.2 – Existing Zoning



2.3 Infrastructure

2.3.1 Water and Wastewater Infrastructure

A summary of the existing water utilities is shown on Map 2-3 and wastewater utilities (sanitary sewer) is shown on Map 2-4. Municipal water and wastewater is provided to the majority of those properties that are within the current city limits. Properties that are within the planning area, but outside the city limits, are served by Jefferson County Rural Water District #13, or private wells, and private septic systems.

The city of Lawrence sanitary sewer infrastructure does not extend outside the current city limits. The City, however, recently approved extending water and sewer infrastructure to serve the municipal airport. The flat topography of the area poses a challenge to providing urban wastewater infrastructure to the planning area. The flatness of the area makes it difficult to gravity flow wastewater and thus drives up the the relative cost of providing those services.

A portion of the planning area will be included in the City's Wastewater Master Plan update, underway in 2010. That update will provide a better idea of the actual cost of extending wastewater infrastructure. It is important to note that prior to any wastewater infrustruture extensions to the planning area, impacts to the downstream wastewater system will also have to be evaluated. Improvements to that system may also be part of the cost to extend infrastructure to the area.

2.3.2 Stormwater Infrastructure

A summary of the existing stormwater utilities, channels, and natural streams are shown on Map 2-4. The majority of the stormwater is handled by open channels and streams. The stormwater drains to the south, by way of the tributaries, to the Kansas River.

2.3.3 Gas Infrastructure

The planning area includes three natural gas lines. One pipeline owned by Southern Star Gas enters the planning area from the north and crosses to the east through the center of the planning area. A second Southern Star Gas pipeline enters the planning area in the southeast corner, proceeds northeast and exits the planning area near Highway 24/40 and Highway 32. Another pipeline is owned by Williams Natural Gas and it enters the planning area on the west center portion and crosses northeast through the planning area. See Map 2-5.

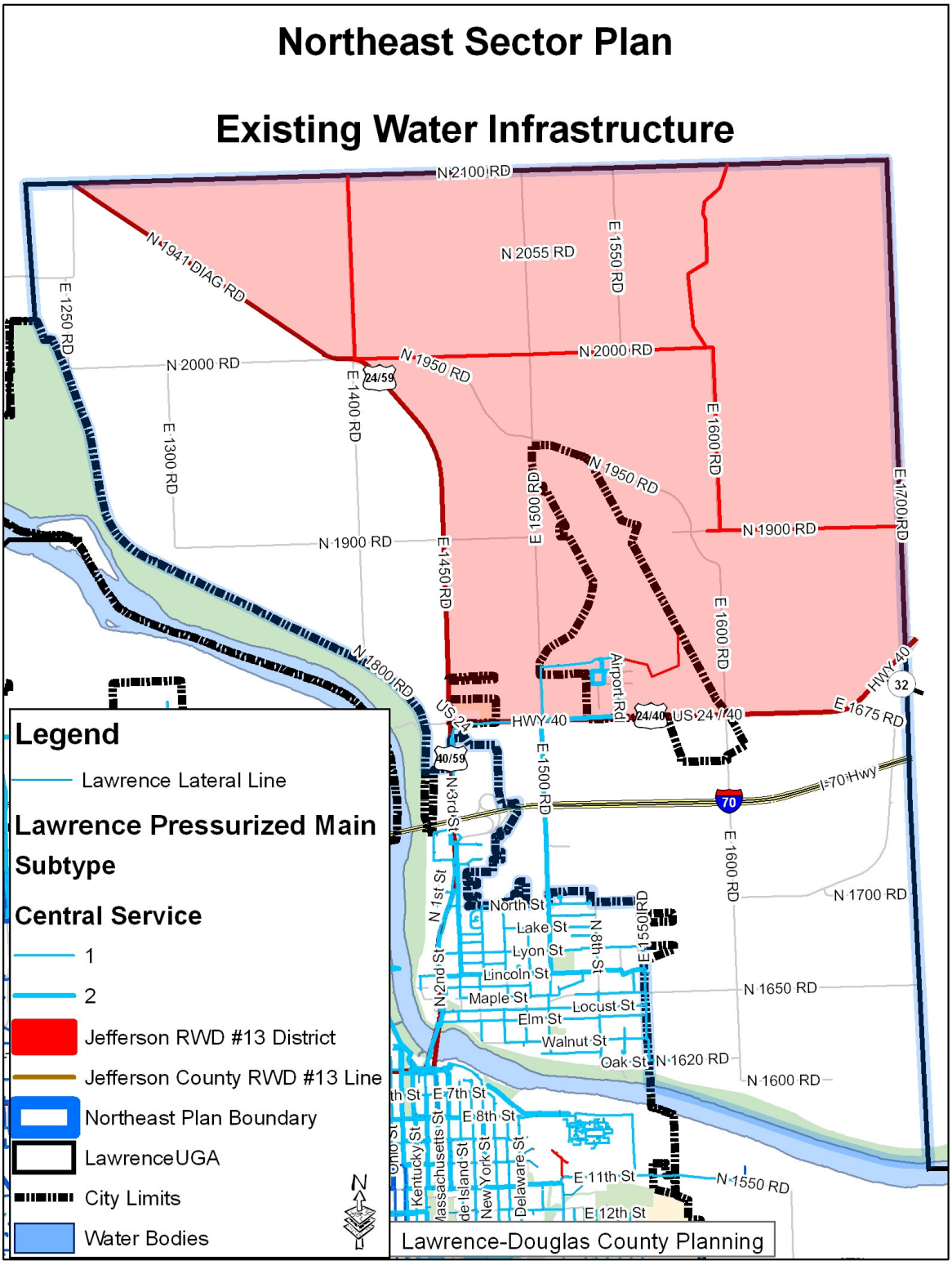
2.3.4 Electric Infrastructure

Westar serves the planning area. Large electric transmission lines also traverse the planning area. See Map 2-5.

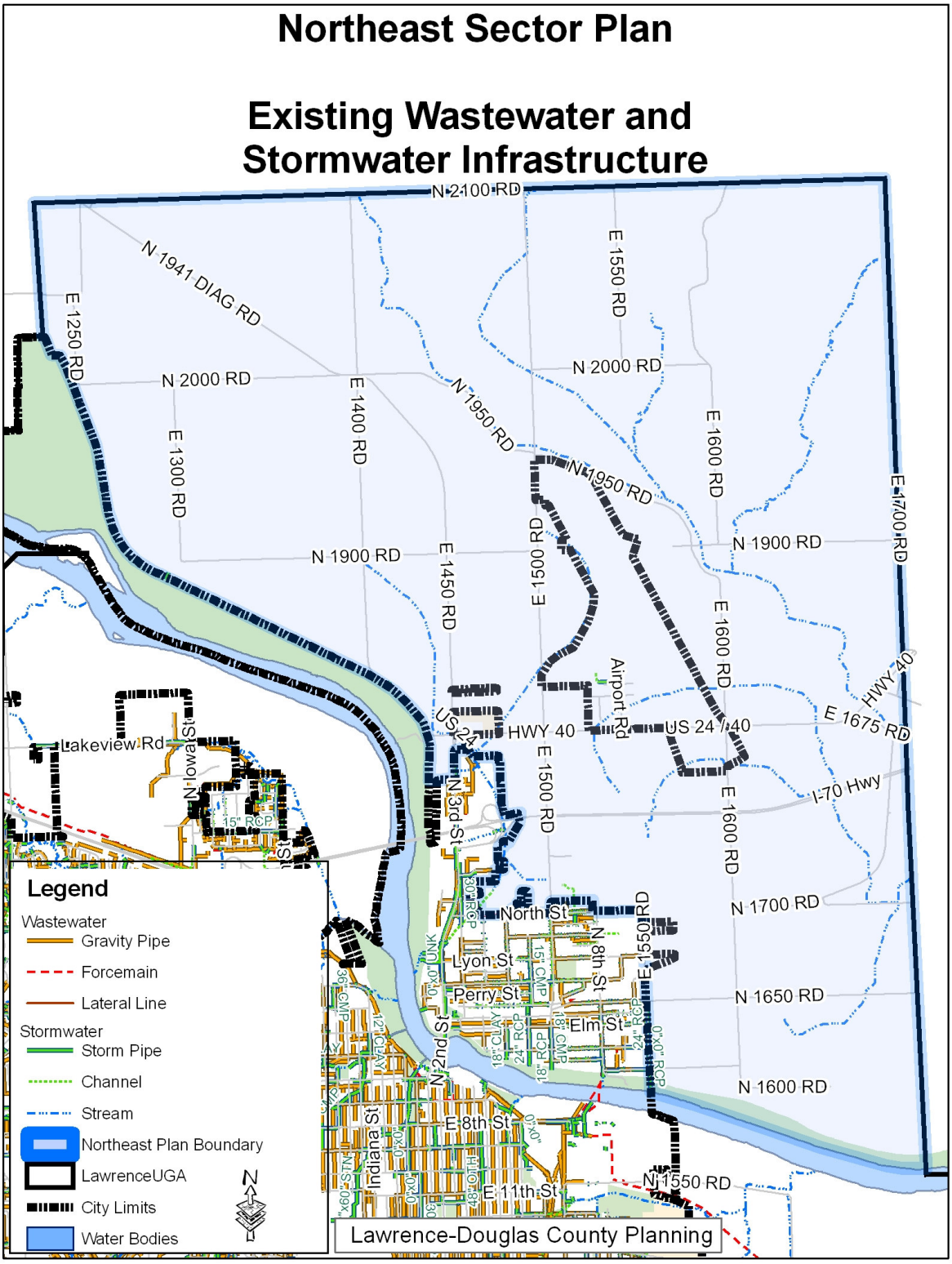
2.3.5 Drainage Districts

The Douglas County KAW Drainage District is the only drainage district in the planning area, but it does not cover the entire planning area. See Map 2-6.

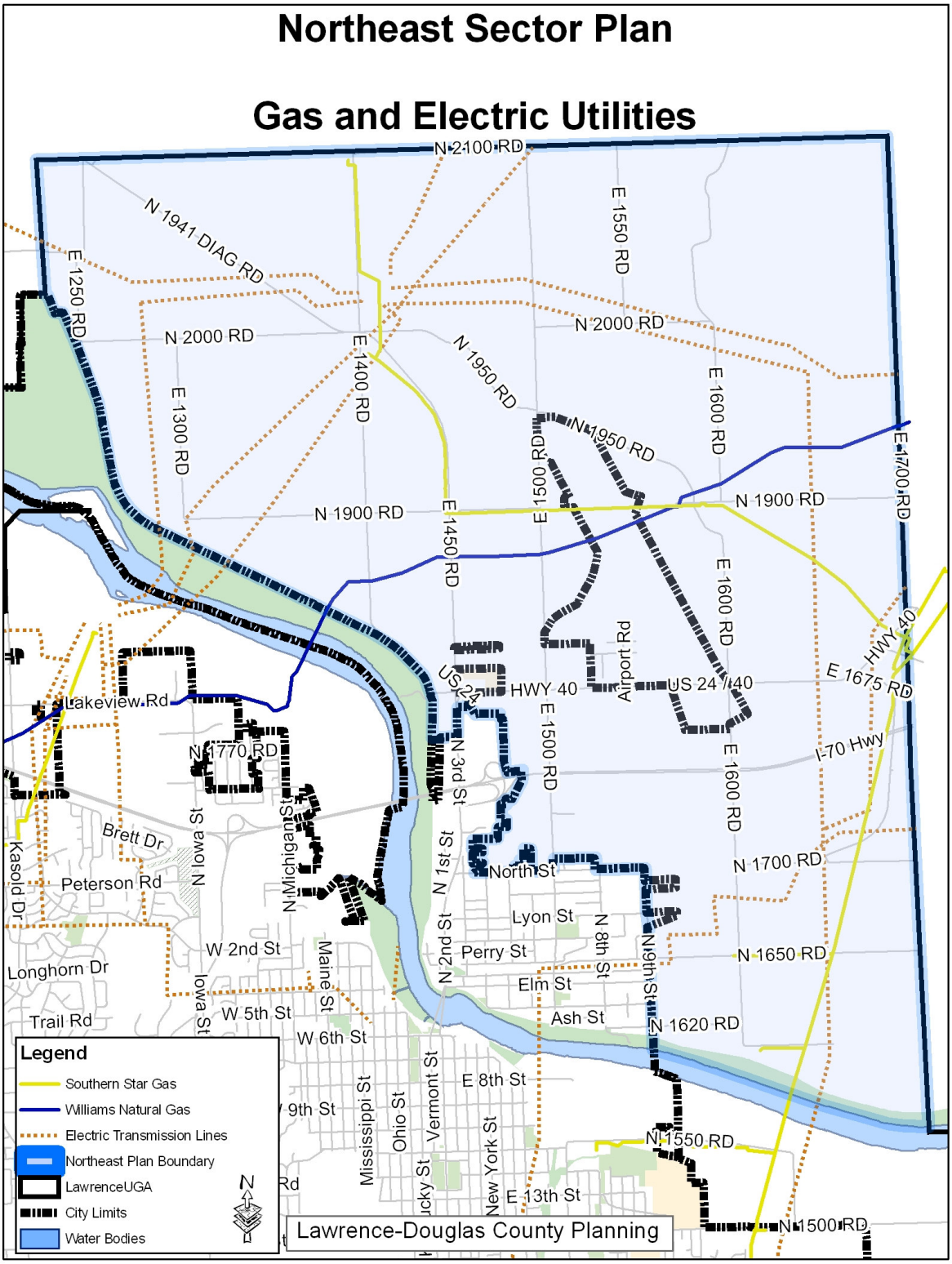
Map 2-3 – Water Infrastructure



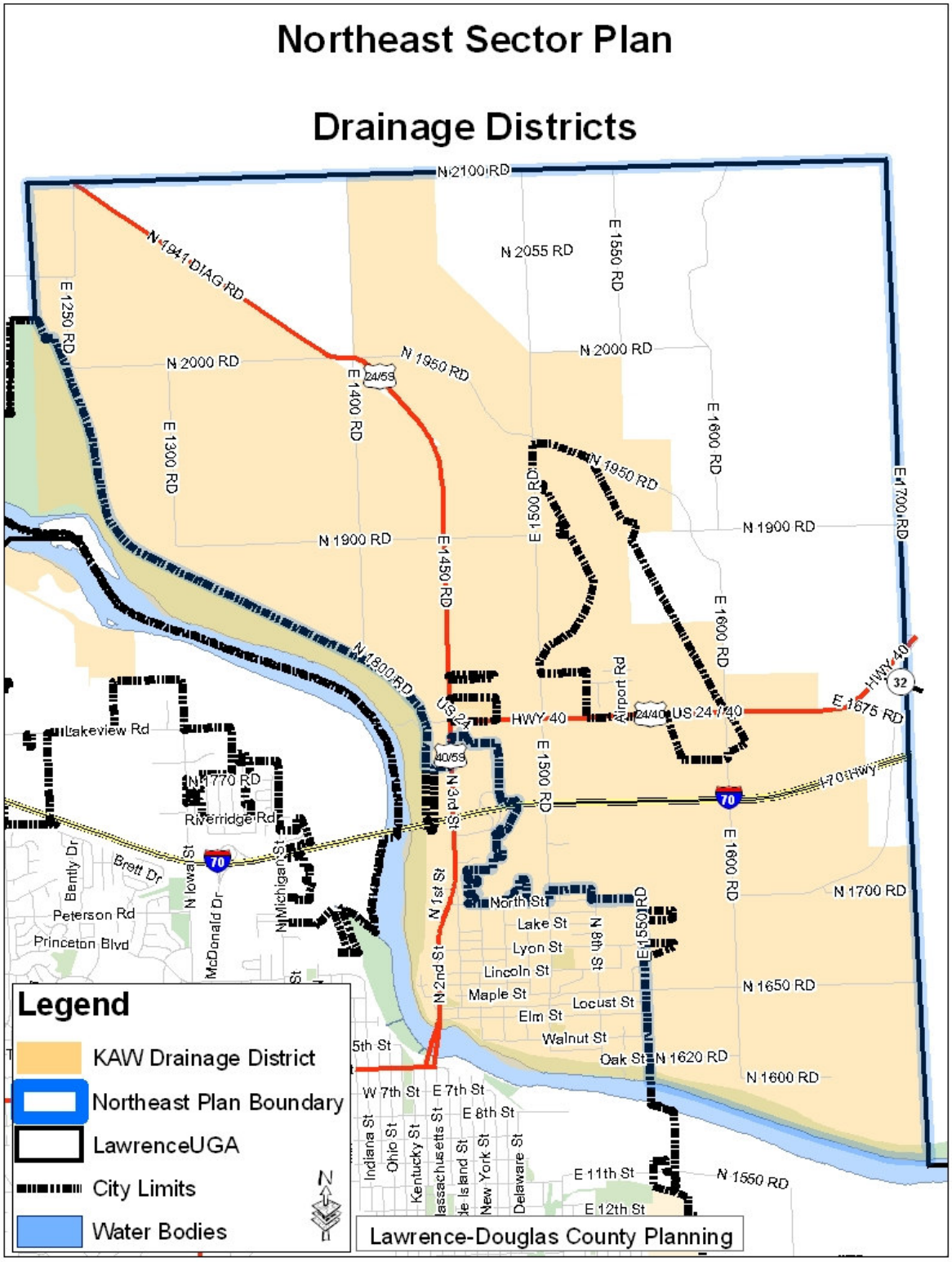
Map 2-4 – Wastewater and Stormwater Infrastructure



Map 2-5 – Gas and Electric Utilities



Map 2-6 Drainage Districts



2.3.5 Transportation

2.3.5.1 Road and Streets

The majority of the roads in the planning area are rural township roads, most of which are gravel. Grant Township maintains the majority of the roads in Grant Township. However, Douglas County has maintenance responsibility over Douglas County Route 9 (E 1500 Rd from city limits north to Highway 24/40) and Wellman Road north of Midland Junction to the Jefferson County line. KDOT has responsibility over Highways 24/59 and 24/40.

Douglas County has adopted access management standards that spell out minimum frontage and access standards for rural roads based upon road classifications.



Transportation 2030 (T2030) is the comprehensive, long-range transportation plan for the metropolitan area. T2030 designates streets according to their functional classification or their primary purpose. These functional classifications are shown on Map 2-7. The classification system can be described as a hierarchy from the lowest order, (local roads and streets) that serve to provide direct access to adjacent property, to (collector streets) that carry traffic from local roads and streets, to major thoroughfares (arterial streets) that carry traffic across the entire city and county. Freeways and expressways are the highest order of streets and are designed with limited access to provide the highest degree of mobility to serve large traffic volumes with long trip lengths.

T2030 was adopted in 2008 and is updated at least every 5 years. This area should be fully studied during the next update to address the future street network.

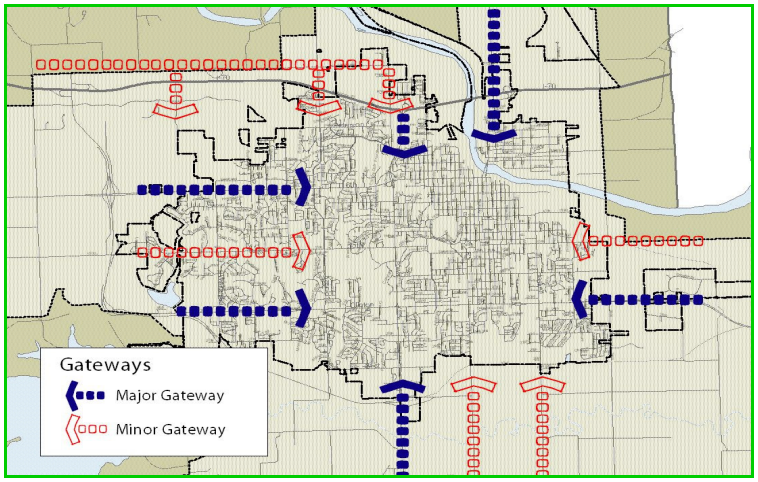
2.3.5.2 Gateways

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

T2030 identifies Highway 24/59 as a major gateway into Lawrence based on the corporate boundaries shown in Figure 2.4 of T2030.

T2030 Figure 2.4

Lawrence Gateways



2.3.5.3 Rail

There are also rail lines that weave through the planning area. All lines are currently active and make a number of trips through the area over the course of a typical day. These rail lines pose issues at the various crossings in the area. See Map 2-7 and Map 3-1 for the location of the rail lines.

2.3.5.4 Transit

Lawrence has a public transportation system (The T) which operates throughout the city. This system allows people to travel to other areas of the city without relying on a personal automobile. There are currently no transit routes that travel into the planning area. However, paratransit service is available to all of Douglas County. Paratransit service is a demand response service available to seniors and people with disabilities.

2.3.5.5 Bicycle Facilities

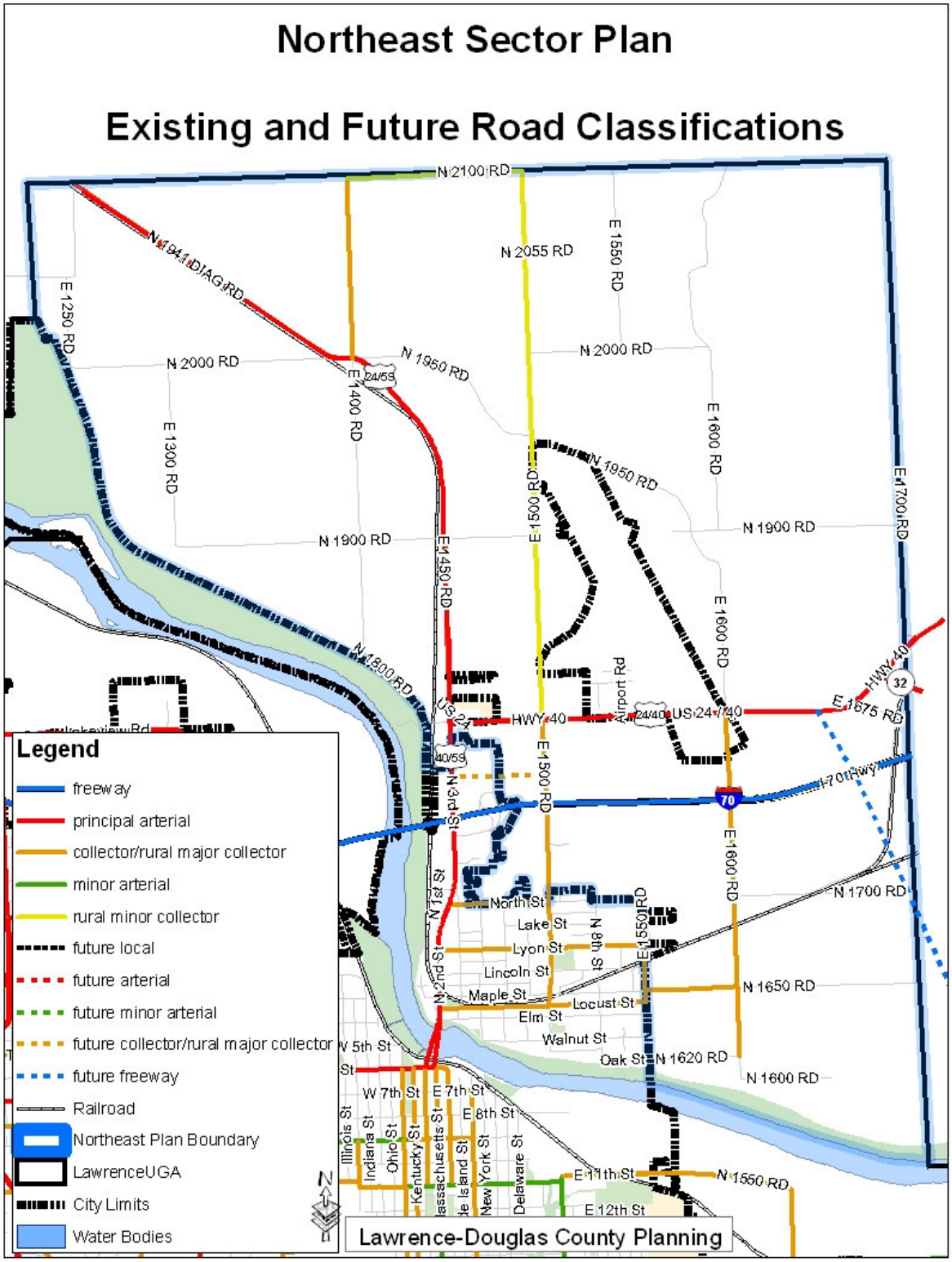
Lawrence and Douglas County have a joint bicycle plan for the community, the *Lawrence-Douglas County Bicycle Plan*. This plan identifies existing and future bicycle routes, lanes, and multi-use paths. A bicycle route is a network of streets to enable direct, convenient and safe access for bicyclists.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

Map 2-8 identifies existing and future bicycle facilities that include:

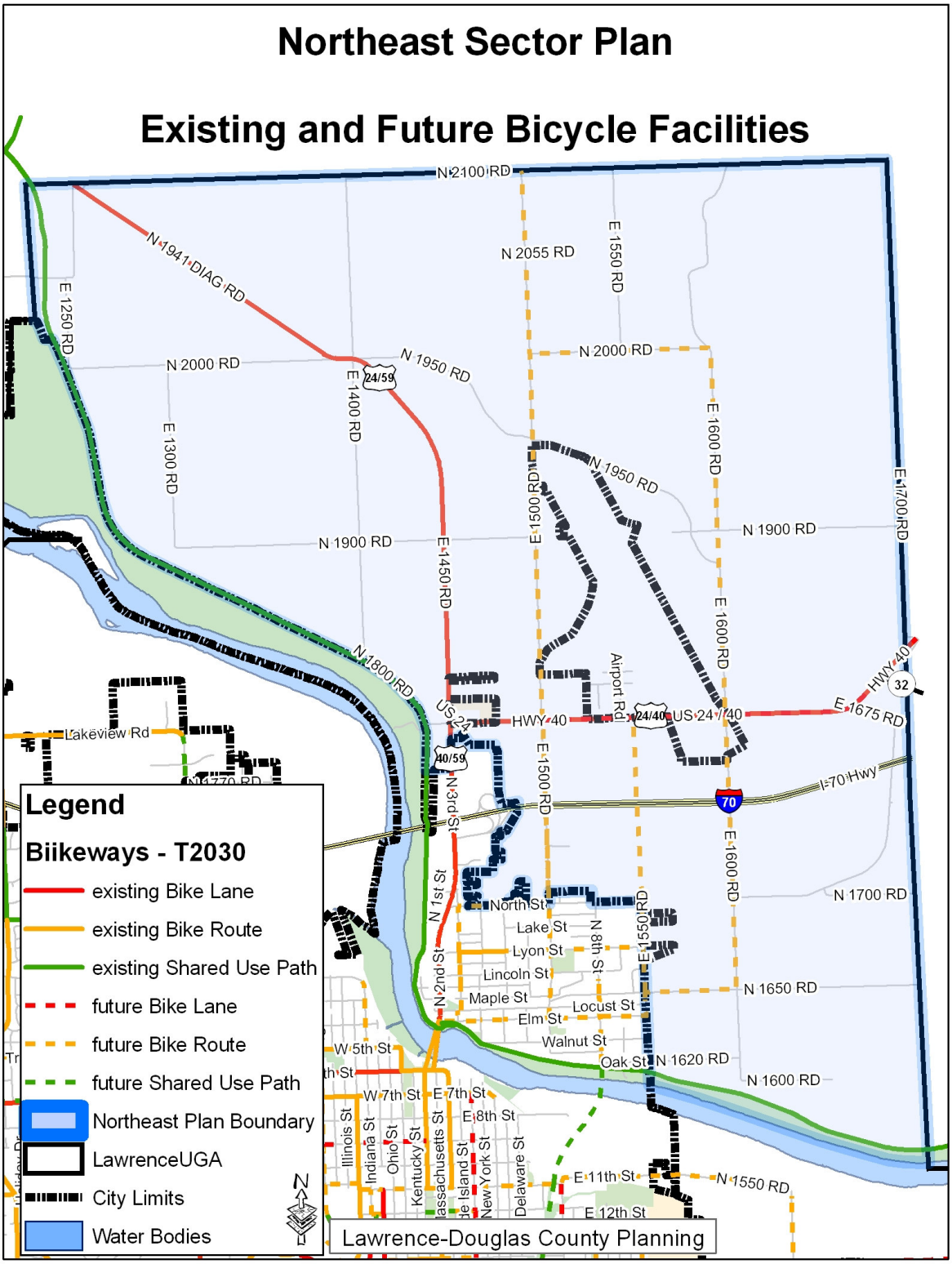
- An existing multi-use path along the north side of the Kansas River Levee.
- A future bike lane identified along Highway 24/40.
- A future bike route is identified along E 1600 Road, via N 1650 Road east from Lawrence, north to N 2000 Road.

- A future bike route is identified along E 1500 Road from Lawrence north to the county line.
- Another future bike route is identified along E 1550 Road from Lawrence to Highway 24/40.
- A future bike route identified along North Street in Lawrence.

Map 2-7 – Existing and Future Road Classifications



Map 2-8 – Existing and Future Bicycle Facilities



2.4 Environmental Conditions

The planning area is made up of several drainage basins which drain to the Kansas River. There is Federal Emergency Management Agency (FEMA) designated floodplain and floodway located within the planning area. These are areas around Mud Creek and its tributaries, Maple Grove Creek, and the Kansas River. See Map 2-9. 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.

Mud Creek and its tributaries flow through portions of the planning area. The Kansas River is immediately outside of the west and south parts of the planning area.

The North Lawrence Drainage Study was commissioned by the City in 2005 to develop a stormwater plan for the North Lawrence watershed. Several alternatives were investigated in the overall North Lawrence Drainage Study watershed to reduce flood elevations, lessen impacts on the "Internal Drainage System" facilities, provide drainage in the event of high flows on the Kansas River, and assess the effects of development in the floodplain. The investigations led to the four major recommendations below. The first bullet item is the key to reducing the burden on the Internal System from areas beyond the existing city limits.

- Drainage from north of 24/40 Highway should be cutoff by the highway embankment and the water should be pumped over the levee at a point just east of the 24/40 intersection to reduce the burden on the 2nd Street Pump Station
- Future development in the watershed should maintain the current conveyance levels in the 100-year floodplain – development should not reduce the capacity for floodplain storage
- The City should purchase parcels of land as necessary for use as dedicated ponding areas
- Major roads and hydraulic structures should be improved to meet the current APWA criteria with regard to overtopping during the 100-year event, in order to provide adequate emergency services to the area

Tens of millions of dollars of cost were identified to accomplish the recommendations of the study for dealing with existing stormwater issues and future ones that will be created with development.

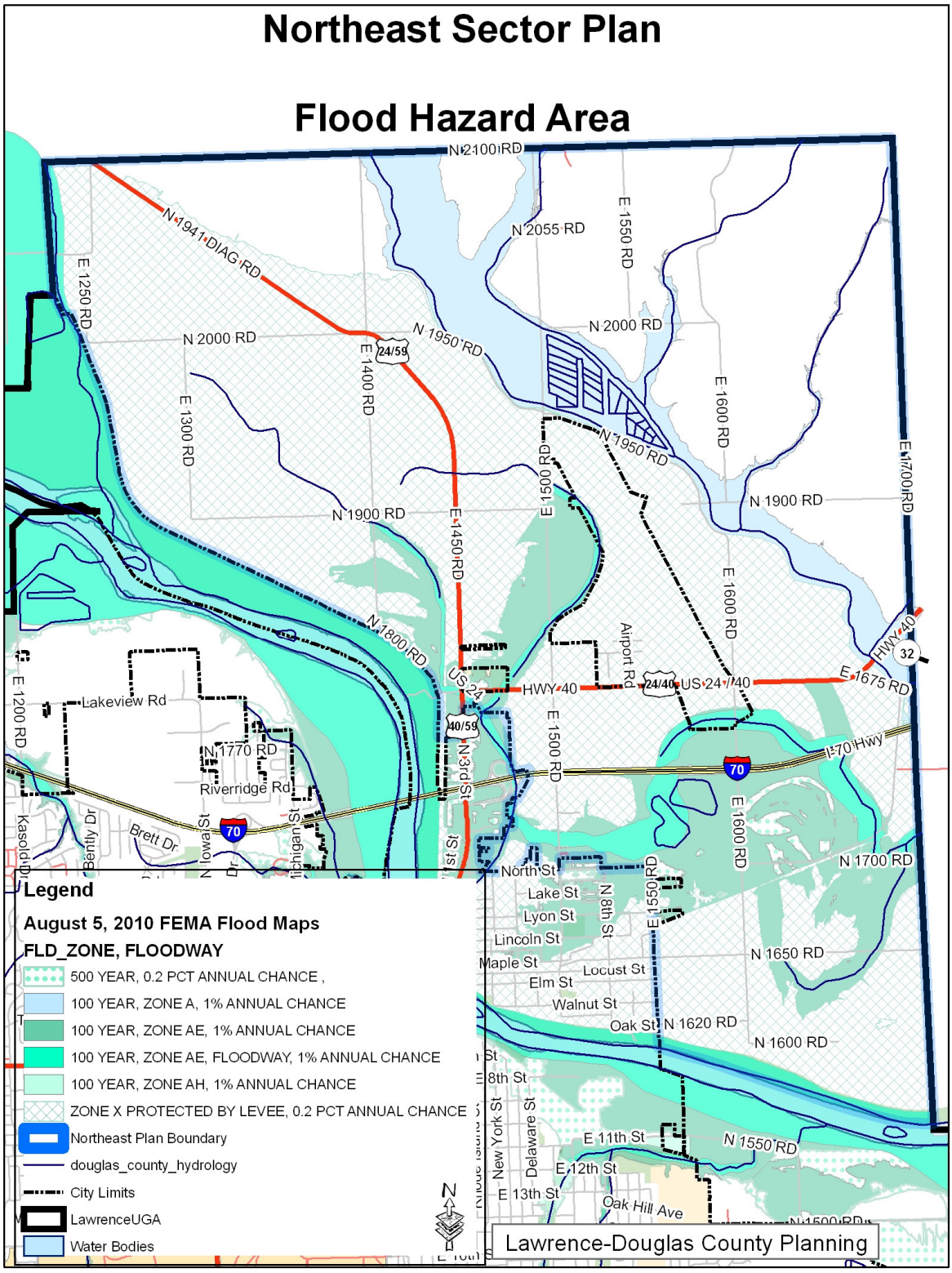
The majority of the land coverage within the planning area is agricultural land used for crop and animal production. The planning area also contains areas of prairie, grazing land and reserved areas of land that are a part of the KU Field Station. There are some water bodies and woodlands are also present in the northwest and northeast parts of the planning area. See Map 2-10 for a land coverage summary.

There is a range of topography within the planning area. The high points are along the northern and northeastern portions of the planning area north of the airport and Highway 24/59. The low points are essentially the rest of the planning area. This area is notable for the fact that it is so flat. As such, it is this area that has portions encumbered by floodplain. See

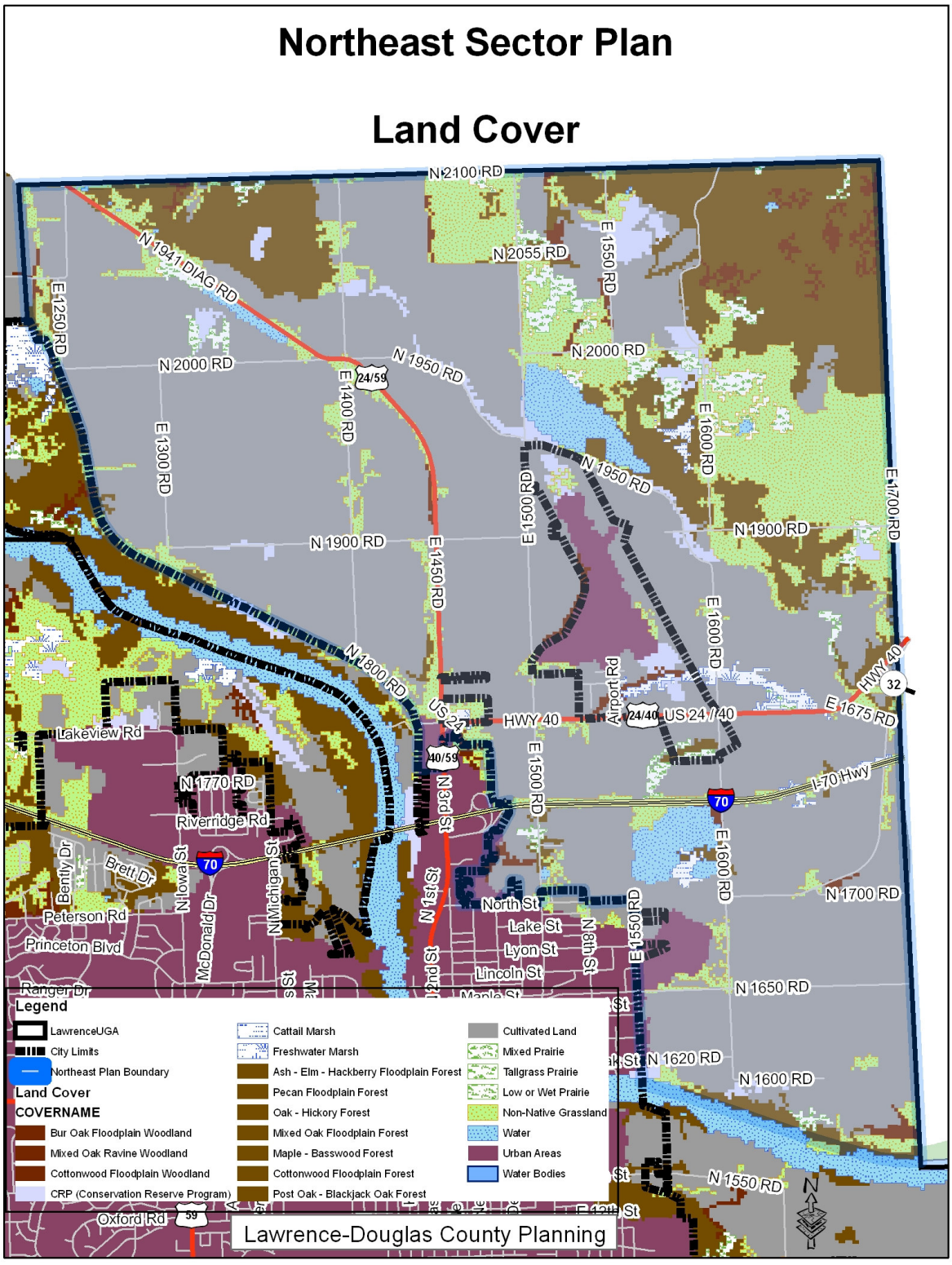
Map 2-11 and Map 2-12. Detailed topographic surveys will be required as individual properties are developed.

The planning area also contains Class I and II soils as determined by the Natural Resources Conservation Service, a division of the United States Department of Agriculture. These soils are considered to be high quality agricultural land. Horizon 2020, Chapter 7 Industrial and Employment Related Land Use states *"The preservation of high-quality agricultural land, which has been recognized as a finite resource that is important to the regional economy, is of important value to the community. High-quality agricultural land is generally defined as available land that has good soil quality and produces high yields of crops. Within Douglas County these are capability class (non-irrigated) I and II, as identified by the National Resources Conservation Service."* These soils are highly permeable and assist in stormwater management. See Map 2-13.

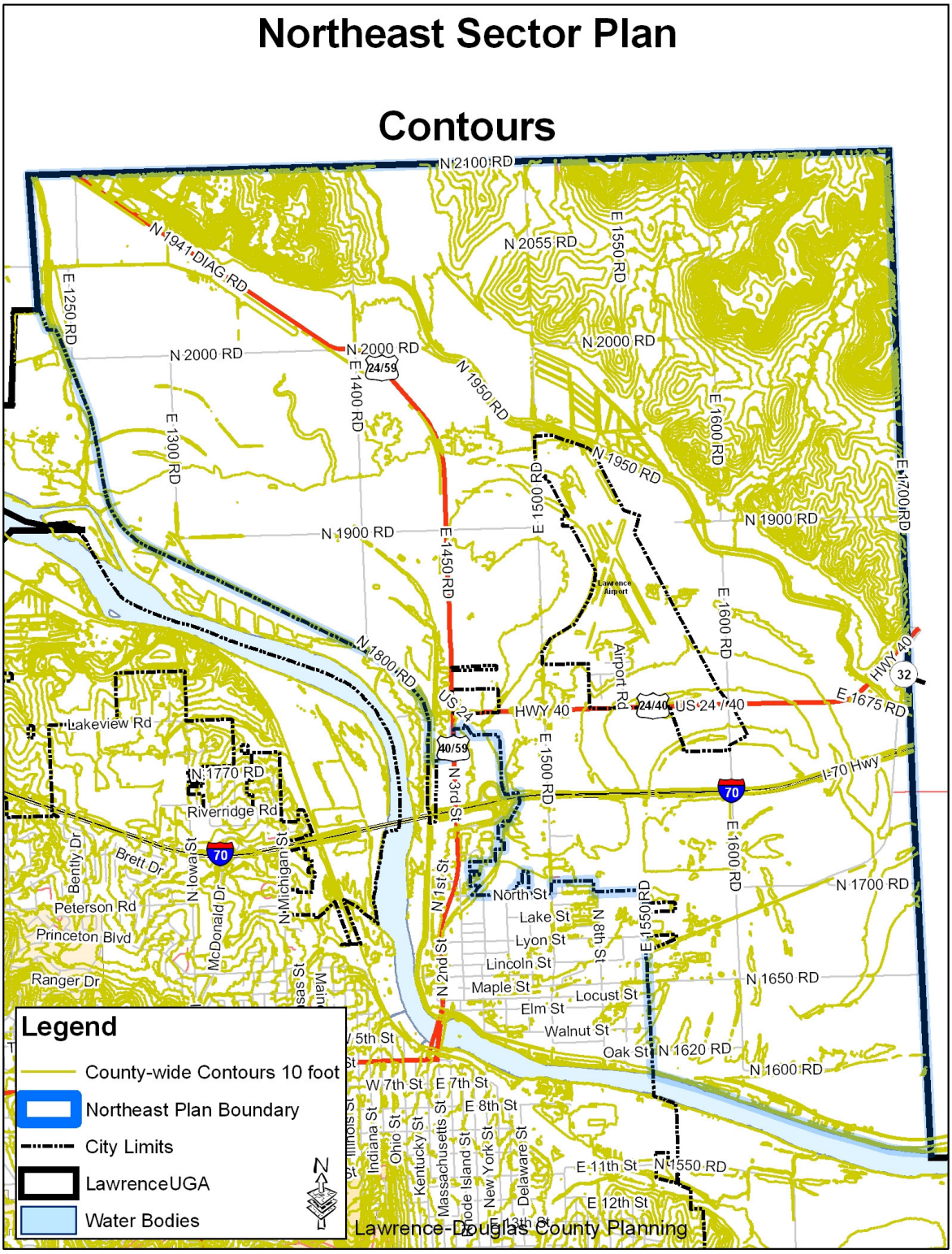
Map 2-9 – Regulatory Flood Hazard Area and Streams



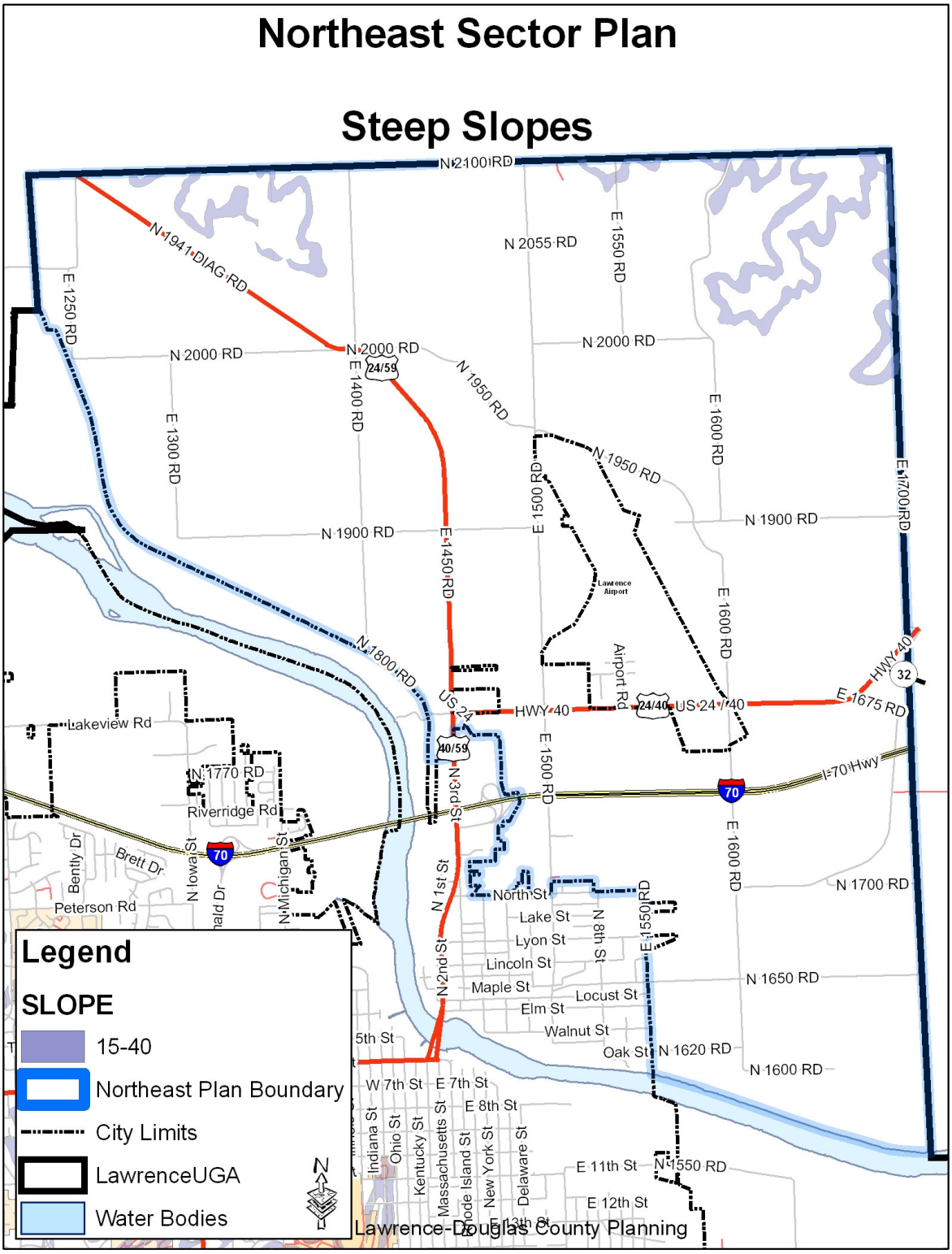
Map 2-10 – Land Cover



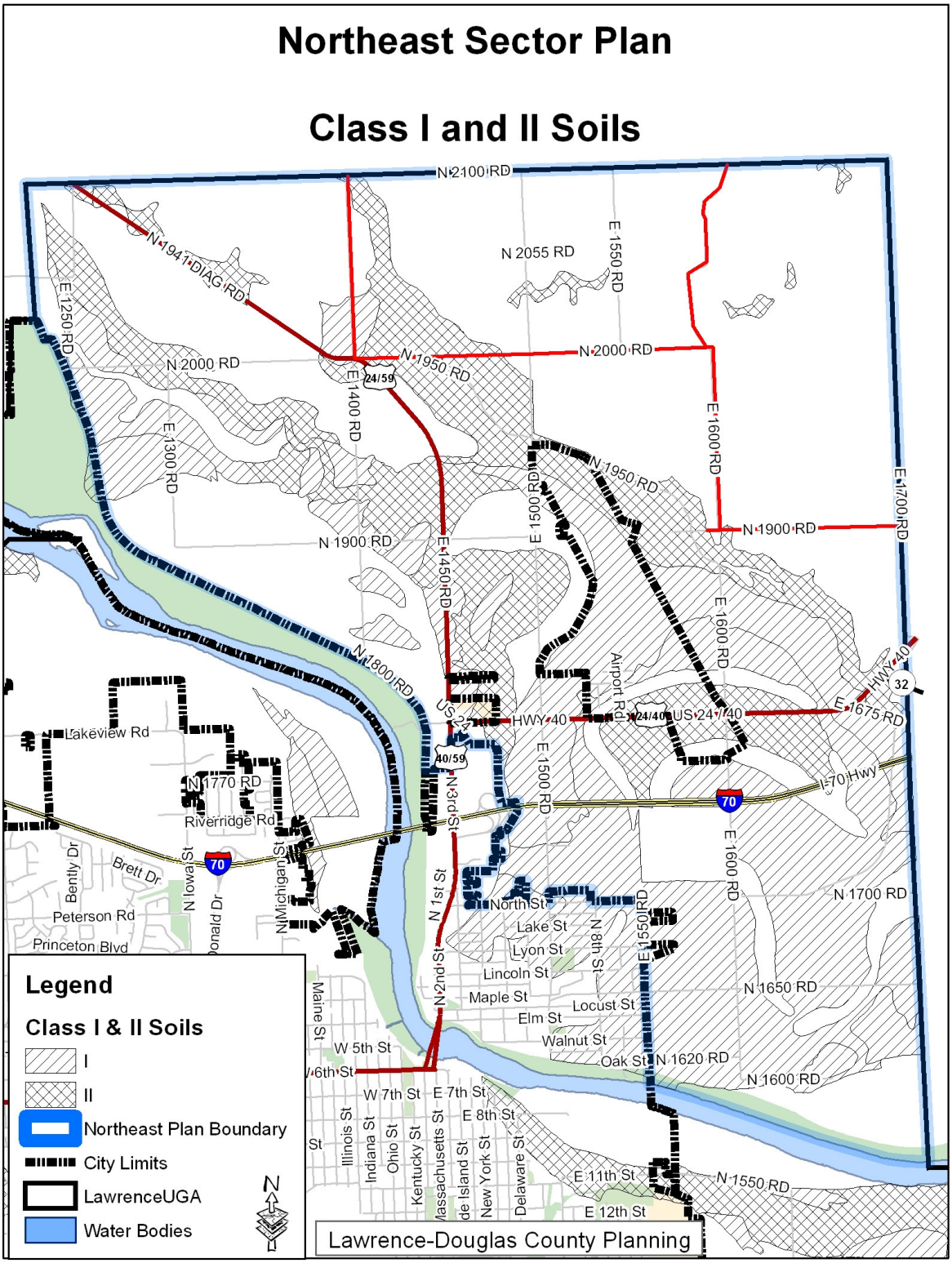
Map 2-11 – Contours



Map 2-12 – Steep Slopes



Map 2-13 – Class I and II Soils



2.5 Community Facilities

Community facilities are services provided either by government or non-government agencies for the benefit of, and use by, the community. Within the planning area there are a few community facilities. Grant Township owns and maintains a community building east of the airport on E 1600 Rd. That building is also currently being used by Prairie Moon Waldorf School, a private kindergarten and grade school. The Township also maintains a facility near Midland Junction where it stores and services equipment needed for road maintenance. KDOT also has a maintenance facility in the planning area at the northeast corner of Highway 24/40 and Highway 24/59.

Kansas University maintains the Kansas University Field Station (KUFS) in the northeast corner of the planning area. The KSR was established in 1947 and is the biological field station of Kansas University. Numerous research and teaching activities take place at the KUFS. Much of the KUFS is also located in neighboring Jefferson and Leavenworth counties and is not accessible to the public. However, the KUFS also maintains ecological reserves in the planning area that are accessible to the public. For example, the Fitch Natural History Reservation and McColl Nature Reserve, located in the very northeast corner of the planning area, have 4 miles of self-guided nature trails within Douglas County that allow users to explore forest, grassland, stream, wetland, and pond areas.

The planning area is located within the Lawrence Public School District (USD 497). The students in the planning area attend Woodlawn Elementary for elementary school; Central Junior High for junior high; and Free State High for high school. Students in the area can also attend the aforementioned private Prairie Moon Waldorf School for kindergarten and grade school.

Most of the community facilities including urban public services, schools, fire/medical, law enforcement, developed parks, etc., are located to the south of the planning area within the city of Lawrence. See Map 2-14

The rural portions of the planning area are served by Lawrence-Douglas County Fire & Medical through an agreement with Grant Township. The Lawrence-Douglas County Health Department ~~is~~ also serves the planning area.

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

The city-owned Lawrence Municipal Airport is located in the planning area north of Highway 24/40 and east of E 1500 Road. The city has owned and operated the airport at this site since 1929. The airport is a general aviation facility that is an all weather facility for business and recreation flyers. A portion of the airport is dedicated to aviation-related employment activities and the city is actively marketing the airport for new businesses while recently approving water and sewer extensions to serve the airport.

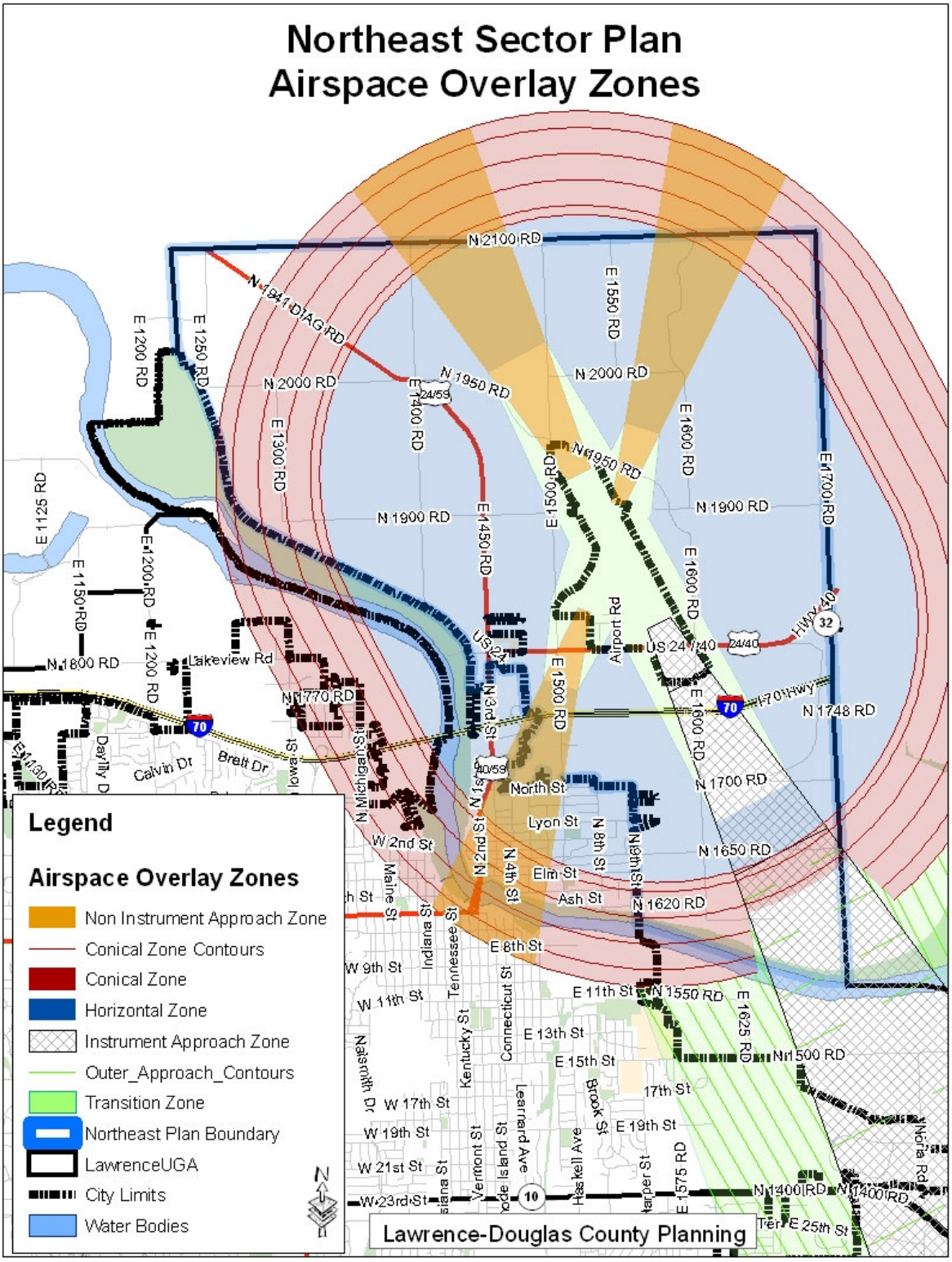
The Federal Aviation Administration (FAA) regulates certain aspects of the operation of the airport and the activity around the airport. There are restrictions in place that manage structure heights around the airport to help maintain the integrity of runway approaches. See Map 2-15. The FAA also mandates a 10,000 foot Wildlife Mitigation Buffer around the runway and taxiway improvements at the airport. The buffer extends 10,000 feet beyond the runway

and taxiways. The buffer is meant to keep water bodies and other wildlife attractants to a minimum. Proposed developments within the 10,000 foot buffer require FAA review. See Map 2-16.

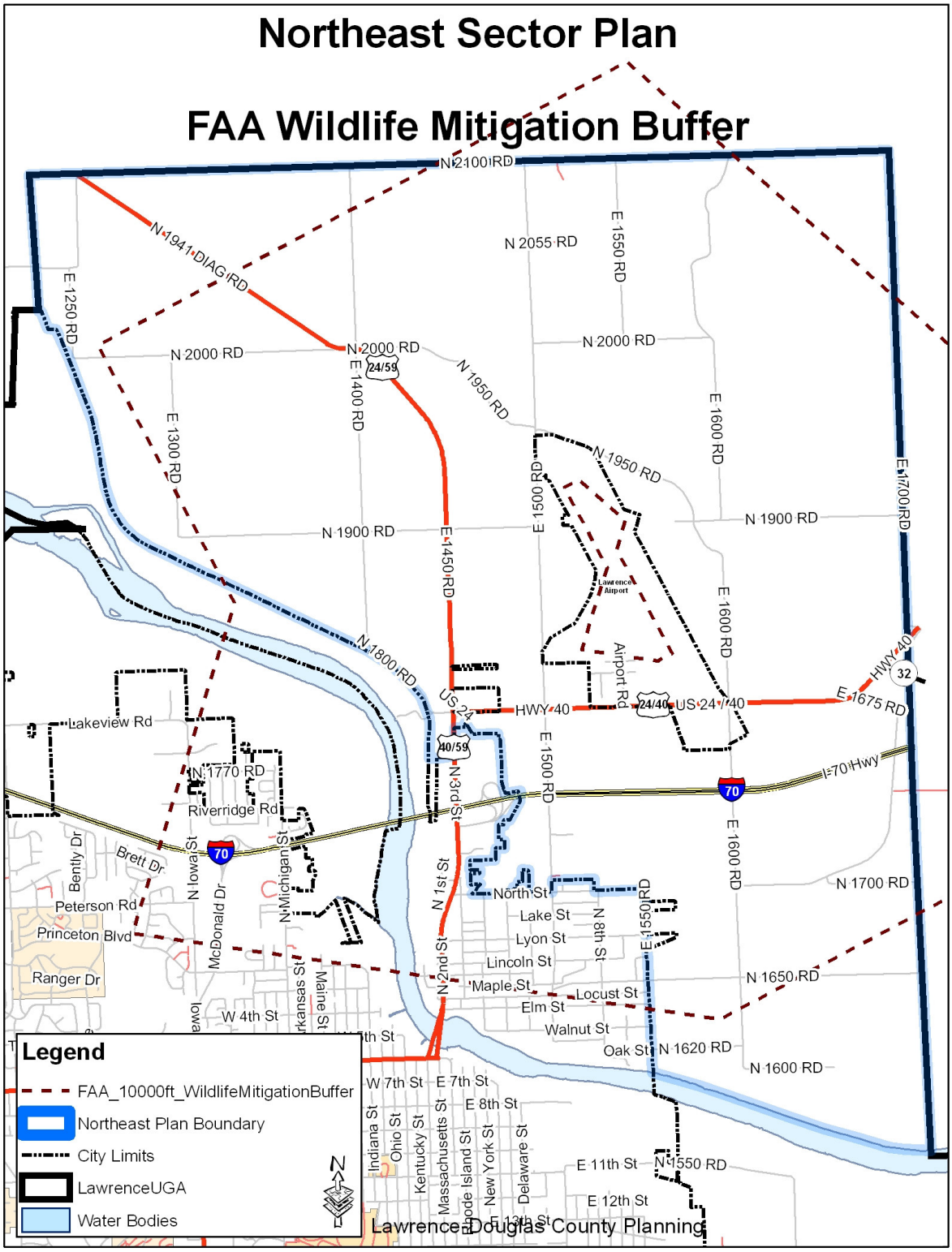
Map 2-14 – Community Facilities



Map 2-15 – Airspace Overlay Zones



Map 2-16 – FAA Wildlife Mitigation Buffer



Section 3 – Recommendations

The Northeast Sector Plan planning area is anticipated to develop with a range of uses and intensities that extend from agriculture to industrial uses. The more intensive industrial and commercial use areas are recommended where they are in close proximity to US 24/40 Highway and the airport. Agriculture uses are located in the majority of the planning area which is not anticipated to urbanize within the foreseeable future.

Compared to other areas of the fringe area of Lawrence, this area is not anticipated to be significantly urbanized.

Due to the area's unique challenges to development, including:

- Costly stormwater infrastructure needs as urbanization occurs
- Significant amounts of regulatory floodplain
- Significant amounts of Class 1 and 2 soils
- FAA Regulations and Lawrence Municipal Airport Protection Zones

Yet the planning area also benefits from the Lawrence Municipal Airport, nearby urban services, and access to I-70.

This plan recognizes the interconnectedness of these unique elements and proposes only limited urban development in the planning area.

3.1 Goals and Policies

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

3.1.1 Land Use

<u>Goal</u>: Establish future land uses appropriate for the following unique characteristics of the area:

The interaction of urban and rural lifestyles and development patterns
Multi-modal transportation system

- **Airport**
- **Highway 24/40/59**
- **Interstate 70**
- **Railroad**

Predominate agriculture use with existing industrial and commercial uses along the highways
Relatively flat terrain
Floodplain/stormwater challenges
KU Field Station and ecological reserves
Kansas River/Levee

3.1.1.1 Policies

3.1.1.1.a General

1. Establish an urban growth area boundary that considers the costs of urban development and that recognizes that the majority of the planning area will not develop in an urban manner during the time horizon of this plan.
2. Recognize that infrastructure challenges will limit urban growth in the planning area. Stormwater management costs identified by the North Lawrence Drainage Study are significant for urban development. The lack of slope of part of the planning area presents challenges for urban wastewater infrastructure and management.
3. Consider allowing alternate development standards for urbanized development that promote sustainable development– swales, no curb and gutter, pervious surfaces, etc. – that will limit the downstream impact of development.
4. Annex property in an orderly manner as urbanization of new development occurs. Further, consider annexing existing county industrial developments as utility issues in the area are better understood and as properties redevelop.

3.1.1.1.b Agriculture Use

1. Encourage continued agriculture use for the majority of the planning area, especially in areas with Class I and II soils and in the regulatory floodplain areas.
2. Encourage incentives/partnerships that assist the ongoing agriculture uses in the area.
3. Recognize that the impacts of farming – truck traffic, noises, etc. – are necessary and are not nuisances in the community.
4. Identify and create programs that promote continued agriculture use by supporting existing and new agriculture ventures.

3.1.1.1.c Industrial/Employment Use

1. Per Horizon 2020 Chapter 7 – Industrial and Employment-Related Land Use, designate and support the areas southwest of the Airport and north of I-70 as a future industrial area. Soil conserving agri-industry businesses that will protect the quality of existing high-quality agricultural land either through agricultural use or preservation for future agricultural use should be encouraged to locate in these areas.
2. Designate and support industrial/employment uses north of Highway 24/40 and west of the airport.
3. Per Horizon 2020 Chapter 7 – Industrial and Employment-Related Land Use, designate the Midland Junction area as a future industrial/employment area. Soil conserving agri-industry businesses that will protect the quality of existing high-quality agricultural land either through agricultural use or preservation for future agricultural use should be encouraged to locate in these areas. Adoption of Nodal Plan is encouraged prior to urbanizing and/or providing urban services to this site.
4. Support continued development of the Airport property for aviation-related businesses.
5. Require compatible land uses within FAA guidelines related to runway protection zones and wildlife mitigation.

3.1.1.1.d Commercial Use

1. Per Horizon 2020 Chapter 6 – Commercial Land Use, designate the intersection of E 1500 Rd. and Highway 24/40 as a future Neighborhood Commercial Center.
2. Allow future commercial uses, in addition to industrial/employment uses, at Midland Junction to provide a greater mix of uses to support highway travelers after Nodal Plan is adopted. Consider improvements to Highway 24/59 that address the safety of the curves as part of a future Nodal Plan.

3.1.1.1.e Residential Use

1. Rural residential (rural estate) uses are permitted in portions of the planning area and are encouraged if supporting agriculture uses.
2. Very low density residential uses are encouraged for the non-regulatory floodplain area between the North Lawrence neighborhood and I-70.

3.1.1.1.f Open Space

1. Protect the existing and future Kansas University Field Station and protect it from future development projects with tools such as appropriate buffers and land uses that will minimize the impact of neighboring development.
2. Encourage continued use of the Kansas River levee as an open space amenity.

3.1.1.1.g Lawrence Urban Growth Area (UGA)

1. Consider adjusting Lawrence's Urban Growth Area boundary by limiting it to those areas of Grant Township feasible for urban-type development through the analysis of this Sector Plan and the analysis of future water and wastewater master plans.

3.1.2 Environmental Resources

Goal: Consider the unique environmental resources of the area when reviewing development applications. Environmental resources include:

Class I and II soils
Flat terrain
Floodplain
Groundwater/Wells
KU Field Station and ecological reserves
Kansas River/Levee
Sand, gravel, topsoil, etc.

3.1.2.1 Policies

3.1.2.1.a Class I and II Soils

1. Recognize Class I and II soils as valuable to this portion of Douglas County for its permeability (positive attribute for stormwater and flooding) and crop production capabilities.
2. Encourage the preservation of high quality agriculture land (Class I and II soils) through conservation programs, private/public partnerships, and other funding mechanisms.
3. Encourage private agriculture easements that will preserve high quality agriculture land in perpetuity.

3.1.2.1.b Floodplain

1. The City and County should consider developing and implementing higher regulatory standards that promote no adverse impact in regulatory flood hazard areas as shown on the Flood Insurance Rate Maps for Douglas County and within the Floodplain Overlay District for the City of Lawrence.
2. Development should not be allowed within the regulatory floodway.
3. Promote the natural and beneficial functions of the floodplain.
4. Encourage natural stormwater management.
5. Crop and animal agriculture uses are appropriate in the regulatory floodplain.

3.1.2.1.c Groundwater

1. Promote land management choices that limit the potential for negative groundwater impacts.
2. Minimize pollutants percolating into groundwater systems to help ensure the quality of the area's groundwater systems.
3. Provide educational opportunities regarding natural stormwater management features, Best Management Practices (BMPs) for stormwater structures and pollutant discharge, erosion and sediment control, and water quality.

3.1.2.1.d Kansas University Field Station

1. Encourage future development that is compatible with the Kansas University Field Station. Buffers and other methods may be necessary to mitigate the impacts of the built environment of future development projects in close proximity to the Field Station.
2. Promote the research and educational aspects of the Kansas University Field Station.

3.1.2.1.e Recreation

1. Maximize recreation opportunities by developing trails that connect to focal points in the area and to the larger interconnected Lawrence and Douglas County network, including the Kansas River levee trail.

3.1.2.1.f Sand, gravel, topsoil, etc.

1. Support the extraction of natural resources such as sand, gravel, topsoil, etc. if compatible with existing land uses, especially the Lawrence Municipal Airport and Kansas University Field Station, and if infrastructure can support the process of extraction.

3.1.3 Economic Development

Goal: Promote economic development opportunities that take advantage of the unique characteristics of the area, which include:

A multi-modal transportation system
- **Airport**
- **Highways 24/40/59**
- **Interstate 70**
- **Railroad**

Class I and II soils
Relatively flat terrain
Existing industrial and commercial businesses along the highways
KU Endowment land

3.1.3.1 Policies

3.1.3.1.a Airport

1. Support aviation-based development at the airport, and the necessary road and utility infrastructure, as an economic development generator for Lawrence and Douglas County.

3.1.3.1.b Industrial/Employment

1. Support goals and policies of Horizon 2020 Chapter 7 – Industrial & Employment Related Land Use and recognize that certain areas identified in Chapter 7 in the planning area are valuable to the goal of creating jobs for Douglas County.

3.1.3.1.c Agriculture Economy

1. Encourage public/private partnerships and programs to establish and support a sustainable local food program.
2. Establish incentives as part of a local food program that foster farm to table relationships.
3. Support the ag community by creating partnerships and programs that further economic development of an agricultural nature.
4. Per Horizon 2020 Chapter 7 – Industrial and Employment-Related Land Use, designate and support the areas southwest of the Airport and north of I-70 as a future industrial area. Soil conserving agri-industry businesses that will protect the quality of existing high-quality agricultural land either through agricultural use or preservation for future agricultural use should be encouraged to locate in these areas.
5. Designate and support industrial/employment uses north of Highway 24/40 and west of the airport.

3.1.3.1.d KU

1. Create partnerships with KU that help build the agricultural, research, aviation, and industrial businesses of the area.

3.1.4 Infrastructure

Goal: Improve existing services for the area and recognize the infrastructure challenges posed by the unique characteristics of the area when considering development applications. The unique characteristics include:

Relatively flat terrain
Floodplain/stormwater challenges
Township roads

3.1.4.1 Policies

3.1.4.1.a Existing Services

1. Develop partnerships between Douglas County, Grant Township and the City of Lawrence for appropriate road maintenance programs in the planning area as development occurs.
2. When conditions warrant, the City should consider locating a fire station near the airport to improve emergency service for the airport, the North Lawrence neighborhood, and the remainder of Grant Township.
3. Heavy truck traffic from commercial and industrial development should use highways or improved roads for travel through the area.

3.1.4.1.b Floodplain/Stormwater/Flat terrain

1. Consider implementing alternate sustainable development standards to help reduce the cost of stormwater improvements needed for existing and future development.
2. The flat terrain in some parts of the planning area hinders storm drainage. Stormwater improvements identified in the North Lawrence Drainage Study should be constructed as development occurs in the area.
3. Implement appropriate stormwater management practices throughout the planning area.
4. Flat terrain poses cost challenges to providing sanitary sewer to the area. Consider alternative sewer solutions when prudent.

3.1.5 Transportation

Goal: Continue developing a multi-modal transportation system that supports the designated land uses of the area.

3.1.5.1 Policies

3.1.5.1.a Safety

1. Work with KDOT to improve the Midland Junction Highway 24/59 curves to make the route safer for travelers.
2. Consider improvements to Highway 24/40 that facilitate easier turning movements onto and off of the highway – in particular at E 1500 Rd./N 7th Street and at the airport entrance.
3. Encourage on-going discussion with the railroad companies regarding rail crossing safety.

3.1.5.1.b Trails/Pathways

1. Develop a trail/bikeway system for the planning area that considers connecting to open space and recreation areas.
2. Include the planning area in the county-wide bikeway system map.
3. Identify and build pathways throughout the planning area.

3.2 Land Use

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

This plan encompasses a large area that for the most part is not intended to urbanize, and as such, a large area is designated Agriculture on the future land use map. There are a number of properties in the planning area that have existing county zoning designations other than Agricultural zoning. Some of those properties are shown on the future land use map to have a different future land use through possible future urbanization. There are also properties that have county industrial and business zoning, and that are currently developed, that are shown on the future land use map as industrial or commercial, reflecting their existing developed use.

There are other properties that have County industrial or business zoning, but that are not presently developed and that are outside the anticipated urbanization area of this plan, that are shown as Agriculture on the future land use map. It is important to note that this plan does not take away those properties' rights to develop under the current county zoning regulations. Properties with zoning other than Agricultural that seek to develop for a permitted use may do so without oversight of the future land use map of this plan as long as they receive the appropriate approvals to do so.

3.2.1 Land Use Descriptions

3.2.1.1 Agriculture

The Agriculture classification is intended for those parts of the planning area not anticipated to urbanize over the course of the planning horizon. The primary existing use of this classification is agriculture uses such as row crops, livestock production, and pastureland. Secondary uses include residential and other uses allowed in zoning districts. The intent of the Agriculture classification is to allow for existing and future agriculture activities along with rural residential uses and other uses permitted by the Zoning Regulations of Douglas County. Existing uses that are not agriculture or residential, and that have the appropriate existing zoning for the use, are not affected because this policy classification is not changing the zoning on the property. The Agriculture classification contains regulatory flood hazard areas. Development on properties containing flood hazard area must comply with the flood plain regulations of Douglas County.

Density: Per Douglas County Zoning Regulations
Intensity: Very low
Zoning Districts: Douglas County - A (Agriculture District), "A-1" (Suburban Homes District)

Primary Uses: Agriculture, commercial greenhouse, commercial riding stable, grain storage structures, single-family dwellings, churches, schools, parks and open space and utilities.

3.2.1.2 Very Low-Density Residential

The intent of the Very Low-Density Residential classification is to allow for large lot, single-dwelling type uses. The very low-density classification is expected to urbanize within the city of Lawrence.

Density: 1 or fewer dwelling units per acre
Intensity: Very low
Zoning Districts: Lawrence – RS40 (Single-Dwelling Residential), PD (Planned Development Overlay)
Primary Uses: Detached dwellings, cluster dwellings, manufactured home residential-design, zero lot line dwellings, group home, public and civic uses

3.2.1.3 Neighborhood Commercial Center

A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. This commercial center is intended to serve the surrounding employment center area in addition to the commuters using Highway 24/40. *Horizon 2020*, Chapter 6 – Commercial Land Use offers more specific language regarding Neighborhood Commercial Centers. The Neighborhood Commercial Center classification is intended to urbanize around Highway 24/40 and E 1500 Rd. Other areas designated are rural and are not anticipated to urbanize.

Intensity: Medium-High
Zoning Districts: Douglas County – B-1 (Neighborhood Business District) and B-2 (General Business District); Lawrence – MU (Mixed Use), CN1 (Inner Neighborhood Commercial District), CN2 (Neighborhood Commercial Center District), PD (Planned Development Overlay)
Primary Uses: non-ground floor dwellings, civic and public uses, eating and drinking establishments, general office, retail sales and services, hotels, motels, gas and fuel sales, car wash

3.2.1.4 Industrial

The intent of the Industrial category is to allow for moderate to high-impact uses including large scale or specialized industrial uses that utilize Highway 24/40 and I-70 for materials transportation. This category includes existing industrial developments in the area. This category also includes land at the airport dedicated to aviation related development. Land west of the airport and north of Highway 24/40 and south of Highway 24/40 is also classified as industrial. Soil conserving agri-industry businesses that will protect the quality of existing high quality agricultural land either through agricultural use or preservation for future agricultural use should be encouraged to locate in areas with Class I and II soils. The industrial category is expected to urbanize.

Intensity: Medium-High
Zoning Districts: Lawrence – IBP (Industrial and Business Park District) IL (Limited Industrial District), IG (General Industrial District), PD (Planned Development Overlay)

Primary Uses: Aviation-related uses, utility facilities, building maintenance services, fleet storage, business support services, construction sales and service, industrial facilities, wholesale, distribution, and storage, research services, manufacturing and production limited and technology, soil-conserving agri-businesses

3.2.1.5 Airport

The intent of the Airport category is to designate the existing City-owned Lawrence Municipal Airport land and allow for aviation-related development.

Intensity: Medium-High
Zoning District: Lawrence – IG (General Industrial District)
Primary Uses: Aviation-related uses

3.2.1.6 Public/Institutional

The intent of the Public/Institutional Use is to allow for public, civic, and utility uses.

Intensity: Variable
Zoning Districts: Douglas County – A (Agriculture District); Lawrence – GPI (General Public and Institutional)
Primary Uses: Cultural center/library, school, utilities, recreational facilities, utility services

3.2.1.7 Kansas University Field Station

The intent of the KU Field Station Use is to classify the existing Kansas University property.

Intensity: Low
Zoning Districts: Douglas County – A (Agriculture District)
Primary Uses: crop agricultural, cultural center, teaching, active recreation, passive recreation, nature preserve, research

3.2.1.8 Open Space

The intent of the Open Space classification is to provide future opportunities for public and private recreational facilities and natural area preservation. This category primarily includes regulatory floodway areas as well as regulatory floodplain areas that are not in the Agriculture Land Use classification.

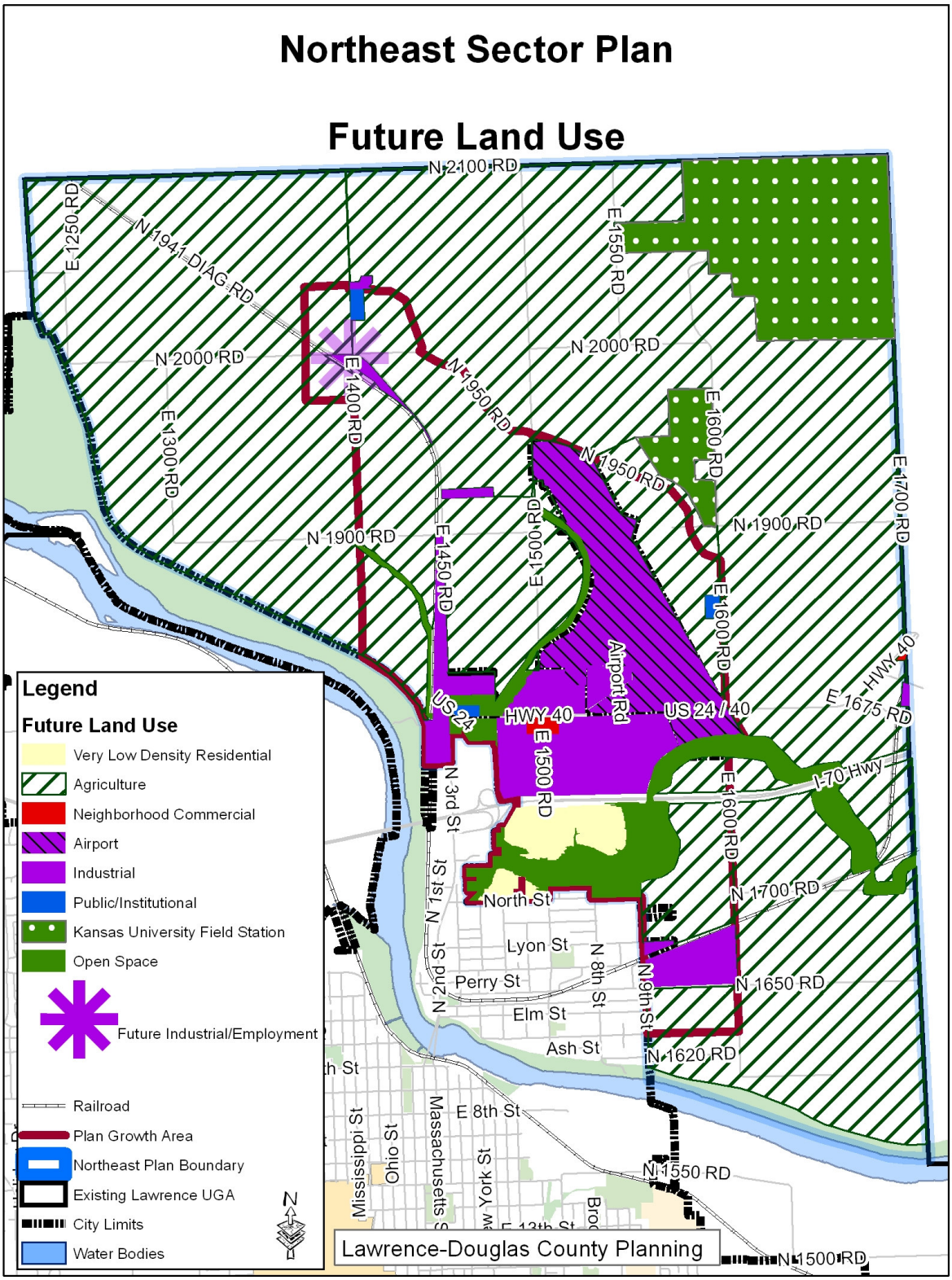
Intensity: Low
Zoning Districts: Douglas County – A (Agriculture District), V-C (Valley Channel District); Lawrence – GPI (General Public and Institutional District), OS (Open Space), UR (Urban Reserve),
Primary Uses: crop agricultural, cultural center, schools, active recreation, passive recreation, nature preserve, entertainment and spectator sports, participant sports and recreation outdoor, private recreation

3.2.1.9 Future Industrial/Employment

This classification recognizes the Midland Junction area as a future employment center. Although the area may or may not urbanize and support a larger employment base and possibly expanded commercial uses, this likely won't happen for at least 30 years (Per Horizon 2020 Chapter 7 Industrial and Employment Related Land Use).

A Nodal Plan will be required prior to the area substantially developing. A Nodal Plan will provide a detailed land use examination of the Midland Junction intersection. The Nodal Plan should determine future land use, including a consideration for some commercial land use. In addition to future land use, among the other issues the Nodal Plan should examine are: traffic safety issues with Highway 24/59, stormwater, and Class I and II soils.

Map 3-1 – Future Land Use



3.3 Implementation

1. Amend *Horizon 2020* Chapter 6 - Commercial Land Use designate the Neighborhood Commercial Center at the intersection of E 1500 Road and US Highway 24/40 to the southern portion of the intersection of E 1500 Road and US Highway 24/40.

2. Reevaluate and update the Lawrence Urban Growth Area (UGA) in *Horizon 2020*.

3. Include the planning area in the future wastewater and water master plan updates.

4. Include the planning area in future long-range transportation plan updates.

5. Reassess the planning area in a Bikeway Map update to include connecting the open space areas to the greater trail network.

6. Consider implementing regulations that promote no adverse impact for floodplain management.

PLANNING COMMISSION REPORT
Regular Agenda -- Public Hearing Item

PC Staff Report
1/23/12

ITEM NO. 5 TEXT AMENDMENT TO CITY OF LAWRENCE DEVELOPMENT CODE; INDUSTRIAL DISTRICTS (MJL)

TA-10-16-11: Consider a text amendment to Chapter 20 of the City Code, Land Development Code, to review the uses of the existing industrial districts and explore creating a new district that permits uses with intensities between the IL (Limited Industrial) district and IG (General Industrial) district. (Initiated by the City Commission on October 4, 2011) *Deferred by Planning Commission on 11/14/11.*

Updated from the November 2011 staff report

RECOMMENDATION: Staff recommends the following:

1. Receive staff presentation, hold a public hearing and receive comments, and give staff direction on any changes,
2. Defer the item to February to allow for the text amendment related to Gas and Fuel Sales and Truck Stops to be legally advertised and drafted by staff, and
3. Initiate a text amendment to the Land Development Code related to the Gas and Fuel Sale use and to add a Truck Stop use.

Reason for Request: The City Commission directed staff to provide a medium-intensity industrial zoning district that precludes most commercial uses and the highest-intensity industrial uses.

RELEVANT GOLDEN FACTOR:

- This text amendment is consistent with the comprehensive plan.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Prior to the 11/14/11 meeting, staff met with the Chamber of Commerce, Scenic Riverway Community Association, and LAN to present the amendments and solicit initial comments before the November PC meeting. The proposed language was revised to address many of the comments received, though some comments were not accepted by staff.
- Staff held a public meeting on 12/15/11 for stakeholders to discuss the proposal.
- Letter from Frank Male, Lawrence Landscape dated 12/20/12

OVERVIEW OF PROPOSED AMENDMENT

The amendments propose a new industrial zoning district to address issues with permitted uses within the city of Lawrence's existing industrial districts. The IL District permits many commercial and retail uses and the IG District permits some very intensive industrial uses. These uses may not be appropriate in every situation. Staff's direction is to create an industrial district that includes moderate-intensity industrial type uses but removes the commercial uses allowed in the IL District and the intensive industrial uses permitted in the IG District.

At the November Planning Commission meeting, the Commission directed staff to review the text amendment based on the following comments: hold a meeting and invite stakeholder groups for comments, review the use of the special use permit in the IM District proposal, review the incompatibility statement in the purpose statement in the IG District, and review situations where a

use is permitted in the IL and IG District but not proposed to be permitted in the IM District.

Additional direction at the 1/12/12 PC midmonth included: continue to strike the incompatibility statement in the IG District, use Special Uses sparingly, consider this TA from the perspective of creating a continuum of intensities between IL, IM and IG except when nonconformities are created, and remove the Truck Stop use from the Gas and Fuel Sales use and make it its own use in the Use Table and in Article 17.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

Horizon 2020 discusses the need for the creation of new primary jobs in the community. This new district offers an industrial district that does not permit the potential for development of commercial uses and erosion of industrial property base but also provides for protection to the surrounding property owner from highly intensive industrial uses.

CRITERIA FOR REVIEW AND DECISION-MAKING

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

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

The inconsistency in the code is that there is no industrial district that only permits industrial uses without permitting the most intense uses or permitting commercial uses. This issue results in insecurities in properties zoned either the IL or IG District because there is the potential for the conversion of industrially zoned land to commercial use and for the development of intensive industrial uses which may impact surrounding properties. This district should help alleviate these issues without having to use the option of conditional zoning.

2) Whether the proposed text amendment is consistent with the Comprehensive Plan and the stated purpose of this Development Code (Sec. 20-104).

The comprehensive plan discusses compatibility, sustainability and diversity of employment. This new district creates the opportunity to zone property for industrial uses to create the opportunity for development of industry and employment in the community.

STAFF REVIEW

Staff is proposing to create a new industrial district, IM (Medium Industrial) District. Articles 2, 4, 5, 6, 9, 10, 13 and 17 are proposed to be amended with the creation of this district and other associated changes. Below is a summary of the proposed changes for each article and the textual changes are attached. Deletions are ~~struck~~ through in red and additions are underlined and in red.

At the November PC meeting, the Commission directed staff to hold a meeting and invite stakeholder groups for comments, review the use of the special use permit in the IM District proposal, review the incompatibility statement in the purpose statement of the IG District, and review situations where a use is permitted in the IL and IG District but not proposed to be permitted in the IM District.

Staff sent out approximately 330 letters to stakeholders (owners of property zoned industrial or identified in sector plans for future industrial uses) inviting them to a meeting to discuss the proposal. This meeting was held on December 15th and approximately 40 people attended. In addition, staff

fielded many phone conversations prior to the meeting. Based on the comments in this meeting and the comments received at the January PC midmonth, changes to the proposal have been made. Any new changes are described by article below.

- Article 2 – Base Districts

  General changes to this article were made to add a base district description which then caused renumbering of certain sections of the article. The IM District description was added and is proposed to be the new Section 20-216. The majority of the text mimics the IL and IG Districts to include a purpose, principal uses, accessory uses and accessory structures, density and dimensional standards, street access, and other regulation sections which generally give direction as to where theses standards can be found elsewhere in the code. Staff is proposing a change in the IL and IG District purpose statements to incorporate the new district between the two and to clarify the anticipated differences among the three districts. The terminology use specifically utilizes the land use categories found in the Use Tables in Article 4. These purpose statements are below. The existing is ~~struck through~~ and proposed is underlined.

  At the November PC meeting, the Commission directed staff review the proposed IG District purpose statement to potentially put the existing last sentence regarding incompatibility into the new purpose statement. At the PC midmonth, discussion centered on code statements that aimed at making all districts compatible and that the existing development pattern contains industrial and residential adjacencies. The direction was to no longer make this change. Currently the purpose statement for the GPI District (General Public and Institutional) District contains text regarding compatibility. Staff is proposing to move this statement to Section 201(a) where the base districts overall is described. The text is proposed to read:

  (a) Base Districts
  The Zoning Districts presented in this chapter are referred to as "Base Districts" because they establish the basic zoning regulations that apply to all properties classified in, or shown on, the Official Zoning District Map as in that Zoning District. All land in the City has a Base District classification. Base District regulations control the types of uses allowed and the way in which uses and Buildings may be developed on a site. The Base District regulations are the default regulations—they always control unless expressly overridden by or pursuant to any applicable Overlay Zoning District regulations. The District regulations are designed to offer the maximum flexibility for patterns of uses within the District while ensuring that uses and development patterns along the edges of the District are compatible with adjoining land uses.

  Staff believes that this statement reflects the code allowances for every district and allows the concept of compatibility to be applied more broadly.

  The proposed IL, IM and IG District purpose statements have not changed since the November PC meeting.

  – IL District

    ~~The IL, Limited Industrial District, is primarily intended to accommodate low-impact industrial, wholesale and warehouse operations that are employment-intensive and compatible with commercial land uses.~~

    The IL, Limited Industrial District, is intended to accommodate low-impact industrial facilities, and wholesale, storage and distribution operations, as well as limited commercial uses. Activity primarily occurs within enclosed structures.

- IM District

  The IM, Medium Industrial District, is intended to accommodate moderate-impact industrial facilities and wholesale, storage and distribution operations.

- IG District

  ~~The IG, General Industrial District, is primarily intended to accommodate moderate- and high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation Access and public facilities and services. The District is generally incompatible with residential areas and low-intensity commercial areas.~~

  The IG, General Industrial District, is intended to accommodate high-impact industrial facilities and wholesale, storage and distribution operations with external impacts such as exterior storage of materials on site, noise, vibration, and odors.

- Article 4 – Use Table

  The addition of the IM District column was made to the table. In addition to assigning uses to the IM District, some changes to the uses permitted in the IL, IG, and GPI Districts are proposed. These proposed changes should not have any effect on existing businesses. The revisions are proposed to attempt to create hierarchical differences amongst the districts and to eliminate the potential use of the industrially-zoned inventory for other uses. Though the intent was to create a hierarchical difference among the districts, certain uses could not be changed in the IL District in order to avoid creating nonconforming uses for existing businesses.

  Some of the more intense uses permitted outright in IG District are proposed to be permitted with a Special Use Permit in the IM District and are not proposed to be permitted at all in IL District. This is by design, in that some industrial uses can be appropriate depending on the location of the use and its surroundings. In these instances, the IM District provides for certain, more intense uses with an SUP approval.

  At the November PC meeting, the Commission directed staff to look at the hierarchical differences and identify fewer uses that require a special use permit. At the PC midmonth, direction to remove the Truck Stop use out of the Gas and Fuel Sales use and create a separate use called Truck Stop with a definition in Article 17. Staff has determined that the creation of a new use and definition is beyond the scope of this text amendment and will require initiation of a new separate text amendment to provide proper notification for the public hearing process. This action is part of staff's recommendation.

  Below is a list of the uses permitted, permitted as an accessory use or with a special use permit in the IM District. Changes to the other districts are identified in addition to changes from the November meeting. The changes since the November meeting to specific uses are underlined below and noted in green (either background or text) in the attached use table.

  - Day Care Center – Accessory use
  - Detention Facility – Special Use
  - Postal and Parcel Service – Permitted
  - Public Safety – Permitted
  - Utilities, Minor – Permitted/Special Use
  - Utilities and Service, Major – Permitted

- Passive Recreation
  - IL: Originally proposed to change to an accessory use, returned to permitted
  - IM: Originally proposed to be an accessory use, changed to permitted
  - IG: Originally proposed to change to an accessory use, returned to permitted
- Nature Preserve/Undeveloped
  - IL: Originally proposed to change to an accessory use, returned to permitted
  - IM: Originally proposed to be an accessory use, changed to permitted
  - IG: Originally proposed to change to an accessory use, returned to permitted
- Livestock Sale
  - IL: Changed from permitted to not permitted
  - IM: Originally proposed for Special Use, changed to not permitted
- Animal Sales and Grooming
  - IG: Originally no proposed change. Changed from permitted to not permitted
- Veterinary
  - IG: Changed from permitted to not permitted
- Administrative and Professional – Accessory use
- Office Other – Accessory use
- Accessory Parking – Accessory use
- Commercial Parking – Permitted use
- Building Maintenance – Permitted use
- Business Equipment – Permitted use
- Business Support – Permitted use
- Vehicle Cleaning – Accessory use
- Fleet Storage - Permitted use
- Gas and Fuel Sales (definition changed in Article 17)
  - IL: Originally proposed to change from permitted to not permitted, changed back to permitted
  - IM: Originally proposed a Special Use, changed to a permitted use
- Truck Stop (New use and would need to be initiated, showing for discussion purposes)
  - CR: Permitted
  - IM: Special Use
  - IG: Permitted
- Heavy Equipment Repair
  - IL: Changed from permitted to not permitted
  - IM: Originally proposed for a Special Use, changed to permitted
- Heavy Equipment Sales/Rental
  - IL: Changed from permitted to not permitted
  - IM: Originally proposed for a Special Use, changed to not permitted
- Inoperable Vehicles Storage (Changed use title to Storage of Impounded Vehicles)
  - IL: Originally proposed to be changed from permitted to not permitted, changed back to permitted
  - IM: Originally proposed for a Special Use, changed to permitted
- RV and Boats Storage
  - IG: Changed from permitted use to not a permitted use
- General Industrial – Permitted use
- Laundry Service – Permitted use
- Manufacturing and Production, Limited – Permitted use
- Manufacturing and Production, Technological – Permitted use
- Research Service – Permitted use
- Scrap and Salvage Operation

  - IL: Changed from Special Use to not permitted
- Exterior Storage – Accessory use
- Heavy Wholesale, Storage and Distribution
  - IL: Changed from Special Use to not permitted
  - IM: Originally proposed for a Special Use, changed to not permitted
- Light Wholesale, Storage and Distribution – Permitted use
- Adaptive Reuse Designated Historic Property – Special Use
- Crop Agriculture – Permitted use
- Amateur and Receive-Only Antennas – Accessory use
- Broadcasting Tower – Permitted use
- Communications Service Establishment
  - IG: Changed from permitted use to not permitted use
- Telecommunications Antenna – Accessory use
- Telecommunications Tower
  - IM: Permitted use
  - IG: Changed from Special Use to permitted use
- Satellite Dish – Accessory use
- Large Collection Recycling Facility
  - IL: Changed from permitted to not permitted use
  - IM: Permitted use
- Small Collection Recycling Facility
  - IG: Changed from permitted use to not permitted use
- Processing Center Recycling Facility
  - IL: Changed from permitted use to not permitted use
  - IM: Special Use
  - GPI: Changed from not permitted use to permitted use

- Article 5 – Use Regulations

  Article 5 speaks to specific use regulations. Section 20-538, Exterior Storage, is the only section with proposed changes. This section specifically references industrial districts, where exterior storage can be located on the industrial lots, screening requirements, and the surfacing required. The IM District is proposed to be referenced where the IL and IG Districts are referenced. No additional changes since November have been made in this section.

- Article 6 – Density and Dimensional Standards

  The proposed changes to the Density and Dimensional Standards article add standards for the IM District. Staff is proposing the IM District have the same Density and Dimensional Standards as the IL District. No additional changes since November have been made in this section.

Standard	CN1	CO	CN2	CD	CC	CR	CS	IBP [10]	IL/IM	IG	OS
Min. Site Area	5,000 sq. ft	5,000 sq.ft.	2 Ac.	2,500	5 Ac.	40 Ac	-	5 Ac.	20,000 sq.ft.	5,000 sq.ft.	–
Max. Site Area	1 Ac.	–	15 Ac.	–	–	–	-	–	–	–	–
Min. Lot Area (sq. ft.)	5,000	5,000	20,000	2,500	20,000	20,000	5,000	20,000	20,000	5,000	–
Min. Lot Width (ft.) [12]	50	50	100	25	100	150	50/100	200	100	50	–
Min. Setbacks (ft.)											
Front [9]	[6]	20	20	0	25	25	25	[1]	[1]	[1]	[3]
Side (Exterior) [2] [9]	[3]/20	[3]/20	[3]/20	[3]/0	[3]/20	[3]20	[3]15	[1]	[1]	[1]	35
Side (Interior–adj. R) [9]	10	20	20	20	25	45	12	[1]	[1]	[1]	20
Side (Interior–adj. Non-R)	0	5	0	0	0	0	0	[1]	[1]	[1]	15

Rear [4] [9]	20/25	15/25	20/25	0	12/25	30	12/25	[1]	[1]	[1]	0
Max. Front Setback	[6]	NA	NA	5[7]	20	0	NA	NA	NA	NA	NA
Max. Lot Coverage (%)	65 [5][11]	65 [5][11]	75 [5][11]	100	85 [5][11]	80 [5][11]	80 [5][11]	65 [5][11]	85 [5][11]	85 [5][11]	NA
Max. Impervious Lot Cover (%)	75 [5][11]	75 [5][11]	80 [5][11]	100	80[5] [8][11]	75[5] [8][11]	80 [5][11]	75 [5][11]	75 [5][11]	75 [5][11]	NA
Min. Outdoor Area (per unit)											
Area (sq. ft.)	50	–	50	–	–	–	50 [5][11]	–	–	–	–
Dimensions (ft.)	5	–	5	–	–	–	5 [5][11]	–	–	–	–
Max. Height (ft.) [13]	25	50	45	90 [7]	50	75	45	60	45	75	35

[1] Minimum Setbacks are as follows:

District	Abutting Street Right-of-Way			Abutting Other Lot Lines	
	Across From R District	Across From Non- R District		Abutting R District or Lawrence SmartCode District	Abutting Non-R District
		Arterial	Collector		
IBP [10]	40	40	40	40	15
IL/IM	50[14]	50	25	20[15]	15
IG	50 [14]	50	25	50 [15]	15

[2] First number represents minimum Exterior Setback to an abutting Side Lot Line. Second number represents minimum Exterior Setback to an abutting Rear Lot Line
[3] Same as Front Yard of abutting Lot
[4] First number represents minimum Rear Setback for Single Frontage Lot. Second number represents minimum Rear Setback for double Frontage (or through) Lot
[5] Applies only to Lots platted after the Effective Date.
[6] Setback of Building constructed after the Effective Date shall be within 1 foot of the average Setback of existing Buildings on the same Block on the same side of the Street.
[7] Subject to location and Height limitations in Downtown Design Guidelines and Downtown Design Standards.
[8] Maximum Building coverage in CC and CR districts is 25%.
[9] Additional Setback restrictions apply to properties developed adjacent to RS zoned properties where expressly required elsewhere in the Development Code.
[10] Density and Dimensional Standards for the GPI and H Districts shall be the same as those established in the IBP District.
[11] Applies to any Significant Development Project.
[12] First number represents the minimum existing Lot Width. The second number represents the required Lot Width for a Lot platted after the Effective Date.
[13] Maximum Height may be subject to the standards of Section 20-602(h)(2) when located adjacent to RS properties.
[14[Setback shall be 25 feet for all IG and IL properties zoned M-2 under the previous zoning code.
[15] Setback shall be 20 feet for all IG and IL properties zoned M-2 under the previous zoning code.

- Article 9 – Parking, Loading and Access

  The proposed changes to the parking standards add the IM District to the list in Section 20-908(c) which provides a standard as to where the off-street parking can be located and the parking lot setbacks. The IM District standard is proposed to be the same as the other industrial districts. No additional changes since November have been made in this section.

District	Allowed Location	Minimum Setback (feet)	
		From Right-of-Way	From Residential Lot Lines
CN1 CO CN2	Not allowed between the Facade of the Building with the main entrance and the Street.	15	10
CD	Prohibited between a Building and any Street		

CC CR CS IBP IL IM IG H GPI OS	No restriction except as specified in Article 5.		
MU	Prohibited in the Primary Development Zone and prohibited between a Building and any Street in a Secondary Development Zone. No restriction in a Tertiary Development Zone.		

- Article 10 – Landscaping and Screening
  The proposed changes to Article 10 are to Section 20-1005 Bufferyards. This section outlines the type of bufferyard required for property adjacent to different zoned property. The IM District was added to this table. No additional changed since November has been made in this section.

Developing Site's Zoning	Adjacent Site's Zoning						
	RS	RM	CN1, CO, CN2	MU, CD	CC, CR, CS	IBP, IL, IM, IG	GPI, H
RS Districts (Residential uses)	–	1	1	2	2	3	3
RS Districts (Nonresidential uses)	1	1	1	1	2	3	2
RM Districts	1	–	1	–	2	3	2
CN1, CO and CN2 Districts	1	1	–	–	1	2	1
MU and CD Districts	2	–	–	–	–	–	–
CC, CR and CS Districts	2	2	1	–	–	1	1
GPI and H Districts	3	2	2	–	–	1	–
IBP, IL, IM and IG Districts	3	3	2	–	1	–	1

- Article 13 – Development Review Procedures
  The proposed changes in Article 13 are in Section 1303 Zoning Map Amendments (Rezonings) and 1305 Site Plan Review. Section 1303 contains the lesser change table and the IM District has been added to the table and added as a lesser change for the IG District. This is a new change from what was proposed to the PC in November. This change was identified after the November meeting but falls within the scope of the overall text amendment.

  Section 1305 speaks to the criteria for the different types of site plans and what changes trigger these site plans. The code currently allows a larger site improvement in the IG District before the entire site is required to be brought up to city standards. The IM District is proposed to have these same allowances.

- Article 17 – Terminology
  The proposed changes to the terms are Development Project, Major, Development Project, Standard, and Significant Development Project. These definitions include the same text

providing the IG District more allowance for expansion as explained in Article 13. The proposed changes keep the text consistent throughout the code.

New changes to Section 1702 have been proposed. Staff proposes changing the name of the use under the Vehicle Sales and Service category for the Storage of Non-operating Vehicles to Storage of Impounded Vehicles. This was based on the definition itself and that typically towed or impounded vehicles are operating. This helps with potential confusion between this and the Scrap and Salvage Operation use.

Revisions to the Gasoline and Fuel Sales definition are proposed based on the PC discussion at the midmonth meeting. Staff is proposing to add Food and Beverage Sales into the definition to allow for the typical gas station which includes convenience stores. Gas stations providing only gas and a few incidentals are not as common as they used to be. More often a gas station with an associated convenience store is the norm today. Below illustrates the proposed changes.

20-1730 GASOLINE AND FUEL SALES
Retail sale from the Premises of food and beverage sales, petroleum products, incidental sale of tires, batteries and replacement items, lubricating services and minor repair services. Typical uses include ~~automobile~~ vehicle service stations ~~filling~~ and gas stations with or without convenience stores ~~and truck stops~~.

Section 1770 will be the Truck Stop definition if initiated. The wording for this definition is not yet completed as it has not been initiated. In preliminary research, staff has found the following to potentially include in a definition; large vehicle fueling, restaurant, convenience store, large parking areas for overnight parking for large vehicles and restroom and shower facilities.

Action Options
Below are action options for the Planning Commission to consider. There have been some comments that the IM District amendments should be the only amendments approved at this time.

1. Defer after holding a public hearing, direct staff to make specific changes, initiate a text amendment regarding the Truck Stop and Gas and Fuel Sales uses, all for a public hearing at a later date.
2. Recommend approval of the changes in relation to creating the IM District and forward to CC; and initiate a text amendment regarding the Truck Stop and Gas and Fuel Sales uses.
3. Deny the text amendment.

ARTICLE 2. BASE DISTRICTS

20-201 The Districts
20-202 RS, Single-Dwelling Residential Districts
20-203 RSO, Single-Dwelling Residential – Office District
20-204 RM, Multi-Dwelling Residential Districts
20-205 RMG, Multi-Dwelling Residential – Greek Housing District
20-206 RMO, Multi-Dwelling Residential – Office District
20-207 CN1, Inner Neighborhood Commercial District
20-208 CN2, Neighborhood Commercial Center District
20-209 CO, Office Commercial District
20-210 CD, Downtown Commercial District
20-211 CC, Community Commercial Centers District
20-212 CR, Regional Commercial District
20-213 CS, Commercial Strip District
20-214 IBP, Industrial/Business Park District
20-215 IL, Limited Industrial District
20-216 IM, Medium Industrial District
20-~~216~~217 IG, General Industrial District
20-~~217~~218 OS, Open Space District
20-~~218~~219 GPI, General Public and Institutional Use District
20-~~219~~220 H, Hospital District
20-~~220~~221 U-, University District
20-~~221~~222 PUD, PRD, PCD, PID, POD (Planned Development) Districts
20-~~222~~223 UR, Urban Reserve District
20-~~223~~224 MU, Mixed Use District
20-~~224~~225 Lawrence Smart Code Districts

20-201 THE DISTRICTS

(a) Base Districts

The Zoning Districts presented in this chapter are referred to as "Base Districts" because they establish the basic zoning regulations that apply to all properties classified in, or shown on, the Official Zoning District Map as in that Zoning District. All land in the City has a Base District classification. Base District regulations control the types of uses allowed and the way in which uses and Buildings may be developed on a site. The Base District regulations are the default regulations—they always control unless expressly overridden by or pursuant to any applicable Overlay Zoning District regulations. The District regulations are designed to offer the maximum flexibility for patterns of uses within the District while ensuring that uses and development patterns along the edges of the District are compatible with adjoining land uses.

(b) Districts Established

The following Base Districts are included in this Development Code. The Base Districts established by this Development Code are intended to be applied in accordance with the Comprehensive Plan.

District Name	Map Symbol	Corresponding Comprehensive Plan Designation
RS, Single-Dwelling Residential Districts [square feet per Dwelling Unit]:		
Single-Dwelling Residential–40,000 sq. feet	RS40	Very Low-Density
Single-Dwelling Residential–20,000 sq. feet	RS20	Low-Density
Single-Dwelling Residential–10,000 sq. feet	RS10	Low-Density
Single-Dwelling Residential–7,000 sq. feet	RS7	Low-Density
Single-Dwelling Residential–5,000 sq. feet	RS5	Low- or Medium-Density
Single-Dwelling Residential–3,000 sq. feet	RS3	Medium-Density
RSO, Single-Dwelling Residential-Office District [square feet per Dwelling Unit]:		
Single-Dwelling Residential-Office -- 2,500 sq. feet.	RSO	Low or Medium-Density
RM, Multi-Dwelling Residential Districts [Dwelling Units per acre]:		
Multi-Dwelling Residential– 12 d.u. per acre	RM12/ RM12D	Medium-Density
Multi-Dwelling Residential -- 15 d.u. per acre	RM15	Medium-Density
Multi-Dwelling Residential– 24 d.u. per acre	RM24	High-Density
Multi-Dwelling Residential– 32 d.u. per acre	RM32	High-Density
RMG, Multi-Dwelling Residential-Greek Housing District:		
Multi-Dwelling Residential-Greek Housing	RMG	High-Density
RMO, Multi-Dwelling Residential-Office District [Dwelling Units per acre]:		
Multi-Dwelling Residential-Office–22 d.u. / acre	RMO	High-Density
C, Commercial Districts:		
Inner Neighborhood Commercial	CN1	NA
Office Commercial	CO	Office or Office/Research
Neighborhood Shopping Center	CN2	Neighborhood Commercial Center
Downtown Commercial	CD	Regional Commercial Center
Community Commercial	CC	Community Commercial Centers
Regional Commercial	CR	Regional Commercial Center

District Name	Map Symbol	Corresponding Comprehensive Plan Designation
Strip Commercial	CS	NA
I, Industrial Districts:		
Industrial/Business Park	IBP	Office or Office/Research
Limited Industrial	IL	Warehouse and Distribution or Industrial
Medium Industrial	IM	Warehouse and Distribution or Industrial
General Industrial	IG	Warehouse and Distribution or Industrial
Special Purpose Base Districts:		
Mixed Use	MU	NA
General Public and Institutional	GPI	NA
Hospital	H	NA
Planned Unit Development	PUD[name]	NA
Planned Residential Development	PRD[name]	NA
Planned Commercial Development	PCD[name]	NA
Planned Industrial Development	PID[name]	NA
Planned Office District	POD[name]	NA
Urban Reserve	UR	NA
University/University – Kansas University	U/U-KU	NA
Open Space	OS	NA
Lawrence SmartCode Districts (Chapter 21 of the Code of the City of Lawrence):		
General SmartCode District	SC	NA
T1 – The Natural Zone	T1	NA
T2 – The Rural Zone	T2	NA
T3 – The Sub-Urban Zone	T3	NA
T4 – The General Urban Zone	T4	NA
T5 – The Urban Center Zone	T5	NA
T5.5 – The Special Urban Center Zone	T5.5	NA
CS – Civic Space	CIVIC	NA

20-215 IL, LIMITED INDUSTRIAL DISTRICT

(a) Purpose

~~The IL, Limited Industrial District, is primarily intended to accommodate low-impact industrial, wholesale and warehouse operations that are employment-intensive and compatible with commercial land uses.~~

The IL, Limited Industrial District, is intended to accommodate low-impact industrial facilities, and wholesale, storage and distribution operations, as well as limited commercial uses. Activity primarily occurs within enclosed structures.

(b) Principal Uses

Principal Uses are allowed in IL Districts in accordance with the Use Table of Article 4.

(c) Accessory Uses and Accessory Structures

Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, are subject to the regulations of Section 20-532 et seq.

(d) Density and Dimensional Standards

Unless otherwise expressly stated, all development in IL Districts shall comply with the Density and Dimensional Standards of Article 6.

(e) Street Access

The IL District is intended for implementation along Collector or Arterial Streets. When industrial development abuts Arterial Streets, Access shall be directed to a non-Arterial side street or Driveway with adequate distance between the intersection and the site Access point(s) as per the standards of Section 20-915. Whenever possible, the industrial development shall share direct or indirect Access through common curb cuts and Driveways or private Access roads.

(f) Other Regulations

There are a number of other Development standards that may apply to development in Base Districts, including but not limited to the following:

(1)	General Development Standards	See Article 11.
(2)	Landscaping	See Article 10.
(3)	Off-Street Parking and Loading	See Article 9.
(4)	Outdoor Lighting	See Section 20-1103.
(5)	Overlay Districts	**See Article 3.**

20-216 IM, MEDIUM INDUSTRIAL DISTRICT

(a) Purpose

The IM, Medium Industrial District, is intended to accommodate moderate-impact industrial facilities and wholesale, storage and distribution operations.

(b) Principal Uses

Principal Uses are allowed in IM Districts in accordance with the Use Table of Article 4.

(c) Accessory Uses and Accessory Structures

Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, are subject to the regulations of Section 20-532 et seq.

(d) Density and Dimensional Standards

Unless otherwise expressly stated, all development in IM Districts shall comply with the Density and Dimensional Standards of Article 6.

(e) Street Access

The IM District is intended for implementation along Collector or Arterial Streets. When industrial development abuts Arterial Streets, Access shall be directed to a non-Arterial side street or Driveway with adequate distance between the intersection and the site Access point(s) as per the standards of Section 20-915. Whenever possible, the industrial development shall share direct or indirect Access through common curb cuts and Driveways or private Access roads.

(f) Other regulations

There are a number of other Development standards that may apply to development in Base Districts, including but not limited to the following:

(1)	General Development Standards	See Article 11.
(2)	Landscaping	See Article 10.
(3)	Off-Street Parking and Loading	See Article 9.
(4)	Outdoor Lighting	See Section 20-1103.
(5)	Overlay Districts	**See Article 3.**

~~20-216~~20-217IG, GENERAL INDUSTRIAL DISTRICT

(a) Purpose

~~The IG, General Industrial District, is primarily intended to accommodate moderate- and high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation Access and public facilities and services. The District is generally incompatible with residential areas and low-intensity commercial areas.~~

The IG, General Industrial District, is intended to accommodate high-impact industrial facilities and wholesale, storage and distribution operations with external impacts such as exterior storage of materials on site, noise, vibration, and odors.

(b) Principal Uses

Principal Uses are allowed in IG Districts in accordance with the Use Table of Article 4.

(c) Accessory Uses and Accessory Structures

Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, are subject to the regulations of Section 20-532 et seq.

(d) Density and Dimensional Standards

Unless otherwise expressly stated, all development in IG Districts shall comply with the Density and Dimensional Standards of Article 6.

(e) Street Access

The IG District is intended for implementation along Arterial Streets. Whenever possible, Access shall be directed to a non-Arterial side street or Driveway with adequate distance between the intersection and the site Access point(s) as per the standards of Section 20-915. Whenever possible, such industrial development shall share direct or indirect Access through common curb cuts and Driveways or private Access roads.

(f) Other Regulations

There are a number of other Development standards that may apply to development in Base Districts, including but not limited to the following:

(1)	General Development Standards	See Article 11.
(2)	Landscaping	See Article 10.
(3)	Off-Street Parking and Loading	See Article 9.
(4)	Outdoor Lighting	See Section 20-1103.
(5)	Overlay Districts	**See Article 3.**

~~20-217~~ 20-18 OS, OPEN SPACE DISTRICT

(a) Purpose

The OS, Open Space District, is a Special Purpose Base District intended to preserve and enhance major Open Space and recreational areas by protecting the natural amenities they possess and by accommodating development that is compatible with those natural amenities. The OS District may also be applied to Common Open Space within residential PDs and Cluster Housing Projects.

(b) Principal Uses

Principal Uses are allowed in OS Districts in accordance with the Use Table of Article 4.

(c) Accessory Uses and Accessory Structures

Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, are subject to the regulations of Section 20-532 et seq.

(d) Density and Dimensional Standards

Unless otherwise expressly stated, all development in OS Districts shall comply with the Density and Dimensional Standards set forth in Article 6.

(e) Street Access

The OS District is appropriate for implementation along Residential Collector, Collector Streets and Arterial Streets. Where an OS District abuts an Arterial Street, Access shall be directed to a side street or Driveway with adequate distance between the intersection and the site Access point(s) as per the standards of Section 20-915.

(f) Other Regulations

There are a number of other Development standards that may apply to development in Base Districts, including but not limited to the following:

(1)	General Development Standards	See Article 11.
(2)	Landscaping	See Article 10.
(3)	Off-Street Parking and Loading	See Article 9.
(4)	Outdoor Lighting	See Section 20-1103.
(5)	Overlay Districts	**See Article 3.**

~~20-218~~ 20-219 GPI, GENERAL PUBLIC AND INSTITUTIONAL USE DISTRICT

(a) Purpose

The GPI District is a Special Purpose Base District primarily intended to accommodate Institutional Uses occupying significant land areas but not appropriate for development in the H District or on property designated on the official zoning map as U. ~~The District regulations are designed to offer the institution maximum flexibility for patterns of uses within the District while ensuring that uses and development patterns along the edges of the District are compatible with adjoining land uses.~~

(b) Principal Uses

Principal Uses are those uses that are institutional by definition that are allowed in GPI Districts in accordance with the Use Table of Article 4.

(c) Accessory Uses and Accessory Structures

Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, are subject to the regulations of Section 20-532 et seq.

(d) Density and Dimensional Standards

Unless otherwise expressly stated, all development in GPI Districts shall comply with the Density and Dimensional Standards of Article 6. Setbacks for the GPI District are the same as those established in 20-601(b) for the IBP District. The GPI may include a Type 3 Bufferyard, expanded to a width of 75 feet, along the border. The Height standards of Section 20-602(h)(2) shall apply to uses in the GPI District.

(e) Street Access

The GPI District is intended to be implemented along Collector and/or Arterial Streets. Development in the GPI District shall take its primary Access from Collector and/or Arterial Streets, except uses defined as Major Utilities and Services and Minor Utilities which may take primary Access from any street classification deemed suitable due to their unique circumstances. Development in the GPI District may take it's secondary Access from a Local Street or Alley except where the zoning of the property across the Street or Alley is in an RS Zoning District; in those cases, the GPI development shall be allowed only emergency Access to the Local Street or public Alley.

(f) Development Standards Required

Subject to the standards of this Article, the institution responsible for the property within the GPI District shall from time to time prepare and update an Institutional Development Plan for all of the property contained within the GPI District. The procedure for review and action on the Institutional Development Plan is set out in Section 20-1307.

(g) Expansions

The GPI District should generally be expanded in logical increments that preserve an orderly boundary between the Institutional Use and any adjoining residential uses.

(h) Other Regulations

There are a number of other Development standards that may apply to development in Base Districts, including but not limited to the following:

(1)	General Development Standards	See Article 11.
(2)	Landscaping	See Article 10.

(3)	Off-Street Parking and Loading	See Article 9.
(4)	Outdoor Lighting	See Section 20-1103.
(5)	Overlay Districts	**See Article 3.**

~~20-219~~ 20-220 H, HOSPITAL DISTRICT

(a) **Purpose**
The H District is a Special Purpose Base District primarily intended to accommodate a Hospital and accessory and related uses under common control and planning.

(b) Principal Uses
Principal Uses are allowed in H Districts in accordance with the Use Table of Article 4.

(c) Accessory Uses and Structures
Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, are subject to the regulations of Section 20-532 et seq.

(d) Density and Dimensional Standards
Unless otherwise expressly stated, all development in H Districts shall comply with the Density and Dimensional Standards of Article 6. Setbacks for the H District are the same as those established in 20-601 (b) for the IBP District. Alternatively, the H District can include a Type 3 Bufferyard, expanded to a width of 75 feet, along the border. The Height standards of Section 20-602(h)(2) shall apply to uses in the H District.

(e) Street Access
Development in the H District shall have primary Access onto Collector and/or Arterial Streets. Development in the H District may have Access to a Local Street or Alley except where the zoning of the property across the Street or Alley is in an RS Zoning District; in those cases, the H District development shall be allowed emergency Access only to the Local Street or public Alley.

(f) Development Standards Required
Subject to the standards of this Article, the institution responsible for the property within the H District shall prepare and update an Institutional Development Plan for all of the property contained within the H District when a Significant Development Project is proposed. The procedure for review and action on the Institutional Development Plan is set out in Section 20-1307.

(g) Expansion
The H District should generally be expanded in logical increments that preserve an orderly boundary between the Institutional Use and any adjoining residential uses.

(h) Other Regulations
There are a number of other Development standards that may apply to development in Base Districts, including but not limited to the following:

(1)	General Development Standards	See Article 11.
(2)	Landscaping	See Article 10.
(3)	Off-Street Parking and Loading	See Article 9.
(4)	Outdoor Lighting	See Section 20-1103.
(5)	Overlay Districts	**See Article 3.**

~~20-220~~ 20-221 U-, UNIVERSITY DISTRICT

(a) Purpose and Intent

The property governed by the Cooperation Agreement Between the City of Lawrence, Kansas, and the University of Kansas, dated April 7, 2005 shall be designated as "U – Kansas University" on the City's official zoning map. No provision of the Development Code shall govern the use of the "U – Kansas University" property, unless the Cooperation Agreement so provides. The Cooperation Agreement solely shall govern the use and development of the "U – Kansas University" property, as shown on the official zoning map.

The property titled to the United States of America and used by Haskell Indian Nations University shall be designated as "U" on the City's official zoning map. No provisions of the Development Code shall govern the use and development by Haskell Indian Nations University of the property designated "U" on the official zoning map.

~~20-221~~ 20-222 PUD, PRD, PCD, PID, POD (PLANNED DEVELOPMENT) DISTRICTS

(a) Purpose

The Planned Development Districts, PRD, Planned Residential Development District, PUD, Planned Unit Development District, PCD, Planned Commercial Development District, PID, Planned Industrial District, and POD, Planned Office District are all Special Purpose Base Districts intended only to provide a suitable classification for land included in a Planned Development approved prior to the Effective Date. This District is expressly not intended for implementation through application to additional land after the Effective Date. For Planned Developments after that date, see the provisions of Section 20-701.

(b) District Name

The name of this District shall, in each geographic implementation, include the specific Planned Development designation followed by the name of the Development in brackets. For example, the actual District designation for an older Planned Unit Development that was created as an Overlay District would be PUD [Development Name]" and for a Planned Residential Development that was created as a Base District would be "PRD [Development Name]".

(c) Principal Uses

The Principal Uses allowed in a specific Planned Development District shall be those uses – and only those uses – allowed by the terms and conditions of the original approval of the Planned Development, as amended from time to time in accordance with the provisions of this Chapter and its predecessors. Where an issue of interpretation of the terms and conditions of the original approval arises, the procedures of Section 20-1304(g) should be followed. A change or intensification of the approved Principal Uses shall require approval under Article 7.

(d) Accessory Uses and Structures

Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, including Accessory Dwelling Units and Home Occupations, are subject to the regulations of Section 20-532 et seq.

(e) Density and Dimensional Standards

The development or expansion of any Structure in the Planned Development District shall comply with the Density and Dimensional Standards contained or incorporated in the terms and conditions of the original approval of the Planned Development, as amended from time to time in accordance with the provisions of this Chapter and its predecessors. Where an issue of interpretation of the terms and conditions of the original approval arises, the procedures of Section 20-1304(g) should be followed.

(f) Other Regulations

There are a number of other Development standards that may apply to development in Base Districts, including but not limited to the following. Where there is a conflict between the Development standards to which reference is made below and the terms and conditions of the approved Planned Development, the terms and conditions of the approved Planned Development shall control. Where an issue of interpretation of the terms and conditions of the original approval arises, the procedures of Section 20-1304(g) should be followed.

(1)	General Development Standards	See Article 11.
(2)	Landscaping	See Article 10.
(3)	Off-Street Parking and Loading	See Article 9.
(4)	Outdoor Lighting	See Section 20-1103.
(5)	Overlay Districts	**See Article 3.**

~~20-222~~ 20-223 UR, URBAN RESERVE DISTRICT

(a) Purpose

The UR, Urban Reserve District, is a Special Purpose Base District primarily intended to provide a suitable classification for newly annexed land. The District is intended to avoid premature or inappropriate development that is not well served by Infrastructure or community services. It is also intended for implementation in areas where an adopted neighborhood plan or area development plan is not in place. It permits only very low-intensity development until such time that a land use plan and Infrastructure and community services are in place.

(b) Principal Uses

The only Principal Uses allowed in the UR District are Crop Agriculture and any lawful uses(s) in existence immediately prior to annexation with the exception of billboard signs. No billboard signs may be annexed into the city. Communications facilities are allowed in the UR District if approved by a Special Use Permit in accordance with Section 20-1306.

(1) Any use or Development Activity that requires Site Plan Review and approval (see Section 20-1305) will be allowed only after the property is rezoned to the appropriate City zoning classification (in accordance with Section 20-1303).

(2) No increase in the number of Livestock is permitted, nor shall swine be kept in the UR District pursuant to Chapter 3, Article 1 of the City Code.

(c) Accessory Uses and Structures

Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, including Accessory Dwelling Units and Home Occupations, are subject to the regulations of Section 20-532 et seq.

(d) Density and Dimensional Standards

The development or expansion of any Structure in the UR District shall comply with the Density and Dimensional Standards of the RS40 District (See Section 20-601).

(e) Other Regulations

There are a number of other Development standards that may apply to development in Base Districts, including but not limited to the following:

(1)	General Development Standards	See Article 11.
(2)	Landscaping	See Article 10.
(3)	Off-Street Parking and Loading	See Article 9.
(4)	Outdoor Lighting	See Section 20-1103.
(5)	Overlay Districts	**See Article 3.**

~~20-223~~ 20-224 MU, MIXED USE DISTRICT

(a) **Purpose**

The MU, Mixed Use District, is primarily intended to permit a variety of land uses together in one or more Structures on a site including governmental, retail, office, public and Community Facilities, institutional, religious, and residential uses in a pedestrian-oriented and transit-oriented setting. Retail and service uses that attract and generate foot traffic are encouraged to be located at ground level along the Public Frontage. Development in the Mixed Use District shall include both residential and nonresidential uses.

(b) **Where Appropriate**

The Mixed Use District zoning classification may not be appropriate in all areas of the City of Lawrence. Specific standards apply to Mixed-Use Developments. See Section 20-1108.

(c) **Compatibility**

Mixed-Use developments shall be compatible with existing development which surrounds the proposed Mixed-Use development. Specific standards apply to Mixed-Use Developments. See Section 20-1108.

(d) **Principal Uses**

Principal Uses are allowed in MU District in accordance with the Use Table of Article 4.

(e) **Accessory Uses and Structures**

Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, including Home Occupations, are subject to the regulations of Article 5.

(f) **Density and Dimensional Standards**

All development in the MU District shall comply with the Density and Dimensional Standards of Article 6.

(g) **Other Regulations**

There are a number of other Development standards that may apply to development in Base Districts, including but not limited to the following:

(1) General Development Standards	
Specific standards apply to Mixed-Use Developments.	See Article 11.
(2) Landscaping	
Specific standards apply to Mixed-Use Developments.	See Article 10.
(3) Off-Street Parking and Loading	
Specific standards apply to Mixed-Use Developments.	See Articles 9 & 11.
(4) Outdoor Lighting	
Specific standards apply to Mixed Use Developments.	See Section 20-1103.
(5) Overlay Districts	See Article 3.

~~20-224~~ 20-225 Lawrence SmartCode Districts

(a) Purpose

(1) The primary purpose of the Lawrence SmartCode Districts is to promote Traditional Neighborhood Design (TND) development for both Greenfield and Infill/Redevelopment. The rezoning of property as part of the Lawrence SmartCode relies on the rezoning process of the Development Code (20-1303). See Lawrence SmartCode (Chapter 21 of the Code of the City of Lawrence) for additional information.

(2) The Lawrence SmartCode Districts are primarily differentiated on the level of urbanism allowed, as provided below:

(i) T1, The Natural Zone – consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.

(ii) T2, The Rural Zone – consists of lands in open or cultivated state or sparsely settled. These include woodland, agricultural lands, and grasslands.

(iii) T3, Sub-Urban Zone – consists of low density suburban residential areas, differing by allowing home occupations. Planting is naturalistic with setbacks relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.

(iv) T4, The General Urban Zone – consists of a mixed-use but primarily residential urban fabric. It has a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets typically define medium-sized blocks.

(v) T5, The Urban Center Zone – consists of higher density mixed-use building types that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the frontages.

(vi) T5.5, The Special Urban Center Zone – consists of the highest density mixed-use building types that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the frontages. Because of its historic designation and character, it will be protected from competition in intensity.

(vii) CIVIC, Civic Space – an outdoor area dedicated for public use.

20-401 USE TABLE

The Use Table of this article lists the Principal Uses allowed within all of the Base Districts except the UR District (See Section 20-~~222~~223(b) for UR District use regulations). The symbols used in the Use Table are defined in the following paragraphs.

(a) [P] Permitted Uses

A "P" indicates that a use is permitted by right, subject to compliance with all other applicable local, State and Federal regulations, including the regulations of this Development Code.

(b) [S] Special Uses

An "S" indicates that a use is allowed only if reviewed and approved in accordance with the Special Use procedures of Section 20-1306.

(c) [A] Accessory Uses

An "A" indicates that a use is permitted as accessory to a Principal Use, subject to compliance with all other applicable local, State and Federal regulations, including the regulations of this Development Code.

(d) Uses Not allowed

Cells containing a dash (–) indicate that the listed use is not allowed in the respective Zoning District.

(e) Use-Specific Standards

Many allowed uses, whether permitted by-right or by Special Use, are subject to compliance with use-specific standards and conditions. An Asterisk (*) after the P, S, or A use code identifies the use is subject to use-specific standards and conditions. The sections in which these standards and conditions are located are identified in the far right column titled Use Specific Standard.

(f) Unlisted Uses

If an application is submitted for a use that is not listed in the use table of this section, the Planning Director is authorized to classify the new or unlisted use into an existing land use category that most closely fits the new or unlisted use, using the interpretation criteria of Section 20-1702(b). If no similar use determination can be made, the Planning Director shall initiate an amendment to the text of this Development Code to clarify where such uses will be allowed.

20-403 NONRESIDENTIAL DISTRICT USE TABLE

Key: *A = Accessory* *P = Permitted* *S = Special Use* ** = Standard Applies* *- = Use not allowed*		*Base Zoning Districts*															*Use-Specific Standards (Sec. 20-)*
		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IM*	*IG*	*OS*	*GPI*	*H*	
RESIDENTIAL USE GROUP																	
Household Living	Accessory Dwelling	P*	–	P*	–	–	–	–	–	–	–	–	–	–	–	–	534
	Attached Dwelling	P*	–	P*	–	–	–	–	–	–	–	–	–	–	P*	–	503
	Cluster Dwelling	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	702
	Detached Dwelling	P*	–	P	–	–	–	–	–	–	–	–	–	–	P*	P*	508
	Duplex	P*	–	P*	–	–	–	–	–	–	–	–	–	–	–	–	503
	Manufactured Home	–	–	–	–	–	–	–	–	–	–	–	–	–	P	P	
	Manufactured Home, Residential-	P*	–	–	–	–	–	–	–	–	–	–	–	–	–	–	513

Key: *A = Accessory* *P = Permitted* *S = Special Use* ** = Standard Applies* *- = Use not allowed*		*Base Zoning Districts*															*Use-Specific Standards (Sec. 20-)*
		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IM*	*IG*	*OS*	*GPI*	*H*	
	Design																
	Mobile Home	–	–	–	–	–	–	–	–	–	P	–	P	–	P	P	
	Mobile Home Park	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
	Multi-Dwelling Structure	–	P*	P*	–	P*/S*	P*		P*	–	–	–	–	–	S	P	517
	Non-Ground Floor Dwelling	P*	P*	P*	–	P*	P*	–	P*	–	–	–	–	–	–	–	517/542
	Work/Live Unit	P*	P*	P*	–	P*/S*	P*	–	P*	–	P*	–	–	–	–	–	517/541
	Zero Lot Line Dwelling	P*	–	P	–	–	–	–	–	–	–	–	–	–	–	–	531
	Home Occupation, Type A or B	–	–	P*	–	–	–	–	–	–	–	–	–	–	–	–	
Group Living	Assisted Living	–	–	P	–	–	–	–	–	–	–	–	–	–	S	S	
	Congregate Living	–	–	P*	–	–	–	–	–	–	–	–	–	–	–	–	546
	Dormitory	–	–	–	–	–	–	–	–	–	–	–	–	–	–	P	
	Fraternity or Sorority House	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
	Group Home, General (11 or more)	S	S	S	S	S	S	S	S	–	–	–	–	–	–	P	
	Group Home, Limited (10 or less)	P	–	P	–	–	–	–	–	–	–	–	–	–	–	–	
	PUBLIC AND CIVIC USE GROUP																
Community Facilities	Cemetery	P*	P*	–	P*	–	P*	P*	P*	P*	P*	–	–	P*	P*	–	505
	College/University	S	P	P	P	P	P	P	P	P	P	–	P	–	P	P	
	Cultural Center/ Library	S	P	P	S	P	P	–	–	P	–	–	–	S	P	A	
	Day Care Center	S*	P*	S*	S*	S*	P*	P*	P*	P*	P*	A*	P*	–	–	–	507
	Day Care Home, Class A	P	P	P*	–	P	P	–	P	–	–	–	–	–	–	–	
	Day Care Home, Class B	S*/A*	P*	S*	–	P	P	–	P	–	–	–	–	–	–	–	507
	Detention Facilities	–	–	–	–	–	–	–	–	–	S	S	S	–	S	–	
	Lodge, Fraternal & Civic Assembly	S*	S*	S*	S*	P*	P*	P*	P*	–	P*	–	–	–	P*	–	512
	Postal & Parcel Service	–	P	P	P	P	P	P	P	P	P	P	P	–	P	–	
	Public Safety	S	P	P	P	P	P	P	P	P	P	P	P	–	P	–	
	School	P	P	P	P	P	P	P	P	–	–	–	–	–	P	–	
	Funeral and Interment	–	P*	–	P*	P*	P*	P*	P*	P*	P*	–	–	A*	–	–	505
	Temporary Shelter	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*	S*/A*	–	S*	–	S*	S*/A*	544/522
	Social Service Agency	P	P	P	P	P	P	P	P	P	P	–	P	–	P	P	

Key: *A = Accessory* *P = Permitted* *S = Special Use* ** = Standard Applies* *- = Use not allowed*		*Base Zoning Districts*															*Use-Specific Standards (Sec. 20-)*
		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IM*	*IG*	*OS*	*GPI*	*H*	
	Community Meal Program	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S	S/A*	–	S	–	S	S/A*	522
	Utilities, Minor	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/S*	P*/ S*	P*/ S*	P*/ S*	–	530
	Utilities and Service, Major	S	S	S	S	S	S	S	S	S	S	P	P	S	P	–	
Medical Facilities	Extended Care Facility, General	–	S	–	S	–	–	–	–	S	–	–	–	–	–	P	
	Extended Care Facility, Limited	P	P	P	P	–	–	–	–	–	–	–	–	–	S	P	
	Health Care Office, Health Care Clinic	P	S	P	P	P	P	P	P	P	P	–	–	–	P	A	
	Hospital	–	–	–	–	–	–	–	–	–	–	–	–	–	–	P	
	Outpatient Care Facility	P*	P*	P*	P*	P*	P*	P*	P*	–	-	–	–	–	P*	P*	519
Recreational Facilities	Active Recreation	S	P	P	S	S	P	P	P	P	P	–	S	S	A*/S*	A	532
	Entertainment & Spectator Sports, General	–	–	–	–	P	P	P	P	–	–	–	–	–	S	–	
	Entertainment & Spectator Sports, Limited	–	P	P	–	P	P	P	P	–	–	–	–	S	P	–	
	Participant Sports & Recreation, Indoor	–	P	P	–	P	P	P	P	P	P	–	–	–	P	A	
	Participant Sports & Recreation, Outdoor	–	–	S	–	–	P	P	P	P	P	–	–	–	A*/S*	–	532
	Passive Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Nature Preserve/ Undeveloped	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Private Recreation	P	P	P	–	P	P	–	P	–	–	–	–	P	P	P	
Religious Assembly	Campus or Community Institution	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	–	–	–	–	A*	522
	Neighborhood Institution	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	–	–	–	–	–	522
COMMERCIAL USE GROUP																	
Animal Services	Kennel	–	–	–	–	–	P	P	P	–	P	–	P	–	–	–	
	Livestock Sale	–	–	–	–	–	S	S	S	–	~~P~~ –	–	P	–	–	–	
	Sales and Grooming	P	P	P	P	P	P	P	P	–	P	–	~~–~~ P	–	–	–	
	Veterinary	–	P	P	P	P	P	P	P	P	P	–	~~–~~ P	–	–	–	
ki ng Es	Accessory Bar	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	–	–	–	–	–	509
	Accessory	–	–	–	–	–	–	–	–	A	–	–	–	–	–	–	

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		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IM*	*IG*	*OS*	*GPI*	*H*	
	Restaurant																
	Bar Or Lounge	–	–	S*	–	P*	P*	P*	P*	–	–	–	–	–	–	–	509
	Brewpub	–	P*	S*	–	P*	P*	P*	P*	–	–	–	–	–	–	–	509
	Fast Order Food	P*	P*	P	P*	P*	P*	P*	P*	–	P*	–	–	–	–	A*	511 & 509
	Fast Order Food, Drive-In	–	S	–	–	–	P	P	P	–	P	–	–	–	–	–	
	Nightclub	–	–	–	–	P*	–	P*	P*	–	–	–	–	–	–	–	509
	Private Dining Establishments	P*	P*	–	P*	P*	P*	P*	P*	P*	–	–	–	–	–	–	539
	Restaurant, Quality	P*	P*	P	P*	P*	P*	P*	P*	P*	P*	–	–	–	–	–	524
Office	Administrative and Professional	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	A	P*	–	P*	A*	518
	Financial, Insurance & Real Estate	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	–	–	–	–	A*	510
	Other	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	A	P*	–	–	–	537
Parking Facilities	Accessory	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	535
	Commercial	–	S	S	S	S	P	P	P	P	P	P	P	–	P	A	
Retail Sales & Service	Building Maintenance	–	P	S	–	P	P	P	P	–	P	P	P	–	A	A	
	Business Equipment	–	P	P	–	P	P	P	P	P	P	P	–	–	–	–	
	Business Support	–	P	P	P	P	P	P	P	P	P	P	P	–	–	A	
	Construction Sales and Service	–	–	–	–	–	P	P	P	–	P	–	P	–	–	A	
	Food and Beverage	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	–	–	–	–	A*	511
	Mixed Media Store	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	–	–	–	–	–	516 528
	Personal Convenience	P*	P*	P*	–	P*	P*	P*	P*	–	P*	–	–	–	–	A*	520
	Personal Improvement	P*	P*	P*	–	P*	P*	P*	P*	–	P*	–	–	–	A*	A*	521
	Repair Service, Consumer	P*	P*	P*	–	P*	P*	P*	P*	–	P*	–	–	–	–	–	523
	Retail Sales, General	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	–	–	–	–	A*	525
	Retail Establishment, Large	–	–	–	–	–	P*	P*	S*	–	–	–	–	–	–	–	526
	Retail Establishment, Medium	–	P*	P*	–	P*	P*	P*	P*	–	–	–	–	–	–	–	526

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		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IM*	*IG*	*OS*	*GPI*	*H*	
	Retail Establishment, Specialty	–	P*	P*	–	P*	P*	P*	P*	–	–	–	–	–	–	–	526
Sexually Oriented Businesses	Sexually Oriented Media Store	–	–	P*	–	–	-	-	-	–	–	–	-	–	–	–	528
	Physical Sexually Oriented Business	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	528
	Sex Shop	–	–	–	–	–	P*	P*	P*	–	–	–	–	–	–	–	528
	Sexually Oriented Theater	–	–	–	–	–	P*	P*	P*	–	–	–	–	–	–	–	528
Transient Accommodation	Bed and Breakfast	P*	–	P*	–	–	–	–	–	–	–	–	–	–	–	–	20-504
	Campground	–	–	–	–	–	P	P	P	–	–	–	–	S	–	–	
	Hotel, Motel, Extended Stay	–	–	P	–	P	P	P	P	–	P	–	–	–	–	A	
Vehicle Sales & Service	Cleaning (Car Wash)	–	S	–	–	–	P	P	P	–	P	A	P	–	–	–	
	Fleet Storage	–	–	–	–	–	P	P	P	–	P	P	P	–	–	A	
	Gas and Fuel Sales	–	S	S	–	–	P	P	P	–	P	P	P	–	–	–	
	Truck Stop	–	–	–	–	–	–	S	–	–	–	S	P	–	–	–	
	Heavy Equipment Repair	–	–	–	–	–	P	P	P	–	~~P~~	P	P	–	–	–	
	Heavy Equipment Sales/Rental	–	–	–	–	–	P	P	P	–	~~P~~	–	P	–	–	–	
	~~Inoperable Vehicles Storage~~ Storage of Impounded Vehicles	–	–	–	–	–	P	P	P	–	P	P	P	–	–	–	
	Light Equipment Repair	–	S	–	–	S	P	P	P	–	P	–	P	–	–	–	
	Light Equipment Sales/Rental	–	P*	–	–	S	P	P	P	–	P	–	P	–	–	–	545
	RV and Boats Storage	–	–	–	–	–	P	P	P	–	P	–	~~P~~	–	–	–	
INDUSTRIAL USE GROUP																	
Industrial Facilities	Explosive Storage	–	–	–	–	–	–	–	–	–	–	–	P	–	–	–	
	Industrial, General	–	–	–	–	–	–	–	–	–	P	P	P	–	–	–	
	Industrial, Intensive	–	–	–	–	–	–	–	–	–	–	–	P	–	–	–	
	Laundry Service	–	–	–	–	–	P	P	P	–	P	P	P	–	–	–	
	Manufacturing & Production, Ltd.	–	–	P	–	S	S	S	S	P	P	P	P	–	–	–	

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		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IM*	*IG*	*OS*	*GPI*	*H*	
	Manufacturing & Production, Tech.	–	–	–	–	S	P	P	P	P	P	P	P	–	–	–	
	Research Service	–	–	–	S	S	P	P	P	P	P	P	P	–	–	–	
	Scrap and Salvage Operation	–	–	–	–	–	–	–	–	–	~~–~~ S*	–	S*	–	–	–	527
Wholesale, Storage & Distribution	Exterior Storage	–	–	–	–	–	A*	A*	A*	A*	A*	A*	A*	–	A*	A*	538
	Heavy	–	–	–	–	–	S	S	S	–	~~–~~ S	–	P	–	–	–	
	Light	–	–	–	–	–	P	P	P	P	P	P	P	–	S	–	
	Mini-Warehouse	–	–	–	–	–	P	P	P	–	P	–	P	–	–	–	
OTHER USES GROUP																	
Adaptive Reuse	Designated Historic Property	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	501
	Greek Housing Unit	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
Agriculture	Agricultural Sales	–	–	–	–	–	P	P	P	–	P	–	P	–	–	–	
	Agriculture, Animal	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
	Agriculture, Crop	P	P	P	P	–	P	P	P	P	P	P	P	–	P	–	
Communications Facilities	Amateur & Receive-Only Antennas	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
	Broadcasting Tower	–	–	–	–	S	–	–	–	P	P	P	P	–	–	A	
	Communications Service Establishment	P	P	P	P	P	P	P	P	P	P	–	~~–~~ P	–	P	A	
	Telecommunications Antenna	A*	A*	A*	A*	S*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	529
	Telecommunications Tower	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	P*	~~S*~~ P*	S*	A*	A*	529
	Satellite Dish	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
Mining	Mining	–	–	–	–	–	–	–	–	–	–	–	S*	–	–	–	515
g F a	Large Collection	–	–	–	–	–	P	P	P	–	~~–~~ P	P	P	–	–	–	540

Key: *A = Accessory* *P = Permitted* *S = Special Use* ** = Standard Applies* *- = Use not allowed*	*Base Zoning Districts*															*Use-Specific Standards (Sec. 20-)*
	CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IM*	*IG*	*OS*	*GPI*	*H*	
Small Collection	P	P	P*	P	P	P	P	P	P	P	–	~~P~~	–	A	A	540
Processing Center	–	–	–	–	–	–	–	–	–	~~P~~	S	P	–	~~P~~	–	

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20-538 EXTERIOR STORAGE

(1) Purpose

Exterior Storage areas are permitted as an accessory to a Principal Use in specific nonresidential Zoning Districts to provide space for the outdoor storage of materials related to the Principal Use. Outdoor storage of materials not related to the business of the Principal Use is prohibited.

(2) Applicability

Exterior Storage is defined as the outdoor storage of any and all materials related to the Principal Use of the Lot or site, not including areas for special events, temporary outdoor events or seasonal events, transient merchant sales areas, or any other outdoor area dedicated to the sale of retail goods, regardless of the proprietor. Exterior Storage is permitted as an Accessory Use in the CR, CS, CC, IBP, IL, IM, IG, GPI and H Districts to any Principal Use permitted in these districts. The standards for Exterior Storage areas exclude dumpsters and trash receptacles and mechanical equipment, which themselves have Screening requirements in Section 20-1006.

(3) Location of Exterior Storage on a Site

(i) Location in Rear Yard

Exterior Storage areas may be located in the provided Rear Yard of a property but must adhere to the minimum setbacks as required by Article 6 in addition as to what is required by Subsection (iv) below.

(ii) Location in Side Yard

Exterior Storage areas may be located in any Side Yard of a property not adjacent to a street right-of-way, except in the IL and IG Districts where they may be located in any Side Yard, regardless of the presence of adjacent street right-of-way. The location of Exterior Storage areas in any Side Yard must adhere to the minimum setbacks as required by Article 6 in addition to what is required by Subsection (iv) below. When located in a Side Yard, Exterior Storage areas shall be located to the rear of the front Building Facade of the principal Structure, except in the IL, IM and IG Districts where they may encroach into the Front Yard.

(iii) Location in Front Yard

Exterior Storage areas are prohibited from being located in the provided Front Yard of any property in all Zoning Districts, with exception of the IL, IM and IG Zoning Districts where Exterior Storage areas may be located in the Front Yard.

(iv) Minimum Setbacks

Minimum setbacks apply to the location of Exterior Storage areas depending upon adjacent property's zoning classification. To determine the Setback required, first identify the zoning of the site planned for Exterior Storage and the zoning of all adjacent sites. Find where the zoning of the site for Exterior Storage and each adjacent site intersect on the table. This is the required minimum Setback from the property line.

Zoning of Exterior Storage Area	Adjacent Site's Zoning			Adjacent to ROW
	CN1, CN2	CR, CS, CC	IBP, IL, IG, GPI, H	
CR, CS, CC	15'	15'	--	50'[1]
IBP, IL, IM, IG, GPI, H	15'	--	10'	25'[1]
[1] or behind the front Building façade whichever is the greater distance.				

(4) Screening Required

To protect the Public Safety and promote aesthetic quality, all Exterior Storage areas are required to be screened from adjacent properties and the public right-of-way in the form of a landscaped Bufferyard. To determine the type of Bufferyard required, first identify the zoning of the site planned for Exterior Storage and the zoning of all adjacent sites. Find where the zoning of the site for Exterior Storage and each adjacent site intersect on the table. This is the required type of Bufferyard. For detailed provisions on each type of Bufferyard, see Sec. 20-1005.

Zoning of Exterior Storage Area	Adjacent Site's Zoning			Adjacent to ROW
	CN1, CN2	CR, CS, CC	IBP, IL, IG, GPI, H	
CR, CS, CC	2	--	1	3
IBP, IL, IM, IG, GPI, H	3	2	--	3

(5) Area

The area of Exterior Storage uses shall be limited to 50% of the Floor Area of the principal Structure. Exterior Storage areas may only exceed 50% of the Floor Area of the associated principal Structure with approval of a Special Use Permit.

(6) Surfacing Required

(i) In CR, CS, and CC Districts

Exterior Storage areas located in these Districts shall be located upon any of the paved surfaces as provided in Sec. 20-913.

(ii) In IBP, IL, IM, IG, GPI, and H Districts

Exterior Storage areas located in these districts may be located on compacted gravel surfaces. Driveways and Driveway Aprons providing Access to these areas shall be paved to City Standards.

(iii) Exterior Storage areas in Floodplains

Exterior Storage areas located in the Floodplain, regardless of the site's zoning, may be surfaced with compacted gravel.

20-601 DENSITY AND DIMENSIONAL STANDARDS

(a) Residential Districts

Unless otherwise expressly stated, all development in R Districts shall comply with the Density and Dimensional Standards of the following table:

Standard	RS40	RS20	RS10	RS7	RS5	RS3	RSO	RM12/ RM12D [6]	RM15	RMO	RM24	RM32	RMG
Min. Lot Area (sq. ft.)	40,000	20,000	10,000	7,000	5,000	3,000	5,000	6,000	6,000	5,000	6,000	6,000	10,000
Min. Lot Area per Dwelling Unit (sq.ft.)	40,000	20,000	10,000	7,000	5,000	3,000	--	--	--	--	--	--	–
Max. Dwelling Units per acre	--	--	--	--	--	--	15	12	15	22	24	32	1
Min. Lot Width (ft.)	150	100	70	60	40	25	50	60	60	50	50	50	50
Min. Lot Frontage	40	40	40	40	40	25	40	60	60	40	50	50	50
Min. Setbacks (ft.):													
Front [5]	25	25	25	25	20	15 [1]	25	25	25	25	25	25	25
Side (Exterior) [2][5]	25/25	25/20	25/15	25/10	20/10	15/10	25/10	25/10	25/10	25/10	25/10	25/10	25/10
Side (Interior) [5]	20	20	10	5	5	5	5	5	5	5	5	5	5
Rear [3][5]	30/35	30/35	30/25	30/25	20/25	20/25	20/25	20/25	25/25	20/25	20/25	20/25	20/25
Max. Bldg. Cover (% of site)	15 [4]	30 [4]	40 [4]	45 [4]	50 [4]	50 [4]	50 [4]	50 [4]	50 [4]	50 [4]	50 [4]	60 [4]	60 [4]
Max. Impervious Cover (% of site)	25 [4]	50 [4]	70 [4]	70 [4]	75 [4]	75 [4]	75 [4]	75[4]	75 [4]	75[4]	75[4]	80[4]	80[4]
Min. Outdoor Area (per Dwelling):													
Area (sq. ft.)	None	None	None	None	240	150	None	50	50	50	50	50	None
Dimensions (ft.)	N/A	N/A	N/A	N/A	12	10	N/A	5	5	5	5	5	NA
Max. Height (ft.)	35	35	35	35	35	35	35	35	45	45	45	45	35[4]

[1] Minimum garage entrance Setback = 20 feet

[2] First number represents minimum Exterior Side Setback when subject Lot is adjacent to an abutting interior Side Lot Line. Second number represents minimum Exterior Side Setback when subject Lot is adjacent to an abutting Rear Lot Line.

[3] First number represents minimum Rear Setback for Single Frontage Lot. Second number represents minimum Rear Setback for double Frontage (or through) Lot.

[4] Applies only to Lots platted after the Effective Date or any improvements on a property after the Effective Date which increase the Building coverage or impervious coverage.

[5] Additional Setback restrictions apply to properties developed adjacent to RS zoned properties where expressly required elsewhere in the Development Code.

[6] Density and Dimensional Standards for the RM12D District are the same as those for the RM12 District.

(b) **Nonresidential Districts**

Unless otherwise expressly stated, all development in the Commercial and Industrial Districts shall comply with the Dimensional Standards of the following table:
to reflect the deleted footnotes.

Standard	CN1	CO	CN2	CD	CC	CR	CS	IBP [10]	IL/IM	IG	OS
Min. Site Area	5,000 sq. ft	5,000 sq.ft.	2 Ac.	2,500	5 Ac.	40 Ac	-	5 Ac.	20,000 sq.ft.	5,000 sq.ft.	–
Max. Site Area	1 Ac.	–	15 Ac.	–	–	–	-	–	–	–	–
Min. Lot Area (sq. ft.)	5,000	5,000	20,000	2,500	20,000	20,000	5,000	20,000	20,000	5,000	–
Min. Lot Width (ft.) [12]	50	50	100	25	100	150	50/100	200	100	50	–
Min. Setbacks (ft.)											
Front [9]	[6]	20	20	0	25	25	25	[1]	[1]	[1]	[3]
Side (Exterior) [2] [9]	[3]/20	[3]/20	[3]/20	[3]/0	[3]/20	[3]20	[3]15	[1]	[1]	[1]	35
Side (Interior–adj. R) [9]	10	20	20	20	25	45	12	[1]	[1]	[1]	20
Side (Interior–adj. Non-R)	0	5	0	0	0	0	0	[1]	[1]	[1]	15
Rear [4] [9]	20/25	15/25	20/25	0	12/25	30	12/25	[1]	[1]	[1]	0
Max. Front Setback	[6]	NA	NA	5[7]	20	0	NA	NA	NA	NA	NA
Max. Lot Coverage (%)	65 [5][11]	65 [5][11]	75 [5][11]	100	85 [5][11]	80 [5][11]	80 [5][11]	65 [5][11]	85 [5][11]	85 [5][11]	NA
Max. Impervious Lot Cover (%)	75 [5][11]	75 [5][11]	80 [5][11]	100	80[5] [8][11]	75[5] [8][11]	80 [5][11]	75 [5][11]	75 [5][11]	75 [5][11]	NA
Min. Outdoor Area (per unit)											
Area (sq. ft.)	50	–	50	–	–	–	50 [5][11]	–	–	–	–
Dimensions (ft.)	5	–	5	–	–	–	5 [5][11]	–	–	–	–
Max. Height (ft.) [13]	25	50	45	90 [7]	50	75	45	60	45	75	35

[1] Minimum Setbacks are as follows:

District	Abutting Street Right-of-Way			Abutting Other Lot Lines	
	Across From R District	Across From Non- R District		Abutting R District or Lawrence SmartCode District	Abutting Non-R District
		Arterial	Collector		
IBP [10]	40	40	40	40	15
IL/IM	50[14]	50	25	20[15]	15
IG	50 [14]	50	25	50 [15]	15

[2] First number represents minimum Exterior Setback to an abutting Side Lot Line. Second number represents minimum Exterior Setback to an abutting Rear Lot Line

[3] Same as Front Yard of abutting Lot

[4] First number represents minimum Rear Setback for Single Frontage Lot. Second number represents minimum Rear Setback for double Frontage (or through) Lot

[5] Applies only to Lots platted after the Effective Date.

[6] Setback of Building constructed after the Effective Date shall be within 1 foot of the average Setback of existing Buildings on the same Block on the same side of the Street.

[7] Subject to location and Height limitations in Downtown Design Guidelines and Downtown Design Standards.

[8] Maximum Building coverage in CC and CR districts is 25%.

[9] Additional Setback restrictions apply to properties developed adjacent to RS zoned properties where expressly required elsewhere in the Development Code.

[10] Density and Dimensional Standards for the GPI and H Districts shall be the same as those established in the IBP District.

[11] Applies to any Significant Development Project.

[12] First number represents the minimum existing Lot Width. The second number represents the required Lot Width for a Lot platted after the Effective

Date.
[13] Maximum Height may be subject to the standards of Section 20-602(h)(2) when located adjacent to RS properties.
[14[Setback shall be 25 feet for all IG and IL properties zoned M-2 under the previous zoning code.
[15] Setback shall be 20 feet for all IG and IL properties zoned M-2 under the previous zoning code.

(c) Mixed Use District

Unless otherwise expressly stated, all new development in a Mixed Use District shall comply with the Density and Dimensional Standards of the following table. The standards are not applicable to existing development rezoned to the district:

Standard	Mixed Use District Development Zones		
	Primary	Secondary	Tertiary
Min. Site Area (sq. ft)	20,000		
Max. Site Area (acres)	20		
Min. Lot Area (sq. ft.)	3,000		
Min. Lot Width (ft.) [12]	25		
Max. Dwelling Units (per acre)	32	15	12
Setback Range: Minimum to Maximum (in feet)			
Front	0-10 [1]	0-20 [1]	0-25 [1]
Side (Exterior)	0-10 [1]	0-20 [1]	0-25 [1]
Side (Interior)	0-5	0-5	0/5 [2]
Rear (when abutting Alley)	0-10 [3]	0-20	10-30 [4]
Rear (no Alley) [5]	20/0-10 [1]	20/0-20 [1]	20/10-30 [1]
Max. Building Coverage (% of Lot)	100 [6]	85 [6]	75 [6]
Max. Impervious Coverage (% of Lot)	100 [6]	95 [6]	85 [6]
Max. Height (ft.)	48 [7]	36 [7]	24 [7]
Minimum Outdoor Area (per Dwelling Unit)			
Area (sq. ft.)	50 [8]	50 [8]	50 [8]
Dimensions (ft.)	4 [8]	4 [8]	4 [8]
Min. Dimensions of Ground Level Nonresidential Spaces in Mixed Use Buildings			
Floor to Floor Height (ft.) [9]	12	12	12
Area (sq. ft.) [9]	800 [10]	600 [10]	500 [10]

[1] Corresponding Public Frontages shall be designed for each Development Zone.
[2] First number represents the required Setback for all attached Structures, second number represents the required Setback for detached Structures.
[3] May be up to 25 feet to accommodate service/delivery uses.
[4] Setback may be reduced to zero feet for garages or garages with internal Accessory Dwelling Units.
[5] First number represents the minimum Rear Setback for a Single Frontage Lot. Second number range represents minimum/maximum Rear Setback for double Frontage (through) Lots. The Rear Yard for double-Frontage lots shall be considered a Public Frontage and shall be designed as such in accordance with Section 20-1108(j).
[6] Applies only to Lots platted after the Effective Date.
[7] Maximum Height may only be increased by redemption of Development Bonuses as per the standards of Section 20-1108(h) or by Special Use Permit.
[8] Minimum Outdoor Area is not required for each Dwelling Unit onsite if a public park is located within ¼ of a mile of the site. If not available, the Outdoor Area shall be provided as per the standards of Section 20-602(g).
[9] Minimum dimensions for the floor to floor Height and Gross Floor Area for ground level nonresidential uses are necessary in order to ensure that the dimensions of the space meet the needs of nonresidential tenants.
[10] Or 20% of the Lot Area when located on Lots whose width is less than 50 feet, whichever is greater.

20-602 MEASUREMENT OF AND EXCEPTIONS TO DENSITY AND DIMENSIONAL STANDARDS

(a) Generally

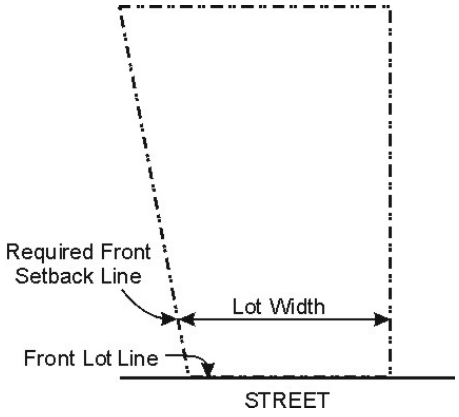
See the rules of Section 20-107(d), regarding the rounding of fractions, for all relevant calculations of minimums and maximums pursuant to this Article.

(b) Lot Area

The area of a Lot includes the total horizontal surface area within the Lot's boundaries, not including submerged lands, public Access Easements or rights-of-way. For Nonconforming Lots, see Section 20-1504.

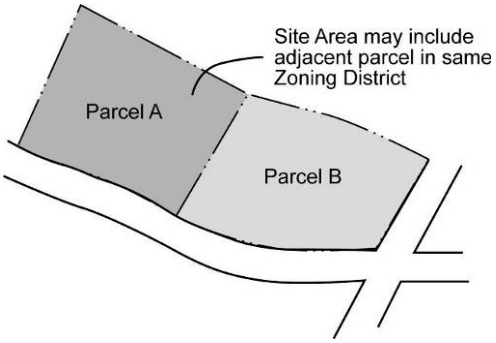
(c) Lot Width

Lot Width is the distance between Side Lot Lines measured at the point of the required Front Setback or chord thereof.



(d) Site Area

For purposes of Minimum and Maximum Site Area requirements, site area is the total contiguous land area included within a Zoning District. For example, if the minimum site area requirement of a Zoning District is 2 acres, no property may be rezoned to that District unless it includes a minimum site area of 2 acres or it abuts another Parcel in the same Zoning District and the site area of the combined Parcel is at least 2 acres in area. If there is a maximum site area requirement, no property may be rezoned to that Zoning District unless the maximum site area, including the site area of abutting Parcel in the same Zoning District, does not exceed the maximum site area for that Zoning District.



(e) Setbacks and Required Yards

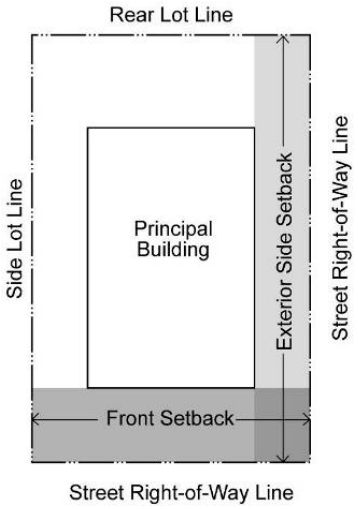
(1) Front and Exterior Side Setbacks

Front and Exterior Side Setbacks extend the full width of a Lot and are measured from the Street right-of-way line. The Front and Exterior Side Setbacks will overlap at the outside corner of the Lot. The following exceptions apply:

(i) In any District where 35% or more of the Frontage on one side of a Street between two intersecting Streets is improved with Buildings whose Front Setbacks do not vary more than 15 feet from the required Front Setbacks of the Base District, any new Building erected may comply with the average Front Setback of the existing Buildings.

(ii) The widths of developed Lots will be used to determine the percentage of Frontage that is developed.

(iii) The actual Setbacks of Buildings fronting on the Street will be used to determine the average Front Setback.



(2) Rule for Through Lots

A Through Lot shall have two Front Setbacks, at opposite ends of the Lot. The Front Setback provisions of this section shall apply to both. Other sides of a Through Lot shall be subject to Side Setback standards.

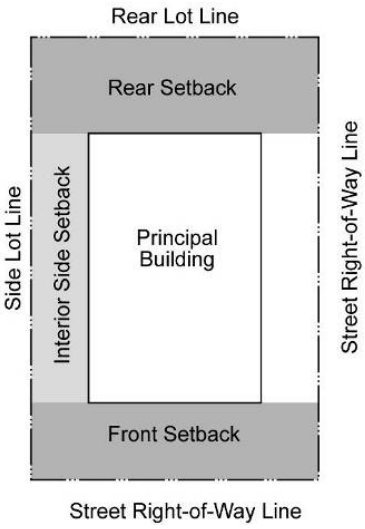
(3) Interior Side Setbacks

(i) Measurement

Interior Side Setbacks extend from the required Front Setback line to the required Rear Setback line and are measured from the Side Lot Line. If no Front or Rear Setback is required, the required Setback area shall run to the opposite Lot Line.

(ii) Exception

The width of one Interior Side Setback may be reduced by the Planning Director to a width of not less than 3 feet if the sum of the widths of the two Interior Side Setbacks on the same Lot is not less than the combined required minimum for both Side Setbacks. This reduction may be authorized only when the Planning Director finds the reduction is warranted by the location of existing Buildings or conducive to the desirable development of two or more Lots.



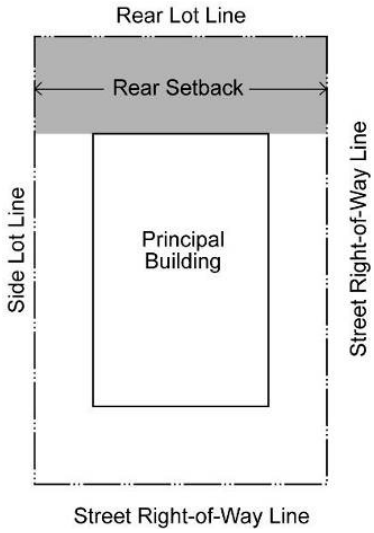
(4) Rear Setbacks

(i) Measurement

Rear Setbacks extend the full width of the Lot and are measured from the Rear Lot Line.

a. In calculating the required depth of a Rear Setback abutting an Alley, the Rear Setback may be measured from the centerline of the abutting Alley.

b. On Corner Lots in RS10 and RS7 Districts, Structures may be located at an angle, with the long axis of the Lot facing the intersecting Street Lines. In such cases, the Front and Side Setback standards of Section 20-~~216(d)~~601(a) apply, but the minimum Rear Setback is reduced to 20 feet.



(5) Setbacks for Speaker Box Systems

There shall be a minimum of one hundred (100) feet between any speaker box system, such as those commonly used at fast order food establishments, and any residence in a residential district.

(i) Screening

(ii) Any area intended or employed for a use that requires Special Use approval under Article 4 shall be located at least 50 feet from any residential Lot or District or be so Screened as to provide visual and auditory privacy to such Lot or District.

(6) Permitted Exceptions to Required Yard and Setback Standards

Required Yards and Setbacks shall be unobstructed from the ground to the sky except that the following features may be located therein to the extent indicated:

(i) Cornices, canopies, eaves or other architectural features may project into Required Yards up to 2.0 feet.

(ii) Unenclosed fire escapes may project into Required Yards and/or Setbacks, provided that they are set back at least 3 feet from all Lot Lines.

(iii) An uncovered stair and necessary landings may project into Required Yards and/or Setbacks, provided that they are set back at least 3 feet from all Lot Lines, and the stair and landing may not extend above the entrance floor of the Building except for a railing not exceeding 4 feet in Height.

(iv) Bay windows, balconies, and chimneys may project into Required Yards and/or Setbacks up to 2 feet, provided that such features do not occupy, in the aggregate, more than 1/3 the length of the Building wall on which they are located.

(v) Mechanical Structures are items such as heat pumps, air conditioners, emergency generators, and water pumps. Mechanical Structures are not allowed in required Front or Side Yards, but they may be located in required Rear Yards if they are located at least 5 feet from the Rear Lot Line.

(vi) Vertical Structures are items such as flag poles, trellises and other garden Structures, play Structures, radio Antennas, and lamp posts. Vertical Structures are allowed in Required Yards if they are no taller than 30 feet. If they are taller, they are not allowed in required Setbacks, except that flag poles are allowed in any Required Yard.

(vii) Uncovered horizontal Structures are items such as decks, stairways, entry bridges, wheelchair ramps, swimming pools, hot tubs and tennis courts that extend no more than 2.5 feet above the ground are allowed in required Setbacks; such Structures may be enclosed by fences, in accordance with other provisions of this section but shall not be otherwise enclosed. Swimming pools shall be fenced in accordance with Chapter 5, City Code.

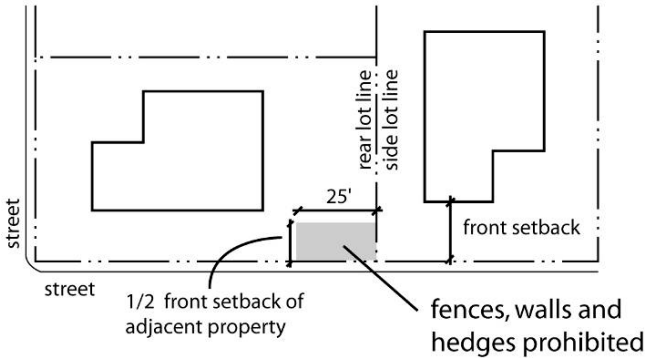
(viii) Covered Accessory Structures (Buildings) are items such as garages, greenhouses, storage Buildings, wood sheds, covered decks, coops for fowl, and covered porches. Covered Accessory Structures that are six feet or less in Height are allowed in required Side and Rear Yards, and covered Accessory Structures greater than six feet in Height are allowed in the required Rear Yard where an Alley abuts the Rear Lot Line, but no covered Accessory Structure is allowed in a required Front Yard.

In addition, coops for fowl shall meet all setback requirements established in Article 5 of Chapter III of the City Code. Setback standards contained in Article 5 of Chapter III of the City Code are not subject to Board of Zoning Appeals review.

(ix) Fences, walls or hedges up to six feet in Height (at any point) above the elevation of the surface of the ground may be located in any Required Yard, except:

a. as otherwise provided in City Code Chapter 16, Article 6; and

b. on Corner Lots with a Rear Lot Line that abuts a Side Lot Line of another Lot in a Residential District, no fence, wall or hedge within 25 feet of the common Lot Line may be closer to the Exterior Side Lot Line than one-half the depth of the actual Front Setback of the Lot that fronts on the side Street.



(7) Setbacks Along Designated Thoroughfares

The minimum Front and Exterior Side Setbacks for each Lot that abuts a Street shown on the Lawrence/Douglas County MPO Transportation Plan, as amended, shall be measured from the recommended ultimate right-of-way line for each classification of Street.

(f) Building Coverage

Building coverage refers to the total area of a Lot covered by Buildings or roofed areas, as measured along the outside wall at ground level, and including all projections, other than Open Porches, fire escapes, and the first 2.0 feet of a roof overhang. Ground-level Parking, open recreation areas, uncovered patios and plazas will not be counted as Building coverage.

(g) Outdoor Area

(1) Purpose

The required outdoor area standards assure opportunities for outdoor relaxation or recreation. The standards help ensure that some of the land not covered by Buildings is of an adequate size, shape and configuration to be useable for outdoor recreation or relaxation. The requirement for outdoor area serves as an alternative to a large Rear Setback and is an important aspect in addressing the livability of a residential Structure on a small Lot.

(2) Requirements

(i) The minimum outdoor area for each Dwelling Unit shall be a contiguous area and may be on the ground or above ground.

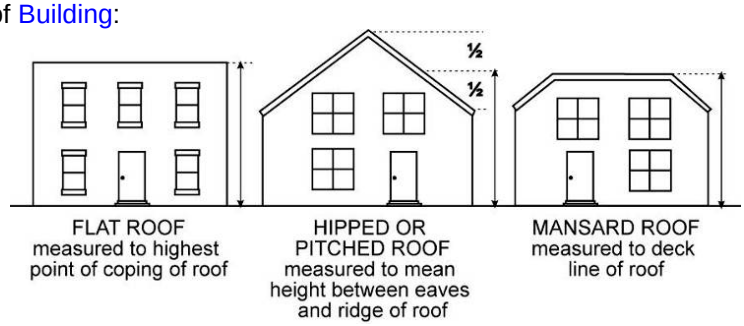
(ii) The area shall be surfaced with lawn, pavers, decking, or sport court paving that allows the area to be used for recreational purposes. User amenities, such as tables, benches, trees, planter boxers, garden plots, drinking fountains, spas, or pools may be placed in the outdoor area. It may be covered, such as a covered patio, but it may not be fully enclosed. Driveways and Parking Areas may not be counted toward fulfillment of the outdoor area requirement.

(iii) The required outdoor area may not be located in the required Front Setback or Exterior Side Setback.

(h) Height

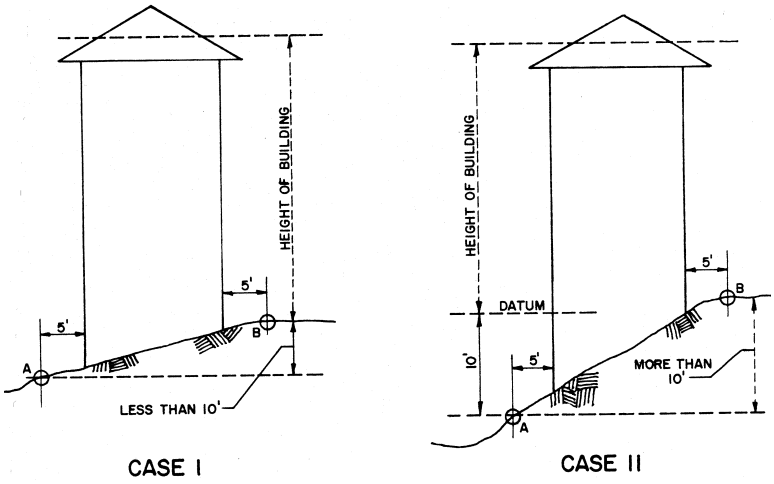
(1) **Measurement**

Building Height is measured as the distance between a reference datum and (1) the highest point of the coping of a flat roof; (2) the deck line of a mansard roof; or (3) the average Height of the highest gable of a pitched or hipped roof. The reference datum is either of the following, whichever yields a greater Height of Building:



(i) The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the Building when such sidewalk or ground surface is not more than 10 feet above lowest Grade. (See "Case I" in accompanying illustration.)

(ii) An elevation 10 feet higher than the lowest Grade when the sidewalk or ground surface described in sub-paragraph Section 20-602(h)(1)(i) above is more than 10 feet above lowest Grade. (See "Case II" in accompanying illustration.)



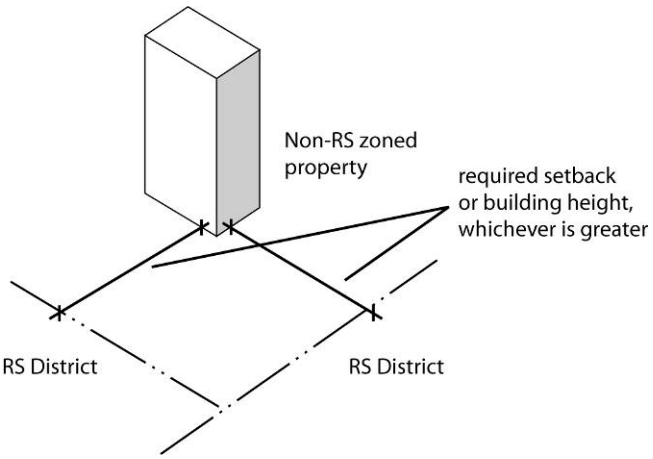
~~(2)~~ Height Limit on Projects Adjoining Certain Residential Zoning Districts

(i) Applicability

The Height limitations set out in this Section shall apply to any Building constructed in a non-RS Zoning District on a Parcel adjoining, or separated only by an Alley or a Public Street from, a Parcel of land in any RS Zoning District, except that this limit shall not apply to any Building constructed in the CD Zoning District.

(ii) Height Limit Related to Setback

Any Building or Structure to which this Section is applicable shall be set back from the Yard line adjoining the RS Zoning District by the minimum Setback established in Section 20-601 when the Building or Structure is the same or lesser Height than the Building or Structure on the adjoining RS Lot. When the Height of the Building or Structure exceeds the Height of the Building or Structure on the adjoining RS Lot, the minimum Setback for the non-RS zoned property shall be equal to the Building's Height.



(3) Exceptions

(ii) Except as specifically provided herein, the Height limits of this Development Code do not apply to any roof Structures for housing elevators, stairways, tanks, ventilating fans, solar energy Collectors, or similar equipment required in the operation or maintenance of a Building, provided that such Structures do not cover more than 33% of the roof area or extend over ten (10) feet in Height above the maximum Height allowed by the Base Districts.

(iii) Except as specifically provided herein, the Height limitations of this Development Code do not apply to radio Antennas, television Antennas, church spires, steeples, clock towers, water towers, flag poles, construction cranes, or similar attached and non-habitable Structures, which may be erected above the Height limit, nor to fire or parapet walls provided that such walls may not extend more than five (5) feet above the roof.

(iv) Telecommunication Towers may exceed the Zoning District Height limit if reviewed and approved as a Special Use in accordance with Section 20-1306.

20-908 LOCATION

(a) **General**

Except as otherwise expressly provided in this section, required off-street parking and loading spaces shall be located on the same Lot as the Principal Use (See Section 20-909 for possible exceptions).

(b) **Residential Districts**

No part of a Parking Area, other than a Driveway, may be located within 25 feet of a Street right-of-way in any residential Zoning District.

(1) No more than 4 vehicles may be parked on Driveways or turnarounds within the required Front or Side Setback of any Lot in a residential Zoning District. Single or double Driveways and turnarounds may not be used to provide required off-street parking within the required Front or Exterior Side Setback with the exception of when they are serving a Duplex or Detached House.

(2) Driveway widths may not exceed 26 feet in residential Districts. All Driveway cuts into the Street require a permit and must be approved by the City Engineer in conformance with the standards outlined in Chapter 16, Article 3 of the City Code.

(3) In RS3 and RS5 Districts, residential Driveways may be constructed a maximum of 12' wide to reduce pavement width and maintain the character of the neighborhood.

(c) **Nonresidential Districts**

The location of off-street Parking Areas in Commercial and Industrial Zoning Districts shall comply with the adopted city design standards and the following standards:

<table>
<tr><th rowspan="2">District</th><th rowspan="2">Allowed Location</th><th colspan="2">Minimum Setback (feet)</th></tr>
<tr><th>From Right-of-Way</th><th>From Residential Lot Lines</th></tr>
<tr><td>CN1
CO
CN2</td><td>Not allowed between the Facade of the Building with the main entrance and the Street.</td><td rowspan="11">15</td><td rowspan="11">10</td></tr>
<tr><td>CD</td><td>Prohibited between a Building and any Street</td></tr>
<tr><td>CC
CR
CS
IBP
IL
IM
IG
H
GPI
OS</td><td>No restriction except as specified in Article 5.</td></tr>
<tr><td>MU</td><td>Prohibited in the Primary Development Zone and prohibited between a Building and any Street in a Secondary Development Zone. No restriction in a Tertiary Development Zone.</td></tr>
</table>

20-1005 BUFFERYARDS

(a) Purpose

The standards of this section are intended to mitigate the impacts associated with incompatible land uses on adjacent properties. The standards require landscape Bufferyards between such uses to minimize the harmful impacts of noise, dust/debris, glare and other objectionable activities.

(b) Applicability

The Bufferyard standards of this section apply to all development or redevelopment requiring site plan review.

(c) Table of Required Bufferyards

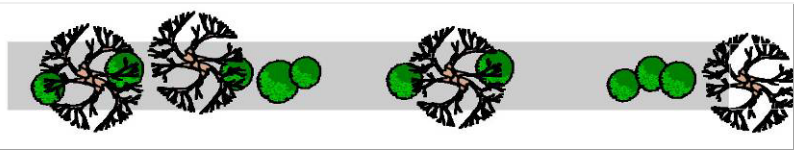
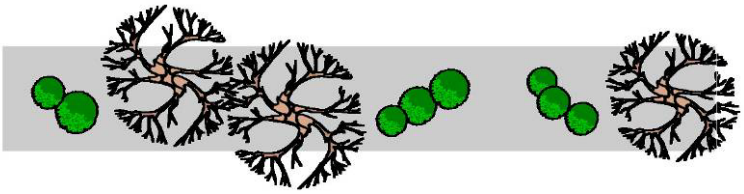
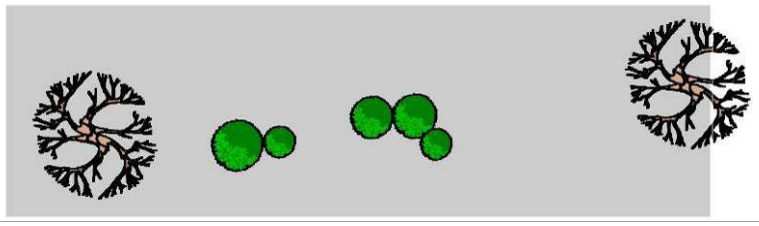
Bufferyards are required in accordance with the following table. To determine the type of Bufferyard required, first identify the zoning of the site that is being developed (the first column of the table) and each adjacent site (along the top of the table). Find where the zoning of the developing site and each adjacent site intersect on the table. If a Bufferyard is required, a numeral at the intersection will indicate the type of Bufferyard required. Width and landscape planting options for Bufferyards are explained in Section (d) through (f). Where the required Bufferyard is wider than the Side Setback required at that location, the Side Setback shall be expanded to accommodate the Bufferyard.

Developing Site's Zoning	Adjacent Site's Zoning						
	RS	RM	CN1, CO, CN2	MU, CD	CC, CR, CS	IBP, IL, IM, IG	GPI, H
RS Districts (Residential uses)	–	1	1	2	2	3	3
RS Districts (Nonresidential uses)	1	1	1	1	2	3	2
RM Districts	1	–	1	–	2	3	2
CN1, CO and CN2 Districts	1	1	–	–	1	2	1
MU and CD Districts	2	–	–	–	–	–	–
CC, CR and CS Districts	2	2	1	–	–	1	1
GPI and H Districts	3	2	2	–	–	1	–
IBP, IL, IM and IG Districts	3	3	2	–	1	–	1

(d) **Type 1 Bufferyards**

(1) **Options**

The amount of plant material required within Bufferyards is dependent on the width of the Bufferyard that is provided. The applicant will have the option of providing any of the following Bufferyards to meet the Type 1 Bufferyard requirements.

Buffer Width	100 Linear Feet	Landscape Material Requirements	
		Trees	Shrubs
10 feet		4	10
15 feet		3	8
20 feet		3	7
25 feet		2	5

(2) **Trees and Shrubs**

At least 50% of required trees and Shrubs shall be Evergreen Trees.

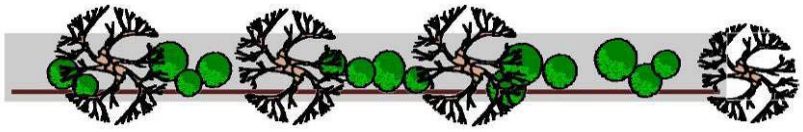
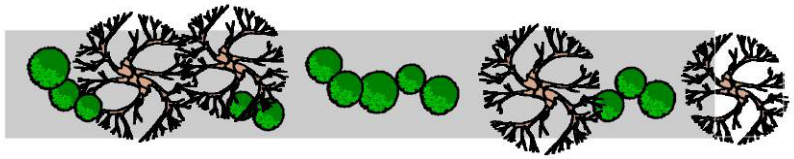
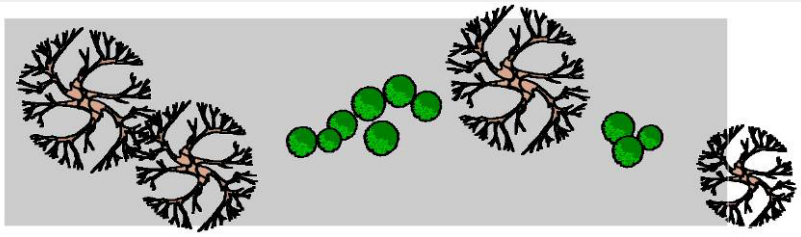
(3) **Fences, Walls and Berms**

A fence, wall, or Berm 3 feet to 6 feet in height may be substituted for Shrub plantings. Walls or fences shall be set back the width of the proposed buffer from the shared Lot Line. Required trees and plant material shall be installed on the side of the wall, fence or Berm contiguous with the adjacent property or street right-of-way.

(e) **Type 2 Bufferyards**

(1) **Options**

The amount of plant material required within Bufferyards is dependent on the width of the Bufferyard that is provided. The applicant will have the option of providing any of the following Bufferyards to meet the Type 2 Bufferyard requirements.

Minimum Buffer Width	100 Linear Feet	Landscape Material Requirements	
		Trees	Shrubs
15 feet	Fence, wall or Berm required 	4	15
20 feet		4	13
25 feet		4	10

(2) Trees and Shrubs

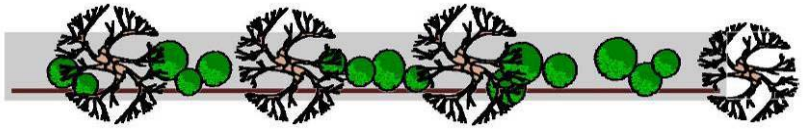
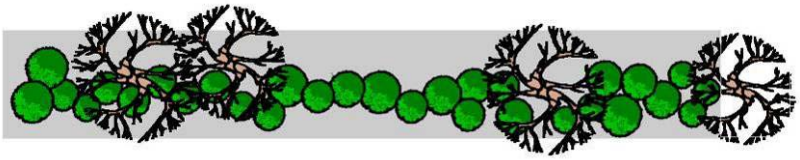
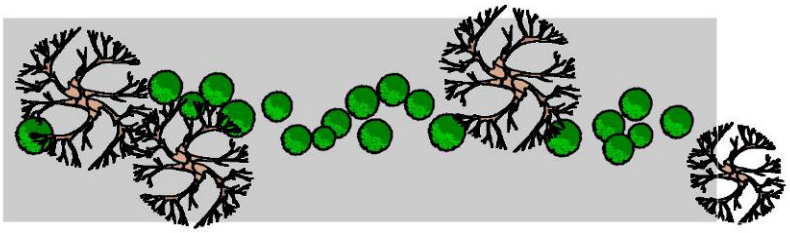
At least 50% of required trees and Shrubs shall be Evergreen Trees.

(3) **Fences, Walls and Berms**

If the proposed Bufferyard 2 is less than 20 feet in width, it shall include a wall at least three feet in Height. A fence, wall, or Berm 3 feet to 6 feet in height may be substituted for Shrub plantings. Walls or fences shall be set back the width of the proposed Bufferyard from the shared Lot Line. Required trees and plant material shall be installed on the side of the wall, fence or Berm contiguous with the adjacent property or street right-of-way.

(f) **Type 3 Bufferyards**

(1) **Options**
The amount of plant material required within Bufferyards is dependent on the width of the Bufferyard that is provided. The applicant will have the option of providing any of the following Bufferyards to meet the Type 3 Bufferyard requirements.

Minimum Buffer Width	100 Linear Feet	Landscape Material Requirements	
		Trees	Shrubs
15 feet	Fence, wall or Berm required. 	4	15
20 feet		4	30
25 feet		4	20

(2) Trees and Shrubs
At least 50% of required trees and Shrubs shall be Evergreen Trees.

(3) **Fences, Walls and Berms**
If the proposed Bufferyard 3 is less than 20 feet in width, it shall include a wall at least three feet in height. A fence, wall, or Berm 3 feet to 6 feet in height may be substituted for Shrub plantings. Walls or fences shall be set back the width of the proposed Bufferyard from the shared Lot Line. Required trees and plant material shall be installed on the side of the wall, fence or Berm contiguous with the adjacent property or street right-of-way.

(g) **Responsibility for Bufferyard Installation**
The developing property is responsible for providing required Bufferyards.

(1) **Location**
The Bufferyard, including any required Berm, shall be located entirely on the property on which the development which requires the Bufferyard is occurring.

(2) **Existing Bufferyards**

In those cases where a Bufferyard that complies with the standards of this section is already in place on the site of the developing property, the developer is not required to install another Bufferyard. The developer is only responsible for ensuring that the existing Bufferyard complies with the standards of this section.

(3) **Residential Bufferyards**

Bufferyards required for residential subdivisions shall be placed in landscape Easements.

20-1303 ZONING MAP AMENDMENTS (REZONINGS)

(a) Initiation

An amendment to the zoning map may be initiated by the City Commission, the Planning Commission, or, as to Urban Conservation district, by the Historic Resource Commission; and adopted in accordance with the rules of that body. Applications for zoning map amendments initiated by the Landowner shall be filed with the Planning Director. Any proposed amendment shall follow the process set forth in this section after initiation.

(b) Application Contents

(1) An application for amendment shall be accompanied by a conceptual plan and data necessary to demonstrate that the proposed amendment is in general conformance with the Comprehensive Plan and that the public necessity and convenience; and general welfare require the adoption of the proposed amendment.

(2) The application shall include a General Location Map, which shall show the location of the property in relation to at least one intersection of two streets shown as Collector or Arterial Streets on the City's Major Thoroughfares Map of the Comprehensive Plan.

(3) Each application for an amendment to the Zoning Districts map shall be accompanied by a certified list of all property Owner within the notification area. If such proposed amendment is not a general revision of the existing regulations and affects specific property, the property shall be designated by legal description or a general description sufficient to identify the property under consideration. In addition to a published notice, written notice of such proposed amendment shall be mailed at least 20 days before the hearing to all Owner of record of lands located within at least 200 feet of the area proposed to be altered for regulations of the city. If the city proposes a zoning amendment to property adjacent to the city's limits, the area of notification of the city's action shall be extended to at least 1,000 feet in the unincorporated area. All notices shall include a statement that a complete legal description is available for public inspection and shall indicate where such information is available.

(c) Public Hearing Notice

Newspaper, posted and mailed notice of the Planning Commission's public hearing shall be provided in accordance with Section 20-1301(p)(3). For purposes of K.S.A. §12-757, any Zoning District listed in the right-hand column of the Lesser Change Table that follows shall be considered a "lesser change" than a change to the Zoning District listed in the left-hand column of the same row of the table; in accordance with the cited section, a recommendation or action to amend the zoning map to assign the "lesser change" Zoning District to the land, rather than the Zoning District advertised in the notice, shall not require further notice. A recommendation or action to amend the Zoning Map to assign any Zoning District other than the one advertised in the notice or one included in the corresponding right-hand column of the Lesser Change Table will be inconsistent with the advertised hearing and shall require re-advertising and the holding of a new hearing, after proper notice. Such recommendation or action by the Planning Commission or the City Commission shall be construed as an instruction to the Planning Director to set a new hearing and to give notice of the proposed hearing, including the new Zoning District in the notice.

Table of Lesser Changes	
Advertised/Proposed Zoning District	Districts to be Considered a "Lesser Change"
RS40	None
RS20	RS40
RS10	RS20 or RS40
RS7	RS10, RS-20 or RS40
RS5	Any other RS except RS3 or RSO
RS3	Any other RS except RSO
RSO	Any other RS except RS-3
RM12, RM12D	Any RS except RSO
RM15	RM12 or any RS except RSO
RM24	RM15, RM12 or any RS except RSO
RM32	Any RM or any RS
RMG	Any RM or any RS
RMO	RM15, RM12 or any RS
CN1	None
CN2	CN1, RSO or RMO
CD	CN1, CN2 or CC200
CC200	CN1 or CN2
CC400	CC200 or CN2
CR	CC400 or CC200
CS	CN1, CN2 or CO
IBP	None
IL	IBP or CN2
IM	IBP, IL
IG	IL, IM, IBP, or CN2
Other Zoning Districts	Not Applicable

(d) **Staff Review/Report**

The Planning Director will review each proposed zoning map amendment in accordance with the review and decision-making criteria of Subsection (g) of this Section and, if deemed necessary, distribute the proposed amendment to other agencies and reviewers. Based on the results of those reviews, the Planning Director will provide a report on the proposed amendment to the Planning Commission and City Commission. The report will include documentation proof of posting and other required notice.

(e) **Planning Commission's Review/Recommendation**

The Planning Commission shall hold a public hearing on the proposed zoning map amendment, review the proposed amendment in accordance with the review and decision-making criteria of Subsection (g) of this Section and recommend that the City Commission approve, approve with modifications or deny the proposed amendment. The Planning Commission is also authorized to forward the proposed amendment to the City Commission with no recommendation.

(f) **City Commission Decision**

After receiving the Planning Commission's recommendation, the City Commission shall take one of the following actions on the proposed zoning map amendment:

(1) approve, approve with conditions or modifications, or deny; or

(2) return the application to the Planning Commission for further consideration, together with a written explanation of the reasons for the City Commission's failure to approve or disapprove.

(i) The Planning Commission, after considering the explanation by the City Commission, may resubmit its original recommendations with its reasons for doing so or submit a new or amended recommendation.

(ii) Upon the receipt of such recommendation, the City Commission may, by a simple majority vote, approve the proposed zoning map amendment, approve it with modifications, or deny it.

(iii) If the Planning Commission fails to deliver its recommendations to the City Commission following the Planning Commission's next regular meeting after receipt of the City Commission's report, the City Commission will consider such course of inaction on the part of the Planning Commission as a resubmission of the original recommendations and proceed accordingly.

(3) The City Commission may act by a simple majority vote, except for the following cases:

(i) action that is contrary to the Planning Commission's recommendations, in which case the decision shall be by a 2/3 majority vote of the full membership of the City Commission; or

(ii) approval, or approval with modifications, when a valid protest petition has been submitted in accordance with subsection (g)(9) of this Section, in which case a decision approving the application shall be effective only if supported by the votes of at least 3/4 of the members of the entire City Commission.

(4) The City Commission shall:

(i) State the reasons for its decision on the minutes or official record; and

(ii) notify the applicant, and all other parties who have made a written request for notification, in writing of its decision and the reasons for its decision.

(g) **Review and Decision-Making Criteria**
In reviewing and making decisions on proposed zoning map amendments, review and decision-making bodies shall consider at least the following factors:

(1) conformance with the Comprehensive Plan;

(2) zoning and use of nearby property, including any overlay zoning;

(3) character of the neighborhood;

(4) plans for the area or neighborhood, as reflected in adopted area and/or sector plans including the property or adjoining property;

(5) suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

(6) length of time the subject property has remained vacant as zoned;

(7) the extent to which approving the rezoning will detrimentally affect nearby properties;

(8) the gain, if any, to the public health, safety and welfare due to denial of the application, as compared to the hardship imposed upon the Landowner, if any, as a result of denial of the application; and

(9) the recommendation of the City's professional staff.

(h) **Protest Petitions**
A valid protest petition opposing a zoning map amendment may be submitted to the City Clerk within 14 days of the conclusion of the Planning Commission's public hearing.

(1) A protest petition will be considered "valid" if it is signed by the Owner of 20% or more of:

(i) any real property included in the proposed amendment; or

(ii) the total real property within the area required to be notified of the proposed rezoning, excluding streets and public ways.

(2) In the case of joint Ownership, all Owner shall sign the petition.

(3) For the purpose of determining the sufficiency of a protest petition, if the proposed rezoning was requested by the Owner of the specific property subject to the rezoning, or the Owner of the specific property subject to the rezoning does not oppose in writing such rezoning, such property shall be excluded when calculating the total real property within the area required to be notified.

(i) **Date of Effect**
The zoning map amendment will become effective upon publication of the adopting ordinance.

(j) **Limitation on Successive Applications**

(1) Withdrawal of an original application after it has been advertised for public hearing shall constitute denial of the application as if the public hearing had been held and concluded;

(2) A successive application shall not be accepted for a period of twelve (12) months from the date of City Commission denial of the original application unless a successive application is substantially different from the original application that was denied;

(3) A successive application shall not be accepted until 120 days after the date of the City Commission denial and then will only be accepted if substantially different from the original application. The threshold for measuring substantially different shall be based on meeting one or more of the following criteria:

a. A different Zoning District category has been applied for;

b. The same Zoning District category has been applied for and the Density of use is at least 25% greater or less that then original petition;

c. The same Zoning District category has been applied for and the intensity of use is at least 25% greater or less than the original petition; or

d. Specific responses to the reasons for denial set forth in the findings of fact by the City Commission are, in the opinion of the Planning Director, addressed in the resubmission.

(4) A new rezoning application may be submitted after at least twelve (12) months from the date of City Commission denial.

(k) **Appeals**

Within 30 days of the City Commission's decision on the zoning map amendment, any person aggrieved by such decision may maintain an action in District Court to determine the reasonableness of the final decision.

(l) **Plans**

(1) A plan shall be prepared and adopted prior to review of a petition for map amendment when:

(i) No water or sanitary sewer mains exist or are planned to serve the proposed site;

(ii) The request is not consistent with adopted plans; or,

(iii) In-fill development is proposed and, at the discretion of the Planning Commission, additional information is needed specific to unanswered questions or concerns related to transportation, compatibility of land use(s), or adequacy of transitions between established and proposed land uses.

(2) Depending on the size or type of request, the plans to be prepared include:

(i) Watershed or Sub-basin Plan. This Plan will encompass an entire watershed or sub-basin.

(ii) Sector Plan. This Plan includes approximately one square mile.

(iii) Neighborhood Plan. This Plan encompasses a specific neighborhood.

(iv) Special Area Plan. This includes a Nodal Plan which plans for an area immediately surrounding an intersection. A Corridor Plan is a type of linear area plan that generally encompasses a roadway or specific feature.

(v) Specific Issue/District Plan. Deals with a specific issue or project that does not fall into any of the above listed categories.

20-1305 SITE PLAN REVIEW

(a) Purpose

The purpose of requiring Site Plan Review and approval is to ensure compliance with the standards of this Development Code prior to the commencement of Development Activity and to encourage the compatible arrangement of Buildings, off-street parking, lighting, Landscaping, pedestrian walkways and sidewalks, ingress and egress, and drainage on the site and from the site, any or all of these, in a manner that will promote safety and convenience for the public and will preserve property values of surrounding properties. Site Plans for uses included in the Commercial or Industrial Use Groups of Sections 20-402 and 20-403 shall comply with the Community Design Manual adopted by the City Commission on November 16, 2010 by Ordinance No. 8593.

For the purposes of this section:

(1) A change to a less intensive use shall be defined as:

(i) a change in use of a site or Structure in which the Development Code requires less parking for the proposed new or modified use; or

(ii) that the operational characteristics of the proposed new or modified use are such that they generate less activity on the site, or result in a decrease in the number of days or hours of operation of the site.

(2) A change to a more intensive use shall be defined as:

(i) change in use of a site or Structure in which the Development Code requires more parking for the proposed new or modified use; or

(ii) that the operational characteristics are such that they generate more activity on the site, or result in an increase in the number of days or hours of operation of the site.

(b) Applicability

In any Zoning District, except as expressly exempted below in Section 20-1305(c), an administratively reviewed and approved site plan shall be required for:

(1) **Minor Development Projects**

Any development proposing the minor modification of a site, as determined by the Planning Director, which does not meet the criteria for a Standard or Major Development Project, or the proposed change in use to a less intensive use on a site which has an approved site plan on file with the Planning Office. Only sites which have an existing approved site plan on file which reflects existing site conditions are eligible for review as a Minor Development Project.

(i) Requirements of Site Plan Review

a. Amendments to an approved site plan depicting the proposed modification or improvements; and

b. Verification that the use is permitted by zoning; and

c. Verification that adequate parking is available.

(ii) Public Notice

The public notice procedures of Section 21-1305(g) are not applicable.

(iii) Compliance with City Codes

a. Only those improvements or modifications proposed and approved as a Minor Development Project review are required to be compliant with the standards of this Development Code and/or the Community Design Manual, unless otherwise determined by the Planning Director to be waived for good cause shown by the applicant. The Planning Director may only waive code requirements if it can be demonstrated that the intent of the code is fulfilled and if the development project otherwise meets sound site planning principles. Standards not waived by the Planning Director will remain eligible for consideration of a variance by the Board of Zoning Appeals.

b. Existing conditions of the site are not required to become compliant with all standards of this Development Code and/or the Community Design Manual other than those standards which are deemed necessary, by the Planning Director, to ensure the health, safety and welfare of the public and/or user of the site.

(2) **Standard Development Projects**

(i) For any property containing existing development which does not have an approved site plan on file with the Planning Office and which does not meet the criteria for a Major Development Project, any development proposing the following shall be considered a Standard Development Project:

a. a change in use to a less intensive use and where physical modifications to the site, excluding interior Building modifications, are proposed; or

b. a change in use to a more intensive use regardless of whether physical modifications to the site are proposed; or

c. the substantial modification of a site, defined as:

1. The construction of any new Building(s) on the site; or
2. The construction of any Building addition that contains a Gross Floor Area of ten percent (10%) or more of the Gross Floor Area of existing Building(s); or
3. Separate incremental Building additions below ten percent (10%) of the Gross Floor Area of existing buildings if the aggregate effect of such Development Activity over a period of 24 months would trigger the 10% threshold; or
4. The addition of Impervious Surface coverage that exceeds 10% of what exists; or
5. Any modification determined by the Planning Director to be substantial.

(ii) For property which does have an approved site plan on file with the Planning Office and which does not meet the criteria for a Major Development Project, any development proposing the following shall be considered a Standard Development Project:

a. any change in use of a site to a more intensive use regardless of whether modifications to the site are proposed; or

b. any modification of a site which meets the following criteria or proposes the following:

1. A modification to a site which alters the Parking Area, drive aisles, or on-site pedestrian and vehicular circulation and traffic patterns with impacts to the interior of the site; or
2. A development, redevelopment, or modifications to the exterior style, design or material type of a Structure that is subject to the Community Design Manual; or
3. An outdoor dining or hospitality use in the CD and CN1 Zoning Districts and any outdoor dining use located in any other Zoning District that would result in an increase of the number of Parking Spaces required; or
4. In the IM or IG zoning districts, the construction of one or more new Building(s) or building additions that contain a Gross Floor Area of less than fifty percent (50%) of the Gross Floor Area of existing Building(s); or
5. In any zoning district other than IM or IG, the construction of one or more new Buildings or building additions that contain a Gross Floor Area of less than twenty percent (20%) of the Gross Floor Area of existing Building(s); or
6. In the IM or IG zoning districts, the installation or addition of less than fifty percent (50%) of existing Impervious Surface coverage; or
7. In any zoning district other than IM or IG, the installation or addition of less than twenty percent (20%) of existing Impervious Surface coverage; or
8. Any modification to an approved site plan on file with the Planning Office which proposes an adjustment to the total land area of the site plan, if determined necessary by the Planning Director.

(iii) Requirements of Site Plan Review

a. For sites without an existing approved site plan a site plan meeting all the specifications of Section 20-1305(f) must be submitted for administrative review.

b. For sites with an approved site plan on file at the Planning Office, the existing plan if determined appropriate by the Planning Director, may be amended.

(iv) Public Notice

The public notice procedures of Section 20-1305(g) are applicable.

(v) Compliance with City Codes

a. Those improvements or modifications proposed and approved by Standard Site Plan review are required to be compliant with the standards of this Development Code and/or the Community Design Manual, unless otherwise determined by the Planning Director to be waived for good cause shown by the applicant. The Planning Director may only waive code requirements if it can be demonstrated that the intent of the code is fulfilled and if the development project otherwise meets sound site planning principles. Standards not waived by the Planning Director will remain eligible for consideration of a variance by the Board of Zoning Appeals.

b. Other features of the site may be required to become compliant with all standards of this Development Code and/or the Community Design Manual as determined by the Planning Director in order to ensure the health, safety and welfare of the public and/or user of the site.

(3) **Major Development Projects**

Any development proposing the following:

(i) Any Development Activity on a site that is vacant or otherwise undeveloped; or

(ii) Any Significant Development Project on a site that contains existing development, defined as:

a. Any modification to a site that alters Parking Area(s), drive aisles, or impacts on-site pedestrian and vehicular circulation and traffic patterns~~,~~ that the Planning Director determines to be significant in terms of impacting adjacent roads or adjacent properties; or

b. In the IM or IG zoning districts, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of fifty percent (50%) or more of the Gross Floor Area of existing Building(s); or

c. In any zoning district other than IM or IG, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of twenty percent (20%) or more~~,~~ of the Gross Floor Area of existing Building(s); or

d. Separate incremental Building additions below 50% for IM or IG zoning and 20% for all other zoning districts of the Gross Floor Area of existing Building(s) if the aggregate effect of such Development Activity over a period of 24 consecutive months would trigger the 50% (for IM or IG) or 20% (for all other zoning districts) threshold; or

e. The installation or addition of more than 50% for IM or IG zoning and 20% for all other zoning districts of existing Impervious Surface coverage.

(iii) Requirements of Site Plan Review
Submitted site plans shall meet all the specifications of Section 20-1305(f).

(iv) Public Notice
The public notice procedures of Section 20-1305(g) are applicable.

(v) Compliance with City Codes
Full compliance with all City Codes, including this Development Code and the Community Design Manual, is required for the entire site, unless otherwise determined by the Planning Director to be waived for good cause shown by the applicant. The Planning Director may only waive code requirements if it can be demonstrated that the intent of the code is fulfilled and if the development project otherwise meets sound site planning principles. Standards not waived by the Planning Director will remain eligible for consideration of a variance by the Board of Zoning Appeals.

(c) **Exemptions**
The following are expressly exempt from the Site Plan Review procedures of this section:

(1) changes to Detached Dwelling(s) or Duplex(es), as well as site improvements on Lots containing Detached Dwelling(s) and Duplex(es). However, if such types of Dwellings are designed to form a complex having an area of common usage, such as a Parking Area or private recreational area, and such complex contains a combined total of four (4) Dwelling Units or more, Site Plan Review is required.

(2) changes to developments for which plans have been reviewed and approved pursuant to the Special Use or Planned Development procedures of this Development Code. This provision is intended to clarify that Site Plan Review is not required for projects that have received equivalent review through other Development Code procedures.

(3) changes expressly exempted from Site Plan Review process by the underlying Zoning District.

(4) changes that could be considered ordinary maintenance, and which do not change the exterior style, design, or material type.

(5) a change in use to a less intensive use where development exists but where no physical modifications to the site, excluding interior Building modifications, are proposed and where an approved site plan is not on file with the Planning Office.

(6) any Development Activity on a site where development exists but where an approved site plan is not on file with the Planning Office that proposes the following:

(i) The construction of any Building addition that contains less than ten percent (10%) of the current Building's Gross Floor Area; or

(ii) Separate incremental Building additions below 10% of the Gross Floor Area of existing Buildings if the aggregate effect of such Development Activity over a period of 24 consecutive months would trigger the 10% threshold; or

(iii) The addition of Impervious Surface coverage that does not exceed 10% of what exists.

(7) any change in use, regardless of whether it is less or more intense than the current use, or any Development Activity in the CD district of an existing developed site where the effect of the change in use or Development Activity does not increase a Building's footprint or the number of Building stories. For purposes of this subsection, adding HVAC equipment; fire escapes; awnings; patios, decks and other outdoor areas less than fifty (50) square feet in area, and similar appurtenances, as determined by the Planning Director, shall not be considered as increasing the Building's footprint. This provision shall not exempt a property in the CD district from any other City Code standard, including review by the Historic Resources Commission. Outdoor dining uses and hospitality areas, regardless of their size, and other outdoor uses and areas that exceed fifty (50) square feet in area shall not be exempt from the requirement to site plan under this provision.

(8) changes otherwise exempted from Site Plan Review by state or federal law.

(d) **Pre-application Meetings**

A pre-application meeting with the Planning Director is required at least 7 Working Days prior to the formal submission of a Site Plan application. See Section 20-1301(d).

(e) **Initiation and Application Filing**

Site Plan Review applications shall be filed with the Planning Director. At the time of submittal and payment of fees, the applicant shall submit the required number of legible and complete site plans requested at the pre-application meeting.

(f) **Application Contents**

(1) A site plan shall:

(i) For any Standard or Major Development Project be prepared by an architect, engineer, landscape architect, or other qualified professional and show the name, business address and licensing information for that professional in the information block on each sheet;

(ii) Be prepared at a scale of one inch equals 30 feet or larger for sites of five or fewer acres and be prepared at a scale of one inch equals 40 feet for sites over five acres or at a scale determined to be appropriate by the Planning Director;

(iii) Be arranged so that the top of the plan represents north or, if otherwise oriented, is clearly and distinctly marked;

(iv) Show boundaries and dimensions graphically;

(v) Contain a written legal description of the property; identification of a known vertical & horizontal reference mark approved by the city engineer; and, show a written and graphic scale;

(vi) Show existing conditions of the site:

a. Show existing public and Private Street system,
b. platted or unplatted Ownership,
c. type and location of Structures,
d. curb cuts on adjacent properties and along the opposite side of the street.

(vii) Show topography extending 50 feet beyond the outside boundaries of the proposed site plan;

(viii) Show the present and proposed topography of the site. Present and proposed topography (contour interval not greater than two feet) shall be consistent with City of Lawrence aerial topography. Where land disturbance, grading or development has occurred on a site or within 100 feet of the subject site since the date the City of Lawrence obtained aerial topography, an actual field survey shall be required;

(ix) Show the location of existing utilities and Easements on and adjacent to the site including

a. Show the location of power lines, telephone lines, & gas lines.
b. Show the vertical elevation (if available) and horizontal location of existing sanitary sewers, water mains, storm sewers and culverts within and adjacent to the site.

(x) Show the location of ground mounted transformers and air conditioning units and how such units shall be screened if visible from the Street or when adjacent to a Structure on an adjoining Lot(s). In any instance, the location of such units shall occur behind the Front and Side Setback lines as set forth in Section 20-601 in the Density and Dimensional Standards Tables;

(xi) Show, by use of directional arrow, the proposed flow of storm drainage from the site. Provide the supplemental stormwater information required by City Regulations, and provide on the site plan a site summary table, in the format noted below, which indicates: the area (in sq. ft.) and percentage of the site proposed for development as a Building(s); development as a paved surface; undeveloped and planted with grass, Ground Cover, or similar vegetative surface.

PROPERTY SURFACE SUMMARY			
Summary of Existing Conditions		*Summary after project completion*	
Total Buildings	*# ft.²*	*Total Buildings*	*# ft.²*
Total Pavement	*# ft.²*	*Total Pavement*	*# ft.²*
Total Impervious	*# ft.²*	*Total Impervious*	*# ft.²*
Total Pervious	*# ft.²*	*Total Pervious*	*# ft.²*
Total Property Area	*# ft.²*	*Total Property Area*	*# ft.²*

(xii) Show the location of existing and proposed Structures and indicate the number of stories, Floor Area, and entrances to all Structures;

(xiii) Show the location and dimensions of existing and proposed curb cuts, Access aisles, off-street parking, loading zones and walkways;

(xiv) Indicate location, height, and material for Screening walls and fences;

(xv) List the type of surfacing and base course proposed for all parking, loading and walkway areas;

(xvi) Show the location and size, and provide a landscape schedule for all perimeter and interior Landscaping including grass, Ground Cover, trees and Shrubs;

(xvii) The proposed use, the required number of off-street Parking Spaces, and the number of off-street Parking Spaces provided shall be listed on the site plan. If the exact use is not known at the time a site plan is submitted for review, the off-street parking requirements shall be calculated by the general use group using the greatest off-street parking requirement of that use;

(xviii) Designate a trash storage site on each site plan appropriate for the number of occupants proposed. The size of the trash storage receptacle, its location and an elevation of the enclosure shall be approved by the Director of Public Works prior to approval of the site plan. If a modification to the location of the trash storage area is required during the construction phase or thereafter, both the Planning and Public Works Directors must approve the modification before a revised site plan can be approved.

(xix) For CN2, CC and CR Districts, be prepared for all of the contiguous area in that Zoning District under the same Ownership. If the entire site is not proposed for development in the immediate future, then the initial Site Plan application shall contain a proposed phasing schedule, showing which sections of the property shall be

developed in which order and showing in which phases the Easements, Driveways, Parking Areas and Landscaping will be included. The Planning Director may require adjustments in the provision of Easements, Driveways, Parking Areas and Landscaping among the various phases as a condition of approval;

(xx) Provide at least one north-south and one east-west elevation drawing of the property from the Street right-of-way (property line) at a reasonable scale to illustrate Building shape, Height, and Screening proposed and to determine compliance with the Community Design Manual.

a. Photographs of the property may be submitted when no physical changes to the building facades are proposed.

(xxi) Show the intersection visibility triangle required in Section 20-1102.

(xxii) Show the location and height of any sign structures that would not be located on a building.

(2) A note shall be provided on the site plan for a public or governmental Building(s) and facility(ies) indicating that it has been designed to comply with the provisions of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for Buildings and facilities, appendix A to 28 CFR Part 36.

(3) If the site plan is for a multiple-Dwelling residential Structure containing at least four (4) Dwelling Units, a note shall appear on the site plan indicating it has been designed to comply with the minimum provisions of the Final Fair Housing Accessibility Guidelines, 24 CFR, Chapter 1, Subchapter A, Appendix II, of the Fair Housing Act of 1968, as amended.

(4) A photometric plan, pursuant to Section 20-1103(c) shall be required for site plan approvals. Show the proposed location, direction and amount of illumination of proposed lighting. Provide information on Screening proposed for the lighting and steps taken to prevent glare.

(g) **Public Notice**

(1) Notice of the proposed site plan shall be posted on the property covered by the site plan, in accordance with Section 20-1301(q)(4). In addition, written notice of the proposed site plan shall be mailed to the Owner of record of all property within 200 feet of the subject property, and to all Registered Neighborhood Associations whose boundaries include the subject property or are adjacent to the neighborhood the subject property is located in. The notice shall be sent by the applicant by regular mail, postage pre-paid. The applicant shall submit a Certificate of Mailing at the time of submission of the Site Plan application. An application for Site Plan Review will not be considered complete without an executed Certificate of Mailing. The notice shall provide:

(i) a brief description of the proposed Development Activity;

(ii) the projected date for construction of the proposed use;

(iii) the person, with contact telephone number and address, designated by the applicant to respond to questions concerning the proposed site plan;

(iv) the date the site plan application will be submitted to the Planning Director for review; and a Statement with substantially the following information:

Notice of Site Plan Review pending before the Lawrence Douglas County Planning Office

This letter is being sent to the Owner of property within 200 feet of, or a Registered Neighborhood Association encompassing, the proposed development described further in this letter. It is being sent for the purpose of informing the notified person and other interested parties about the proposed development. This letter is being provided solely to advise nearby Landowners of the pending proposed development. This letter does not grant the recipient and/or Landowners any additional rights to challenge this proposed development beyond those granted as part of the normal appeal process. For further information, contact the applicant's designated representative at (xxx) xxx-xxxx or the Lawrence-Douglas County Planning Office at (785) 832-3150.

(2) The failure to receive notice of Site Plan Review by an adjoining Landowner or Registered Neighborhood Association will not affect the validity of Site Plan approval or review.

(h) **Staff Review/Action**

The Planning Director will review each Site Plan application and, within 30 days, the Planning Director shall take one of the following actions:

(1) approve the Site Plan application;

(2) identify those modifications that would allow approval of the Site Plan application;

(3) approve the Site Plan application with conditions; or

(4) disapprove the Site Plan application.

(i) **Notice of Decision**

Notice of the decision, including the Planning Director's findings and basis for decision in light of the criteria of Section 20-1305(j), shall be mailed to the applicant and all other parties who have made a written request for notification.

(j) **Approval Criteria**

In order to be approved, a Site Plan shall comply with all of the following criteria:

(1) the site plan shall contain only platted land;

(2) the site plan shall comply with all standards of the City Code, this Development Code and other adopted City policies and adopted neighborhood or area plans;

(3) the proposed use shall be allowed in the District in which it is located or be an allowed nonconforming use;

(4) vehicular ingress and egress to and from the site and circulation within the site shall provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well and shall also conform with adopted corridor or Access Management policies; and,

(5) the site plan shall provide for the safe movement of pedestrians on the subject site.

(k) **Appeals**

Appeals of the Planning Director's decision on a Site Plan application may be taken to the City Commission by filing a notice of appeal with the Planning Director. Appeals shall be filed within 9 days of a decision to approve or disapprove a Site Plan application.

(l) **Right to Appeal**

The following persons and entities have standing to appeal the action of the Planning Director on applications for Site Plan approval:

(1) the applicant;

(2) the City Commission;

(3) the neighborhood association for the neighborhood the site plan is located in or is adjacent to; or

(4) record Owner of all property within 200 feet of the subject property.

(m) **Action on Appeal**

(1) The City Commission shall consider the appealed Site Plan decision as a new matter, inviting public comment before acting on the original application. Mailed notice of the City Commission's meeting shall be provided to the appealing party and the applicant a minimum of 14 days prior to the Commission's meeting.

(2) After considering the matter, the City Commission shall act on the original Site Plan application, applying the criteria of Section (j), taking action as provided in Section (h) and giving notice of its decision as provided in Section 20-1305(i).

(n) **Modifications to Approved Site Plans**

(1) An applicant who wishes to alter or revise an approved Site Plan shall contact the Planning Director.

(2) The Planning Director is authorized to approve, without public notice, any modification that complies with the approval criteria of Section (j) as long as the Planning Director determines that the proposed modification does not represent a material change that would create a substantial adverse impact on surrounding Landowners.

(3) Any other modification may be approved only after re-notification in accordance with Section 20-1305(g). The action of the Planning Director on such an application shall be reported in a staff report at the next meeting of the City Commission and shall be appealable by any party aggrieved within 15 days of such meeting, in accordance with the appeal procedures of Section 20-1311.

(o) **Expiration; Vesting of Rights**

(1) In the event the Landowner fails to obtain a Building Permit within 24 months after final approval of the Site Plan has been granted, then such Site Plan shall expire in accordance with the following provisions:

(i) For good cause shown, the expiration date may be extended by the City Commission for a period not to exceed 24 months. The application for extension or modification may be made by letter to the Planning Director and will be considered only if received before the expiration date of the Site Plan. The Planning Director shall place such request, with any recommendation of the Planning Director on the agenda of the City Commission.

The Planning Director shall notify the applicant by mail of the date of the proposed consideration by the City Commission. Mailed Notice of the extension request shall also be provided by the Planning Office in accordance with Section 20-1301(q)(3). On that date, the City Commission shall hear from the applicant and the Planning Director and may hear from other interested parties.

(ii) No action by the City shall be necessary to cause the Site Plan to expire. Its expiration shall be considered a condition of the original approval. After the expiration date, or extended expiration date, any further application for a Building Permit or for other Development Activity on the site shall be considered as though the Site Plan had not been granted.

(2) Approval of a Site Plan does not, in itself, vest any rights under K.S.A. Sect. 12-764. Rights vest only after the related Building Permit is issued and substantial construction is begun in reliance on that permit.

(3) Rights in an entire Site Plan shall vest under K.S.A. Sec. 12-764 upon timely issuance of an initial Building Permit and completion of construction in accordance with that Building Permit, or upon timely completion of substantial site improvements in reliance on the approved Site Plan.

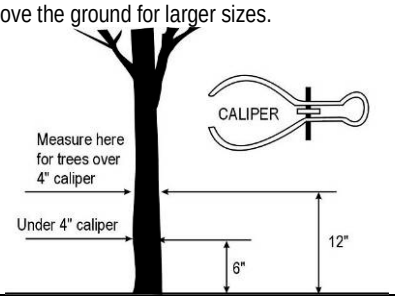
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20-1701 GENERAL TERMS

Term	Definition
Access	A way or means of approach to provide vehicular or pedestrian physical entrance to a property.
Access, Cross	A service drive providing vehicular Access between two or more contiguous sites so the driver need not enter the public Street system.
Access Management	The process of managing Access to land development while preserving the regional flow of traffic in terms of safety, capacity and speed.
Accessory Dwelling Unit	A Dwelling Unit that is incidental to and located on the same Lot as the Principal Building or use, when the Principal Building or use is a Dwelling.
Accessory Structure	A subordinate Structure, the use of which is clearly incidental to, or customarily found in connection with, and located on the same Lot as the Principal Building or use.
Accessory Use	A use that is clearly incidental to, customarily found in connection with, and (except in the case of off-Street Parking Space) located on the same Lot as the Principal Use to which it is related.
Accessway , also Access Drive	Any Driveway, Street, turnout or other means of providing for the movement of vehicles to or from the public roadway system.
Adult Care Home	See Group Home
Agent (of Owner or Applicant)	Any person who can show certified written proof that he or she is acting for the Landowner or applicant.
Airport/Lawrence Municipal Airport	The location from which take-offs and landings may be made by any manned aircraft, excluding free balloons, within the corporate limits of the City of Lawrence, Kansas.
Airport Hazard	Any Structure or tree or use of land that obstructs the airspace required for the flight of aircraft in landing or taking off at any Airport or is otherwise hazardous to such landing or taking off of aircraft.
Alley	A public or private way not more than 20 feet wide primarily designed to serve as a secondary means of Access to abutting property.
Antenna	Any system of wires, poles, rods, reflecting discs or similar devices used for the reception or transmission of electromagnetic waves which system is attached to an Antenna support Structure or attached to the exterior of any Building. The term includes devices having active elements extending in any direction, and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom which may be mounted upon and rotated through a vertical mast, tower or other Antenna support Structure.
Antenna, Receive-Only	An Antenna capable of receiving but not transmitting electromagnetic waves, including Satellite Dishes.
Antenna, Amateur Radio	An Antenna owned and utilized by an FCC-licensed amateur radio operator or a citizens band radio Antenna.
Arterial	A Street classified as an Arterial in the Lawrence/Douglas County MPO Transportation Plan, as amended.
Arterial Street, Minor	A Street which is anticipated to have 2-4 travel lanes designed for speeds ranging from 30-45 mph and which is defined specifically as such on the Major Thoroughfares Map of the City.
Arterial Street, Principal	A Street which is anticipated to have 4-6 travel lanes designed for speeds ranging from 30-45 mph and which is defined specifically as such on the Major Thoroughfares Map of the City.
Assisted Living	Building or group of Buildings containing Dwellings designed for occupancy by persons 55 years or older where the Dwelling Units are independent but include special support services such as central dining and limited medical or nursing care.
Basement	Any floor level below the first Story in a Building, except that a floor level in a Building having only one floor level shall be classified as a Basement unless such floor level qualifies as a first Story as defined herein.
Base Density	The number of dwelling units that can be developed on a subject property, rather than the number of dwelling units that are permitted for the zoning district. Base density is the number of dwelling units that can be developed given the size of the parcel, the area required for street rights-of-way or infrastructure, the density and dimensional standards of Section 20-601(a), the environmental protection standards, as well as topographical or other features unique to the property.
Base District	Any Zoning District delineated on the Official Zoning District Map under the terms and provisions of this Development Code, as amended, for which regulations governing the area, use of Buildings, or use of land, and other regulations relating to the development or maintenance of existing uses or Structures, are uniform; but not including Overlay Zoning Districts.

Term	Definition
Base District, Special Purpose	A District established to accommodate a narrow or special set of uses or for special purposes. The use of this term in the Development Code applies to Districts beyond the conventional residential, commercial, industrial and agricultural districts. Examples include government and public institutional uses, open space uses, hospital use, planned unit developments that pre-date the Effective Date of this Development Code or newly annexed urban reserve areas.
Berm	An earthen mound at least two feet (2') above existing Grade designed to provide visual interest, Screen undesirable views and/or decrease noise.
Bicycle	A two-wheeled vehicle for human transportation, powered only by energy transferred from the operator's feet to the drive wheel.
Bicycle- Parking Space	An area whose minimum dimensions are two feet by six feet or two feet by four feet for upright storage.
Big Box	See Retail Establishment, Large.
Block	A Parcel of land entirely surrounded by public Streets, highways, railroad rights-of-way, public walks, parks or green strips, or drainage channels or a combination thereof.
Block Face	That portion of a Block or Tract of land facing the same side of a single Street and lying between the closest intersecting Streets.
Bufferyard	A combination of physical space and vertical elements, such as plants, Berms, fences, or walls, the purpose of which is to separate and Screen changes in land uses from each other.
Build-to-Line (minimum Building setback)	An imaginary line on which the front of a Building or Structure must be located or built and which is measured as a distance from a public right-of-way.
Building	Any Structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property. When such a Structure is divided into separate parts by one or more walls unpierced by doors, windows, or similar openings and extending from the ground up, each part is deemed a separate Building, except as regards minimum Side Setback requirements as herein provided.
Building Envelope	The three-dimensional space on a Lot on which a Structure can be erected consistent with existing regulations, including those governing maximum Height and bulk and the Setback lines applicable to that Lot consistent with the underlying Zoning District, or as modified pursuant to a Variance, a site review, or prior City approval.
Building Frontage	That portion of a Building or Structure that is adjacent to or faces the Public Frontage.
Building, Principal	A Building in which is conducted the Principal Use of the Building site on which it is situated. In any residential District, any Dwelling shall be deemed to be the Principal Building on the site on which the same is located.
Building Type (also referred to as housing type)	A residential Structure defined by the number of Dwelling Units contained within.
Caliper	The American Association of Nurserymen standard for trunk measurement of nursery stock, as measured at six (6) inches above the ground for trees up to and including four-inch Caliper size, and as measured at 12 inches above the ground for larger sizes. 
City Regulations	Provisions of the Lawrence City Code or other provisions located in ordinances adopted by the City.
Clear Zone	An area designated within the Public Frontage of a Mixed Use Project which reserves space for a sidewalk. The Clear Zone shall be clear of any obstruction to a minimum height of eight (8) above grade.
Cross Access Agreement	A document signed and acknowledged by Owner of two or more adjoining pieces of property establishing Easements, licenses or other continuing rights for Access across one property to one or more other properties.
Collector Street	A Street which is anticipated to have two (2) travel lanes designed for speeds ranging from 25-35mph and which serves a collecting function by distributing traffic between local neighborhood Streets and Arterial Streets.
Collector Street, Minor	See Collector, Residential

Term	Definition
Collector Street, Residential	Residential collector is a special category of collector street characterized by lower speeds & the residential nature of land uses along the corridor. Bicycle & pedestrian facilities are strongly recommended for residential collectors. Various traffic-calming treatments may be used to reduce travel speeds. Residential collector streets with adjacent residential land uses should be limited to two lanes. These streets can serve as a connector street between local streets and the thoroughfare system.
Collector Street System	A system of one (1) or more Collector Streets that allow traffic to be distributed to at least two (2) Arterial Streets.
Common Open Space	Land, water, water course, or drainageway within a development that is designed and intended for the use or enjoyment of all the residents and Landowners of the Development. Common Open Space, except for Common Open Space designated as Environmentally Sensitive may contain such supplementary Structures and improvements as are necessary and appropriate for the benefit and enjoyment of all the residents and Landowners of the Development. Common open space shall not include space devoted to streets, alleys, and parking areas. While required setbacks may function as common open space, they may not be used to meet the minimum requirements.
Comprehensive Plan also Comprehensive Land Use Plan	The Lawrence/Douglas County Comprehensive Plan, also known as "Horizon 2020," and any other applicable plans adopted by the Lawrence/Douglas County Metropolitan Planning Commission, as amended or superceded by adoption of a replacement plan from time to time.
Congregate Living	A Dwelling Unit that contains sleeping units where 5 or more unrelated residents share a kitchen and communal living areas and/or bathing rooms and where lodging is provided for compensation for persons who are not transient guests. Congregate Living is commonly referred to as a lodging house, boarding house, rooming house, or cooperative but is not considered a Dormitory, fraternity or sorority house, Assisted Living, Extended Care Facility, Group Home or similar group living use.
Conservation Easement	A non-possessory interest of a holder in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic or open-space values of real property, assuring its availability for agricultural, forest, recreational or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property. In case of any conflict between this definition and K.S.A. §58-3810, as it may be amended from time to time, the amended statute shall control and shall be used in the construction and interpretation of this Development Code.
Deciduous	A tree or Shrub with foliage that is shed annually.
Deferred Item	An item that has been deferred from a published agenda by the Planning Director, Planning Commission or the City Commission (City or County Commission), or by the applicant.
Density	A measure of the number of Dwelling Units contained within a given area of land, typically expressed as units per acre.
Density Bonus	An incentive-based tool that permits property owners to increase the maximum allowable development on a property in exchange for helping the community achieve public policy goals, such as protection of environmentally sensitive areas.
Density Cap	Maximum density levels set by the Comprehensive Plan. Low-density (6 dwelling units per acre); medium density (15 dwelling units per acre) and high density (24 dwelling units per acre).
Density, Gross	The numerical value obtained by dividing the total number of Dwelling Units in a development by the total area of land upon which the Dwelling Units are proposed to be located, including rights-of-way of publicly dedicated Streets.
Density, Net	The numerical value obtained by dividing the total number of Dwelling Units in a development by the area of the actual Tract of land upon which the Dwelling Units are proposed to be located, excluding rights-of-way of publicly dedicated Streets.
Designated Transit Route	Any bus route identified on the route map published by the Lawrence Transit System or KU on Wheels transit system.
Development Activity	Any human-made change to Premises, including but not limited to: (a) the erection, conversion, expansion, reconstruction, renovation, movement or Structural Alteration, or partial or total demolition of Buildings and Structures; (b) the subdivision of land; (c) changing the use of land, or Buildings or Structures on land; or (d) mining, dredging, filling, grading, paving, excavation, drilling, or Landscaping of land or bodies of water on land.

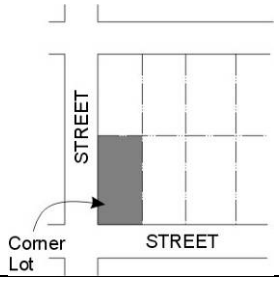
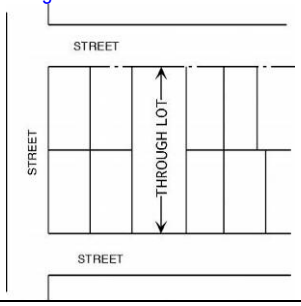
Term	Definition
Development Project, Major (Ord. 8465)	Any development proposing the following: a. Any Development Activity on a site that is vacant or otherwise undeveloped; or b. Any Significant Development Project on a site that contains existing development, defined as: 1. Any modification to a site that alters Parking Areas, drive aisles, or impacts on-site pedestrian and vehicular circulation and traffic patterns that the Planning Director determines to be significant in terms of impacting adjacent roads or adjacent properties; or 2. In the IM or IG zoning districts, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of fifty percent (50%) or more of the Gross Floor Area of existing Building(s); or 3. In any zoning district other than IM or IG, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of twenty percent (20%) or more of the Gross Floor Area of existing Building(s); or 4. Separate incremental Building additions below 50% for IM or IG zoning and 20% for all other zoning districts of the Gross Floor Area of existing Building(s) if the aggregate effect of such Development Activity over a period of 24 consecutive months would trigger the 50% (for IM or IG) or 20% (for all other zoning districts) threshold; or 5. The installation or addition of more than 50% for IM or IG zoning and 20% for all other zoning districts of existing Impervious Surface coverage.
Development Project, Minor (Ord. 8465)	Any development proposing the minor modification of a site, as determined by the Planning Director, which does not meet the criteria for a Standard or Major Development Project, or the proposed change in use to a less intensive use on a site which has an approved site plan on file with the Planning Office. Only sites which have an existing approved site plan on file which reflects existing site conditions are eligible for review as a Minor Development Project.

Term	Definition
Development Project, Standard (Ord. 8465)	a. For any property containing existing development which does not have an approved site plan on file with the Planning Office and which does not meet the criteria for a Major Development Project, any development proposing the following shall be considered a Standard Development Project: 1. a change in use to a less intensive use and where physical modifications to the site, excluding interior Building modifications, are proposed; or 2. A change in use to a more intensive use regardless of whether modifications to the site are proposed; or 3. the substantial modification of a site, defined as: a. The construction of any new Building(s) on the site; or b. The construction of any Building addition that contains a Gross Floor Area of ten percent (10%) or more of the Gross Floor Area of existing Building(s); or c. Separate incremental Building additions below ten percent (10%) of the Gross Floor Area of existing buildings if the aggregate effect of such Development Activity over a period of 24 months would trigger the 10% threshold; or d. The addition of Impervious Surface coverage that exceeds 10% of what exists; or e. Any modification determined by the Planning Director to be substantial. b. For property which does have an approved site plan on file with the Planning Office and which does not meet the criteria for a Major Development Project, any development proposing the following shall be considered a Standard Development Project: 1. any change in use of a site to a more intensive use regardless of whether modifications to the site are proposed; or 2. any modification of a site which meets the following criteria or proposes the following: a. A modification to a site which alters the Parking Area, drive aisles, or on-site pedestrian and vehicular circulation and traffic patterns with impacts to the interior of the site; or b. A development, redevelopment, or modifications to the exterior style, design or material type of a Structure that is subject to the Community Design Manual; or c. An outdoor dining or hospitality use in the CD and CN1 Zoning Districts and any outdoor dining use located in any other Zoning District that would result in an increase of the number of Parking Spaces required; or d. In the IM or IG zoning district, the construction of one or more new Building(s) or building additions that contain a Gross Floor Area of less than fifty percent (50%) of the Gross Floor Area of existing Building(s); or e. In any zoning district other than IM or IG, the construction of one or more new Building(s) or building additions that contain a Gross Floor Area of less than twenty percent (20%) of the Gross Floor Area of existing Building(s); or f. In the IM or IG zoning district, the installation or addition of less than fifty percent (50%) of existing Impervious Surface coverage; or g. In any zoning district other than IM or IG, the installation or addition of less than twenty percent (20%) of existing Impervious Surface coverage; or h. Any modification to an approved site plan on file with the Planning Office which proposes an adjustment to the total land area of the site plan, if determined necessary by the Planning Director.
Development Zone, Primary	Land area in a Mixed Use development designated at time of rezoning to the Mixed Use District and reserved for the most intense development proposed for the mixed use development.
Development Zone, Secondary	Land area in a Mixed Use development designated at time of rezoning to the Mixed Use District and reserved for less intense development than the Primary Development Zone, but more intense development than the Tertiary Development Zone. The Secondary Development Zone may serve as a transitional zone within a larger Mixed Use Development.
Development Zone, Tertiary	Land area in a Mixed Use development designated at time of rezoning to the Mixed Use District and reserved for the least intense development proposed for the mixed use development.
Dependent Living Facility	See Extended Care Facility

Term	Definition
Director, Planning	See Planning Director
Distance Between Structures	The shortest horizontal distance measured between the vertical walls of two Structures as herein defined perpendicular to an axis, all points along which are midway between the vertical walls.
District, Zoning	A portion of the territory of the City of Lawrence within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Chapter.
Dormitory	A Building occupied as the more-or-less temporary abiding place of individuals who are lodged with or without meals and in which there are more than eight (8) sleeping rooms or 16 sleeping accommodations. As such the rooms are let on a weekly or monthly basis or for greater period of time and are not available to the general public on a nightly basis as distinguished from a hotel. Ingress to and egress from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. General kitchen and eating facilities may be provided for the primary use of the occupants of the Building, provided that the main entrance to these facilities is from within the Building.
Drip Line	An imaginary ground line around a tree that defines the limits of the tree canopy.
Driveway	A private drive or way providing Access for vehicles to a single Lot or facility.
Driveway, Joint-Use	A privately-owned Driveway that provides Access to 2 or more Lots in a commercial or industrial Development, such as in a shopping center (without Lots) or a business or industrial park.
Driveway, Shared	A single Driveway serving two or more adjoining Lots.
Driveway Apron (or Approach)	The Driveway area or approach located between the sidewalk and the curb. When there is no sidewalk, the apron or approach shall be defined as extending a minimum of six (6) feet from the back of the curb toward the Lot Line.
Dwelling	A Building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, trailer, or Mobile Home.
Dwelling Unit	One room, or a suite of two or more rooms, designed for or used by one Family or Housekeeping Unit for living and sleeping purposes and having only one kitchen or kitchenette.
Easement	A grant by a property Owner to the use of land by the public, a corporation, or persons for specific purposes such as the construction of utilities, drainageways, pedestrian Access, and roadways.
Effective Date	The date the ordinance adopting this Development Code takes effect.
Elderhostel	A Building occupied as the more-or-less temporary abiding place of individuals who are either: 1) participating in a travel-study program for senior citizens offered by a university or college; or 2) participating in a visiting faculty program at a university or college. These individuals are lodged with or without meals. These Buildings typically contain more than eight (8) sleeping rooms or 16 sleeping accommodations. The rooms are let on a weekly or monthly basis or for greater period of time, but are not available to the general public on a nightly basis, as distinguished from a hotel. Ingress to and egress from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. General kitchen and eating facilities may be provided for the primary use of the occupants of the Building, provided that the main entrance to these facilities is from within the Building.
Evergreen (Coniferous) Tree	An Evergreen Tree, usually of pine, spruce or juniper genus, bearing cones and generally used for its Screening qualities. A Coniferous Tree may be considered a Shade Tree if it is at least five (5) feet in Height when planted and reaches a mature Height of at least 20 feet.
Extended Care Facility (Dependent Living or Nursing Care Facility), General	A long term facility or a distinct part of an institution occupied by nine (9) or more persons with a disability who require the provision of health care services under medical supervision for twenty-four (24) or more consecutive hours and who need not be related by blood or marriage. An Extended Care Facility must be licensed by one (1) or more of the following regulatory agencies of the State: Department of Social and Healing Arts, Behavioral Sciences Regulatory Board, State Board of Healing Arts, or Kansas Department on Aging. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802). Extended Care Facilities include facilities for the provision of skilled nursing care, hospice care and similar services.

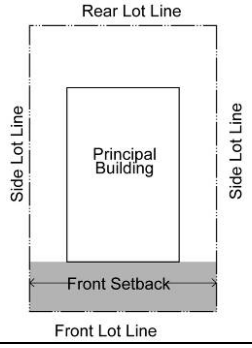
Term	Definition
Extended Care Facility (Dependent Living or Nursing Care Facility), Limited	A long term facility or a distinct part of an institution occupied by not more than ten (10) persons, including eight (8) or fewer persons with a disability who need not be related by blood or marriage, and who require the provision of health care services under medical supervision for twenty-four (24) or more consecutive hours, and also not to be occupied by more than two (2) staff residents who need not be related by blood or marriage to each other or to other residents of the home. An Extended Care Facility must be licensed by one (1) or more of the following regulatory agencies of the State: Department of Social and Healing Arts, Behavioral Sciences Regulatory Board, State Board of Healing Arts, or Kansas Department on Aging. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802). Extended Care Facilities include facilities for the provision of skilled nursing care, hospice care and similar services.
Extended Stay Lodging	A Building, including a single-Family residence, or group of Buildings providing living and sleeping accommodations for short-term occupancy, typically three (3) months or less. Bed & Breakfasts, hotels and motels are not considered extended stay facilities, although hotels and motels may provide this service. Extended stay facilities using single-Family Dwellings are not considered rental housing and are not subject to the rental licensing provisions of the City.
Exterior Storage	Outdoor storage of any and all materials related to the principal use of the Lot or site, not including areas for special events, temporary outdoor events or seasonal events, transient merchant sales areas, or any other outdoor area dedicated to the sale of retail goods, regardless of the proprietor. Outdoor storage and sales areas, open to the public and in which transactions may occur are not considered Exterior Storage areas.
Facade	Exterior face (side) of a Building which is the architectural front, sometimes distinguished by elaboration or architectural or ornamental details.
Family	(1) A person living alone; (2) two or more persons related by blood, marriage, or legal adoption; (3) in an RS Zoning District, a group of not more than three persons not related by blood or marriage, living together as a single Housekeeping Unit in aDwelling Unit, as distinguished from a group occupying a Dormitory, Congregate Living, motel, hotel, fraternity house or sorority house; or (4) in a Zoning District other than RS, a group of not more than four persons not related by blood or marriage, living together as a single Housekeeping Unit in a Dwelling Unit, as distinguished from a group occupying a Dormitory, Congregate Living, motel, hotel, fraternity house or sorority house.
Floodplain	The land inundated by a flood of a given magnitude as determined by the Flood Insurance Study or by an approved Hydrologic & Hydraulic Study.
Floor Area	The sum of the horizontal areas of each floor of a Building, measured from the interior faces of the exterior walls or from the centerline of walls separating two Buildings.
Floor Area, Gross	The sum of the horizontal areas of the several stories of a Building, measured from the exterior faces of exterior walls, or in the case of a common wall separating two Buildings, from the centerline of such common wall.
Floor Area, Net	The horizontal area of a floor or several floors of a Building or Structure; excluding those areas not directly devoted to the principal or Accessory Use of the Building or Structure, such as storage areas or stairwells, measured from the exterior faces of exterior or interior walls.
Floor Area Ratio (F.A.R.)	The sum of the horizontal areas of the several floors inside the exterior walls *(excluding basements)* of a Building or a portion thereof divided by the Lot Area.
Foot-candle	A unit of measurement referring to the illumination incident to a single point. One (1) Foot-Candle is equal to one (1) lumen uniformly distributed over an area of one (1) square foot.
Frontage	All the property on one side of a Thoroughfare between two intersecting Thoroughfares (crossing or terminating), or if the Thoroughfare is Dead-Ended, then all of the property abutting on one side between an intersecting Thoroughfare and the Dead-End.
Frontage Road, Private	Any thoroughfare that is not publicly owned and maintained and that is parallel and adjacent to any Lot Frontage as defined above.
Grade	The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the Building and the Lot Line or, when the Lot Line is more than 5 feet from the Building, between the Building and a line five feet from the Building.
Greek Housing	A group living Structure occupied by a university approved fraternity or sorority, certified by the Panhellenic Association or Intrafraternity Council at KU. Residential occupancy by the majority of residences primarily follows the academic calendar for fall and spring semesters each year.
Ground Cover	Living Landscape Materials or living low-growing plants other than turf grasses, installed in such a manner so as to provide a continuous cover of the ground surface and which, upon maturity, normally reach an average maximum Height of not greater than 24 inches.
Ground Floor	A level of Building floor which is located not more than 2 feet below nor 6 feet above finished Grade.

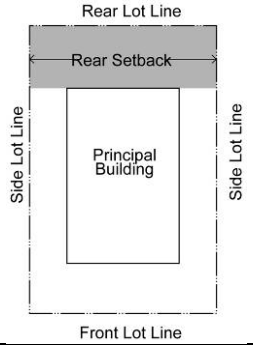
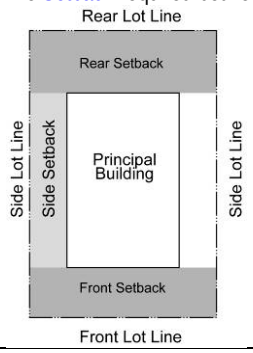
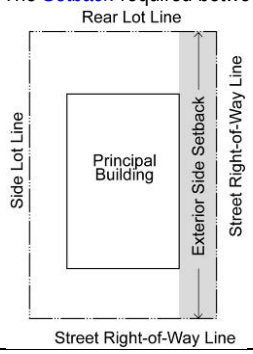
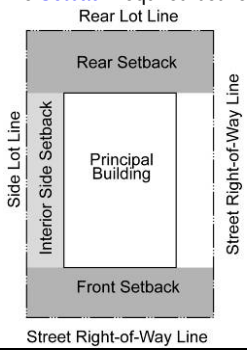
Term	Definition
Group Home (or Adult Care Home), General	Any Dwelling occupied by 11 or more persons, including eight (8) or more persons with a disability who need not be related by blood or marriage and staff residents who need not be related by blood or marriage to each other or to other residents of the home. The Dwelling is licensed by one (1) or more of the following regulatory agencies of the State: Dept. of Social and Healing Arts, Behavioral Sciences Regulatory Board, or State Board of Healing Arts. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802). A Special Use Permit is required before operation of the home can begin.
Group Home (or Adult Care Home), Limited	Any Dwelling occupied by not more than ten (10) persons, including eight (8) or fewer persons with a disability who need not be related by blood or marriage and not to exceed two (2) staff residents who need not be related by blood or marriage to each other or to other residents of the home. The Dwelling is licensed by one (1) or more of the following regulatory agencies of the State: Dept. of Social and Healing Arts, Behavioral Sciences Regulatory Board, or State Board of Healing Arts. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802).
Growing or Planting Season	From the beginning of March to the end of June and from the beginning of September to the beginning of December.
Height (Building)	Refers to the vertical distance from the finished Grade, or base flood elevation where applicable, to the highest point of the coping of: a flat roof, the deck line of a mansard roof, or the average Height of the highest gable of a pitch or hip roof.
Historic Resources Commission (HRC)	The Commission established by Sections 22-201 – 22-205, part of the Conservation of Historic Resources of the Code of the City of Lawrence
Home Occupation	An Accessory Use that complies with the provisions of Section 20-537.
Housekeeping Unit	A suite of one or more rooms having separate cooking facilities, used as the domicile or home of one Family.
Housing for the Elderly	See Assisted Living or Extended Care Facility
HRC	See Historic Resources Commission
Hydrologic and Hydraulic Study	See Hydrologic and Hydraulic Study definition in Section 20-1205
Impervious Surface	That portion of developed property which contains hard-surfaced areas (primed and sealed AB3, asphalt, concrete and Buildings) which either prevent or retard the entry of water into the soil material.
Inactive File	An application, either complete or incomplete, which has had no new information submitted within a period of twelve (12) or more months. New information within this context shall be information that responds to a request for additional information or that provides additional information essential to completing a review of the request in response to the land use review criteria, retail market information, or traffic impact analysis.
Infrastructure	Those man-made Structures which serve the common needs of the populations, such as: potable water systems, wastewater disposal systems, solid waste disposal sites or retention areas, storm drainage systems, electric, gas or other utilities, bridges, roadways, Bicycle paths or trails, pedestrian sidewalks, paths or trails and transit stops.
Jurisdictional Wetland	Wetlands which are regulated by Section 404 of the Clean Water Act and are under the regulatory jurisdiction of the Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA).
Landowner	See Owner
Landscaped Peninsula	A concrete curbed planting area typically found in Parking Lots to provide areas for trees and Shrubs between Parking Spaces and along the terminus of single and double Parking aisles.
Landscape Material	Such living material as trees, Shrubs, Ground Cover/vines, turf grasses, and non-living material such as: rocks, pebbles, sand, bark, brick pavers, earthen mounds (excluding pavement), and/or other items of a decorative or embellishing nature such as: fountains, pools, walls, fencing, sculpture, etc.
Landscaping	Any combination of living plants such as trees, Shrubs, plants, vegetative Ground Cover or turf grasses. May include structural features such as walkways, fences, benches, works of art, reflective pools, fountains or the like. Landscaping shall also include irrigation systems, Mulches, topsoil use, soil preparation, re-vegetation or the preservation, protection and replacement of trees.
Licensed Premises	A Premises where alcoholic liquor or cereal malt beverages, or both, by the individual drink as defined by K.S.A. Chapter 41, and amendments thereto, is served or provided for consumption or use on the Premises with or without charge. This term shall include drinking establishments, Class A Private Clubs, Class B Private Clubs, and cereal malt beverage retailers, all as defined by K.S.A. Chapter 41, and amendments thereto and City Regulations.

Term	Definition
Light Court	An area within the Public Frontage in a Mixed Use development adjacent to the Building Frontage which provides a means of outdoor light to reach an underground level of a Structure. It may also provide a means of emergency exit from the Structure but shall not serve as a primary entrance or exit to the Structure.
Light Truck	A truck or other motor vehicle, one ton or less in rated capacity, with a single rear axle and single pair of rear wheels.
Livestock	Any animal customarily kept for producing food or fiber.
Local Street	A Street which is anticipated to have two (2) travel lanes at desirable speeds of up to 30mph and which provides Access to abutting property and primarily serves local traffic.
Local Street System	A system of two (2) or more Local Streets that allow traffic to be distributed throughout a neighborhood.
Lot	A contiguous Parcel or Tract of land located within a single Block fronting on a dedicated public Street that is occupied or utilized, or designated to be occupied, developed, or utilized, as a unit under single Ownership or control. A Lot may or may not coincide with a Lot shown on the official tax maps or on any recorded subdivision or deed.
Lot Area	The total horizontal area within the Lot Lines of a Lot.
Lot Frontage	See Frontage
Lot, Corner	A Lot abutting upon two or more Streets at their intersection, or upon two parts of the same Street, such Streets or part of the same Street forming an angle of more than 45° and of less than 135°. The point of intersection of the Street Lines is the corner. Any portion of a Corner Lot that is more than 100 feet from the point of intersection of the two Street Lines or the two tangents of the same Street shall not be considered a Corner Lot. 
Lot, Through	A Lot abutting two Streets, not at their intersection. Any Lot meeting the definition of Corner Lot shall not be considered a Through Lot; any Lot abutting two Streets and not meeting the definition of a Corner Lot shall be considered a Through Lot. 
Lot Depth	The mean horizontal distance between the Front Lot Line and Rear Lot Line of a Lot.
Lot Line	A boundary of a Lot.
Lot Line, Exterior Side	A Side Lot Line separating a Lot from a Street other than an Alley.
Lot Line, Front	The Street Line at the front of a Lot. On Corner Lots, the Landowner may choose either Street Frontage as the Front Lot Line.
Lot Line, Rear	The Lot Line opposite and most distant from, and parallel or closest to being parallel to, the Front Lot Line. A triangular Lot has no Rear Lot Line.
Lot Line, Side	A Lot Line that is not a Front Lot Line or Rear Lot Line.
Lot Width	Lot Width is the distance between Side Lot Lines measured at the point of the required Front Setback or chord thereof.
Manufactured Home	Any Structure that is manufactured to the standards embodied in the National Manufactured Home Construction and Safety Standards (generally know as the HUD Code) established in 1976 pursuant to 42 U.S.C. Sec. 5403, but does not comply with the standards and provisions of Section 20-513.

Term	Definition
Manufactured Home, Residential-Design	Any Structure that is manufactured to the standards embodied in the National Manufactured Home Construction and Safety Standards (generally know as the HUD Code) established in 1976 pursuant to 42 U.S.C. Sec. 5403 and that also complies with the standards and provisions of Section 20-513. (Ord. 8098)
Massing	The size and shape of Structure(s) individually and their arrangements relative to other Structure(s).
Mature Trees, Stand of	An area of ½ acre (21,780 sq ft) or more located on the 'development land area', per Section 20-1101(d)(2)(ii) or on other contiguous residentially zoned properties containing trees that are 25 feet or more in height, or are greater than 8" caliper, in an amount adequate to form a continuous or nearly continuous canopy. (Canopy may be determined from resources such as, but not limited to, NAIP, National Agricultural Imaging Program; City/County GIS aerials; and field surveys.)
Minimum Elevation of Building Opening	The minimum elevation above sea level at which a Building located in the Floodplain may have a door, window, or other opening.
Mixed Use	The development of a Lot, Tract or Parcel of land, Building or Structure with two (2) or more different uses including, but not limited to: residential, office, retail, public uses, personal service or entertainment uses, designed, planned and constructed as a unit.
Mixed Use Structure, Horizontal	A Building or Structure containing both nonresidential and residential uses distributed horizontally throughout the Structure.
Mixed Use Structure, Vertical	A Building or Structure, a minimum of two stories in height, containing both nonresidential and residential uses distributed vertically throughout the Structure.
Mobile Home	Any vehicle or similar portable Structure having no foundation other than wheels or jacks or skirtings and so designed or constructed as to permit occupancy for Dwelling or sleeping purposes. Mobile Home includes any Structure that otherwise meets this description, but that was not subject to the National Manufactured Home Construction and Safety Standards (generally known as the HUD Code), established in 1976 pursuant to 42 U.S.C. Sec. 5403, at the time it was manufactured. Mobile Homes are considered to be Dwelling Units only when they are parked in a Mobile Home Park.
Moderately-Priced Dwelling Unit	A Dwelling Unit marketed and reserved for occupancy by a household whose income is equal to or less than 80% of the City of Lawrence's median household income, as defined by the most current U.S. Department of Housing and Urban Development (HUD) guidelines.
Mulch	Non-living organic material customarily used to retard soil erosion and retain moisture.
Native Prairie Remnants	Prairie areas that have remained relatively untouched on undeveloped, untilled portions of properties are 'native prairies'. Native prairie remnants will be confirmed by the Kansas Biological Survey, or a consulting firm with local expertise in these habitats, as areas that have remained primarily a mixture of native grasses interspersed with native flowering plants. (These areas have not been planted, but are original prairies). A list of approved consulting firms for prairie determination is available in the Planning Office.
Natural Drainageway	Natural rivers, streams, channels, creeks or other areas that naturally convey Stormwater runoff or portions thereof that have not been channelized and which is unaltered and retains a predominantly natural character.
Natural Open Space	Common Open Space that includes undisturbed natural resources, such as Floodplains, Wetlands, steep slopes, and Woodlands.
Nodal Development Plan	A land use plan for all four corners of an intersection that applies to the redevelopment of existing commercial center areas or new commercial development for neighborhood, community or regional commercial centers, as described in Horizon 2020, and is designed to avoid continuous lineal and shallow Lot Depth developments along Street corridors through the use of natural and man-made physical characteristics to create logical terminus points for the Node.
Node	An identifiable grouping of uses subsidiary and dependent upon a larger urban grouping of similar related uses.
Non-encroachable Area	That portion of a Lot or development set aside for enjoyment of the natural features or sensitive areas contained within it that cannot be encroached upon by Building or Development Activity, excluding encroachment for common maintenance needs of the land, its vegetation, natural stream beds, etc.
Nursing Care Facility	See Extended Care Facility
Official Zoning District Map	A map or maps outlining the various Zoning District boundaries of the City of Lawrence, Kansas.
Open Porch	A roofed space attached to a Building on one side and open on the three remaining sides.
Open Use of Land	A use that does not involve improvements other than grading, drainage, fencing, surfacing, signs, utilities, or Accessory Structures. Open uses of land include, but are not limited to, auction yards, auto wrecking yards, junk and salvage yards, dumps, sale yards, storage yards and race tracks.
Ornamental Tree	A Deciduous tree possessing qualities such as flowers, fruit, attractive foliage, bark or shape, with a mature Height generally under 40 feet.

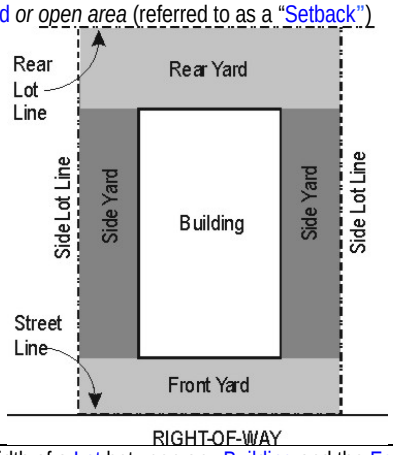
Term	Definition
Outdoor Use Zone	An area designated for outdoor use by a nonresidential or residential tenant within the Public Frontage in a Mixed Use development. At ground level, Outdoor Use Zones may include sidewalk dining, sidewalk sales, product demonstrations or any use accessory and incidental to a permitted nonresidential use in the Mixed Use District. Outdoor Use Zones may also include upper level uses such as balconies or terraces as well as Building-mounted signs.
Overlay Zoning District (or Overlay Zoning District)	Any Zoning District included in this Development Code with the word "overlay" in its title. The Overlay Zoning District regulations are found in Article 3 of this Development Code.
Owner	An individual, association, partnership or corporation having legal or equitable title to land other than legal title held only for the purpose of security. For the purpose of notice, the Owner may be determined using the latest Douglas County Appraiser's assessment roll.
Parcel	A Lot or contiguous tracts owned and recorded as the property of the same persons or controlled by a single entity.
Parking Access	Any public or private area, under or outside a Building or Structure, designed and used for parking motor vehicles including parking Lots, garages, private Driveways and legally designated areas of public Streets.
Parking Area	An area devoted to off-Street Parking of vehicles on any one Lot for public or private use.
Parking Space	A space for the parking of a motor vehicle or Bicycle within a public or private Parking Area. Typically Parking Spaces for private uses are located off the public right-of-way.
Peak Hour	The four (4) highest contiguous 15-minute traffic volume periods.
Pedestrian Scale (human scale)	Means the proportional relationship between the dimensions of a Building or Building element, Street, outdoor space or Streetscape element and the average dimensions of the human body, taking into account the perceptions and walking speed of a typical pedestrian.
Planned Development	Developments processed and considered in accordance with the procedures specified in the Planned Development Overlay Zoning District provisions of Sec. 20-701 and in the Cluster Housing Projects provisions of Sec. 20-702. Generally, an area of land controlled by the Landowner to be developed as a single entity, commonly pursuant to an Overlay Zoning District, for a number of Dwelling Units, office uses, commercial uses, or combination thereof, if any, wherein a development plan detailing the proposed development and adjacent areas directly impacted thereby is reviewed and approved by the appropriate decision maker. In approving the development plan, the decision maker may simultaneously modify specified standards of the Base District.
Planning Commission	The Lawrence-Douglas County Metropolitan Planning Commission established by City Ordinance 3951/ County Resolution 69-8 on March 24th, 1969.
Planning Director	The Director of the Lawrence-Douglas County Metropolitan Planning Commission or her or his designee.
Premises	A Lot, together with all Buildings and Structures thereon.
Principal Building	See Building, Principal
Principal Use	The primary purpose for which land or a Structure is utilized, based in part on the amount of Floor Area devoted to each identifiable use. The main use of the land or Structures as distinguished from a secondary or Accessory Use.
Public Frontage	The publicly-owned layer between the Lot line or Street Line and the edge of the vehicular lanes. The public frontage may include sidewalks, street planters, trees and other vegetated landscaping, benches, lamp posts, and other street furniture.
Public Frontage, Primary	The Public Frontage along a designated Primary Development Zone. Primary Public Frontages are commonly associated with pedestrian-oriented urban commercial and retail areas in Mixed Use settings. They are commonly served by or are accessible to public transit and may contain medium to high residential densities and Vertical Mixed Use Structures. Primary Public Frontages are designed to accommodate heavy pedestrian traffic, street vendors and sidewalk dining and typically consist of a sidewalk or clear area paved from the back of curb of the Thoroughfare to the Building Frontage or Right-of-way line, reserving space for street furniture.
Public Frontage, Secondary	The Public Frontage along a designated Secondary Development Zone. Secondary Public Frontages are commonly associated with pedestrian-oriented Thoroughfares and Mixed Use settings. They are designed to accommodate moderate amounts of pedestrian traffic and typically consist of a sidewalk or clear area adjacent to the Building Frontage or Right-of-way line, reserving space for street furniture, and a landscaped strip with street trees between the back of curb of the Thoroughfare and the sidewalk or clear area.
Public Frontage, Tertiary	The Public Frontage along a designated Tertiary Development Zone. Tertiary Public Frontages are commonly associated with pedestrian-friendly Thoroughfares in lower intensity mixed residential settings, consisting of a 5' wide sidewalk and street trees. Tertiary Public Frontages are designed to accommodate pedestrians who seek to walk to a nearby destination.
Recreational Open Space	Common Open Space that is improved and set aside, dedicated, or reserved for recreational facilities such as swimming pools, play equipment for children, ball fields, ball courts, and picnic tables.

Term	Definition
Recyclable Materials	Reusable materials including but not limited to metals, glass, plastic, paper and yard waste, which are intended for remanufacture or reconstitution for the purpose of using the altered form. Recyclable Materials do not include refuse or hazardous materials. Recyclable Materials may include used motor oil collected and transported in accordance with environmental and sanitation codes.
Registered Neighborhood Association	A neighborhood or local interest group that represents a defined area of the City and that has registered with the Planning Director in accordance with the applicable registration procedures of the Planning Director.
Regulatory Flood	See Base Flood definition in Article 12.
Regulatory Floodplain	See Floodplain definition in Article 12.
Regulatory Floodway	See Floodway definition in Article 12.
Regulatory Floodway Fringe	See Floodway Fringe definition in Article 12.
Residential Collector	See Collector, Residential
Residential-Design Manufactured Home	See Manufactured Home, Residential-Design
Retail Establishment, Large	An establishment engaged in retail sales, where the aggregate of retail uses within a Building is 100,000 or more gross square feet of Floor Area that may or may not include ancillary uses with internal Access from the Principal Use Building.
Retail Establishment, Medium	An establishment engaged in retail sales, provided the aggregate of retail uses within a Building is less than 100,000 gross square feet of Floor Area.
Retail Establishment, Specialty	An establishment engaged in retail sales where new or used goods or secondhand personal property is offered for sale to the general public by a multitude of individual vendors, usually from compartmentalized spaces within a Building. A specialty retail sales establishment shall not exceed 100,000 gross square feet of Floor Area and may have an unlimited number of individual vendors within it.
Root System Zone	A subsurface area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for the root system of street trees and landscaping planted in the Street Tree & Furniture Zone.
Sadomasochistic Practices	Flagellation or torture by or upon a person clothed or naked, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed or naked.
Satellite Dish	A dish Antenna, with ancillary communications equipment, whose purpose is to receive communication or other signals from orbiting satellites and other extraterrestrial sources and carry them into the interior of a Building.
Scale	A quantitative measure of the relative Height and Massing of Structure(s) Building(s) and spaces.
Screen or Screening	A method of visually shielding, obscuring, or providing spatial separation of an abutting or nearby use or Structure from another by fencing, walls, Berms, or densely planted vegetation, or other means approved by the Planning Director.
Setback	The minimum horizontal distance by which any Building or Structure must be separated from a street right-of-way or Lot line. (See also 20-602(e))
Setback, Front	The Setback required between a Building and the Front Lot Line. 

Term	Definition
Setback, Rear	The Setback required between a Building and the Rear Lot Line. 
Setback, Side	The Setback required between a Building and the Side Lot Line. 
Setback, Side (Exterior)	The Setback required between a Building and the Exterior Side Lot Line. 
Setback, Side (Interior)	The Setback required between a Building and the Interior Side Lot Line. 
Sexually Oriented Media	Magazines, books, videotapes, movies, slides, CD-ROMs or other devices used to record computer images, or other media that are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas.
Sexually Oriented Novelties	Instruments, devices or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.
Shade Tree	Usually a Deciduous tree, rarely an Evergreen; planted primarily for its high crown of foliage or overhead Canopy.
Shared Parking	Development and use of Parking Areas on two (2) or more separate properties for joint use by the businesses or Owner of these properties.

Term	Definition
Shrub	A Deciduous, Broadleaf, or Evergreen plant, smaller than an Ornamental Tree and larger than Ground Cover, consisting of multiple stems from the ground or small branches near the ground, which attains a Height of 24 inches.
Significant Development Project	1. Any modification to a site that alters Parking Areas, drive aisles, or impacts on-site pedestrian and vehicular circulation and traffic patterns that the Planning Director determines to be significant in terms of impacting adjacent roads or adjacent properties; or 2. In the IM or IG zoning district, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of fifty percent (50%) or more of the Gross Floor Area of existing Building(s); or 3. In any zoning district other than IM or IG, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of twenty percent (20%) or more of the Gross Floor Area of existing Building(s); or 4. Separate incremental Building additions below 50% for IM or IG zoning and 20% for all other zoning districts of the Gross Floor Area of existing Buildings if the aggregate effect of such Development Activity over a period of 24 consecutive months would trigger the 50% (for IM or IG) or 20% (for all other zoning districts) threshold; or 5. The installation or addition of more than 50% for IM or IG zoning and 20% for all other zoning districts of existing Impervious Surface coverage.
Slip Road	A road which provides access to and runs a course parallel to an Arterial Street or other limited access street or highway. Slip Roads are commonly used along boulevards to provide access to adjacent properties, on-street parking, and to buffer high-speed traffic lanes from pedestrian areas. Slip roads may also be known as access roads.
Special Purpose Base District	See Base District, Special Purpose
Specified Anatomical Areas	(1) Less than completely and opaquely covered: human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and (2) human male genitals in a discernibly turgid State, even if completely and opaquely covered.
Specified Sexual Activities	Human genitals in a State of sexual stimulation or arousal or acts of human masturbation, sexual intercourse or sodomy or fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
Story	That portion of a Building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost Story shall be that portion of a Building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a Basement or unused under-floor space is more than six (6) feet above Grade as defined herein for more than 50% of the total perimeter or is more than 12 feet above Grade as defined herein at any such point, or unused under-floor space shall be considered a Story.
Stream Corridor	A strip of land 100 feet wide, of which the centerline shall be the centerline of a stream that is not ephemeral stream: a stream where flow occurs for only a short time after extreme storms and does not have a well-defined channel, similar to a drainage way.
Street, Arterial	Arterial Streets are the highest level of Street classification, generally providing for longer distance trips with relatively high traffic volumes and high speeds for the context. Principal Arterials permit traffic flow through the urban area and between major destinations. Minor Arterials collect and distribute traffic from principal Arterials and expressway to Streets of lower classification, and, in some cases, allow traffic to directly Access destinations.
Street, Collector	A Collector Street provides for land Access and traffic circulation within and between residential neighborhoods and commercial and industrial areas. They distribute traffic movements from these areas to the Arterial Streets. Collectors do not typically accommodate long through trips and are not continuous for long distances.
Street, Cul-de-sac	A Street having only one outlet and being permanently terminated by a vehicle Turnaround at the other end.
Street, Dead-End	A Street having only one outlet and which does not benefit from a Turnaround at its end.
Street, Expressway	Any divided Street or highway with no Access from Abutting property and which has either separated or at-Grade Access from other public Streets and highways.
Street, Freeway	Any divided Street or highway with complete Access Control and Grade separated interchanges with all other public Streets and highways.
Street, Limited Local	A Local Street providing Access to not more than eight Abutting single-Family residential Lots.

Term	Definition
Street, Local	Local Streets provide direct Access to adjacent land uses. Direct Access from a Local Street to an Arterial Street should be discouraged.
Street, Marginal Access	A Street that is generally parallel and adjacent to an Arterial Street or other limited-Access Street and that is designated to provide direct Access to adjacent property. Marginal Access Streets are commonly known as "Frontage Roads."
Street, Private	Any tract of land or access easement set aside to provide vehicular Access within a Planned Development that is not dedicated or intended to be dedicated to the City and is not maintained by the City. Owners of a private street may choose to gate access to this type of street from the general public.
Street, Public	A way for vehicular traffic, whether designated as a local, collector, arterial, freeway or other designation, which is improved to City standards, dedicated for general public use, and maintained by the City. The term shall also include alleys.
Street, Ultimate Design	The Street design that is based on the planned carrying capacity of the roadway consistent with its functional classification on the Major Thoroughfares Maps in the Comprehensive Plan.
Street Line	The line separating the Street right-of-way from the abutting property.
Street Tree and Furniture Zone	An area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for street trees and other landscaping as well as street furniture including, but not limited to benches, street lights and transit stops.
Streetscape	The built and planned elements of a street that define the street's character.
Structural Alteration	Any change in the supporting or structural members of a Building, including but not limited to bearing walls, columns, beams or girders, or any substantial change in the roof, exterior walls, or Building openings.
Structure	A Building or anything constructed that requires permanent location on the ground or attachment to something having a permanent location on the ground, including but not limited to fences, signs, billboards, and Mobile Homes.
Subsurface Utility Zone	A subsurface area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for public utilities.
Thoroughfare	Any public right-of-way that provides a public means of Access to abutting property.
Tract (of land)	An area, Parcel, site, piece of land or property that is the subject of a development application or restriction.
Transitional Use	A permitted use or Structure that, by nature or level and scale of activity, acts as a transition or buffer between two (2) or more incompatible uses.
Tree Protection	Means the measures taken, such as temporary fencing and the use of tree wells, to protect existing trees from damage or loss during and after construction projects.
Trip Generation	The total number of vehicle trip ends produced by a specific land use or activity.
Unnecessary Hardship	The condition resulting from application of these regulations when viewing the property in its environment that is so unreasonable as to become an arbitrary and capricious interference with the basic right of private property ownership, or convincing proof exists that it is impossible to use the property for a conforming use, or sufficient factors exist to constitute a hardship that would in effect deprive the Owner of their property without compensation. Mere financial loss or the loss of a potential financial advantage does not constitute Unnecessary Hardship.
Vertical Mixed Use Structure	See Mixed Use Structure, Vertical
Woodlands	Natural hardwood forests, whether or not actively forested.
Working Days	Monday through Friday, 8AM to 5PM excluding city holidays

Term	Definition
Yard	Any Open Space located on the same Lot with a Building, unoccupied and unobstructed from the ground up, except for accessory Buildings, or such projections as are expressly permitted by these regulations. "Yard" refers to the actual open area that exists between a Building and a Lot Line, as opposed to the Required Yard *or open area* (referred to as a "Setback") 
Yard, Front	A space extending the full width of a Lot between any Building and the Front Lot Line and measured perpendicular to the Building at the closest point to the Front Lot Line.
Yard, Rear	A space extending the full width of a Lot between the Principal Building and the Rear Lot Line and measured perpendicular to the Building at the closest point to the Rear Lot Line.
Yard, Required	The unobstructed Open Space measured from a point on a Principal Building to the Lot Line from the ground upward, within which no Structure shall be located, except as permitted by this Development Code. It is the three-dimensional equivalent of the required Setbacks for every Lot.
Yard, Side	A space lying between the side line of the Lot and the nearest line of the Principal Building and extending from the Front Yard to the Rear Yard, or in the absence of either of such front or Rear Yards, to the front or Rear Lot Lines. Side-yard widths shall be measured perpendicular to the side Lot Lines of the Lot.
Zoning District	A portion of the territory of the City of Lawrence within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Chapter.

20-1730 GASOLINE AND FUEL SALES

Retail sale from the Premises of food and beverage sales, petroleum products, incidental sale of tires, batteries and replacement items, lubricating services and minor repair services. Typical uses include ~~automobile~~ vehicle service stations ~~filling~~ and gas stations with or without convenience stores ~~and truck stops~~.

20-1735 VEHICLE SALES AND SERVICE

Sales of motor vehicles or services related to motor vehicles. The following are vehicle sales and service use types:

(1) **Cleaning**
Washing and polishing of automobiles. Typical uses include car washes.

(2) **Fleet Storage**
Fleet storage of vehicles used regularly in business operation and not available for sale, or long-term storage of operating vehicles. Typical uses include taxi fleets, buses, mobile-catering truck storage, and auto storage garages.

(3) **Heavy Equipment Repairs**
Repair of trucks and other heavy equipment as well as the sale, installation, or servicing of automotive equipment and parts together with body repairs, painting, and steam cleaning. Typical uses include engine repair shops, body shops and motor freight maintenance groups.

(4) **Light Equipment Repairs**
Repair of automobiles and the sale, installation, and servicing of automobile equipment and parts but excluding body repairs and painting. Typical uses include tire repair and alignment, muffler shops, auto or motorcycle repair garages and auto glass shops.

(5) **Heavy Equipment Sales/Rentals**
Sale, retail or wholesale, and/or rental from the Premises of heavy construction equipment, trucks and aircraft, together with incidental maintenance. Typical uses include heavy construction equipment dealers and tractor trailer sales.

(6) **Light Equipment Sales/Rentals (including automobiles)**
Sale, retail, wholesale, or rental from the Premises of autos, noncommercial trucks, motorcycles, trailers with less than 10,000 lbs. gross cargo weight, motor homes and boat dealers, together with incidental maintenance. Typical uses include automobile and boat dealers, car rental agencies with accessory wash bays and vehicle storage and recreational vehicles sales and rental agencies.

(7) **Storage of ~~Non-operating~~ Impounded Vehicles**
Storage of non-operating motor vehicles. Typical uses include storage of private parking tow-a-ways and impound yards.

(8) **Storage of Recreational Vehicles and Boats**
Storage of recreational vehicles and boats. Typical uses include the collective storage of personal recreational vehicles and boats.

20-1770 TRUCK STOP

Proposed language at a later date.

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DEC 21 2011
City County Planning Office
Lawrence, Kansas

LAWRENCE
Landscape
Design, Installation, Maintenance, and Sprinkler Systems
785-843-4370
www.lawrencelandscape.com

December 20, 2011

Commissioner Hird,

I attended the informational meeting held Thursday Dec. 15th at the City Hall considering the draft amendment to the industrial use categories of the City of Lawrence Zoning code. The prevailing mood of the landowners present was distrust of the proposed changes to the existing zoning categories. Through no fault of their own they are losing uses, there is absolutely no gain for them.

It is my understanding that the addition of the IM zoning category is to allay the neighbor's fears of the worst case scenarios from newly zoned IG ground. I think that is a worthy goal. But instead of just doing that, the text amendment also removes permitted uses in the IG district, defying common sense. As an owner of 4 properties with IG zoning I fail to see how removing: passive recreation, nature preserve/undeveloped, RV & boat storage, communications service establishment, telecommunications tower, and small collection recycling facilities, improves the code and accomplishes the goal of reducing the neighbor's worst fears.

You will have much less opposition to the proposed text amendments if they simply add the IM category and leave the IL & IG categories' as they are.

Please keep me informed as to when this item will be on the planning commission agenda so I can rally the troops…

Respectfully submitted,

Frank A. Male

Frank Male
Lawrence Landscape, Inc.
600 Lincoln Street
Lawrence, KS 66044
frank@lawrencelandscape.com

League of Women Voters of Lawrence-Douglas County
P.O. Box 1072, Lawrence, Kansas 66044

RECEIVED
JAN 23 2012
City County Planning Office
Lawrence, Kansas

January 22, 2012

Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: ITEM NO. 5; TEXT AMENDMENT TO CITY OF LAWRENCE DEVELOPMENT CODE; INDUSTRIAL DISTRICTS.

Dear Chairman Hird and Planning Commissioners:

We appreciate the consideration that the staff has had for the concerns of property owners who will be subjected to change with this text amendment, and agree that the existing industrial districts need to be changed with care so as to avoid creating too many non-conforming uses. When Special Use Permits are newly required, we suggest that you reassure property owners with LDC 20-1306(b), the provision that ensures continuation of their use. We also thank you for inserting the clause on compatibility in the introduction to the Base Districts.

We still have some concerns, however on some of your most recent recommendations. Attached is our annotated excerpt of your Item No. 5 Staff Report. We have used green arrows to point to the items of concern, with the staff recommendations highlighted in yellow followed by our comments in red.

Thank you again for being receptive to the concerns of neighbors and property owners.

Sincerely yours,

Alan Black

Milton Scott
Vice President

Alan Black, Chairman
Land Use Committee

Attachment

– IM District

The IM, Medium Industrial District, is intended to accommodate moderate-impact industrial facilities and wholesale, storage and distribution operations.

– IG District

~~The IG, General Industrial District, is primarily intended to accommodate moderate- and high-impact industrial uses, including large-scale or specialized industrial operations requiring good transportation Access and public facilities and services. The District is generally incompatible with residential areas and low-intensity commercial areas.~~

The IG, General Industrial District, is intended to accommodate high-impact industrial facilities and wholesale, storage and distribution operations with external impacts such as exterior storage of materials on site, noise, vibration, and odors.

- Article 4 – Use Table

The addition of the IM District column was made to the table. In addition to assigning uses to the IM District, some changes to the uses permitted in the IL, IG, and GPI Districts are proposed. These proposed changes should not have any effect on existing businesses. The revisions are proposed to attempt to create hierarchical differences amongst the districts and to eliminate the potential use of the industrially-zoned inventory for other uses. Though the intent was to create a hierarchical difference among the districts, certain uses could not be changed in the IL District in order to avoid creating nonconforming uses for existing businesses.

Some of the more intense uses permitted outright in IG District are proposed to be permitted with a Special Use Permit in the IM District and are not proposed to be permitted at all in IL District. This is by design, in that some industrial uses can be appropriate depending on the location of the use and its surroundings. In these instances, the IM District provides for certain, more intense uses with an SUP approval.

At the November PC meeting, the Commission directed staff to look at the hierarchical differences and identify fewer uses that require a special use permit. At the PC midmonth, direction to remove the Truck Stop use out of the Gas and Fuel Sales use and create a separate use called Truck Stop with a definition in Article 17. Staff has determined that the creation of a new use and definition is beyond the scope of this text amendment and will require initiation of a new separate text amendment to provide proper notification for the public hearing process. This action is part of staff's recommendation.

Below is a list of the uses permitted, permitted as an accessory use or with a special use permit in the IM District. Changes to the other districts are identified in addition to changes from the November meeting. The changes since the November meeting to specific uses are underlined below and noted in green (either background or text) in the attached use table.

– Day Care Center – Accessory use
– Detention Facility – Special Use
– Postal and Parcel Service – Permitted
– Public Safety – Permitted
– Utilities, Minor – Permitted/Special Use
– Utilities and Service, Major – Permitted

GENERAL COMMENT:

Thank you for your inclusion of the concept of compatibility in the introduction to the Section on Base Districts.

- Passive Recreation
  - IL: Originally proposed to change to an accessory use, returned to permitted
  - IM: Originally proposed to be an accessory use, changed to permitted
  - IG: Originally proposed to change to an accessory use, returned to permitted
- Nature Preserve/Undeveloped
  - IL: Originally proposed to change to an accessory use, returned to permitted
  - IM: Originally proposed to be an accessory use, changed to permitted
  - IG: Originally proposed to change to an accessory use, returned to permitted
- Livestock Sale
  - IL: Changed from permitted to not permitted
  - IM: Originally proposed for Special Use, changed to not permitted
- Animal Sales and Grooming
  - IG: Originally no proposed change. Changed from permitted to not permitted
- Veterinary
  - IG: Changed from permitted to not permitted
- Administrative and Professional – Accessory use
- Office Other – Accessory use
- Accessory Parking – Accessory use
- Commercial Parking – Permitted use
- Building Maintenance – Permitted use
- Business Equipment – Permitted use
- Business Support – Permitted use
- Vehicle Cleaning – Accessory use
- Fleet Storage - Permitted use
- Gas and Fuel Sales (definition changed in Article 17)
  - IL: Originally proposed to change from permitted to not permitted, changed back to permitted
  - IM: Originally proposed a Special Use, changed to a permitted use

This should always be allowed only as special a permit except in IG. Reason: fumes, leaking underground fuel storage, fire, traffic. Should not be allowed adjacent to RS districts. Existing ones can be given automatic permanent SUPs.

- Truck Stop (New use and would need to be initiated, showing for discussion purposes)
  - CR: Permitted
  - IM: Special Use
  - IG: Permitted
- Heavy Equipment Repair
  - IL: Changed from permitted to not permitted
  - IM: Originally proposed for a Special Use, changed to permitted

In IM should be required to be enclosed or otherwise SUP.

- Heavy Equipment Sales/Rental
  - IL: Changed from permitted to not permitted
  - IM: Originally proposed for a Special Use, changed to not permitted
- Inoperable Vehicles Storage (Changed use title to Storage of Impounded Vehicles)
  - IL: Originally proposed to be changed from permitted to not permitted, changed back to permitted
  - IM: Originally proposed for a Special Use, changed to permitted
- RV and Boats Storage
  - IG: Changed from permitted use to not a permitted use
- General Industrial – Permitted use

Change this name! Ex: "Moderate Industrial" Term "General" confuses with IG District.

- Laundry Service – Permitted use
- Manufacturing and Production, Limited – Permitted use
- Manufacturing and Production, Technological – Permitted use
- Research Service – Permitted use
- Scrap and Salvage Operation

  - IL: Changed from Special Use to not permitted
- Exterior Storage – Accessory use
- Heavy Wholesale, Storage and Distribution
  - IL: Changed from Special Use to not permitted
  - IM: Originally proposed for a Special Use, changed to not permitted
- Light Wholesale, Storage and Distribution – Permitted use
- Adaptive Reuse Designated Historic Property – Special Use
- Crop Agriculture – Permitted use
- Amateur and Receive-Only Antennas – Accessory use
- Broadcasting Tower – Permitted use
- Communications Service Establishment
  - IG: Changed from permitted use to not permitted use
- Telecommunications Antenna – Accessory use
- Telecommunications Tower
  - IM: Permitted use
  - IG: Changed from Special Use to permitted use
- Satellite Dish – Accessory use
- Large Collection Recycling Facility
  - IL: Changed from permitted to not permitted use
  - IM: Permitted use — If this involves palletization or crushing or any other nuisance or pollution, it should be enclosed in a building.
- Small Collection Recycling Facility
  - IG: Changed from permitted use to not permitted use
- Processing Center Recycling Facility
  - IL: Changed from permitted use to not permitted use
  - IM: Special Use — This should be required to be enclosed in a building.
  - GPI: Changed from not permitted use to permitted use

- Article 5 – Use Regulations

  Article 5 speaks to specific use regulations. Section 20-538, Exterior Storage, is the only section with proposed changes. This section specifically references industrial districts, where exterior storage can be located on the industrial lots, screening requirements, and the surfacing required. The IM District is proposed to be referenced where the IL and IG Districts are referenced. No additional changes since November have been made in this section.

- Article 6 – Density and Dimensional Standards

  The proposed changes to the Density and Dimensional Standards article add standards for the IM District. Staff is proposing the IM District have the same Density and Dimensional Standards as the IL District. No additional changes since November have been made in this section.

Standard	CN1	CO	CN2	CD	CC	CR	CS	IBP [10]	IL/IM	IG	OS
Min. Site Area	5,000 sq. ft	5,000 sq.ft.	2 Ac.	2,500	5 Ac.	40 Ac	-	5 Ac.	20,000 sq.ft.	5,000 sq.ft.	–
Max. Site Area	1 Ac.	–	15 Ac.	–	–	–	-	–	–	–	–
Min. Lot Area (sq. ft.)	5,000	5,000	20,000	2,500	20,000	20,000	5,000	20,000	20,000	5,000	–
Min. Lot Width (ft.) [12]	50	50	100	25	100	150	50/100	200	100	50	–
Min. Setbacks (ft.)											
Front [9]	[6]	20	20	0	25	25	25	[1]	[1]	[1]	[3]
Side (Exterior) [2] [9]	[3]/20	[3]/20	[3]/20	[3]/0	[3]/20	[3]20	[3]15	[1]	[1]	[1]	35
Side (Interior–adj. R) [9]	10	20	20	20	25	45	12	[1]	[1]	[1]	20
Side (Interior–adj. Non-R)	0	5	0	0	0	0	0	[1]	[1]	[1]	15

January 22, 2012

Richard Hird, Chair
Lawrence Douglas County Planning Commission
City Hall
6 E. 6th Street
Lawrence, KS 66044

Re: 1/23/12 Planning Commission Item # 5: TA-10-16-11

Dear Commissioner Hird:

This letter is a request that there not be any changes in the definitions or the permitted uses to either the IL or IG industrial zoning districts and that IM (Industrial Medium) not be used to down zone any existing IG property, without the owner's consent.

Changes to IL or IG should not be part of this text amendment. The reason for the text amendment as stated in the Staff Report is, **"The City Commission directed staff to provide a medium-intensity industrial zoning district that precludes most commercial uses and the highest-intensity industrial uses."** The adoption of the IM district can be and should be accomplished without changing any of the other established industrial districts, the uses permitted in them, or established definitions of those uses.

Before the Staff submitted their first draft to you in November, they met with the plaintiffs in several law suits opposing the approved IG zonings along the Farmers' Turnpike Corridor. At your direction Staff then met with some industrial property owners and some industrial employers in December. The attendees at the December meeting uniformly objected to the proposed changes to IL and IG uses, changes to definitions of those uses and expressed their concerns that IM will be used to down zone existing IG property, or modify existing IL property without the owner's consent.

It takes many years, and often decades, to fully develop industrial property, such as East Hills. The property owners, the lenders and the future employers who undertake such development rely on the uses that are permitted when they first start their study of whether to purchase, lend money to or start a business on the available industrial land.

By way of background, this community spent several years in public meetings, debating, discussing and finally adopting our 2006 Development Code. At that time we rezoned and redefined our industrial districts from five (M-1, M-1A, M-2, M-3, M-4) to three (IBP, IL, IG). Most of the industrial land was rezoned IG. Recently, several new IG industrial zonings have been recommended by this Planning Staff, recommended by the Planning Commission and approved by the City Commission. They were approved after extensive discussion, public input and careful and deliberate proceedings by the Planning Commission and City Commission.

Arbitrary change to these districts will simply reduce the property rights and the value of these lands for no tangible gain. There is no reason to injure the property rights of existing owners and owners/employers, when creating a medium density industrial district for future use.

There are no documented requests from any industrial property owner or industrial employer to make any changes to either the IL or IG district uses or regulations. Industrial property owners and employers at the December 2011 meeting asked that no changes be made to their present zoning districts and that the IM district, if adopted, not become a subterfuge to down zone or change any existing industrial property rights.

Therefore, we request:

1. The proposed revised purpose statement for IG district be amended as follows:

   > "The IG, General Industrial District is intended to accommodate moderate and high-impact industrial facilities and wholesale, storage and distribution operations and manufacturing. It may include exterior storage of materials on site, noise, vibration, and odors".

2. None of the presently permitted uses in IL or IG be eliminated or be redefined.

   a. Although truck stop has been removed from gas and fuel sales, it has not been defined. Prior to eliminating it from the definition of "gas and fuel sales", it should be defined and not simply left to be defined at a later time. Our interstate highway accessibility, our state highway accessibility and our major roads service our future industrial needs and these industrial areas should be permitted to accommodate the needs of the traveling public whether that traveler is in an automobile or a truck. It was a welcome addition to see "gasoline and fuel sales" returned to the IL and IG districts. But what is a "truck stop"?

   b. Animal services of sales and grooming and veterinary services should be returned to the IG category along with the kennels and livestock sales. These four uses are compatible with each other and are often found in the same building. They are dependant upon each other and should be permitted to remain together.

c. Heavy equipment repair, sales and rental should be returned to the IL district. These services are often dependant on each other. They are low on customer activity because of the nature of the equipment and there is nothing inherently ugly about a tractor that is for sale or rent or having some repair work done.

d. The RV and boat storage uses should be returned to the IG district. This use is appropriate on major highways and in the IG category as well as in the IL category. There have been no complaints about these uses in an IG district.

e. There is no obvious reason to prohibit a communication service establishment in the IG district where a telecommunications tower is permitted.

f. This community is recycling and wants to encourage recycling. Collection facilities of any size and processing centers should be permitted in all industrial districts. Processing recycling materials is a low-impact use and should be permitted to be coupled with either a large or small collection facility.

g. In summary, we request that you restore the uses to the IL and IG zoning categories at this time, just as the industrial property owners at the December stakeholder meeting requested from the staff.

3. Please confirm in your proceedings and as part of the record of your proceedings that it is NOT THE INTENT OF THE PLANNING COMMISSION to use any newly recommended and adopted medium density zoning district to down zone any presently approved IG district.

Thank you for your consideration.

Sincerely,

BARBER EMERSON, L.C.

Jane M. Eldredge

JME:dkh

PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
01/25/2012

ITEM NO. 7 IG TO H; 12.4 ACRES; 138 ALABAMA ST (SLD)

Z-11-27-11: Consider a request to rezone approximately 12.40 acres and adjacent right-of-way from IG (General Industrial) to H (Hospital), located at 138 Alabama Street. Submitted by Treanor Architects, for Alford-Clarke Post #852 VFW, property owner of record and Bert Nash Community Mental Health Center, contract purchaser.
Staff Recommendation: Staff recommends approval of the request to rezoning approximately 12.40 acres and adjacent right-of-way from IG (General Industrial) to H (Hospital), located at 138 Alabama Street based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *For the construction of new medical office building, a wellness center, and a miracle field with associated site improvements*

KEY POINTS • Request to allow expansion facility to accommodate growth in community mental health care. • Proposed property is located with proximity to existing offices and related medical health services.
ASSOCIATED CASES/OTHER ACTION REQUIRED • Future subdivision plat, site plan and floodplain development permit is required.
PLANS AND STUDIES REQURIED • *Traffic Study* – Not required for rezoning • *Downstream Sanitary Sewer Analysis* – not required for rezoning • *Drainage Study* – Not required for rezoning • *Retail Market Study* – Not applicable to residential request
ATTACHMENTS • Area map • Concept plans • Vision Statement provided by applicant
PUBLIC COMMENT RECEIVED PRIOR TO PRINTING • Request by area residents for clarification of application and boundary of zoning request.

Project Summary: Proposed rezoning to hospital district to accommodate a full range of mental health care including overnight stay at the facility. This request represents the expansion of offices and services with proximity to existing office.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *"Yes, as the plan shows future community facilities in this vicinity"*

Horizon 2020 addresses future hospital needs in Chapter 10, Community Facilities. The Plan states *"To ensure that the Douglas County community is not harmed by an excessive supply of General Hospital facilities, development proposals for any new General hospital shall be carefully examined."* The plan recommends the assessment of both short and long term economic impacts a proposed facility will have on the existing hospital and the community need.

The proposed request is for the H (Hospital) District. The focus of the use is for a mental health facility providing a greater range of services than is currently available in the community. Bert Nash coordinates with numerous agencies to provide services including a partnership with Heartland Health Center to provide integrated care. The proximity of the mental health center to Lawrence Memorial hospital and the Douglas county Dental clinic provides opportunities for partnerships for providing integrated services.

The proximity of the proposed use to the existing Bert Nash office and the existing "General Hospital" as well as the relationship between Bert Nash and Lawrence Memorial Hospital (LMH) are significant factors in this request.

Staff Finding – The comprehensive plan supports additional hospital facilities when it can be demonstrated that such a use does not result in an excessive supply of such facilities. The proposed request does not pose a new general hospital but a facility with a specific focus of care.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

Current Zoning and Land Use:	IG (Industrial General) District; Veterans of Foreign Wars post including meeting space, out buildings, and lake.
Surrounding Zoning and Land Use:	IG (Industrial General) District and VC (Valley Channel) County District to the north. Undeveloped 13 acre tract of land (IG) owned by the City of Lawrence and Railroad right-of-way in the Valley Channel. GPI (General Public and Institutional) District and RM12 (Multi-Dwelling Residential) District to the south; City Water Treatment Plant east side of Illinois Street, mixed use residential development between Alabama and Illinois Streets; Community Health Building is located between Alabaman and Main Streets; Lawrence Memorial Hospital to the southwest on east side of Main Street. IG (Industrial General) District and RS10 (Single-Dwelling Residential) District to the west; School District USD 497 maintenance facility, Woody Park, and Mobile Village residential development.

Staff Finding – The property is surrounded by a variety of land uses including detached homes, duplex and multi-dwelling units to the south, institutional uses to the east and west, a manufactured home park and a public park to the west. This request is compatible with the existing zoning and uses of the neighborhood.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *"Adjacent to Woody Park and abuts medium density/low density residential housing. Just south of Woody Park is LMH and the Community Health Clinic."*

The property is located within the Pinckney Neighborhood. This portion of the neighborhood is characterized by industrial/institutional uses and public facilities. The proposed request would accommodate a change of use from a fraternal organization use (VFW) to a community facility (Hospital). Pinckney Neighborhood is the home of the community's General Hospital.

Staff Finding – This neighborhood includes a wide range of uses. A significant portion of the neighborhood is devoted to the hospital and medical office related uses. This request is compatible with the character of the neighborhood.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

A neighborhood plan was last approved in July 1978. Numerous changes have occurred since the adoption of that plan including; the adoption of the Development Code and the creation of two new historic districts in the neighborhood. There have also been several development applications for redevelopment within the neighborhood for multi dwelling uses, a daycare, and improvements to commercial property along W. 6th Street. Given these factors the land use plan used for this review is *Horizon 2020*. Key features of *Horizon 2020* encourage the protection of neighborhoods and infill development and redevelopment that provides a range of uses. The plan also encourages a design that is compatible with the established land use pattern in the surrounding areas.

Approval of the request would accommodate redevelopment of the site with features to benefit the entire community rather than just the neighborhood. Development concepts include the retention of the existing pond and the provision of a sports field to accommodate accessibility needs of individuals.

Staff Finding – There is no current neighborhood area or sector plan for this part of Lawrence. The proposed request, if approved, would be located within the corridor of the neighborhood consistent with similar uses and services.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response: *"Current zoning allows a more intensive use; however not as compatible with the adjacent neighborhood current use."*

The property is currently zoned IG. The purpose of this district is stated in section 20-216 of the Development code as:

"The IG, General Industrial District, is primarily intended to accommodate moderate and high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation Access and public facilities and services. The District is generally incompatible with residential areas and low-intensity commercial areas."

The property is currently developed with a 6,000 SF auditorium and a 520 SF 1-bedroom residence according to the County Appraiser's Office. The VFW is located at this site. That use is considered a Lodge, Fraternal and Civic Assembly use defined in section 20-1738 as:

"Meetings and activities primarily conducted for members of these groups. Excludes "Group Living" and "Transient Habitation" use types. Typical uses include meeting places for civic clubs, lodges, or fraternal or veteran organizations. Lodge, Fraternal and Civic Assembly uses are small-scale and shall not exceed a capacity of 500 people."

This use is not allowed in the IG district. Because it pre-dated the adoption of the 2006 Development Code it is considered a non-conforming use. The existing use is inconsistent with the current zoning.

The proposed zoning includes approximately 13.13 acres. Within that boundary is a 3.26 acre lake and 3.56 acres of woodland area surrounding the lake. The property has access to local streets only. These features impinge on the suitability of the property for industrial uses.

Section 20-219 states:

> "*The H District is a Special Purpose Base District primarily intended to accommodate a Hospital and accessory and related uses under common control and planning."*

This use is defined in section 20-1733 as:

> *"Hospital means an institution that: (1) offers services more intensive than this required for room, board, personal services, and general nursing care; (2) offers facilities and beds for use beyond 24 hours by individuals requiring diagnosis, treatment, or care of illness, injury, deformity, infirmity, abnormality, disease, or pregnancy; and (3) regularly makes available at least clinical laboratory services, diagnostic x-ray services and treatment facilities for surgery or obstetrical care, or other definitive medial treatment of similar extent. Hospitals may include offices for medical and dental personnel, central service facilities such as pharmacies, medical laboratories, and other related uses."*

If approved, the development of a facility providing mental health care would be located within proximity to existing offices and other health care uses. Specific site design issues would need to be implemented to preserve the residential uses especially those located south of W. 2nd Street.

Staff Finding – As currently zoned the existing use does not conform to the base zoning district. Redevelopment of the site as proposed requires the property to be rezoned. The current IG zoning is not suitable for the proposed use.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Applicant's Response: *"Not currently vacant, but has not been used in an industrial use in recent time."*

As noted previously the property is developed with an existing 6,000 SF auditorium and a small residence. The property was platted as individual lots as part of the West Lawrence Addition recorded in 1869. The subdivision at the time established 80' rights-of-way for Alabama and Illinois Streets to be extended north of what is today W. 2nd Street. These streets were never constructed. The residence was constructed in 1900 and the auditorium was constructed in 1964.

The property was zoned M2 (General Industrial) District and M3 (Intensive Industrial) District from 1966 to 2006. Upon the adoption of the Development Code the property was rezoned to the current IG district. An aerial photograph from 1941 shows the lake and several buildings in the immediate area. The 1927 Sanborn maps show this property as the Kaw Valley Brick Company.



Staff Finding – The property is not currently vacant, however the land use and the base zoning district are not consistent.

7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicant's Response: *"Should not have a detrimental effect on neighboring property"*

The property is located at the north end of the neighborhood. The immediately adjacent property owners include the municipal water treatment facilities and the school district service building. The most likely affected properties would be the residents located between W 2nd and W 3rd Street between Alabama and Illinois Streets. Property owners in this area have indicated on-street parking concerns that exist today. Site development should include adequate parking to accommodate the use and alleviate the potential for employees to park in the neighborhood.

Access to the site is restricted to existing local streets. Approval of the request is likely to include land uses that will generate more traffic than the current use generates. To mitigate impact on the residential uses to the south a traffic study will be required.

Staff Finding – Impacts from the proposed zoning include increased traffic and on-street parking. These elements would require more review with a detailed site development plan.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Applicant's Response: *"Requested zoning makes development of the site as planned in compliance with the current development standards."*

Evaluation of this criterion includes weighing the benefits to the public versus the benefit of the owners of the subject property. Benefits are measured based on anticipated impacts of the rezoning request on the public health, safety, and welfare.

The proposed request is to facilitate the development of a future medical clinic that includes space for observation for temporary psychiatric treatment while waiting for inpatient placement outside the community according to staff discussions with the applicant. This would place the new development near the existing Bert Nash office. If approved, the applicant will be positioned to proceed with further development applications including subdivision plat and site plan review. If denied, the applicant would need to work to obtain space within the existing Hospital district to provide the planned services or acquire additional property in another location.

Staff Finding – The gain to the public is the ability to provide and expand mental health services within the community and within proximity to established medical services.

9. PROFESSIONAL STAFF RECOMMENDATION

Approval of the request provides for opportunities to expand medical care to the community that do not currently exist. The relatively small size of the property would likely not be desirable for another general hospital. Additional development applications are required to fully redevelop this site. The property is encumbered by regulatory floodplain and will require specific review of this element for any future development of the site.

CONCLUSION

The proposed request is compatible with the surrounding land uses and zoning of the area as well as consistent with the Comprehensive Plan.

The Bert Nash Community Mental Health Center

Vision for Site at 138 Alabama Street

The Bert Nash Center could not fulfill the mission of providing comprehensive outpatient services to local residents without the Community Health Facility provided by the City of Lawrence and Douglas County. The facility was planned to accommodate program growth of the three agencies housed there for the next ten years. In the case of the Bert Nash Center, we were already a bit cramped for space when we moved in.

In 1996 when the sales tax referendum for the building was approved, the Center served 2,741 Douglas County residents. The year the facility opened, we served 3,009. The last three years, we have averaged 5,825.

Additionally, the upheaval in healthcare reform includes new challenges and opportunities for community mental health. The proposed KanCares Medicaid program envisions that community mental health centers will become the health home for people with serious mental illnesses. We have already begun a partnership with Heartland Health Center collocating staff to better integrate care.

All these things point to the need to be prepared for additional space. This property, situated as it is directly north of the community Health Facility and near to Lawrence Memorial Hospital and the Douglas County Dental Clinic provides a great opportunity for partnerships as we move forward. Another potential partner is Outside for a Better Inside. Ideally, this site could become a wellness campus providing a central point for safety net services in Lawrence.

We anticipate that the development of this property could coincide with the implementation of healthcare reform Medicaid expansion in 2014.



Bert Nash - Conceptual Site Diagrams

LAWRENCE, KANSAS

11.21..2011

SCALE: 1" = 50'

TREANOR
ARCHITECTURE + INTERIORS + PLANNING + HISTORIC PRESERVATION + GRAPHIC DESIGN
ARCHITECTS P.A.

AREA CALCULATIONS	
EXISTING LOT AREA:	±12.33 AC
ACQUIRED STREET R.O.W. 1	0.86 AC
ACQUIRED STREET R.O.W. 2	0.18 AC
RELINQUISHED STREET R.O.W. 1	0.24 AC
USD 497 LAND	1.24 AC
TOTAL LAND AREA:	±14.37 AC
EXISTING FLOOD PLAIN AREA:	±9.35 AC

LAKE
± 3.26 AC

ACQUIRED
STREET R.O.W. #1

± 0.86 AC

± 12.33 AC

WELLNESS
CENTER

ACQUIRED LAND
FROM USD497
± 1.24 AC

38 PARKING STALLS

BERT NASH
± 30,000sf
(FOOTPRINT)

MIRACLE
FIELD

± 0.18 AC

52 PARKING STALLS

*336 TOTAL PARKING STALLS ON SITE

MAINE ST.

FLOOD PLAIN

± 0.24 AC

W. 2nd STREET

ACQUIRED
STREET R.O.W. #2

RELINQUISHED
STREET R.O.W. #1

NORTH

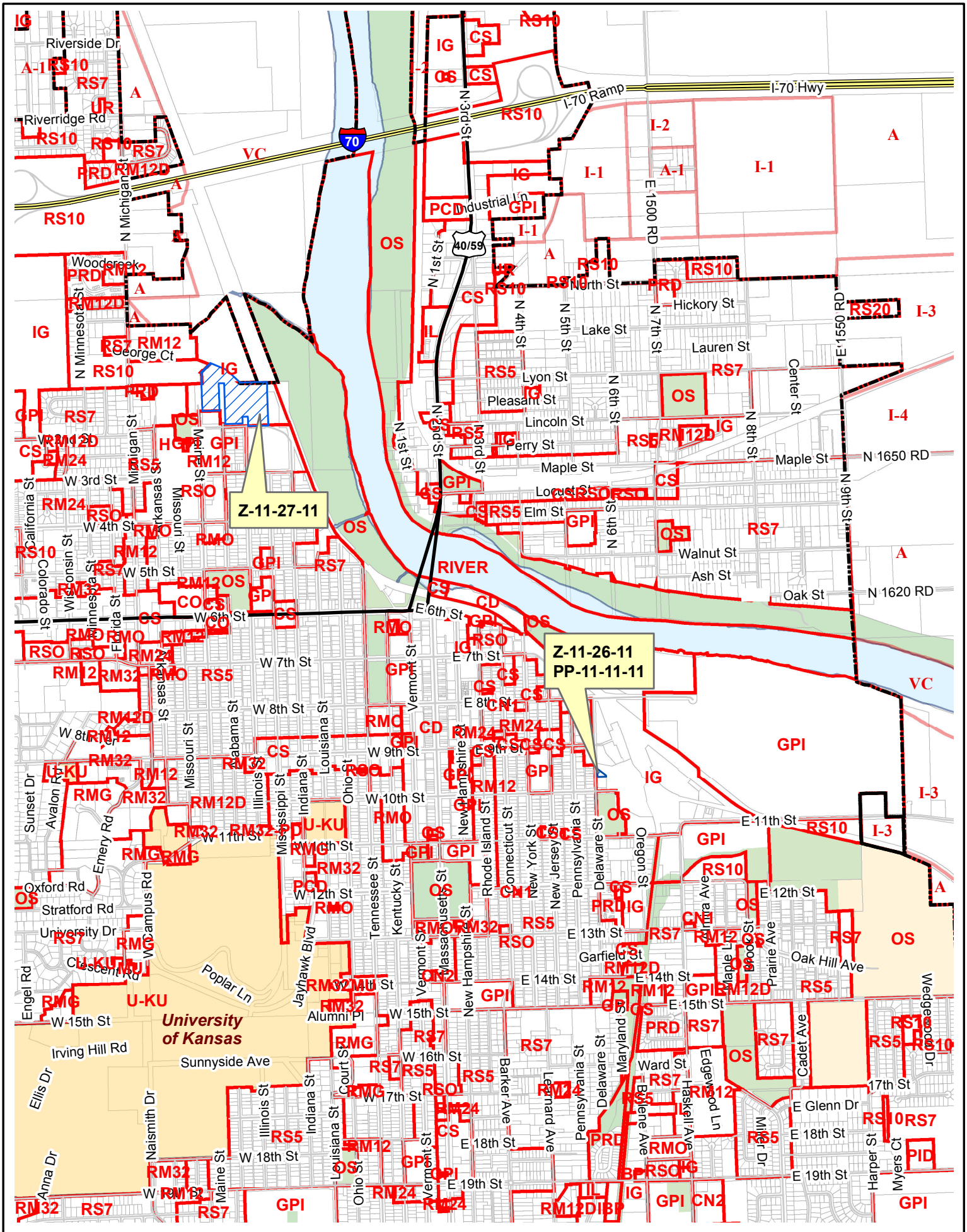
Bert Nash - Conceptual Site Diagrams

LAWRENCE, KANSAS

11.21..2011

SCALE: 1" = 50'

TREANOR
ARCHITECTURE • INTERIORS • PLANNING • HISTORIC PRESERVATION • GRAPHIC DESIGN
ARCHITECTS P.A.


Z-11-27-11
Z-11-26-11
PP-11-11-11
RIVER
University of Kansas
U-KU
Riverside Dr
Riverridge Rd
N Michigan St
N Minnesota St
George Ct
Woodcreek
W 3rd St
W 4th St
W 5th St
W 6th St
W 7th St
W 8th St
W 9th St
W 10th St
W 11th St
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E 14th St
E 15th St
E 17th St
E 18th St
E 19th St
E Glenn Dr
I-70 Ramp
I-70 Hwy
70
40/59
N 1st St
N 2nd St
N 3rd St
N 4th St
N 5th St
N 6th St
N 7th St
N 8th St
N 9th St
E 1500 RD
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N 1620 RD
N 1650 RD
Industrial Ln
North St
Hickory St
Lake St
Lauren St
Center St
Lyon St
Pleasant St
Lincoln St
Perry St
Maple St
Locust St
Elm St
Walnut St
Ash St
Oak St
Michigan St
Missouri St
Kansas St
Wisconsin St
Minnesota St
Colorado St
California St
Florida St
Alabama St
Louisiana St
Indiana St
Illinois St
Mississippi St
Vermont St
Tennessee St
Kentucky St
Massachusetts St
New Hampshire St
Rhode Island St
Connecticut St
New York St
New Jersey St
Pennsylvania St
Delaware St
Maryland St
Oregon St
Ohio St
Maine St
Barker Ave
Leonard Ave
Edgewood Ln
Haskell Ave
Cadet Ave
Prairie Ave
Irma Ave
Wedgewood Dr
Oak Hill Ave
Garfield St
Ward St
Myers Ct
Harper St
Miller Dr
Bayne Ave
Sunset Dr
Avalon Rd
Emery Rd
Oxford Rd
Stratford Rd
University Dr
Crescent Rd
Engel Rd
Irving Hill Rd
Sunnyside Ave
Poplar Ln
Jayhawk Blvd
Alumni Pl
Campus Rd
Naismith Dr
Ellis Dr
Anna Dr
Z
A
A-1
I-1
I-2
I-3
I-4
IG
IL
IP
GPI
OS
PID
PRD
PCD
UR
VC
CS
CN1
CN2
CD
RS5
RS7
RS10
RS20
RSO
RM12
RM12D
RM24
RM32
RMG
RMO

PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
01/25/2012

ITEM NO. 8A IG TO IL; .20 ACRES; 920 & 920 ½ DELAWARE ST (SLD)

Z-11-26-11: Consider a request to rezone approximately .20 acres from IG (General Industrial) to IL (Limited Industrial), located at 920 and 920 ½ Delaware Street. Submitted by Struct/Restruct, LLC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately .20 acres from IG (General Industrial) to IL (Limited Industrial), located at 920 and 920 ½ Delaware Street based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval subject to the following condition:

1. Publication of an ordinance that indicates the following uses are prohibited:
    a. Animal Services; Kennel
    b. Eating & Drinking Establishments; Fast Order Food, Drive-In
    c. Office; Financial, Insurance & Real Estate
    d. Retail Sales & Service; Mixed Media Store
    e. Transient Accommodation; Hotel, Motel, Extended Stay,
    f. Vehicle Sales & Service;
        i. Cleaning (Car Wash)
        ii. Gas and Fuel sales
        iii. Heavy Equipment Repair
        iv. Heavy Equipment Sales/Rental
        v. Inoperable Vehicles Storage
        vi. RV and Boats Storage
    g. Industrial Facilities; Scrap and Salvage Operation
    h. Wholesale, Storage & Distribution; Mini Warehouse and
    i. All uses included in the Agriculture group

Reason for Request: *To down-zone to IL from IG in order to open up a coffee shop in the 920 Delaware building.*

KEY POINTS
- Existing development.
- Small and unusually shaped parcel.

ASSOCIATED CASES/OTHER ACTION REQUIRED
- PP-11-11-11; Even Lower East Side Addition

PLANS AND STUDIES REQURIED
- *Traffic Study* – Not required for rezoning
- *Downstream Sanitary Sewer Analysis* – not required for rezoning
- *Drainage Study* – Not required for rezoning
- *Retail Market Study* – Not applicable to residential request

ATTACHMENTS
- Area Map
- Use Table

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING
- Letter from neighborhood regarding allowed uses.

Project Summary: The purpose of this rezoning request is to permit a wider range of uses that is currently not allowed in the IG district. Specifically, the applicant has indicated a desire to provide a coffee shop in one of the buildings. This use is a commercial use included in the Eating and Drinking Establishments group included in Article 4 Use Tables of the Development Code. This application is accompanied by a preliminary plat as a predevelopment requirement.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *The request to down zone to IL would allow for fast order food (coffee shop) business. The idea of a coffee shop meets various criteria in Horizon 2020 such as; neighborhood diversity, mixed use and zoning transect based structures and pedestrian friendly businesses. A coffee shop would be the likes of an "inner neighborhood commercial center" and establish a node at 9th & Delaware in anticipation of the future development of the East Lawrence Neighborhood."*

Horizon 2020 supports neighborhood preservation, infill development and redevelopment as well as the protection and preservation of environmental and historic features. The property is located within the Burroughs Creek Corridor described in *Horizon 2020, Chapter 7, Industrial and Employment*. No change to the inclusion of the property within the Burroughs Creek Corridor is proposed. The proposed request, if approved, would retain the industrial character of this property. Approval of the request will modify the uses allowed for development of this property.

A key goal of the Industrial Policies is to *"encourage the retention, redevelopment and expansion of established industrial and employment-related areas."* (Page 7-11). The purpose of the request is to provide options for a generally underutilized property.

Staff Finding – The proposed request does not modify the boundary of the Burroughs Creek Corridor but provides an opportunity to consider other uses than currently permitted in the IG district. Approval of the request may allow for the mixing of uses and provide for the existing construction business to remain in its current location. This request is consistent with land use recommendations of *Horizon 2020*.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

Current Zoning and Land Use:	IG (General Industrial) District; existing contractor's office and woodworking shop.
Surrounding Zoning and Land Use:	IG (General Industrial) District to the north, south and east; Allen Press to the north and east, residence to the south. RS5 (Single-Dwelling Residential) District to the west; existing detached homes.

The property is located on the east side of Delaware Street. The east side of Delaware Street is zoned and developed with industrial uses except for the property immediately to the south (934 Delaware Street). The west side of Delaware Street is zoned and developed residentially except for the parcel located on the southwest corner of 9th Street and Delaware (901 Delaware Street).

Staff Finding – Surrounding uses include large scale industrial uses and detached residential homes. This request, with restrictions, is compatible with the existing zoning and uses of the neighborhood.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *"Diverse mixed use properties ranging from single family residences to medium sized business like Potters mechanic shop to large corporations like Allen Press. Proposed developments in the neighborhood include dense apartment complexes along with retail shops."*

The property is located within the East Lawrence Neighborhood. This diverse neighborhood includes a range of uses including industrial uses, commercial businesses and a mix of residential uses throughout the neighborhood. The area located on the east side of Delaware Street is characterized as an existing industrial area.

The property is in the environs of the East Lawrence Industrial Historic District, National Register of Historic Places and Register of Historic Kansas Places. It is also in the environs of Hobbs Park (702 E 11th), Lawrence Register of Historic Places.

Staff Finding – East Lawrence is a dynamic neighborhood with a wide range of residential and non-residential uses located throughout the neighborhood. This request is compatible with the character of the neighborhood.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

This property is located within the plan boundaries of the East Lawrence Neighborhood Revitalization Plan adopted in 2000 and included in *Horizon 2020* by reference in Chapter 14, Specific Plans. The Neighborhood Plan included six major goals that provide the foundation for the strategies of the Plan. One of these goals states: "Protect and strengthen the viability of neighborhood businesses" (Page 1).

The plan discusses the presence of industrial uses in the neighborhood and the importance of these uses to the "long-term viability of the neighborhood." The plan acknowledges the presence of the industrial uses and states: "there is a separation between residential and industrial uses." This separation is generally Delaware Street in this portion of the neighborhood. The Neighborhood Plan does not include a land use map or specific land use recommendation for property within the neighborhood. Specific implementation strategies related to the proposed request include the development of design standards that reflect the character of East Lawrence, especially off-street parking and landscaping for small neighborhood business sites (Page 30).

Approval of the request would allow the development of other uses for this property consistent with plan recommendations that encourage investment in the neighborhood. However, any uses should be compatible with the residential uses in the immediate vicinity of the request. As such, some uses included in the IL district would not be consistent with Plan recommendations. Specific use restrictions are discussed later in this report.

Staff Finding – An area plan was adopted in 2000 for the East Lawrence Neighborhood. However, the plan does not include a land use element. The plan provides policy recommendations regarding the continued investment in the neighborhood along with the need to recognize that many design standards are not applicable in this neighborhood setting. Approval of the request would allow more flexibility of use for this property consistent with Plan recommendations that "support long term viability of the neighborhood."

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response: *"The current zone is IG and allows for our construction sales and services is suitable for the surrounding zoning and neighborhood criteria, but (IL) zoning would also be suitable in that construction sales & services would be allowed as well as fast order food (coffee shop).*

The current zoning (IG) is proposed as a district: *"Primarily intended to accommodate moderate and high-impact industrial uses including large scale or specialized industrial operations requiring good transportation access and public facilities and services. This district is generally incompatible with residential areas and low-intensity commercial areas"* per Section 20-216. This district is associated with a minimum lot area of 5,000 SF.

The proposed IL district is intended *"primarily to accommodate low-impact industrial, wholesale and warehouse operations that are employment-intensive and compatible with commercial land uses*" per Section 20-215. This district is associated with a 20,000 SF minimum lot area.

The subject property is irregularly shaped and only 8,701 SF in size. This smaller lot size is reflected in the preliminary plat with a request for a variance from the lot size standard.

The property is developed with two existing structures. The buildings currently house a contractor's office and custom woodworking shop. Numerous redevelopment proposals have been brought to staff in an effort to better utilize the existing improvements. Several uses included a residential element. The zoning restrictions, limited size of the property, arrangement of existing improvements and the inability to acquire additional land have been factors limiting redevelopment opportunities.

Approval of the request maintains the property as part of the City's industrial inventory and the historical industrial boundary of the East Lawrence Neighborhood. Approval of the request modifies the list of allowed uses that may be developed for this property.

Staff Finding – The current zoning severely limits the ability for this property to redevelop or provide complementary uses to the existing business. Given the size of the property as a separate parcel from the adjacent development, the current IG zoning is not suitable.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Applicant's Response: *"It hasn't been vacant as zoned."*

The property is developed with two structures. The property was zoned IG in 2006 with the adoption of the Development Code. From 1966 to 2006 the property was zoned M-3 (Intensive Industrial). This district reflected the proximity to the railroad, located east of Allen Press.

Staff Finding – This site is developed with two structures. Based on aerial photography these buildings have been present since at least 1966.

7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicant's Response: *"The only possible detriment to nearby properties would be the amount of user traffic, whether it be vehicular, or pedestrian."*

If approved, the property could be allowed to develop additional uses including several commercial and food service type uses. The size of the property, limited parking options, and arrangement of

existing improvements provide some natural limits on the intensity of development. Delaware is a designated local street. Residential uses are located immediately south and west of the property. Any redevelopment or changes of use will be subject to site plan approval and design review. These requirements should mitigate impacts on adjacent properties. Delaware Street between 9th Street and 11th Street is part of the designated delivery truck route. Residents along this segment of Delaware Street should be aware of this type of traffic activity. Approval of the request is not likely to impact truck traffic in this area. Approval of the request would allow uses that may generate consumer oriented traffic in this area.

Staff Finding – The proposed request will not result in a detrimental impact to adjacent properties other than potential parking demands in the immediate area.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Applicant's Response: *"The gain would be the ability to have a business that would provide services to better the everyday welfare of the neighborhood. There wouldn't necessarily be any hardship imposed on the owner if not approved. We would just keep on keeping on.*

Evaluation of this criterion includes weighing the benefits to the public versus the benefit of the owners of the subject property. Benefits are measured based on anticipated impacts of the rezoning request on the public health, safety, and welfare.

This proposed request will not have an impact on the larger public welfare. The impact assessment is narrowly focused. Benefits to the property owner result by providing additional land use choices that are compatible with smaller lot sizes. The Neighborhood benefits by property owner investment in the improvements. The community benefits result from the expansion of the commercial base and potential employment.

Denial of the request will result in the continued underutilization of this property.

Staff Finding – Gains to the public are marginal but increase as the focus of the impact of the land use change narrows. Denial of the request would result in the applicant being denied the opportunity to consider other uses for this property.

9. PROFESSIONAL STAFF RECOMMENDATION

Several development proposals for this property have been presented to staff over the years. The size and configuration of the property and its improvements severely limit the options for redevelopment. Two key neighborhood policies expressed in the East Lawrence Neighborhood Plan are the protection of the residential character and the enhancement of businesses in the neighborhood.

However, this property is located mid-block and immediately adjacent to existing residential uses. Uses that may be appropriate for a corner property would not be appropriate for this site. Additionally, uses that generate high amounts of traffic such as banks and drive-through restaurants would also not be appropriate in this location. As such, staff recommends use restrictions if this rezoning is approved.

Uses Restrictions

Residential uses are generally not allowed in either the existing IG or the proposed IL district. Rezoning to IL would permit a "Work/Live Unit" that is not currently allowed on this property. Section 20-404 of the Development Code provides the complete list of uses and is attached to this report. A copy of the use restrictions for the 8th and Penn project is also attached for reference. Similar use restrictions are recommended for this property.

CONCLUSION

The proposed request modifies the allowed uses and retains the property in the industrial inventory. The small size of the property provides natural limitations on the use. Restricting the uses future mitigates the impact of future development of the site on the adjacent residential uses. The proposed request is compatible with the surrounding land uses and zoning of the area as well as consistent with the Comprehensive Plan.

20-403 NONRESIDENTIAL DISTRICT USE TABLE

Key: *A = Accessory* *P = Permitted* *S = Special Use* ** = Standard Applies* *- = Use not allowed*		*Base Zoning Districts*														*Use-Specific Standards (Sec. 20-)*
		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IG*	*OS*	*GPI*	*H*	
RESIDENTIAL USE GROUP																
Household Living	Accessory Dwelling	P*	–	P*	–	–	–	–	–	–	–	–	–	–	–	534
	Attached Dwelling	P*	–	P*	–	–	–	–	–	–	–	–	–	P*	–	503
	Cluster Dwelling	–	–	–	–	–	–	–	–	–	–	–	–	–	–	702
	Detached Dwelling	P*	–	P	–	–	–	–	–	–	–	–	–	P*	P*	508
	Duplex	P*	–	P*	–	–	–	–	–	–	–	–	–	–	–	503
	Manufactured Home	–	–	–	–	–	–	–	–	–	–	–	–	P	P	
	Manufactured Home, Residential-Design	P*	–	–	–	–	–	–	–	–	–	–	–	–	–	513
	Mobile Home	–	–	–	–	–	–	–	–	–	P	P	–	P	P	
	Mobile Home Park	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
	Multi-Dwelling Structure	–	P*	P*	–	P*/S*	P*		P*	–	–	–	–	S	P	517
	Non-Ground Floor Dwelling	P*	P*	P*	–	P*	P*	–	P*	–	–	–	–	–	–	517/542
	Work/Live Unit	P*	P*	P*	–	P*/S*	P*	–	P*	–	P*	–	–	–	–	
	Zero Lot Line Dwelling	P*	–	P	–	–	–	–	–	–	–	–	–	–	–	531
	Home Occupation, Type A or B	–	–	P*	–	–	–	–	–	–	–	–	–	–	–	
Group Living	Assisted Living	–	–	P	–	–	–	–	–	–	–	–	–	S	S	
	Congregate Living	–	–	P*	–	–	–	–	–	–	–	–	–	–	–	546
	Dormitory	–	–	–	–	–	–	–	–	–	–	–	–	–	P	
	Fraternity or Sorority House	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
	Group Home, General (11 or more)	S	S	S	S	S	S	S	S	–	–	–	–	–	P	
	Group Home, Limited (10 or less)	P	–	P	–	–	–	–	–	–	–	–	–	–	–	
PUBLIC AND CIVIC USE GROUP																
Community Facilities	Cemetery	P*	P*	–	P*	–	P*	P*	P*	P*	P*	–	P*	P*	–	505
	College/University	S	P	P	P	P	P	P	P	P	P	P	–	P	P	
	Cultural Center/ Library	S	P	P	S	P	P	–	–	P	–	–	S	P	A	
	Day Care Center	S*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	–	–	–	507
	Day Care Home, Class A	P									–	–	–	–	–	
	Day Care Home, Class B	S*/A*	P*	S*	–	P	P	–	P	–	–	–	–	–	–	507
	Detention Facilities	–	–	–	–	–	–	–	–	–	S	S	–	S	–	

Use added with Rezoning

No changes to this catagory

Various changes to this use with Rezonig - no restrictions proposed at this time

Key:
A = Accessory
P = Permitted
S = Special Use
** = Standard Applies*
- = Use not allowed

		Base Zoning Districts														*Use-Specific Standards (Sec. 20-)*
		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IG*	*OS*	*GPI*	*H*	
	Lodge, Fraternal & Civic Assembly	S*	S*	S*	S*	P*	P*	P*	P*	–	P*	–	–	P*	–	512
	Postal & Parcel Service	–	P	P	P	P	P	P	P	P	P	P	–	P	–	
	Public Safety	S	P	P	P	P	P	P	P	P	P	P	–	P	–	
	School	P	P	P	P	P	P	P	P	–	–	–	–	P	–	
	Funeral and Interment	–	P*	–	P*	P*	P*	P*	P*	P*	P*	–	A*	–	–	505
	Temporary Shelter	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*	S*/A*	S*	–	S*	S*/A*	544/522
	Social Service Agency	P	P	P	P	P	P	P	P	P	P	P	–	P	P	
	Community Meal Program	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S	S/A*	S	–	S	S/A*	522
	Utilities, Minor	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	P*/ S*	–	530
	Utilities and Service, Major	S	S	S	S	S	S	S	S	S	S	P	S	P	–	
Medical Facilities	Extended Care Facility, General	–	S	–	S	–	–	–	–	S	–	–	–	–	P	
	Extended Care Facility, Limited	P	P	P	P	–	–	–	–	–	–	–	–	S	P	
	Health Care Office, Health Care Clinic	P	S	P	P	P	P	P	P	P	P	–	–	–	A	
	Hospital	–	–	–	–	–	–	–	–	–	–	–	–	–	P	
	Outpatient Care Facility	P*	P*	P*	P*	P*	P*	P*	P*	–	-	–	–	P*	P*	519
Recreational Facilities	Active Recreation	S	P	P	S	S	P	P	P	P	P	S	S	A*/S*	A	532
	Entertainment & Spectator Sports, General	–	–	–	–	P	P	P	P	–	–	–	–	S	–	
	Entertainment & Spectator Sports, Limited	–	P	P	–	P	P	P	P	–	–	–	–	–	–	
	Participant Sports & Recreation, Indoor	–	P	P	–	P	P	P	P	P	P	–	–	P	A	
	Participant Sports & Recreation, Outdoor	–	–	S	–	–	P	P	P	P	P	–	–	A*/S*	–	532
	Passive Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Nature Preserve/ Undeveloped	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Private Recreation	P	P	P	–	P	P	–	P	–	–	–	P	P	P	

Use Added with Rezoning

Various changes to this category -
No restrictions proposed

Key: *A = Accessory* *P = Permitted* *S = Special Use* ** = Standard Applies* *- = Use not allowed*		*Base Zoning Districts*														*Use-Specific Standards (Sec. 20-)*
		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IG*	*OS*	*GPI*	*H*	
Religious Assembly	Campus or Community Institution	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	–				
	Neighborhood Institution	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	–				
COMMERCIAL USE GROUP																
Animal Services	~~Kennel~~	–				–	P	P	P	–	P	P	–			
	Livestock Sale	–	–	–	–	–	S	S	S	–	P	P	–	–	–	
	Sales and Grooming	P	P	P	P	P	P	P	P	–	P	P	–	–	–	
	Veterinary	–	P	P	P	P	P	P	P	P	P	P	–	–	–	
Eating & Drinking Establishments	Accessory Bar	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	–	–	–	–	509
	Accessory Restaurant	–	–	–	–	–	–	–	–	A	–	–	–	–	–	
	Bar Or Lounge	–	–	S*	–	P*	P*	P*	P*	–	–	–	–	–	–	509
	Brewpub	–	P*	S*	–	P*	P*	P*	P*	–	–	–	–	–	–	509
	Fast Order Food	P*	P*	P	P*	P*	P*	P*	P*	–	P*	–	–	–	A*	511 & 509
	~~Fast Order Food, Drive-In~~	–	S	–	–	–	P	P	P	–	P	–				
	Nightclub	–	–	–	–	P*	–	P*	P*	–	–	–	–	–	–	509
	Private Dining Establishments	P*	P*	–	P*	P*	P*	P*	P*	P*	–	–	–	–	–	539
	Restaurant, Quality	P*	P*	P	P*	P*	P*	P*	P*	P*	P*	–	–	–	–	524
Office	Administrative and Professional	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	A*	518
	~~Financial, Insurance & Real Estate~~	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	–				
	Other	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	–	–	–	537
Parking Facilities	Accessory	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	535
	Commercial	–	S	S	S	S	P	P	P	P	P	P	–	P	A	
Retail Sales & Service	Building Maintenance	–	P	S	–	P	P	P	P	–	P	P	–	A	A	
	Business Equipment	–	P	P	–	P	P	P	P	P	P	–	–	–	–	
	Business Support	–	P	P	P	P	P	P	P	P	P	P	–	–	A	
	Construction Sales and Service	–	–	–	–	–	P	P	P	–	P	P	–	–	A	

Various changes to this category-
No restrictions proposed

Proposed Restriction

Proposed Restriction

Proposed Restriction

Key:
A = Accessory
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** = Standard Applies*
- = Use not allowed

		Base Zoning Districts														
		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IG*	*OS*	*GPI*	*H*	*Use-Specific Standards (Sec. 20-)*
	Food and Beverage	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	–	–	–	A*	511
	~~Mixed Media Store~~	P*	P*	P*	P*	P*	P*	P*	P*	–	P*					
	Personal Convenience	P*	P*	P*	–	P*	P*	P*	P*	–	P*	–	–	–	A*	520
	Personal Improvement	P*	P*	P*	–	P*	P*	P*	P*	–	P*	–	–	A*	A*	521
	Repair Service, Consumer	P*	P*	P*	–	P*	P*	P*	P*	–	P*	–	–	–	–	523
	Retail Sales, General	P*	P*	P*	P*	P*	P*	P*	P*	–	P*	–	–	–	A*	525
	Retail Establishment, Large	–	–	–	–	–	P*	P*	S*	–	–	–	–	–	–	526
	Retail Establishment, Medium	–	P*	P*	–	P*	P*	P*	P*	–	–	–	–	–	–	526
	Retail Establishment, Specialty	–	P*	P*	–	P*	P*	P*	P*	–	–	–	–	–	–	526
Sexually Oriented Businesses	Sexually Oriented Media Store	–	–	P*	–	–	-	-	-	–	–	-	–	–	–	528
	Physical Sexually Oriented Business	–	–							–	–	–	–	–	–	528
	Sex Shop	–	–	–	–	–	P*	P*	P*	–	–	–	–	–	–	528
	Sexually Oriented Theater	–	–	–	–	–	P*	P*	P*	–	–	–	–	–	–	528
Transient Accommodation	Bed and Breakfast	P*	–	P*	–	–	–	–	–	–	–	–	–	–	–	20-504
	Campground	–	–	–	–	–	P	P	P	–	–	–	S	–	–	
	~~Hotel, Motel, Extended Stay~~	–	–	P	–	P	P	P	P	–	P	–				
Vehicle Sales & Service	~~Cleaning (Car Wash)~~	–	S	–	–	–	P	P	P	–	P	P	–			
	Fleet Storage	–	–	–	–	–	P	P	P	–	P	P	–	–	A	
	~~Gas and Fuel Sales~~	–	S	S	–	–	P	P	P	–	P	P	–			
	~~Heavy Equipment Repair~~	–	–	–	–	–	P	P	P	–	P	P	–			
	~~Heavy Equipment Sales/Rental~~	–	–	–	–	–	P	P	P	–	P	P	–			
	~~Inoperable Vehicles Storage~~	–	–	–	–	–	P	P	P	–	P	P	–			

No changes to this catagory

Proposed Restriction

Proposed Restriction

Proposed Restriction

Proposed Restriction

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Key:
A = Accessory
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S = Special Use
** = Standard Applies*
- = Use not allowed

		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
	Light Equipment Repair	–	S	–	–	S	P	P	P	–	P	P	–	–	–	
	Light Equipment Sales/Rental	–	P*	–	–	S	P	P	P	–	P	P	–	–	–	545
	~~RV and Boats Storage~~	–	–	–	–	–	P	P	P	–	P	P	–	–	–	
INDUSTRIAL USE GROUP																
Industrial Facilities	Explosive Storage	–	–	–	–	–	–	–	–	–	–	P	–	–	–	
	Industrial, General	–	–	–	–	–	–	–	–	–	P	P	–	–	–	
	Industrial, Intensive	–	–	–	–	–	–	–	–	–	–	P	–	–	–	
	Laundry Service	–	–	–	–	–	P	P	P	–	P	P	–	–	–	
	Manufacturing & Production, Ltd.	–	–	P	–	S	S	S	S	P	P	P	–	–	–	
	Manufacturing & Production, Tech.	–	–	–	–	S	P	P	P	P	P	P	–	–	–	
	Research Service	–	–	–	S	S	P	P	P	P	P	P	–	–	–	
	~~Scrap and Salvage Operation~~	–	–	–	–	–	–	–	–	–	S*	S*				
Wholesale, Storage & Distribution	Exterior Storage	–	–	–	–	–	A*	A*	A*	A*	A*	A*	–	A*	A*	538
	Heavy	–	–	–	–	–	S	S	S	–	S	P	–	–	–	
	Light	–	–	–	–	–	P	P	P	P	P	P	–	S	–	
	~~Mini-Warehouse~~	–	–	–	–	–	P	P	P	–	P	P				
OTHER USES GROUP																
Adaptive Reuse	Designated Historic Property	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	501
	Greek Housing Unit	–	–	–	–	–	–	–	–	–	–	–	–	–	–	

Proposed Restrictions

Proposed Restrictions

Proposed Restrictions

No changes to this catagory

Key: *A = Accessory* *P = Permitted* *S = Special Use* ** = Standard Applies* *- = Use not allowed*		*Base Zoning Districts*														*Use-Specific Standards (Sec. 20-)*
		CN1	*CN2*	*MU*	*CO*	*CD*	*CC*	*CR*	*CS*	*IBP*	*IL*	*IG*	*OS*	*GPI*	*H*	
Agriculture	Agricultural Sales	–	–	–	–	–	P	P	P	–	P	P	–	–	–	
	Agriculture, Animal	–	–	–	–	–	–	–	–	–	–	–				
	Agriculture, Crop	P	P	P	P	–	P	P	P	P	P	P				
Communications Facilities	Amateur & Receive-Only Antennas	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
	Broadcasting Tower	–	–	–	–	S	–	–	–	P	P	P	–	–	A	
	Communications Service Establishment	P	P	P	P	P	P	P	P	P	P	P	–	P	A	
	Telecommunications Antenna	A*	A*	A*	A*	S*	A*	A*	A*	A*	A*	A*	A*	A*	A*	529
	Telecommunications Tower	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	A*	A*	529
	Satellite Dish	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
Mining	Mining	–	–	–						–	–	S*	–	–	–	515
Recycling Facilities	Large Collection	–	–	–	–	–	P	P	P	–	P	P	–	–	–	540
	Small Collection	P	P	P*	P	P	P	P	P	P	P	P	–	A	A	540
	Processing Center	–	–	–	–	–	–	–	–	–	P	P	–	–	–	

Proposed Restrictions - All in this category

No changes to this catagory

No changes to this catagory

No changes to this catagory

ORDINANCE NO. 8054

AN ORDINANCE PROVIDING FOR THE REZONING OF 4.54 ACRES FROM M-2 (GENERAL INDUSTRIAL) DISTRICT AND M-3 (INTENSIVE INDUSTRIAL) DISTRICT TO CS (COMMERCIAL STRIP) DISTRICT; AMENDING THE ZONING DISTRICT MAP INCORPORATED BY REFERENCE IN SECTION 20-108, OF THE "CODE OF THE CITY OF LAWRENCE, KANSAS, 2006 EDITION," AND AMENDMENTS THERETO.

WHEREAS, after due and lawful notice and hearing, the Lawrence-Douglas County Metropolitan Planning Commission on March 15, 2006, recommended that the zoning classification for the tract of land described in Section II of this ordinance all within the City of Lawrence, Douglas County, Kansas, be changed from M-2 (General Industrial) District and M-3 (Intensive Industrial) District to C-5 (Limited Commercial) District.

WHEREAS, after due and lawful notice the zoning recommendation came on for hearing before the governing body of the City of Lawrence, Douglas County, Kansas on August 8, 2006, and after due consideration and deliberation the recommended zoning change was authorized with the following list of uses excluded from this zoning change:

Bars [unless 55% of gross receipts are derived from food sales as outlined in 20-509(5)(i)]
Liquor Store
Ambulance Service
Car or Truck Wash
Auto Repair
~~No~~ External drive-through ATM or drive-through window [walk-up ATM's are allowed]
Furriers
Pawn Shop
Mobile Home Sales and Service
Golf Driving Range
Pet Store [animal sales]
Loan Office [short-term cash advance loans]
Convenience Store with Gasoline Sales; and,

WHEREAS, the Governing Body of the City of Lawrence, Kansas did on April 4, 2006, adopt Ordinance No. 7985, adopting the Development Code of the City of Lawrence, Kansas, (hereinafter "the Development Code") effective July 1, 2006; and

WHEREAS, the Governing Body of the City of Lawrence, Kansas did on April 4, 2006, adopt Ordinance No. 7986, adopting the Official Zoning District Map for the Development Code of the City of Lawrence, Kansas, effective July 1, 2006; and

WHEREAS, pursuant to Section 20-110 (e) of the Development Code, the Official Zoning District Map designations in effect before the effective date of the Development Code convert to New Map Designations set forth in the table in Section 20-110 (e); and

WHEREAS, pursuant to Section 20-110 (e) of the Development Code, the C-5 designation has converted to Commercial Strip District, CS designation.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION I. The above stated recitals are by reference incorporated herein, and shall be as effective as if repeated verbatim.

SECTION II. That the zoning district classification for the following described tract of land situated in the City of Lawrence, Douglas County, Kansas, to-wit:

FROM M-2 TO C-5:

ALL OF LOTS 15, 17 AND 19 ON PENNSYLVANIA STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS;
AND,

THE WEST ONE-HALF OF PENNSYLVANIA STREET (80 FEET WIDE RIGHT-OF-WAY) FROM THE EASTERLY PROLONGATION OF THE LINE COMMON TO LOTS 19 AND 21 ON PENNSYLVANIA STREET TO 8TH STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

CONTAINING A TOTAL OF 23,581 SQUARE FEET OR 0.54 ACRES, MORE OR LESS.

FROM M-3 TO C-5:

THE EAST ONE-HALF OF PENNSYLVANIA STREET (80 FEET WIDE RIGHT-OF-WAY) FROM 9TH STREET TO 8TH STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS;
AND,

ALL OF LOTS 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, AND 36 ON PENNSYLVANIA STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; AND ALSO,

THE 16 FEET WIDE ALLEY RUNNING NORTH AND SOUTH FROM 9TH STREET TO 8TH STREET BETWEEN PENNSYLVANIA STREET AND THE NORTHERLY EXTENSION OF DELAWARE STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; AND ALSO,

ALL OF LOTS 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, AND 23 ON DELAWARE STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS;
AND ALSO,

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1 ON DELAWARE STREET; THENCE EAST 75 FEET; THENCE SOUTH 200 FEET; THENCE WEST 75 FEET; THENCE NORTH 200 FEET TO THE PLACE OF BEGINNING;
AND ALSO,

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS: BEGINNING 117 FEET EAST OF THE NORTHWEST

CORNER OF SAID LOT 9 ON DELAWARE STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE SOUTH 50 FEET; THENCE WEST 75 FEET; THENCE NORTH 50 FEET; THENCE EAST 75 FEET TO THE PLACE OF BEGINNING;
AND ALSO,

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS: BEGINNING 117 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 17 ON DELAWARE STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE SOUTH 200 FEET; THENCE WEST 76 FEET; THENCE NORTH ALONG THE EAST LINE OF LOTS 23, 21, 19, AND 17 ON DELAWARE STREET, TO THE NORTH LINE OF SAID LOT 17; THENCE EAST TO THE POINT OF BEGINNING;
AND ALSO,

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS: BEGINNING 117 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 11 ON DELAWARE STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS; THENCE SOUTH 150 FEET; THENCE WEST 75 TO THE SOUTHEAST CORNER OF SAID LOT 15; THENCE NORTH 150 FEET; THENCE EAST 75 FEET TO THE PLACE OF BEGINNING.

THE ABOVE DESCRIBED CONTAINING A TOTAL OF 4.00 ACRES, MORE OR LESS.

is hereby changed from that of M-2 (General Industrial) District and M-3 (Intensive Industrial) District to CS (Commercial Strip) District as such district is defined and prescribed in the Development Code of the City of Lawrence, Kansas, effective July 1, 2006, and amendments thereto, subject to use restrictions and additional restrictions of rezoning. The Restrictions and additional conditions of rezoning are set forth in this ordinance. The uses not permitted in this District include:

Bars [unless 55% of gross receipts are derived from food sales as outlined in 20-509(5)(i)]
Liquor Store
Ambulance Service
Car or Truck Wash
Auto Repair
~~No~~ External drive-through ATM or drive-through window [walk-up ATM's are allowed]
Furriers
Pawn Shop
Mobile Home Sales and Service
Golf Driving Range
Pet Store [animal sales]
Loan Office [short-term cash advance loans]
Convenience Store with Gasoline Sales; and,

The additional condition of rezoning for the property being rezoned from M-2 to C-5: Prior to the issuance of a building permit the property owner and City shall enter in to an agreement

whereby the property owner agrees to provide a portion of the dwelling units to be used for affordable housing as part of a continuing land trust.

SECTION III. That the Zoning District Map incorporated by reference in and by Section 20-108 of the "Code of the City of Lawrence, Kansas, 2006 Edition" is hereby amended by showing and reflecting thereon the new zoning district classification for the aforesaid tract, as set forth in Section II of this ordinance.

SECTION IV. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED by the Governing Body of the City of Lawrence, Kansas, the 19 day of Dec, 2006.

APPROVED:

MIKE AMYX, Mayor

ATTEST:

Frank S. Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:

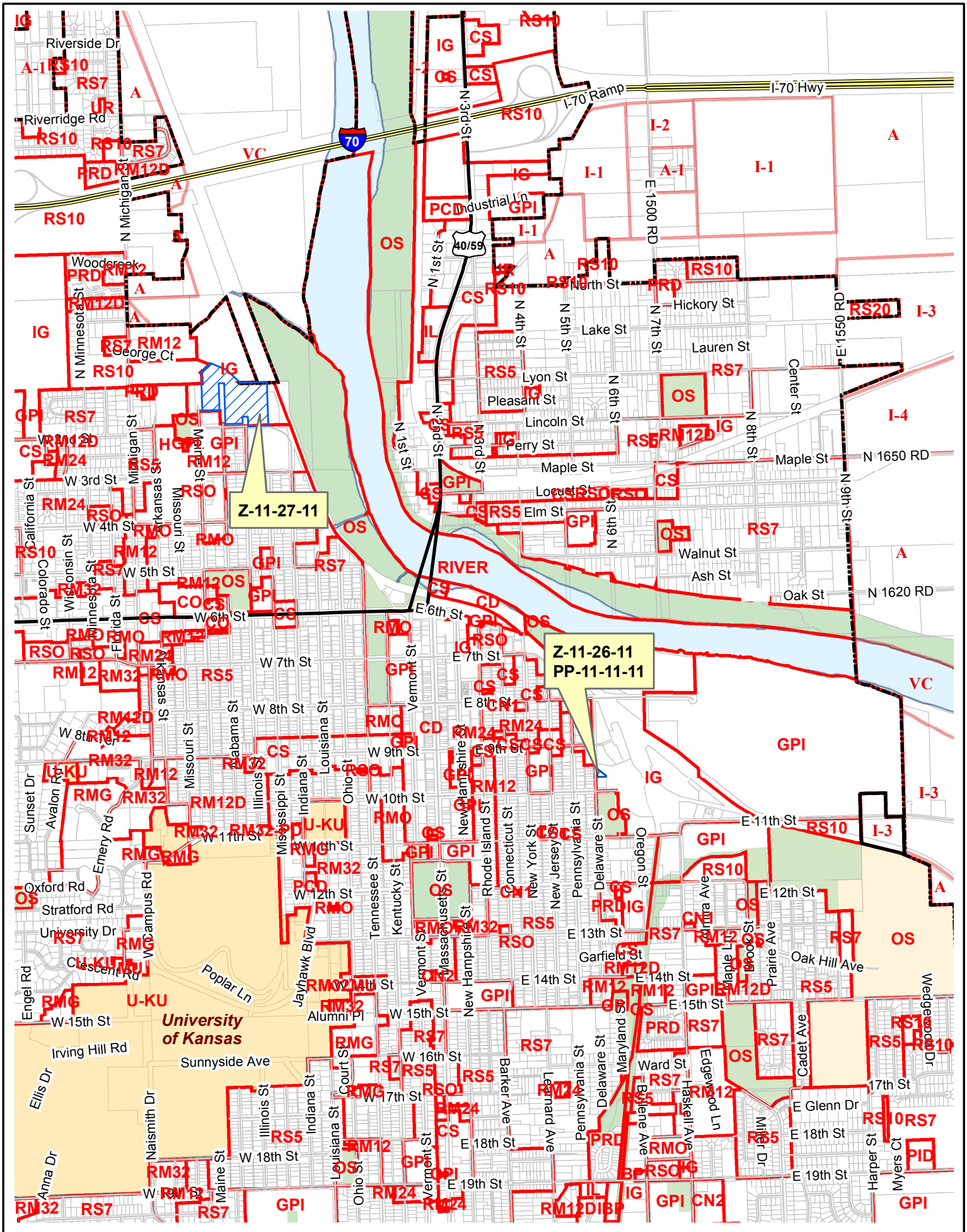
12.26.06

Toni Ramirez Wheeler Date
Interim Director of Legal Services

LEGAL DESCRIPTION VERIFIED:

12/20/2006

David R. Guntert, Planner Date


Z-11-27-11
Z-11-26-11
PP-11-11-11
RIVER
University of Kansas
U-KU
Riverside Dr
Riverridge Rd
N Michigan St
N Minnesota St
George Ct
Woodcreek
W 3rd St
W 4th St
W 5th St
W 6th St
W 7th St
W 8th St
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E 15th St
E 17th St
E 18th St
E 19th St
E Glenn Dr
I-70 Ramp
I-70 Hwy
70
40/59
N 1st St
N 2nd St
N 3rd St
N 4th St
N 5th St
N 6th St
N 7th St
N 8th St
N 9th St
E 1500 RD
E 1550 RD
N 1620 RD
N 1650 RD
Industrial Ln
North St
Hickory St
Lake St
Lauren St
Center St
Lyon St
Pleasant St
Lincoln St
Perry St
Maple St
Locust St
Elm St
Walnut St
Ash St
Oak St
Michigan St
Missouri St
Kansas St
Wisconsin St
Minnesota St
Colorado St
California St
Florida St
Alabama St
Louisiana St
Indiana St
Illinois St
Mississippi St
Vermont St
Tennessee St
Kentucky St
Massachusetts St
New Hampshire St
Rhode Island St
Connecticut St
New York St
New Jersey St
Pennsylvania St
Delaware St
Maryland St
Oregon St
Ohio St
Maine St
Barker Ave
Leonard Ave
Edgewood Ln
Haskell Ave
Cadet Ave
Prairie Ave
Irma Ave
Wedgewood Dr
Oak Hill Ave
Garfield St
Ward St
Myers Ct
Harper St
Miller Dr
Bayne Ave
Sunset Dr
Avalon Rd
Emery Rd
Oxford Rd
Stratford Rd
University Dr
Crescent Rd
Engel Rd
Irving Hill Rd
Sunnyside Ave
Poplar Ln
Jayhawk Blvd
Alumni Pl
Campus Rd
Naismith Dr
Ellis Dr
Anna Dr
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A-1
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GPI
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PID
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UR
VC
CS
CN1
CN2
CD
RS5
RS7
RS10
RS20
RSO
RM12
RM12D
RM24
RM32
RMG
RMO

12/19/2010

Z-11-26-11

Planning office
Sandra Day
Regarding 920 Delaware + ~~922~~ 920½ Delaware
Rezoning IG → IL

Dear Sandra,

We would like to submit our concerns regarding this rezoning from IG + IL and to allow the use of a coffee shop. Before we list our neighborhood concerns, we encourage the property owners to discuss their plans with the residential neighbor directly to the south and to mitigate any issues that may create for their most immediate neighbor.

We are glad the applicant is pursuing down-zoning to a neighborhood / commercial type use away from industrial. We do think restricting a few categories that would be allowed in IL would help with the downzoning + impact on the neighborhood.

Please consider restricting the following uses:
1. Food drive-ins or other drive-thrus
2. Banks / payday loans
3. Dry cleaners
4. Any type drive-thrus (especially gas stations)
5. outdoor kennels

OVER →

6. Sexually oriented shops
7. hotel/motel
8. vehicle sales + service pertaining to open use of land
9. scrap + salvage yard
10. mini-warehouses

Thank you for listening to our concerns.

Sincerely,
Leslie Soden
Leslie Soden
ELNA President

PLANNING COMMISSION REPORT
REGULAR AGENDA -- PUBLIC HEARING ON VARIANCE REQUEST ONLY

PC Staff Report
01/25/12

ITEM NO. 8B PRELIMINARY PLAT FOR EVEN LOWER EAST SIDE ADDITION; 920 & 920 ½ DELAWARE ST (SLD)

PP-11-11-11: Consider a Preliminary Plat for Even Lower East Side Addition, a one lot subdivision containing approximately .20 acres, located at 920 and 920 ½ Delaware Street. The request includes a variance request from the Subdivision Design Standards, specifically 20-809(d) regarding the minimum area of the proposed lot. Submitted by Struct/Restruct, LLC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the variance request from Section 20-809(d)(2) which requires that each lot resulting from the division will conform with the minimum lot size and other dimensional requirements applicable to the property through the Zoning District Regulations found in Section 20-601(a).

The variance would permit the following variation from the dimensional requirements of Section 20-601(a) for the IL Zoning District:

1. Lot area of 8,701 for Lot 1 rather than the 20,000 sq. ft. required in the proposed IL Zoning District.

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of the Even Lower East Side Addition subject to the following conditions:

1. Revision of the preliminary plat with the following notes and changes:
    a. Addition of the following note to the face of the drawing: "Variance approved from Section 20-809(d)(2) which requires that each lot conform with the dimensional requirements applicable to the property through the Zoning District Regulations found in Section 20-601(a), specifically the minimum area requirements.
    b. The revised Preliminary Plat must list the revision date.
    c. Provision of a revised note regarding the 100 year floodplain to reference the August 5, 2010 FEMA FIRMs.
2. An Agreement Not to Protest the Formation of a Benefit District for future street and sidewalk improvements to Delaware Street must be executed by the property owner and provided to the Planning Office with submission of the Final Plat.
3. Review and approval by the Historic Resources Commission.

Applicant's Reason for Request: Per Section 20-801(c) of the Subdivision Regulations, building permits may be issued only on platted property.

KEY POINTS

- The subject property is located within the environs of the East Lawrence Industrial District, National Register of Historic Places.
- Property is in environs of Hobbs Park, Lawrence Register of Historic Places.
- The proposed lot layout is consistent with the historical development pattern of the area.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 6, 2009.
- The plat is not compliant with Section 20-809(d) (2). This section requires that each lot conform with the dimensional requirements applicable to the property through the Zoning District Regulations found in Section 20-601(a). The minimum lot area for the IL district is 20,000 SF. This property includes only 8,701 SF.

ASSOCIATED CASES/OTHER ACTION REQUIRED
- Z-11-26-11 Rezoning IG to IL (submitted concurrently with this preliminary plat request).
- Submittal of the preliminary plat to the City Commission for acceptance of dedication of rights-of-way and easements.
- Submittal and administrative approval of the final plat and recordation at the Douglas County Register of Deeds.
- Submittal and approval of a site plan prior to the issuance of building permits.
- HRC approval of building plans and release of plans for building permits.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING
- No comment has been received related to the preliminary plat. See zoning Z-11-26-11 for comments related to uses.

GENERAL INFORMATION	
Current Zoning and Land Use:	IG (General Industrial) District; existing contractor's office and woodworking shop.
Surrounding Zoning and Land Use:	IG (General Industrial) District to the north, south and east; Allen Press to the north and east, residence to the south. RS5 (Single-Dwelling Residential) District to the west; existing detached homes.

STAFF REVIEW
This property is located at 920 and 920 ½ Delaware Street. Per Section 20-801(c) of the Subdivision Regulations, building permits may be issued only for property which has been platted. Changes of use and anticipated site redevelopment that would require building permits require that the property be platted. Therefore, the applicant has submitted a preliminary plat for this property.

Zoning and Land Use
The zoning in this area was changed from M-3 (Intensive Industrial) District to IG (Industrial General) District upon adoption of the Development Code in 2006. The minimum lot area required in the proposed IL District (Z-11-26-11) is 20,000 SF. This property includes only 8,701 SF. The configuration of this property was likely established by the presence of the rail road that was originally located in this area. The historic land use pattern is demonstrated in the 1912 and 1927 Sanborn Fire Insurance Maps.

The property is developed with existing structures. There are no plans to remove the structures. The property is in the environs of the East Lawrence Industrial Historic District, National Register of Historic Places and Register of Historic Kansas Places. It is also in the environs of

Hobbs Park (702 E 11th), Lawrence Register of Historic Places. Location within the environs of historic properties requires Historic Resource review of all development proposals.

Streets and Access
The property is bounded on the west by Delaware Street. Delaware Street is designated as a local street in this area. No changes to access are proposed by this preliminary plat.

Easements and Rights-of-way
The property abuts Delaware Street which has 60 ft of right-of-way as required in Section 20-810(d)(4)(i) for local streets in the City of Lawrence. There are no utility easements in this area. The utility infrastructure is located within the Delaware Street right-of-way.

Utilities and Infrastructure
Sanitary sewer lines and water service lines that serve this property are located within the public right-of-way. No changes to the existing service are proposed with this preliminary plat.

Variance
The developer is requesting that a variance be granted from Section 20-809(d)(2) which requires that each lot conform with the dimensional requirements applicable to the property through the Zoning District Regulations found in Section 20-601(a). The specific standard applicable to this request as noted above is the minimum lot area. The minimum lot area required.

- The minimum lot area required in the proposed IL District (Z-11-26-11) is 20,000 SF.
- This property includes only 8,701 SF.

Section 20-813(g) states that the Planning Commission may grant a variance from the design standards of these regulations with the exception of the standards of the wastewater disposal system standards only if the following three criteria are met: that the strict application of these regulations will create an unnecessary hardship upon the Subdivider, that the proposed variance is in harmony with the intended purpose of these regulations and that the public health, safety and welfare will be protected. Below is a review of the variance request against these criteria.

Criteria 1: Strict application of these regulations will create an unnecessary hardship upon the Subdivider.
Strict application of these regulations would prohibit the subdivision of the property within the IL District. The shape and size of the property has resulted from the development pattern of the area as demonstrated in the Sanborn maps.

The total area of the subject property is 8,701 sq. ft. The IL District requires a minimum lot area of 20,000 sq ft. It should be noted that the IG district only requires 5,000 SF but is arguably a more intensive district; deserving of a larger area to accommodate buffer yards and setback. The historic development pattern of this area did not include these modern design standards. Existing buildings are located in a manner that includes little or no setback and no opportunity for buffering. Only the acquisition of land from the adjacent properties would allow the property to be compliant with this design standard. Existing development of the surrounding properties is not conducive to such an acquisition. Application of this criterion would be a hardship on the applicant.

Criteria 2: The proposed variance is in harmony with the intended purpose of these regulations.

The intended purpose of these regulations, stated in Section 20-801(a) of the Subdivision Regulations, is to ensure that the division of land will serve the public interest and general welfare as well as to provide for the conservation of existing neighborhoods. The proposed variance from the area requirement would permit the property to be redeveloped within the existing confines of the parcel boundaries. The proposed variance from the minimum lot area would allow the developer to retain and improve the property. The retention and improvement of historical structures in the environs serves the public interest and provides for the conservation of existing neighborhoods.

Criteria 3: The public health, safety and welfare will be protected.

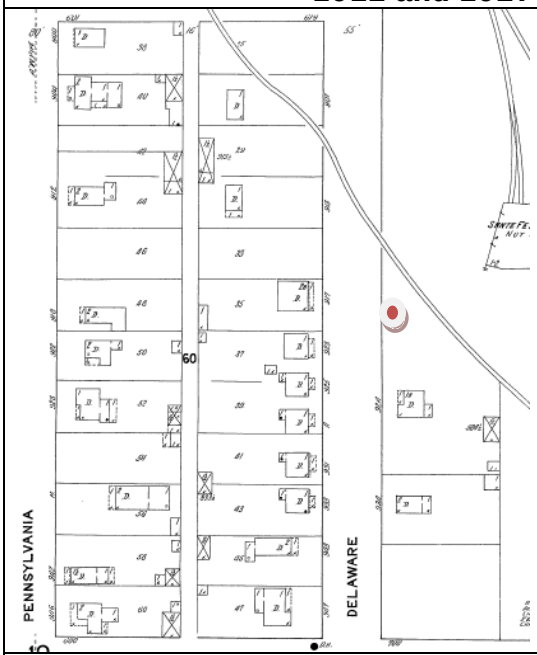
The variance would allow a reduction in the lot area, which would have no negative impact on the public health, safety and welfare.

Staff recommends approval of the variance request from Section 20-809(d)(2) which requires that each lot resulting from the division will conform with the minimum lot size and other dimensional requirements applicable to the property through the Zoning District Regulations found in Section 20-601(a).

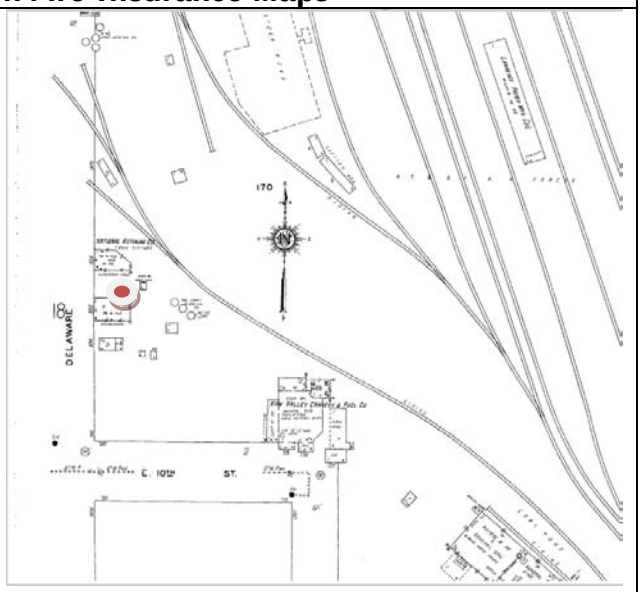
Conformance

With the approved variance and recommended conditions, the preliminary plat is in conformance with the standards and requirements of the Subdivision Regulations and the Development Code.

1912 and 1927 Sanborn Fire Insurance Maps

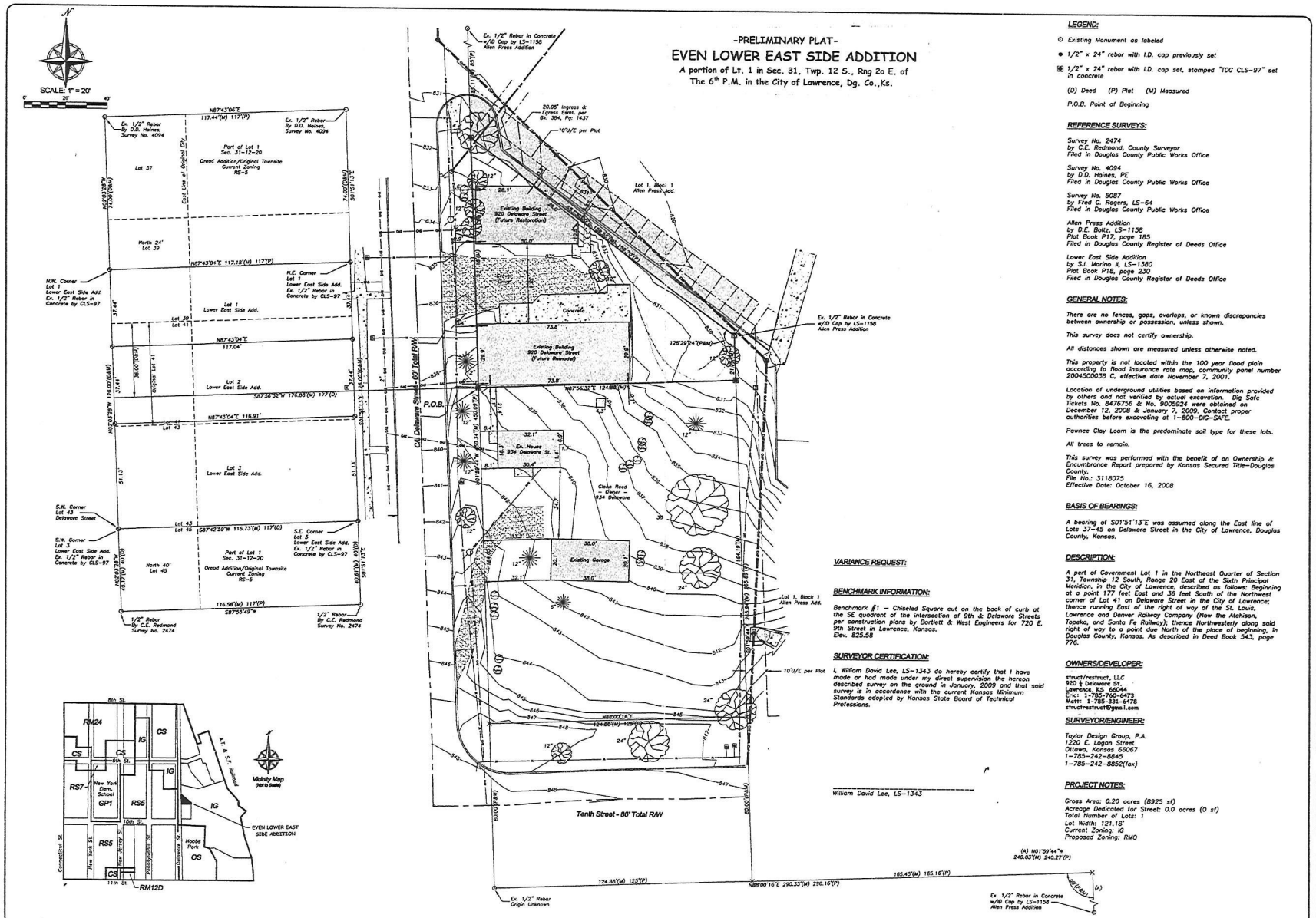


Historical development pattern in the area, taken from 1912 Sanborn Map.

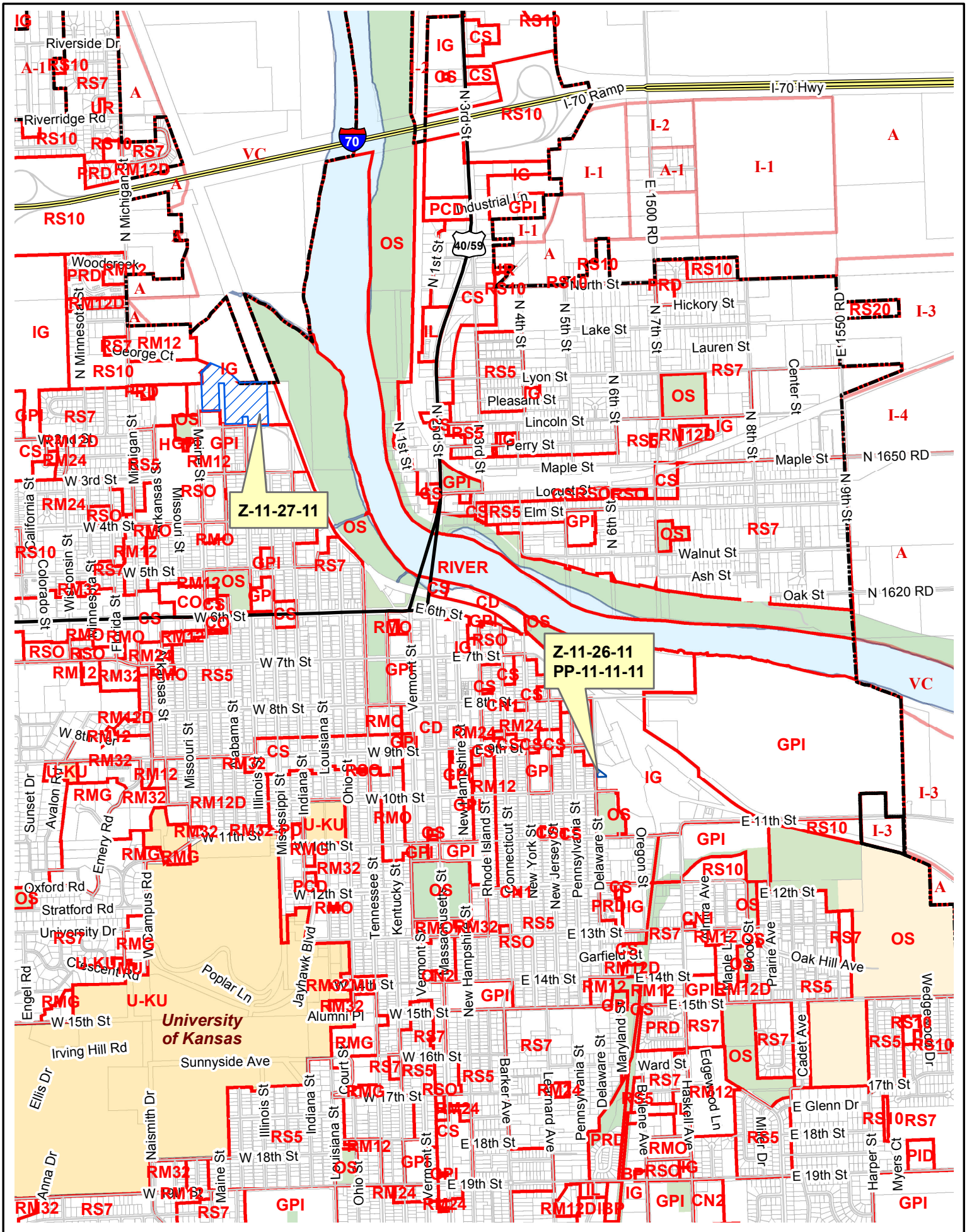


Historical development pattern in the area, taken from 1927 Sanborn Map.

920-920 ½ Delaware



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Z-11-27-11
Z-11-26-11
PP-11-11-11
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University of Kansas
U-KU
Riverside Dr
Riverridge Rd
N Michigan St
N Minnesota St
George Ct
Woodcreek
W 3rd St
W 4th St
W 5th St
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Hickory St
Lake St
Lauren St
Center St
Lyon St
Pleasant St
Lincoln St
Perry St
Maple St
Locust St
Elm St
Walnut St
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Oak St
Michigan St
Missouri St
Kansas St
Wisconsin St
Minnesota St
Colorado St
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Florida St
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Massachusetts St
New Hampshire St
Rhode Island St
Connecticut St
New York St
New Jersey St
Pennsylvania St
Delaware St
Maryland St
Oregon St
Ohio St
Maine St
Barker Ave
Leonard Ave
Edgewood Ln
Haskell Ave
Cadet Ave
Prairie Ave
Irma Ave
Wedgewood Dr
Oak Hill Ave
Garfield St
Ward St
Myers Ct
Harper St
Miller Dr
Bayne Ave
Sunset Dr
Avalon Rd
Emery Rd
Oxford Rd
Stratford Rd
University Dr
Crescent Rd
Engel Rd
Irving Hill Rd
Sunnyside Ave
Poplar Ln
Jayhawk Blvd
Alumni Pl
Campus Rd
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RM12D
RM24
RM32
RMG
RMO

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
1/25/12

ITEM NO. 9 CONDITIONAL USE PERMIT FOR US 59 HWY BORROW PIT (SLD)

CUP-11-6-11: Consider a Conditional Use Permit for US 59 Hwy Borrow Pit located west of US 59 between N 1100 and N 1000 Roads. The property address is 1297 N 1056 Road. The applicant proposes to sell soil for the nearby US 59 construction project. Submitted by Landplan Engineering, for Evelyn M. Johnston Trustee, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of a Conditional Use Permit for a borrow pit at 1297 N 1056 Road in the NE1/4 section 26-13-19 and forwarding of this application to the County Commission with a recommendation for approval, based upon the findings of fact presented in the staff report, and subject to the following conditions:

1. Submittal of a revised site plan to show the following revisions and/or additions to the site plan notes as follows:
    a. The Conditional Use Permit is approved for construction of Highway 59 between N 1000 Road and N 1100 Road and shall expire January 1, 2014 unless a request for an extension is submitted for approval by the Board of County Commission prior to that date.

Reason for Request: *"The owner wishes to sell soil for the US-59 roadway improvement on the subject property in conjunction with the existing agricultural uses."*

KEY POINTS
- Property is located adjacent to highway construction project.
- Proposed use is for specific project and not intended as a continuous mining operation.

ATTACHMENTS
- Area Map
- Site Plan

GOLDEN FACTORS TO CONSIDER
ZONING AND USES OF PROPERTY NEARBY
- Surrounding area includes both A (Agricultural) and A-1 (Suburban Home Residential) district reflective of the uses in the area.

CHARACTER OF THE AREA
- Area is rural with substantial rural residential uses along the highway corridor.

SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED
- Property is located adjacent to the boundary of the planned roadway improvements.
- Property is sufficiently large enough to accommodate proposed use and necessary setbacks and provide finish grading to return the property to a compatible use.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Approval by the County Commission.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Staff received call from individual requesting copy of the proposed plan.

Site Summary:	
Subject Property:	126.169 acres
Activity Area	21.89 acres (850' x 1122')
Buildings:	Multiple accessory structures located along the east side of the property.

Summary of Request

Proposed request is for the removal of soil to be used in the Highway 59 construction project. Soil will be removed and used for construction of a temporary access road (haul road) while the highway is being constructed. Once the highway is constructed, the pit will be used for containment and crushing of construction materials that will then be hauled away. Finally, fill and soil material used in the temporary road will be replaced with stockpiled topsoil. A small 4 acre pond will remain at the conclusion of the project.

I. ZONING AND USES OF PROPERTY NEARBY

GENERAL INFORMATION

Current Zoning and Land Use:	A (Agricultural) District; existing farmland with accessory buildings.
Surrounding Zoning and Land Use:	A (Agricultural) District to the north, east, west, and southeast.
	A-1 (Suburban Home Residential) District to the south and to the east of Highway 59; developed subdivisions.

The surrounding area includes both A (Agricultural) and A-1 (Suburban Home Residential) District zoning. These two districts have very different purposes. The area is characterized by substantial development of homes along county roads in a suburban residential pattern. Larger agricultural tracts are also located within the surrounding area.

Staff Finding – The surrounding area includes both agricultural and residential zoning and land uses.

II. CHARACTER OF THE AREA

The subject property is located within the Lawrence Urban Growth Boundary. The area along Highway 59 and between N 1150 Road and the south line of the Urban Growth Boundary includes numerous parcels that have been divided for residential purposes. The average parcel size is 8.5 acres in this area. This contributes to the residential character of the area. This characterization is important to assure that any lasting changes that result from the proposed use, if approved, are consistent with the surrounding residential character of the area. A graphic of the area is provided in Figure 1.

Staff Finding – Area is within the influence of the City of Lawrence as established by the Urban Growth Area boundary. The development pattern of the area is suburban in nature characterized by smaller lots, platted subdivisions, and interior subdivision streets as wells as linear parcels strip out along County roads.

III. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

Applicant response: *"The majority of the subject property will remain open space."*

This property is zoned A (Agricultural) District. The purpose of this district is identified in Section 12-306 of the County Zoning Regulations and states: *"…The purpose of this district is to provide for a full range of agricultural activities, including processing and sale of agricultural products raised on the premises, and at the same time, to offer protection to agricultural land from the depreciating effect of objectionable, hazardous and unsightly uses."* This district is associated with a majority of the unincorporated portion of Douglas County.

Uses allowed in the "A" District include: farms, truck gardens, orchards, or nurseries for the growing or propagation of plants, trees and shrubs in addition other types of open uses of land. This district includes residential detached dwellings, churches, hospitals and clinics for large and small animals, commercial dog kennels, and rural home occupations. The County Zoning Regulations also include a number of Conditional Uses listed in Section 12-319 of the Zoning Regulations.

The Code states:

"Section 12-319-4.05 ***Mining and Excavation*** *to assure the continued development of all natural resources will be made possible through inclusion of known mineral deposits within zones reserved for their development and production, to guarantee that these sources will not be forever lost for the benefit of Douglas county, Kansas:*

a. Mining excavation and extraction of mineral or raw materials including but not limited to stone, sand, gravel or the other building materials and the manufacturing, processing, storage and selling of said minerals and materials shall be permitted to continue in operation in "A" Agricultural District, "VC" Valley Channel District and Floodway and Floodway Fringe Overlay Districts (only on those areas under lease and on record at the time this resolution goes into effect.)

b. Mining, extraction and excavation of raw materials at new locations within Agricultural, Valley Channel districts, in Douglas County, shall require that an approved plan of restoration of land be submitted to the Planning Board for its recommendation to the Board of County Commissioners. This plan shall show that all excavated material will be returned to a level no higher than the elevation of surrounding land, and that proper drainage is provided. All shafts or tunnels must be left in a safe condition when abandoned."

The proposed use is most similar to and is being reviewed as *a Mining and Excavation* use. A Conditional Use Permit (CUP) does not change the base, underlying zoning. Approval of the request will change the topography of approximately 21 acres of the 126 acre parcel.

The proposed use is immediately adjacent to the Highway construction project thus limiting the required distance trucks will be required to transport the resource to the project. The proposed use is temporary in nature for the life of the construction project. At the conclusion of the project fill and soil material will be used to return a majority of the property back to the original grade with only a small pond remaining.

Staff Finding – This proposed activity will not alter the base zoning of the property. The proximity of the property to the construction project allows for the least amount of impact to surrounding properties and can be accomplished with no impact to existing County roads.

IV. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Staff Finding – County Zoning Regulations were adopted in 1966; this property has been zoned "A (Agricultural)" since that adoption. The property includes accessory structures.

V. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Applicant Response: *"No detriment to nearby property will occur. This CUP request maintains existing agricultural uses on the land while adding employment and revenue opportunities in the northeast Douglas County."*

This request does not propose to remove restrictions related to the base A (Agricultural) Zoning District. Certain uses may be permitted within the "A" District provided that certain conditions are met. This proposed request is intended to supply material for a significant public improvement project. The area includes numerous existing residences that will be affected by the construction project regardless of the approval or denial of this request.

Section 12-319-1.01 of the County Zoning Regulations recognizes: "*certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a district…when found to be in the interest of the public health, safety, morals and general welfare of the community may be permitted, except as otherwise specified in any district from which they are prohibited.*" The proposed use falls under section 12-319-4.05 of the Chapter XII, (Zoning Regulations) of the County Code. The use enumerated in this section is: "Mining and Excavation".

Approval of a Conditional Use Permit does not remove restrictions imposed by the A (Agricultural) zoning of the property. Approval of the request does not grant a right to the property owner to continue mining or excavating material once the highway project is complete.

The proposed activity is located on the southern portion of the 126 acre parcel. The site plan shows a buffer yard of 115' along the south property line. South of the subject property is an existing rural residential subdivision (Shank Hill Subdivision) developed with numerous homes. This area includes an existing tree line that will also serve to buffer the homes from the excavation activity. It is to be expected that this activity may be a temporary nuisance to residents during the life of the construction project due to noise, dust and related highway construction activities.

Staff Finding – The proposed limits of the excavation boundary and the presence of an existing tree line will mitigate, to some degree, the impact of the activity on the adjacent uses to the south. No long term detrimental impacts are anticipated by the proposed use.

VI. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE PETITIONER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNERS

Applicant Response: *"No identifiable gain will result by denial of this request; no identifiable hardship will result from its approval."*

This factor is a test of balance; weighing the relative gain to the public against the hardship imposed upon the property owner/applicant if the application is denied.

The proposed request is directly related to a significant public improvement, that being the reconstruction of Highway 59 a major north/south thoroughfare through Douglas County. Material is needed for the construction of the highway. The closer materials are located to the construction sites the lower the haul costs are associated with the project. The proposed request represents the largest parcel of land in the immediate vicinity of the construction. This larger tract of land is more likely to absorb the impacts of the soil removal (and replacement) than one or more smaller parcels in the same general area. The larger parcel size allows a greater setback from adjacent properties and would be less constrained by operations with limited maneuverability of excavation equipment on a smaller lot.

As the use proposed conveys a specific public benefit, does denial of it convey an unreasonable hardship? In this case, the test of balance weighs in the favor of the property owner/applicant. The hardship imposed by denial of this Conditional Use Permit (CUP) application would require revisions to the Highway project to identify a new source of fill dirt. It is probable that a different location would require heavy vehicle travel on County roads to access the material and haul it to the construction site.

Allowing the use through the approval of a CUP conveys a gain to the public related to the Highway 59 construction project.

Staff Finding – Approval of the Conditional Use Permit would allow the efficient continuation of the Highway 59 construction project. The Conditional Use Permit provides a clearly enforceable document regarding the expectation of use of the property and the implementation of final site grading at the end of the construction project.

VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant Response: *"This request complies with Horizon 2020. The proposed borrow pit operation meets 1) Open Space network and 2) Agricultural Soils specific locational criteria set forth in Chapter 16, Summary of Issues.*

An evaluation of the conformance of a Conditional Use Permit request with the comprehensive plan is based on the strategies, goals, policies and recommendations contained within *Horizon 2020*. The comprehensive plan does not address special or conditional use permits. A key feature of the plan states: "The Plan encompasses goals and policies which are representative of the community's desires for the future. It recognizes the numerous plans and projects that are either underway or pending and anticipates that the Plan will be reviewed when significant land use changes occur within the community (pg. 3-1)."

Horizon 2020 speaks to existing businesses in the county and the need to: "Continue to address the needs of existing businesses and industries to ensure their retention in the community and to help facilitate expansion plans of those businesses and industries for the future" (Chapter 7). The provision of safe and efficient transportation networks is inherent in policy. This request does not represent an expansion of an existing business but does represent the implementation of planned highway improvements.

Chapter 8 of *Horizon 2020* provides a cross reference to the community's transportation plan, Transportation 2030 which acknowledged Highway 59 improvements as a planned State of Kansas project. Major goals included in Chapter 8 state: "Maintain, Expand and Enhance the Existing Transportation Network" and "Promote Efficient System Management and Operations (pg. 8-2)." The upgrade of this road is implementing its construction consistent with its planned functional classification as a non-interstate freeway/expressway shown in Figure 6.9 *Transportation 2030*.

Chapter 16 of *Horizon 2020* provides guidance regarding environmental features for Douglas County. Among one of the most discussed topics is the classification of soils and the preservation of Class I and II soils. The proposed borrow pit will not disturb identified class I and II soils. Refer to Figure 2 for a map of the soils in the area.

Staff Finding – The issuance of special or conditional use permits is not discussed in *Horizon 2020*. However, the Plan does address major thoroughfares planning and environmental features that should be protected. The proposed request is consistent with the adopted long range plans for the community.

STAFF REVIEW

This request is for the approval of a Conditional Use Permit to allow for an excavation of material and construction of a temporary haul road to accommodate the reconstruction of Highway 59. The project is estimated to last approximately two years. Removal of soil within the distrubed area of the site will be from the north to the south. The estimated depth of the pit will be 10'. The access proposed will be located within the KDOT right-of-way and does not require travel over County roads.

A series of notes on the plan describe the activity and include the temporary stockpiling of topsoil and crushing activities related to the eventual removal of the temporary road. Refuse from the construction project will be hauled from the site for proper disposal. There are no structures proposed with this use. Upon completion the site will include a small pond at the north end of the area where soil had been removed.

This request is for a specific purpose. Approval of the borrow pit to remove soil for the Highway 59 construction project should not be construed to be approval as a continuous mining, excavation or soil removal operation. Upon completion of the Highway 59 project in this area, the Conditional Use Permit shall become void. A note on the face of the plan is recommended to clearly state this intent. This is in effect a time limitation on the Conditional Use Permit.

Conclusion:
The use proposed is an appropriate application of the Conditional Use Permit regulations in the Zoning Regulations. Staff recommends that a note be added to clearly indicate that the mining operation is restricted to the Highway project and shall not be used for any continued commercial operation.

Figure 1: Area Zoning and Land Division

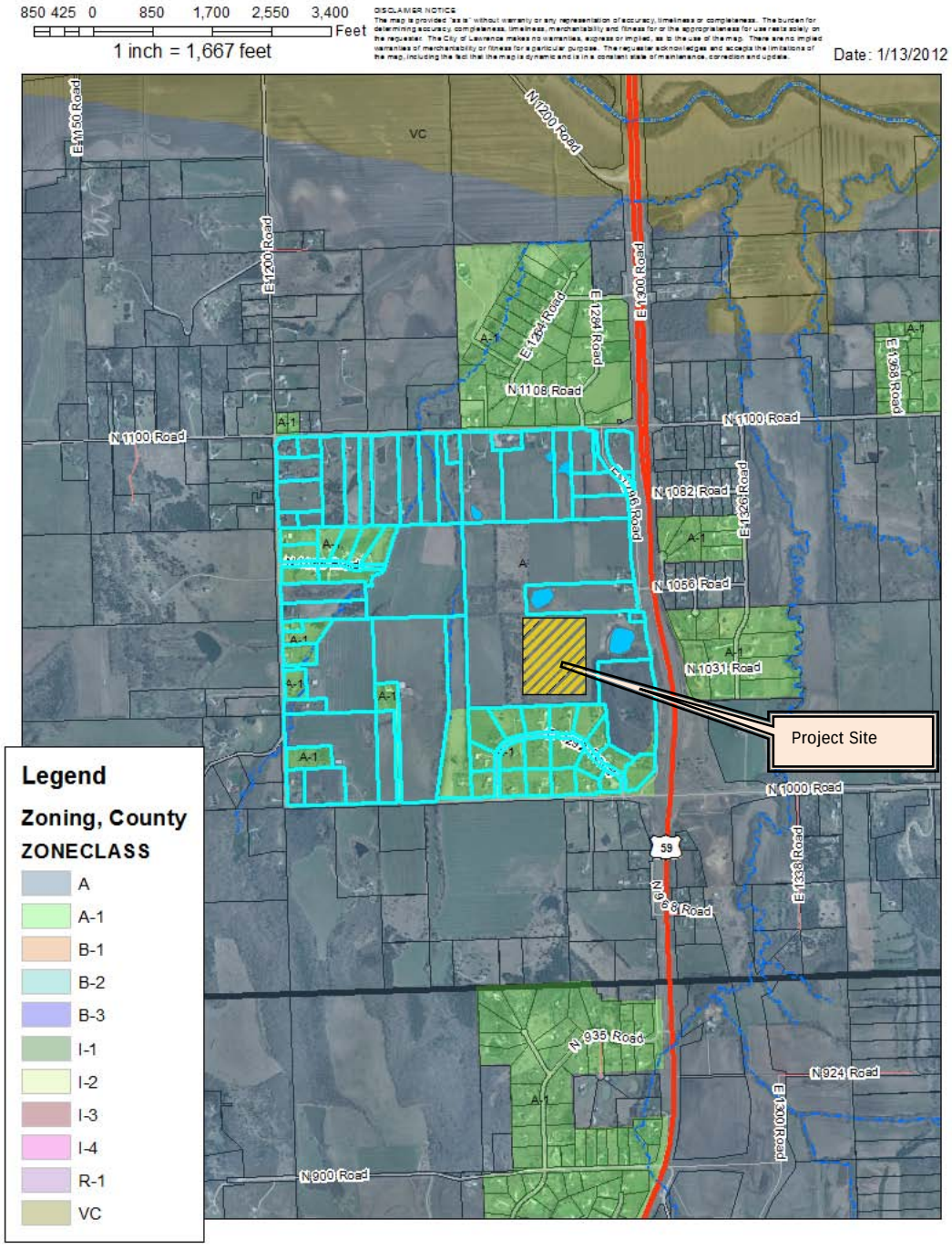
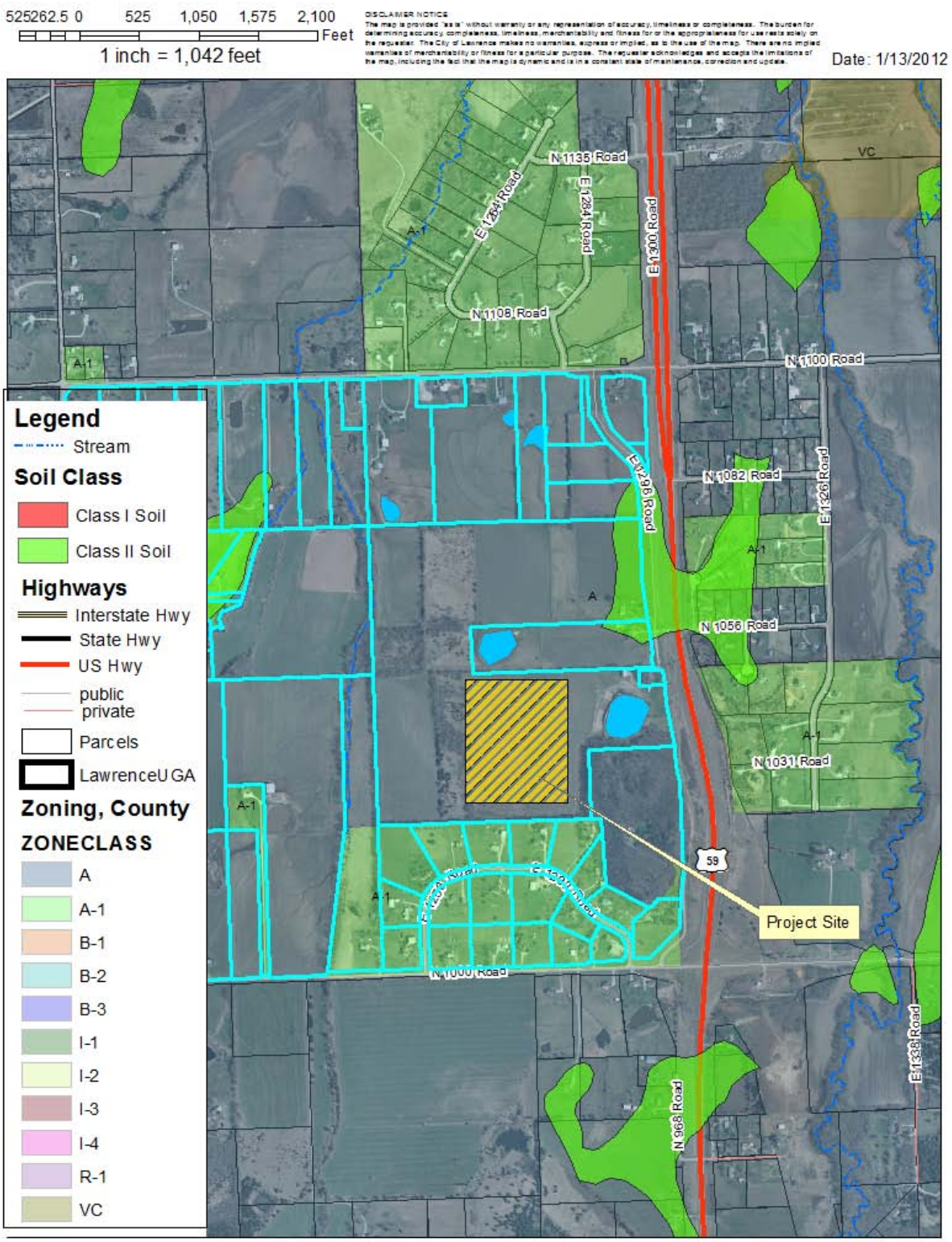


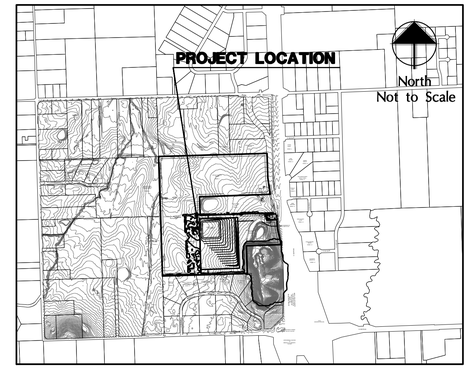
Figure 2: Soil Designations





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Location Map



General Notes

OWNER: EVELYN M JOHNSTON TRUSTEE
1297 N 1056 ROAD
LAWRENCE, KS 66047

CONTRACTOR: KING'S CONSTRUCTION
205 WAKNUT STREET
OSKALOOSA, KANSAS 66066-4000

1. LAND PLANNER/ ENGINEER: LANDPLAN ENGINEERING, P.A.
1310 WAKARUSA DRIVE
LAWRENCE, KS 66049
2. TOPOGRAPHIC INFORMATION OBTAINED FROM 2006 DOUGLAS COUNTY LIDAR AERIAL DATA.
3. EXISTING LAND USE: AGRICULTURAL
4. PROPOSED LAND USE: BORROW PIT US – 59 HIGHWAY PROJECT; AGRICULTURAL
5. EXISTING ZONING: A
6. PROPOSED ZONING: A
7. THIS SITE HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDINGS AND FACILITIES, APPENDIX A TO 28 CFR PART 36.
8. OPERATION OF THE BORROW PIT
STRIPPING 6" to 12" TOPSOIL AS NEEDED STOCK PILE TOPSOIL ON EDGES OF PIT.
REMOVE FILL FROM BORROW PIT DELIVER TO CONSTRUCTION SITE EAST SIDE OF US 59 HIGHWAY.
HAULING OF FILL ACROSS BYPASS ROAD WITH FLAG MAN REQUIRED BY KDOT
DEVELOP POND 3 TO 4 ACRES IN NORTHWEST CORNER OF BORROW PIT
AFTER COMPLETION AND OPENING OF US 59 HIGHWAY, REMOVAL OF BYPASS ROADWAY
1) ASPHALT TO BE HAUL OFF FROM BYPASS ROAD BY OTHERS.
2) SUBGRADE UNDER BYPASS ROAD REMOVED AND USED TO FILL BORROW PIT.
CONCRETE CULVERT REMOVED WEST OF 458 AND US 59 HIGHWAY INTERSECTION, CONCRETE FROM CULVERT CRUSHED IN BORROW PIT AND STOCK PILED.
REMOVAL OF CRUSHED CONCRETE AND COMPLETE FILL OF BORROW PIT.
FROM STOCK PILE OF TOPSOIL, REPLACE TOPSOIL TO ALL DISTURB AREAS AND RESEED

Site Summary

GROSS CUP/SITE AREA:	5,493207.39 SF	/ 126.11 AC
PUBLIC RIGHTS-OF-WAY:	0 SF	/ 0.00 AC
BORROW PIT:	953,700 SF	/ 21.89 AC

Legal Description

A TRACT OF LAND IN THE EAST HALF OF SECTION 26, TOWNSHIP 13 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

PARCEL #1

COMMENCING FROM THE SOUTHEAST CORNER OF SEC. 26, T13S, R19E; THENCE N 89 56' W ALONG THE SOUTHLINE OF SAID SECTION A DISTANCE OF 2,671.3 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE N 0 01' E ALONG THE WEST LINE OF SAID SECTION SE ¼ A DISTANCE OF 1324.78 FEET TO THE NORTHWEST CORNER OF THE S½ OF SAID SE ¼; THENCE S 89 54' 27" E ALONG THE NORTH LINE OF SHANK HILL A DISTANCE OF 855.26 FEET; THENCE N 0 01' E A DISTANCE OF 115.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 0 01' E A DISTANCE OF 1122 FEET; THENCE S89 54' 27" E A DISTANCE OF 850 FEET; THENCE S 0 01' W A DISTANCE OF 1122 FEET; THENCE N 89 54' 27" W A DISTANCE 850 FEET TO THE POINT OF BEGINNING APPROXIMATELY 21.89 ACRES.

A CUP Site Plan for

BORROW PIT US – 59 HWY

Douglas County, Kansas

Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.
Lawrence, KS • Kansas City, MO • Manhattan, KS
Blue Springs, MO • The Woodlands, TX

1310 Wakarusa Drive
Lawrence, Kansas 66049
tele (785)843-7530
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email: info@landplan-pa.com
Web: www.landplan-pa.com

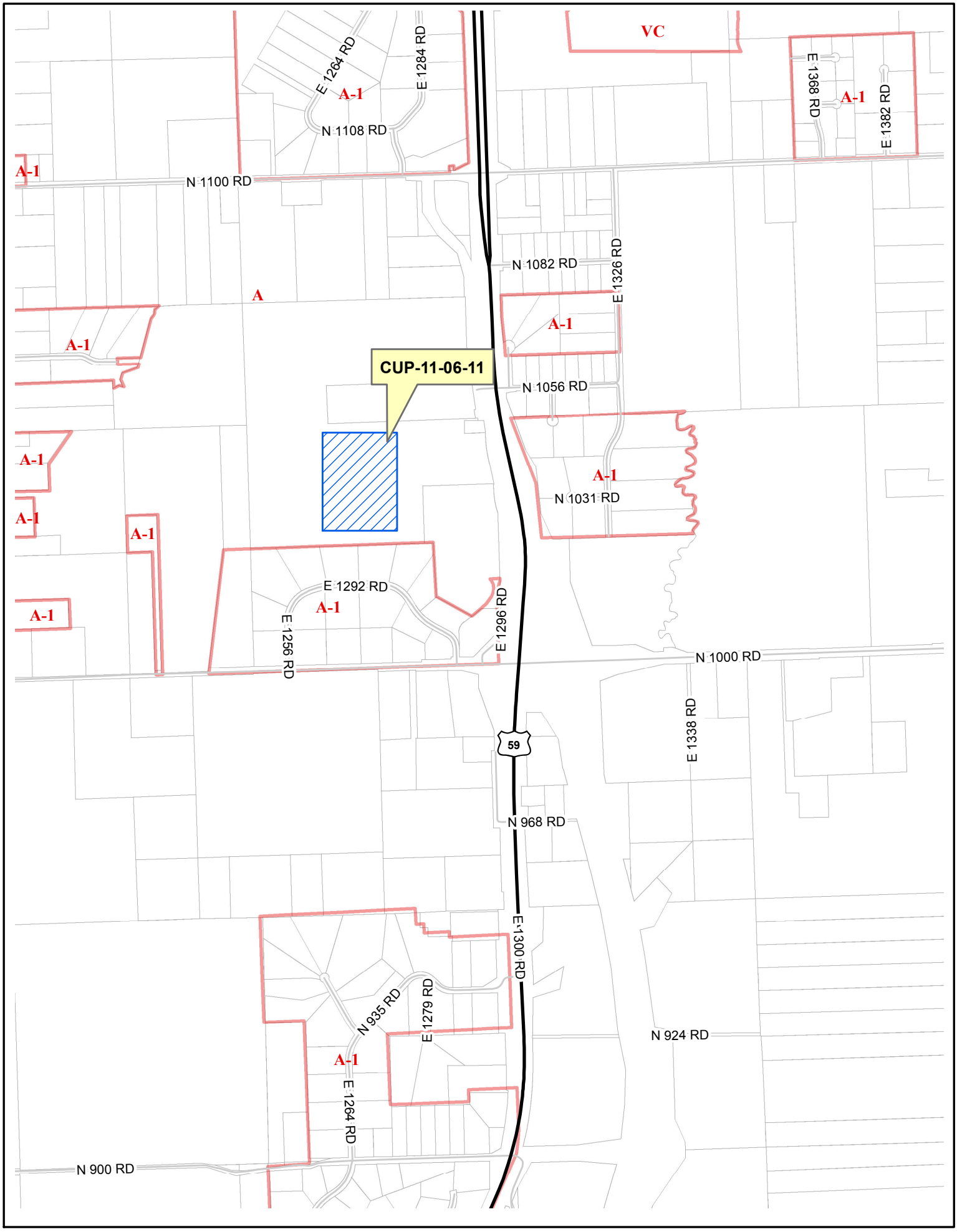
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US 59 - BORROW PIT
CONDITIONAL USE PERMIT
SITE PLAN
1297 N 1056 ROAD

REV	DATE	DESCRIPTION
1	12.14.11	UPDATE PLANS
2	12.16.11	CITY COMMENTS
3	1.10.12	REVISE CONTURS NO.
4	1.12.12	UPDATED NOTES

DATE:	11/14/11
PROJECT NO.:	20111255
DESIGNED BY:	LPE
DRAWN BY:	LPE
CHECKED BY:	CLM

ISSUE: A
SHEET NO.: C-001
OF 2 SHEETS


CUP-11-06-11
VC
A-1
A
N 1100 RD
N 1108 RD
N 1082 RD
N 1056 RD
N 1031 RD
N 1000 RD
N 968 RD
N 935 RD
N 924 RD
N 900 RD
E 1264 RD
E 1284 RD
E 1326 RD
E 1368 RD
E 1382 RD
E 1292 RD
E 1256 RD
E 1296 RD
E 1338 RD
E 1279 RD
E 1300 RD
59

PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
01/25/2012

ITEM NO. 10A RS10 TO RM12; 41.15 ACRES; 1900 W 31ST ST (SLD)

Z-11-28-11: Consider a request to rezone approximately 41.15 acres from RS10 (Single-Dwelling Residential) to RM12 (Multi-Dwelling Residential), located at 1900 W. 31st Street. Submitted by Landplan Engineering, for Mid-America Manufactured Housing Communities, Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 41.15 acres from RS10 (Single-Dwelling Residential) to RM12 (Multi-Dwelling Residential), located at 1900 W. 31st Street based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *The developer, Aspen Heights, intends to redevelop the property into a student residential community (see the attached Concept Plan). Rezoning the subject property from RS10 to RM12 will permit the proposed residential dwelling density and bring the property into conformance with Horizon 2020 and the Revised Southern Development Plan.*

KEY POINTS
- Existing residential development.
- Request proposes redevelopment of property along a major arterial street.

ASSOCIATED CASES/OTHER ACTION REQUIRED
- PP-11-12-11 preliminary plat
- SUP-11-5-11 special use permit
- Submission and approval of a final plat
- Submission and approval of public improvement plans
- Submission and approval of a floodplain development permit

PLANS AND STUDIES REQURIED
- *Traffic Study* – Refer to applications PP-11-12-11 and SUP-11-5-11 for discussion.
- *Downstream Sanitary Sewer Analysis* – Refer to applications PP-11-12-11 and SUP-11-5-11 for discussion.
- *Drainage Study* – Refer to applications PP-11-12-11 and SUP-11-5-11 for discussion.
- *Retail Market Study* – Not applicable to residential request.

ATTACHMENTS
- Area map
- Revised Southern Development Plan Land Use Map

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING
- None received to date.

Project Summary:
This proposed request is for the redevelopment of 41.15 acres from a mobile home park to a multi-dwelling development. The applicant's desire is to market the project to college age residents. Consideration of the base zoning district is a preliminary step of this redevelopment project. This application is accompanied by a preliminary plat and a special use permit application.

Each land use decision is a distinct action. Many of the issues and discussion items will be repeated in the following reports.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *Horizon 2020 designates the land use for the subject property as medium to high-density residential. This request will bring the property into conformance with Horizon 2020 by rezoning from RS10 (low-density) to RM12 (medium-density).*

This request represents the first step in establishing a base zoning district for the redevelopment of property located on the north side of 31st Street. A key feature of *Horizon 2020,* listed in Chapter 3, states support of *"infill development and redevelopment which provides a range of residential, commercial, office, industrial and public uses within these parcels, consistent and compatible with the established land use pattern in the surrounding areas."* The proposed zoning would provide additional medium density residential uses in the immediate area.

Chapter 5 provides residential strategies and policies that address development patterns and establish location criteria. The Plan supports infill development, the provision of mixed housing types and styles and compatible densities in residential neighborhoods. This request represents a medium-density land use. Medium Density residential areas *"are intended to promote a mix of housing types within planned development areas. Medium-density areas should include a mix of single-family detached and attached homes, cluster homes, townhouses and similar housing types, designed and arranged to create compatible and attractive new residential environments, extensive concentrations of the same housing type or development pattern should be avoided."* (Page 5-5). This application is accompanied by a Special Use Permit application that includes both duplex and detached housing within a single development.

The plan recommends appropriate land use transitions between medium-density residential development and both higher and lower intensity development. The plan further recommends that medium density development be supported by adequate pubic facilities including sewer, water, and street access. The property is sufficiently large to accommodate appropriate buffer yards for areas that are adjacent to the commercial areas to the west and to the established low density residential neighborhood to the north. The property has access to water and sanitary sewer service and is adjacent to a major arterial street.

Specific site design issues such as buffering, pedestrian access, building scale and connectivity are further reviewed as part of the preliminary plat and special use permit applications.

Staff Finding – The proposed request conforms with *Horizon 2020* with regard to general land use and location criteria.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

Current Zoning and Land Use:	RS10 (Single-Dwelling Residential) District; existing mobile home park known as Gaslight Village.
Surrounding Zoning and Land Use:	OS (Open space), RS7 (Single-Dwelling Residential) District, RM12 (Multi-Dwelling Residential) District and FP (Floodplain Management Regulations Overlay District) to the north; developed residential homes and

a public, park Naismith Valley Park.

CS (Commercial Strip) District, PD–[Home Improvement Center PCD] District, and PD-[Home Improvement Residential] District to the west; Existing commercial uses. The open space to the west is part of the required detention area for the commercial development.

RM15 (Multi-Dwelling Residential) District to the south; existing apartment development.

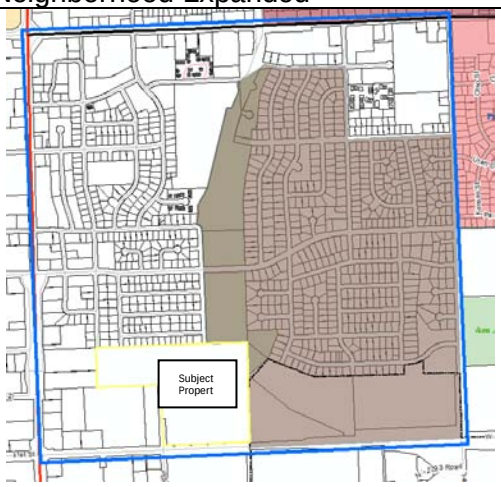
A (Agricultural) District and OS (Open Space) District to the east; existing rural residence and south end of Naismith Valley Park.

Staff Finding – The surrounding area includes a range of residential and commercial zoning and land uses. The proposed zoning is compatible with the surrounding zoning and land use.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The subject property lies at the nexus of multiple land uses and neighborhoods. The property itself consists of a mobile home park with approximately 150 mobile homes. Development to the south across 31st Street includes an apartment complex and several commercial properties. Development to the west consists of the Home Depot, Dale Willey Automotive and other commercial properties associated with South Iowa Street corridor. To the north lies medium to low-density residential development including duplexes and single family homes. To the east lies both unincorporated Agricultural-zoned county land and Open Space-zoned land owned by the City, including the Naismith Creek Valley Park. The Indian Hills neighborhood lies to the northeast across Naismith Creek.*

The property is not located within a designated neighborhood boundary at this time. The property is adjacent to the Indian Hills Neighborhood along the east and northeast side of the property. The area to the west is part of the South Iowa Street Commercial Corridor. This property has historically been isolated from the adjacent residential uses to the north because of the lack of pedestrian and vehicular connectivity. Ridge Court and Ousdahl Road both dead end on the north side of the property. A drainage course along the north property line contributes to the disconnected street patterns in this area. The property is also bounded on the south by 31st Street, a major arterial road.

Indian Hills Neighborhood	Neighborhood Expanded
	

Expanding the definition of neighborhood to encompass the area bounded by Iowa Street to the west, Louisiana Street to the east, 31st Street to the south and 23rd Street on the north the property is located on the edge of a mixed use neighborhood. Intensive uses are generally located along the arterial streets and low intensity uses are located interior to the larger neighborhood boundary.

Staff Finding – This neighborhood is characterized by a significant amount of residential uses. Intensive commercial uses are located along the boundary and along major arterial streets. The proposed rezoning is compatible with the character of the surrounding residential and commercial neighborhoods.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

This property is included within the plan boundary of the *Revised Southern Development Plan* adopted in January 2008. This plan identifies the area located to the northeast of W. 31st Street and Ousdahl Road as suitable for medium density residential development. This land use could be implemented through the RS5, RS3, RM12, RM12D, RM15 and PD overlay zoning districts. The proposed rezoning for RM12 is consistent with the area plan.

Staff Finding – The proposed request is for RM12 zoning consistent with the land use recommendations of the *Revised Southern Development Plan*.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response: *The property is presently not well suited for its RS10 base zoning district nor will it continue to be in the future. Excluding the floodplain-encumbered County land to the east, the subject property is bounded by medium to high-density residential and commercial development. An existing interchange with the South Lawrence Trafficway lies half a mile to the south. Both Horizon 2020 and the Revised Southern Development Plan recommend that this property consists of medium-density residential land uses which would provide a variety of housing types suitable for this transitional neighborhood.*

This property is currently zoned RS10 and developed with approximately 150 dwelling units. This equates to a density of only 3.75 dwelling units per acre. The existing RS10 zoning does not allow

a mobile home park. This use predates the Development Code and is a non-conforming use. Based on the land use recommendations this property is underutilized and capable of supporting a higher density of development. Approval of the request would accommodate redevelopment for other multi-dwelling uses up to a maximum density of 12 dwelling units per acre. Mobile home parks are allowed in the RM15, RM24, and RM32 residential zoning districts with a special use permit. Approval of the request would not alter the suitability of the subject property since it would not bring the current use into compliance with the regulations.

The proposed development includes duplex and detached housing as well as an office and resident amenities. The inclusion of the detached single-dwelling housing type requires special use permit approval. The proposed development requires a base zoning district that supports medium density development. The existing zoning is inconsistent with recommended land uses for the area.

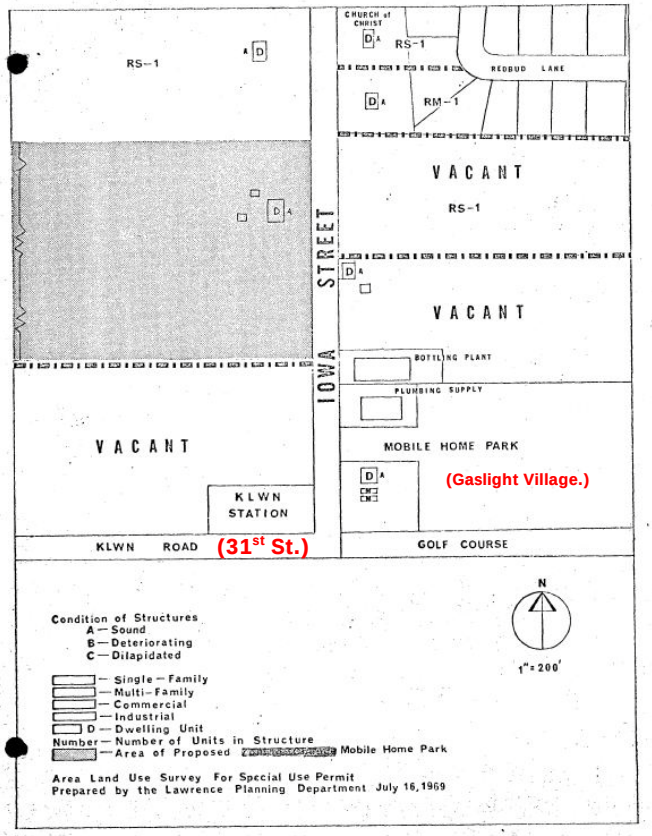
Staff Finding – The current zoning is not consistent with the existing land use. It is also not consistent with recommended land use for development of the area. The current zoning is not suitable for this property.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Applicant's Response: *The subject property is not vacant but has existed as a mobile home park for more than 30 years.*

A July 1969 staff report identified this property as a mobile home park.

July 1969 Staff Report



This property is not vacant. The property includes a drainage easement between the north end of Ousdahl Road and the northeast corner of the property and a large gas line easement that crosses the property diagonally from Ousdahl Road to the southeast corner of the property. Property improvements include pad sites for mobile homes. Most of these improvements would be demolished or abandoned as part of the redevelopment.

Staff Finding – The property is a developed mobile home park and has been in this location for more than 40 years. Approval of the request would facilitate the removal of the existing non-conforming use and the redevelopment of the property for a medium density residential use.

7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicant's Response: *Approving this rezoning will pose no detrimental effect to nearby properties. Approval will bring the property into conformance with the City's Comprehensive plan.*

The purpose of the proposed request is to modify the base zoning district from the existing low density single-dwelling residential designation to a medium density multi-dwelling residential designation. Approval of the request will facilitate redevelopment of the property.

Development concerns in the immediate area include: access and vehicular circulation to 31st Street, connection to local streets to the north, and the provision of public sanitary sewer, water, and stormwater management. The property is constrained by existing development to the north and west and bounded on the south by an arterial street. Impacts such as traffic, noise and building type are addressed as part of the subdivision and special use permit review. Screening and access control to adjacent streets provide appropriate mitigation to adjacent land uses. Existing residents will be displaced by the proposed redevelopment. A plan for removal and relocation of existing structures will be required with this project.

Staff Finding – Approval of the request facilitates redevelopment of the site but will result in displacement of current residents. The current land use is not consistent with the allowed uses of the existing base zoning district. Surrounding properties are generally of the same or higher intensity in use. These properties would not be impacted by the proposed redevelopment and change in zoning. The abutting lower density residential development (to the north) can be adequately addressed through various transition techniques to provide screening and limited connectivity to mitigate impacts of the redevelopment.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Applicant's Response: *The gains to public welfare posed by this application are all those gains associated with bringing this property into conformance with the City's guide documents. Denial of the application perpetuates a non-compliant land use and prohibits the landowner or future landowners from redevelopment this property.*

Evaluation of this criterion includes weighing the benefits to the public versus the benefit of the owners of the subject property. Benefits are measured based on anticipated impacts of the rezoning request on the public health, safety, and welfare.

Approval of the request will facilitate redevelopment and reinvestment in existing property. Approval will create the opportunity to provide higher-density residential development in an area adjacent to a major arterial street and a commercial corridor. Approval of the request facilitates the implementation of land use recommendations for the area as defined in the *Revised Southern Development Plan*. The intent to provide "student housing" in an area with proximity to both the University of Kansas and Haskell University reduces the demand for services that are otherwise located in areas requiring a much greater travel distance. These features benefit the community by reinvesting in existing infrastructure and services.

Denial of the request would prohibit the ability to redevelop the property in accordance with recommended land uses for the area and require the applicant to seek an alternative site for their proposed development. The applicant has discussed with staff other locations that were far less suitable and did not comply with adopted land use goals for the community.

Staff Finding – Benefits to the community include the investment in property within existing utility, transportation and service districts. Denial of the request prohibits the applicant from redeveloping the property as proposed.

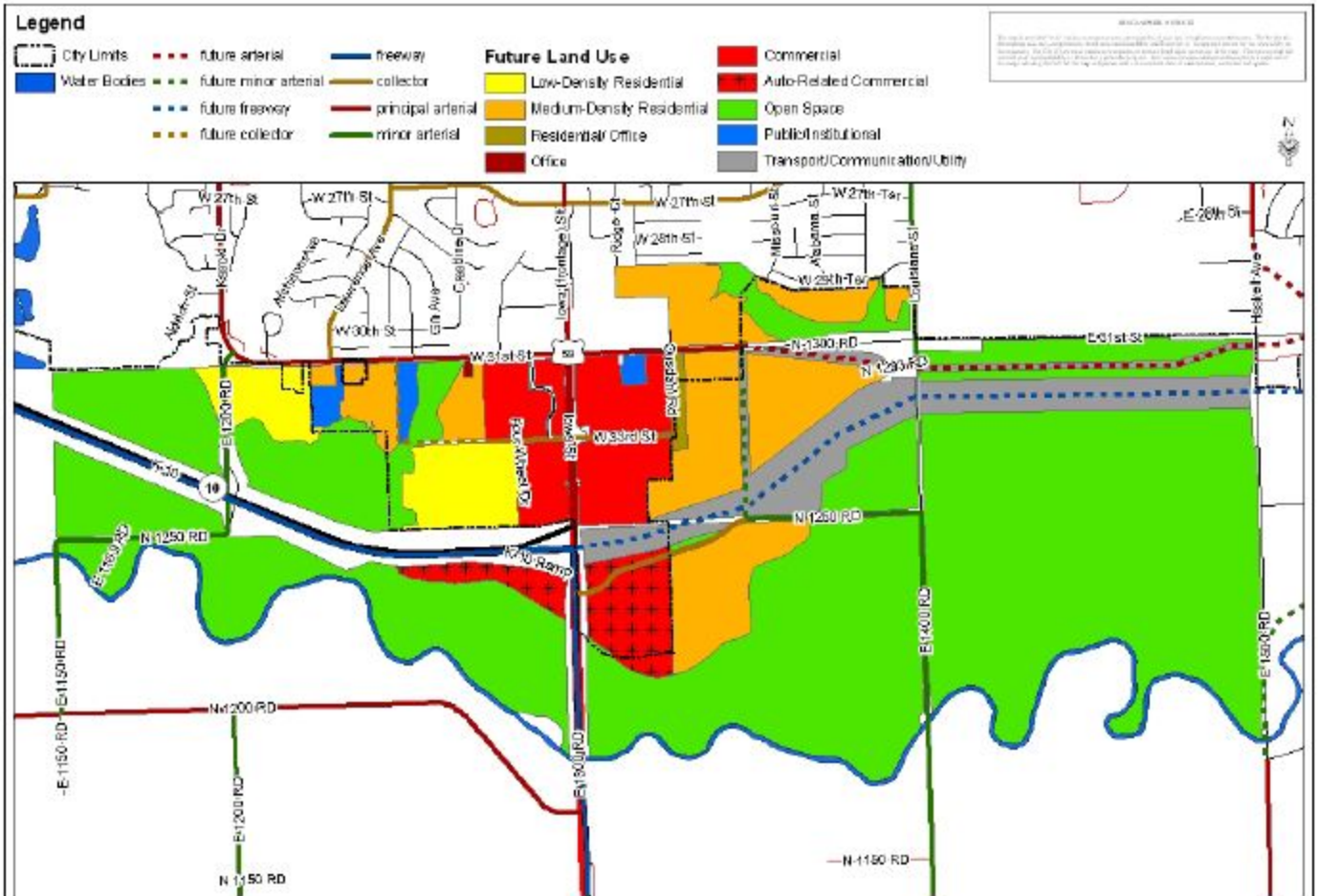
9. PROFESSIONAL STAFF RECOMMENDATION

The property was developed as a mobile home park in the late 1960's. At the time, this part of the community would have been in the unincorporated portion of Douglas County and the mobile home park was a type of urban fringe development. Upon annexation the property was assigned a low density residential zoning designation. Per the 1966 code this use would have been permitted subject to the approval of a Special Use Permit in the RS districts. The adoption of the Development Code in 2006 created the non-conformity. A portion of the original mobile home park was removed for the Home Depot development. The *Revised Southern Development Plan* anticipated that this property would be redeveloped with a higher intensity use as depicted in the land use map.

Approval of the request is appropriate to implement the plan and facilitate redevelopment of the site.

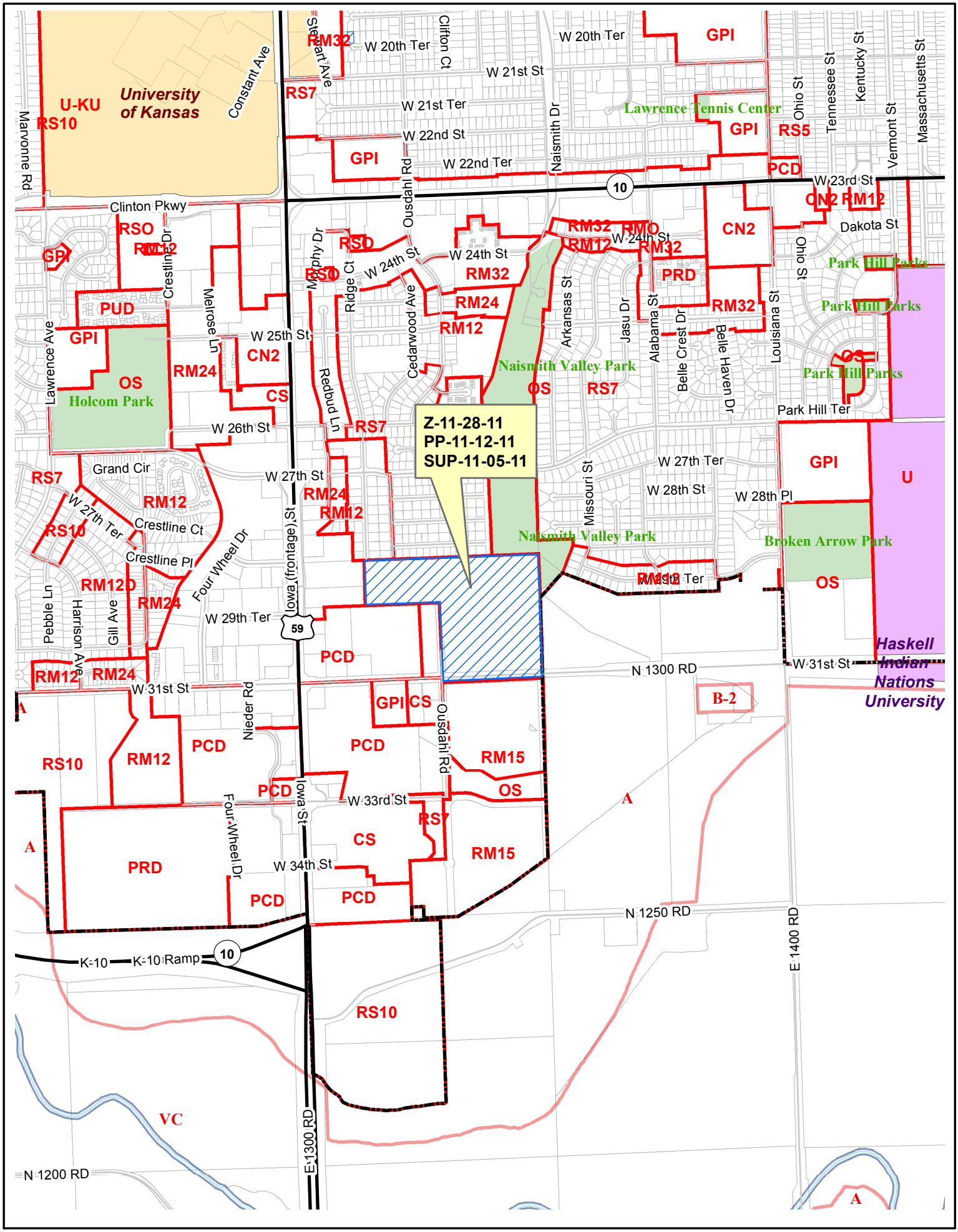
CONCLUSION

This existing use has been considered transitional since the development of the commercial project to the west. The application is accompanied by a subdivision plat and a special use permit that will facilitate the planned redevelopment of the site. The proposed zoning is consistent with recommended land uses for the area.



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

Map Date: November 28, 2007


Z-11-28-11
PP-11-12-11
SUP-11-05-11
University of Kansas
U-KU
Lawrence Tennis Center
Holcom Park
Naismith Valley Park
Broken Arrow Park
Park Hill Parks
Haskell Indian Nations University
Clinton Pkwy
W 20th Ter
W 21st St
W 21st Ter
W 22nd St
W 22nd Ter
W 23rd St
W 24th St
W 25th St
W 26th St
W 27th St
W 27th Ter
W 28th St
W 28th Pl
W 29th Ter
W 31st St
W 33rd St
W 34th St
Park Hill Ter
Grand Cir
Crestline Ct
Crestline Pl
N 1300 RD
N 1250 RD
N 1200 RD
E 1300 RD
E 1400 RD
K-10
K-10 Ramp
Marvonne Rd
Constant Ave
Stewart Ave
Clifton Ct
Naismith Dr
Ousdahl Rd
Ohio St
Tennessee St
Kentucky St
Vermont St
Massachusetts St
Dakota St
Murphy Dr
Ridge Ct
Cedarwood Ave
Arkansas St
Jasu Dr
Alabama St
Belle Crest Dr
Belle Haven Dr
Louisiana St
Lawrence Ave
Crestline Dr
Melrose Ln
Redbud Ln
Missouri St
Four Wheel Dr
Iowa (frontage) St
Iowa St
Pebble Ln
Harrison Ave
Gill Ave
Nieder Rd
RS10
RS7
RS5
RSO
RM12
RM24
RM32
RM15
RMO
GPI
PUD
CN2
CS
OS
PRD
PCD
B-2
A
VC
U

-----Original Message-----
From: Boog Highberger [mailto:mrboog@att.net]
Sent: Wednesday, November 30, 2011 1:10 AM
To: Aron Cromwell; schummfoods@gmail.com; 'Michael Dever'; hughcarter@sunflower.com; Mike Amyx (mikeamyx515@hotmail.com); David L. Corliss; Scott McCullough; Charles Soules
Subject: Gaslight Village

Dear Mayor, Commissioners, Dave, Scott, & Chuck--

I read today in the LJW that there is a possibility of Gaslight Village being redeveloped into a large student-oriented apartment complex. I think that this raises some serious concerns and an important opportunity.

If this area redevelops, PLEASE require a connection from Ousdahl at 31st to Ousdahl or Ridge Ct. at 27th. It would be a partial step, but a more interconnected street grid between 23rd & 31st would be far more helpful in removing local traffic from 23rd Street than would building the SLT.

Whatever you think about trailer parks, they are affordable housing.
Please do not allow this area to redevelop as a high-rent, low-diversity, gated community like the development at the SE corner of 31st and Oudahl. If this area redevelops, please do not allow it to be gated, please require a percentage of affordable units, and in general please require other efforts to make sure that this area is integrated into the larger community.

Thank you for your time.

Boog Highberger
424-3262

League of Women Voters of Lawrence-Douglas County
P.O. Box 1072, Lawrence, Kansas 66044

RECEIVED
JAN 23 2012
City County Planning Office
Lawrence, Kansas

January 22, 2012

Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: ITEMS NO. 10A, B, and C; RS10 TO RM12; 41.15 ACRES; 1900 W 31ST ST.- ASPEN HEIGHTS

Dear Chairman Hird and Planning Commissioners:

We have reviewed the plans and proposal for Aspen Heights and would like to present you with our concerns. Fortunately, this type of multiple family development requires a Special Use Permit which allows applying conditions on the development. We appreciate that you recognize your responsibilities in ensuring that this will be a safe and livable environment for the students for whom it is intended to provide rental housing.

1. There should be no parcelization after the one-lot plat is approved and recorded. This is being platted as a one lot development with individual single family and duplex dwelling units. It means that currently, the care of the buildings, utilities, landscaping and access is under one ownership with complete responsibility for the infrastructure maintenance. Our first concern is that you prevent the possibility that this will become a "townhouse" subdivision as has happened in some developments here in Lawrence, without the essential replatting into proper blocks and individual lots fronting on dedicated public streets. Without this, separately-owned dwellings have access only to private drives, totally dependent for access and utility maintenance on whoever owns the land. With multiple owners having access only to private drives, this becomes extremely problematic. This is a possibility here in Lawrence because it has happened.

   We suggest that you place as a condition on the SUP that there will be no subdivision of this development whether by metes and bounds, or townhouse divisions, or otherwise, without first re-planning and replatting it as required with proper approval through the public hearing process and Governing Body approval.

2. The storm drainage of this area will possibly be a problem. Because of the intense roofing over, we suggest that you examine this very carefully and give it special consideration. You can do this with a SUP.

3. The density is high, and we suggest that you give notice in the SUP on the limitations of number of allowed occupants per dwelling. We suggest that you also reduce the number of units allowed.

4. Access to bus transportation is very important here. We suggest that special arrangements be made to provide turn-in areas to give access to at least three sides, if possible.

5. Proper maintenance is critical. We suggest that special provisions be made to provide frequent City on-site inspections.

No doubt there will be other concerns, but for the health and safety of the residents, at the very least we ask that you make these conditions of approval of the SUP. Thank you.

Sincerely yours,

Alan Black

Milton Scott
Vice President

Alan Black, Chairman
Land Use Committee

LWV1-22-12pc agenda Items 10-AspenHts-LTR.wpd

PLANNING COMMISSION REPORT
NON-PUBLIC HEARING ITEM
REGULAR AGENDA
PUBLIC HEARING ON THE VARIANCE ONLY

PC Staff Report
1/25/12

ITEM NO. 10B PRELIMINARY PLAT FOR ASPEN HEIGHTS ADDITION; 1900 W 31ST ST (SLD)

PP-11-12-11: Consider a Preliminary Plat for Aspen Heights Addition, approximately 41.15 acres, located at 1900 W. 31st Street. The request includes variance requests from the Subdivision Design Standards, specifically 20-810(d) regarding the dedication of additional r-o-w for the adjacent arterial street. Submitted by Landplan Engineering for Mid-America Manufactured Housing Communities, Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the variance request from Section 20-810(d)(4) which requires a minimum of 150' of right-of-way for principal arterial streets. The variance would permit the following variation from the minimum required right-of-way from 75' to 65'.

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Aspen Heights Addition subject to the following conditions:

1. Revision of the preliminary plat with the following notes and changes:
    a. Addition of the following note to the face of the drawing: "Variance approved from Section 20-810(d) which requires a minimum of 75' to 65' for 31st Street."
2. Execution of an agreement not to protest the formation of a benefit district for future signalization and intersection improvements at Louisiana and 31st Streets executed by the property owner and provided to the Planning Office with submission of the Final Plat subject to the review by the City Attorney's Office prior to recording.
3. Execution of an agreement not to protest the formation of a benefit district for future street improvements to W 31st Street executed by the property owner and provided to the Planning Office with submission of the Final Plat subject to the review by the City Attorney's Office prior to recording.

KEY POINTS

- Subdivision approval is required as a predevelopment condition.
- The proposed plat is part of a package of requests to redevelop this site with duplex and detached housing in a single lot geared toward college students.
- The Plat includes a request for a variance from the right-of-way requirement as it pertains to 31st Street.
- Upon further review of the code the advertised variances are not needed regarding the street extension connection of at least one street connection to each adjacent subdivision and the dedication of the remainder of r-o-w for Ousdahl Road (extended)

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective January 6, 2009.
- Section 20-810 (d) requires 150' of right-of-way for principal arterial streets.
- Section 20-813 variance procedures.

ASSOCIATED CASES
- Z-11-28-11; RS10 to RM12
- SUP-11-5-11; development of multi-dwelling project that includes detached dwellings.

OTHER ACTION REQUIRED
- City Commission acceptance of easements and vacation of rights-of-way as shown on the Preliminary Plat.
- Submission and approval of applicable public improvement plans.
- Final Plat administrative review, approval, and recording at Register of Deeds Office.

PLANS AND STUDIES REQUIRED
- *Traffic Study* –Study provided accepted by staff.
- *Downstream Sanitary Sewer Analysis* – Study submitted and accepted.
- *Drainage Study* – Study submitted and accepted.
- *Retail Market Study* – Not required for residential development.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING
- Calls from residents inquiring about project and expressing concern about off-street parking in the adjacent neighborhood to the north.

ATTACHMENTS
- Preliminary Plat
- Right-of-Way Exhibit

SITE SUMMARY	
Current Zoning and Land Use:	RS10 (Single-Dwelling Residential) District; existing manufactured home park known as Gaslight Village.
Surrounding Zoning and Land Use:	OS (Open space), RS7 (Single-Dwelling Residential) District, and RM12 (Multi-Dwelling Residential) District to the north; developed residential homes and Naismith Valley Park. CS (Commercial Strip) District, PD–[Home Improvement Center PCD] District, and PD-[Home Improvement Residential] District to the west; Existing commercial uses. RM15 (Multi-Dwelling Residential) District to the south; existing apartment development. A (Agricultural) District and OS (Open Space) District to the east; existing residence and Naismith Valley Park.
Total area:	**41.150 acres**
Lot 1	35.546 acres
Right-of-Way	00.757 acres
Tract A	04.847 acres

STAFF REVIEW
This property is located on the north side of 31st Street. The property is an existing mobile home park intended for redevelopment. The property is currently unplatted. Several utilities that cross this property include easements that encumber the property and impact the ultimate development of the

site. The property is adjacent to 31st Street, a primary arterial. Primary arterial streets require a total of 150' of right-of-way or 75' of right-of-way for each side of the center line.

Zoning and Land Use

A related request includes rezoning the entire acreage to a single medium density residential zoning district. The surrounding land uses include commercial uses along Iowa Street and multi-dwelling uses along the south side of 31st Street. Low density residential lots are located to the north of the property and a county zoned residence is located to the east. Regardless of the proposed zoning the redevelopment of the site requires that the property be platted. Zoning is discussed in more detail in the related staff report Z-11-28-11.

Utilities and Infrastructure

The property currently has access to public sewer and water service. However additional easements will be provided based on the concept for development that includes numerous structures on the single lot. Public improvements for the extension of services will be required with this project.

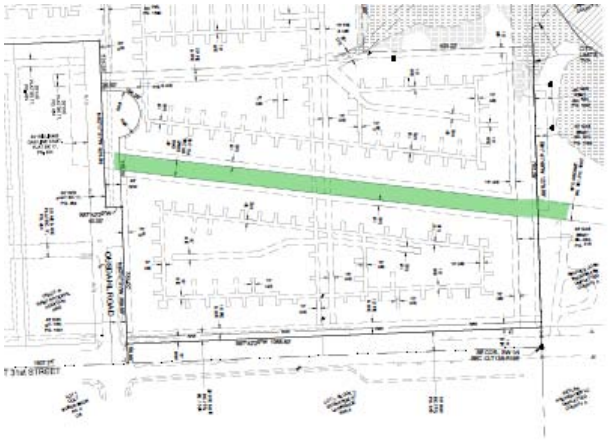
Easements and Rights-of-way

Easements: Easements are provided around the periphery of the lot and throughout the property to accommodate individual connections to structures. Several pedestrian easements are also provided that will accommodate construction of a multi-use path between 31st Street on the south and Naismith Valley Park to the north. The property is encumbered by an exclusive gas line easement in the southern portion of the site and floodplain that will be included in a drainage easement and designated as Tract A in the northeast part of this site.

Pedestrian Easements



Gas Line Easement



Rights-of-Way: Section 20-810 of the Subdivision Regulations provides the design standards for streets. 31st Street is a designated principal arterial street. Ousdahl Road is a local street. A Principal Arterial Street requires a minimum width of 150' of Right-of-way. This is achieved by each abutting property dedicating one-half of the right of way (75'). The existing 31st Street right-of-way along the subject property includes 75' on the south side and only 50' on the north side.

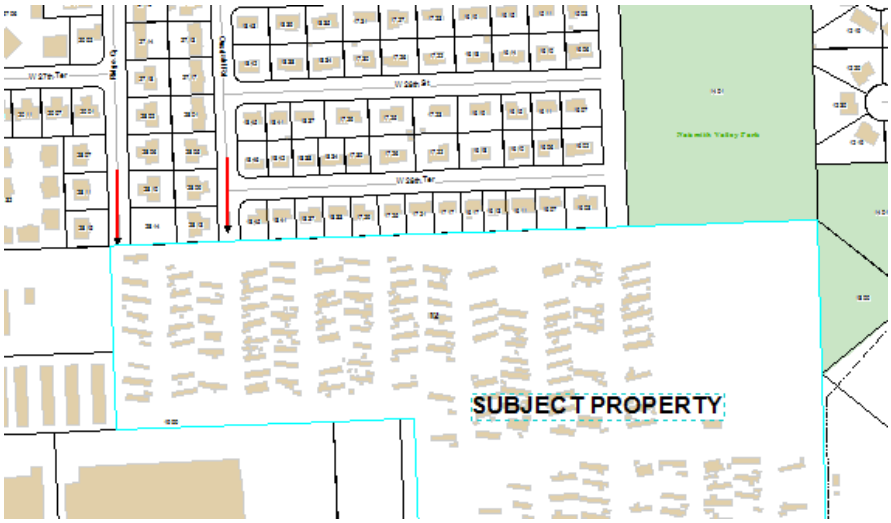
The preliminary plat shows a total of 65' of right-of-way proposed and 15' of additional utility/pedestrian easement for a combined area of 80' for 31st Street. This combined with the existing

75' of right-of-way south of the center line is equal to 155' ROW/Easement to accommodate public improvements in this segment of 31st Street. A variance is required since the proposed right-of-way is less than the minimum 75' required by the Subdivision Regulations.

Access

Primary access to the site is provided via an existing driveway to 31st Street. The 31st Street Corridor Study, completed in 2003, recommends that 31st Street be developed with 150' of right-of-way in this area. An additional 25' of road right-of-way is necessary for W 31st Street to comply with plan recommendations and the Subdivision Regulations. Access to the property will retain the main existing driveway to 31st Street.

Additional access to the site is provided to the site from Ousdahl Road. The road will be extended to move the access farther to the north along Ousdahl Road. The two existing local streets that stub into the property along the north property line (Ridge Court and Ousdahl Road) are not proposed to be extended through this property.



However, the proposed development does include the construction of a crossing from the south terminating street segment of Ousdahl Road along the north property line to provide emergency response vehicle access. Access to the property is proposed to be gated. Access is further discussed in the staff report for the Special Use Permit SUP-11-5-11.

Conformance

The purpose of the subdivision regulations and associated design standards is to assure that the division of land will serve the public interest and general welfare. The proposed lot configurations exceed the minimum lot area and lot width requirements of the pending RM12 district. With the exception of the street right-of-way width, the proposed preliminary plat complies with the subdivision regulations.

Variance: Reduction of right-of-way with for 31st Street

The property owner is requesting variances from Section 20-810(d) which requires a specific amount of right-of-way for streets. Section 20-813(g) states that the Planning Commission may grant a variance from the design standards of these regulations only if the following three criteria are met: that the strict application of these regulations will create an unnecessary hardship upon the Subdivider, that the proposed variance is in harmony with the intended purpose of these regulations and that the public health, safety and welfare will be protected. Following is a review of the variance request in relation to these criteria.

Citation: SECTION 20-810 (d) (4) Cross-Sections (i) City of Lawrence
All platted Subdivisions lying within the City of Lawrence shall comply with the following cross-section standards:

Street Type [1] Measured from back of curb to back of curb. [2] Includes limited access routes.	Right-of-Way	Roadway			Sidewalks (See §20-811(c))
	Min. Width (feet)	Min. Width (feet) [1]	Paving	Curb and Gutter	
Principal Arterial	150	*	Required	Required	Both Sides
Minor Arterial (3 lane)	100	40	Required	Required	Both Sides
Collector	80**	36	Required	Required	Both Sides
Local or Residential Collector	60	30	Required	Required	Both Sides
Local	60	27	Required	Required	Both Sides
Limited Local	50	22	Required	Required	Both Sides
Cul-de-sac ***	60**	22	Required	Required	Both Sides

* As directed by the City Engineer
** Additional r-o-w may be necessary at Intersections
***Paved bulb with 50' radius is required

The minimum right-of-way with required for an arterial street is 150' or 75' from the centerline of the right-of-way. The plat shows a total of:

- 50' of existing right-of-way;
- 15' of proposed right-of-way;
- 15' of proposed utility and pedestrian easement.

A graphic representing the existing and proposed right-of-way is attached to this report for reference.

Criteria 1: Strict application of these regulations will create an unnecessary hardship upon the Subdivider.

Strict application of these regulations would impact the development by increasing the setback of buildings with an increased right-of-way. The property is encumbered by a 40' gas easement that is angled through the southern portion of the site. This encumbrance significantly dictates design and reduced the flexibility to orient structures and parking.

The property is also encumbered by a drainage easement and floodplain that further dictate development patterns on the site. The proposed development is intended as a low impact multi-dwelling project with detached dwellings and duplex housing types and surface parking. This type of development pattern spreads the density across the site rather than concentrating it in fewer and taller buildings.

Application of this criterion would be a hardship on the applicant by requiring substantial redesign of the project.

The following graphic shows the existing right-of-way of 31st Street between Iowa Street on the west and the east end of this property.

Criteria 2: The proposed variance is in harmony with the intended purpose of these regulations.

Per Section 20-801(a) of the Subdivision Regulations, these regulations are intended to ensure that the division of land will serve the public interest and general welfare as well as provide for the conservation of existing neighborhoods.

The division of land requested will not result in changes to the number of direct access points to 31st Street. Access to the low-density residential area to the north is restricted to a gated entry for emergency vehicle response only. The development includes a turn lane on 31st Street as shown on the plan and the construction of a shared use path providing a non motorized north-south connection in this part of the community. The City Engineer has indicated the design width of the 31st Street right-of-way, as proposed, is adequate in this location.

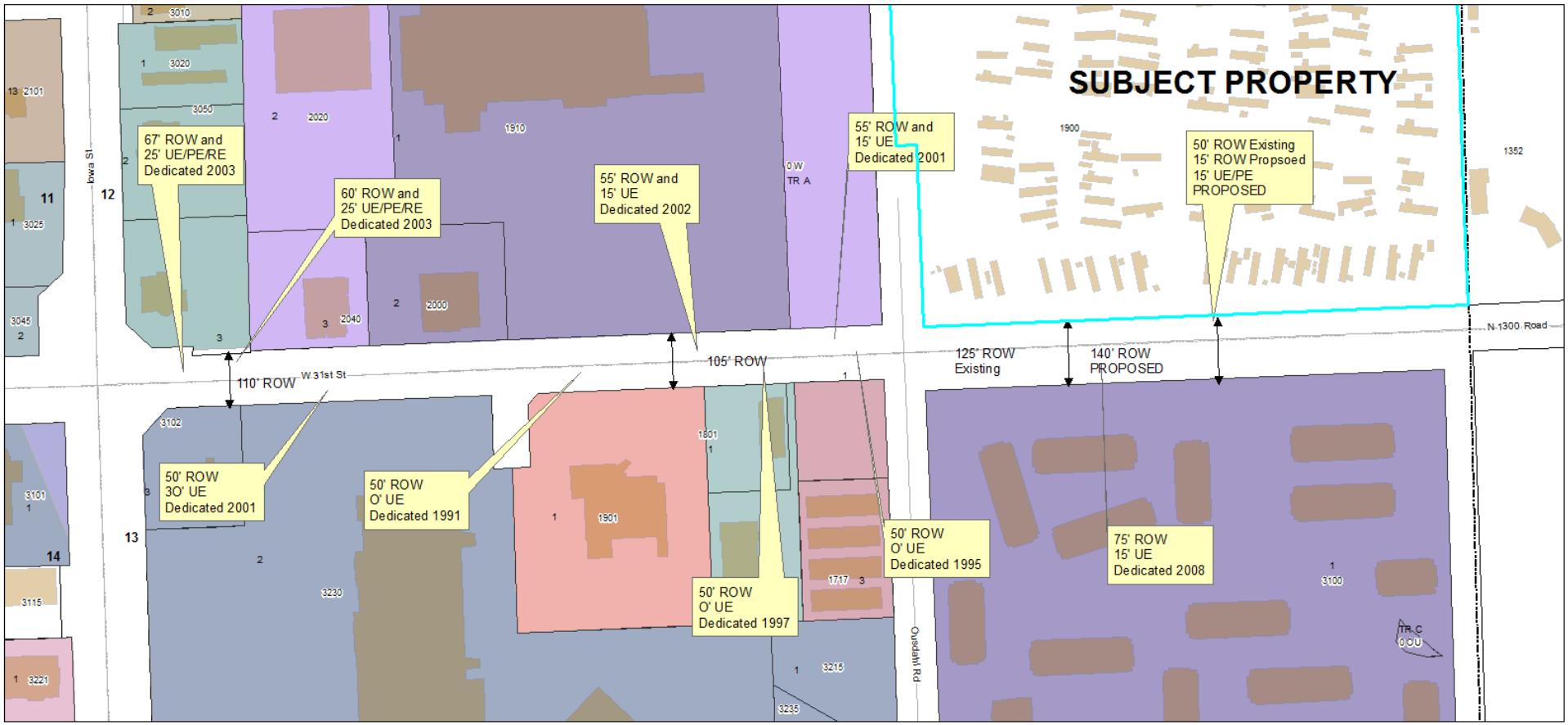
Criteria 3: The public health, safety and welfare will be protected.
The combined dedication of right-of-way and easement is sufficient to accommodate public infrastructure, a multi-modal path, and installation of street trees along this corridor. The public health, safety or welfare criteria are adequately addressed by the proposed combined dedication of right-of-way and easement.

VARIANCE RECOMMENDATION
Staff recommends approval of the variance request to permit the dedication of 65' of right-of-way for 31st Street.

Conclusion
The proposed plat complies with the design standards of the Subdivision Regulations as discussed in the body of the report. The intent of this plat is to establish a platted lot and internal easements needed for redevelopment. The reduction in right-of-way allows for additional flexibility of building placement around other encumbrances of the site. Approval of the reduced street right-of-way width should not be interpreted as a waiver from standards addressing appropriate screening and land use transition between commercial and residential uses.

This Preliminary Plat conforms to the standards and requirements of the subdivision regulations and the land use plans for the area as noted in the body of the staff report and subject to the variance described above. Staff recommends approval of the Preliminary Plat.

31ST STREET RIGHT-OF-WAY



Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.

1310 Wakarusa Drive
Lawrence, Kansas 66049

tele 785.843.7530
fax 785.843.2410
email info@landplan-pa.com

December 21, 2011

Sandra Day
Current Planner
Lawrence Douglas County Metropolitan Planning Office
6 E. Sixth Street
Lawrence, Kansas 66044

Re: 1900 West 31st Street - Request for Variance from Subdivision Regulations

Dear Sandy,

Per the Subdivision Regulations for the City of Lawrence and Unincorporated Area of Douglas County Section 20-813(g)(1), and on behalf of the property owner, this letter constitutes a request for a variance from the standards of Sec. 20-810(d)(4)(i). At our meeting on December 20, 2011, I discussed this item with you and, as advised, I offer the following for your consideration.

20-810(d)(4)(i), provides standard street cross-sections for platted subdivisions lying within the City of Lawrence. The cross-section from which the owner requests a variance is that for principal arterials. Subdivisions are to provide a right-of-way of 150 feet, minimum, for principal arterials.

The subject property, as shown in the Preliminary Plat and Special Use Permit Site Plan, lies adjacent to the north side of West 31st Street. The aforementioned regulation requires that the subdivision provide 75 feet of right-of-way (north of centerline) for this principal arterial. The proposed subdivision instead provides 50 feet of right-of-way and an additional 20 feet of pedestrian and utility easement. The 50-foot R.O.W and 20-foot P/E and U/E are, in fact, existing conditions.

Strict application of this regulation will create an unnecessary hardship upon the subdivider. As shown in an exhibit provided to you on 12/20/11, all proposed street, sidewalk, utility and street tree improvements can be made within the combined 50-foot R.O.W and 20-foot P/E & U/E. Moreover, future improvements associated with a realigned Louisiana Street intersection do not propose additional pavement on the north side of 31st Street. An additional 25 feet of R.O.W. will unnecessary remove over 26,000 SF of land from the subdivision.

The proposed variance is in harmony with the intended purpose of these regulations. As stated above, proposed street improvements which include two (2) new turn lanes can be made without expanding the R.O.W. An extension to the 10-foot-wide shared use path adjacent to 31st Street can be made, per the Subdivision Regulations, without expanding the R.O.W. Extensions to a public water main and sanitary sewer main can be made, per City Code, without expanding the R.O.W. The provision of street trees can be made, per the Subdivision Regulations, without expanding the R.O.W.

If this variance is granted, the public health, safety and welfare will be protected. As stated above, multiple improvements to public infrastructure can be made without expanding the R.O.W. The

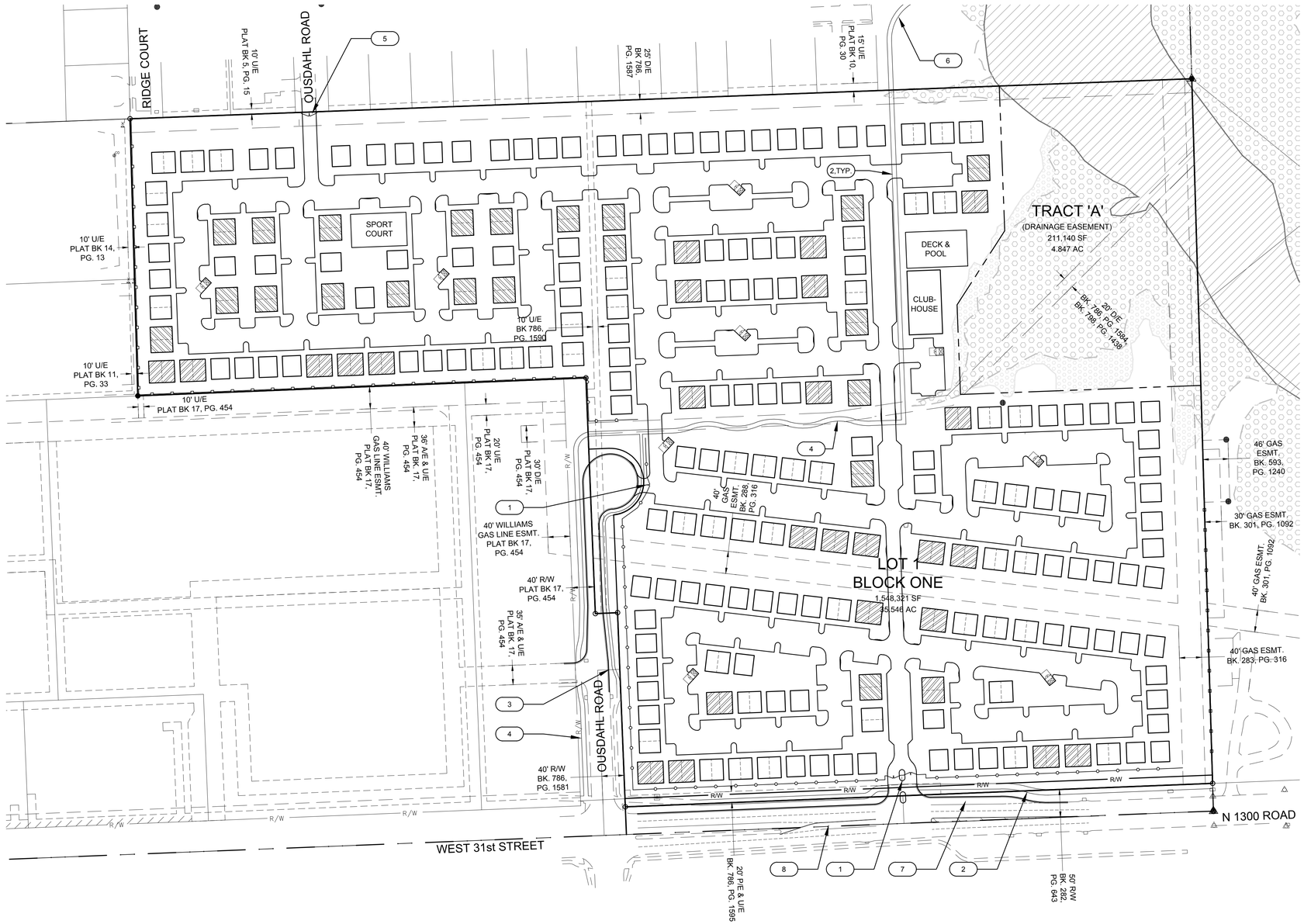
residences proposed with this subdivision are setback 30-feet from the existing 50-foot R.O.W. which places them 40 feet from the north curb line of 31st Street.

I very much appreciate your consideration of this request. Please let me know if you have any questions.

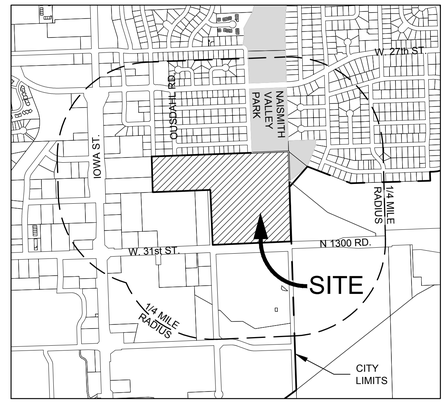
Sincerely,

Brian Sturm

cc: Aspen Heights
file



LOCATION MAP:



GENERAL NOTES:

1. OWNER: MID-AMERICA MANUFACTURED HOUSING COMMUNITIES, INC. 10011 WOODEND ROAD EDWARDSVILLE, KANSAS 66111
2. LAND PLANNER/ CIVIL ENGINEER/ SURVEYOR: LANDPLAN ENGINEERING, P.A. 1310 WAKARUSA DRIVE LAWRENCE, KANSAS 66049
3. EXISTING ZONING: RS10
4. PROPOSED ZONING: RM12
5. EXISTING LAND USE: MOBILE HOME PARK
6. PROPOSED LAND USE: DUPLEX, DETACHED DWELLING
7. THE SUBJECT PROPERTY DOES LIE WITHIN A FLOOD HAZARD AREA AS DEFINED BY FLOOD INSURANCE RATE MAP (FIRM); PANEL NO. 167, MAP NUMBER 20045C0167D, DOUGLAS COUNTY, KANSAS, BEARING AN EFFECTIVE DATE OF AUGUST 5, 2010.

BUILDING SUMMARY:

PRODUCT TYPE	SYMBOL	QUANTITY	UNITS	BEDROOMS
4-BR COTTAGE		118 (56%)	118 (40%)	472 (50%)
2-BR DUPLEX		46 (22%)	92 (30%)	184 (20%)
3-BR DUPLEX		47 (22%)	94 (30%)	282 (30%)
TOTAL		211 (100%)	304 (100%)	938 (100%)

RESIDENTIAL DENSITY
PERMITTED: 12 UNITS / ACRE
PROVIDED: 304 UNITS / 35.546 ACRES
8.552 UNITS / ACRE

LEGEND:

- FLOODWAY (ZONE AE, PER FEMA FIRM)
- 100-YR FLOODPLAIN (ZONE AE, PER FEMA FIRM)
- 500-YR-LOODPLAIN (ZONE X, PER FEMA FIRM)
- EXISTING IRON BAR
- SECTION CORNER
- PROPOSED TRASH ENCLOSURE
- PROPOSED DECORATIVE METAL FENCE
- PROPOSED WOOD PRIVACY FENCE

KEYED NOTES:

1. PROPOSED GATED ENTRANCE EQUIPPED WITH OPTICOM RECEIVERS FOR FIRE/MEDICAL ACCESS
2. PROPOSED 10-FOOT SHARED USE PATH
3. EXISTING DRIVEWAY TO BE CLOSED
4. PROPOSED 8-FOOT SHARED USE PATH
5. PROPOSED GATED ENTRANCE RESTRICTED TO FIRE/MEDICAL ACCESS ONLY
6. PROPOSED 8-FOOT SHARED USE PATH CONTINUES TO NORTHEAST TO INTERSECTION WITH EXISTING NAISMITH VALLEY PARK PATH
7. PROPOSED WESTBOUND RIGHT-TURN DECELERATION LANE
8. PROPOSED EASTBOUND LEFT-TURN DECELERATION LANE

SCALE: 1" = 100'

100 50 0 100 200

N

Civil Engineering
Landscape Architecture
Community Planning
Surveying

Landplan Engineering, P.A.

1310 Wakarusa Drive
Lawrence, Kansas 66049
tel (785)843-7530
fax (785)843-2410
e-mail landplan@landplan-pa.com
Web www.landplan-pa.com

Lawrence, KS • Kansas City, MO • Columbus, OH
The Woodlands, TX • Farmington Hills, MI

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1900 WEST 31st STREET
LAWRENCE, KANSAS 66046

ASPEN HEIGHTS
CONCEPT PLAN

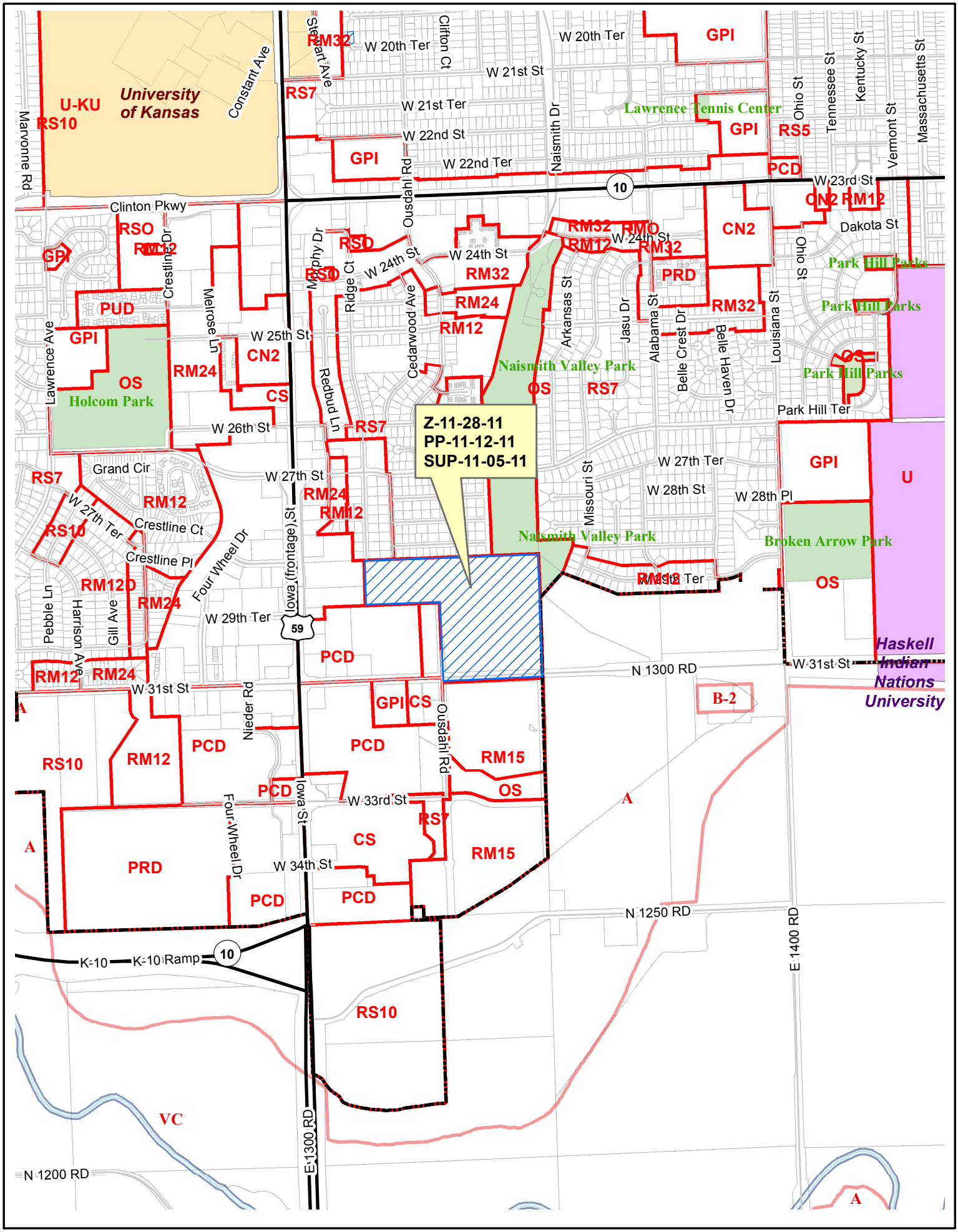
REV	DATE	DESCRIPTION
1	1/9/12	RESIDENTIAL UNIT MIX
2	1/17/12	31st ST. R.O.W.

DATE: 11/21/11
PROJECT NO.: 20111175
DESIGNED BY: LPE
DRAWN BY: BS
CHECKED BY: BS

ISSUE

SHEET NO. 1 OF 1 SHEETS

FILE NAME: P:\20111175\CAD\Concept-Exhibits\111175C-CONCEPT.dwg LAST SAVED BY: Brian Sturm SAVED DATE: 1/17/2012 12:32 PM PLOTTED: 1/17/2012 12:32 PM


Z-11-28-11
PP-11-12-11
SUP-11-05-11
University of Kansas
U-KU
Lawrence Tennis Center
Holcom Park
Naismith Valley Park
Broken Arrow Park
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W 26th St
W 27th St
W 27th Ter
W 28th St
W 28th Pl
W 29th Ter
W 31st St
W 33rd St
W 34th St
Park Hill Ter
Grand Cir
Crestline Ct
Crestline Pl
N 1300 RD
N 1250 RD
N 1200 RD
E 1300 RD
E 1400 RD
K-10
K-10 Ramp
Marvonne Rd
Constant Ave
Stewart Ave
Clifton Ct
Naismith Dr
Ousdahl Rd
Ohio St
Tennessee St
Kentucky St
Vermont St
Massachusetts St
Dakota St
Murphy Dr
Ridge Ct
Cedarwood Ave
Arkansas St
Jasu Dr
Alabama St
Belle Crest Dr
Belle Haven Dr
Louisiana St
Lawrence Ave
Crestline Dr
Melrose Ln
Redbud Ln
Missouri St
Four Wheel Dr
Iowa (frontage) St
Iowa St
Pebble Ln
Harrison Ave
Gill Ave
Nieder Rd
RS10
RS7
RS5
RSO
RM12
RM24
RM32
RM15
RMO
GPI
PUD
CN2
CS
OS
PRD
PCD
B-2
A
VC
U

DALE WILLEY

CHEVROLET BUICK GMC Cadillac

RECEIVED
JAN 19 2012
City County Planning Office
Lawrence, Kansas

January 18, 2012

Ms. SANDRA DAY, AICP
City/County Planner
City of Lawrence, Kansas

RE: PP-11-12-11 Aspen Heights Addition Preliminary Plat

Ms. Day:

I am writing to express my concern and objection to a portion of the above referenced proposed Site Plan.

- Currently, Ousdahl Road is *NOT* a through street coming from the north through the proposed site plan to 31st street where Ousdahl continues south.
- I have no objection to Ousdahl road being extended south through the property connecting to 31st street.
- However, I do object to permitting this south bound traffic on Ousdahl road to turn right (west) into the Home Depot parking lot.
- I have no objection to the continued flow of traffic entering Ousdahl road north bound from 31st street to turn left (west) into the Home Depot parking lot.
- The proposed route for exiting the Aspen Heights addition is to drive south on Ousdahl Road to 31st Street. However, for those who wish to go north on Iowa street, this proposed route is approximately 500 feet longer in distance with three (3) stop lights to drive through in order to get to Iowa street. **Which route do you think most people will drive in order to go north on Iowa Street?**

My Dale Willey Automotive dealership is situated at 2840 Iowa Street on the frontage road. The entrance into the dealership is aligned with entrance/exit for Iowa street. The current level of traffic flow onto this access road creates significant amount of congestion increasing the potential for additional accidents. People traveling on Iowa street, either south or north bound use this access point to enter the frontage road to drive south to the BP Gas station, several restaurants, Best Buy and Home Depot. The City of Lawrence planned and intended traffic flow to use the intersection of 31st and Iowa street to gain access into the Home Depot/Best Buy/Restaurant and Gas station businesses. That is NOT happening.

2840 Iowa Street • Lawrence, Kansas 66046 • www.dalewilleyauto.com
Tel: 785-843-5200 • Toll free: 800-536-5212 • Fax: 785-830-4198

Automotive Excellence Since 1970

Relative to my concerns regarding the extension of Ousdahl Road through the Aspen Heights development which will also permit that south bound exit traffic from the Aspen Heights development to turn right, west bound, through the Home Depot / Best Buy / BP gas station lots in order to SAVE TIME getting to Iowa Street will create a worsening traffic congestion to an already existing problem.

My concerns can be alleviated by restricting right turns from the south bound traffic on Ousdahl Road into the Home Depot parking lot. If these people are truly intent to buy from Home Depot, they can exit onto 31st Street west bound to the next stop light, turn right (north) thereby entering the Home depot lot. Another option in addition to my proposed modification would be to open up Ousdahl Road for NORTH/SOUTH bound traffic in and out of the Aspen Heights Addition.

I respectfully request reconsideration of the Aspen Heights Addition Site Plan as it negatively impacts traffic flow to the detriment of the businesses and their pedestrian traffic at Home Depot, Best Buy, The Floor Trader and Dale Willey Automotive.

Sincerely,

Dale Willey

Dale Willey

-----Original Message-----
From: Boog Highberger [mailto:mrboog@att.net]
Sent: Wednesday, November 30, 2011 1:10 AM
To: Aron Cromwell; schummfoods@gmail.com; 'Michael Dever'; hughcarter@sunflower.com; Mike Amyx (mikeamyx515@hotmail.com); David L. Corliss; Scott McCullough; Charles Soules
Subject: Gaslight Village

Dear Mayor, Commissioners, Dave, Scott, & Chuck--

I read today in the LJW that there is a possibility of Gaslight Village being redeveloped into a large student-oriented apartment complex. I think that this raises some serious concerns and an important opportunity.

If this area redevelops, PLEASE require a connection from Ousdahl at 31st to Ousdahl or Ridge Ct. at 27th. It would be a partial step, but a more interconnected street grid between 23rd & 31st would be far more helpful in removing local traffic from 23rd Street than would building the SLT.

Whatever you think about trailer parks, they are affordable housing.
Please do not allow this area to redevelop as a high-rent, low-diversity, gated community like the development at the SE corner of 31st and Oudahl. If this area redevelops, please do not allow it to be gated, please require a percentage of affordable units, and in general please require other efforts to make sure that this area is integrated into the larger community.

Thank you for your time.

Boog Highberger
424-3262

League of Women Voters of Lawrence-Douglas County
P.O. Box 1072, Lawrence, Kansas 66044

RECEIVED
JAN 23 2012
City County Planning Office
Lawrence, Kansas

January 22, 2012

Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: ITEMS NO. 10A, B, and C; RS10 TO RM12; 41.15 ACRES; 1900 W 31ST ST.- ASPEN HEIGHTS

Dear Chairman Hird and Planning Commissioners:

We have reviewed the plans and proposal for Aspen Heights and would like to present you with our concerns. Fortunately, this type of multiple family development requires a Special Use Permit which allows applying conditions on the development. We appreciate that you recognize your responsibilities in ensuring that this will be a safe and livable environment for the students for whom it is intended to provide rental housing.

1. There should be no parcelization after the one-lot plat is approved and recorded. This is being platted as a one lot development with individual single family and duplex dwelling units. It means that currently, the care of the buildings, utilities, landscaping and access is under one ownership with complete responsibility for the infrastructure maintenance. Our first concern is that you prevent the possibility that this will become a "townhouse" subdivision as has happened in some developments here in Lawrence, without the essential replatting into proper blocks and individual lots fronting on dedicated public streets. Without this, separately-owned dwellings have access only to private drives, totally dependent for access and utility maintenance on whoever owns the land. With multiple owners having access only to private drives, this becomes extremely problematic. This is a possibility here in Lawrence because it has happened.

   We suggest that you place as a condition on the SUP that there will be no subdivision of this development whether by metes and bounds, or townhouse divisions, or otherwise, without first re-planning and replatting it as required with proper approval through the public hearing process and Governing Body approval.

2. The storm drainage of this area will possibly be a problem. Because of the intense roofing over, we suggest that you examine this very carefully and give it special consideration. You can do this with a SUP.

3. The density is high, and we suggest that you give notice in the SUP on the limitations of number of allowed occupants per dwelling. We suggest that you also reduce the number of units allowed.

4. Access to bus transportation is very important here. We suggest that special arrangements be made to provide turn-in areas to give access to at least three sides, if possible.

5. Proper maintenance is critical. We suggest that special provisions be made to provide frequent City on-site inspections.

No doubt there will be other concerns, but for the health and safety of the residents, at the very least we ask that you make these conditions of approval of the SUP. Thank you.

Sincerely yours,

Alan Black

Milton Scott
Vice President

Alan Black, Chairman
Land Use Committee

LWV1-22-12pc agenda Items 10-AspenHts-LTR.wpd

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
1/25/12

ITEM NO. 10C SPECIAL USE PERMIT FOR ASPEN HEIGHTS; 1900 W 31ST ST (SLD)

SUP-11-5-11: Consider a Special Use Permit for Aspen Heights for the development of multiple detached dwelling structures on a single lot in an RM District as required by Section 20-402 of the Land Development Code. The property is located at 1900 W. 31st Street. Submitted by Landplan Engineering, for Mid-America Manufactured Housing Communities, Inc., property owner of record.

STAFF RECOMMENDATION: Planning Staff recommends approval of the Aspen Heights for the development of multiple detached dwelling structures on a single lot in an RM District as required by Section 20-402 of the Land Development Code located at 1900 W. 31st Street and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions to be completed prior to the release of the site plan associated with the SUP for building permits:

1. Submission and approval of a local floodplain development permit prior to the release of the Special Use Permit for issuance of building permits.
2. Applicant shall submit the following additional documents to the Planning Office for review and approval prior to release of the Special Use Permit for issuance of a building permit:
    a. Provision of a revised plan to include pedestrian lighting along interior sidewalks and the multi-use path.
    b. Provision of an addressing scheme proposing distinct references for each building.
    c. Provision of an exhibit designating minimum elevation of building openings for units adjacent to a drainage easement.
    d. Provision of additional detail to assure that fencing proposed for the site does not obstruct the multi-use path.
    e. Provision of a revised General Note 19 that states All trash enclosures shall be constructed per City of Lawrence design specifications and shall be screened from view of adjacent properties and street rights-of-way per City of Lawrence Land Development Code Sec.20-1006(a)
    f. Provision of a revised plan per the approval of the City Stormwater Engineer that provides stormwater mitigation per Section 20-901 (c).

Applicant's Reason for Request: *The contract purchaser, Aspen Heights, intends to redevelop the property into a student living community (See the attached SUP site plan). The building types proposed consist of 2BR and 3BR duplexes and 4 BR detached homes. Under the proposed RM12 zoning district, detached dwellings are permitted only as a special use.*

Other Action Required

- Publication of the rezoning ordinance.
- Submission and approval of public improvement plans.
- Approval and recording of the final development plan.
- Submission and approval of a local floodplain development permit.

KEY POINTS
- Multi-dwelling development including duplex and detached dwelling on a single lot.
- Special Use Permit is required for detached dwelling structures in the RM District (20-402).

FACTORS TO CONSIDER
CHARACTER OF THE AREA
- Property abuts a principal arterial street, commercial corridor and low density residential development.

CONFORMANCE WITH *HORIZON 2020*
- The proposed uses conform to land use recommendations included in the *Revised Southern Development Plan* discussed in detail in the staff report Z-11-28-11.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING
- Communication from residents asking for clarification of the project, access connections and off-street parking concerns.
- Letter from Dale Willey expressing concerns about traffic circulation.

ATTACHMENTS
1. Area Map
2. Site Plan

GENERAL INFORMATION	
Current Zoning and Land Use:	RS10 (Single-Dwelling Residential) District; existing manufactured home park known as Gaslight Village.
Surrounding Zoning and Land Use:	OS (Open space), RS7 (Single-Dwelling Residential) District, and RM12 (Multi-Dwelling Residential) District to the north; developed residential homes and public park, Naismith Valley Park. CS (Commercial Strip) District, PD–[Home Improvement Center PCD] District, and PD-[Home Improvement Residential] District to the west; Existing commercial uses. RM15 (Multi-Dwelling Residential) District to the south; existing apartment development. A (Agricultural) District and OS (Open Space) District to the east; existing rural residence and south end of Naismith Valley Park.

Site Summary Total area:	**Existing**	**Proposed**
Lot Size:	1,548,321	1,548,321
Building: (SF)	178,255	309,793
Impervious Cover: (SF)	647,443	809,507
Pervious Cover: (SF) percent	900,878 58%	738,814 48%
Tract A Drainage Easement		211,140

Summary of Request
The request is for the development of a multi-dwelling project that includes duplex and detached dwellings rather than traditional multi-story apartment buildings. Density is spread across the property with two-story buildings and surface parking. The northeast corner of the site is encumbered by floodplain and is shown as a dedicated drainage easement and platted as a separate tract. Along with the residential development there are several resident amenities included. A clubhouse and pool are located in the northeast portion of the lot and a multi-use path will be constructed through the site connecting 31st Street to the Naismith Valley Park path located north of the property.

Review and Decision-Making Criteria (Land Development Code Section 20-1306(i))
NOTE: This review assumes approval of the proposed RM12 District.

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

Applicant's Response: *The attached SUP site plan complies with all provisions of the Development Code applicable to the two proposed uses: duplex and detached dwelling.*

The proposed development includes 304 units comprised of 118 four-bedroom detached dwelling units, 92 two-bedroom duplex units, and 94 three-bedroom duplex units. The RM12 zoning conveys a maximum density of 12 dwelling units per acre. The proposed development proposes a density of 8.5 units per acre. Density is based on the unit and not the number of bedrooms. The proposed development complies with the pending base zoning district.

Articles 6, 9, 10, and 11 of the Development Code address the site specific design standards applicable to development. The site design standards addressing setback, parking, landscaping, and lighting are discussed later in this report. The proposed uses of the site comply with the Development Code. As conditioned, the proposed development complies with the Development Code.

Staff Finding – Pending approval and publication of the RM12 zoning, the proposed use conforms to the minimum use requirements of the RM12 District. As conditioned, the proposed development complies with the provisions of the Development Code regarding specific site plan elements.

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

Applicant's Response: *The entire development, as proposed, will be under single ownership and managed uniformly as a rental student living community. The proposed detached dwellings and duplexes will both be leased to residents under similar terms. These two uses are mixed heterogeneously throughout the community. They take access to the same system of private roads, parking lots, and utilities. They are designed to similar scales and employ the same style of architecture.*

The proposed development includes multiple dwellings on a single lot. Access for the development is accommodated via 31st Street, Ousdahl Road on the south side and an additional connection for emergency vehicle access on the north end also from Ousdahl Road. Ousdahl Road in this area is

discontinuous, stopping at the north property line and extending only in the south portion of the site. The setback along the north property line accommodates the drainage and utility easement dedications and an area for landscaping along the property line. The proposed buildings generally maintains the same setback as the existing development with respect to the north property line.

Proposed buildings are two-story. Existing residences along W. 28 Terrace north of the proposed development include a mix of both single-story and two-story structures. Structures located on the west side of Ousdahl Road are single-story duplex units. Residential structures north of the development tend to be ranch style homes with a 60' x 40' footprint. Proposed development includes buildings with a typical foot print of 46' by 40' for the 3-bedroom duplex and a 33' x 37' footprint for the 4 bedroom detached dwelling units. The building massing is comparable to the existing development. The building setback and bufferyard provide additional transition between uses.

Surrounding uses include a commercial corridor to the west and an established residential neighborhood to the north. The proposed use would have similar characteristics as the residential neighborhood. Buildings are setback farther from the residential uses along the north property line then from the adjacent commercial uses to the west.

The minimum side yard building setback of the RM12 district is only 5'. The plan shows buildings to be setback 22' along the west side of the property. This area is also shown to be densely landscaped to provide a buffer between the residential and commercial uses.

The development proposes gated access to the units that will restrict traffic especially in the evening and overnight hours.

Staff Finding – The proposed use is compatible with surrounding development by virtue of its location and low profile buildings.

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

Applicant's Response: *The proposed detached dwellings will not cause any diminution in value to other property in the neighborhood. The entire development, including all duplexes and detached dwelling, will be under single ownership and managed as a rental community.*

The proposed request is for redevelopment of the existing mobile home park. The appearance of the park has declined over the years with little or no investment in upgrades or resident amenities. As discussed in the zoning staff report, the property is not part of a specific neighborhood. However the proximity to the Indian Hills Neighborhood, the developed residential area to the north and the commercial corridor to the west provide a character defining identity to this property.

The proposed development includes low profile buildings that are similar in design to the existing residential structures to the north. The project does not extend the local street network through this property except to provide for emergency vehicle access. This configuration maintains the separation of the uses but provides access compliant with minimum Fire Code design standards.

Approval of the request will facilitate new investment in the property and the community.

Staff Finding – Substantial diminution of other property values in the area is not anticipated.

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

This property will be served by municipal water and sanitary sewer. The redevelopment will include stormwater improvements that benefit properties upstream to the northwest. The design of the property accommodates minimum emergency vehicle access and movement within the development. Improvements to the property include a turn lane on 31st Street that allows traffic to access the site and pass-by traffic to be unimpeded by turning movements.

Staff Finding – Adequate public facilities and transportation access is accommodated for this development. The redevelopment of property as infill rather that urban fringe development preserves efficient use of public services.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

This development includes multiple dwelling located on a single parcel. The project is not designed to provide individual ownership of units. The Special Use Permit, if approved, will be the enforcement document for this site. The property owner will be responsible for maintaining the site consistent with the approved plan.

Staff Finding – Adequate assurances of continued maintenance are inherent in the use and the Special Use Permit approval process.

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

Applicant's Response: *"The proposed detached dwelling will not cause significant adverse impacts on the natural environment. The entire community is designed to preserve existing floodplain, streams, wetlands and stands of mature trees. See the attached sensitive Lands Site Plan.*

The proposed development includes stormwater improvements and the dedication of 4.847 acres for a detention area that is also encumbered by regulatory floodplain. A small portion of the 100 year floodplain is not included in the easement and extends into Lot 1 in the northeast portion of the lot and in the area south of clubhouse. A local Floodplain Plain Development Permit is required for the project and reflected as a condition of approval. The dedication of easement and the floodplain development permit provide protections for the natural features of the site.

Staff Finding – The proposed development includes regulatory controls to protect the significant natural feature, floodplain, of this site.

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

This Special Use Permit is required to accommodate a building type (detached dwellings) in the multi-family district. The intention of the development and purpose of the base zoning district are for medium density multi-dwelling development.

Staff Finding – Staff does not recommend a time limit on the Special Use Permit.

STAFF REVIEW

A. Site Summary

The proposed development includes 118 detached dwellings and 186 duplex units for a total of 304 units. The units include 2, 3 and 4 bedrooms depending in the type. Surface parking is proposed and provided throughout the development. The project includes resident amenities and open space. The project also includes the extension of a multi-use path for non-motorized activity that provides a connection between the Naismith Valley Park to the north and the public sidewalk along 31st Street. Some of this improvement will be off site and within the public park. Public Improvement Plans will show the required construction detail for the multi-use path on the park property.

B. Access and Parking

As discussed above, three access points provide access to this site. The primary access is from 31st Street in the same location as exists today. This access would be improved with a divided median and gates that restrict access. A secondary access is provided from Ousdahl Road extended with this development. Ousdahl is not intended to extend to the north providing a complete north-south connection. The street will terminate in a cul-de-sac. The segment of Ousdahl Road adjacent to the north property line will be extended as a driveway, crossing the drainage way, to provide emergency vehicle access only. This access would remain gated at all times except for an emergency. An appropriate gate configuration should be used since this location is at the end of a developed residential street.

On-site Parking:

This project includes surface parking only. The parking spaces are arranged to serve the clusters of housing throughout the development Additional parking is provided in areas along the main drive in a parallel parking configuration.

Parking Summary			
Use	**Parking Requirements**	**Spaces Required**	**Spaces Provided**
Detached Dwelling	2 per bedroom * 118 units = 238 spaces	118 units with 4 br per unit (472 bedrooms) 238 spaces per applicant	
Duplex Dwelling	1 per bedroom * 184 = 184 1 per bedroom * 282 = 282 spaces	92 units with 2 br per unit (184 bedrooms) 94 units with 3 br per unit (282 bedrooms) 466 spaces per applicant	
Office/Clubhouse	1 space per 300 SF	7,000 SF @ 1 per 300 = 24 spaces	
Total Per Applicant		required spaces for residential use= 704 office uses = 24 728 spaces	**1,230 spaces**
Multi-Dwelling	1 per bedroom +1 per each 10 units	304 units (938 bedrooms)	
Total Per Development Code	304 units with 938 bedrooms	Spaces per bedroom: 938 Spaces per units: 31 Spaces per office/clubhouse: 24 Total Required Spaces: 993	237 excess spaces per code.

The significant issue with this project is the determination of use and the applicable off-street parking. The structure types meet the definitions of a detached dwelling and a duplex; however none of the buildings are placed on individual lots. A multi-dwelling structure is defined as one that contains three or more dwellings. The land underneath the structure is not divided into separate lots. This project has many similarities to more traditional apartment development including surface parking that is not specifically dedicated to a particular building or lot. Access to parking is provided from access aisles. Individual driveways to units are not proposed.

Initial discussions with the applicant originally anticipated the duplex and detached dwelling form. Upon further review of the project and the zoning district it was determined that inclusion of the detached dwelling unit form required a Special Use Permit. As a multi-dwelling development applicable designs standards are required. If however the project had included only duplex units a site plan would have been required. Multi-dwelling development standards would be applied regardless of the inclusion of detached dwelling structures. The applicant was informed of the need for a Special Use Permit in October. The parking calculation concern was included in the review comments of the official submittal.

Staff's position is that this is a multiple-dwelling development and parking requirements related to this type of project detailed in Article 9 (Parking) apply. The applicant's position is that development consisting of duplex and detached homes per 20-901(c)(ii) is exempt from the standard that requires stormwater mitigation of excess parking. This exception contemplates dwell kings located individually on their own lots and accessed directly on a separate driveway for parking. The layout of this project is similar to other apartment complexes, therefore the parking requirements of 1 space per bedroom and 1 space per 10 units has been applied. Staff has determined that stormwater mitigation for the additional parking spaces provided is required. The impact of this decision is that the project would need to be revised to demonstrate compliance with standard or seek a waiver from the standard.

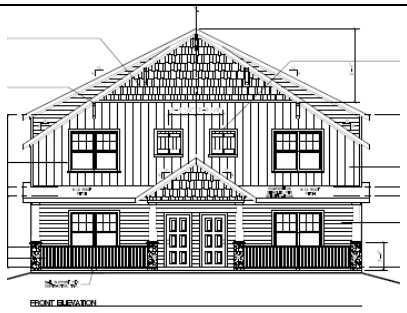
C. Design Standards

This project is not subject to specific design guidelines related to the building type other than minimum building construction standards and applicable Zoning Code Standards included in Article 6, 9, 10, and 11 and floodplain development standards of Article 12.

Building Elevations:

These structures clearly have a distinctive low density character and could easily be found in traditional neighborhoods. However, the overall design of the project with little "front yard" area per unit and moderate pedestrian connections in the form of interior sidewalks and shared parking are not characteristic of traditional neighborhood design.

Detached 4 bedroom		

Duplex 2 bedroom		
Duplex 3 bedroom		

Pedestrian accessibility:
The proposed development provides a significant pedestrian link between 31st Street and development to the south and existing multi-use recreation paths to the north and through Naismith Valley Park. Improvements include an off-site connection of the path within the park. This connection is shown in larger detail on Sheet 5 of the plans. The connection north of the bridge in Naismith reduced the number of creek crossings required for its construction.

Much of the proposed development will be fenced. The use of the shared path follows a path along 31st Street then northbound along Ousdahl Road within public right-of-way. The path then extends to the east through the pedestrian easement and north to the north property line extending into Naismith Park. Fences and gates will inhibit movement and use of this path. Gates that allow pedestrian and bicycle movement shall be provided. Staff recommends that additional detail be provided to assure that fencing proposed for the site does not obstruct the multi-use path.

A graphic is attached that highlights the location of the multi-use path and interior sidewalks through the development and the two points where gates may conflict with access to the sidewalks.

D. Landscaping and Screening
***Street Trees*:** The site includes right-of-way along 31st Street and Ousdahl Road requiring street trees. Because of the need to locate water and sewer lines along 31st Street as well as other utilities it was determined that street trees shall be located between the sidewalk and the curb within the right-of-way. No such conflict exists on Ousdahl Road and therefore street trees are located behind the sidewalk. Some field adjustment may be required at the time of construction. Street trees should be shown in the public improvement plans to mitigate the need to relocate trees during or after construction.

Bufferyard: The property requires a bufferyard along a portion of the north property line where the RM abuts the RS zoning and along the west property line where the RM zoning abuts the Commercial zoning. A bufferyard is not required along 31st Street.

The east property line is zoned A (Agricultural) a County zoning district. The code does not address the applicability of the standard for non-city districts. However, the property is developed with an existing residence. Future land use recommended for the county property is medium density residential development. The east property line is also encumbered with utility easements. The east side of the property is vegetated with mature trees that are identified to be retained on Sheet 6 of the plan. This existing condition provides screening between the proposed development and the existing residence to the east.

North Bufferyard: The north property line is adjacent to existing residential development. The RM/RS association requires a Type 1 Bufferyard. Infrastructure improvements will disturb most of the vegetation along the applicant's north property line. Installation of new landscape material is shown within the 5' area between the property line and the nearest drainage easement. Buildings are also setback 65' providing additional separation of uses. The proposed plan complies with the design standards of a Type 1, 25' wide Bufferyard.

West Bufferyard: the western property line includes an east/west segment. The RM/CS and PCD association requires a Type 2 Buffer Yard. The plan shows dense vegetation to be planted in this area. These units are located within 25' of the property line. The plan also shows a fence around the perimeter of the site in this location. The proposed plan complies with the design standards of a Type 2, 25' wide Bufferyard.

Interior Landscaping: Interior landscaping is a factor of off-street parking requirements. Typically a minimum of 40 SF per parking space is required for parking lots. This project includes 1,230 spaces. The plan noted that 48,800 SF of interior landscape area is required. The plan shows 72,944 SF of interior landscape. These interior spaces include corner and internal islands and larger center islands within parking areas throughout the development. The proposed development complies with the Development Code.

Perimeter Landscaping: Perimeter landscape requirements apply to those areas where parking is adjacent to public right-of-way. The proposed development pattern orients the parking areas internally. Buildings back up to the adjacent right-of-way screening the parking lots from the streets. The plan shows shrubs located between buildings located along the public right-of-way. This addition of shrubs provides full screening of the parking areas from the public right-of-way.

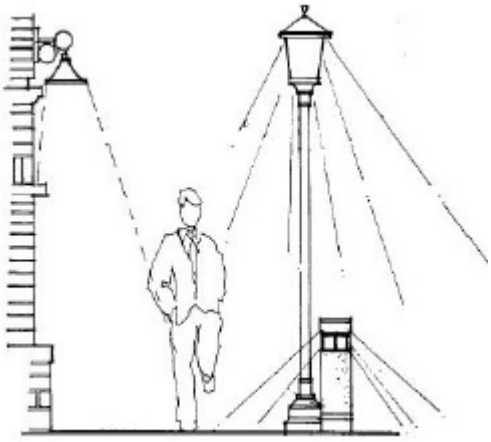
Mechanical Equipment Screening: The plan and building elevations do not show the location of mechanical equipment. The plan notes that mechanical equipment shall be screened in accordance with the Development Code. Final inspections upon completion of the construction will assure this design standard is met. Particular attention must be paid to the areas abutting pubic rights-of-way and adjacent properties.

The site includes several trash enclosure areas within the development. They are centrally located with proximity to building clusters. The scale of the plan does not provide sufficient detail regarding the proposed trash enclosures. Enclosures must be constructed to city standards. Staff recommends that General Note 19 be revised to include a reference to the construction of the enclosures compliant with the City design standards.

Alternative Compliance: None is proposed with this request.

E. Lighting

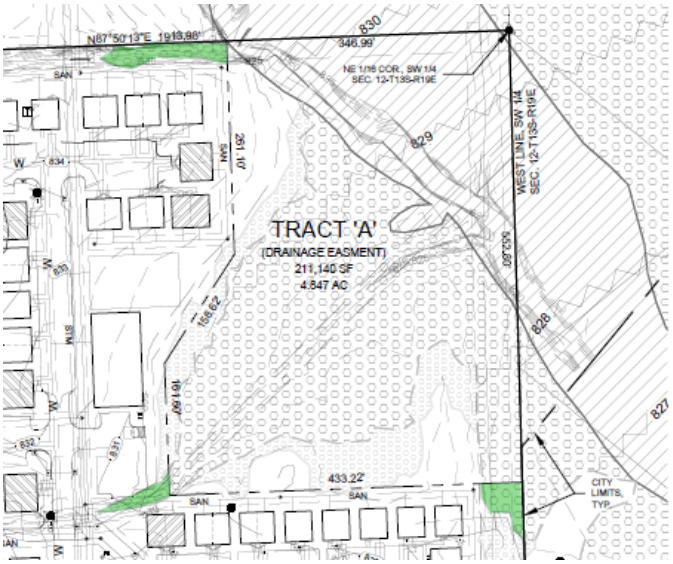
The plan notes that the parking lot will be lit by use of building mounted fixtures with 150 watt incandescent bulbs. A photometric plan is not required. Pedestrian scale lighting is recommended along interior pathways as a personal safety measure. Bollard and pole lighting are both effective options in providing location specific lighting. An example of this design recommendation is located in the City's *Community Design Manual, Section two: Commercial Development* (Commercial Design Guidelines) Page 2-22.



This type of lighting is recommended for the sidewalk extending north of Ousdahl Road, along the designated shared use path in the central portion of the site and the segment extending north along the clubhouse.

F. Floodplain

This property is encumbered by regulatory floodplain. A majority of the area is contained within Tract A and dedicated as a drainage easement. Small areas of the 100 year floodplain extend beyond Tract A into the development area. The site also includes drainage easements through the site. Additional notation is required to note minimum building openings for structures that abut these easements.



TOTAL PAVEMENT	100 (<1%)	TOTAL
TOTAL IMPERVIOUS	1,165 (<1%)	TOTAL
TOTAL PERVIOUS	209,975 (>99%)	TOTAL
TOTAL	211,140 (100%)	TOTAL
LOT 1		
TOTAL BUILDING	178,255 (12%)	TOTAL
TOTAL PAVEMENT	469,188 (30%)	TOTAL
TOTAL IMPERVIOUS	647,443 (42%)	TOTAL
TOTAL PERVIOUS	900,878 (58%)	TOTAL
TOTAL	1,548,321 (100%)	TOTAL

LEGEND:

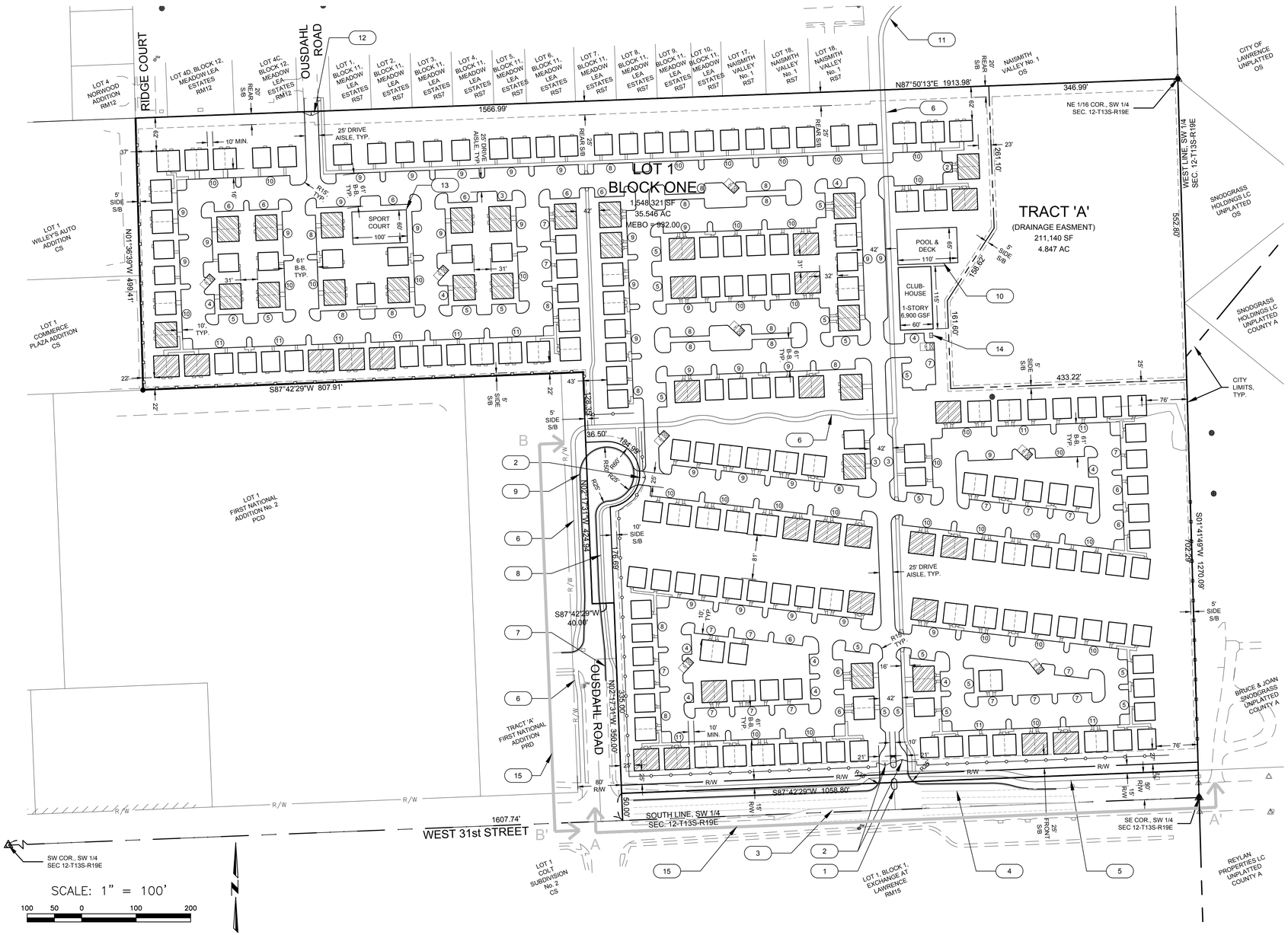
- FLOODWAY (ZONE AE, PER FEMA FIRM)
- 100-YR FLOODPLAIN (ZONE AE, PER FEMA FIRM)
- 500-YR-LOODPLAIN (ZONE X, PER FEMA FIRM)
- 930 EXISTING BASE FLOOD ELEVATION (PER FEMA FIRM
- 930 EXISTING TOPOGRAPHIC CONTOUR

G. Addressing

For ease of assessment staff recommends the plan be revised to provide a numbering scheme for buildings for reference. An addressing scheme will also be required for this development. The provision of a plan that provides a discrete reference for each building will facilitate administration of the project during construction and inspection phases.

CONCLUSION

The proposed multi-dwelling project includes substantial improvements and reinvestment in existing infrastructure. The development is intended to be marketing for collage age residents. The design does not preclude other segments of the population from being attracted to the development as a housing choice. There is no restriction or requirement related to marking of the development. The proposed development provides an appropriate transition from the low density residential development to the north and the higher density residential development to the south.



KEYED NOTES:

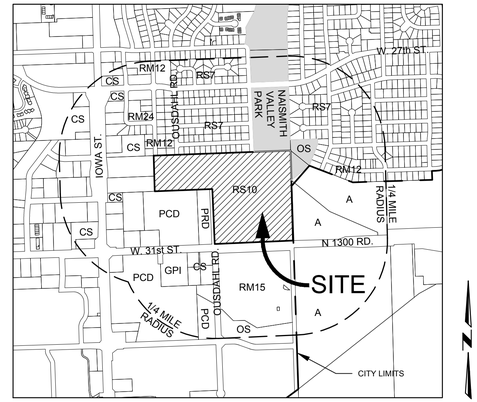
1. EXISTING FULL ACCESS DRIVEWAY TO REMAIN
2. PROPOSED GATED ENTRANCE EQUIPPED WITH OPTICOM RECEIVERS FOR FIRE/MEDICAL ACCESS
3. PROPOSED EASTBOUND LEFT-TURN DECELERATION LANE, PER FORTHCOMING PUBLIC IMPROVEMENT PLANS
4. PROPOSED WESTBOUND RIGHT-TURN DECELERATION LANE, PER FORTHCOMING PUBLIC IMPROVEMENT PLANS
5. PROPOSED 10-FOOT SHARED USE PATH, PER FORTHCOMING PUBLIC IMPROVEMENT PLANS
6. PROPOSED 8-FOOT SHARED USE PATH, PER FORTHCOMING PUBLIC IMPROVEMENT PLANS
7. EXISTING DRIVEWAY TO BE CLOSED
8. PROPOSED SIDEWALK EXTENSION PER FORTHCOMING PUBLIC IMPROVEMENT PLANS
9. PROPOSED OUSDAHL ROAD EXTENSION, PER FORTHCOMING PUBLIC IMPROVEMENT PLANS
10. PROPOSED POOL AND DECK AREA TO BE ENCLOSED WITH 4-FOOT HEIGHT DECORATIVE METAL FENCE
11. PROPOSED 8-FOOT SHARED USE PATH CONTINUES NORTHEAST TO INTERSECTION WITH EXISTING NAISMITH VALLEY PARK PATH, PER FORTHCOMING PUBLIC IMPROVEMENT PLANS. SEE SHEET 5 FOR INSET.
12. PROPOSED GATED ENTRANCE RESTRICTED TO FIRE/MEDICAL ACCESS ONLY
13. PROPOSED SPORT COURT TO BE DEVELOPED FOR POTENTIAL BASKETBALL, TENNIS AND/ VOLLEYBALL USES
14. PROPOSED CLUBHOUSE BICYCLE PARKING (6 SPACES)
15. REFER TO SHEET 3 FOR SITE ELVATIONS

BUILDING SUMMARY:

BUILDING TYPE	SYMBOL	QUANTITY	UNITS	BEDROOMS
4-BR COTTAGE 2,442 GSF (2 STORY)	REAR ENTRY @ 3'x6' LANDING MECH. EQUIP. @ LEFT / RIGHT SIDE FRONT ENTRY @ 4' WALK	118 (58%)	118 (40%)	472 (50%)
2-BR DUPLEX 3,192 GSF (2 STORY)	REAR ENTRY @ 3'x6' LANDINGS MECH. EQUIP. @ LEFT / RIGHT SIDE FRONT ENTRY @ 8' WALK	46 (22%)	92 (30%)	184 (20%)
3-BR DUPLEX 3,634 GSF (2 STORY)	REAR ENTRY @ 3'x6' LANDINGS MECH. EQUIP. @ LEFT / RIGHT SIDE FRONT ENTRY @ 8' WALK	47 (22%)	94 (30%)	282 (30%)
TOTAL		211 (100%)	304 (100%)	938 (100%)

RESIDENTIAL DENSITY
PERMITTED: 12 UNITS / ACRE
PROVIDED: 304 UNITS / 35.552 ACRES
8.552 UNITS / ACRE

LOCATION MAP:



LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 19 EAST OF THE 6TH P.M., IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 12, THENCE N 87°42'29" E, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 1607.74 FEET; THENCE NORTH 02°17'31" WEST, 50.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF 31ST STREET AS RECORDED IN BOOK 282 PAGE 643 AND THE EAST RIGHT-OF-WAY LINE OF OUSDAHL ROAD AS RECORDED IN BOOK 1078 PAGE 1045 AT THE DOUGLAS COUNTY REGISTER OF DEEDS; THENCE NORTH 02°17'31" WEST, ALONG THE EAST RIGHT-OF-WAY OF SAID OUSDAHL ROAD, 350.00 FEET; THENCE SOUTH 87°42'29" WEST, 40.00 FEET TO THE EAST LINE OF FIRST NATIONAL ADDITION, AN ADDITION TO THE CITY OF LAWRENCE; THENCE NORTH 02°17'31" WEST, 424.94 FEET TO THE NORTHEAST CORNER OF FIRST NATIONAL ADDITION; THENCE SOUTH 87°42'29" WEST, 807.91 FEET ALONG THE NORTH LINE OF SAID FIRST NATIONAL ADDITION, TO THE EAST LINE OF COMMERCE PLAZA ADDITION, AN ADDITION TO THE CITY OF LAWRENCE; THENCE NORTH 01°36'39" WEST, PARALLEL TO THE WEST LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 12 AND ALONG THE EAST LINE OF SAID COMMERCE ADDITION, ALSO THE EAST LINE OF WILLEY'S AUTO ADDITION, AN ADDITION TO THE CITY OF LAWRENCE, 499.41 FEET TO THE SOUTH LINE OF NORWOOD ADDITION, AN ADDITION TO THE CITY OF LAWRENCE; THENCE NORTH 87°50'13" EAST, ALONG THE SOUTH LINE OF SAID NORWOOD ADDITION, THE SOUTH LINE OF MEADOW LEA ESTATES, AN ADDITION TO THE CITY OF LAWRENCE, AND NAISMITH VALLEY NO. 1, ALSO AN ADDITION TO THE CITY OF LAWRENCE, 1913.98 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 12; THENCE SOUTH 01°41'49" EAST ALONG SAID EAST LINE TO THE NORTH RIGHT-OF-WAY LINE OF 31ST STREET, 1270.09 FEET; THENCE SOUTH 87°42'29" WEST, ALONG SAID NORTH RIGHT-OF-WAY, 1058.80 FEET TO THE POINT OF BEGINNING. CONTAINING 41.150 ACRES MORE OR LESS.

PARKING SUMMARY:

OFF-STREET PARKING
REQUIRED: DETACHED DWELLING: 2 SPACES / DWELLING UNIT
119 UNITS * 2
238 SPACES
DUPLEX: 1 SPACE / BEDROOM
470 BEDROOMS / 1
470 SPACES
OFFICE (CLUBHOUSE): 1 SPACE / 300 SF
7,000 SF / 300
24 SPACES
732 TOTAL SPACES
PROVIDED: 1,230 SPACES

BICYCLE PARKING
REQUIRED: DETACHED DWELLING: NONE
DUPLEX: NONE
OFFICE: 1 SPACE / 10 AUTO SPACES
24 AUTO SPACES / 10
3 SPACES
PROVIDED: 6

NOTES:
1. PER CITY OF LAWRENCE LAND DEVELOPMENT CODE SEC. 20-901(c)(ii), DETACHED DWELLINGS AND DUPLEX RESIDENTIAL USES SHALL BE EXEMPT FROM THE REQUIREMENTS TO MITIGATE THE IMPACTS OF EXCESS PARKING.
2. PER CITY OF LAWRENCE LAND DEVELOPMENT CODE SEC. 20-912(d), DETACHED DWELLINGS AND DUPLEXES ARE EXEMPT FROM THE REQUIREMENTS TO PROVIDE ACCESSIBLE PARKING SPACES. HOWEVER, ACCESSIBLE PARKING SHALL BE PROVIDED AT THE REQUEST OF RESIDENTS WITH DISABILITIES.

LEGEND:

- EXISTING IRON BAR
- SECTION CORNER
- BENCHMARK
- PROPOSED TRASH ENCLOSURE
- PROPOSED 6-FOOT HT. DECORATIVE METAL FENCE
- PROPOSED 6-FOOT HT. WOOD PRIVACY FENCE

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1900 WEST 31st STREET
LAWRENCE, KANSAS 66046
ASPEN HEIGHTS
SPECIAL USE PERMIT SITE PLAN
PROPOSED LAYOUT

REV	DATE	DESCRIPTION
1	1/9/12	PER DEPT. COMMENTS
2	1/17/12	31st ST. R.O.W.

BRYAN W. C. STURM
LICENSED
759
KANSAS
LANDSCAPE ARCHITECT

DATE: 11/21/11
PROJECT NO.: 20111175
DESIGNED BY: LPE
DRAWN BY: BS
CHECKED BY: BS

ISSUE

SHEET NO. 1
OF 7 SHEETS

FILE NAME: P:\20111175\CAD\Planning\SUP\111175C-SUP.dwg LAST SAVED BY: Brian Sturm SAVED DATE: 1/17/2012 12:15 PM PLOTTED: 1/17/2012 12:16 PM



GENERAL NOTES:

1. OWNER: MID-AMERICA MANUFACTURED HOUSING COMMUNITIES, INC. 10011 WOODEND ROAD EDWARDSVILLE, KANSAS 66111
2. LAND PLANNER/ CIVIL ENGINEER/ SURVEYOR: LANDPLAN ENGINEERING, P.A. 1310 WAKARUSA DRIVE LAWRENCE, KANSAS 66049
3. TOPOGRAPHIC INFORMATION SHOWN WAS OBTAINED FROM A FIELD SURVEY PERFORMED BY LANDPAN ENGINEERING, P.A., SEPTEMBER, 2011.
4. WETLAND INFORMATION SHOWN WAS OBTAINED FROM A WETLAND DELINEATION REPORT PRODUCED BY TERRACON CONSULTANTS, INC., DATED 10/14/11.
5. EXISTING ZONING: RS10
6. PROPOSED ZONING: RM12
7. EXISTING LAND USE: MOBILE HOME PARK
8. PROPOSED LAND USE: DUPLEX, DETACHED DWELLING
9. THE SUBJECT PROPERTY DOES LIE WITHIN A FLOOD HAZARD AREA AS DEFINED BY FLOOD INSURANCE RATE MAP (FIRM); PANEL NO. 167, MAP NUMBER 20045C0167D, DOUGLAS COUNTY, KS., BEARING AN EFFECTIVE DATE OF AUGUST 5, 2010.
10. TYPICAL SOIL TYPES: WABASH SILTY CLAY LOAM, OCCASONALLY FLOODED GYMER SILT LOAM, 3 TO 7% SLOPES PAWNEE CLAY LOAM, 3 TO 6% SLOPES WOODSON SILT LOAM, 1 TO 3 % SLOPES
11. TRACT 'A' WILL BE A PRIVATELY OWNED, DEDICATED DRAINAGE EASEMENT. THE DEVELOPER IS RESPONSIBLE FOR ESTABLISHING OWNERSHIP AND MAINTENANCE OF SAME.
12. NO PERSON MAY CONSTRUCT, MAINTAIN OR ALLOW ANY NATUAL OR NON-NATURAL STRUCTURE OR VEGETATIVE BARRIERS (INCLUDING BUT NOT LIMITED TO TREES, SHUBBERY, BERMS, FENCES AND WALLS) UPON A DETENTION EASEMENT THAT THE DIRECTOR OF PUBLIC WORKS FINDS IMPEDES, DETAINS, RETAINS OR OTHERWISE INTERFERES WITH THE DRAINAGE OF STORMWATER REGARDLESS OF THE SOURCE OF STORMWATER.
13. NO FENCES SHALL BE PERMITTED IN THE PUBLIC RIGHTS-OF-WAY PER CITY OF LAWRENCE CODE SEC. 16-603 NOR SHALL THEY BE PERMITTED IN PUBLIC PEDESTRIAN ACCESS/ UTILITY EASEMENTS.
14. ALL PROPOSED GATED ENTRANCES WILL BE EQUIPPED WITH OPTICOM RECEIVERS FOR FIRE/MEDICAL ACCESS.
15. PROPOSED UTILITY LOCATIONS AND SIZES ARE PRELIMINARY AND WILL BE FINALIZED AT THE TIME OF SITE ENGINEERING.
16. ALL PROPOSED PAVEMENT, INCLUDING OFF-STREET PARKING AREAS, DRIVEWAYS, AND SIDEWALKS SHALL MEET THE MINIMUM SURFACING REQUIREMENTS SPECIFIED IN CITY OF LAWRENCE LAND DEVELOPMENT CODE SEC. 20-913(e)(1). FINAL PAVEMENT DESIGN IS PENDING PER FORTHCOMING GEOTECHNICAL ENGINEERING REPORT.
17. UNLESS OTHERWISE NOTED, ALL PROPOSED OFF-STREET PARKING AREAS SHALL PROVIDE SPACES 9 FEET IN WIDTH AND 18 FEET IN DEPTH PER CITY OF LAWRENCE LAND DEVELOPMENT CODE SEC. 20-913(f)(1).
18. ANY AREA REQUIRED TO BE LANDSCAPED SHALL BE COVERED IN LIVE MATERIAL. LIVE MATERIAL INCLUDES TREES, SHRUBS, GROUNDCOVER, FLOWERS, SOD AND OTHER LIVING PLANT MATERIALS.
19. ALL TRASH ENCLOSURES SHALL BE SCREENED FROM VIEW OF ADJACENT PROPERTIES AND STREET RIGHTS-OF-WAY PER CITY OF LAWRENCE LAND DEVELOPMENT CODE SEC. 20-1006(a).
20. ALL EXTERIOR GROUND MOUNTED MECHANICAL EQUIPMENT SHALL BE FULLY SCREENED FROM VIEW OF ADJACENT PROPERTIES AND FROM STREET RIGHTS-OF-WAYS PER CITY OF LAWRENCE LAND DEVELOPMENT CODE SEC. 20-1006(b).
21. ALL OUTDOOR LIGHTING PROPOSED WITH THIS PROJECT WILL BE LIMITED TO BUILDING MOUNTED FIXTURES. A DOUBLE FLOODLAMP (FEATURING TWO (2) 150 WATT INCANDESCENT BULBS) WILL BE MOUNTED AT A HEIGHT OF 9-FEET ON THE PARKING LOT SIDE OF EACH DWELLING UNIT (1 PER COTTAGE, 2 PER DUPLEX). ALL FIXTURES SHALL BE CUT-OFF FIXTURES, PER CITY OF LAWRENCE LAND DEVELOPMENT CODE SEC. 20-1103(d)(1)(ii).
22. UNLESS OTHERWISE NOTED, ALL EXISTING STRUCTURES, PAVEMENT, AND ABOVE- AND BELOW-GROUND UTILITIES ON SITE ARE TO BE REMOVED, AS NECESSARY. REFER TO SENSITIVE LANDS SITE PLAN, SHEET 6, FOR TREATMENT OF EXISTING TREES AND OTHER NATURAL FEATURES.
23. OCCUPANCY PERMITS FOR PROPOSED BUILDINGS WILL NOT BE ISSUED UNTIL THE REQUIRED PUBLIC DRAINAGE IMPROVEMENTS ARE COMPLETE, FINAL INSPECTED AND ACCEPTED BY THE PUBLIC WORKS DEPARTMENT.
24. ALL CURB INLETS WILL BE CONSTRUCTED PER CITY STORM SEWER STANDARD DETAILS.
25. SWIMMING POOL CONSTRUCTION WILL COMPLY WITH THE CITY CODE CHAPTER 19, ARTICLE 11.
26. THERE WILL BE NO TRESPASS ONTO CITY OWNED PROPERTY FOR THE PURPOSES OF CONSTRUCTION, STAGING OR STORAGE OTHER THAN WHAT IS REQUIRED FOR THE INSTALLATION OF THE SHARED USE PATH AND DRAINAGE IMPROVEMENTS.

KEYED NOTES:

1. EXISTING 8-INCH DUCTILE IRON WATERLINE TO REMAN
2. EXISTING 16-INCH HIGH PRESSURE NATURAL GAS PIPELINE TO REMAIN UNDISTURBED
3. EXISTING 8-INCH CLAY SANITARY SEWER MAIN TO REMAIN UNDISTURBED
4. EXISTING 12-INCH CLAY SANITARY SEWER MAIN TO REMAIN
5. EXISTING STORM SEWER MANHOLE TO REMAIN
6. EXISTING 6-INCH HIGH PRESSURE NATURAL GAS PIPELINE TO REMAIN UNDISTURBED
7. EXISTING 8-INCH PVC SANITARY SEWER MAIN TO REMAIN

LEGEND:

- FLOODWAY (ZONE AE, PER FEMA FIRM)
- 100-YR FLOODPLAIN (ZONE AE, PER FEMA FIRM)
- 500-YR-LOODPLAIN (ZONE X, PER FEMA FIRM)
- EXISTING BUILDING TO BE REMOVED
- 930 EXISTING BASE FLOOD ELEVATION (PER FEMA FIRM)
- 930 EXISTING TOPOGRAPHIC CONTOUR
- W EXISTING WATER LINE
- SAN EXISTING SANITARY SEWER
- STM EXISTING STORM SEWER
- GAS EXISTING GAS LINE
- OHW EXISTING OVERHEAD WIRE
- OHE EXISTING OVERHEAD ELECTRIC
- UGE EXISTING UNDERGROUND ELECTRIC
- CATV EXISTING CABLE TELEVISION
- EXISTING WATER BLOWOFF
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING STORM SEWER MANHOLE
- EXISTING AREA DRAIN
- EXISTING GAS VALVE
- EXISTING GAS REGULATOR
- EXISTING GASLINE MARKER
- EXISTING TRAFFIC SIGNAL POLE
- EXISTING UTILITY POLE
- EXISTING LIGHT POLE
- EXISTING ELECTRIC BOX
- EXISTING TELEPHONE PEDASTAL
- EXISTING CABLE BOX
- EXISTING IRON BAR
- SECTION CORNER
- BM BENCHMARK

BENCHMARKS:

BM #1 "□" CUT ON NW COR. CONCRETE GAS VAULT ± 79' W. OF E. SECTION LINE & ± 41' N OF ℄ 31ST STREET.
ELEV. 845.59

BM#2 "□" CUT ON CENTER FRONT FACE OF CURB INLET LOCATED AT THESW CORNER FO THE INTERSECTION OUSDAHL AND U STREET ± 200' NORTH OF OUSDAHL AND 31ST STREET.
ELEV. 847.62

BM#3 "□" CUT ON THE ECENTER FRONT FACE OF CURB INLET LOACTED ON THE EAST SIDE OF RIDGE COURT ± 125' NORTH AND 30" EAST OF NW PROP. COR. OF GASLIGHT VILLAGE.
ELEV. 848.26

BM#4 "□" CUT ON BACK OF CURB ±21' EAST OF DRIVEW3AY AT 1602 W. 28TH TERRACE ON NORTH SIDE OF ROAD.
ELEV. 839.72

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1900 WEST 31st STREET LAWRENCE, KANSAS 66046 ASPEN HEIGHTS SPECIAL USE PERMIT SITE PLAN EXISTING CONDITIONS

REV	DATE	DESCRIPTION
1	1/9/12	PER DEPT. COMMENTS
2	1/17/12	31st ST. R.O.W.

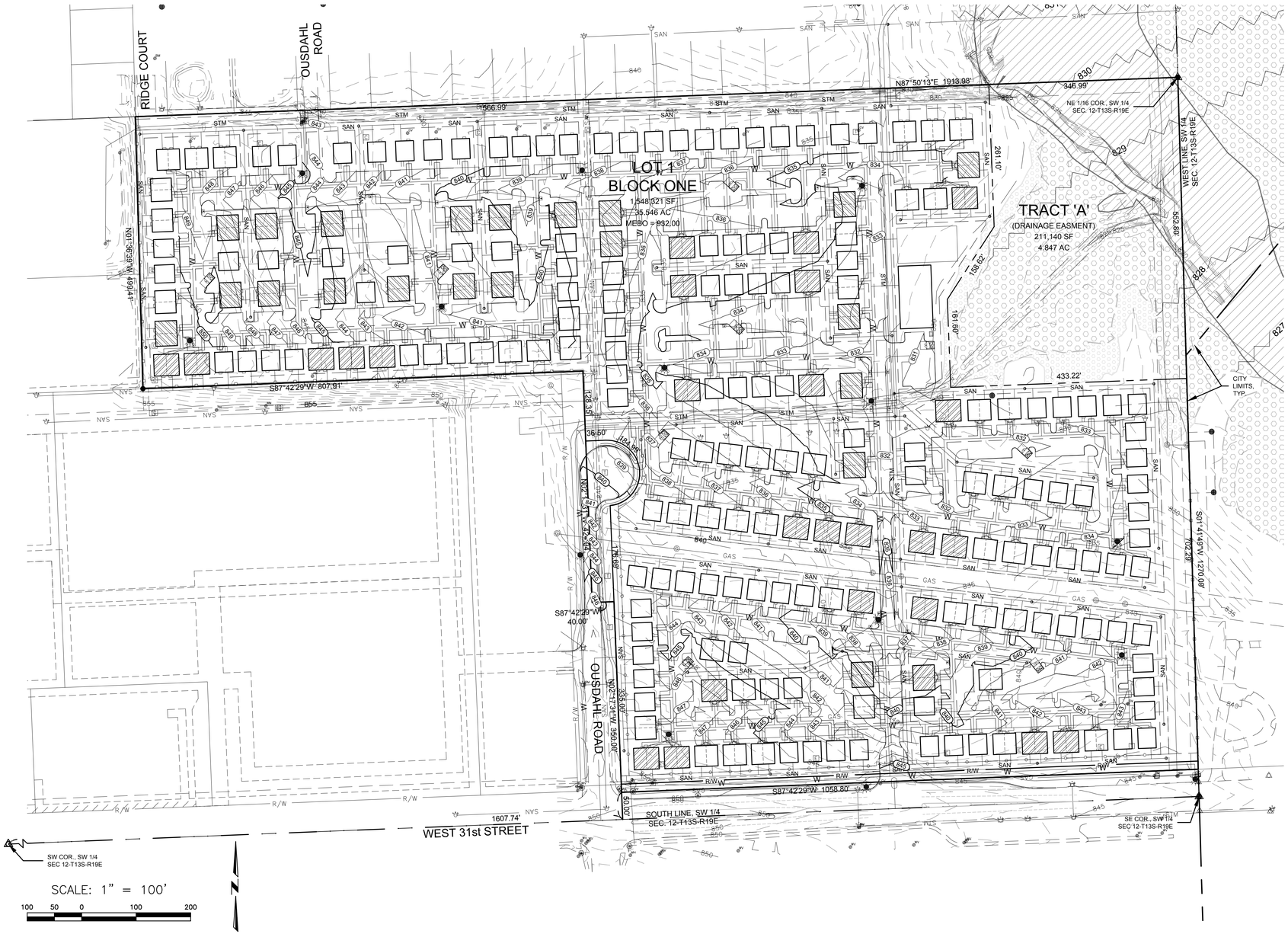
BRIAN W. C. STURM LICENSED 759 KANSAS LANDSCAPE ARCHITECT

DATE:	11/21/11
PROJECT NO.:	20111175
DESIGNED BY:	LPE
DRAWN BY:	BS
CHECKED BY:	BS

ISSUE	SHEET NO.
	2

OF 7 SHEETS

FILE NAME: P:\20111175\CAD\Planning\SUP\111175C-SUP.dwg LAST SAVED BY: Brian Sturm SAVED DATE: 1/17/2012 11:42 AM PLOTTED: 1/17/2012 11:43 AM



SCALE: 1" = 100'

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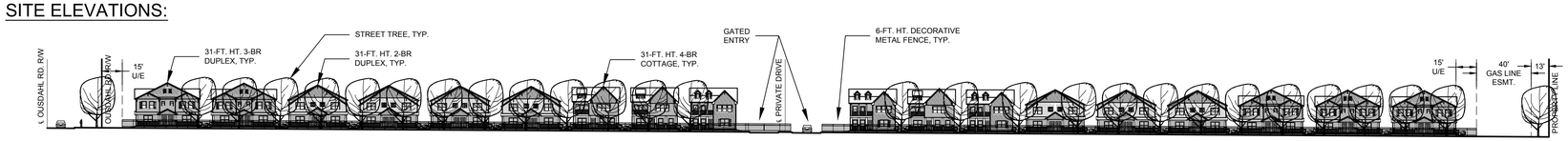
SITE SUMMARY:

EXIST. CONDITIONS	AREA (SF)	PROP. CONDITIONS	AREA (SF)
TRACT 'A'			
TOTAL BUILDING	1,065 (<1%)	TOTAL BUILDING	0 (0%)
TOTAL PAVEMENT	100 (<1%)	TOTAL PAVEMENT	0 (0%)
TOTAL IMPERVIOUS	1,165 (<1%)	TOTAL IMPERVIOUS	0 (0%)
TOTAL PERVIOUS	209,975 (>99%)	TOTAL PERVIOUS	211,140 (100%)
TOTAL	211,140 (100%)	TOTAL	211,140 (100%)
LOT 1			
TOTAL BUILDING	178,255 (12%)	TOTAL BUILDING	309,793 (20%)
TOTAL PAVEMENT	469,188 (30%)	TOTAL PAVEMENT	499,714 (32%)
TOTAL IMPERVIOUS	647,443 (42%)	TOTAL IMPERVIOUS	809,507 (52%)
TOTAL PERVIOUS	900,878 (58%)	TOTAL PERVIOUS	738,814 (48%)
TOTAL	1,548,321 (100%)	TOTAL	1,548,321 (100%)

LEGEND:

- FLOODWAY (ZONE AE, PER FEMA FIRM)
- 100-YR FLOODPLAIN (ZONE AE, PER FEMA FIRM)
- 500-YR-LOODPLAIN (ZONE X, PER FEMA FIRM)
- 930 — EXISTING BASE FLOOD ELEVATION (PER FEMA FIRM
- 930 — EXISTING TOPOGRAPHIC CONTOUR
- PROPOSED TOPOGRAPHIC CONTOUR
- —W— EXISTING WATER LINE
- —W— PROPOSED WATER LINE
- — SAN — EXISTING SANITARY SEWER
- —SAN— PROPOSED SANITARY SEWER
- — STM — EXISTING STORM SEWER
- —STM— PROPOSED STORM SEWER
- — GAS — EXISTING GAS LINE
- EXISTING WATER BLOWOFF
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING STORM SEWER MANHOLE
- EXISTING AREA DRAIN
- PROPOSED STORM SEWER MANHOLE
- PROPOSED STORM SEWER END SECTION
- EXISTING GAS VALVE
- EXISTING GAS REGULATOR
- EXISTING GASLINE MARKER
- EXISTING TRAFFIC SIGNAL POLE
- EXISTING IRON BAR
- SECTION CORNER
- BENCHMARK
- PROPOSED TRASH ENCLOSURE
- PROPOSED 6-FOOT HT. DECORATIVE METAL FENCE
- PROPOSED 6-FOOT HT. WOOD PRIVACY FENCE

SITE ELEVATIONS:



A-A'



B-B'

SCALE: 1" = 50'

50 25 0 50 100

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1900 WEST 31st STREET
LAWRENCE, KANSAS 66046
ASPEN HEIGHTS
SPECIAL USE PERMIT SITE PLAN
PROPOSED GRADING

REV	DATE	DESCRIPTION
1	1/9/12	PER DEPT. COMMENTS
2	1/17/12	31st ST. R.O.W.

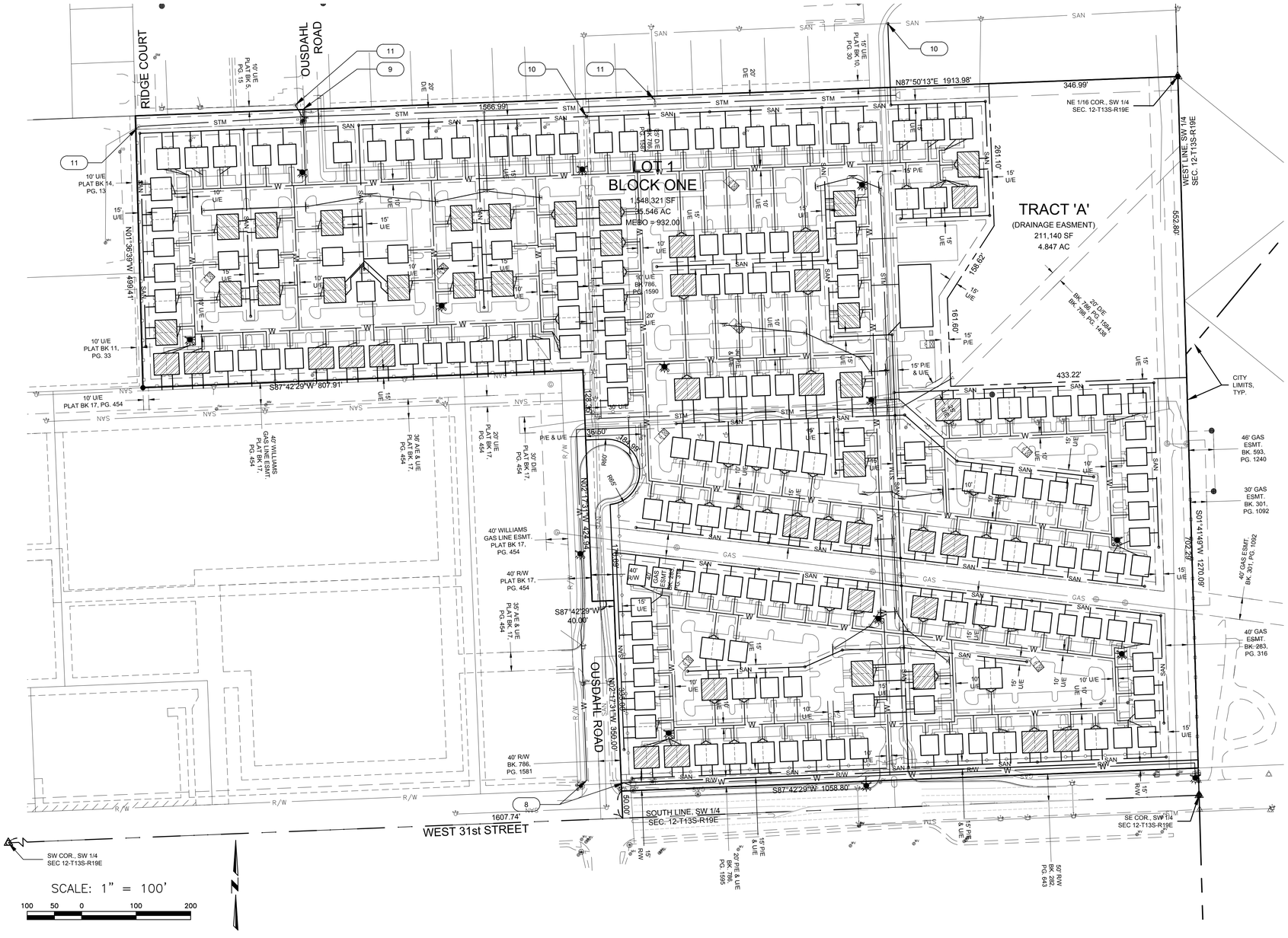
BRIAN W. C. STURM
LICENSED
759
KANSAS
LANDSCAPE ARCHITECT

DATE:	11/21/11
PROJECT NO.:	20111175
DESIGNED BY:	LPE
DRAWN BY:	BS
CHECKED BY:	BS

ISSUE	SHEET NO.
	3

OF 7 SHEETS

FILE NAME: P:\20111175\CAD\Planning\SUP\111175C-SUP.dwg LAST SAVED BY: Brian Sturm SAVED DATE: 1/17/2012 11:42 AM PLOTTED: 1/17/2012 11:44 AM



KEYED NOTES:

1. EXISTING 8-INCH DUCTILE IRON WATERLINE TO REMAN
2. EXISTING 16-INCH HIGH PRESSURE NATURAL GAS PIPELINE TO REMAIN UNDISTURBED
3. EXISTING 8-INCH CLAY SANITARY SEWER MAIN TO REMAIN UNDISTURBED
4. EXISTING 12-INCH CLAY SANITARY SEWER MAIN TO REMAIN
5. PROPOSED CONNECTION TO EXISTING STORM SEWER MANHOLE
6. EXISTING 6-INCH HIGH PRESSURE NATURAL GAS PIPELINE TO REMAIN UNDISTURBED
7. EXISTING 8-INCH PVC SANITARY SEWER MAIN TO REMAIN
8. PROPOSED CONNECTION TO EXISTING 8-INCH DUCTILE IRON WATERLINE
9. PROPOSED CONNECTION TO EXISTING 8-INCH CAST IRON WATERLINE
10. PROPOSED CONNECTION TO EXISTING 12-INCH CLAY SANITARY SEWER MAIN
11. PROPOSED CONNECTION TO EXISTING CORRUGATED METAL STORM PIPE

LEGEND:

- EXISTING WATER LINE
- PROPOSED WATER LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING GAS LINE
- EXISTING WATER BLOWOFF
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING STORM SEWER MANHOLE
- EXISTING AREA DRAIN
- PROPOSED STORM SEWER MANHOLE
- PROPOSED STORM SEWER END SECTION
- EXISTING GAS VALVE
- EXISTING GAS REGULATOR
- EXISTING GASLINE MARKER
- EXISTING TRAFFIC SIGNAL POLE
- EXISTING IRON BAR
- SECTION CORNER
- BENCHMARK
- PROPOSED TRASH ENCLOSURE
- PROPOSED 6-FOOT HT. DECORATIVE METAL FENCE
- PROPOSED 6-FOOT HT. WOOD PRIVACY FENCE

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1900 WEST 31st STREET
LAWRENCE, KANSAS 66046
ASPEN HEIGHTS
SPECIAL USE PERMIT SITE PLAN
PROPOSED UTILITIES

REV	DATE	DESCRIPTION
1	1/6/12	PER DEPT. COMMENTS
2	1/17/12	31st ST. R.O.W.

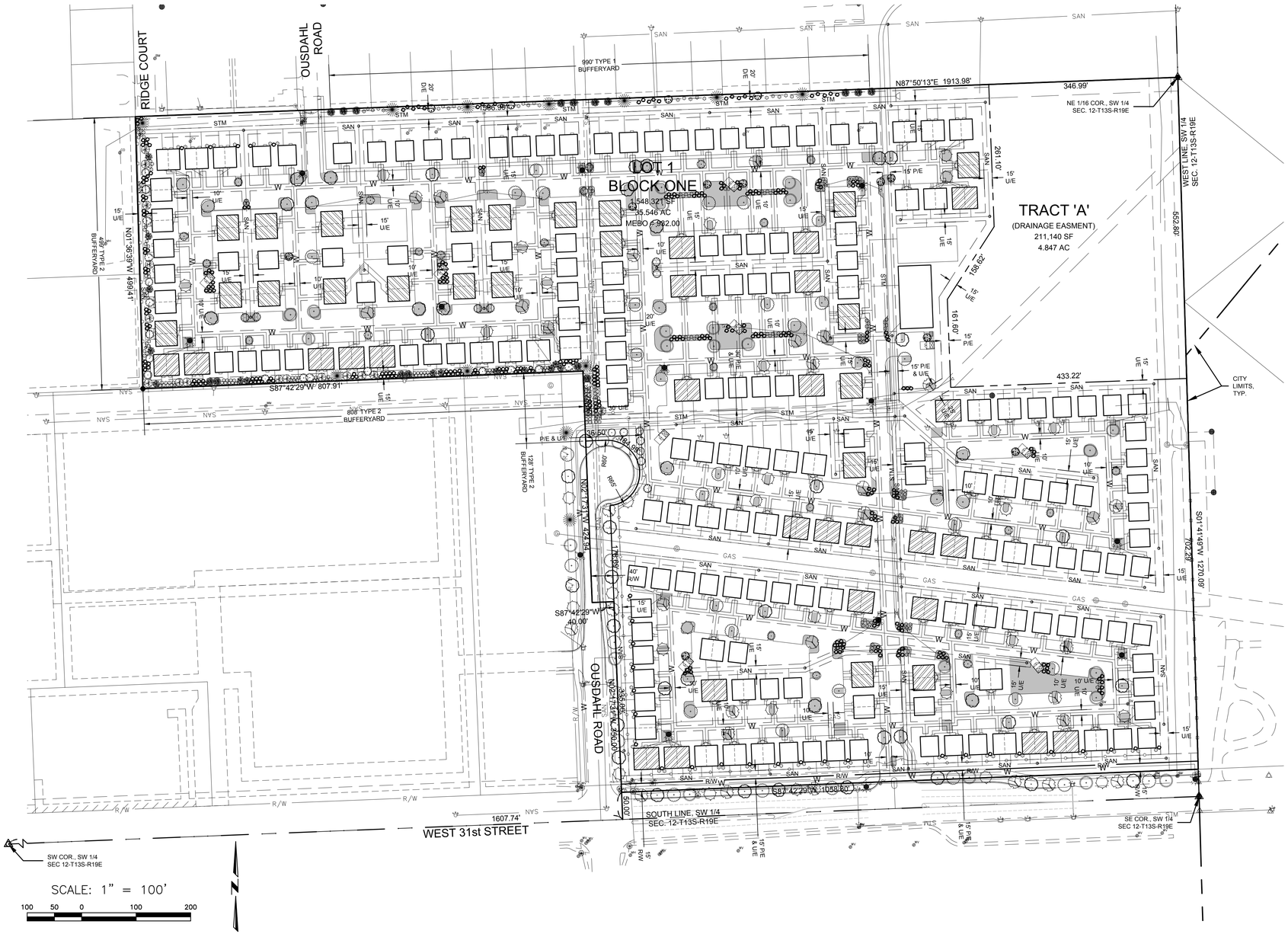
BRIAN W. C. STURM
LICENSED
759
KANSAS
LANDSCAPE ARCHITECT

DATE:	11/21/11
PROJECT NO.:	20111175
DESIGNED BY:	LPE
DRAWN BY:	BS
CHECKED BY:	BS

ISSUE	SHEET NO.
	4

OF 7 SHEETS

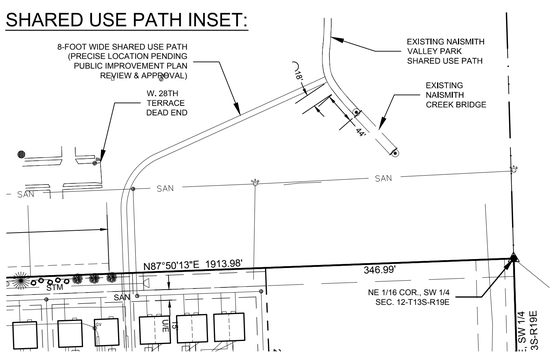
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LEGEND:

- EXISTING WATER LINE
- PROPOSED WATER LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING GAS LINE
- EXISTING WATER BLOWOFF
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
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- EXISTING GASLINE MARKER
- EXISTING TRAFFIC SIGNAL POLE
- EXISTING IRON BAR
- SECTION CORNER
- BENCHMARK
- PROPOSED TRASH ENCLOSURE
- PROPOSED 6-FOOT HT. DECORATIVE METAL FENCE
- PROPOSED 6-FOOT HT. WOOD PRIVACY FENCE
- PROPOSED INTERIOR PARKING LOT LANDSCAPING AREA

SHARED USE PATH INSET:



PLANT SCHEDULE:

SYMBOL	QTY.	NAME	SIZE	COND.
		SHADE TREES		
	44	ACER SACCHARUM 'COMMEMORATION' SUGAR MAPLE	2.5" CAL.	B&B
	42	QUERCUS SHUMARDII SHUMARD OAK	2.5" CAL.	B&B
	24	PLATANUS x ACERIFOLIA 'BLOODGOOD' LONDON PLANE TREE	2.5" CAL.	B&B
	32	QUERCUS BICOLOR SWAMP WHITE OAK	2.5" CAL.	B&B
	31	TILIA TOMENTOSA 'GREEN MOUNTAIN' SILVER LINDEN	2.5" CAL.	B&B
		ORNAMENTAL TREES		
	14	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILL.' APPLE SERVICEBERRY	1.75" CAL.	B&B
	13	BETULA NIGRA 'HERITAGE' RIVER BIRCH	1.75" CAL.	B&B
	22	CERCIS CANADENSIS EASTERN REDBUD	1.75" CAL.	B&B
	18	COTINUS COGGYGRIA x OBOVATUS AMERICAN SMOKETREE	1.75" CAL.	B&B
		CONIFEROUS TREES		
	16	JUNIPEROUS VIRGINIA 'CANAERTI' EASTERN RED CEDAR	6' HT.	B&B
	14	PICEA ABIES NORWAY SPRUCE	6' HT.	B&B
	16	PICEA OMORIKA SERBIAN SPRUCE	6' HT.	B&B
	12	TAXODIUM DISTICHUM BALD CYPRESS	6' HT.	B&B
		DECIDUOUS SHRUBS		
	284	BERBERIS THUNBERGII 'ROYAL BURGUNDY' JAPANESE BARBERRY	5 GAL.	CONT.
		CORNUS SERICEA 'KELSEYI' REDTWIG DOGWOOD	5 GAL.	CONT.
		ILEX VERTICILLATA 'WINTER RED' WINTERBERRY HOLLY	5 GAL.	CONT.
		SYRINGA MEYERI 'PALIBAN' DWARF KOREAN LILAC	5 GAL.	CONT.
		VIBURNUM CARLESII KOREAN SPICE VIBURNUM	5 GAL.	CONT.
		EVERGREEN SHRUBS		
	321	COTONEASTER APICULATUS CRANBERRY COTONEASTER	5 GAL.	CONT.
		ILEX x MESERVEAE MESERVE HOLLY	5 GAL.	CONT.
		JUNIPERUS SABINA 'BROADMOOR' SAVIN JUNIPER	5 GAL.	CONT.
		PINUS MUGO 'MUGHO' DWARF MUGO PINE	5 GAL.	CONT.
		TAXUS x MEDIA 'DENSIFORMIS' DENSE SPREADING YEW	5 GAL.	CONT.

LANDSCAPE SUMMARY:

STREET TREES
REQUIRED: 1 SHADE TREE / 40 FEET OF PUBLIC STREET FRONTAGE
1,807 FEET / 40
46 TREES
PROVIDED: 46 TREES

INTERIOR PARKING LOT LANDSCAPING
REQUIRED: 40 SF LANDSCAPING AREA / PARKING SPACE
1,220 SPACES * 40
48,800 SF
PROVIDED: 72,944 SF

REQUIRED: 1 SHADE TREE, 3 SHRUBS / 10 PARKING SPACES
1,220 SPACES / 10
122 SHADE TREES, 366 SHRUBS
PROVIDED: 122 SHADE TREES, 41 ORNAMENTAL TREES, 243 SHRUBS

PARKING LOT PERIMETER LANDSCAPING
REQUIRED: 1 SHADE OR ORNAMENTAL TREE / 25 LF PARKING LOT FRONTAGE
170 LF / 25
7 ORNAMENTAL TREES
PROVIDED: 7 ORNAMENTAL TREES

BUFFERYARDS
REQUIRED: TYPE 1 ADJACENT TO NORTH PROPERTY LINE SHARED WITH LOTS 1 THROUGH 10, BLOCK ELEVEN, MEADOW LEA ESTATES AND LOTS 17 AND 18 NAISMITH VALLEY No. 1
TYPE 2 ADJACENT TO WEST PROPERTY LINE SHARED WITH WILLEY'S AUTO ADDITION AND COMMERCE PLAZA ADDITION
TYPE 2 ADJACENT TO SOUTH PROPERTY LINE SHARED WITH LOT 1, FIRST NATIONAL ADDITION No. 2 AND TRACT 'A', FIRST NATIONAL ADDITION
PROVIDED: ALL OF THE ABOVE

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1900 WEST 31st STREET
LAWRENCE, KANSAS 66046
ASPEN HEIGHTS
SPECIAL USE PERMIT SITE PLAN
PROPOSED LANDSCAPE

REV	DATE	DESCRIPTION
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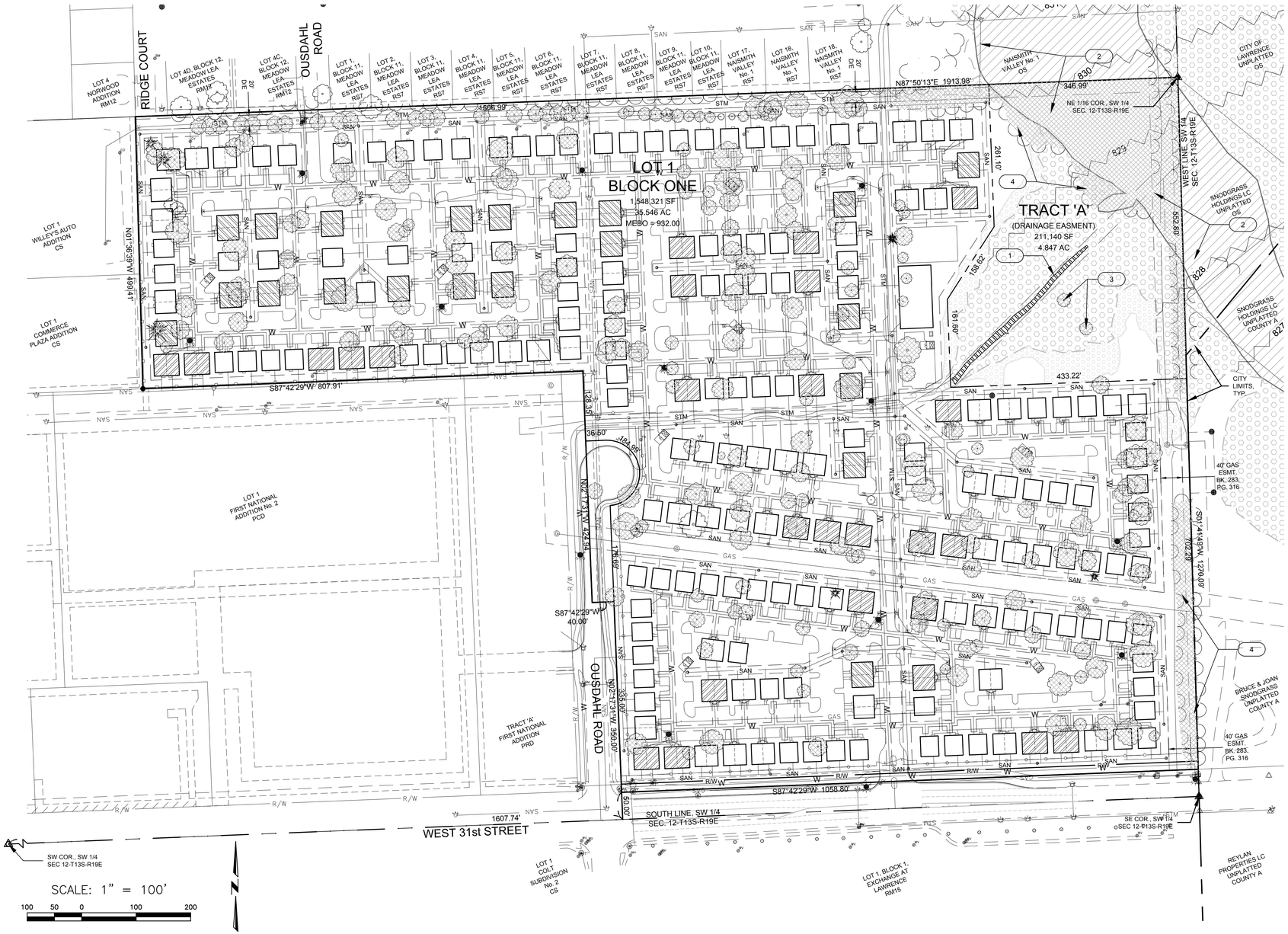
BRIAN W. C. STURM
LICENSED
759
KANSAS
LANDSCAPE ARCHITECT

DATE:	11/21/11
PROJECT NO.:	20111175
DESIGNED BY:	LPE
DRAWN BY:	BS
CHECKED BY:	BS

ISSUE

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SENSITIVE AREAS NOTES:

1. THE SUBJECT PROPERTY DOES LIE WITHIN A FLOOD HAZARD AREA AS DEFINED BY FLOOD INSURANCE RATE MAP (FIRM); PANEL NO. 167, MAP NUMBER 20045C0167D, DOUGLAS COUNTY, KS., BEARING AN EFFECTIVE DATE OF AUGUST 5, 2010.
2. WETLAND INFORMATION SHOWN WAS OBTAINED FROM A WETLAND DELINEATION REPORT PRODUCED BY TERRACON CONSULTANTS, INC., DATED 10/14/11.
3. LOT 1 AND TRACT 'A' WILL BE DEVELOPED AND MAINTAINED UNDER SINGLE AND CONTIGUOUS OWNERSHIP BY THE DEVELOPER ASPEN HEIGHTS.
4. NO PORTION OF FEMA FLOODWAY, 100-YEAR FLOODPLAIN, WETLAND, NAISMITH CREEK OR STANDS OF MATURE TREES LYING WITHIN THE LIMITS OF PROPOSED TRACT 'A' WILL BE DISTURBED BY DEVELOPMENT OF THE SUBJECT PROPERTY.
5. TRACT 'A' WILL BE A PRIVATELY OWNED, DEDICATED DRAINAGE EASEMENT. THE DEVELOPER IS RESPONSIBLE FOR ESTABLISHING OWNERSHIP AND MAINTENANCE OF SAME.
6. NO PERSON MAY CONSTRUCT, MAINTAIN OR ALLOW ANY NATURAL OR NON-NATURAL STRUCTURE OR VEGETATIVE BARRIERS (INCLUDING BUT NOT LIMITED TO TREES, SHUBBERY, BERMS, FENCES AND WALLS) UPON DRAINAGE EASEMENTS THAT THE DIRECTOR OF PUBLIC WORKS FINDS IMPEDES, DETAINS, RETAINS OR OTHERWISE INTERFERES WITH THE DRAINAGE OF STORMWATER REGARDLESS OF THE SOURCE OF STORMWATER.
7. PORTIONS OF THE FEMA 100-YEAR FLOODPLAIN, AS WELL AS INDIVIDUAL AND STANDS OF MATURE TREES WITHIN THE LIMITS OF THE PROPOSED 20-FOOT DRAINAGE EASEMENT ADJACENT TO THE NORTH PROPERTY LINE OF PROPOSED LOT 1 MAY BE MODIFIED AND/OR REMOVED, AS NEEDED, TO COMPLETE PUBLIC STORMWATER IMPROVEMENTS. REFER TO FORTHCOMING PUBLIC IMPROVEMENT PLANS.
8. ANY DISTURBANCE TO FEMA 100-YEAR FLOODPLAIN BY DEVELOPMENT OF THE SUBJECT PROPERTY WILL PROCEED IN ACCORDANCE WITH CITY OF LAWRENCE LAND DEVELOPMENT CODE SEC. 20-1203(d).
9. NO PORTION OF FEMA 100-YR FLOODPLAIN OR STANDS OF MATURE TREES LYING WITHIN THE LIMITS OF THE EXISTING 40-FOOT GAS EASEMENT ADJACENT TO THE EAST PROPERTY LINE OF PROPOSED LOT 1 OR EAST THEREOF WILL BE DISTURBED BY DEVELOPMENT OF THE SUBJECT PROPERTY.
10. SOUTHERN STAR NATURAL GAS PIPELINE COMPANY RETAINS ALL RIGHTS PERTAINING TO THE AFOREMENTIONED 40-FOOT GAS EASEMENT, PER THE "AGREEMENT AND PARTIAL RELEASE" RECORDED AT BOOK 283, PAGE 136 WITH THE DOUGLAS COUNTY REGISTER OF DEEDS, .

KEYED NOTES:

1. 2,500 SF (0.057 ACRE) JURISDICTIONAL WETLAND IDENTIFIED IN WETLAND DELINEATION REPORT DATED 10/14/11.
2. NAISMITH CREEK, DIRECTION OF FLOW NORTHWEST TO SOUTHEAST
3. INDIVIDUAL MATURE TREES TO BE PRESERVED WITH DEVELOPMENT
4. STANDS OF MATURE STREES TO BE PRESERVED WITH DEVELOPMENT

LEGEND:

- FLOODWAY (ZONE AE, PER FEMA FIRM)
- 100-YR FLOODPLAIN (ZONE AE, PER FEMA FIRM)
- 500-YR-LOODPLAIN (ZONE X, PER FEMA FIRM)
- SIGNIFICANT MATURE TREES OR STANDS THEREOF
- WETLANDS
- 930 EXISTING BASE FLOOD ELEVATION (PER FEMA FIRM)
- 930 EXISTING TOPOGRAPHIC CONTOUR
- W EXISTING WATER LINE
- W PROPOSED WATER LINE
- SAN EXISTING SANITARY SEWER
- SAN PROPOSED SANITARY SEWER
- STM EXISTING STORM SEWER
- STM PROPOSED STORM SEWER
- GAS EXISTING GAS LINE
- EXISTING WATER BLOWOFF
- WV EXISTING WATER VALVE
- FH EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- MH EXISTING MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING STORM SEWER MANHOLE
- EXISTING AREA DRAIN
- PROPOSED STORM SEWER MANHOLE
- PROPOSED STORM SEWER END SECTION
- GV EXISTING GAS VALVE
- EXISTING GAS REGULATOR
- EXISTING GASLINE MARKER
- EXISTING SIGNAL POLE
- EXISTING IRON BAR
- BM BENCHMARK
- PROPOSED TRASH ENCLOSURE
- PROPOSED 6-FOOT HT. DECORATIVE METAL FENCE
- PROPOSED 6-FOOT HT. WOOD PRIVACY FENCE

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1900 WEST 31st STREET LAWRENCE, KANSAS 66046 ASPEN HEIGHTS SPECIAL USE PERMIT SITE PLAN SENSITIVE AREAS SITE PLAN

REV	DATE	DESCRIPTION
1	1/9/12	PER DEPT. COMMENTS
2	1/17/12	31st ST. R.O.W.

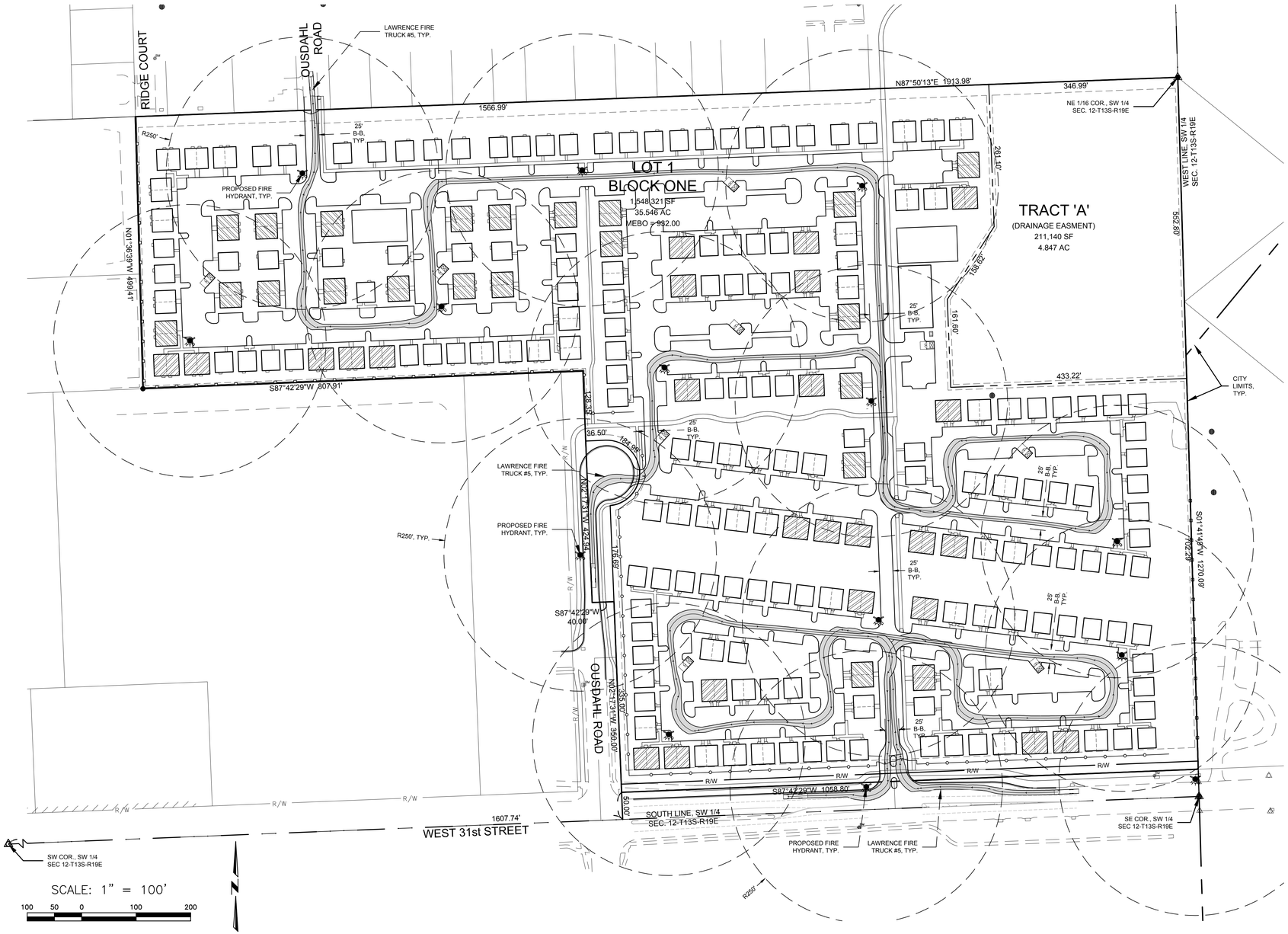
BRYAN W. C. STURM LICENSED 759 KANSAS LANDSCAPE ARCHITECT

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PROJECT NO.: 20111175
DESIGNED BY: LPE
DRAWN BY: BS
CHECKED BY: BS

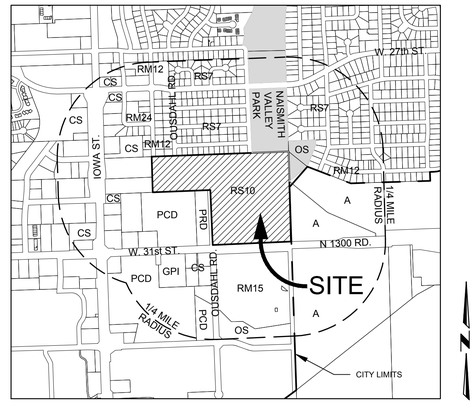
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SHEET NO. 6 OF 7 SHEETS

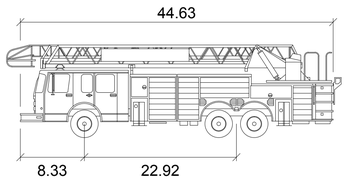
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LOCATION MAP:



SIMULATION VEHICLE:



Lawrence Fire & Medical Truck 5

Width	: 8.00	feet
Track	: 8.00	feet
Lock to Lock Time	: 6.0	seconds
Steering Angle	: 29.5	degrees
Steering Angle	: 46.5	feet

LEGEND:

- EXISTING IRON BAR
- SECTION CORNER
- BENCHMARK
- PROPOSED FIRE HYDRANT
- PROPOSED TRASH ENCLOSURE
- PROPOSED 6-FOOT HT. DECORATIVE METAL FENCE
- PROPOSED 6-FOOT HT. WOOD PRIVACY FENCE

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LAWRENCE, KANSAS 66046
ASPEN HEIGHTS
SPECIAL USE PERMIT SITE PLAN
AUTOTURN EXHIBIT

REV	DATE	DESCRIPTION
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BRIAN W. C. STURM
LICENSED
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ACCESSIBLE RAMP, PER CITY STD.

R15'

3'x6' LANDING, TYP.

25'

10' PARKING ISLAND, TYP.

TRASH ENCLOSURE, PER CITY STD.

8.5'

24'

TYP. PARALLEL PARKING SPACE

33'

37'

TYPICAL 4-BR COTTAGE (2-STORY)

4' WALK, TYP.

18', TYP.

6'

TYP. 90° PARKING SPACE

6' WALK

25' B-B, TYP.

42'

38'

TYPICAL 2-BR DUPLEX (2-STORY)

46'

40'

TYPICAL 3-BR DUPLEX (2-STORY)

21'

DECORATIVE METAL FENCE

20' P/E & U/E

10' SHARED-USE PATH

BM

R25'

10'

GATED ENTRY EQUIPPED W/ OPTICOM RECEIVERS

WEST 31ST STREET

14'

N

TYPICAL LAYOUT EXHIBIT

1/9/2011

SCALE: 1" = 40'

40 20 0 40 80

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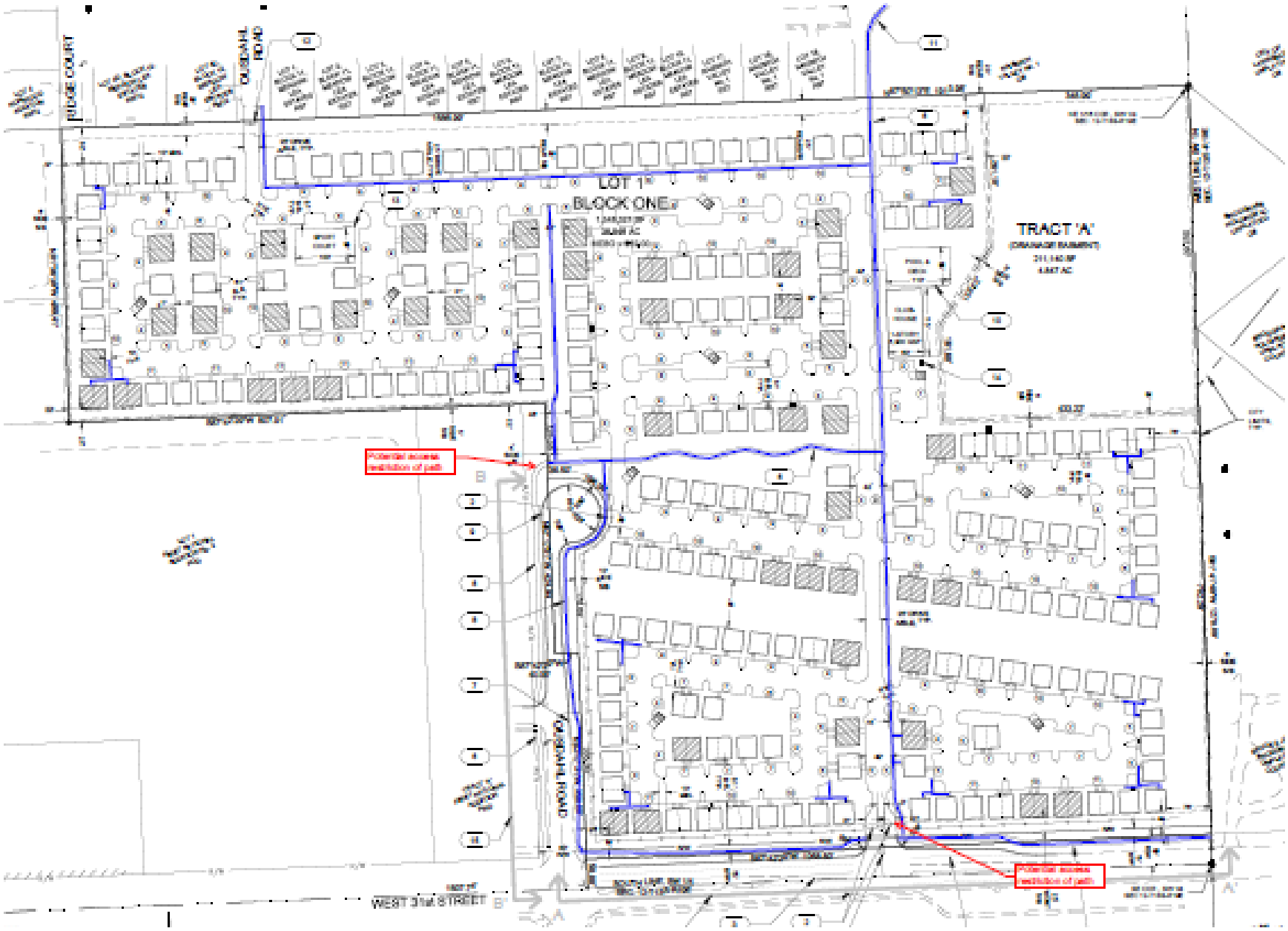
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Multi-Use Path and Sidewalk Access





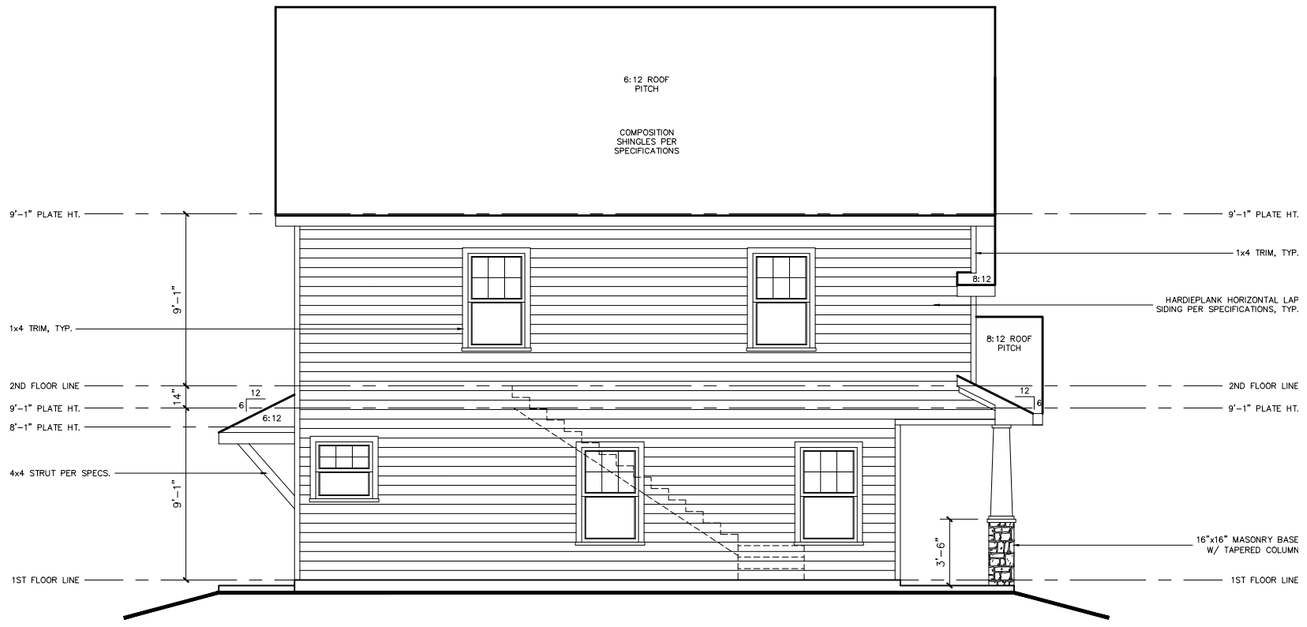
FRONT ELEVATION

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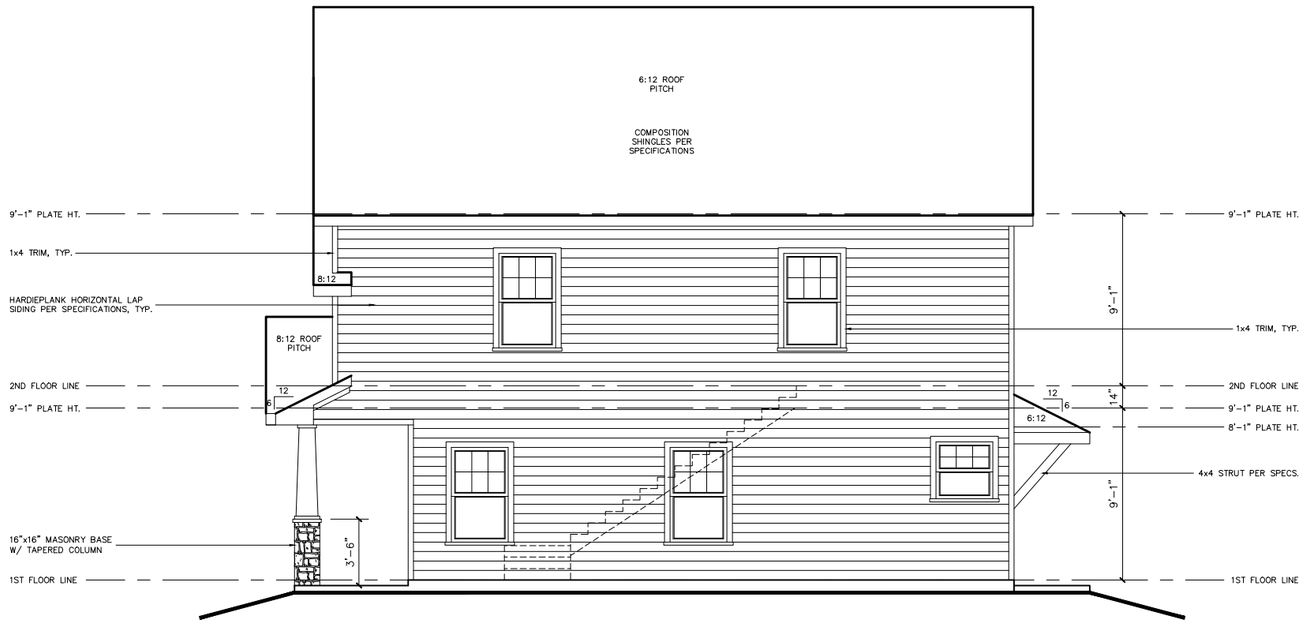
REAR ELEVATION

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LEFT ELEVATION

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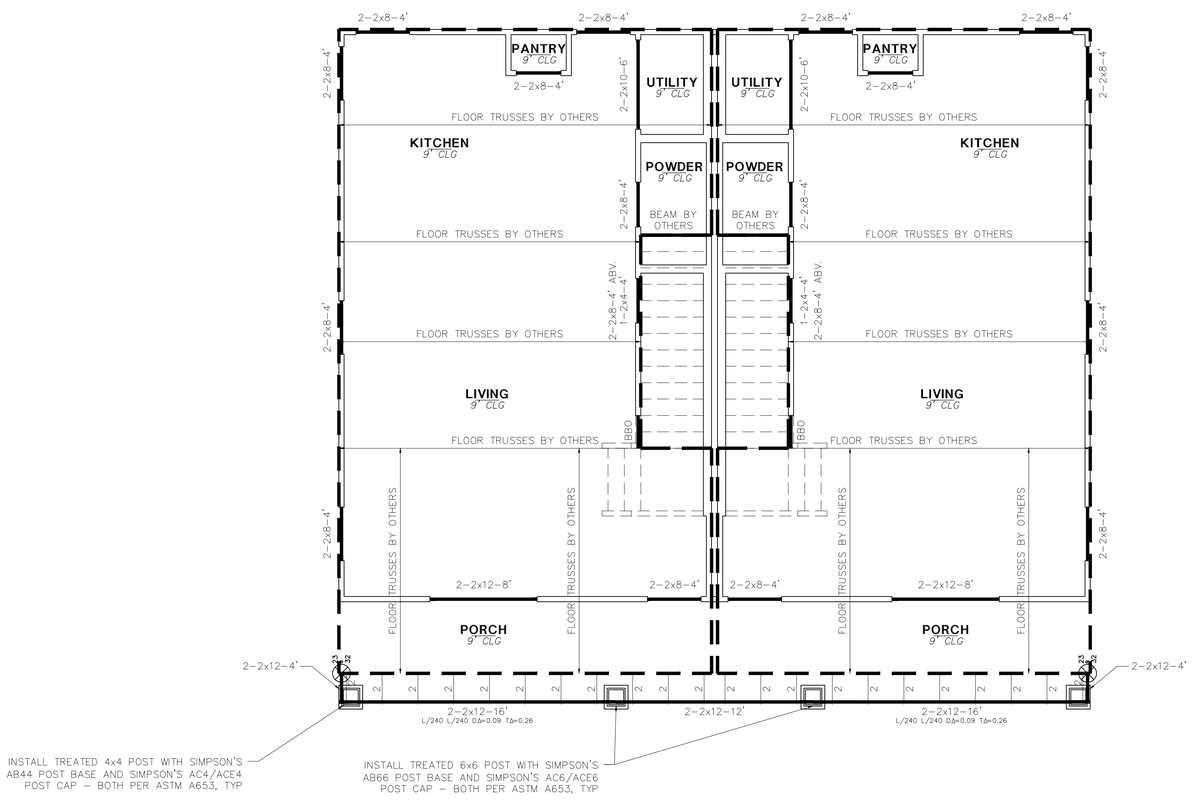


RIGHT ELEVATION

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CEILING AND CEILING JOISTS

SPECIES AND GRADE: #3 S.P. FOR SPANS UNDER 8' U.N.O.
#2 S.P. FOR SPANS OVER 8' U.N.O.
SIZE AND SPACING: 2x6 @ 24" O.C. U.N.O.
CEILING SHEATHING: 1/2" GYPSUM PANELS



HEADER NOTES:

HEADERS BELOW FLOOR SYSTEM HAVE NOT BEEN DESIGNED TO SUPPORT CONCENTRATED LOADS IMPOSED FROM ABOVE. FLOOR SYSTEM DESIGNER TO DETERMINE HEADER SIZE FOR ALL HEADERS SUPPORTING CONCENTRATED LOADS. NON-LOAD BEARING HEADERS MAY BE FRAMED WITH FLAT 2x4. REFER TO TRUSS DESIGN TO DETERMINE LOAD BEARING POINTS.

TREATED LUMBER NOTES:

ALL NAILS, SCREWS, HANGERS, ETC. INSTALLED WITH TREATED LUMBER TO COMPLY WITH APPROPRIATE ASTM STANDARDS. EG. FASTENERS TO COMPLY WITH ASTM A153, HANGERS TO COMPLY WITH ASTM A653, OR ASTM A123.

MLAW TO REVIEW TRUSS LAYOUT DESIGN FOR STRUCTURAL INTEGRITY INTERRELATED TO FRAMING DESIGN

LEGEND

- DEAD LOAD SOURCE / LIVE LOAD — POINT LOAD
- LINE LOAD
- ENGINEERED BEAM
- L/XXX L/XXX DΔ=X.XX TΔ=X.XX DEFLECTION CRITERIA
- FLOOR FRAMING EXTENTS
- DOUBLE CEILING JOIST
- TJI FLOOR JOIST
- CEILING LINE

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

LEVEL 1 CEILING FRAMING
1/4" = 1'-0"

MLAW
CONSULTANTS AND ENGINEERS
2804 LONGHORN BLVD.
AUSTIN, TEXAS 78758
(512) 835-7000

PROPRIETOR
BRECKENRIDGE PROPERTIES
7004 BEE CAVE RD.
BLDG. 3, STE. 330
AUSTIN, TX 78746

CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

KEYSTONE DUPLEX PLAN

ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

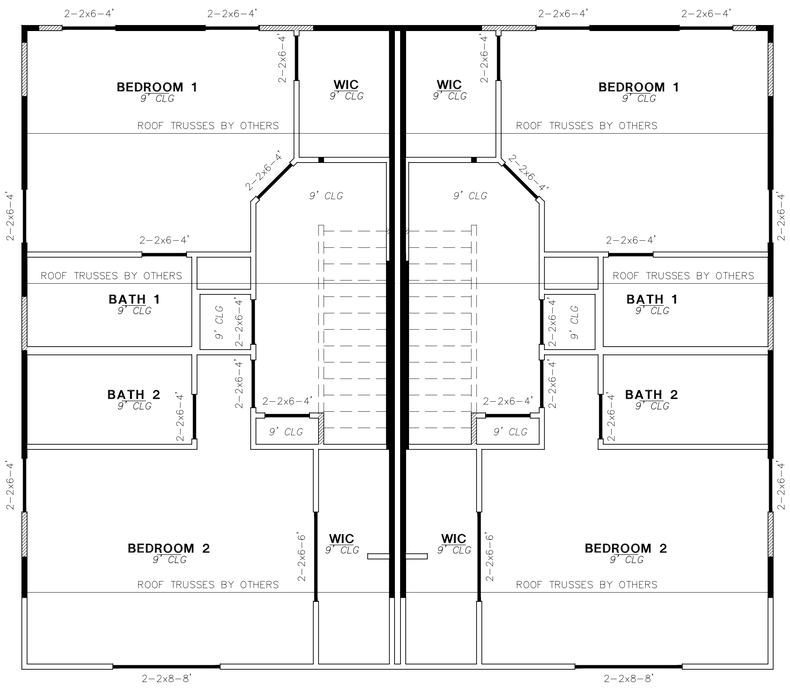
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DATE: 10-06-10
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CHECK:
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

1
SHEET 1 OF 6

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CEILING AND CEILING JOISTS

SPECIES AND GRADE: #3 S.P. FOR SPANS UNDER 8' U.N.O.
#2 S.P. FOR SPANS OVER 8' U.N.O.
SIZE AND SPACING: 2x6 @ 24" O.C. U.N.O.
CEILING SHEATHING: 1/2" GYPSUM PANELS



HEADER NOTES:

HEADERS BELOW FLOOR SYSTEM HAVE NOT BEEN DESIGNED TO SUPPORT CONCENTRATED LOADS IMPOSED FROM ABOVE. FLOOR SYSTEM DESIGNER TO DETERMINE HEADER SIZE FOR ALL HEADERS SUPPORTING CONCENTRATED LOADS. NON-LOAD BEARING HEADERS MAY BE FRAMED WITH FLAT 2x4. REFER TO TRUSS DESIGN TO DETERMINE LOAD BEARING POINTS.

TREATED LUMBER NOTES:

ALL NAILS, SCREWS, HANGERS, ETC. INSTALLED WITH TREATED LUMBER TO COMPLY WITH APPROPRIATE ASTM STANDARDS. EG. FASTENERS TO COMPLY WITH ASTM A153, HANGERS TO COMPLY WITH ASTM A653, OR ASTM A123.

MLAW TO REVIEW TRUSS LAYOUT DESIGN FOR STRUCTURAL INTEGRITY INTERRELATED TO FRAMING DESIGN

LEGEND

- DEAD LOAD (SOURCE) / LIVE LOAD — POINT LOAD
- ENGINEERED BEAM
- L/XXX L/XXX D.=X.XX T.=X.XX DEFLECTION CRITERIA
- DOUBLE JOIST
- CEILING LINE
- WALL STACKED ON LOWER WALL
- WALL STACKED ON LOWER BEAM

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

LEVEL 2 CEILING FRAMING

1/4" = 1'-0"

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PROPRIETOR
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BLDG. 3, STE. 330
AUSTIN, TX 78746

CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

KEYSTONE DUPLEX PLAN

ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

JOB No:1012049053.201
DATE: 10-06-10
DRAWN: EE
CHECK:

A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

2
SHEET 2 OF 6

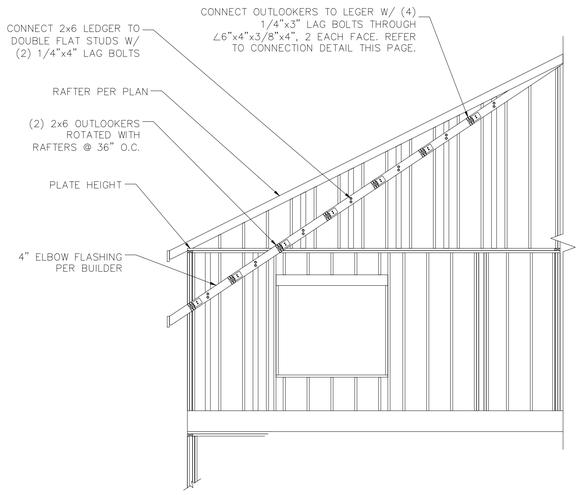
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THIS ROOF SYSTEM DESIGNED FOR COMPOSITION ROOF. IF TILE IS TO BE USED, OR OTHER COVERING EXCEEDING 5 PSF, CONTACT ENGINEER FOR REDESIGN

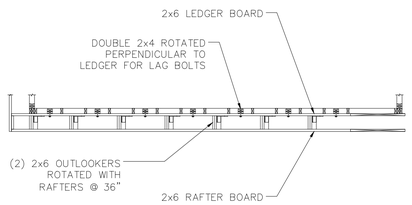
ROOF AND RAFTERS

SPECIES AND GRADE: #3 S.P. FOR SPANS UNDER 8' U.N.O.
#2 S.P. FOR SPANS OVER 8' U.NO.

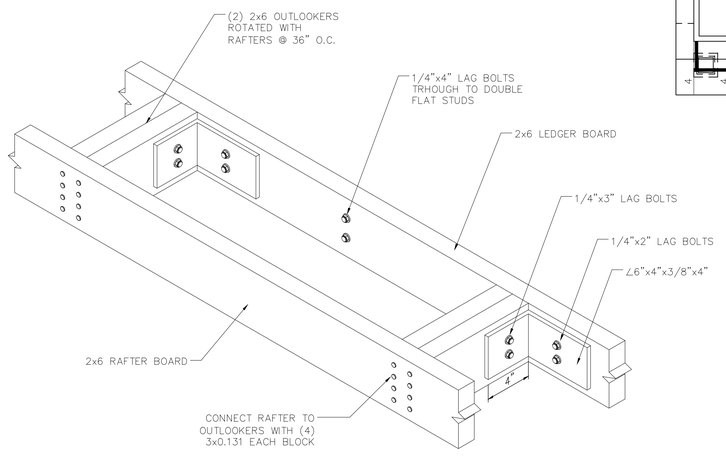
SIZE AND SPACING:
RAFTERS 2x6 @ 24" O.C. U.N.O.
HIPS, VALLEYS AND RIDGES PER FRAMING DETAILS
ROOF SHEATHING 7/16" STRUCT. PANEL



RAFTER DETAIL (ELEVATION)

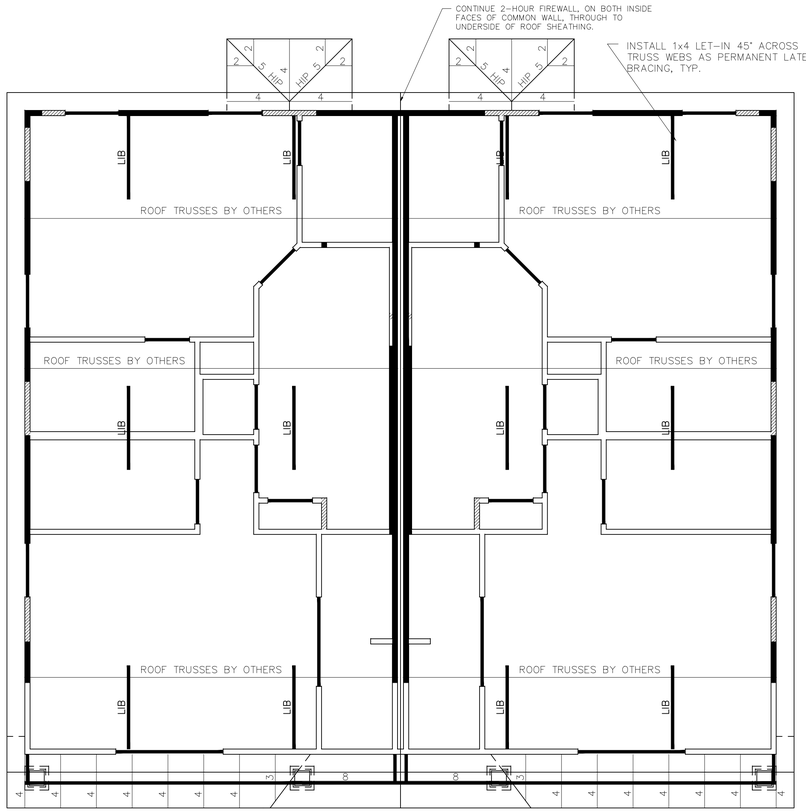


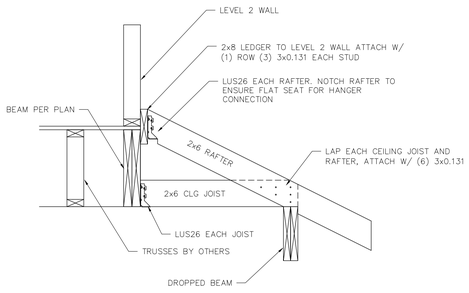
RAFTER DETAIL (PLAN)



RAFTER DETAIL (ISOMETRIC)

NOT TO SCALE

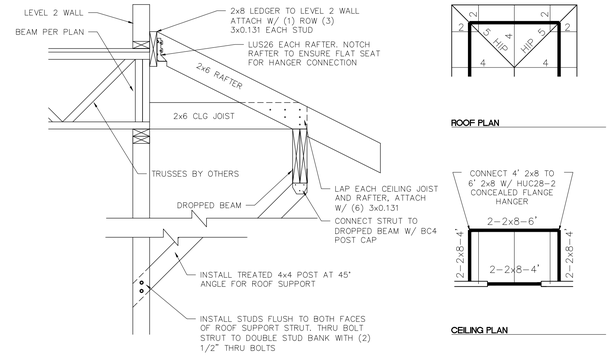




LOWER SHED ROOF CONNECTION DETAIL

N.T.S.

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

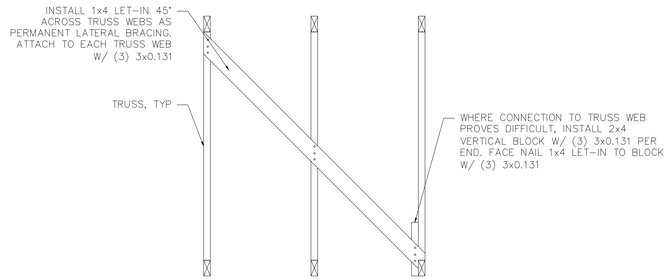


ROOF PLAN

CEILING PLAN

TYPICAL PATIO REAR PATIO ROOF CONNECTION DETAILS

N.T.S.



1 1x4 TRUSS BRACING DETAIL

N.T.S.

TREATED LUMBER NOTES:

ALL NAILS, SCREWS, HANGERS, ETC. INSTALLED WITH TREATED LUMBER TO COMPLY WITH APPROPRIATE ASTM STANDARDS. EG. FASTENERS TO COMPLY WITH ASTM A153, HANGERS TO COMPLY WITH ASTM A653, OR ASTM A123.

MLAW TO REVIEW TRUSS LAYOUT DESIGN FOR STRUCTURAL INTEGRITY INTERRELATED TO FRAMING DESIGN

LEGEND

- ROOF BRACE
- DEAD LOAD / LIVE LOAD — POINT LOAD
- ENGINEERED BEAM
- DOUBLE JOIST
- WALL STACKED ON LOWER WALL
- WALL STACKED ON LOWER BEAM

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KEYSTONE DUPLEX PLAN

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201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

JOB No:1012049053.201
DATE: 10-06-10
DRAWN: EE
CHECK:

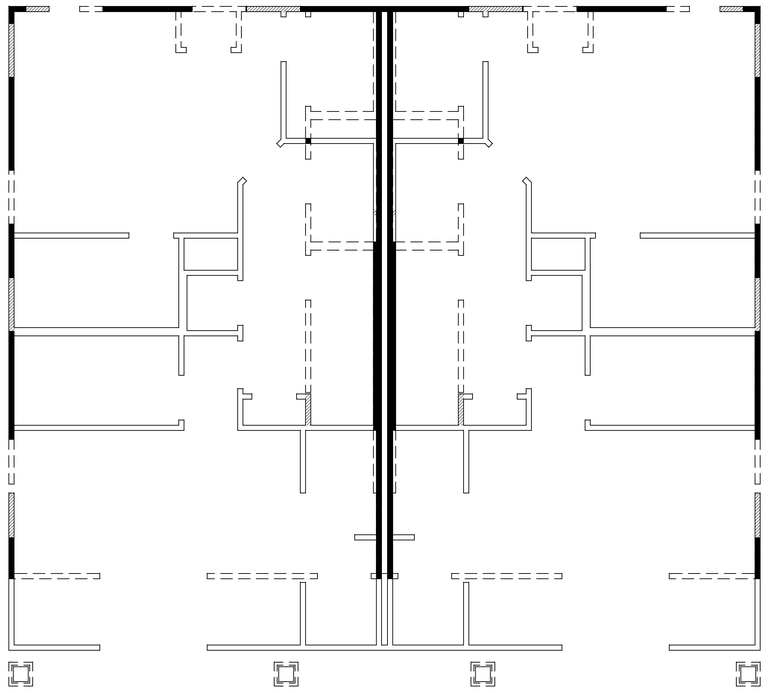
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

ROOF FRAMING

1/4" = 1'-0"

SHEET 3 OF 6

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LEGEND

- LOWER LEVEL
- UPPER LEVEL
- WALL STACKED ON LOWER WALL
- WALL STACKED ON LOWER BEAM

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OVERLAY
1/4" = 1'-0"

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KEYSTONE DUPLEX PLAN

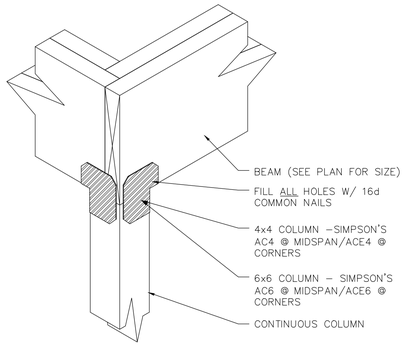
ASPEN HEIGHTS TSU
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CLIENT: BRECKENRIDGE

JOB No:1012049053.201
DATE: 10-06-10
DRAWN:EE
CHECK:

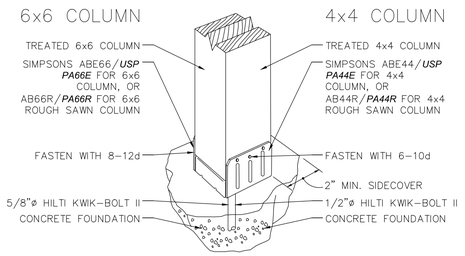
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

4
SHEET 4 OF 6

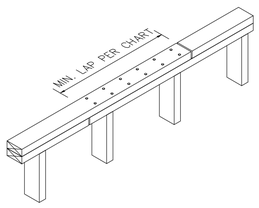
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BEAM / COLUMN TOP CONNECTION
N.T.S.



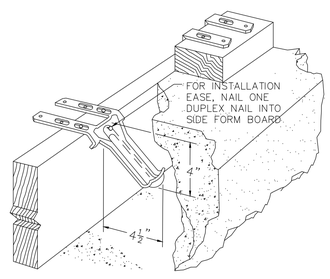
COLUMN BASE CONNECTION
N.T.S.



LENGTH OF TOP PLATE LAP @ SPLICE	BUILDING DIMENSION OF WALL CONTAINING TOP PLATE
4' LAP	≤ 40'
6' LAP	40' ≥ 60'
8' LAP	60' ≥ 80'

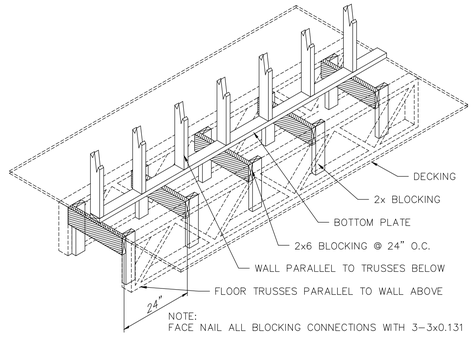
* TOP PLATE TO BE CONNECTED AT SPLICE W/ 2 ROWS OF 3x0.131 @ 4" O.C.(EACH SIDE @ INTERSECTION). SPLICES NEED NOT OCCUR OVER A STUD

TOP PLATE SPLICE DETAIL
N.T.S.

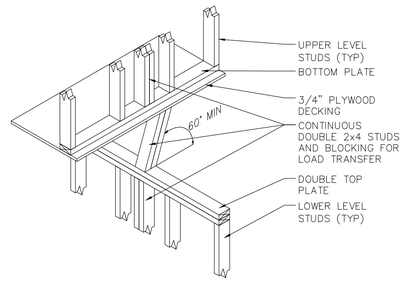


MAS INSTALLATION

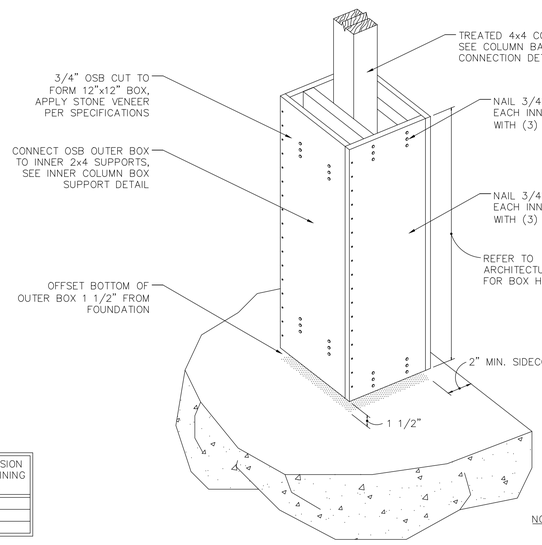
OPTIONAL ANCHOR BOLT ALTERNATIVE (CUT AWAY)
N.T.S.



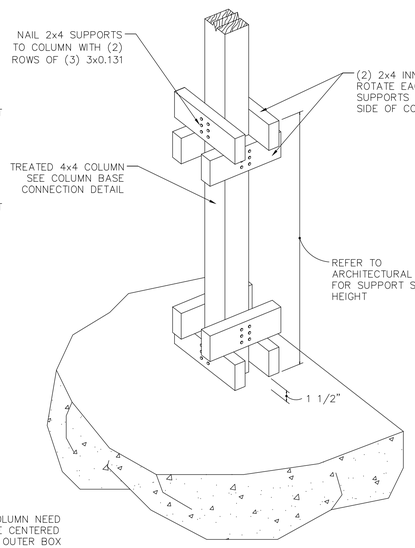
PARALLEL WALL/TRUSS BLOCKING
N.T.S.



PERPENDICULAR STACKED WALL SUPPORT
N.T.S.

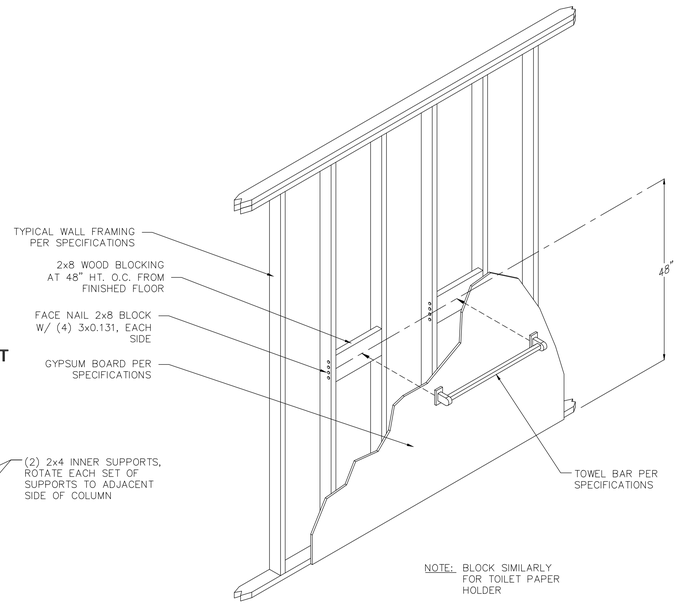


OUTER COLUMN BOX DETAIL
N.T.S.



NOTE: 4x4 COLUMN NEED NOT BE CENTERED WITHIN OUTER BOX

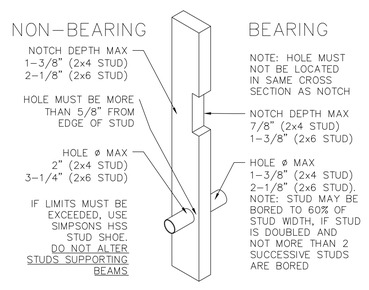
INNER COLUMN BOX SUPPORT DETAIL
N.T.S.



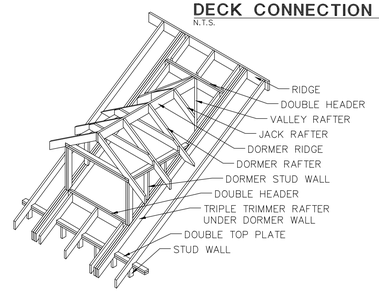
TYPICAL TOWEL BAR IN-WALL BLOCKING
N.T.S.

DECK CONNECTION
N.T.S.

ROOF DIAPHRAGM CHORD DETAIL
SHEAR CAPACITY: 238 PLF



BORED/NOTCHED STUD
N.T.S.



TYPICAL DORMER SUPPORT DETAIL
N.T.S.

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FRAMING DETAILS
1/4" = 1'-0"

SHEET 5 OF 6

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FLOOR AND FLOOR JOISTS

UNLESS NOTED OTHERWISE ON PLAN (ALSO SEE MPCW FLOOR TRUSSES, WHERE APPLICABLE):

SPECIES AND GRADE: #2 SOUTHERN PINE U.N.O.

SIZE AND SPACING: 2x12 @ 24" O.C. U.N.O.

FLOOR SHEATHING: 3/4" TONGUE AND GROOVE SIZED FOR SPACING

FLOOR DECKING: FLAT 2x6 W/ 1/8" GAPS FOR EXTERIOR APPLICATIONS

1. **EXTERIOR DECKS.** REFER TO CONNECTION DETAILS PER PLAN.
2. **BEARING.** AT END OF EACH JOIST, BEAR A MINIMUM LENGTH OF 1-1/2". WHERE JOISTS FRAME FROM OPPOSITE SIDES OVER A BEARING SUPPORT, LAP MINIMUM 3" AND FASTEN. WHERE JOISTS FRAME INTO THE SIDE OF A GIRDER, USE JOIST HANGER IN ACCORDANCE WITH THE SCHEDULE.
3. **LATERAL RESTRAINT AT SUPPORTS.** LATERALLY SUPPORT JOISTS AT THE ENDS BY FULL DEPTH SOLID BLOCKING, ATTACHMENT TO A HEADER, BAND OR RIM JOIST, OR TO AN ADJOINING STUD.
4. **TOPPING SLABS.** DO NOT USE TOPPING SLABS UNLESS NOTED OTHERWISE ON PLAN.
5. **ALLOWABLE JOIST SPANS:**

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	10'-9"	14'-2"	18'-0"	21'-9"
16" O.C.	9'-9"	12'-10"	16'-1"	18'-10"
19.2" O.C.	9'-2"	12'-1"	14'-8"	17'-2"
24" O.C.	8'-6"	11'-0"	13'-1"	15'-5"

RESIDENTIAL SLEEPING
IRC R502.3.1(1) LL=30 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-10"	15'-7"	19'-10"	24'-2"
16" O.C.	10'-9"	14'-2"	18'-0"	21'-1"
19.2" O.C.	10'-1"	13'-4"	16'-5"	19'-3"
24" O.C.	9'-4"	12'-4"	14'-8"	17'-2"

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	10'-9"	14'-2"	16'-11"	19'-10"
16" O.C.	9'-6"	12'-4"	14'-8"	17'-2"
19.2" O.C.	8'-8"	11'-3"	13'-5"	15'-8"
24" O.C.	7'-9"	10'-0"	12'-0"	14'-0"

RESIDENTIAL SLEEPING
IRC R502.3.1(1) LL=30 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-10"	15'-7"	18'-7"	21'-9"
16" O.C.	10'-5"	13'-6"	16'-1"	18'-10"
19.2" O.C.	9'-6"	12'-4"	14'-8"	17'-2"
24" O.C.	8'-6"	11'-0"	13'-1"	15'-5"

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	9'-4"	11'-11"	14'-0"	16'-8"
16" O.C.	8'-1"	10'-3"	12'-2"	14'-6"
19.2" O.C.	7'-4"	9'-5"	11'-1"	13'-2"
24" O.C.	6'-7"	8'-5"	9'-11"	11'-10"

RESIDENTIAL SLEEPING
IRC R502.3.1(1) LL=30 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	10'-5"	13'-3"	15'-8"	18'-8"
16" O.C.	9'-0"	11'-6"	13'-7"	16'-2"
19.2" O.C.	8'-3"	10'-6"	12'-5"	14'-9"
24" O.C.	7'-4"	9'-5"	11'-1"	13'-2"

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	8'-6"	10'-10"	12'-10"	15'-3"
16" O.C.	7'-4"	9'-5"	11'-1"	13'-2"
19.2" O.C.	6'-9"	8'-7"	10'-1"	12'-1"
24" O.C.	6'-0"	7'-8"	9'-1"	10'-9"

RESIDENTIAL SLEEPING
IRC R503.3.1(1) LL=30 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	9'-4"	11'-11"	14'-0"	16'-8"
16" O.C.	8'-1"	10'-3"	12'-2"	14'-6"
19.2" O.C.	7'-4"	9'-5"	11'-1"	13'-2"
24" O.C.	6'-7"	8'-5"	9'-11"	11'-10"

WOOD WALL FRAMING

1. **R601.2.1 COMPRESSIBLE MATERIALS.** MATERIALS THAT COMPRESS MORE THAN 1/32 INCH WHEN SUBJECTED TO 50 PSI SHALL NOT EXTEND BENEATH WALLS.
2. **R602.1.1 END JOINTED LUMBER.** APPROVED END JOINTED LUMBER MAY BE USED INTERCHANGABLY WITH SOLID-SAWN MEMBERS OF THE SAME SPECIES AND GRADE.
3. **R602.2 GRADE.** STUDS SHALL BE A MIN. #2, STANDARD OR STUD GRADE S.P.F.
4. **R602.3.1 STUD SIZE, HEIGHT, AND SPACING.**

MAX. ALLOWABLE LATERALLY UNSUPPORTED LENGTHS OF WOOD WALL STUDS FOR THE GIVEN STUD SIZE AND SPACING:

SUPPORTING ROOF ONLY	
2x4 @ 16" O.C.	12'-0"
2x6 @ 16" O.C.	18'-0"
2x6 @ 12" O.C.	20'-0"
2x6 @ 8" O.C.	24'-0"
SUPPORTING ONE FLOOR AND A ROOF	
2x4 @ 16" O.C.	10'-0"
2x6 @ 16" O.C.	18'-0"
2x6 @ 12" O.C.	20'-0"
2x6 @ 8" O.C.	24'-0"
SUPPORTING TWO FLOORS AND A ROOF	
2x6 @ 16" O.C.	14'-0"
2x6 @ 12" O.C.	16'-0"
2x6 @ 12" O.C.	18'-0"
2x6 @ 8" O.C.	20'-0"

5. **R602.3.2 TOP PLATE.** CAP WOOD STUD WALLS WITH A DOUBLE TOP PLATE INSTALLED TO PROVIDE OVERLAPPING AT CORNERS AND INTERSECTIONS WITH BEARING PARTITIONS. END JOINTS IN TOP PLATES SHALL BE OFFSET AT LEAST 24". JOINTS NEED NOT OCCUR OVER STUDS. PLATES TO BE SAME SIZE AS STUDS AND MIN UTILITY GRADE S.P.F.
6. **R602.6.1 DRILLING AND NOTCHING OF TOP PLATE.** WHEN TOP PLATE WIDTH IS REDUCED BY MORE THAN 50%, INSTALL SIMPSON RPS/USP ***KRPS*** TIES ACROSS THE NOTCH AND TO THE PLATE AT EACH SIDE OF THE OPENING WITH NOT LESS THAN EIGHT 16d NAILS AT EACH SIDE.
7. **BOTTOM PLATES.**
   PLATES IN CONTACT WITH CONCRETE MUST BE PRESSURE TREATED IN ACCORDANCE WITH APPROVED STANDARDS AND SHALL BE ANCHORED TO CONCRETE BY THE FOLLOWING METHODS:
   (a) EXTERIOR PLATES IN CONTACT WITH CONCRETE:
   (i) 1/2" ANCHOR BOLTS, MIN. 7" EMBED SPACED 6'-0" ON CENTER, MAX. WITH .229x3x3 STEEL PLATE WASHERS BETWEEN THE BOTTOM PLATE AND NUT.
   (ii) SIMPSON MAS/USP ***FA3*** MUDSILL ANCHORS INSTALLED PER MANUFACTURERS SPECIFICATIONS, AND SPACED 5' ON CENTER, MAX.
   IF ONE OF THE ABOVE METHODS CANNOT BE PLACED BETWEEN 4" AND 12" FROM THE ENDS OF EACH PLATE SECTION, USE (2) SIMPSONS PDPWL-300(OR EQUAL) PLACED @ 6" AND 10" FROM EACH END OF SILL PLATES.
   (b) INTERIOR NON-SHEARWALL PLATES IN CONTACT WITH CONCRETE SHALL BE ANCHORED TO CONCRETE W/ SIMPSONS PDPWL-300(OR EQUAL) @ 32" O.C.
   (c) INTERIOR SHEARWALL PLATES SHALL BE ANCHORED TO CONCRETE W/ SIMPSONS PDPWL-300(OR EQUAL) @ 8" O.C., U.N.O.
   (d) BOTTOM PLATES IN CONTACT WITH LUMBER TO BE FASTENED PER FASTENER SCHEDULE.
8. **PLATE HEIGHT.** UNLESS NOTED OTHERWISE, WALLS ARE PLATFORM FRAMED WHEREVER APPLICABLE. SEE ARCHITECTURAL DRAWINGS FOR EXACT DIMENSION AND STRUCTURAL DRAWINGS FOR ACCEPTABLE MAXIMUM. CONTACT ENGINEER IF DISCREPANCIES ARE FOUND.
9. **OPENINGS.** OPENINGS SHALL BE FRAMED WITH HEADER AND TRIMMER JOISTS. IF HEADER SPAN IS LESS THAN 4', THE HEADER MAY BE A SINGLE MEMBER THE SAME SIZE AS RAFTER. A SINGLE TRIMMER MAY BE USED TO CARRY A SINGLE HEADER THAT IS LOCATED WITHIN 3' OF TRIMMER BEARING. IF HEADER SPAN EXCEEDS 4', THE HEADER AND TRIMMERS SHALL BE DOUBLED AND JOIST HANGERS SHALL BE INSTALLED.
10. **UNEXPECTED CONDITIONS.** IF CONDITIONS ARISE THAT ARE NOT COVERED BY THIS PLAN, CONTACT THE ENGINEER AT ONCE FOR ADDITIONAL INSTRUCTIONS.

ENGINEERED BEAMS

1. **CAPACITY.**
   (a) ALL SOLID SAWN LUMBER BEAMS/HEADERS LABELED ON PLAN AS 2x10 OR GREATER,TO BE #2 SOUTHERN PINE U.N.O.
   (b) ALL STRUCTURAL COMPOSITE LUMBER USED IN CONSTRUCTION MUST HAVE THE FOLLOWING MINIMUM CAPACITIES:
   FIBER BENDING (Fb) = 2600 PSI
   MODULUS OF ELASTICITY (E) = 1,900,000 PSI
   SHEAR STRENGTH (Fv) = 285 PSI
   COMPRESSION PERPENDICULAR (Fc⊥) = 170 PSI
2. **SUPPORT.** FOR BEAMS BEARING ON STUD WALLS, THERE SHALL BE THE SAME NUMBER OF STUDS LOCATED DIRECTLY UNDER THE BEAM AS THE NUMBER OF BEAM PLYS.
3. **ELEVATION.** BEAMS SHOWN ON PLAN ARE DROPPED BEAMS OR HEADERS UNLESS NOTED AS CLD (CONCEALED) OR FLT (FLOATING).
4. **FLOATING BEAMS.** FLOATING BEAMS SHALL HAVE A MINIMUM CLEARANCE OF 1-1/2" FROM BOTTOM OF BEAM.
5. **LATERAL RESTRAINT.** ALL BEAMS SHALL BE LATERALLY BRACED AT ALL SUPPORT POINTS. FLOATING BEAMS SHOULD HAVE ADDITIONAL LATERAL SUPPORT AT 1/3 SPAN POINTS. ALL KICKERS SHOULD BE PLACED AT AN ANGLE BETWEEN 45° AND HORIZONTAL.
6. **SUBSTITUTIONS.** GLU-LAM BEAMS OR OTHER APPROVED ENGINEERED STRUCTURAL COMPOSITE LUMBER MAY BE SUBSTITUTED FOR BEAMS NOTATED ON PLAN, PROVIDED THAT THE STRENGTH VALUES ARE EQUAL TO OR GREATER THAN THE VALUES LISTED ABOVE.

CEILING AND CEILING JOISTS

1. **LOADING.** ATTIC AREAS ARE DESIGNED AS UNINHABITABLE WITH LIMITED STORAGE (MAXIMUM LIVE LOAD = 20 PSF, DEAD LOAD = 10 PSF)
2. **R802.3.1 CEILING JOIST CONNECTIONS.** WHERE CEILING JOISTS FRAME FROM OPPOSITE SIDES OVER A BEARING SUPPORT, JOISTS SHALL BE LAPPED 3" AND FASTENED. WHERE JOISTS ARE NOT CONNECTED TO RAFTERS AT THE TOP PLATE, JOISTS SHALL BE INSTALLED HIGHER IN THE ATTIC TO PROVIDE A CONTINUOUS TIE. WHERE JOISTS ARE NOT PARALLEL TO RAFTERS, 2x4 RAFTER TIES SHALL BE INSTALLED
3. **BEARING.** AT END OF EACH JOIST, BEAR A MINIMUM LENGTH OF 1-1/2". WHERE JOISTS FRAME FROM OPPOSITE SIDES OVER A BEARING SUPPORT, LAP MINIMUM 3". WHERE JOIST FRAME INTO THE SIDE OF A GIRDER, USE SIMPSON HANGER IN ACCORDANCE WITH THE SCHEDULE.
4. **R802.8 LATERAL SUPPORT.** RAFTERS AND CEILING JOISTS 2x10 OR GREATER SHALL BE PROVIDED WITH LATERAL SUPPORT AT BEARING POINTS TO PREVENT ROTATION. SUPPORT JOISTS BY SOLID BLOCKING AT SUPPORT POINTS, DIAGONAL BRIDGING, OR A CONTINUOUS 1x4 RAT RUN NAILED ACROSS JOISTS AT INTERVALS NOT EXCEEDING 8'.
5. **STABILITY OF NONBEARING WALLS.** WHERE CEILING JOISTS ARE PARALLEL TO NONBEARING WALL, BRACE TOP OF WALL WITH 2x4 BLOCKING AT 24" O.C. BETWEEN JOISTS.
6. **R802.9 FRAMING OF OPENINGS.** OPENINGS IN ROOF AND CEILING FRAMING SHALL BE FRAMED WITH DOUBLE HEADER AND DOUBLE TRIMMER JOISTS.
7. **MECHANICAL EQUIPMENT SUPPORT.** IF NOT DESIGNATED ON PLAN, ALL MECHANICAL EQUIPMENT AND WATER HEATERS SHALL BE SUPPORTED BY MIN. DOUBLE 2x10 JOISTS @ 24" O.C.
8. **R301.5 LIVE LOADS.** TABLE R301.5b ATTICS WITHOUT STORAGE ARE THOSE WHERE THE MAXIMUM CLEAR HEIGHT BETWEEN JOIST AND RAFTER IS LESS THAN 42".
9. **R807.1 ATTIC ACCESS.** A ROUGH FRAMED OPENING NOT LESS THAN 22"x30" SHALL BE PROVIDED TO ATTIC AREAS THAT EXCEED 30 SQUARE FEET AND HAVE A VERTICAL HEIGHT OF 30" OR MORE.
10. **R802.4 ALLOWABLE CEILING JOIST SPANS.** SPANS FOR CEILING JOISTS SHALL BE IN ACCORDANCE WITH TABLES R802.4(1) AND R802.4(2)

IRC R802.4(2) LL=20 PSF, DL=10 PSF,
(LIMITED STORAGE)

Δ = L/240

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-6"	20'-1"	23'-11"	26'-0"
16" O.C.	13'-6"	17'-5"	20'-9"	24'-4"
19.2" O.C.	12'-3"	15'-10"	18'-11"	22'-2"
24" O.C.	11'-0"	14'-2"	16'-11"	19'-10"

IRC R802.4(2) LL=20 PSF, DL=10 PSF,
(LIMITED STORAGE)

Δ = L/240

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	12'-0"	15'-4"	18'-1"	21'7"
16" O.C.	10'-5"	13'-3"	15'-8"	18'-8"
19.2" O.C.	9'-6"	12'-1"	14'-4"	17'-1"
24" O.C.	8'-6"	10'-10"	12'-10"	15'-3"

JOIST AND BEAM HANGERS

1. HANGERS MUST BE INSTALLED USING THE SPECIFIED FASTENERS IN ALL HOLES, INCLUDING TRIANGULAR HOLES.
2. ALL SPECIFIED FASTENERS MUST BE INSTALLED PRIOR TO LOADING THE CONNECTION.
3. TECO NAILS SHOULD ONLY BE POWER DRIVEN USING PNUEMATIC TOOLS CAPABLE OF SUPPORTING POSITIVE PLACEMENT MECHANISM TO ENSURE NAILS ARE DRIVEN INTO PREFORMED HANGER NAIL HOLES.
4. TECO NAILS MAY NOT BE SUBSTITUTED FOR COMMON NAILS IN DOUBLE SHEAR HANGERS (i.e. LUS, MUS, HUS, HHUS, HGUS)
5. JOISTS MUST BEAR COMPLETELY ON CONNECTOR SEAT, AND THE GAP BETWEEN JOIST AND GIRDER MUST NOT EXCEED 1/8".

FACE MOUNT HANGER SCHEDULE

MEMBER	SIMPSONS PRODUCT NUMBER	CAPACITY (100%)	*USP PRODUCT NUMBER*	*CAPACITY (100%)*
2x4	LU24	530	*JL24*	*545*
2x6, 8	LU26	800	*JL26*	*815*
2x10	LU28	1065	*JL28*	*1360*
2x12	LU210	1330	*JL210*	*1905*
2-2x4	U24-2	530	*SUH24-2*	*830*
2-2x6, 8	U26-2	1065	*SUH26-2*	*1380*
2-2x10, 12	U210-2	1860	*SUH210-2*	*1930*
2-1.75x11.25	HGUS48	6805	*THDH410*	*8170*
2-1.75x14, 16	HGUS410	8780	*THDH412*	*9875*
2-1.75x18	HGUS414	10015	*THDH414*	*11100*
3-2x10, 12	U210-3	1860	*SUH210-3*	*1930*
3-1.75x11.25	HGUS5.50/12	9155	*THDH610*	*8640*
3-1.75x14-18	HGUS5.50/14	10015	*THDH612*	*9935*
4-2x10, 12	HHUS210-4	5190	*HD210-4*	*3360*
4-1.75x11.25	HGUS7.25/12	9835	*THDH7212*	*9875*
4-1.75x14-18	HGUS7.25/14	11110	*THDH7214*	*11580*
ALL 5 PLY LVL	HHGU9.00-SDS	17845	*KEG9*	*18185*
45° SKEWED HANGERS				
2x4	SUR/L24	530	*SKH24R/L*	*510*
2x6, 8	SUR/L26	800	*SKH26R/L*	*830*
2x10, 12	SUR/L210	1330	*SHK210R/L*	*1790*
2-2x6, 8	SUR/L26-2	1065	*SKH26R/L-2*	*830*
2-2x10, 12	SUR/L210-2	1860	*SKH210R/L-2*	*1930*
2-1.75x11.25, 14	HSUR/L410	2680	*SKH410R/L*	*2240*
2-1.75x16, 18	HSUR/L414	3485	*SKH414R/L*	*3080*

ROOF AND RAFTERS

1. **ROOFING MATERIAL AND MAXIMUM WEIGHT.** COMPOSITION ROOF COVERING NOT TO EXCEED 5 PSF. TILE ROOF COVERING NOT TO EXCEED 15 PSF. CONTACT ENGINEER AT ONCE IF DISCREPANCIES ARE FOUND.
2. **R802.3.1 CEILING JOIST AND RAFTER CONNECTIONS.** FASTEN CEILING JOISTS AND RAFTERS TOGETHER AND TO THE WALL TOP PLATE. CREATE CONTINUITY FROM ONE SIDE OF ROOF TO OPPOSITE BY NAILING RAFTERS TO ADJACENT CEILING JOISTS. MIN. 1x4 COLLAR TIES @ 48" O.C. SHALL BE FASTENED TO OPPOSING RAFTERS IN THE UPPER THIRD OF THE ATTIC. WHERE RAFTER/JOIST ASSEMBLY IS EXPOSED TO WIND LOADS FROM BELOW, SUCH AS PORCHES AND PATIOS, CONNECT EACH ASSEMBLY TO BEARING LOCATION WITH SIMPSON H2.5/USP RT7 HURRICANE TIE.
3. **ROOF BRACES.** BRACE ONLY AS SHOWN AND PROVIDE TWO STUDS IN WALLS DIRECTLY BENEATH BRACE POINTS. FOR BRACE LENGTHS UP TO 12', USE A 2x4 BRACE WITH A 2x6 STIFFBACK. FOR GREATER THAN 12', USE A 2x6 WITH A 2x6 STIFFBACK.
4. **R802.5.1 PURLINS.** PURLINS SHALL BE INSTALLED WHERE SHOWN ON PLAN. PURLINS SHALL BE CONTINUOUS, THE SAME SIZE AS THE SUPPORTED RAFTERS AND BRACED AT 48" O.C. TO DESIGNATED LOCATIONS. SLOPE BETWEEN 45° AND VERTICAL.
5. **R802.5 ALLOWABLE RAFTER SPANS.** SPANS FOR RAFTERS SHALL BE IN ACCORDANCE WITH TABLES R802.5.1(1) AND R802.5.1(2). SHOWN TABLES ASSUME CEILING JOISTS ARE LOCATED AT THE TOP PLATE OF RAFTER SUPPORT WALLS.
6. **OPENINGS.** OPENINGS SHALL BE FRAMED WITH HEADER AND TRIMMER JOISTS. IF HEADER SPAN IS LESS THAN 4', THE HEADER MAY BE A SINGLE MEMBER THE SAME SIZE AS RAFTER. A SINGLE TRIMMER MAY BE USED TO CARRY A SINGLE HEADER THAT IS LOCATED WITHIN 3' OF TRIMMER BEARING. IF HEADER SPAN EXCEEDS 4', THE HEADER AND TRIMMERS SHALL BE DOUBLED AND JOIST HANGERS SHALL BE INSTALLED.

IRC R802.5.1(1) LL=20 PSF, DL=10 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	17'-0"	22'-5"	26'-0"	26'-0"
16" O.C.	15'-1"	19'-5"	23'-2"	26'-0"
19.2" O.C.	13'-9"	17'-9"	21'-2"	24'-10"
24" O.C.	12'-3"	15'-10"	18'-11"	22'-2"

IRC R802.5.1(2) LL=20 PSF, DL=10 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-6"	20'-5"	26'-0"	26'-0"
16" O.C.	14'-1"	18'-6"	23'-2"	26'-0"
19.2" O.C.	13'-3"	17'-5"	21'-2"	24'-10"
24" O.C.	12'-3"	15'-10"	18'-11"	22'-2"

IRC R802.5.1(1) LL=20 PSF, DL=20 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-1"	19'-5"	23'-2"	26'-0"
16" O.C.	13'-6"	16'-10"	20'-1"	23'-7"
19.2" O.C.	11'-11"	15'-4"	18'-4"	21'-6"
24" O.C.	10'-8"	13'-9"	16'-5"	19'-3"

IRC R802.5.1(2) LL=20 PSF, DL=20 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-1"	19'-5"	23'-2"	26'-0"
16" O.C.	13'-6"	16'-10"	20'-1"	23'-7"
19.2" O.C.	11'-11"	15'-4"	18'-4"	21'-6"
24" O.C.	10'-8"	13'-9"	16'-5"	19'-3"

IRC R802.5.1(1) LL=20 PSF, DL=10 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	13'-6"	17'-2"	20'-3"	24'-1"
16" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
19.2" O.C.	10'-8"	13'-7"	16'-0"	19'-1"
24" O.C.	9'-6"	12'-1"	14'-4"	17'-1"

IRC R802.5.1(2) LL=20 PSF, DL=10 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	13'-6"	17'-2"	20'-3"	24'-1"
16" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
19.2" O.C.	10'-8"	13'-7"	16'-0"	19'-1"
24" O.C.	9'-6"	12'-1"	14'-4"	17'-1"

IRC R802.5.1(1) LL=20 PSF, DL=20 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
16" O.C.	10'-1"	12'-10"	15'-2"	18'-1"
19.2" O.C.	9'-3"	11'-9"	13'-10"	16'-6"
24" O.C.	8'-3"	10'-6"	12'-5"	14'-9"

IRC R802.5.1(2) LL=20 PSF, DL=20 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
16" O.C.	10'-1"	12'-10"	15'-2"	18'-1"
19.2" O.C.	9'-3"	11'-9"	13'-10"	16'-6"
24" O.C.	8'-3"	10'-6"	12'-5"	14'-9"

FASTENER SCHEDULE

DESCR OF BUILDING ELEMENTS	***NUMBER AND TYPE OF FASTENER***
WALL FRAMING	
TOP OR SOLE PLATE TO STUD	
FACE NAIL	3-3x0.131
TOP OR SOLE PLATE TO STUD	
TOE NAIL	4-3x0.131
DOUBLE TOP PLATE MIN 24" LAP	
OF END JOINTS, FACE NAIL	8-3x0.131
CAP/TOP PLATE LAPS AND	3-3x0.131
INTERSECTIONS, FACE NAIL	EACH SIDE
1x4 BRACING TO STUDS/PLATES	
FACE NAIL	2-3x0.131
SOLE PLATE TO JOIST OR BLOCKING	3x0.131
@ BRACED PANELS, FACE NAIL	4 PER 16" SPACE
SOLE PLATE TO JOIST OR BLOCKING	
FACE NAIL	3x0.131 @ 8" O.C.
DOUBLE TOP PLATE, FACE NAIL	3x0.131 @ 12" O.C.
DOUBLE STUDS, FACE NAIL	3x0.131 @ 8" O.C.
CORNER STUDS, FACE NAIL	3x0.131 @ 16" O.C.
HEADER TO KING STUD, TOE NAIL	4-3x0.131
CEILING AND ROOF FRAMING	
CEILING JOIST TO PLATE	
TOE NAIL	5-3x0.131
CEILING JOIST LAPS OVER WALLS	
FACE NAIL	4-3x0.131
CEILING JOIST TO PARALLEL RAFTER	
FACE NAIL	4-3x0.131
COLLAR TIE TO RAFTER, FACE NAIL	4-3x0.131
JACK RAFTER TO HIP, TOE NAIL	4-3x0.131
JACK RAFTER TO HIP, FACE NAIL	3-3x0.131
RAFTER TO TOP PLATE, TOE NAIL	3-3x0.131
RAFTER TO 2x RIDGE, FACE NAIL	3-3x0.131
RAFTER TO 2x RIDGE, TOE NAIL	3-3x0.131
BLOCKING BETWEEN RAFTER	
TO TOP PLATE, TOE NAIL	4-3x0.131
FLOOR FRAMING	
FLOOR JOIST TO BAND JOIST	
FACE NAIL	5-3x0.131
FLOOR JOIST TO SILL PLATE	
TOE NAIL	4-3x0.131
BLOCKING BETWEEN FLOOR JOIST	
TO SILL PLATE, TOE NAIL	4-3x0.131
BRIDGING TO FLOOR JOIST	
EACH END, TOE NAIL	3-3x0.120
RIM JOIST TO TOP PLATE, TOE NAIL	3x0.131 @ 6" O.C.
1x6 SUBFLOOR OR LESS TO	
EACH JOIST, FACE NAIL	2-3x0.131
2x SUBFLOOR TO EACH	
JOIST, BLIND AND FACE NAIL	3-3x0.131
BUILT UP GIRDERS AND BEAMS	3x0.131 @ 24" O.C.T&B & 3-3x0.131 @ ENDS
FACE NAIL	

SHEATHING FASTENING REQUIREMENTS

ROOF SHEATHING	
5/16"-1"	REFER TO COMPONENTS AND CLADDING REQUIREMENTS ON UPLIFT DETAILS PAGE.
WALL SHEATHING	
1/2" OR LESS	1-3/4"x16 GA. STAPLES 6" O.C. EDGE, 12" O.C. FIELD
19/32"-5/8"	1-3/4"x16 GA. STAPLES 3" O.C. EDGE, 6" O.C. FIELD
3/4"	1-3/4"x16 GA. STAPLES 3" O.C. EDGE, 6" O.C. FIELD
FLOOR SHEATHING	
3/4"	1-3/4"x16 GA. STAPLES 3" O.C. EDGE, 6" O.C. FIELD

1. THIS FASTENING SCHEDULE DERIVED FROM ICC EVALUATION SERVICE, INC. LEGACY REPORT #NER-272 REVISION A, DATED AUGUST 1, 2004
2. THIS FASTENING SCHEDULE APPLIES TO FRAMING MEMBERS HAVING AN ACTUAL THICKNESS OF 1-1/2" TO 1-3/4"
3. FASTENINGS ABOVE MAY ALSO BE USED FOR OTHER CONNECTIONS THAT ARE NOT LISTED BUT HAVE THE SAME CONFIGURATION AND THE SAME CODE REQUIREMENT FOR FASTENER QUANITY/SPACING AND FASTENER SIZE.
4. STAPLE CROWNS SHALL HAVE A MINIMUM WIDTH OF 7/16" OVERALL

MWFRS (MAIN WIND FORCE RESISTING SYSTEM)

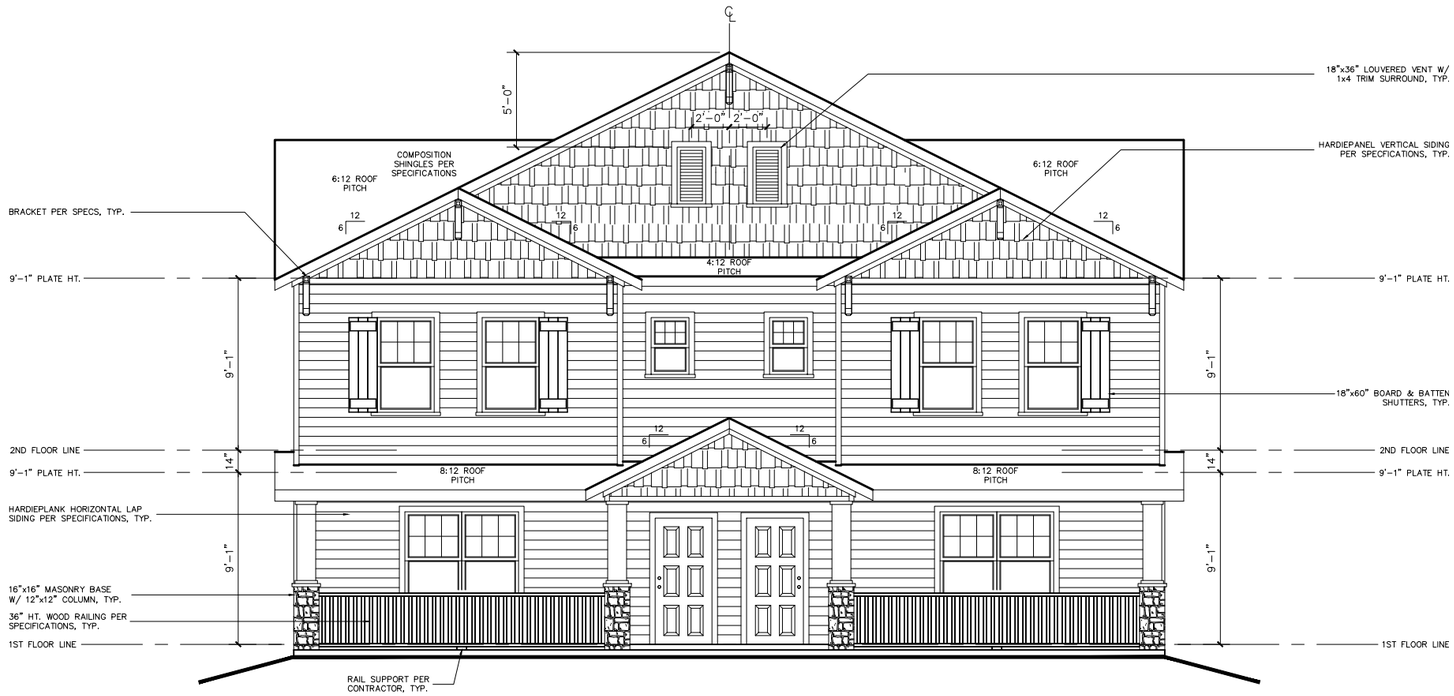
1. AN ENGINEERED LATERAL BRACING DESIGN HAS BEEN PROVIDED FOR THIS PLAN. REFER TO LATERAL BRACING PAGES AND DETAILS FOR CONSTRUCTION DETAILS.
2. WALLS SHOWN IN CONTINUOUS LINETYPE ON LATERAL BRACING PAGES ARE SHEARWALLS THAT HAVE BEEN ENGINEERED TO RESIST WIND LOADS BASED ON ASCE 7-05 "THE STANDARD"
3. LIB'S SHOWN ON PLAN ARE IN APPROXIMATE LOCATIONS THESE MAY BE MOVED UP TO THREE FEET ALONG SAME SHEAR LINE, WHERE CONDITIONS ALLOW.
4. WALLS SHOWN IN HIDDEN LINETYPE ON LATERAL BRACING PAGES ARE NON-SHEARWALLS AND ARE NOT INTENDED TO PROVIDE RESISTANCE TO WIND LOADS.
5. ROOF AND FLOOR WOOD DIAPHRAGMS HAVE BEEN DESIGNED WITH SUFFICIENT CAPACITY TO TRANSFER ALL WIND LOAD TO ADJACENT SHEARWALLS.
6. MAIN WIND FORCE RESISTING SYSTEM DESIGNED PER LOCAL CONSTRUCTION STANDARDS, IRC/IBC 2006 AND ACCEPTED ENGINEERING PRACTICE.

MPCW FLOOR TRUSSES

1. **CRITERIA.** DESIGN TRUSSES FOR THE MINIMUM LINE AND POINT LOADS SHOWN ON PLAN (LINE LOADS FROM UPPER WALLS ARE MINIMUM 100 LB/FT U.N.O.)
2. **BRACING.** RESTRAIN TOP CHORD WITH FLOOR SHEATHING AND BOTTOM CHORD WITH CEILING GYPSUM . RESTRAIN TRUSSES AT POINTS OF BEARING TO PREVENT TOPPLING.
3. **TRANSITORY FLOOR VIBRATION AND SOUND TRANSMISSION.** THE FLOOR SYSTEM INCLUDES NO MEASURES TO SPECIFICALLY CONTROL FLOOR VIBRATION OR SOUND TRANSMISSION. CONTACT ENGINEER PRIOR TO CONSTRUCTION IF SPECIFIC PERFORMANCE CRITERIA ARE DESIRED.
5. **POINT LOADS ON FLOOR SYSTEM.** PROVIDE BLOCKING FROM UNSUPPORTED POINT LOADS ON FLOOR SYSTEM TO SUPPORT BELOW. BLOCKING MAY BE ANGLED MIN 60° FROM HORIZONTAL.

GENERAL

1. ALL DESIGNS BASED ON IRC 2006 COMPLIANCES.
2. GRADE MARKS ON ALL LUMBER SHALL BE VISIBLE AT TIME OF INSPECTION.
3. DO NOT USE END JOINTED LUMBER FOR HORIZONTAL FRAMING MEMBERS.
4. ALL CONNECTIONS TO BE FASTENED PER FASTENING SCHEDULE AND FRAMING DETAILS.
5. ALL FRAMING CREATING CONCENTRATED LOADS TO



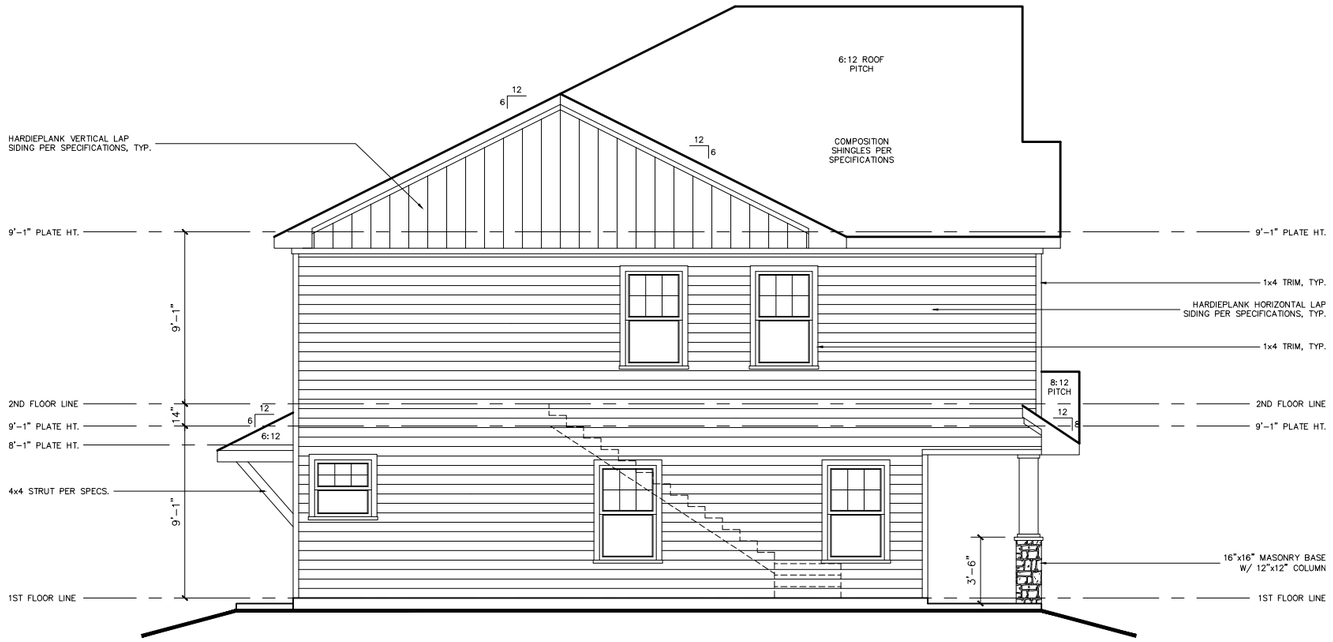
FRONT ELEVATION

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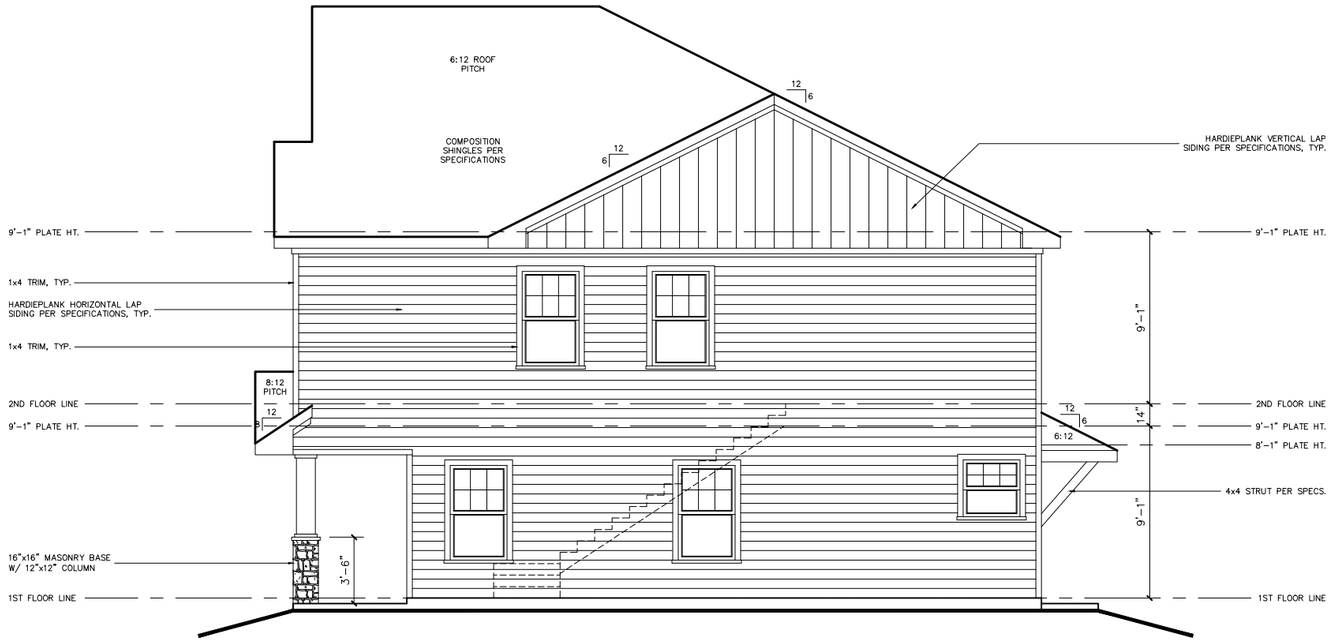
REAR ELEVATION

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LEFT ELEVATION

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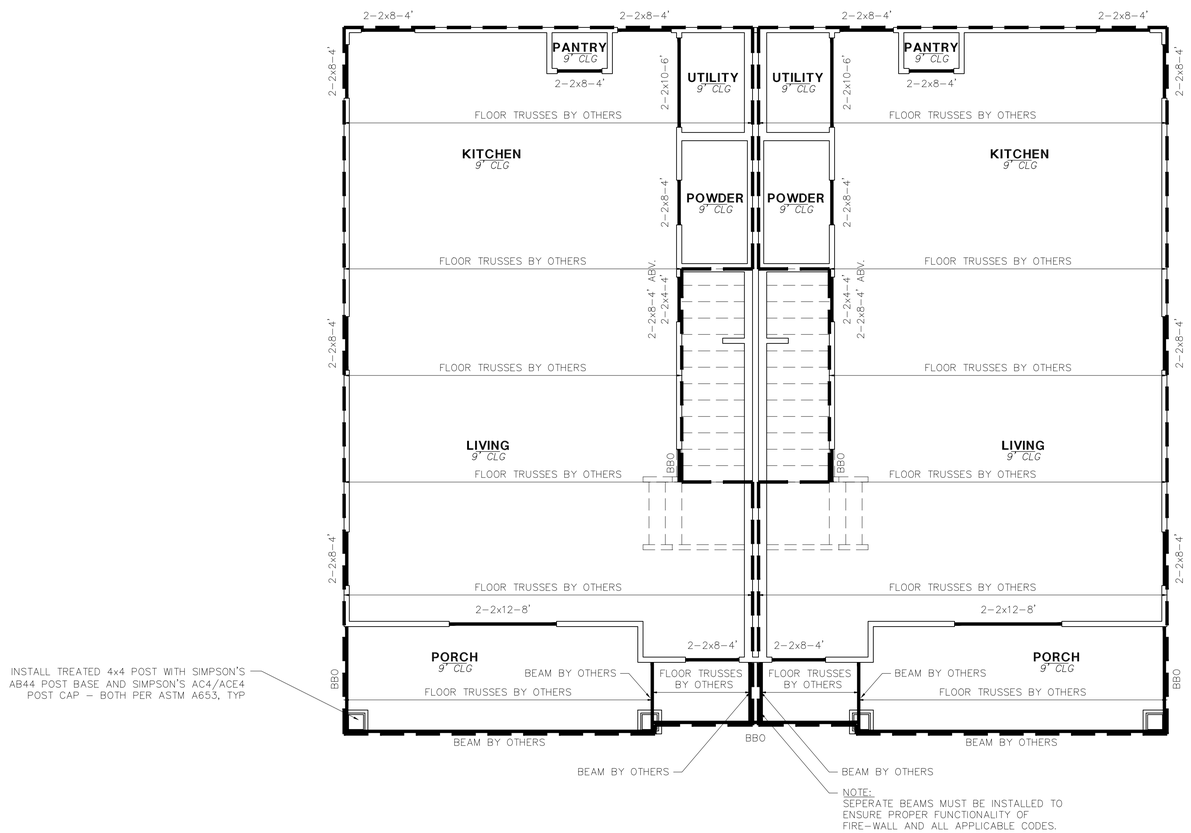


RIGHT ELEVATION

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CEILING AND CEILING JOISTS

SPECIES AND GRADE: #3 S.P. FOR SPANS UNDER 8' U.N.O.
#2 S.P. FOR SPANS OVER 8' U.N.O.
SIZE AND SPACING: 2x6 @ 24" O.C. U.N.O.
CEILING SHEATHING: 1/2" GYPSUM PANELS



HEADER NOTES:

HEADERS BELOW FLOOR SYSTEM HAVE NOT BEEN DESIGNED TO SUPPORT CONCENTRATED LOADS IMPOSED FROM ABOVE. FLOOR SYSTEM DESIGNER TO DETERMINE HEADER SIZE FOR ALL HEADERS SUPPORTING CONCENTRATED LOADS. NON-LOAD BEARING HEADERS MAY BE FRAMED WITH FLAT 2x4. REFER TO TRUSS DESIGN TO DETERMINE LOAD BEARING POINTS.

TREATED LUMBER NOTES:

ALL NAILS, SCREWS, HANGERS, ETC. INSTALLED WITH TREATED LUMBER TO COMPLY WITH APPROPRIATE ASTM STANDARDS. EG. FASTENERS TO COMPLY WITH ASTM A153, HANGERS TO COMPLY WITH ASTM A653, OR ASTM A123.

MLAW TO REVIEW TRUSS LAYOUT DESIGN FOR STRUCTURAL INTEGRITY INTERRELATED TO FRAMING DESIGN

LEGEND

- DEAD LOAD / SOURCE / LIVE LOAD
- POINT LOAD
- LINE LOAD
- ENGINEERED BEAM
- L/XXX L/XXX D@=X.XX TD@=X.XX DEFLECTION CRITERIA
- FLOOR FRAMING EXTENTS
- DOUBLE CEILING JOIST
- TJI FLOOR JOIST
- CEILING LINE

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

LEVEL 1 CEILING FRAMING

1/4" = 1'-0"

MLAW
CONSULTANTS AND ENGINEERS
2804 LONGHORN BLVD.
AUSTIN, TEXAS 78758
(512) 835-7000

PROPRIETOR
BRECKENRIDGE PROPERTIES
7004 BEE CAVE RD.
BLDG. 3, STE. 330
AUSTIN, TX 78746

CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

TELLURIDE DUPLEX PLAN

ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

JOB No:1012049054.201
DATE: 10-06-10
DRAWN: EE
CHECK:

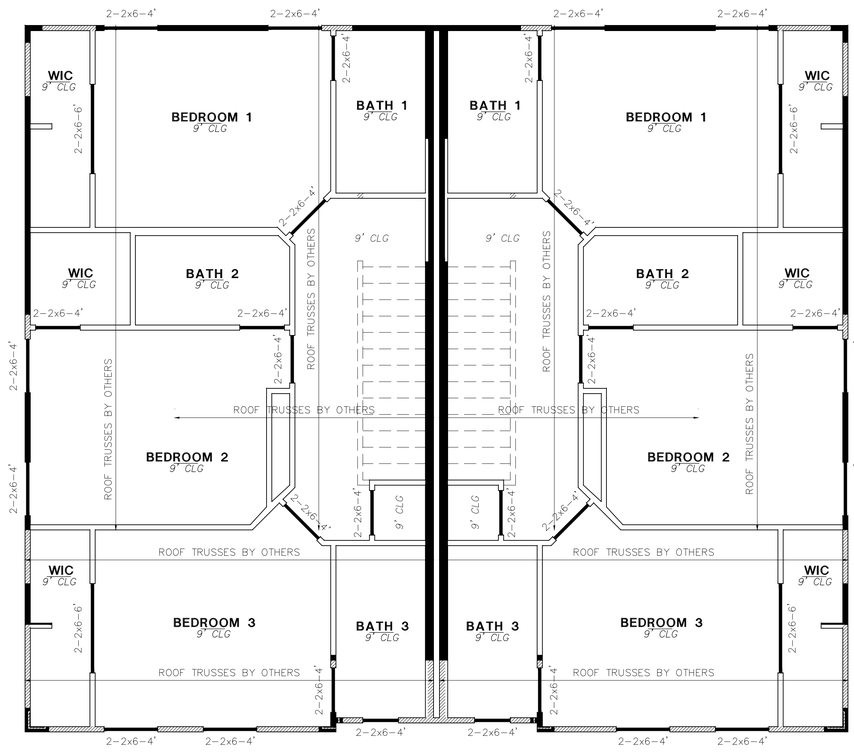
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

1
SHEET 1 OF 6

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CEILING AND CEILING JOISTS

SPECIES AND GRADE: #3 S.P. FOR SPANS UNDER 8' U.N.O.
#2 S.P. FOR SPANS OVER 8' U.N.O.
SIZE AND SPACING: 2x6 @ 24" O.C. U.N.O.
CEILING SHEATHING: 1/2" GYPSUM PANELS



HEADER NOTES:

HEADERS BELOW FLOOR SYSTEM HAVE NOT BEEN DESIGNED TO SUPPORT CONCENTRATED LOADS IMPOSED FROM ABOVE. FLOOR SYSTEM DESIGNER TO DETERMINE HEADER SIZE FOR ALL HEADERS SUPPORTING CONCENTRATED LOADS. NON-LOAD BEARING HEADERS MAY BE FRAMED WITH FLAT 2x4. REFER TO TRUSS DESIGN TO DETERMINE LOAD BEARING POINTS.

TREATED LUMBER NOTES:

ALL NAILS, SCREWS, HANGERS, ETC. INSTALLED WITH TREATED LUMBER TO COMPLY WITH APPROPRIATE ASTM STANDARDS. EG. FASTENERS TO COMPLY WITH ASTM A153, HANGERS TO COMPLY WITH ASTM A653, OR ASTM A123.

MLAW TO REVIEW TRUSS LAYOUT DESIGN FOR STRUCTURAL INTEGRITY INTERRELATED TO FRAMING DESIGN

LEGEND

- DEAD LOAD / LIVE LOAD — POINT LOAD
- ENGINEERED BEAM
- L/XXX L/XXX D@=X.XX T@=X.XX DEFLECTION CRITERIA
- DOUBLE JOIST
- CEILING LINE
- WALL STACKED ON LOWER WALL
- WALL STACKED ON LOWER BEAM

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

LEVEL 2 CEILING FRAMING

1/4" = 1'-0"

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CONSULTANTS AND ENGINEERS
2804 LONGHORN BLVD.
AUSTIN, TEXAS 78758
(512) 835-7000

PROPRIETOR
BRECKENRIDGE PROPERTIES
7004 BEE CAVE RD.
BLDG. 3, STE. 330
AUSTIN, TX 78746

CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

TELLURIDE DUPLEX PLAN

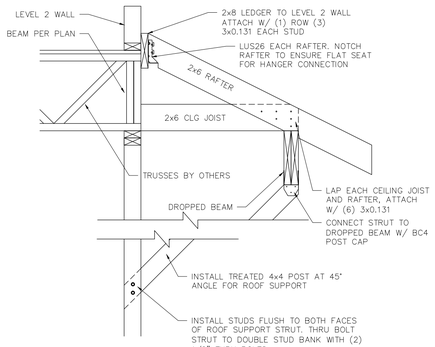
ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

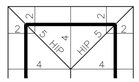
JOB No:1012049054.201
DATE: 10-06-10
DRAWN: EE
CHECK:

A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

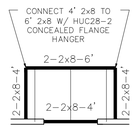
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SHEET 2 OF 6

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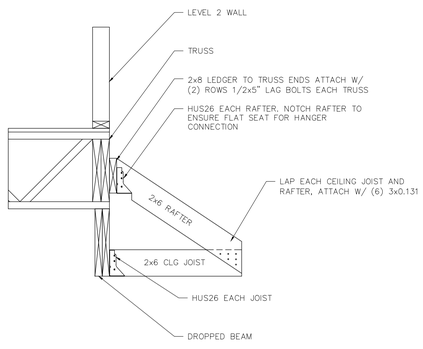


ROOF PLAN

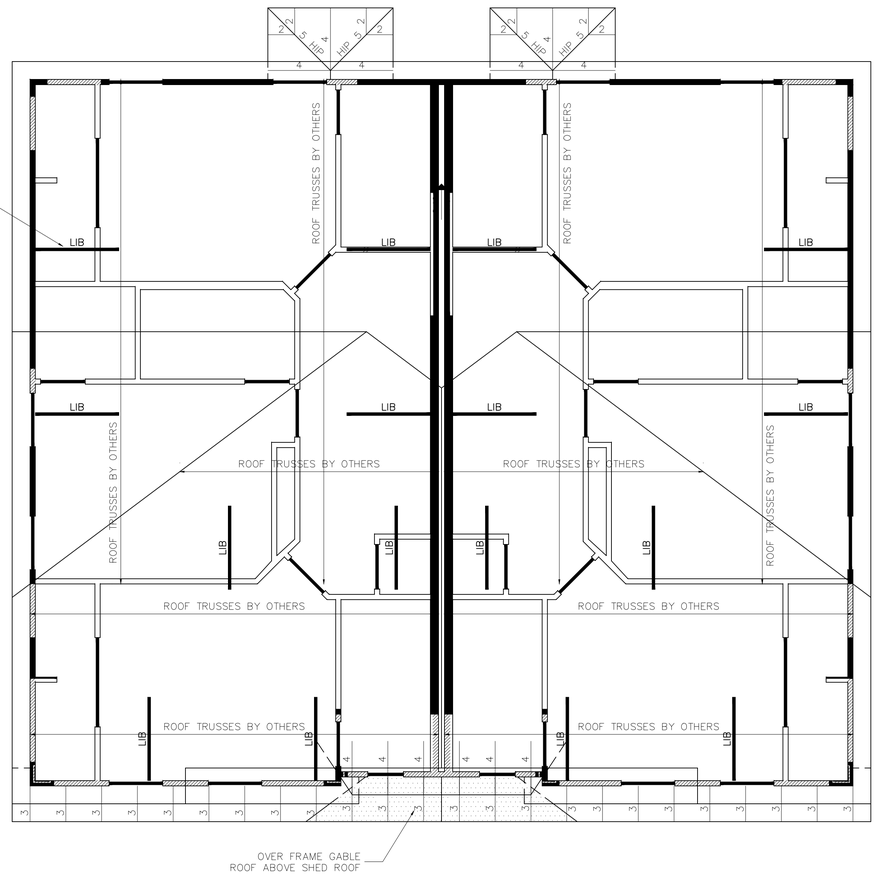


CEILING PLAN

TYPICAL PATIO REAR PATIO ROOF CONNECTION DETAILS
N.T.S.

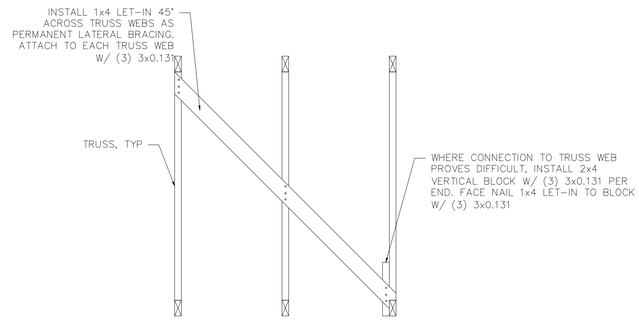


LOWER SHED ROOF CONNECTION DETAIL
N.T.S.



TREATED LUMBER NOTES:

ALL NAILS, SCREWS, HANGERS, ETC. INSTALLED WITH TREATED LUMBER TO COMPLY WITH APPROPRIATE ASTM STANDARDS. EG. FASTENERS TO COMPLY WITH ASTM A153, HANGERS TO COMPLY WITH ASTM A653, OR ASTM A123.



1 1x4 TRUSS BRACING DETAIL
N.T.S.

THIS ROOF SYSTEM DESIGNED FOR COMPOSITION ROOF. IF TILE IS TO BE USED, OR OTHER COVERING EXCEEDING 5 PSF, CONTACT ENGINEER FOR REDESIGN

ROOF AND RAFTERS

SPECIES AND GRADE:	#3 S.P. FOR SPANS UNDER 8' U.N.O. #2 S.P. FOR SPANS OVER 8" U.N.O.
SIZE AND SPACING:	
RAFTERS	2x6 @ 24" O.C. U.N.O.
HIPS, VALLEYS AND RIDGES	PER FRAMING DETAILS
ROOF SHEATHING	7/16" STRUCT. PANEL

MLAW TO REVIEW TRUSS LAYOUT DESIGN FOR STRUCTURAL INTEGRITY INTERRELATED TO FRAMING DESIGN

LEGEND
- ROOF BRACE
- DEAD LOAD / SNOW / LIVE LOAD — POINT LOAD
- ENGINEERED BEAM
- DOUBLE JOIST
- WALL STACKED ON LOWER WALL
- WALL STACKED ON LOWER BEAM

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

ROOF FRAMING
1/4" = 1'-0"

MLAW
CONSULTANTS AND ENGINEERS
2804 LONGHORN BLVD.
AUSTIN, TEXAS 78758
(512) 835-7000

PROPRIETOR
BRECKENRIDGE PROPERTIES
7004 BEE CAVE RD.
BLDG. 3, STE. 330
AUSTIN, TX 78746

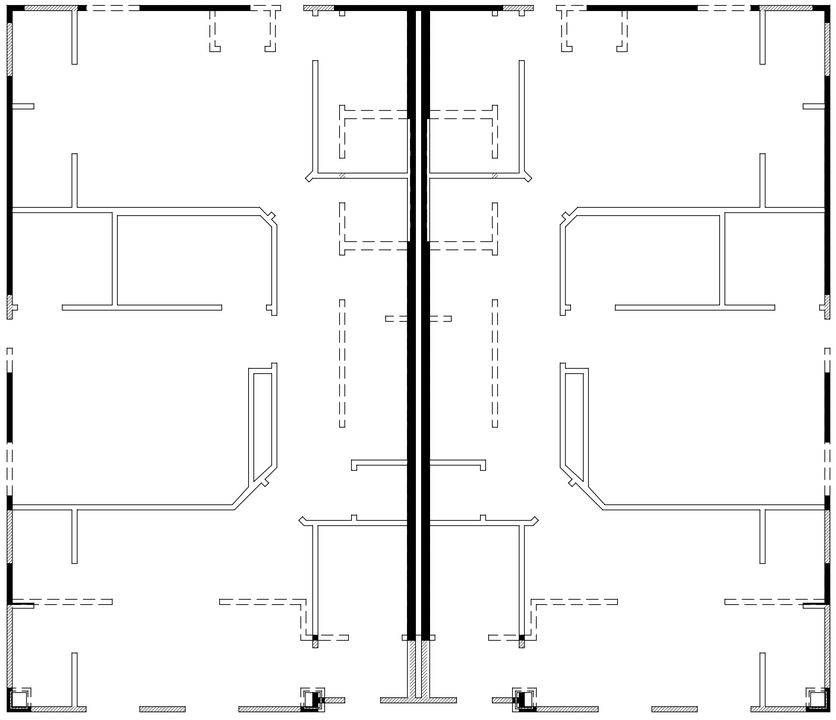
CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

TELLURIDE DUPLEX PLAN
ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

JOB No:1012049054.201
DATE: 10-06-10
DRAWN:EE
CHECK:
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

3
SHEET 3 OF 6

P:\2011\11\75\Str\2011.10.13\Floor Plans\Telluride Duplex.dwg, 1:1



THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

LEGEND

- LOWER LEVEL
- UPPER LEVEL
- WALL STACKED ON LOWER WALL
- WALL STACKED ON LOWER BEAM

OVERLAY
1/4" = 1'-0"

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2804 LONGHORN BLVD.
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PROPRIETOR
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7004 BEE CAVE RD.
BLDG. 3, STE. 330
AUSTIN, TX 78746

CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

TELLURIDE DUPLEX PLAN

ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666

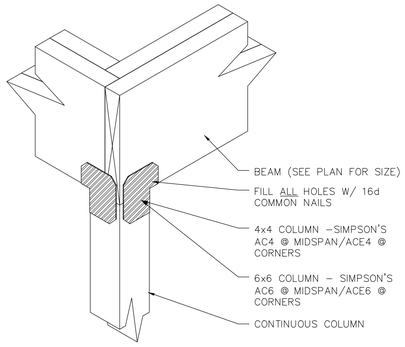
CLIENT: BRECKENRIDGE

JOB No:1012049054.201
DATE: 10-06-10
DRAWN:EE
CHECK:

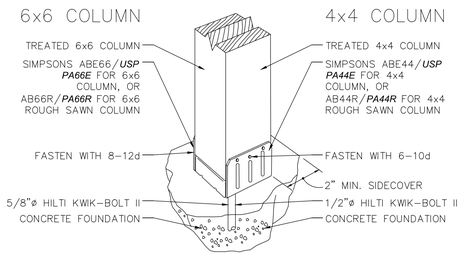
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

4
SHEET 4 OF 6

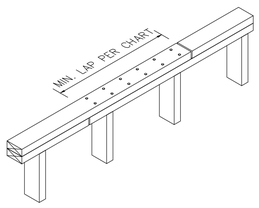
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BEAM / COLUMN TOP CONNECTION
N.T.S.



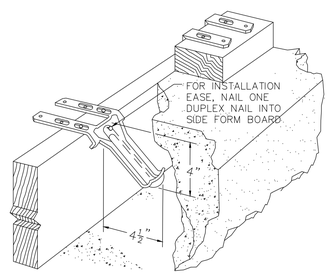
COLUMN BASE CONNECTION
N.T.S.



LENGTH OF TOP PLATE LAP @ SPLICE	BUILDING DIMENSION OF WALL CONTAINING TOP PLATE
4' LAP	≤ 40'
6' LAP	40' ≥ 60'
8' LAP	60' ≥ 80'

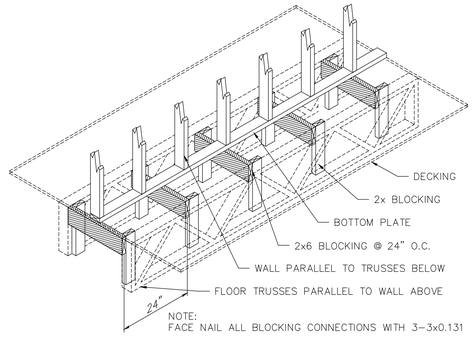
* TOP PLATE TO BE CONNECTED AT SPLICE W/ 2 ROWS OF 3x0.131 @ 4" O.C.(EACH SIDE @ INTERSECTION). SPLICES NEED NOT OCCUR OVER A STUD

TOP PLATE SPLICE DETAIL
N.T.S.

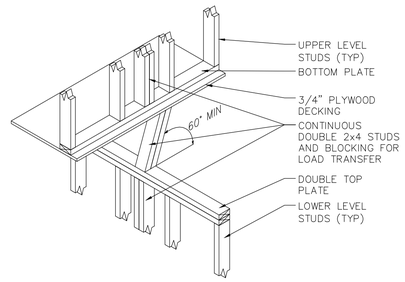


MAS INSTALLATION

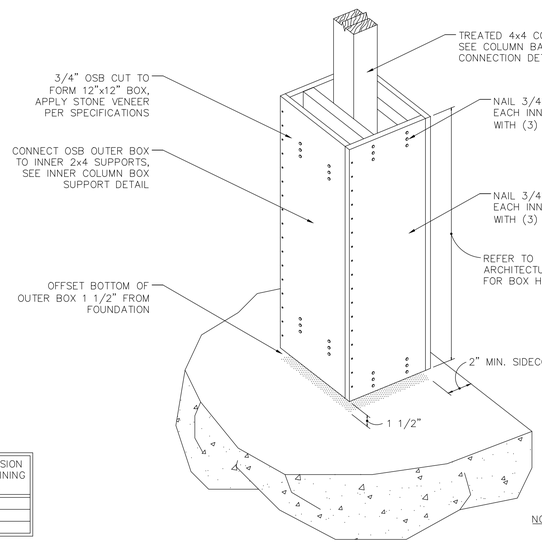
OPTIONAL ANCHOR BOLT ALTERNATIVE (CUT AWAY)
N.T.S.



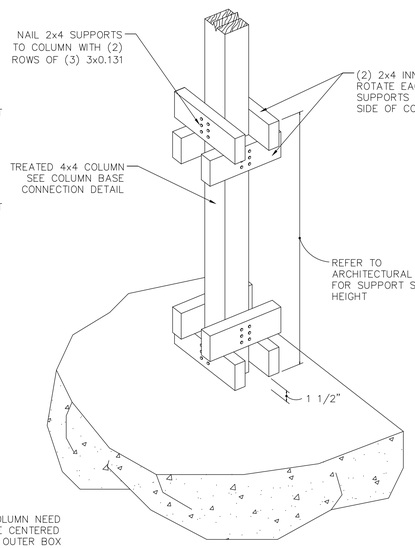
PARALLEL WALL/TRUSS BLOCKING
N.T.S.



PERPENDICULAR STACKED WALL SUPPORT
N.T.S.

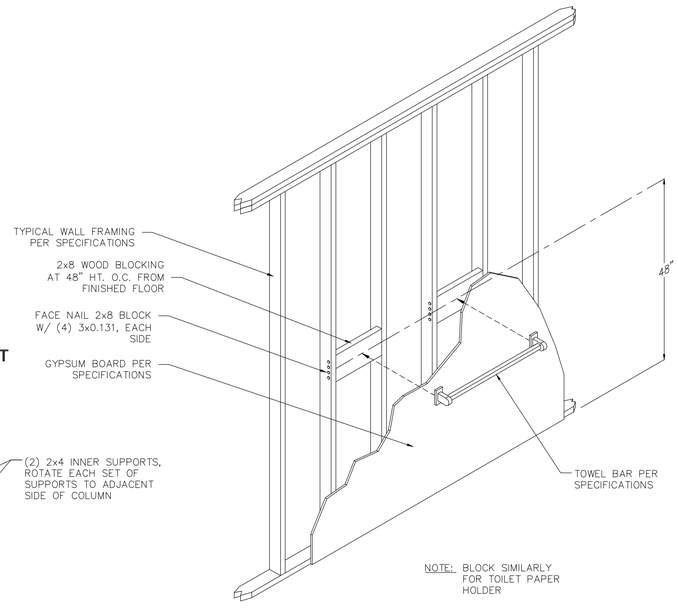


OUTER COLUMN BOX DETAIL
N.T.S.

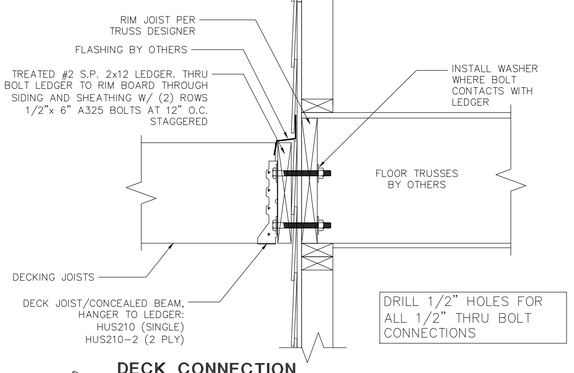


NOTE: 4x4 COLUMN NEED NOT BE CENTERED WITHIN OUTER BOX

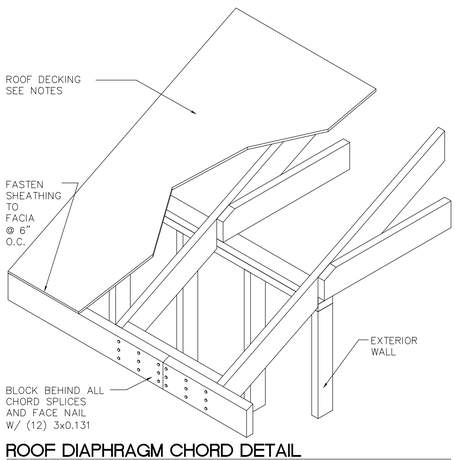
INNER COLUMN BOX SUPPORT DETAIL
N.T.S.



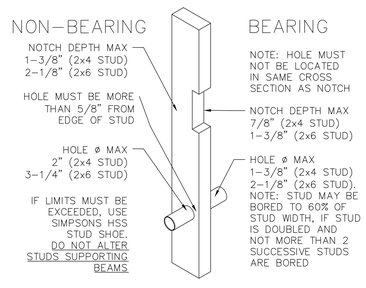
TYPICAL TOWEL BAR IN-WALL BLOCKING
N.T.S.



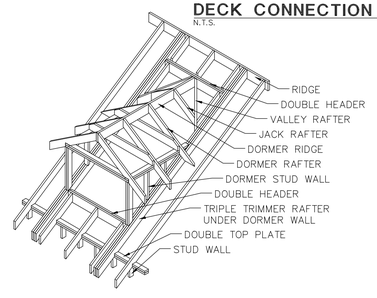
DECK CONNECTION
N.T.S.



ROOF DIAPHRAGM CHORD DETAIL
SHEAR CAPACITY: 238 PLF



BORED/NOTCHED STUD
N.T.S.



TYPICAL DORMER SUPPORT DETAIL
N.T.S.

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

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CONSULTANTS AND ENGINEERS
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BLDG. 3, STE. 330
AUSTIN, TX 78746

CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

TELLURIDE DUPLEX PLAN

ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666

CLIENT: BRECKENRIDGE

JOB No:1012049054.201
DATE: 10-06-10
DRAWN: EE
CHECK:

A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

FRAMING DETAILS
1/4" = 1'-0"

SHEET 5 OF 6

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FLOOR AND FLOOR JOISTS

UNLESS NOTED OTHERWISE ON PLAN (ALSO SEE MPCW FLOOR TRUSSES, WHERE APPLICABLE):

SPECIES AND GRADE: #2 SOUTHERN PINE U.N.O.

SIZE AND SPACING: 2x12 @ 24" O.C. U.N.O.

FLOOR SHEATHING: 3/4" TONGUE AND GROOVE SIZED FOR SPACING

FLOOR DECKING: FLAT 2x6 W/ 1/8" GAPS FOR EXTERIOR APPLICATIONS

1. **EXTERIOR DECKS.** REFER TO CONNECTION DETAILS PER PLAN.
2. **BEARING.** AT END OF EACH JOIST, BEAR A MINIMUM LENGTH OF 1-1/2". WHERE JOISTS FRAME FROM OPPOSITE SIDES OVER A BEARING SUPPORT, LAP MINIMUM 3" AND FASTEN. WHERE JOISTS FRAME INTO THE SIDE OF A GIRDER, USE JOIST HANGER IN ACCORDANCE WITH THE SCHEDULE.
3. **LATERAL RESTRAINT AT SUPPORTS.** LATERALLY SUPPORT JOISTS AT THE ENDS BY FULL DEPTH SOLID BLOCKING, ATTACHMENT TO A HEADER, BAND OR RIM JOIST, OR TO AN ADJOINING STUD.
4. **TOPPING SLABS.** DO NOT USE TOPPING SLABS UNLESS NOTED OTHERWISE ON PLAN.
5. **ALLOWABLE JOIST SPANS:**

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	10'-9"	14'-2"	18'-0"	21'-9"
16" O.C.	9'-9"	12'-10"	16'-1"	18'-10"
19.2" O.C.	9'-2"	12'-1"	14'-8"	17'-2"
24" O.C.	8'-6"	11'-0"	13'-1"	15'-5"

RESIDENTIAL SLEEPING
IRC R502.3.1(1) LL=30 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-10"	15'-7"	19'-10"	24'-2"
16" O.C.	10'-9"	14'-2"	18'-0"	21'-1"
19.2" O.C.	10'-1"	13'-4"	16'-5"	19'-3"
24" O.C.	9'-4"	12'-4"	14'-8"	17'-2"

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	10'-9"	14'-2"	16'-11"	19'-10"
16" O.C.	9'-6"	12'-4"	14'-8"	17'-2"
19.2" O.C.	8'-8"	11'-3"	13'-5"	15'-8"
24" O.C.	7'-9"	10'-0"	12'-0"	14'-0"

RESIDENTIAL SLEEPING
IRC R502.3.1(1) LL=30 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-10"	15'-7"	18'-7"	21'-9"
16" O.C.	10'-5"	13'-6"	16'-1"	18'-10"
19.2" O.C.	9'-6"	12'-4"	14'-8"	17'-2"
24" O.C.	8'-6"	11'-0"	13'-1"	15'-5"

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	9'-4"	11'-11"	14'-0"	16'-8"
16" O.C.	8'-1"	10'-3"	12'-2"	14'-6"
19.2" O.C.	7'-4"	9'-5"	11'-1"	13'-2"
24" O.C.	6'-7"	8'-5"	9'-11"	11'-10"

RESIDENTIAL SLEEPING
IRC R502.3.1(1) LL=30 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	10'-5"	13'-3"	15'-8"	18'-8"
16" O.C.	9'-0"	11'-6"	13'-7"	16'-2"
19.2" O.C.	8'-3"	10'-6"	12'-5"	14'-9"
24" O.C.	7'-4"	9'-5"	11'-1"	13'-2"

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	8'-6"	10'-10"	12'-10"	15'-3"
16" O.C.	7'-4"	9'-5"	11'-1"	13'-2"
19.2" O.C.	6'-9"	8'-7"	10'-1"	12'-1"
24" O.C.	6'-0"	7'-8"	9'-1"	10'-9"

RESIDENTIAL SLEEPING
IRC R503.3.1(1) LL=30 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	9'-4"	11'-11"	14'-0"	16'-8"
16" O.C.	8'-1"	10'-3"	12'-2"	14'-6"
19.2" O.C.	7'-4"	9'-5"	11'-1"	13'-2"
24" O.C.	6'-7"	8'-5"	9'-11"	11'-10"

WOOD WALL FRAMING

1. **R601.2.1 COMPRESSIBLE MATERIALS.** MATERIALS THAT COMPRESS MORE THAN 1/32 INCH WHEN SUBJECTED TO 50 PSI SHALL NOT EXTEND BENEATH WALLS.
2. **R602.1.1 END JOINTED LUMBER.** APPROVED END JOINTED LUMBER MAY BE USED INTERCHANGABLY WITH SOLID-SAWN MEMBERS OF THE SAME SPECIES AND GRADE.
3. **R602.2 GRADE.** STUDS SHALL BE A MIN. #2, STANDARD OR STUD GRADE S.P.F.
4. **R602.3.1 STUD SIZE, HEIGHT, AND SPACING.**

MAX. ALLOWABLE LATERALLY UNSUPPORTED LENGTHS OF WOOD WALL STUDS FOR THE GIVEN STUD SIZE AND SPACING:

SUPPORTING ROOF ONLY

2x4 @ 16" O.C.	12'-0"
2x6 @ 16" O.C.	18'-0"
2x6 @ 12" O.C.	20'-0"
2x6 @ 8" O.C.	24'-0"

SUPPORTING ONE FLOOR AND A ROOF

2x4 @ 16" O.C.	10'-0"
2x6 @ 16" O.C.	18'-0"
2x6 @ 12" O.C.	20'-0"
2x6 @ 8" O.C.	24'-0"

SUPPORTING TWO FLOORS AND A ROOF

2x6 @ 16" O.C.	14'-0"
2x6 @ 12" O.C.	16'-0"
2x6 @ 12" O.C.	18'-0"
2x6 @ 8" O.C.	20'-0"

5. **R602.3.2 TOP PLATE.** CAP WOOD STUD WALLS WITH A DOUBLE TOP PLATE INSTALLED TO PROVIDE OVERLAPPING AT CORNERS AND INTERSECTIONS WITH BEARING PARTITIONS. END JOINTS IN TOP PLATES SHALL BE OFFSET AT LEAST 24". JOINTS NEED NOT OCCUR OVER STUDS. PLATES TO BE SAME SIZE AS STUDS AND MIN UTILITY GRADE S.P.F.
6. **R602.6.1 DRILLING AND NOTCHING OF TOP PLATE.** WHEN TOP PLATE WIDTH IS REDUCED BY MORE THAN 50%, INSTALL SIMPSON RPS/USP ***KRPS*** TIES ACROSS THE NOTCH AND TO THE PLATE AT EACH SIDE OF THE OPENING WITH NOT LESS THAN EIGHT 16d NAILS AT EACH SIDE.
7. **BOTTOM PLATES.**
   PLATES IN CONTACT WITH CONCRETE MUST BE PRESSURE TREATED IN ACCORDANCE WITH APPROVED STANDARDS AND SHALL BE ANCHORED TO CONCRETE BY THE FOLLOWING METHODS:
   (a) EXTERIOR PLATES IN CONTACT WITH CONCRETE:
   (i) 1/2" ANCHOR BOLTS, MIN. 7" EMBED SPACED 6'-0" ON CENTER, MAX. WITH .229x3x3 STEEL PLATE WASHERS BETWEEN THE BOTTOM PLATE AND NUT.
   (ii) SIMPSON MAS/USP ***FA3*** MUDSILL ANCHORS INSTALLED PER MANUFACTURERS SPECIFICATIONS, AND SPACED 5' ON CENTER, MAX.
   IF ONE OF THE ABOVE METHODS CANNOT BE PLACED BETWEEN 4" AND 12" FROM THE ENDS OF EACH PLATE SECTION, USE (2) SIMPSONS PDPWL-300(OR EQUAL) PLACED @ 6" AND 10" FROM EACH END OF SILL PLATES.
   (b) INTERIOR NON-SHEARWALL PLATES IN CONTACT WITH CONCRETE SHALL BE ANCHORED TO CONCRETE W/ SIMPSONS PDPWL-300(OR EQUAL) @ 32" O.C.
   (c) INTERIOR SHEARWALL PLATES SHALL BE ANCHORED TO CONCRETE W/ SIMPSONS PDPWL-300(OR EQUAL) @ 8" O.C., U.N.O.
   (d) BOTTOM PLATES IN CONTACT WITH LUMBER TO BE FASTENED PER FASTENER SCHEDULE.
8. **PLATE HEIGHT.** UNLESS NOTED OTHERWISE, WALLS ARE PLATFORM FRAMED WHEREVER APPLICABLE. SEE ARCHITECTURAL DRAWINGS FOR EXACT DIMENSION AND STRUCTURAL DRAWINGS FOR ACCEPTABLE MAXIMUM. CONTACT ENGINEER IF DISCREPANCIES ARE FOUND.
9. **OPENINGS.** OPENINGS SHALL BE FRAMED WITH HEADER AND TRIMMER JOISTS. IF HEADER SPAN IS LESS THAN 4', THE HEADER MAY BE A SINGLE MEMBER THE SAME SIZE AS RAFTER. A SINGLE TRIMMER MAY BE USED TO CARRY A SINGLE HEADER THAT IS LOCATED WITHIN 3' OF TRIMMER BEARING. IF HEADER SPAN EXCEEDS 4', THE HEADER AND TRIMMERS SHALL BE DOUBLED AND JOIST HANGERS SHALL BE INSTALLED.
10. **UNEXPECTED CONDITIONS.** IF CONDITIONS ARISE THAT ARE NOT COVERED BY THIS PLAN, CONTACT THE ENGINEER AT ONCE FOR ADDITIONAL INSTRUCTIONS.

ENGINEERED BEAMS

1. **CAPACITY.**
   (a) ALL SOLID SAWN LUMBER BEAMS/HEADERS LABELED ON PLAN AS 2x10 OR GREATER,TO BE #2 SOUTHERN PINE U.N.O.
   (b) ALL STRUCTURAL COMPOSITE LUMBER USED IN CONSTRUCTION MUST HAVE THE FOLLOWING MINIMUM CAPACITIES:
   FIBER BENDING (Fb) = 2600 PSI
   MODULUS OF ELASTICITY (E) = 1,900,000 PSI
   SHEAR STRENGTH (Fv) = 285 PSI
   COMPRESSION PERPENDICULAR (Fc⊥) = 170 PSI
2. **SUPPORT.** FOR BEAMS BEARING ON STUD WALLS, THERE SHALL BE THE SAME NUMBER OF STUDS LOCATED DIRECTLY UNDER THE BEAM AS THE NUMBER OF BEAM PLYS.
3. **ELEVATION.** BEAMS SHOWN ON PLAN ARE DROPPED BEAMS OR HEADERS UNLESS NOTED AS CLD (CONCEALED) OR FLT (FLOATING).
4. **FLOATING BEAMS.** FLOATING BEAMS SHALL HAVE A MINIMUM CLEARANCE OF 1-1/2" FROM BOTTOM OF BEAM.
5. **LATERAL RESTRAINT.** ALL BEAMS SHALL BE LATERALLY BRACED AT ALL SUPPORT POINTS. FLOATING BEAMS SHOULD HAVE ADDITIONAL LATERAL SUPPORT AT 1/3 SPAN POINTS. ALL KICKERS SHOULD BE PLACED AT AN ANGLE BETWEEN 45° AND HORIZONTAL.
6. **SUBSTITUTIONS.** GLU-LAM BEAMS OR OTHER APPROVED ENGINEERED STRUCTURAL COMPOSITE LUMBER MAY BE SUBSTITUTED FOR BEAMS NOTATED ON PLAN, PROVIDED THAT THE STRENGTH VALUES ARE EQUAL TO OR GREATER THAN THE VALUES LISTED ABOVE.

CEILING AND CEILING JOISTS

1. **LOADING.** ATTIC AREAS ARE DESIGNED AS UNINHABITABLE WITH LIMITED STORAGE (MAXIMUM LIVE LOAD = 20 PSF, DEAD LOAD = 10 PSF)
2. **R802.3.1 CEILING JOIST CONNECTIONS.** WHERE CEILING JOISTS FRAME FROM OPPOSITE SIDES OVER A BEARING SUPPORT, JOISTS SHALL BE LAPPED 3" AND FASTENED. WHERE JOISTS ARE NOT CONNECTED TO RAFTERS AT THE TOP PLATE, JOISTS SHALL BE INSTALLED HIGHER IN THE ATTIC TO PROVIDE A CONTINUOUS TIE. WHERE JOISTS ARE NOT PARALLEL TO RAFTERS, 2x4 RAFTER TIES SHALL BE INSTALLED
3. **BEARING.** AT END OF EACH JOIST, BEAR A MINIMUM LENGTH OF 1-1/2". WHERE JOISTS FRAME FROM OPPOSITE SIDES OVER A BEARING SUPPORT, LAP MINIMUM 3". WHERE JOIST FRAME INTO THE SIDE OF A GIRDER, USE SIMPSON HANGER IN ACCORDANCE WITH THE SCHEDULE.
4. **R802.8 LATERAL SUPPORT.** RAFTERS AND CEILING JOISTS 2x10 OR GREATER SHALL BE PROVIDED WITH LATERAL SUPPORT AT BEARING POINTS TO PREVENT ROTATION. SUPPORT JOISTS BY SOLID BLOCKING AT SUPPORT POINTS, DIAGONAL BRIDGING, OR A CONTINUOUS 1x4 RAT RUN NAILED ACROSS JOISTS AT INTERVALS NOT EXCEEDING 8'.
5. **STABILITY OF NONBEARING WALLS.** WHERE CEILING JOISTS ARE PARALLEL TO NONBEARING WALL, BRACE TOP OF WALL WITH 2x4 BLOCKING AT 24" O.C. BETWEEN JOISTS.
6. **R802.9 FRAMING OF OPENINGS.** OPENINGS IN ROOF AND CEILING FRAMING SHALL BE FRAMED WITH DOUBLE HEADER AND DOUBLE TRIMMER JOISTS.
7. **MECHANICAL EQUIPMENT SUPPORT.** IF NOT DESIGNATED ON PLAN, ALL MECHANICAL EQUIPMENT AND WATER HEATERS SHALL BE SUPPORTED BY MIN. DOUBLE 2x10 JOISTS @ 24" O.C.
8. **R301.5 LIVE LOADS.** TABLE R301.5b ATTICS WITHOUT STORAGE ARE THOSE WHERE THE MAXIMUM CLEAR HEIGHT BETWEEN JOIST AND RAFTER IS LESS THAN 42".
9. **R807.1 ATTIC ACCESS.** A ROUGH FRAMED OPENING NOT LESS THAN 22"x30" SHALL BE PROVIDED TO ATTIC AREAS THAT EXCEED 30 SQUARE FEET AND HAVE A VERTICAL HEIGHT OF 30" OR MORE.
10. **R802.4 ALLOWABLE CEILING JOIST SPANS.** SPANS FOR CEILING JOISTS SHALL BE IN ACCORDANCE WITH TABLES R802.4(1) AND R802.4(2)

IRC R802.4(2) LL=20 PSF, DL=10 PSF,
(LIMITED STORAGE)

Δ = L/240

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-6"	20'-1"	23'-11"	26'-0"
16" O.C.	13'-6"	17'-5"	20'-9"	24'-4"
19.2" O.C.	12'-3"	15'-10"	18'-11"	22'-2"
24" O.C.	11'-0"	14'-2"	16'-11"	19'-10"

IRC R802.4(2) LL=20 PSF, DL=10 PSF,
(LIMITED STORAGE)

Δ = L/240

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	12'-0"	15'-4"	18'-1"	21'7"
16" O.C.	10'-5"	13'-3"	15'-8"	18'-8"
19.2" O.C.	9'-6"	12'-1"	14'-4"	17'-1"
24" O.C.	8'-6"	10'-10"	12'-10"	15'-3"

JOIST AND BEAM HANGERS

1. HANGERS MUST BE INSTALLED USING THE SPECIFIED FASTENERS IN ALL HOLES, INCLUDING TRIANGULAR HOLES.
2. ALL SPECIFIED FASTENERS MUST BE INSTALLED PRIOR TO LOADING THE CONNECTION.
3. TECO NAILS SHOULD ONLY BE POWER DRIVEN USING PNUEMATIC TOOLS CAPABLE OF SUPPORTING POSITIVE PLACEMENT MECHANISM TO ENSURE NAILS ARE DRIVEN INTO PREFORMED HANGER NAIL HOLES.
4. TECO NAILS MAY NOT BE SUBSTITUTED FOR COMMON NAILS IN DOUBLE SHEAR HANGERS (i.e. LUS, MUS, HUS, HHUS, HGUS)
5. JOISTS MUST BEAR COMPLETELY ON CONNECTOR SEAT, AND THE GAP BETWEEN JOIST AND GIRDER MUST NOT EXCEED 1/8".

FACE MOUNT HANGER SCHEDULE

MEMBER	SIMPSONS PRODUCT NUMBER	CAPACITY (100%)	*USP PRODUCT NUMBER*	*CAPACITY (100%)*
2x4	LU24	530	*JL24*	*545*
2x6, 8	LU26	800	*JL26*	*815*
2x10	LU28	1065	*JL28*	*1360*
2x12	LU210	1330	*JL210*	*1905*
2-2x4	U24-2	530	*SUH24-2*	*830*
2-2x6, 8	U26-2	1065	*SUH26-2*	*1380*
2-2x10, 12	U210-2	1860	*SUH210-2*	*1930*
2-1.75x11.25	HGUS48	6805	*THDH410*	*8170*
2-1.75x14, 16	HGUS410	8780	*THDH412*	*9875*
2-1.75x18	HGUS414	10015	*THDH414*	*11100*
3-2x10, 12	U210-3	1860	*SUH210-3*	*1930*
3-1.75x11.25	HGUS5.50/12	9155	*THDH610*	*8640*
3-1.75x14-18	HGUS5.50/14	10015	*THDH612*	*9935*
4-2x10, 12	HHUS210-4	5190	*HD210-4*	*3360*
4-1.75x11.25	HGUS7.25/12	9835	*THDH7212*	*9875*
4-1.75x14-18	HGUS7.25/14	11110	*THDH7214*	*11580*
ALL 5 PLY LVL	HHGU9.00-SDS	17845	*KEG9*	*18185*
45° SKEWED HANGERS				
2x4	SUR/L24	530	*SKH24R/L*	*510*
2x6, 8	SUR/L26	800	*SKH26R/L*	*830*
2x10, 12	SUR/L210	1330	*SHK210R/L*	*1790*
2-2x6, 8	SUR/L26-2	1065	*SKH26R/L-2*	*830*
2-2x10, 12	SUR/L210-2	1860	*SKH210R/L-2*	*1930*
2-1.75x11.25, 14	HSUR/L410	2680	*SKH410R/L*	*2240*
2-1.75x16, 18	HSUR/L414	3485	*SKH414R/L*	*3080*

ROOF AND RAFTERS

1. **ROOFING MATERIAL AND MAXIMUM WEIGHT.** COMPOSITION ROOF COVERING NOT TO EXCEED 5 PSF. TILE ROOF COVERING NOT TO EXCEED 15 PSF. CONTACT ENGINEER AT ONCE IF DISCREPANCIES ARE FOUND.
2. **R802.3.1 CEILING JOIST AND RAFTER CONNECTIONS.** FASTEN CEILING JOISTS AND RAFTERS TOGETHER AND TO THE WALL TOP PLATE. CREATE CONTINUITY FROM ONE SIDE OF ROOF TO OPPOSITE BY NAILING RAFTERS TO ADJACENT CEILING JOISTS. MIN. 1x4 COLLAR TIES @ 48" O.C. SHALL BE FASTENED TO OPPOSING RAFTERS IN THE UPPER THIRD OF THE ATTIC. WHERE RAFTER/JOIST ASSEMBLY IS EXPOSED TO WIND LOADS FROM BELOW, SUCH AS PORCHES AND PATIOS, CONNECT EACH ASSEMBLY TO BEARING LOCATION WITH SIMPSON H2.5/USP RT7 HURRICANE TIE.
3. **ROOF BRACES.** BRACE ONLY AS SHOWN AND PROVIDE TWO STUDS IN WALLS DIRECTLY BENEATH BRACE POINTS. FOR BRACE LENGTHS UP TO 12', USE A 2x4 BRACE WITH A 2x6 STIFFBACK. FOR GREATER THAN 12', USE A 2x6 WITH A 2x6 STIFFBACK.
4. **R802.5.1 PURLINS.** PURLINS SHALL BE INSTALLED WHERE SHOWN ON PLAN. PURLINS SHALL BE CONTINUOUS, THE SAME SIZE AS THE SUPPORTED RAFTERS AND BRACED AT 48" O.C. TO DESIGNATED LOCATIONS. SLOPE BETWEEN 45° AND VERTICAL.
5. **R802.5 ALLOWABLE RAFTER SPANS.** SPANS FOR RAFTERS SHALL BE IN ACCORDANCE WITH TABLES R802.5.1(1) AND R802.5.1(2). SHOWN TABLES ASSUME CEILING JOISTS ARE LOCATED AT THE TOP PLATE OF RAFTER SUPPORT WALLS.
6. **OPENINGS.** OPENINGS SHALL BE FRAMED WITH HEADER AND TRIMMER JOISTS. IF HEADER SPAN IS LESS THAN 4', THE HEADER MAY BE A SINGLE MEMBER THE SAME SIZE AS RAFTER. A SINGLE TRIMMER MAY BE USED TO CARRY A SINGLE HEADER THAT IS LOCATED WITHIN 3' OF TRIMMER BEARING. IF HEADER SPAN EXCEEDS 4', THE HEADER AND TRIMMERS SHALL BE DOUBLED AND JOIST HANGERS SHALL BE INSTALLED.

IRC R802.5.1(1) LL=20 PSF, DL=10 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	17'-0"	22'-5"	26'-0"	26'-0"
16" O.C.	14'-1"	19'-5"	23'-2"	26'-0"
19.2" O.C.	13'-9"	17'-9"	21'-2"	24'-10"
24" O.C.	12'-3"	15'-10"	18'-11"	22'-2"

IRC R802.5.1(2) LL=20 PSF, DL=10 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-6"	20'-5"	26'-0"	26'-0"
16" O.C.	14'-1"	18'-6"	23'-2"	26'-0"
19.2" O.C.	13'-3"	17'-5"	21'-2"	24'-10"
24" O.C.	12'-3"	15'-10"	18'-11"	22'-2"

IRC R802.5.1(1) LL=20 PSF, DL=20 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-1"	19'-5"	23'-2"	26'-0"
16" O.C.	13'-6"	16'-10"	20'-1"	23'-7"
19.2" O.C.	11'-11"	15'-4"	18'-4"	21'-6"
24" O.C.	10'-8"	13'-9"	16'-5"	19'-3"

IRC R802.5.1(2) LL=20 PSF, DL=20 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-1"	19'-5"	23'-2"	26'-0"
16" O.C.	13'-6"	16'-10"	20'-1"	23'-7"
19.2" O.C.	11'-11"	15'-4"	18'-4"	21'-6"
24" O.C.	10'-8"	13'-9"	16'-5"	19'-3"

IRC R802.5.1(1) LL=20 PSF, DL=10 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	13'-6"	17'-2"	20'-3"	24'-1"
16" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
19.2" O.C.	10'-8"	13'-7"	16'-0"	19'-1"
24" O.C.	9'-6"	12'-1"	14'-4"	17'-1"

IRC R802.5.1(2) LL=20 PSF, DL=10 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	13'-6"	17'-2"	20'-3"	24'-1"
16" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
19.2" O.C.	10'-8"	13'-7"	16'-0"	19'-1"
24" O.C.	9'-6"	12'-1"	14'-4"	17'-1"

IRC R802.5.1(1) LL=20 PSF, DL=20 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
16" O.C.	10'-1"	12'-10"	15'-2"	18'-1"
19.2" O.C.	9'-3"	11'-9"	13'-10"	16'-6"
24" O.C.	8'-3"	10'-6"	12'-5"	14'-9"

IRC R802.5.1(2) LL=20 PSF, DL=20 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
16" O.C.	10'-1"	12'-10"	15'-2"	18'-1"
19.2" O.C.	9'-3"	11'-9"	13'-10"	16'-6"
24" O.C.	8'-3"	10'-6"	12'-5"	14'-9"

FASTENER SCHEDULE

DESCR OF BUILDING ELEMENTS	***NUMBER AND TYPE OF FASTENER***
WALL FRAMING	
TOP OR SOLE PLATE TO STUD FACE NAIL	3-3x0.131
TOP OR SOLE PLATE TO STUD TOE NAIL	4-3x0.131
DOUBLE TOP PLATE MIN 24" LAP OF END JOINTS, FACE NAIL	8-3x0.131
CAP/TOP PLATE LAPS AND INTERSECTIONS, FACE NAIL	3-3x0.131 EACH SIDE
1x4 BRACING TO STUDS/PLATES FACE NAIL	2-3x0.131
SOLE PLATE TO JOIST OR BLOCKING @ BRACED PANELS, FACE NAIL	3x0.131 4 PER 16" SPACE
SOLE PLATE TO JOIST OR BLOCKING FACE NAIL	3x0.131 @ 8" O.C.
DOUBLE TOP PLATE, FACE NAIL	3x0.131 @ 12" O.C.
DOUBLE STUDS, FACE NAIL	3x0.131 @ 8" O.C.
CORNER STUDS, FACE NAIL	3x0.131 @ 16" O.C.
HEADER TO KING STUD, TOE NAIL	4-3x0.131
CEILING AND ROOF FRAMING	
CEILING JOIST TO PLATE TOE NAIL	5-3x0.131
CEILING JOIST LAPS OVER WALLS FACE NAIL	4-3x0.131
CEILING JOIST TO PARALLEL RAFTER FACE NAIL	4-3x0.131
COLLAR TIE TO RAFTER, FACE NAIL	4-3x0.131
JACK RAFTER TO HIP, TOE NAIL	4-3x0.131
JACK RAFTER TO HIP, FACE NAIL	3-3x0.131
RAFTER TO TOP PLATE, TOE NAIL	3-3x0.131
RAFTER TO 2x RIDGE, FACE NAIL	3-3x0.131
RAFTER TO 2x RIDGE, TOE NAIL	3-3x0.131
BLOCKING BETWEEN RAFTER TO TOP PLATE, TOE NAIL	4-3x0.131
FLOOR FRAMING	
FLOOR JOIST TO BAND JOIST FACE NAIL	5-3x0.131
FLOOR JOIST TO SILL PLATE TOE NAIL	4-3x0.131
BLOCKING BETWEEN FLOOR JOIST TO SILL PLATE, TOE NAIL	4-3x0.131
BRIDGING TO FLOOR JOIST EACH END, TOE NAIL	3-3x0.120
RIM JOIST TO TOP PLATE, TOE NAIL	3x0.131 @ 6" O.C.
1x6 SUBFLOOR OR LESS TO EACH JOIST, FACE NAIL	2-3x0.131
2x SUBFLOOR TO EACH JOIST, BLIND AND FACE NAIL	3-3x0.131
BUILT UP GIRDERS AND BEAMS FACE NAIL	3x0.131 @ 24" O.C.T&B & 3-3x0.131 @ ENDS

SHEATHING FASTENING REQUIREMENTS

ROOF SHEATHING

5/16"-1" REFER TO COMPONENTS AND CLADDING REQUIREMENTS ON UPLIFT DETAILS PAGE.

WALL SHEATHING

1/2" OR LESS 1-3/4"x16 GA. STAPLES 6" O.C. EDGE, 12" O.C. FIELD

19/32"-5/8" 1-3/4"x16 GA. STAPLES 3" O.C. EDGE, 6" O.C. FIELD

3/4" 1-3/4"x16 GA. STAPLES 3" O.C. EDGE, 6" O.C. FIELD

FLOOR SHEATHING

3/4" 1-3/4"x16 GA. STAPLES 3" O.C. EDGE, 6" O.C. FIELD

1. THIS FASTENING SCHEDULE DERIVED FROM ICC EVALUATION SERVICE, INC. LEGACY REPORT #NER-272 REVISION A, DATED AUGUST 1, 2004
2. THIS FASTENING SCHEDULE APPLIES TO FRAMING MEMBERS HAVING AN ACTUAL THICKNESS OF 1-1/2" TO 1-3/4"
3. FASTENINGS ABOVE MAY ALSO BE USED FOR OTHER CONNECTIONS THAT ARE NOT LISTED BUT HAVE THE SAME CONFIGURATION AND THE SAME CODE REQUIREMENT FOR FASTENER QUANITY/SPACING AND FASTENER SIZE.
4. STAPLE CROWNS SHALL HAVE A MINIMUM WIDTH OF 7/16" OVERALL

MWFRS (MAIN WIND FORCE RESISTING SYSTEM)

1. AN ENGINEERED LATERAL BRACING DESIGN HAS BEEN PROVIDED FOR THIS PLAN. REFER TO LATERAL BRACING PAGES AND DETAILS FOR CONSTRUCTION DETAILS.
2. WALLS SHOWN IN CONTINUOUS LINETYPE ON LATERAL BRACING PAGES ARE SHEARWALLS THAT HAVE BEEN ENGINEERED TO RESIST WIND LOADS BASED ON ASCE 7-05 "THE STANDARD"
3. LIB'S SHOWN ON PLAN ARE IN APPROXIMATE LOCATIONS THESE MAY BE MOVED UP TO THREE FEET ALONG SAME SHEAR LINE, WHERE CONDITIONS ALLOW.
4. WALLS SHOWN IN HIDDEN LINETYPE ON LATERAL BRACING PAGES ARE NON-SHEARWALLS AND ARE NOT INTENDED TO PROVIDE RESISTANCE TO WIND LOADS.
5. ROOF AND FLOOR WOOD DIAPHRAGMS HAVE BEEN DESIGNED WITH SUFFICIENT CAPACITY TO TRANSFER ALL WIND LOAD TO ADJACENT SHEARWALLS.
6. MAIN WIND FORCE RESISTING SYSTEM DESIGNED PER LOCAL CONSTRUCTION STANDARDS, IRC/IBC 2006 AND ACCEPTED ENGINEERING PRACTICE.

MPCW FLOOR TRUSSES

1. **CRITERIA.** DESIGN TRUSSES FOR THE MINIMUM LINE AND POINT LOADS SHOWN ON PLAN (LINE LOADS FROM UPPER WALLS ARE MINIMUM 100 LB/FT U.N.O.)
2. **BRACING.** RESTRAIN TOP CHORD WITH FLOOR SHEATHING AND BOTTOM CHORD WITH CEILING GYPSUM . RESTRAIN TRUSSES AT POINTS OF BEARING TO PREVENT TOPPLING.
3. **TRANSITORY FLOOR VIBRATION AND SOUND TRANSMISSION.** THE FLOOR SYSTEM INCLUDES NO MEASURES TO SPECIFICALLY CONTROL FLOOR VIBRATION OR SOUND TRANSMISSION. CONTACT ENGINEER PRIOR TO CONSTRUCTION IF SPECIFIC PERFORMANCE CRITERIA ARE DESIRED.
5. **POINT LOADS ON FLOOR SYSTEM.** PROVIDE BLOCKING FROM UNSUPPORTED POINT LOADS ON FLOOR SYSTEM TO SUPPORT BELOW. BLOCKING MAY BE ANGLED MIN 60° FROM HORIZONTAL.

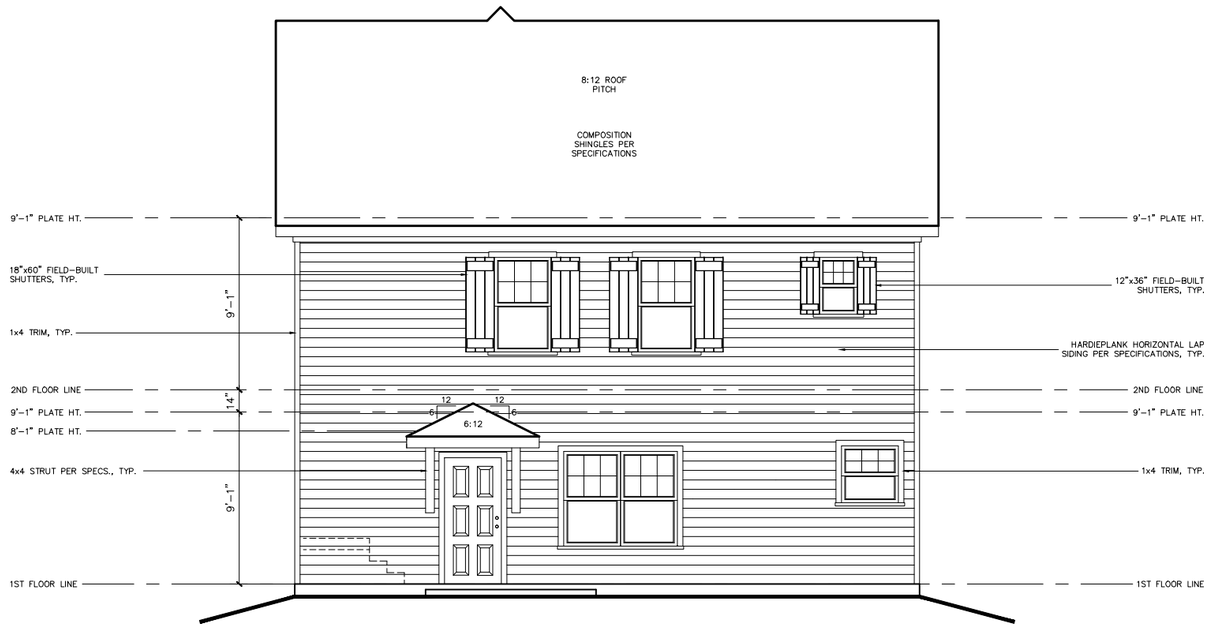
GENERAL

1. ALL DESIGNS BASED ON IRC 2006 COMPLIANCES.
2. GRADE MARKS ON ALL LUMBER SHALL BE VISIBLE AT TIME OF INSPECTION.
3. DO NOT USE END JOINTED LUMBER FOR HORIZONTAL FRAMING MEMBERS.
4. ALL CONNECTIONS TO BE FASTENED PER FASTENING SCHEDULE AND FRAMING DETAILS.
5. ALL FRAMING CREATING CONCENTRATED LOADS TO BE INSTALLED EXACTLY IN THE LOCATIONS SHOWN ON PLAN TO PROVIDE A CONTINUOUS LOAD TRANSFER PATH TO CONCRETE.
6. THESE PLANS ARE COPYRIGHT MLAW A



FRONT ELEVATION

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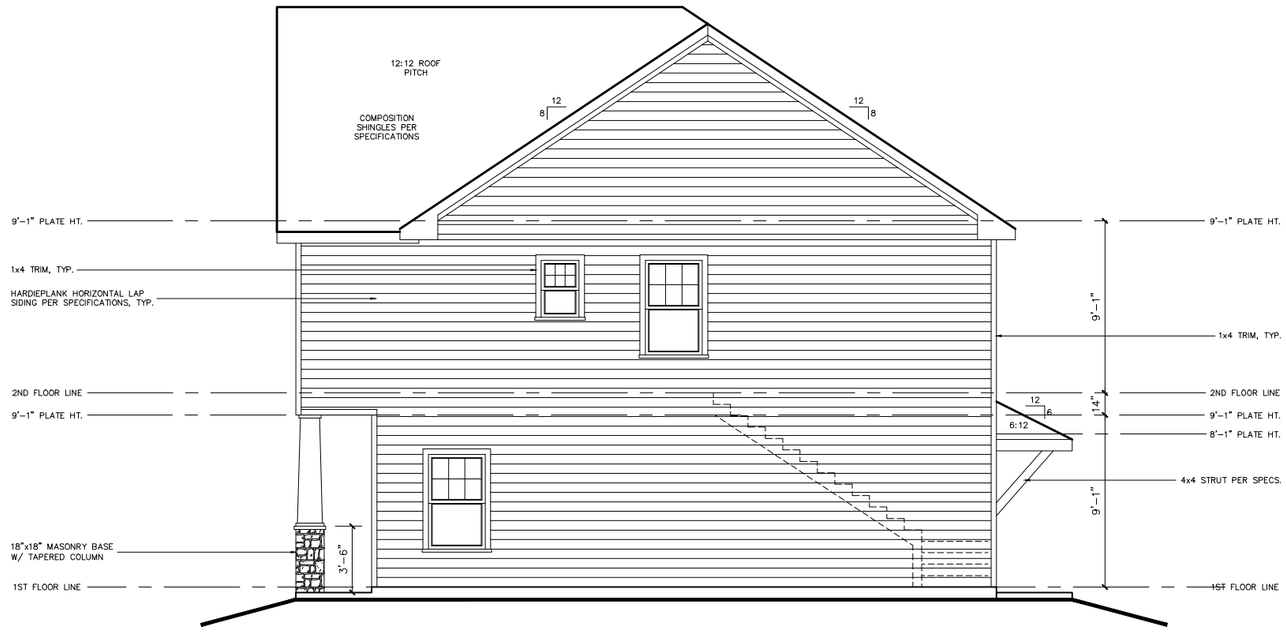
REAR ELEVATION

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LEFT ELEVATION

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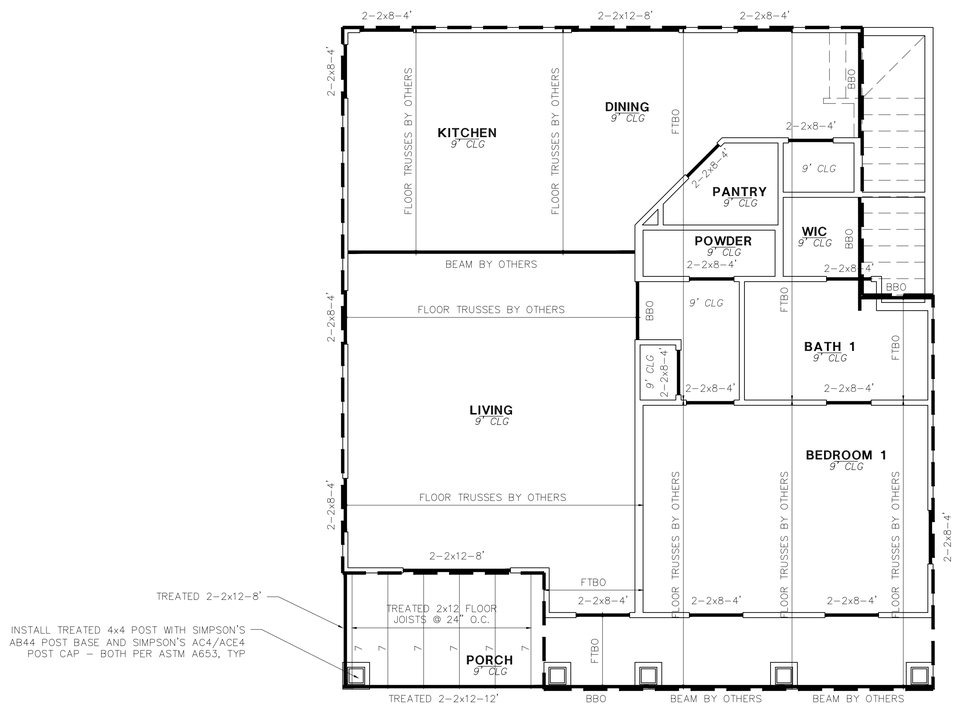


RIGHT ELEVATION

P:\20111175\In\2011.10.13\Elevations\Boulder Plan.dwg, 1:96

CEILING AND CEILING JOISTS

SPECIES AND GRADE: #3 S.P. FOR SPANS UNDER 8' U.N.O.
#2 S.P. FOR SPANS OVER 8' U.N.O.
SIZE AND SPACING: 2x6 @ 24" O.C. U.N.O.
CEILING SHEATHING: 1/2" GYPSUM PANELS



HEADER NOTES:

HEADERS BELOW FLOOR SYSTEM HAVE NOT BEEN DESIGNED TO SUPPORT CONCENTRATED LOADS IMPOSED FROM ABOVE. FLOOR SYSTEM DESIGNER TO DETERMINE HEADER SIZE FOR ALL HEADERS SUPPORTING CONCENTRATED LOADS. NON-LOAD BEARING HEADERS MAY BE FRAMED WITH FLAT 2x4. REFER TO TRUSS DESIGN TO DETERMINE LOAD BEARING POINTS.

DECK NOTES:

1. DECKING MATERIAL PER BUILDER. FASTEN DECKING TO FLOOR JOISTS W/ (2) 3" HDG DECK SCREWS (DECK SCREWS MUST CONFORM TO ASTM A153) AT EACH BEARING POINT. BLOCK JOISTS AT EACH SPLICE AND DRILL PILOT HOLES TO PREVENT SPLITTING AT EACH END OF DECKING.

2. ALL STRUCTURAL MEMBERS AT LOWER DECK, INCLUDING BEAMS, JOIST AND LEDGER BOARDS TO BE TREATED KD19 #2 S.P. OR BETTER.

3. ALL CONNECTORS TO BE HOT-DIP GALVANIZED, CONFORMING MINIMALLY TO ASTM A653 FOR "CONTINUOUS" GALVANIZATION, OR ASTM A123 FOR "POST" OR "BATCH" GALVANIZATION.

4. ALL FASTENERS, INCLUDING BOLTS, NAILS AND SCREWS TO CONFORM TO ASTM A153.

MLAW TO REVIEW TRUSS LAYOUT DESIGN FOR STRUCTURAL INTEGRITY INTERRELATED TO FRAMING DESIGN

LEGEND

- DEAD LOAD / SOURCE / LIVE LOAD — POINT LOAD
- LINE LOAD
- ENGINEERED BEAM
- L/XXX L/XXX D=X.XX T=X.XX — DEFLECTION CRITERIA
- FLOOR FRAMING EXTENTS
- DOUBLE CEILING JOIST
- TJI FLOOR JOIST
- CEILING LINE

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

LEVEL 1 CEILING FRAMING

1/4" = 1'-0"

MLAW
CONSULTANTS AND ENGINEERS
2804 LONGHORN BLVD.
AUSTIN, TEXAS 78758
(512) 835-7000

PROPRIETOR
BRECKENRIDGE PROPERTIES
7004 BEE CAVE RD.
BLDG. 3, STE. 330
AUSTIN, TX 78746

CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

BOULDER PLAN
ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

JOB No:1012049056.201
DATE: 10-06-10
DRAWN: EE
CHECK:
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

1
SHEET 1 OF 6

P:\2011\175\In\2011.10.13\Floor Plans\Boulder Plan.dwg, 1:1

CEILING AND CEILING JOISTS

SPECIES AND GRADE: #3 S.P. FOR SPANS UNDER 8' U.N.O.
#2 S.P. FOR SPANS OVER 8' U.N.O.
SIZE AND SPACING: 2x6 @ 24" O.C. U.N.O.
CEILING SHEATHING: 1/2" GYPSUM PANELS



HEADER NOTES:

HEADERS BELOW FLOOR SYSTEM HAVE NOT BEEN DESIGNED TO SUPPORT CONCENTRATED LOADS IMPOSED FROM ABOVE. FLOOR SYSTEM DESIGNER TO DETERMINE HEADER SIZE FOR ALL HEADERS SUPPORTING CONCENTRATED LOADS. NON-LOAD BEARING HEADERS MAY BE FRAMED WITH FLAT 2x4. REFER TO TRUSS DESIGN TO DETERMINE LOAD BEARING POINTS.

TREATED LUMBER NOTES:

ALL NAILS, SCREWS, HANGERS, ETC. INSTALLED WITH TREATED LUMBER TO COMPLY WITH APPROPRIATE ASTM STANDARDS. EG. FASTENERS TO COMPLY WITH ASTM A153, HANGERS TO COMPLY WITH ASTM A653, OR ASTM A123.

MLAW TO REVIEW TRUSS LAYOUT DESIGN FOR STRUCTURAL INTEGRITY INTERRELATED TO FRAMING DESIGN

LEGEND

- DEAD LOAD / LIVE LOAD — POINT LOAD
- ENGINEERED BEAM
- L/XXX L/XXX D@=X.XX T@=X.XX DEFLECTION CRITERIA
- DOUBLE JOIST
- CEILING LINE
- WALL STACKED ON LOWER WALL
- WALL STACKED ON LOWER BEAM

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

LEVEL 2 CEILING FRAMING

1/4" = 1'-0"

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PROPRIETOR
BRECKENRIDGE PROPERTIES
7004 BEE CAVE RD.
BLDG. 3, STE. 330
AUSTIN, TX 78746

CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

BOULDER PLAN
ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

JOB No:1012049056.201
DATE: 10-06-10
DRAWN:EE
CHECK:
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

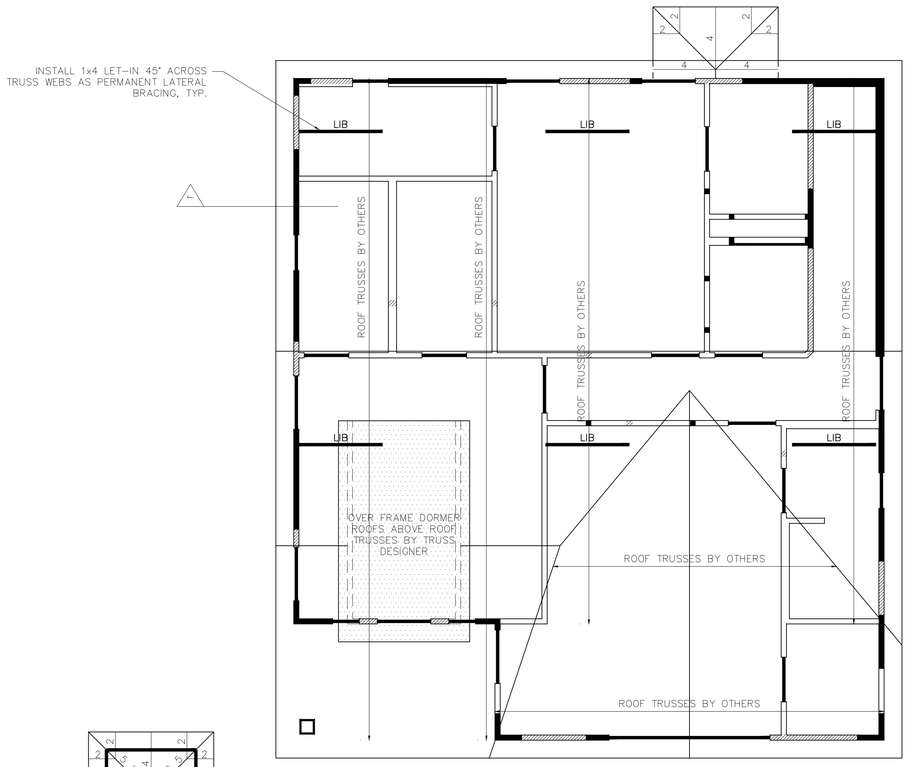
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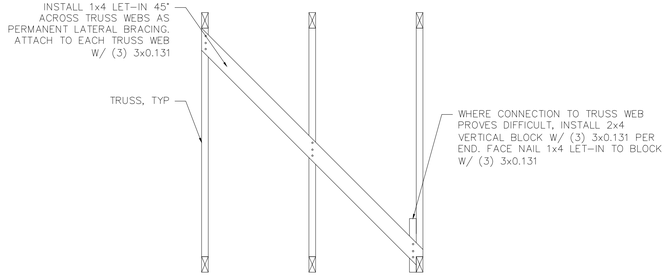
THIS ROOF SYSTEM DESIGNED FOR COMPOSITION ROOF. IF TILE IS TO BE USED, OR OTHER COVERING EXCEEDING 5 PSF, CONTACT ENGINEER FOR REDESIGN

ROOF AND RAFTERS

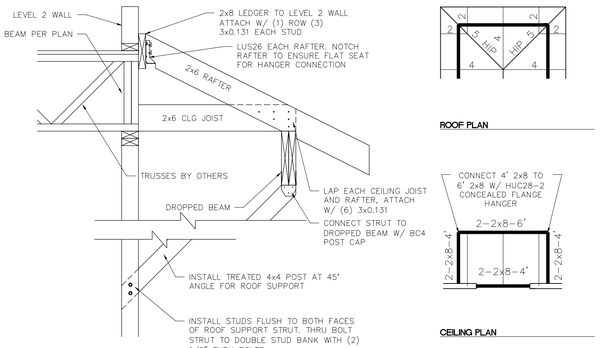
SPECIES AND GRADE: #3 S.P. FOR SPANS UNDER 8' U.N.O.
#2 S.P. FOR SPANS OVER 8' U.N.O.

SIZE AND SPACING:
RAFTERS 2x6 @ 24" O.C. U.N.O.
HIPS, VALLEYS AND RIDGES PER FRAMING DETAILS
ROOF SHEATHING 7/16" STRUCT. PANEL





1 1x4 TRUSS BRACING DETAIL
N.T.S.



TYPICAL PATIO REAR PATIO ROOF CONNECTION DETAILS
N.T.S.

TREATED LUMBER NOTES:

ALL NAILS, SCREWS, HANGERS, ETC. INSTALLED WITH TREATED LUMBER TO COMPLY WITH APPROPRIATE ASTM STANDARDS. EG. FASTENERS TO COMPLY WITH ASTM A153, HANGERS TO COMPLY WITH ASTM A653, OR ASTM A123.

MLAW TO REVIEW TRUSS LAYOUT DESIGN FOR STRUCTURAL INTEGRITY INTERRELATED TO FRAMING DESIGN

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

LEGEND
ROOF BRACE
DEAD LOAD
LIVE LOAD
POINT LOAD
ENGINEERED BEAM
DOUBLE JOIST
WALL STACKED ON LOWER WALL
WALL STACKED ON LOWER BEAM

ROOF FRAMING
1/4" = 1'-0"

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PROPRIETOR
BRECKENRIDGE PROPERTIES
7004 BEE CAVE RD.
BLDG. 3, STE. 330
AUSTIN, TX 78746

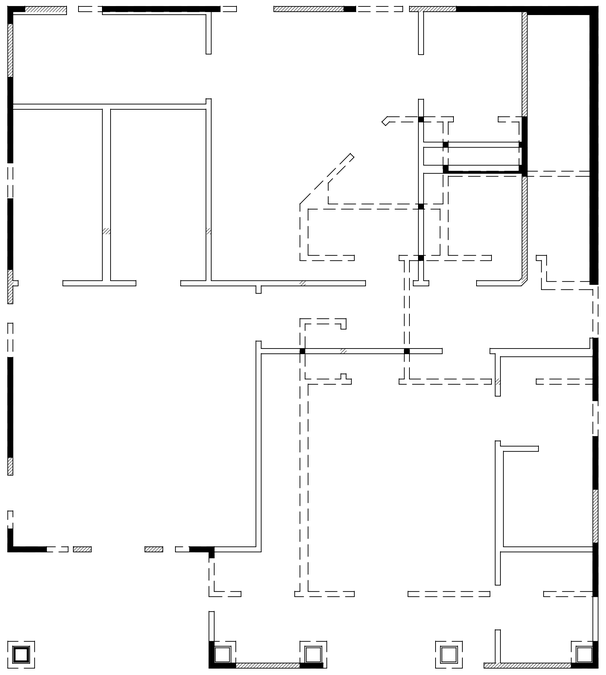
CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

BOULDER PLAN
ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

JOB No:1012049056.201
DATE: 10-06-10
DRAWN: EE
CHECK:
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

3
SHEET 3 OF 6

P:\2011\11759\ir\2011.10.13\Floor Plans\Boulder Plan.dwg, 1:1



THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

LEGEND

- LOWER LEVEL
- UPPER LEVEL
- WALL STACKED ON LOWER WALL
- WALL STACKED ON LOWER BEAM

OVERLAY
1/4" = 1'-0"

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(512) 835-7000

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BLDG. 3, STE. 330
AUSTIN, TX 78746

CONTRACTOR
MERCK CONTRACTING
P.O. BOX 1105
WACO, TX 76703

BOULDER PLAN

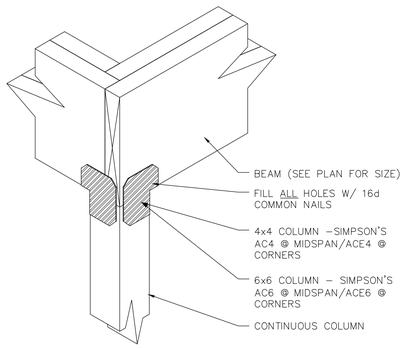
ASPEN HEIGHTS TSU
201 COPPER BEECH DRIVE
SAN MARCOS, TX 78666
CLIENT: BRECKENRIDGE

JOB No:1012049056.201
DATE: 10-06-10
DRAWN: EE
CHECK:

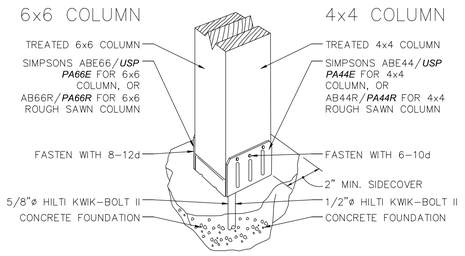
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

4
SHEET 4 OF 6

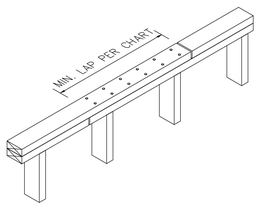
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BEAM / COLUMN TOP CONNECTION
N.T.S.



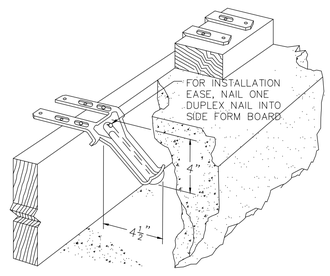
COLUMN BASE CONNECTION
N.T.S.



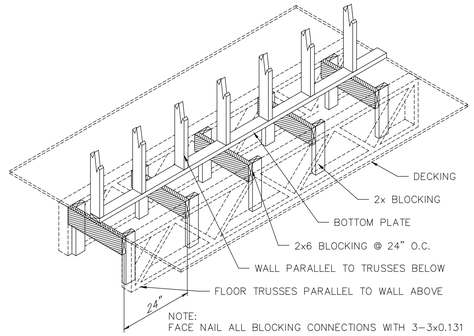
LENGTH OF TOP PLATE LAP @ SPLICE	BUILDING DIMENSION OF WALL CONTAINING TOP PLATE
4' LAP	≤ 40'
6' LAP	40' ≥ 60'
8' LAP	60' ≥ 80'

* TOP PLATE TO BE CONNECTED AT SPLICE W/ 2 ROWS OF 3x0.131 @ 4" O.C.(EACH SIDE @ INTERSECTION). SPLICES NEED NOT OCCUR OVER A STUD

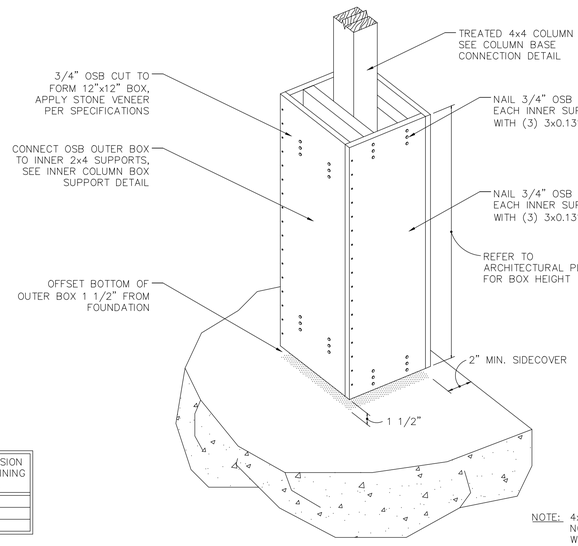
TOP PLATE SPLICE DETAIL
N.T.S.



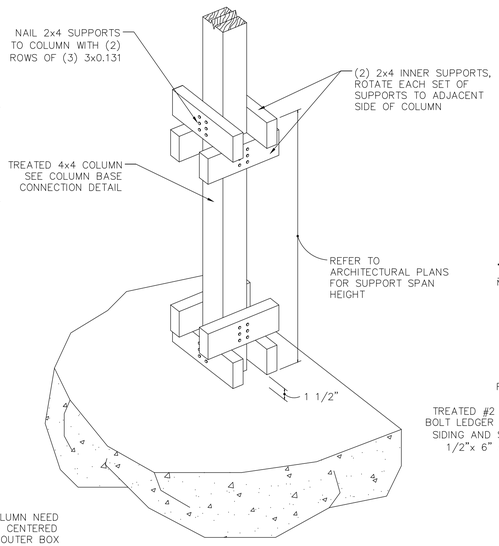
OPTIONAL ANCHOR BOLT ALTERNATIVE (CUT AWAY)
N.T.S.



PARALLEL WALL/TRUSS BLOCKING
N.T.S.

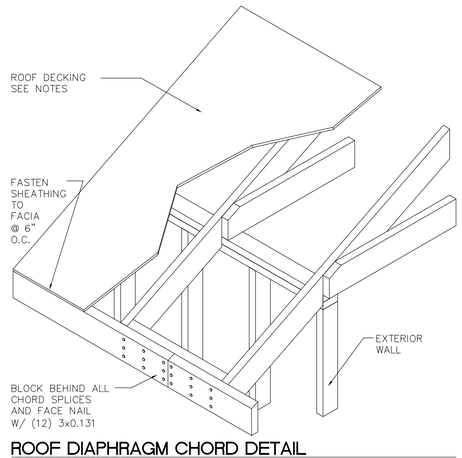


OUTER COLUMN BOX DETAIL
N.T.S.

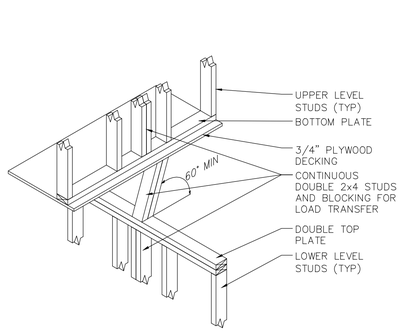


NOTE: 4x4 COLUMN NEED NOT BE CENTERED WITHIN OUTER BOX

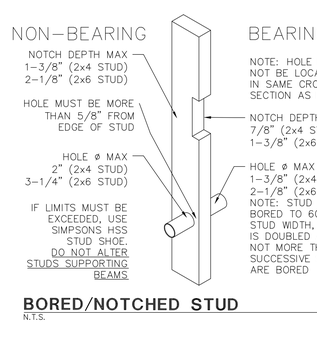
INNER COLUMN BOX SUPPORT DETAIL
N.T.S.



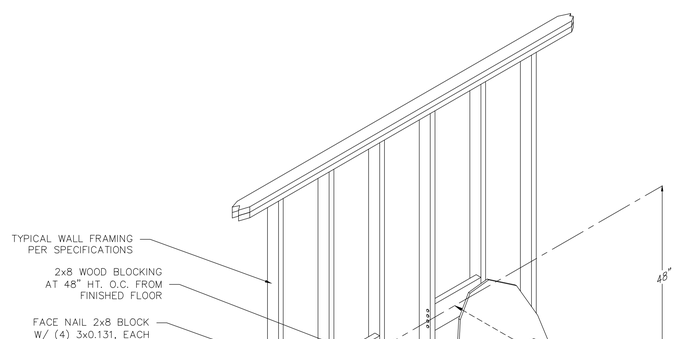
ROOF DIAPHRAGM CHORD DETAIL
SHEAR CAPACITY: 238 PLF



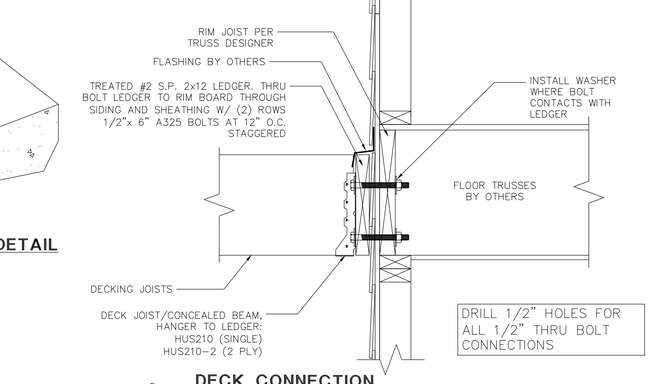
PERPENDICULAR STACKED WALL SUPPORT
N.T.S.



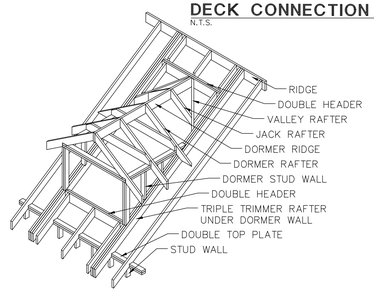
BORED/NOTCHED STUD
N.T.S.



TYPICAL TOWEL BAR IN-WALL BLOCKING
N.T.S.



DECK CONNECTION
N.T.S.



TYPICAL DORMER SUPPORT DETAIL
N.T.S.

THIS PLAN IS VALID IN BELL, BEXAR, COMAL, HAYS, MCLENNAN, MILAM, TRAVIS, AND WILLIAMSON COUNTIES.

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DATE: 10-06-10
DRAWN:EE
CHECK:
A 12-16-10 FLR/RF TRUSSES EE
B 01-07-11 BARTOP WALLS EE

5
SHEET 5 OF 6

FRAMING DETAILS
1/4" = 1'-0"

P:\2011\175\hi\2011.10.13\Floor Plans\Boulder Plan.dwg, 1:1

FLOOR AND FLOOR JOISTS

UNLESS NOTED OTHERWISE ON PLAN (ALSO SEE MPCW FLOOR TRUSSES, WHERE APPLICABLE):

SPECIES AND GRADE: #2 SOUTHERN PINE U.N.O.

SIZE AND SPACING: 2x12 @ 24" O.C. U.N.O.

FLOOR SHEATHING: 3/4" TONGUE AND GROOVE SIZED FOR SPACING

FLOOR DECKING: FLAT 2x6 W/ 1/8" GAPS FOR EXTERIOR APPLICATIONS

1. **EXTERIOR DECKS.** REFER TO CONNECTION DETAILS PER PLAN.
2. **BEARING.** AT END OF EACH JOIST, BEAR A MINIMUM LENGTH OF 1-1/2". WHERE JOISTS FRAME FROM OPPOSITE SIDES OVER A BEARING SUPPORT, LAP MINIMUM 3" AND FASTEN. WHERE JOISTS FRAME INTO THE SIDE OF A GIRDER, USE JOIST HANGER IN ACCORDANCE WITH THE SCHEDULE.
3. **LATERAL RESTRAINT AT SUPPORTS.** LATERALLY SUPPORT JOISTS AT THE ENDS BY FULL DEPTH SOLID BLOCKING, ATTACHMENT TO A HEADER, BAND OR RIM JOIST, OR TO AN ADJOINING STUD.
4. **TOPPING SLABS.** DO NOT USE TOPPING SLABS UNLESS NOTED OTHERWISE ON PLAN.
5. **ALLOWABLE JOIST SPANS:**

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	10'-9"	14'-2"	18'-0"	21'-9"
16" O.C.	9'-9"	12'-10"	16'-1"	18'-10"
19.2" O.C.	9'-2"	12'-1"	14'-8"	17'-2"
24" O.C.	8'-6"	11'-0"	13'-1"	15'-5"

RESIDENTIAL SLEEPING
IRC R502.3.1(1) LL=30 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-10"	15'-7"	19'-10"	24'-2"
16" O.C.	10'-9"	14'-2"	18'-0"	21'-1"
19.2" O.C.	10'-1"	13'-4"	16'-5"	19'-3"
24" O.C.	9'-4"	12'-4"	14'-8"	17'-2"

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	10'-9"	14'-2"	16'-11"	19'-10"
16" O.C.	9'-6"	12'-4"	14'-8"	17'-2"
19.2" O.C.	8'-8"	11'-3"	13'-5"	15'-8"
24" O.C.	7'-9"	10'-0"	12'-0"	14'-0"

RESIDENTIAL SLEEPING
IRC R502.3.1(1) LL=30 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-10"	15'-7"	18'-7"	21'-9"
16" O.C.	10'-5"	13'-6"	16'-1"	18'-10"
19.2" O.C.	9'-6"	12'-4"	14'-8"	17'-2"
24" O.C.	8'-6"	11'-0"	13'-1"	15'-5"

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	9'-4"	11'-11"	14'-0"	16'-8"
16" O.C.	8'-1"	10'-3"	12'-2"	14'-6"
19.2" O.C.	7'-4"	9'-5"	11'-1"	13'-2"
24" O.C.	6'-7"	8'-5"	9'-11"	11'-10"

RESIDENTIAL SLEEPING
IRC R502.3.1(1) LL=30 PSF, DL=10 PSF,
(LIGHT FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	10'-5"	13'-3"	15'-8"	18'-8"
16" O.C.	9'-0"	11'-6"	13'-7"	16'-2"
19.2" O.C.	8'-3"	10'-6"	12'-5"	14'-9"
24" O.C.	7'-4"	9'-5"	11'-1"	13'-2"

RESIDENTIAL LIVING
IRC R502.3.1(2) LL=40 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	8'-6"	10'-10"	12'-10"	15'-3"
16" O.C.	7'-4"	9'-5"	11'-1"	13'-2"
19.2" O.C.	6'-9"	8'-7"	10'-1"	12'-1"
24" O.C.	6'-0"	7'-8"	9'-1"	10'-9"

RESIDENTIAL SLEEPING
IRC R503.3.1(1) LL=30 PSF, DL=20 PSF,
(HEAVY FLOOR COVERING)

Δ = L/360

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	9'-4"	11'-11"	14'-0"	16'-8"
16" O.C.	8'-1"	10'-3"	12'-2"	14'-6"
19.2" O.C.	7'-4"	9'-5"	11'-1"	13'-2"
24" O.C.	6'-7"	8'-5"	9'-11"	11'-10"

WOOD WALL FRAMING

1. **R601.2.1 COMPRESSIBLE MATERIALS.** MATERIALS THAT COMPRESS MORE THAN 1/32 INCH WHEN SUBJECTED TO 50 PSI SHALL NOT EXTEND BENEATH WALLS.
2. **R602.1.1 END JOINTED LUMBER.** APPROVED END JOINTED LUMBER MAY BE USED INTERCHANGABLY WITH SOLID-SAWN MEMBERS OF THE SAME SPECIES AND GRADE.
3. **R602.2 GRADE.** STUDS SHALL BE A MIN. #2, STANDARD OR STUD GRADE S.P.F.
4. **R602.3.1 STUD SIZE, HEIGHT, AND SPACING.**

MAX. ALLOWABLE LATERALLY UNSUPPORTED LENGTHS OF WOOD WALL STUDS FOR THE GIVEN STUD SIZE AND SPACING:

SUPPORTING ROOF ONLY

2x4 @ 16" O.C.	12'-0"
2x6 @ 16" O.C.	18'-0"
2x6 @ 12" O.C.	20'-0"
2x6 @ 8" O.C.	24'-0"

SUPPORTING ONE FLOOR AND A ROOF

2x4 @ 16" O.C.	10'-0"
2x6 @ 16" O.C.	18'-0"
2x6 @ 12" O.C.	20'-0"
2x6 @ 8" O.C.	24'-0"

SUPPORTING TWO FLOORS AND A ROOF

2x6 @ 16" O.C.	14'-0"
2x6 @ 12" O.C.	16'-0"
2x6 @ 12" O.C.	18'-0"
2x6 @ 8" O.C.	20'-0"

5. **R602.3.2 TOP PLATE.** CAP WOOD STUD WALLS WITH A DOUBLE TOP PLATE INSTALLED TO PROVIDE OVERLAPPING AT CORNERS AND INTERSECTIONS WITH BEARING PARTITIONS. END JOINTS IN TOP PLATES SHALL BE OFFSET AT LEAST 24". JOINTS NEED NOT OCCUR OVER STUDS. PLATES TO BE SAME SIZE AS STUDS AND MIN UTILITY GRADE S.P.F.
6. **R602.6.1 DRILLING AND NOTCHING OF TOP PLATE.** WHEN TOP PLATE WIDTH IS REDUCED BY MORE THAN 50%, INSTALL SIMPSON RPS/USP ***KRPS*** TIES ACROSS THE NOTCH AND TO THE PLATE AT EACH SIDE OF THE OPENING WITH NOT LESS THAN EIGHT 16d NAILS AT EACH SIDE.
7. **BOTTOM PLATES.**
PLATES IN CONTACT WITH CONCRETE MUST BE PRESSURE TREATED IN ACCORDANCE WITH APPROVED STANDARDS AND SHALL BE ANCHORED TO CONCRETE BY THE FOLLOWING METHODS:
   (a) EXTERIOR PLATES IN CONTACT WITH CONCRETE:
      (i) 1/2" ANCHOR BOLTS, MIN. 7" EMBED SPACED 6'-0" ON CENTER, MAX. WITH .229x3x3 STEEL PLATE WASHERS BETWEEN THE BOTTOM PLATE AND NUT.
      (ii) SIMPSON MAS/USP ***FA3*** MUDSILL ANCHORS INSTALLED PER MANUFACTURERS SPECIFICATIONS, AND SPACED 5' ON CENTER, MAX.
   IF ONE OF THE ABOVE METHODS CANNOT BE PLACED BETWEEN 4" AND 12" FROM THE ENDS OF EACH PLATE SECTION, USE (2) SIMPSONS PDPWL-300(OR EQUAL) PLACED @ 6" AND 10" FROM EACH END OF SILL PLATES.
   (b) INTERIOR NON-SHEARWALL PLATES IN CONTACT WITH CONCRETE SHALL BE ANCHORED TO CONCRETE W/ SIMPSONS PDPWL-300(OR EQUAL) @ 32" O.C.
   (c) INTERIOR SHEARWALL PLATES SHALL BE ANCHORED TO CONCRETE W/ SIMPSONS PDPWL-300(OR EQUAL) @ 8" O.C., U.N.O.
   (d) BOTTOM PLATES IN CONTACT WITH LUMBER TO BE FASTENED PER FASTENER SCHEDULE.
8. **PLATE HEIGHT.** UNLESS NOTED OTHERWISE, WALLS ARE PLATFORM FRAMED WHEREVER APPLICABLE. SEE ARCHITECTURAL DRAWINGS FOR EXACT DIMENSION AND STRUCTURAL DRAWINGS FOR ACCEPTABLE MAXIMUM. CONTACT ENGINEER IF DISCREPANCIES ARE FOUND.
9. **OPENINGS.** OPENINGS SHALL BE FRAMED WITH HEADER AND TRIMMER JOISTS. IF HEADER SPAN IS LESS THAN 4', THE HEADER MAY BE A SINGLE MEMBER THE SAME SIZE AS RAFTER. A SINGLE TRIMMER MAY BE USED TO CARRY A SINGLE HEADER THAT IS LOCATED WITHIN 3' OF TRIMMER BEARING. IF HEADER SPAN EXCEEDS 4', THE HEADER AND TRIMMERS SHALL BE DOUBLED AND JOIST HANGERS SHALL BE INSTALLED.
10. **UNEXPECTED CONDITIONS.** IF CONDITIONS ARISE THAT ARE NOT COVERED BY THIS PLAN, CONTACT THE ENGINEER AT ONCE FOR ADDITIONAL INSTRUCTIONS.

ENGINEERED BEAMS

1. **CAPACITY.**
   (a) ALL SOLID SAWN LUMBER BEAMS/HEADERS LABELED ON PLAN AS 2x10 OR GREATER,TO BE #2 SOUTHERN PINE U.N.O.
   (b) ALL STRUCTURAL COMPOSITE LUMBER USED IN CONSTRUCTION MUST HAVE THE FOLLOWING MINIMUM CAPACITIES:
      FIBER BENDING (Fb) = 2600 PSI
      MODULUS OF ELASTICITY (E) = 1,900,000 PSI
      SHEAR STRENGTH (Fv) = 285 PSI
      COMPRESSION PERPENDICULAR (Fc⊥) = 170 PSI
2. **SUPPORT.** FOR BEAMS BEARING ON STUD WALLS, THERE SHALL BE THE SAME NUMBER OF STUDS LOCATED DIRECTLY UNDER THE BEAM AS THE NUMBER OF BEAM PLYS.
3. **ELEVATION.** BEAMS SHOWN ON PLAN ARE DROPPED BEAMS OR HEADERS UNLESS NOTED AS CLD (CONCEALED) OR FLT (FLOATING).
4. **FLOATING BEAMS.** FLOATING BEAMS SHALL HAVE A MINIMUM CLEARANCE OF 1-1/2" FROM BOTTOM OF BEAM.
5. **LATERAL RESTRAINT.** ALL BEAMS SHALL BE LATERALLY BRACED AT ALL SUPPORT POINTS. FLOATING BEAMS SHOULD HAVE ADDITIONAL LATERAL SUPPORT AT 1/3 SPAN POINTS. ALL KICKERS SHOULD BE PLACED AT AN ANGLE BETWEEN 45° AND HORIZONTAL.
6. **SUBSTITUTIONS.** GLU-LAM BEAMS OR OTHER APPROVED ENGINEERED STRUCTURAL COMPOSITE LUMBER MAY BE SUBSTITUTED FOR BEAMS NOTATED ON PLAN, PROVIDED THAT THE STRENGTH VALUES ARE EQUAL TO OR GREATER THAN THE VALUES LISTED ABOVE.

CEILING AND CEILING JOISTS

1. **LOADING.** ATTIC AREAS ARE DESIGNED AS UNINHABITABLE WITH LIMITED STORAGE (MAXIMUM LIVE LOAD = 20 PSF, DEAD LOAD = 10 PSF)
2. **R802.3.1 CEILING JOIST CONNECTIONS.** WHERE CEILING JOISTS FRAME FROM OPPOSITE SIDES OVER A BEARING SUPPORT, JOISTS SHALL BE LAPPED 3" AND FASTENED. WHERE JOISTS ARE NOT CONNECTED TO RAFTERS AT THE TOP PLATE, JOISTS SHALL BE INSTALLED HIGHER IN THE ATTIC TO PROVIDE A CONTINUOUS TIE. WHERE JOISTS ARE NOT PARALLEL TO RAFTERS, 2x4 RAFTER TIES SHALL BE INSTALLED
3. **BEARING.** AT END OF EACH JOIST, BEAR A MINIMUM LENGTH OF 1-1/2". WHERE JOISTS FRAME FROM OPPOSITE SIDES OVER A BEARING SUPPORT, LAP MINIMUM 3". WHERE JOIST FRAME INTO THE SIDE OF A GIRDER, USE SIMPSON HANGER IN ACCORDANCE WITH THE SCHEDULE.
4. **R802.8 LATERAL SUPPORT.** RAFTERS AND CEILING JOISTS 2x10 OR GREATER SHALL BE PROVIDED WITH LATERAL SUPPORT AT BEARING POINTS TO PREVENT ROTATION. SUPPORT JOISTS BY SOLID BLOCKING AT SUPPORT POINTS, DIAGONAL BRIDGING, OR A CONTINUOUS 1x4 RAT RUN NAILED ACROSS JOISTS AT INTERVALS NOT EXCEEDING 8'.
5. **STABILITY OF NONBEARING WALLS.** WHERE CEILING JOISTS ARE PARALLEL TO NONBEARING WALL, BRACE TOP OF WALL WITH 2x4 BLOCKING AT 24" O.C. BETWEEN JOISTS.
6. **R802.9 FRAMING OF OPENINGS.** OPENINGS IN ROOF AND CEILING FRAMING SHALL BE FRAMED WITH DOUBLE HEADER AND DOUBLE TRIMMER JOISTS.
7. **MECHANICAL EQUIPMENT SUPPORT.** IF NOT DESIGNATED ON PLAN, ALL MECHANICAL EQUIPMENT AND WATER HEATERS SHALL BE SUPPORTED BY MIN. DOUBLE 2x10 JOISTS @ 24" O.C.
8. **R301.5 LIVE LOADS.** TABLE R301.5b ATTICS WITHOUT STORAGE ARE THOSE WHERE THE MAXIMUM CLEAR HEIGHT BETWEEN JOIST AND RAFTER IS LESS THAN 42".
9. **R807.1 ATTIC ACCESS.** A ROUGH FRAMED OPENING NOT LESS THAN 22"x30" SHALL BE PROVIDED TO ATTIC AREAS THAT EXCEED 30 SQUARE FEET AND HAVE A VERTICAL HEIGHT OF 30" OR MORE.
10. **R802.4 ALLOWABLE CEILING JOIST SPANS.** SPANS FOR CEILING JOISTS SHALL BE IN ACCORDANCE WITH TABLES R802.4(1) AND R802.4(2)

IRC R802.4(2) LL=20 PSF, DL=10 PSF,
(LIMITED STORAGE)

Δ = L/240

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-6"	20'-1"	23'-11"	26'-0"
16" O.C.	13'-6"	17'-5"	20'-9"	24'-4"
19.2" O.C.	12'-3"	15'-10"	18'-11"	22'-2"
24" O.C.	11'-0"	14'-2"	16'-11"	19'-10"

IRC R802.4(2) LL=20 PSF, DL=10 PSF,
(LIMITED STORAGE)

Δ = L/240

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	12'-0"	15'-4"	18'-1"	21'7"
16" O.C.	10'-5"	13'-3"	15'-8"	18'-8"
19.2" O.C.	9'-6"	12'-1"	14'-4"	17'-1"
24" O.C.	8'-6"	10'-10"	12'-10"	15'-3"

JOIST AND BEAM HANGERS

1. HANGERS MUST BE INSTALLED USING THE SPECIFIED FASTENERS IN ALL HOLES, INCLUDING TRIANGULAR HOLES.
2. ALL SPECIFIED FASTENERS MUST BE INSTALLED PRIOR TO LOADING THE CONNECTION.
3. TECO NAILS SHOULD ONLY BE POWER DRIVEN USING PNUEMATIC TOOLS CAPABLE OF SUPPORTING POSITIVE PLACEMENT MECHANISM TO ENSURE NAILS ARE DRIVEN INTO PREFORMED HANGER NAIL HOLES.
4. TECO NAILS MAY NOT BE SUBSTITUTED FOR COMMON NAILS IN DOUBLE SHEAR HANGERS (i.e. LUS, MUS, HUS, HHUS, HGUS)
5. JOISTS MUST BEAR COMPLETELY ON CONNECTOR SEAT, AND THE GAP BETWEEN JOIST AND GIRDER MUST NOT EXCEED 1/8".

FACE MOUNT HANGER SCHEDULE

MEMBER	SIMPSONS PRODUCT NUMBER	CAPACITY (100%)	*USP PRODUCT NUMBER*	*CAPACITY (100%)*
2x4	LU24	530	*JL24*	*545*
2x6, 8	LU26	800	*JL26*	*815*
2x10	LU28	1065	*JL28*	*1360*
2x12	LU210	1330	*JL210*	*1905*
2-2x4	U24-2	530	*SUH24-2*	*830*
2-2x6, 8	U26-2	1065	*SUH26-2*	*1380*
2-2x10, 12	U210-2	1860	*SUH210-2*	*1930*
2-1.75x11.25	HGUS48	6805	*THDH410*	*8170*
2-1.75x14, 16	HGUS410	8780	*THDH412*	*9875*
2-1.75x18	HGUS414	10015	*THDH414*	*11100*
3-2x10, 12	U210-3	1860	*SUH210-3*	*1930*
3-1.75x11.25	HGUS5.50/12	9155	*THDH610*	*8640*
3-1.75x14-18	HGUS5.50/14	10015	*THDH612*	*9935*
4-2x10, 12	HHUS210-4	5190	*HD210-4*	*3360*
4-1.75x11.25	HGUS7.25/12	9835	*THDH7212*	*9875*
4-1.75x14-18	HGUS7.25/14	11110	*THDH7214*	*11580*
ALL 5 PLY LVL	HHGU9.00-SDS	17845	*KEG9*	*18185*
45° SKEWED HANGERS				
2x4	SUR/L24	530	*SKH24R/L*	*510*
2x6, 8	SUR/L26	800	*SKH26R/L*	*830*
2x10, 12	SUR/L210	1330	*SHK210R/L*	*1790*
2-2x6, 8	SUR/L26-2	1065	*SKH26R/L-2*	*830*
2-2x10, 12	SUR/L210-2	1860	*SKH210R/L-2*	*1930*
2-1.75x11.25, 14	HSUR/L410	2680	*SKH410R/L*	*2240*
2-1.75x16, 18	HSUR/L414	3485	*SKH414R/L*	*3080*

ROOF AND RAFTERS

1. **ROOFING MATERIAL AND MAXIMUM WEIGHT.** COMPOSITION ROOF COVERING NOT TO EXCEED 5 PSF. TILE ROOF COVERING NOT TO EXCEED 15 PSF. CONTACT ENGINEER AT ONCE IF DISCREPANCIES ARE FOUND.
2. **R802.3.1 CEILING JOIST AND RAFTER CONNECTIONS.** FASTEN CEILING JOISTS AND RAFTERS TOGETHER AND TO THE WALL TOP PLATE. CREATE CONTINUITY FROM ONE SIDE OF ROOF TO OPPOSITE BY NAILING RAFTERS TO ADJACENT CEILING JOISTS. MIN. 1x4 COLLAR TIES @ 48" O.C. SHALL BE FASTENED TO OPPOSING RAFTERS IN THE UPPER THIRD OF THE ATTIC. WHERE RAFTER/JOIST ASSEMBLY IS EXPOSED TO WIND LOADS FROM BELOW, SUCH AS PORCHES AND PATIOS, CONNECT EACH ASSEMBLY TO BEARING LOCATION WITH SIMPSON H2.5/USP RT7 HURRICANE TIE.
3. **ROOF BRACES.** BRACE ONLY AS SHOWN AND PROVIDE TWO STUDS IN WALLS DIRECTLY BENEATH BRACE POINTS. FOR BRACE LENGTHS UP TO 12', USE A 2x4 BRACE WITH A 2x6 STIFFBACK. FOR GREATER THAN 12', USE A 2x6 WITH A 2x6 STIFFBACK.
4. **R802.5.1 PURLINS.** PURLINS SHALL BE INSTALLED WHERE SHOWN ON PLAN. PURLINS SHALL BE CONTINUOUS, THE SAME SIZE AS THE SUPPORTED RAFTERS AND BRACED AT 48" O.C. TO DESIGNATED LOCATIONS. SLOPE BETWEEN 45° AND VERTICAL.
5. **R802.5 ALLOWABLE RAFTER SPANS.** SPANS FOR RAFTERS SHALL BE IN ACCORDANCE WITH TABLES R802.5.1(1) AND R802.5.1(2). SHOWN TABLES ASSUME CEILING JOISTS ARE LOCATED AT THE TOP PLATE OF RAFTER SUPPORT WALLS.
6. **OPENINGS.** OPENINGS SHALL BE FRAMED WITH HEADER AND TRIMMER JOISTS. IF HEADER SPAN IS LESS THAN 4', THE HEADER MAY BE A SINGLE MEMBER THE SAME SIZE AS RAFTER. A SINGLE TRIMMER MAY BE USED TO CARRY A SINGLE HEADER THAT IS LOCATED WITHIN 3' OF TRIMMER BEARING. IF HEADER SPAN EXCEEDS 4', THE HEADER AND TRIMMERS SHALL BE DOUBLED AND JOIST HANGERS SHALL BE INSTALLED.

IRC R802.5.1(1) LL=20 PSF, DL=10 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	17'-0"	22'-5"	26'-0"	26'-0"
16" O.C.	14'-1"	19'-5"	23'-2"	26'-0"
19.2" O.C.	13'-9"	17'-9"	21'-2"	24'-10"
24" O.C.	12'-3"	15'-10"	18'-11"	22'-2"

IRC R802.5.1(2) LL=20 PSF, DL=10 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-6"	20'-5"	26'-0"	26'-0"
16" O.C.	14'-1"	18'-6"	23'-2"	26'-0"
19.2" O.C.	13'-3"	17'-5"	21'-2"	24'-10"
24" O.C.	12'-3"	15'-10"	18'-11"	22'-2"

IRC R802.5.1(1) LL=20 PSF, DL=20 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-6"	19'-5"	23'-2"	26'-0"
16" O.C.	13'-6"	16'-10"	20'-1"	23'-7"
19.2" O.C.	11'-11"	15'-4"	18'-4"	21'-6"
24" O.C.	10'-8"	13'-9"	16'-5"	19'-3"

IRC R802.5.1(2) LL=20 PSF, DL=20 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#2 S.P.	2x6	2x8	2x10	2x12
12" O.C.	15'-1"	19'-5"	23'-2"	26'-0"
16" O.C.	13'-6"	16'-10"	20'-1"	23'-7"
19.2" O.C.	11'-11"	15'-4"	18'-4"	21'-6"
24" O.C.	10'-8"	13'-9"	16'-5"	19'-3"

IRC R802.5.1(1) LL=20 PSF, DL=10 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	13'-6"	17'-2"	20'-3"	24'-1"
16" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
19.2" O.C.	10'-8"	13'-7"	16'-0"	19'-1"
24" O.C.	9'-6"	12'-1"	14'-4"	17'-1"

IRC R802.5.1(2) LL=20 PSF, DL=10 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	13'-6"	17'-2"	20'-3"	24'-1"
16" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
19.2" O.C.	10'-8"	13'-7"	16'-0"	19'-1"
24" O.C.	9'-6"	12'-1"	14'-4"	17'-1"

IRC R802.5.1(1) LL=20 PSF, DL=20 PSF,
(NOT ATTACHED TO CEILING)

Δ = L/180

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
16" O.C.	10'-1"	12'-10"	15'-2"	18'-1"
19.2" O.C.	9'-3"	11'-9"	13'-10"	16'-6"
24" O.C.	8'-3"	10'-6"	12'-5"	14'-9"

IRC R802.5.1(2) LL=20 PSF, DL=20 PSF,
(ATTACHED TO CEILING)

Δ = L/240

#3 S.P.	2x6	2x8	2x10	2x12
12" O.C.	11'-8"	14'-10"	17'-6"	20'-11"
16" O.C.	10'-1"	12'-10"	15'-2"	18'-1"
19.2" O.C.	9'-3"	11'-9"	13'-10"	16'-6"
24" O.C.	8'-3"	10'-6"	12'-5"	14'-9"

FASTENER SCHEDULE

DESCR OF BUILDING ELEMENTS	***NUMBER AND TYPE OF FASTENER***
WALL FRAMING	
TOP OR SOLE PLATE TO STUD FACE NAIL	3-3x0.131
TOP OR SOLE PLATE TO STUD TOE NAIL	4-3x0.131
DOUBLE TOP PLATE MIN 24" LAP OF END JOINTS, FACE NAIL	8-3x0.131
CAP/TOP PLATE LAPS AND INTERSECTIONS, FACE NAIL	3-3x0.131
1x4 BRACING TO STUDS/PLATES FACE NAIL	EACH SIDE
SOLE PLATE TO JOIST OR BLOCKING @ BRACED PANELS, FACE NAIL	2-3x0.131
SOLE PLATE TO JOIST OR BLOCKING FACE NAIL	3x0.131 4 PER 16" SPACE
DOUBLE TOP PLATE, FACE NAIL	3x0.131 @ 8" O.C.
DOUBLE STUDS, FACE NAIL	3x0.131 @ 12" O.C.
CORNER STUDS, FACE NAIL	3x0.131 @ 8" O.C.
HEADER TO KING STUD, TOE NAIL	3x0.131 @ 16" O.C.
CEILING AND ROOF FRAMING	4-3x0.131
CEILING JOIST TO PLATE TOE NAIL	5-3x0.131
CEILING JOIST LAPS OVER WALLS FACE NAIL	4-3x0.131
CEILING JOIST TO PARALLEL RAFTER FACE NAIL	4-3x0.131
COLLAR TIE TO RAFTER, FACE NAIL	4-3x0.131
JACK RAFTER TO HIP, TOE NAIL	4-3x0.131
JACK RAFTER TO HIP, FACE NAIL	3-3x0.131
RAFTER TO TOP PLATE, TOE NAIL	3-3x0.131
RAFTER TO 2x RIDGE, FACE NAIL	3-3x0.131
RAFTER TO 2x RIDGE, TOE NAIL	3-3x0.131
BLOCKING BETWEEN RAFTER TO TOP PLATE, TOE NAIL	4-3x0.131
FLOOR FRAMING	
FLOOR JOIST TO BAND JOIST FACE NAIL	5-3x0.131
FLOOR JOIST TO SILL PLATE TOE NAIL	4-3x0.131
BLOCKING BETWEEN FLOOR JOIST TO SILL PLATE, TOE NAIL	4-3x0.131
BRIDGING TO FLOOR JOIST EACH END, TOE NAIL	3-3x0.120
RIM JOIST TO TOP PLATE, TOE NAIL	3x0.131 @ 6" O.C.
1x6 SUBFLOOR OR LESS TO EACH JOIST, FACE NAIL	2-3x0.131
2x SUBFLOOR TO EACH JOIST, BLIND AND FACE NAIL	3-3x0.131
BUILT UP GIRDERS AND BEAMS FACE NAIL	3x0.131 @ 24" O.C.T&B & 3-3x0.131 @ ENDS

SHEATHING FASTENING REQUIREMENTS

ROOF SHEATHING	
5/16"-1"	REFER TO COMPONENTS AND CLADDING REQUIREMENTS ON UPLIFT DETAILS PAGE.
WALL SHEATHING	
1/2" OR LESS	1-3/4"x16 GA. STAPLES 6" O.C. EDGE, 12" O.C. FIELD
19/32"-5/8"	1-3/4"x16 GA. STAPLES 3" O.C. EDGE, 6" O.C. FIELD
3/4"	1-3/4"x16 GA. STAPLES 3" O.C. EDGE, 6" O.C. FIELD
FLOOR SHEATHING	
3/4"	1-3/4"x16 GA. STAPLES 3" O.C. EDGE, 6" O.C. FIELD

1. THIS FASTENING SCHEDULE DERIVED FROM ICC EVALUATION SERVICE, INC. LEGACY REPORT #NER-272 REVISION A, DATED AUGUST 1, 2004
2. THIS FASTENING SCHEDULE APPLIES TO FRAMING MEMBERS HAVING AN ACTUAL THICKNESS OF 1-1/2" TO 1-3/4"
3. FASTENINGS ABOVE MAY ALSO BE USED FOR OTHER CONNECTIONS THAT ARE NOT LISTED BUT HAVE THE SAME CONFIGURATION AND THE SAME CODE REQUIREMENT FOR FASTENER QUANITY/SPACING AND FASTENER SIZE.
4. STAPLE CROWNS SHALL HAVE A MINIMUM WIDTH OF 7/16" OVERALL

MWFRS (MAIN WIND FORCE RESISTING SYSTEM)

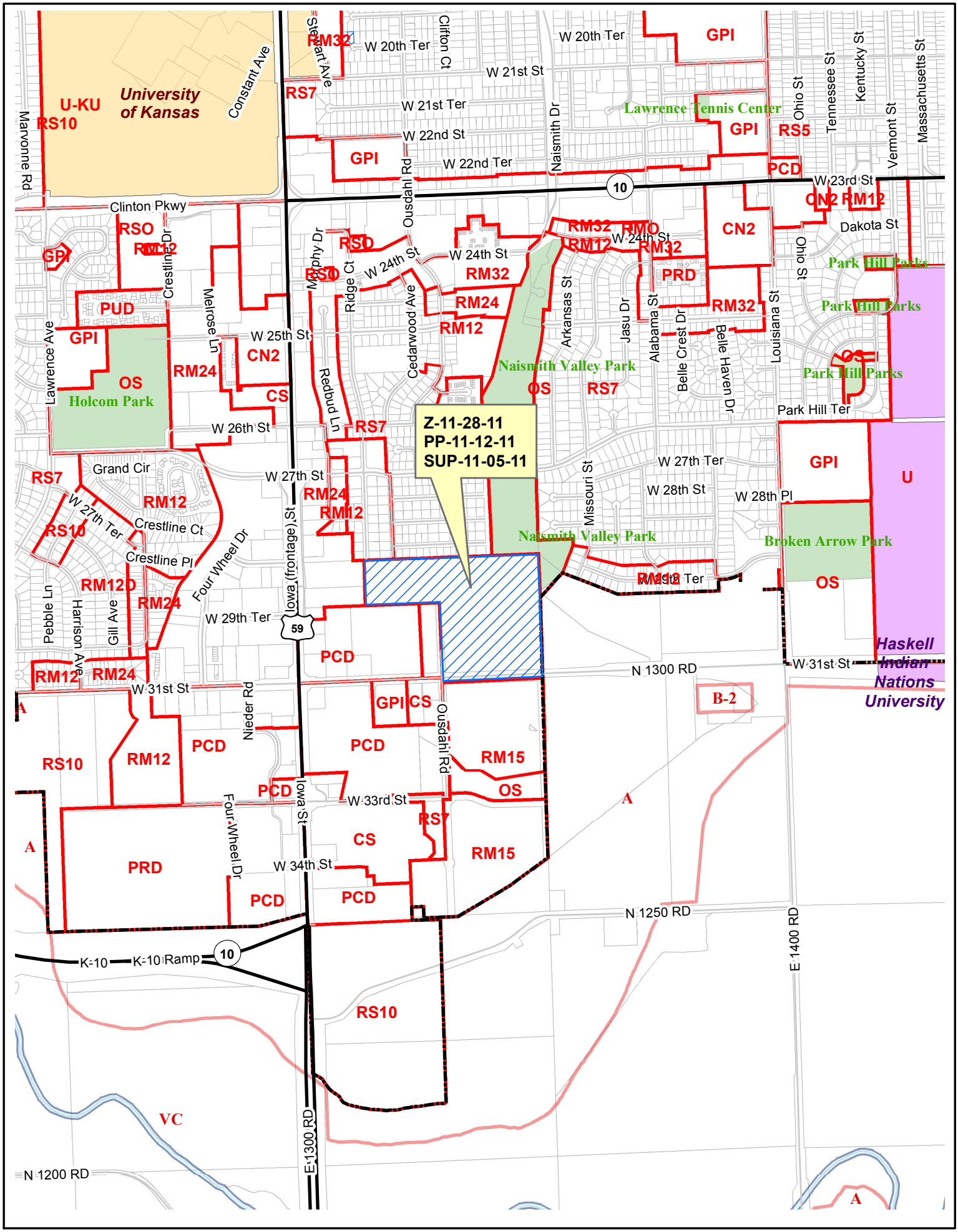
1. AN ENGINEERED LATERAL BRACING DESIGN HAS BEEN PROVIDED FOR THIS PLAN. REFER TO LATERAL BRACING PAGES AND DETAILS FOR CONSTRUCTION DETAILS.
2. WALLS SHOWN IN CONTINUOUS LINETYPE ON LATERAL BRACING PAGES ARE SHEARWALLS THAT HAVE BEEN ENGINEERED TO RESIST WIND LOADS BASED ON ASCE 7-05 "THE STANDARD"
3. LIB'S SHOWN ON PLAN ARE IN APPROXIMATE LOCATIONS THESE MAY BE MOVED UP TO THREE FEET ALONG SAME SHEAR LINE, WHERE CONDITIONS ALLOW.
4. WALLS SHOWN IN HIDDEN LINETYPE ON LATERAL BRACING PAGES ARE NON-SHEARWALLS AND ARE NOT INTENDED TO PROVIDE RESISTANCE TO WIND LOADS.
5. ROOF AND FLOOR WOOD DIAPHRAGMS HAVE BEEN DESIGNED WITH SUFFICIENT CAPACITY TO TRANSFER ALL WIND LOAD TO ADJACENT SHEARWALLS.
6. MAIN WIND FORCE RESISTING SYSTEM DESIGNED PER LOCAL CONSTRUCTION STANDARDS, IRC/IBC 2006 AND ACCEPTED ENGINEERING PRACTICE.

MPCW FLOOR TRUSSES

1. **CRITERIA.** DESIGN TRUSSES FOR THE MINIMUM LINE AND POINT LOADS SHOWN ON PLAN (LINE LOADS FROM UPPER WALLS ARE MINIMUM 100 LB/FT U.N.O.)
2. **BRACING.** RESTRAIN TOP CHORD WITH FLOOR SHEATHING AND BOTTOM CHORD WITH CEILING GYPSUM . RESTRAIN TRUSSES AT POINTS OF BEARING TO PREVENT TOPPLING.
3. **TRANSITORY FLOOR VIBRATION AND SOUND TRANSMISSION.** THE FLOOR SYSTEM INCLUDES NO MEASURES TO SPECIFICALLY CONTROL FLOOR VIBRATION OR SOUND TRANSMISSION. CONTACT ENGINEER PRIOR TO CONSTRUCTION IF SPECIFIC PERFORMANCE CRITERIA ARE DESIRED.
5. **POINT LOADS ON FLOOR SYSTEM.** PROVIDE BLOCKING FROM UNSUPPORTED POINT LOADS ON FLOOR SYSTEM TO SUPPORT BELOW. BLOCKING MAY BE ANGLED MIN 60° FROM HORIZONTAL.

GENERAL

1. ALL DESIGNS BASED ON IRC 2006 COMPLIANCES.
2. GRADE MARKS ON ALL LUMBER SHALL BE VISIBLE AT TIME OF INSPECTION.
3. DO NOT USE END JOINTED LUMBER FOR HORIZONTAL FRAMING MEMBERS.
4. ALL CONNECTIONS TO BE FASTENED PER FASTENING SCHEDULE AND FRAMING DETAILS.
5. ALL FRAMING CREATING CONCENTRATED LOADS TO BE INSTALLED EXACTLY IN THE LOCATIONS SHOWN ON PLAN TO PROVIDE A CONTINUOUS LOAD TRANSFER PATH TO CONCRETE.
6. TH


Z-11-28-11
PP-11-12-11
SUP-11-05-11
University of Kansas
U-KU
Lawrence Tennis Center
Holcom Park
Naismith Valley Park
Broken Arrow Park
Park Hill Parks
Haskell Indian Nations University
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K-10
K-10 Ramp
Marvonne Rd
Constant Ave
Stewart Ave
Clifton Ct
Naismith Dr
Ousdahl Rd
Ohio St
Tennessee St
Kentucky St
Vermont St
Massachusetts St
Dakota St
Murphy Dr
Ridge Ct
Cedarwood Ave
Arkansas St
Jasu Dr
Alabama St
Belle Crest Dr
Belle Haven Dr
Louisiana St
Lawrence Ave
Crestline Dr
Melrose Ln
Redbud Ln
Missouri St
Four Wheel Dr
Iowa (frontage) St
Iowa St
Pebble Ln
Harrison Ave
Gill Ave
Nieder Rd
RS10
RS7
RS5
RSO
RM12
RM24
RM32
RM15
RMO
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CN2
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PCD
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-----Original Message-----
From: Boog Highberger [mailto:mrboog@att.net]
Sent: Wednesday, November 30, 2011 1:10 AM
To: Aron Cromwell; schummfoods@gmail.com; 'Michael Dever'; hughcarter@sunflower.com; Mike Amyx (mikeamyx515@hotmail.com); David L. Corliss; Scott McCullough; Charles Soules
Subject: Gaslight Village

Dear Mayor, Commissioners, Dave, Scott, & Chuck--

I read today in the LJW that there is a possibility of Gaslight Village being redeveloped into a large student-oriented apartment complex. I think that this raises some serious concerns and an important opportunity.

If this area redevelops, PLEASE require a connection from Ousdahl at 31st to Ousdahl or Ridge Ct. at 27th. It would be a partial step, but a more interconnected street grid between 23rd & 31st would be far more helpful in removing local traffic from 23rd Street than would building the SLT.

Whatever you think about trailer parks, they are affordable housing.
Please do not allow this area to redevelop as a high-rent, low-diversity, gated community like the development at the SE corner of 31st and Oudahl. If this area redevelops, please do not allow it to be gated, please require a percentage of affordable units, and in general please require other efforts to make sure that this area is integrated into the larger community.

Thank you for your time.

Boog Highberger
424-3262

League of Women Voters of Lawrence-Douglas County
P.O. Box 1072, Lawrence, Kansas 66044

RECEIVED
JAN 23 2012
City County Planning Office
Lawrence, Kansas

January 22, 2012

Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: ITEMS NO. 10A, B, and C; RS10 TO RM12; 41.15 ACRES; 1900 W 31ST ST.- ASPEN HEIGHTS

Dear Chairman Hird and Planning Commissioners:

We have reviewed the plans and proposal for Aspen Heights and would like to present you with our concerns. Fortunately, this type of multiple family development requires a Special Use Permit which allows applying conditions on the development. We appreciate that you recognize your responsibilities in ensuring that this will be a safe and livable environment for the students for whom it is intended to provide rental housing.

1. There should be no parcelization after the one-lot plat is approved and recorded. This is being platted as a one lot development with individual single family and duplex dwelling units. It means that currently, the care of the buildings, utilities, landscaping and access is under one ownership with complete responsibility for the infrastructure maintenance. Our first concern is that you prevent the possibility that this will become a "townhouse" subdivision as has happened in some developments here in Lawrence, without the essential replatting into proper blocks and individual lots fronting on dedicated public streets. Without this, separately-owned dwellings have access only to private drives, totally dependent for access and utility maintenance on whoever owns the land. With multiple owners having access only to private drives, this becomes extremely problematic. This is a possibility here in Lawrence because it has happened.

   We suggest that you place as a condition on the SUP that there will be no subdivision of this development whether by metes and bounds, or townhouse divisions, or otherwise, without first re-planning and replatting it as required with proper approval through the public hearing process and Governing Body approval.

2. The storm drainage of this area will possibly be a problem. Because of the intense roofing over, we suggest that you examine this very carefully and give it special consideration. You can do this with a SUP.

3. The density is high, and we suggest that you give notice in the SUP on the limitations of number of allowed occupants per dwelling. We suggest that you also reduce the number of units allowed.

4. Access to bus transportation is very important here. We suggest that special arrangements be made to provide turn-in areas to give access to at least three sides, if possible.

5. Proper maintenance is critical. We suggest that special provisions be made to provide frequent City on-site inspections.

No doubt there will be other concerns, but for the health and safety of the residents, at the very least we ask that you make these conditions of approval of the SUP. Thank you.

Sincerely yours,

Alan Black

Milton Scott
Vice President

Alan Black, Chairman
Land Use Committee

LWV1-22-12pc agenda Items 10-AspenHts-LTR.wpd

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
1/25/12

ITEM NO. 11 COMPREHENSIVE PLAN AMENDMENT TO H2020 - CHP 6; NORTH MASS DEVELOPMENT (AAM)

CPA-11-8-11: Consider a Comprehensive Plan Amendment to Chapter 6 of *Horizon 2020* to expand the identified boundaries of Downtown Lawrence to accommodate a proposed mixed use project known as the North Mass Development. The request includes a proposal to exempt the proposed North Mass Development from the current requirement that individual stores in the Downtown Commercial Center have a maximum footprint of no more than 25,000 square feet. Proposed by Paul Werner Architects.

STAFF RECOMMENDATION: Staff recommends approval of this comprehensive plan amendment to *Horizon 2020*, to expand the identified boundaries of Downtown Lawrence to accommodate a proposed mixed use project known as the North Mass Development and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission with a recommendation of approval.

STAFF RECOMMENDATION: If appropriate, approve and sign Planning Commission Resolution PCR-1-1-12.

KEY POINTS

1. This is a request to include the North Mass Development area in the Downtown Commercial Center designation in Chapter 6 of *Horizon 2020* in order to accommodate a new mixed-use development north of the Kansas River.
2. Applicant is requesting that the building footprint limitation of 25,000 square feet be lifted for the North Mass Development portion of the Downtown Lawrence district. Staff is recommending that there be a limitation on the building footprint in the North Mass Development area of 50,000 square feet.
3. *Horizon 2020* anticipates opportunities to expand Downtown but only following a comprehensive re-evaluation of downtown needs, assets, growth potentials, use mix, and preferred locations for conservation and development.

PROJECT SUMMARY

This is an applicant requested amendment to *Horizon 2020* to include the North Mass Development in the Downtown Commercial Center designation noted in Chapter 6 – Commercial Land Use. Adding the North Mass Development area to the Downtown Commercial Center will ultimately allow the applicant receive CD (Commercial Downtown) zoning and develop the area in accordance with that zoning district's regulations and policies. The applicant submitted the following amended section (from pages 6-3 and 6-4) of *Horizon 2020* for consideration:

New language is in *italics and underlined* and language to be removed is ~~struckthrough~~.

■ 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 *and the North Mass Development.* 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. *In addition, from the intersection of the levy and North 2nd Street, then north along the levy to the centerline of Lyon Street, then east along the centerline of Lyon Street to the west right-of-way of the Union Pacific Railroad, then southeast along the west right-of-way of the Union Pacific Railroad to the centerline of North 2nd, then south along the centerline of North 2nd Street to the intersection of the levy and North 2nd Street.*

The Downtown Commercial Center is the Regional Retail/Commercial/Office/Cultural Center for the community and is considered a destination driver that attracts and serves the area beyond that of the local community. The Downtown Commercial Center has an established development and architectural/urban design pattern. Unique among commercial centers in Lawrence, the Downtown Commercial Center combines a variety of land uses, including governmental, retail, office, public facilities, institutions, churches, and residential. Linear in design, the Downtown Commercial Center is focused along Massachusetts Street with New Hampshire*,* ~~and~~ Vermont Streets *and the North Mass Development* 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 *and North 2nd* 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 *unless the store is located in the North Mass Development and then the store size will be determined by its use (i.e. grocery store, movie theatre, etc.).* 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.

STAFF REVIEW

This Comprehensive Plan Amendment request involves proposed changes to Chapter 6: Commercial Land Use of *Horizon 2020*, specifically the section that relates to Downtown Lawrence. The applicant is proposing to amend the language above to include the North Mass Development area as part of the Downtown Lawrence commercial area, including lifting the restriction on building footprints being no larger than 25,000 square feet for the North Mass Development portion of the Downtown Lawrence commercial area. The applicant is ultimately proposing to zone the North Mass Development area to the CD (Commercial Downtown) district and develop the area with a variety of uses.

The Downtown Lawrence commercial area is important to the vitality of Lawrence since it acts as the main cultural, civic, entertainment, specialty retail and office center for the city. The Downtown Lawrence District is historically significant to the culture of Lawrence and that contributes to the vitality of the area. It is important that the addition of the North Mass Development area not detract or be detrimental to either the historical significance or vitality of the existing Downtown Lawrence district that is south of the Kansas River.

Staff is supportive of the applicant's intent with their proposed language; however, staff identified that other elements of *Horizon 2020* should be revised to accommodate the proposal and suggests that the following changes be made to *Horizon 2020* in order to complete this request:

New language is in *italics and underlined* and language to be removed is ~~struckthrough~~.

The following section is staff suggested changes that would replace the applicant suggested changes. (From pages 6-3 and 6-4)

■ **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 *(Downtown Lawrence) and the area immediately north of the Kansas River (North Mass Development)*. 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 boundaries of the North Mass Development are described as: starting from the intersection of the levy and North 2nd Street, then north along the levy to the centerline of Lyon*

Street, then east along the centerline of Lyon Street to the west right-of-way of the Union Pacific Railroad, then southeast along the west right-of-way of the Union Pacific Railroad to the centerline of North 2nd, then south along the centerline of North 2nd Street to the intersection of the levy and North 2nd Street.

The Downtown Commercial Center is the Regional Retail/Commercial/Office/Cultural Center for the community and is considered a destination driver that attracts and serves the area beyond that of the local community. The Downtown Commercial Center has an established development and architectural/urban design pattern. Unique among commercial centers in Lawrence, the Downtown Commercial Center combines a variety of land uses, including governmental, retail, office, public facilities, institutions, churches, and residential. Linear in design, the Downtown Commercial Center is focused along Massachusetts Street with New Hampshire*,* ~~and~~ Vermont Streets *and the North Mass Development* 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 *and North 2nd* 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 *in Downtown Lawrence and 50,000 gross square feet in the North Mass Development area*. 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.

(From pages 6-13 and 6-14)

- **Downtown Lawrence**

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

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

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

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

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

(From Page 6-23)

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.

D. *The North Mass Development is an extension of the Downtown Commercial Center that shall complement the existing Downtown Lawrence. The following policies shall be implemented for the North Mass Development:*

1. *The North Mass Development shall contain a mix of uses including residential, office and commercial.*
2. *The North Mass Development shall provide adequate parking spaces to accommodate the mix of uses in the development.*
3. *The footprint for an individual store in the North Mass Development shall be limited to 50,000 square feet.*
4. *The North Mass Development shall be developed either using the existing Downtown Conservation Overlay District (and its associated design guidelines), or through the PD overlay zoning regulations.*

The Comprehensive Downtown Plan referenced above is an outdated plan that was not adopted into Chapter 14: Specific Plans of *Horizon 2020*. Since this plan is outdated and is not included in Horizon 2020, staff is not recommending revising that plan as a part of this development request. However, *Horizon 2020* requires an analysis of the following items:

(Staff response is in *italics*)

1. **Downtown needs:** *In order to remain vital as the civic, cultural, retail, and office center for the community, Downtown Lawrence should encourage expansion through appropriate types of development. There is always a need for more residential development to support other types of development (office, retail), and help stabilize the existing downtown by providing an adequate mix of development. The increase in residential development will lead to an increased need for everyday goods and services to be purchased, therefore creating a need for a better mix of retail stores. Also, there is a need for continued emphasis on parking strategies to be considered. Currently, there is a need to take better advantage of the river, including appropriate access. Certain festivals and events will be located in the North Mass Development, especially those closely associated with the Kansas River, however,*

the majority of festivals, parades, and events should remain in the Downtown Lawrence historical core.

2. **Downtown assets:** *In addition to the historical significance and listing on the National Register of Historic Places, the Downtown Lawrence area acts as the regional civic, cultural, office, commercial and retail center for the community. It is a uniquely developed, mixed-use area that acts as a major draw for outside visitors. It is also a main draw for the community, since it houses the major governmental functions for the both the city and the county, as well as many community services, including an arts center, the community pool and the library. In addition there are multiple outdoor areas that serve as parks and which are used for many festivals throughout the year.*
3. **Growth potential:** *There are a few sites within the existing downtown area that are vacant and have the potential for new infill development. Expansion in to neighboring areas is difficult on the south, east and west due to the existing residential neighborhoods that border downtown on those sides. The North Mass Development presents an opportunity for growth without impacting the existing neighborhoods negatively.*
4. **Use mix:** *Staff recently completed an in-depth analysis of the existing use commercial uses in the Downtown Lawrence District (http://www.lawrenceks.org/planning/documents/DowntownRetailMemo.pdf). This document shows that in the Downtown district, the largest use category is Non-retail, Non-food services, which, in 2011 makes up 38% of the total square footage in the Downtown district. Typical uses in this category would be professional offices, financial institutions, light manufacturing uses, religious institutions, and any residential uses. The percentage of total square footage in the Food Services use category, including restaurants, coffee shops and bars, has remained steady since 2006, occupying around 15% of the total square footage, even though the amount of square footage has grown by roughly 36,000 square feet since 2006. Vacant square footage was at 11% in 2006, fell to 9% in 2010 and has risen to 13% in 2011. Overall, the percentage of total square footage that strictly Retail uses are occupying has declined since 2006, while the percentage of total square footage that Food Services uses are occupying have remained constant. The amount of vacant space has increased to 13% of the total square footage in the Downtown district since 2006.This survey primarily counted ground floor spaces in the downtown area, except where one use occupied an entire building (i.e. Eldridge Hotel, Riverfront Mall, etc.); therefore, the majority of non-ground floor residential and office uses are not included in this survey.*
5. **Preferred locations for conservation and development:** *As stated above, the current Downtown area contains some vacant sites that are appropriate for infill development, but encroachment into residential neighborhoods on the east, south and west is not feasible. The main historical core of the Downtown district is listed on the National Register of Historic Places and it is important to adequately plan for development or re-development of areas within the district or in the environs for any potential impact to that historic district. As a form of urban redevelopment, the subject area takes advantage of underutilized land and its connection to the river.*

The area north of the Kansas River that is the subject of this proposal is located in North Lawrence, where a mix of residential, commercial and industrial uses exist. Chapter 6 of *Horizon 2020* also contains a section describing the N.2nd and 3rd. Street Commercial area of North Lawrence. That section talks about the area being a gateway to Lawrence through its connection with the I-70 transportation corridor. This project fits more with the Downtown

Lawrence area because of the desire to develop it more with a downtown feel, its connection with the Downtown transportation corridor through the use of the Kansas River Bridge, the proposed mixed use nature of the development, the connection to the Kansas River and the proximity to the Downtown Lawrence district.

Retail Market Study: The applicant has submitted a project specific retail market study as required by Section 20-1107 of the Land Development Code and Chapter 6, Commercial Land Use of *Horizon 2020*, specifically Policy 3.13. That market study includes all of the required information, including analysis based on vacancy rates, income trends, population trends, mix of businesses, etc. The market study indicates that this request is to add roughly 230,000 sf of space split between commercial (retail), office, and hotel uses. The true amount of commercial space for the project is proposed to be roughly 150,000. That 150,000 sf of commercial space is proposed to be broken down as follows: approx. 50,000 sf for a movie theatre, 70,000 sf for retail uses, and 30,000 sf for food and dining uses.

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

Horizon 2020, Policy 3.13 (b) states that, *"The project shall not be approved if the market study indicates the commercial project or any proposed phase cannot be absorbed into the community within three years from the date of its estimated completion, or that it would result in a community-wide retail vacancy rate greater than eight percent."* The Development Code uses a vacancy rate threshold of 8% as one factor in order to determine market health, and the most recent citywide market study completed in Fall of 2010 figured the city-wide vacancy rate at 7%, slightly higher than the 2006 vacancy rate of 6.7%. (http://www.lawrenceks.org/planning/documents/2010Retail.pdf) The market study for this project shows that, when completed and entirely vacant, the project will push the city-wide vacancy rate to 9.2%. Staff requested additional analysis from the applicant to take into consideration other commercial projects that have received approvals, but have not been constructed to date. The below table illustrates the impact that other 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	**9,120,567**	**8,478,372**	**642,195**	**7.0%**
Requested North Mass Development sf	217,337*	0	217,337*	9.2%
Bauer Farm – yet to be constructed	39,620	0	39,620	
Mercato	359,640	0	359,640	
Fairfield Farms	200,000	0	200,000	
Total	**9,937,164**	**8,478,372**	**1,458,792**	**14.7%**

*The 217,337 sf number is from the applicant supplied market study. Not all of this sf is proposed to be true commercial (retail) in nature.

If all approved commercial space that has been approved were to be constructed and assumed vacant, the city-wide vacancy rate would rise to 14.7%.

While the market study shows that the project, upon completion, will push the city-wide vacancy rate above 8%, this figure alone is not an adequate representation of the impact of this development. This figure is computed by assuming that the project will either be entirely vacant upon completion, or that it will cause the same amount of space to become vacant in other areas of town. While new commercial development can lead to vacancies in other parts of town, the current economic conditions have all but halted speculative commercial building in Lawrence. The current development trend is that buildings are built with known users or committed tenants and therefore, the applicant has stated that there it is unlikely that the space will be vacant upon completion.

While this particular proposal might not be vacant upon completion, there is concern that this development will cause vacancies in other commercial districts, most importantly the Downtown District. The applicant has provided information on the mix of business types and the potential impact on the downtown area. While the majority of the proposed uses (movie theatre, restaurants, and other retail) exist elsewhere in Lawrence, it is expected to have a limited impact on the city as a whole. Concern does exist because of the potential impact that the proposed commercial uses may have on the existing Downtown District. The applicant addresses this by compiling an analysis of the number, broken down by type, of establishments located in the Downtown District. This analysis shows an increase of approximately 9% of the number of establishments of the same type that are being proposed that are currently located in Downtown. While the impact on the number of establishments might be insignificant when analyzed in such a fashion, the impact on the Downtown District remains a concern. The North Mass Development has some unique factors that diminish the potential for negative impact on the current Downtown District. It is located within walking distance of the historical core, will be designed to expand the river's role as an attraction and will only add approximately 12% more square footage to the existing Downtown District. Those factors, combined with the proposed language to be added to Chapter 6, especially as it relates to complimenting and being secondary to the historical downtown core, should make the North Mass Development a complimentary addition to the Downtown Commercial District.

Other demand factors, such as income, employment and population need to be taken into account as well, when looking at the overall impact of this project on the market as a whole. The applicant supplied market study and the 2010 Retail Market Report show that since 2000, population has grown approximately 16%, while retail sales have only increased 3.3%, and income, adjusted for inflation, has only increased 3.9%. On the supply side of the market, retail stock has increased 69.7% since 2000, however, it is important to note that some of that increase is because of changes in the methodology for figuring total retail space. What is important to take away from the above number is that demand has not kept pace with supply as shown by the limited income, population, and retail sales growth.

The market study also provides an analysis of "pull factors" or a measure of local commerce based on a comparison of local spending to the state as a whole. A pull factor above 1.00 indicates that a community attracts retail sales, while a factor below 1.00 indicates that the community is losing retail sales to outside areas. The Kansas Department of Revenue issues pull factor reports for all of Kansas. The most recent, issued in 2011, states that Lawrence's pull

factor was 1.02 in 2010, which as noted in the market study, is a 9.7% decline over the last decade from a height of 1.13 in 2000. In addition, Douglas County's pull factor has been below 1.00 for the last decade and recently has fallen to .86 in 2010. The declining Lawrence and Douglas County pull factors indicate that the City is losing more and more retail sales to other areas outside of Douglas County. There is potential to recapture this leakage by increasing the demand factors mentioned above, as well as increasing the types of appropriately located retail stock.

The market study also provides a demand analysis based on the amount of square feet of retail space per capita. In 2010 in Lawrence there were approximately 98 sf of retail space per capita. Using an average growth rate from 2000-2010 of 1250 people per year, Lawrence could add as much as 121,000 square feet of retail each year in order to keep the ratio of retail square feet to people at 98. In Section 20-1107 (c)(3)(iv) of the Land Development Code, a maximum threshold of 100 square feet per resident is established to help maintain market health. The 230,000 square feet of commercial space being requested with this project keeps the ratio of 98 square feet per capita after two years. However, this analysis does not take into consideration any of the other approved commercial development. The addition of Mercato, Fairfield Farms and the remainder of the Bauer Farm development that is approved, but not constructed, would result in a ratio of 111 retail square feet per capita.

The market study satisfies the submission requirements of the Land Development Code and *Horizon 2020*. In staff's opinion, proposals to add retail space should be carefully scrutinized with respect to the indicators associated with demand not keeping pace with supply and because vacancy rates are arguably reaching unhealthy levels. The existing downtown Lawrence is designed to not only draw local shoppers, but also has a focus of a destination area for regional or non-local visitors. The North Mass Development is also being designed in a way to focus on drawing regional or non-local visitors to the area, which in turn is presumed to bring more visitors to the area through spill-over, but should not detract from the existing Downtown Lawrence draw. Even though this project will push the vacancy rate above the 8% threshold, and the square feet per capita figure rises above the 100 retail square feet per capita when other approved projects are factored in, 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. It is presumed that this development will have a regional draw that results in a more favorable pull factor; therefore, the development should not have a detrimental impact on the community's retail market.

Staff reviewed this amendment based upon the comprehensive plan amendment review criteria listed below [identified in Chapter 13 (Implementation) of *Horizon 2020*].

COMPREHENSIVE PLAN AMENDMENT REVIEW

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

Applicant's response: H2020 states, "Re-study of the Comprehensive Downtown Plan should explore the following options to improve Downtown Lawrence:….inclusion of more uses along the river and integration of these developments into downtown (p. 6-14)."

Staff's response: Chapter 6 anticipates changes and additions to the commercial framework in the City of Lawrence over time and provides criteria for which new areas and expansions to existing commercial areas can be made. More specifically, the Downtown Commercial Center

sections of the chapter also anticipate and even encourage the expansion of the center in order to strengthen the vitality and longevity of the Downtown area. Staff does not think that expanding the Downtown Commercial Center north across the river was addressed when the plan was initially written, and that has ultimately led to the request for this amendment.

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

Applicant's response: The public purpose for this amendment is to allow for development north of the river that will include retail, office and residential uses to compliment downtown. The river is a great amenity for Lawrence but is not being utilized to its full potential. This amendment does recognize H202's commercial land use goals and policies by striving to ensure that the cities commercial areas are encouraged to grow while at the same time supporting and complementing downtown.

Staff's response: The proposed amendment is generally consistent with the goals and policies outlined in Chapter 6. It is important that any expansion to the Downtown Commercial Center recognize that the historical core of Downtown should remain and that new areas shouldn't have a negative impact on the historical core. The applicant has stated that the proposed development is meant to complement and not harm the existing downtown area. Staff has suggested alternate language that further cements this idea in *Horizon 2020*.

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

Applicant's response: No.

Staff's response: The proposed amendment is not a result of a clear change in public policy, but instead furthers the goals and policies already established in Chapter 6, especially those relating to the expansion of the Downtown Commercial center.

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

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

Applicant's response: The proposed amendment will support Downtown's existing and planned facilities and services by being in close proximity across the river and by allowing development across the river to draw and attract additional people downtown.

Staff's response: At the comprehensive plan level, it is difficult to anticipate the impact the addition of the North Mass Development area will have on the existing or planned facilities or services. If approved, further review will be needed to determine whether changes will be necessary to the facilities and services in the area. At minimum, the applicant will need to work with the Army Corps of Engineers, utility companies, the public works department in addition to obtaining necessary approval from the city, including completing public improvement plans in accordance with city policies. Addressing stormwater management needs and effects should also be considered as the project moves forward, because there has already been an identified problem with stormwater management in the North Lawrence area.

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

Applicant's response: The expansion of downtown will allow the river to play an important role in tying together both the southern and northern ends of Massachusetts Street.

Staff's response: The project will provide for an expanded Downtown Commercial Center that ties in the historic Santa Fe Depot and the Kansas River with the existing Historic Downtown core. The mixed-use nature of the proposal is consistent with the existing Downtown Commercial Center, however, adequate transitioning with the existing North Lawrence neighborhood, which consists of commercial, industrial and residential uses, should be encouraged at the site planning level.

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

Applicant's response: The proposed development will be located on the river and act as a strong link to connect Downtown and the North Mass development to each other and include possible uses such as a movie theater, hotel, offices, restaurants and residential opportunities which will attract users to Downtown and the City and County as a whole. The North Mass Development along with the existing Visitor Information Center will serve as an impressive Gateway to Lawrence.

Staff's response: The expansion of this commercial area will provide new opportunities for shopping and entertainment for the community as a whole. The mixed-use, pedestrian friendly nature of the proposal will add to the Historic Downtown core and tie together the area immediately north of the Kansas River with the existing commercial area south of the river. The opportunity for additional residential uses would be good for the Downtown and would be appropriate, as new infill or redevelopment.

PROFESSIONAL STAFF RECOMMENDATION

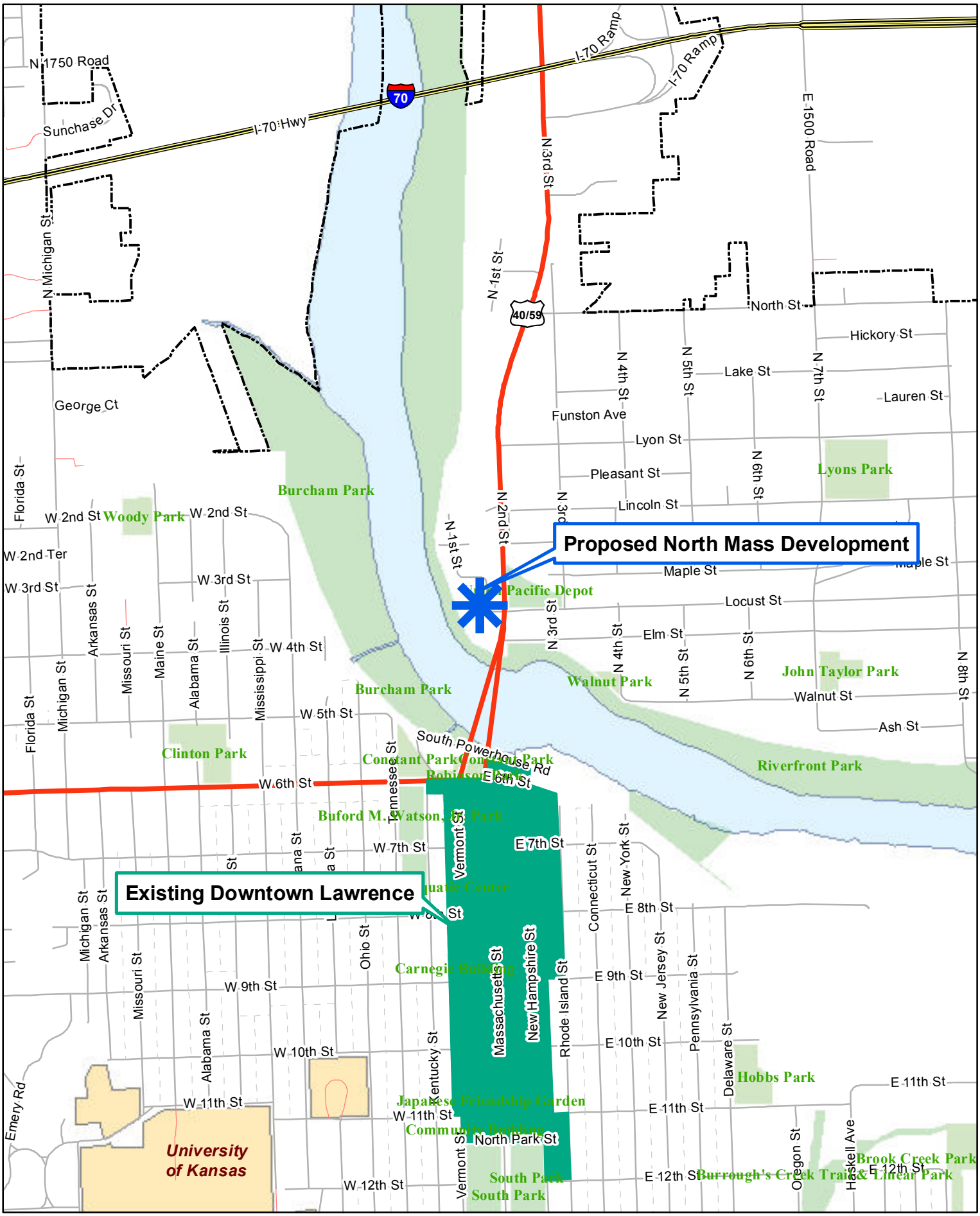
Staff recommends forwarding a recommendation of approval of this comprehensive plan amendment to *Horizon 2020*, to the Lawrence City Commission to amend sections of Chapter 6 with staff's suggested language in order to expand the Downtown Commercial Center to incorporate the North Mass Development.

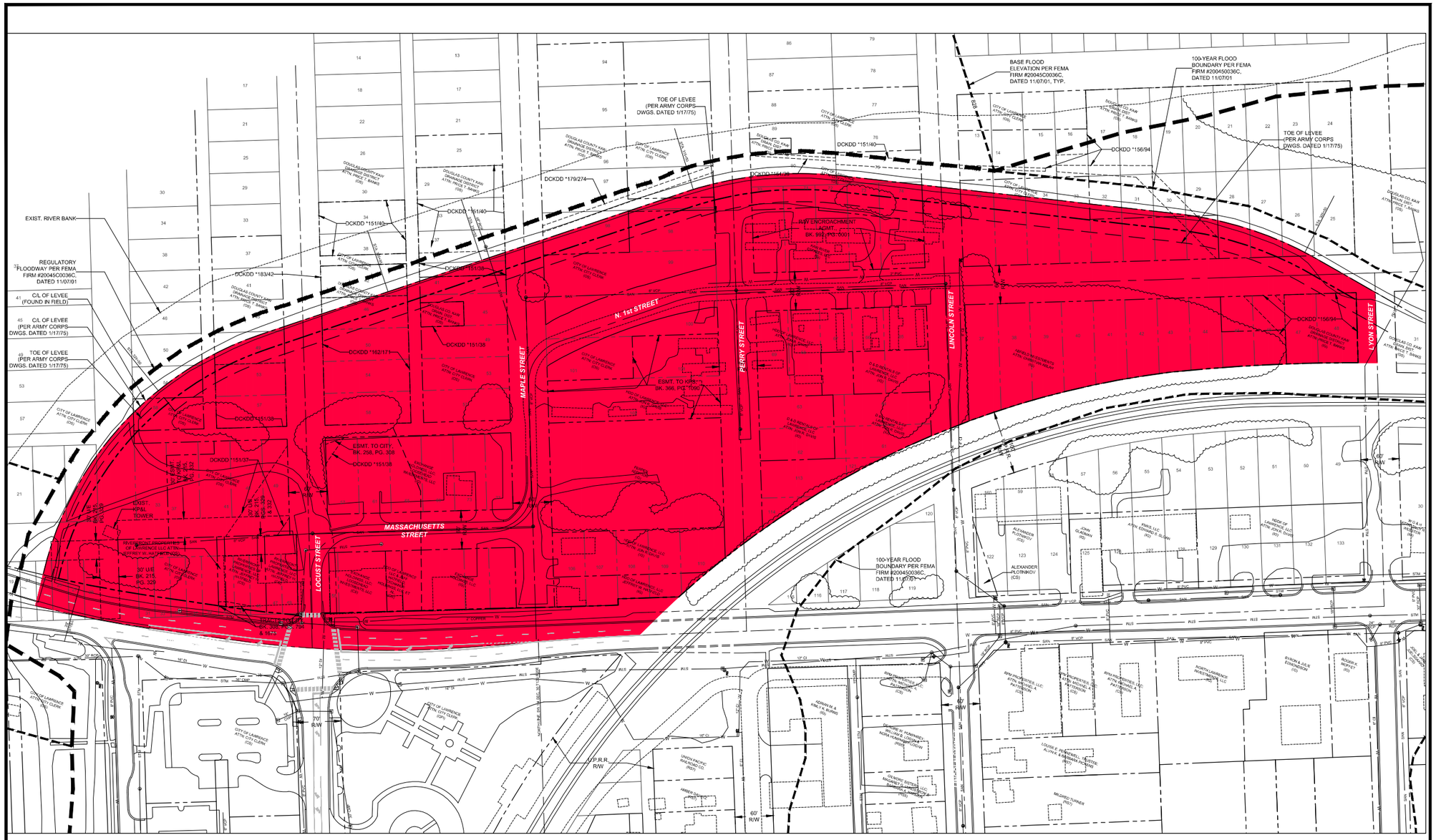
640 320 0 640 1,280 1,920 2,560 Feet

1 inch = 1,250 feet

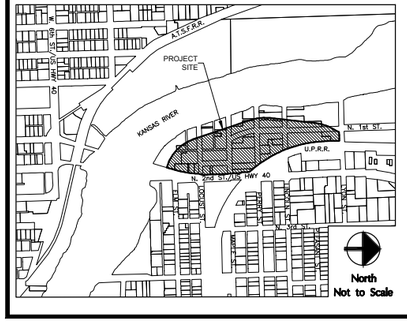
DISCLAIMER NOTICE
The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

Date: 1/18/2012





LOCATION MAP



LEGEND - PROPOSED ZONING

CD ZONING - 20.36 ACRES

LEGAL DESCRIPTION

BEGINNING AT THE INTERSECTION OF THE CENTERLINES OF LYON STREET AND THE LEVY THEN SOUTH ALONG THE CENTERLINE OF THE LEVY TO THE CENTERLINE OF NORTH 2ND STREET, THEN NORTH ALONG THE CENTERLINE OF NORTH 2ND STREET TO THE WEST LINE OF UNION PACIFIC RAIL ROAD RIGHT-OF-WAY, THEN NORTH ALONG THE WEST LINE OF THE UNION PACIFIC RAIL ROAD RIGHT-OF-WAY TO THE CENTERLINE OF LYON STREET, THEN WEST TO THE POINT OF BEGINNING, ALL IN CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS. CONTAINS +/- 20.36 ACRES.

NORTH

REDUCED PRINT NOT TO SCALE

paulwerner ARCHITECTS
100 W. 5TH STREET
SUITE 550
LAWRENCE, KS 66044
OFFICE: 785.856.0804
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Community Planning
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NORTH MASS REZONING
PROPOSED ZONING

LAWRENCE, KANSAS

PROJECT # 26445
DECEMBER 14, 2011

RELEASE: DATE:

J:\Project\26000\26445\site\Rezoning\26445 - Rezoning Exhibit.dwg, 11/30/2011 11:40:05 AM

CPA-11-8-11

City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

Lawrence Douglas County
Metropolitan Planning Office
6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
www.lawrenceks.org/pds

PETITION FOR COMPREHENSIVE PLAN AMENDMENT

APPLICATION FORM

APPLICANT/AGENT INFORMATION

Contact Paul Werner

Company Paul Werner Architects

Address 123 W. 8th Street

City Lawrence State KS ZIP 66044

Phone (785) 832-0804 Fax (785) 832-0890

E-mail paulw@paulwernerarchitects.com Mobile/Pager (___) _____

Pre-Application Meeting Date 8-11-11 Planner Scott McCullough/Amy Miller

Are you submitting any other applications? If so, please state which one(s).

Please identify the Chapter of the Comprehensive Plan is proposed to be amended.

Chapter 6, Pages 6-3 and 6-4

Please provide proposed amendment. (Attach additional sheets if needed)

See attached "Proposed Amendment"

City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

Lawrence Douglas County
Metropolitan Planning Office
6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
www.lawrenceks.org/pds

Please respond to the following questions to the best of your knowledge. Review bodies shall consider the following factors for all Comprehensive Plan Amendments (policy and map amendments). (Attach additional sheets if needed.)

1. **Does the proposed text amendment result from changed circumstances or unforeseen conditions not understood or addressed at the time the Plan was adopted?** (Please explain)

   See Attached

2. **Does the proposed amendment advance a clear public purpose?** (please explain)

   See Attached

3. **Is the proposed amendment consistent with the long-range goals and policies of the Plan?** (please explain)

   See Attached

4. **Does the proposed amendment result from a clear change in public policy?** (Please explain)

   See Attached

City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

Lawrence Douglas County
Metropolitan Planning Office
6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
www.lawrenceks.org/pds

In addition, the following shall be considered for any specific map amendment. Please answer the following questions, if an amendment to a map in Horizon 2020 is proposed:

5. **Will the proposed amendment affect the adequacy of existing or planned facilities and services?** (Please explain)

   See Attached

6. **Will the proposed change result in reasonably compatible land use relationships?** (Please explain)

   See Attached

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?** (Please explain)

   See Attached

SIGNATURE

By execution of my/our signature, I/we do hereby officially petition initiation of the proposed amendment as indicated above.

Signature(s): Jay D. Tcha Date 11-18-11

_____ Date _____

H2020 CPA PROPOSED AMENDMENT

■ Downtown Commercial Center (p. 6-3,4)
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 and the North Mass Development. 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. In addition, from the intersection of the levy and North 2nd Street, then north along the levy to the centerline of Lyon Street, then east along the centerline of Lyon Street to the west right-of-way of the Union Pacific Railroad, then southeast along the west right-of-way of the Union Pacific Railroad to the centerline of North 2nd, then south along the centerline of North 2nd Street to the intersection of the levy and North 2nd Street.

The Downtown Commercial Center is the Regional Retail/Commercial/Office/Cultural Center for the community and is considered a destination driver that attracts and serves the area beyond that of the local community. The Downtown Commercial Center has an established development and architectural/urban design pattern. Unique among commercial centers in Lawrence, the Downtown Commercial Center combines a variety of land uses, including governmental, retail, office, public facilities, institutions, churches, and residential. Linear in design, the Downtown Commercial Center is focused along Massachusetts Street with New Hampshire, ~~and~~ Vermont Streets and the North Mass Development 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 and North 2nd 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 unless the store is located in the North Mass Development and then the store size will be determined by its use. (i.e. grocery store, movie theatre, etc.). 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.

paulwerner
ARCHITECTS

MEMORANDUM

FROM : Paul Werner
TO : Scott McCullough and Michelle Leininger
RE : CPA for North Mass Development
DATE : November 21, 2011

1. **Does the proposed text amendment result from changed circumstances of unforeseen conditions not understood or addressed at the time the Plan was adopted?**
   H2020 states, "Re-study of the Comprehensive Downtown Plan should explore the following options to improve Downtown Lawrence: ...inclusion of more uses along the river and integration of these developments into downtown (p. 6-14)."

2. **Does the proposed amendment advance a clear public purpose?**
   The public purpose for this amendment is to allow for development north of the river that will include retail, office and residential uses to compliment downtown. The river is a great amenity for Lawrence but is not being utilized to its full potential.

3. **Is the proposed amendment consistent with the long-range goals and policies of the Plan?**
   This amendment does recognize H2020's commercial land use goals and policies by striving to ensure that the cities commercial areas are encouraged to grow while at the same time supporting and complementing Downtown.

4. **Does the proposed amendment result from a clear change in public policy?**
   No

5. **Will the proposed amendment affect the adequacy of existing or planned facilities and services?**
   The proposed amendment will support Downtowns existing and planned facilities and services by being in close proximity across the river and by allowing development across the river to draw and attract additional people to Downtown.

6. **Will the proposed change result in reasonably compatible land use relationships?**
   The expansion of downtown will allow the river to play an important role in tying together both the southern and northern ends of Massachusetts Street.

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?**
   The proposed development will be located on the river and act as a strong link to connect Downtown and the North Mass development to the each other and include possible uses such

Office : 123 W. 8th Street Suite B2 : Lawrence, Kansas : 66049
Mail : PO BOX 1536 : Lawrence, Kansas : 66044-8536
PHONE: 785.832.0804 FAX: 785.832.0890

as a movie theater, hotel, offices, restaurants and residential opportunities which will attract users to Downtown and the City and County as a whole. The North Mass Development along with the existing Visitor Information Center will serve as an impressive Gateway to Lawrence.

paulwerner
ARCHITECTS

RECEIVED
NOV 21 2011
City County Planning Office
Lawrence, Kansas

LETTER OF TRANSMITTAL

FROM : Joy Rhea
TO : Amy Miller
DATE : November 21, 2011
RE : Site Plan Application for 704-718 Connecticut Street

We are Sending :

__X__ Attached ___ Per your request ____ For your files

Items Transmitted Via :

____ US Mail ___ Overnight ____ Courier __X__ Other

Items Transmitted are For Your :

___ Information ____ Use ___ Approval __X__ Review

Items Transmitted are :

__X__ Originals ___ Disk (s) ____ Shop Drawings ___ Blueprints
___ Specifications ___ Samples ____ Other _____.

COPIES/ SETS:	DESCRIPTION:
1	Application
1	Separate sheet for App. Answers 1-7
1	H2020 Amendment
1	Market Study

REMARKS :

Office : 123 W 8th Street Suite B2 : Lawrence, Kansas : 66049
Mail : PO BOX 1536 : Lawrence, Kansas : 66044-8536
PHONE: 785.832.0804 FAX: 785.832.0890

RETAIL MARKET STUDY

Kaw Landing

Lawrence, Kansas

September 30, 2011

Prepared by

RICHARD CAPLAN & ASSOCIATES

609 W. 70th Street Kansas City, MO 64113 (816) 888-3127

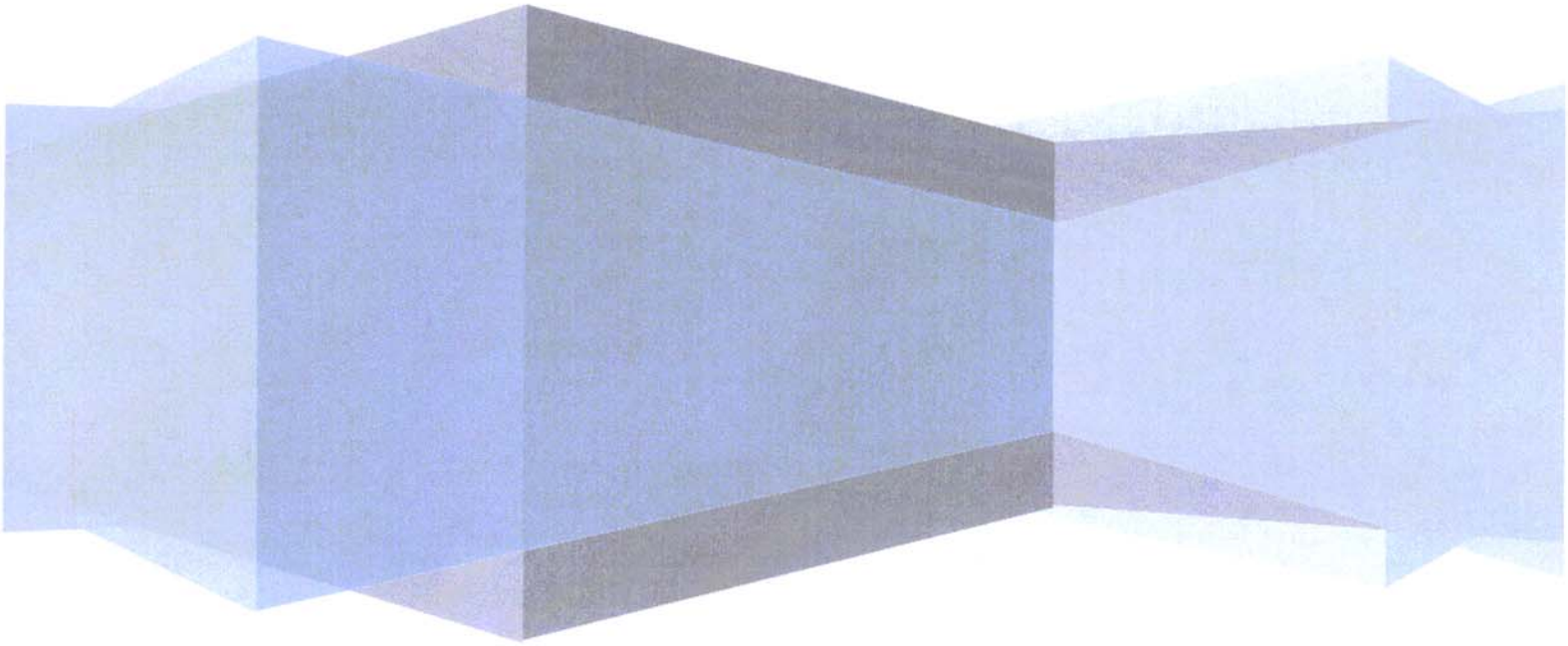


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The purpose of this retail market analysis is to provide an independent review and projection of demand for new commercial development in Lawrence, Kansas. More specifically, this analysis has been prepared to assess retail uses and demand on the northwest corner of North Second Street (U.S. Highways 40/59) at Elm and Locust Streets known as the Kaw Landing.

Kaw Landing is an 18 acre commercial redevelopment in North Lawrence immediately adjacent (0.3 mile) to Downtown Lawrence offering a total of 222,800 square feet of net leasable space. This retail market study has been prepared in accordance with City of Lawrence Land Development Code Sec. 20-1107. The following factors and conditions were examined:

- Recent and projected population, income and employment trends for Lawrence
- Retail sales data, pull factors and related trends in Lawrence and Douglas County
- Review of citywide retail occupancy and vacancy rates as well as in North and Downtown Lawrence.

This retail market study is presented in four sections:

I. Executive Summary

II. Historic and Current Retail Market Conditions

III. Downtown and North Lawrence Retail Markets and Site Assessment

IV. Projected Commercial Demand Analysis and Conclusion

I. EXECUTIVE SUMMARY

There is an average annual demand for approximately 122,311 square feet (under Horizon 2020 low population growth scenario) to 223,958 square feet of retail development (under Horizon 2020 middle population growth scenario) in the Lawrence market. Downtown Lawrence and North Lawrence districts will successfully accommodate a fair share of Lawrence's projected retail demand.

Horizon 2020 encourages redevelopment of existing commercial areas with an emphasis on Downtown Lawrence and existing commercial gateways such as Kaw Landing. Kaw Landing retail development will encompass a net increase of 217,377 square feet. The existing development contains 5,423 square feet for a total of 222,800. The major planned uses include a new movie theatre and hotel overlooking the Kansas River that together represent 52 percent of the proposed development. The other dining, retail and office uses are discussed in the body of this retail market study.

In addition to meeting the city's retail demand, Lawrence and Douglas County's sales leakage evidenced by the City of Lawrence "pull factor" decline to 1.02 in 2010 and Douglas County's 2010 "pull factor" of 0.86 indicates that additional retail space targeted to overcome the county's leakage is warranted. Given the amount of commercial development and entertainment sales and related activity in Downtown Lawrence and Lawrence's declining pull factor, Kaw Landing and Downtown Lawrence provide a unique position to overcome the current city and countywide retail sales leakage.

These absorption projections are based on the following findings and conclusions:

1. Lawrence has absorbed approximately 374,000 square feet of retail commercial development annually since 2000.

2. Despite the amount of development since 2000, the Kansas Department of Revenue reports that Douglas County's "pull factor" continues to reflect sales leakage, and Lawrence's "pull factor" has declined by 9.7 percent in the past decade. This decline indicates that the Lawrence retail market is not satisfying the needs of the city's growing population (See Table B – "Lawrence and Douglas County Retail Pull Factor 2000 – 2010"). Douglas County's "pull factor" has declined by 7.5 percent since 2000. Therefore, there is the potential for Lawrence to capture greater retail sales with a retail center because of its unique setting will attract residents from outside of Lawrence and will contribute to Lawrence reversing the city's "pull factor" decline from the past decade.

3. The amount of commercial development planned in the original Horizon 2020 which influenced the amount of land zoned for commercial uses reflected a smaller population than Lawrence and Douglas County have realized.

4. Lawrence's retail demand is underserved as evidenced by the city' low vacancy rate of 7.0 percent. Lawrence is significantly below Kansas City metropolitan area (14.1 percent) and national (10.0 percent) retail vacancy rates.

The proposed redevelopment is expected to enhance the viability of Downtown Lawrence for a combination of the following reasons:

- The Kaw Landing site is 3/10th of a mile from Downtown Lawrence offering easy access and less than a five minute walk. The distance from Kaw Landing to Downtown Lawrence, immediately across the street from the Lawrence Visitor Information Center, is the equivalent distance from Seventh to Ninth Street in Downtown Lawrence.

- Downtown Lawrence has increasingly become a one-of-a-kind specialty retail and entertainment district destination; and

- The proposed redevelopment will serve visitors to Downtown Lawrence as well as residents of Lawrence and Douglas County, and Douglas County employees who reside in neighboring Leavenworth and Jefferson Counties.

II. HISTORIC and CURRENT RETAIL MARKET CONDITIONS

This section of the study describes the prevailing conditions and factors that influence the retail market in Lawrence – retail sales, population, employment, income and retail occupancy and vacancy rates.

Recent Retail Sales Trends

The most accurate reflection of the Lawrence retail market condition can be seen in retail sales, population and retail square footage growth. Since 2000, retail sales tax collections in the City of Lawrence have grown at a faster rate than both city population growth of 0.9 percent. After adjusting for inflation, retail sales have increased 3.3 percent since 2000, less than population growth. This lower percentage is also reflected in the decline in the city's retail pull factor from 1.13 in 2000 to 1.02 in 2010.

Lawrence has added an average of 374,504 square feet of new retail space from 2000 through 2010. During this period, retail sales increased 3.3 percent. (See Table A - "Lawrence Retail Development and Sales 2000 - 2010"). The following table summarizes the growth in these key indicators since 2000. Slow growth in retail sales tax collections since 2000 reflecting the city's declining retail pull factor.

Table A
Lawrence Retail Development and Sales 2000 – 2010

Year	Retail Square Feet	City Retail Sales Tax Collections	Adjusted Retail Sales Tax Collections – 2000 $ @
2000	5,375,530	$10,348,071	$10,348,071
2005	6,479,100	$11,841,727	
2006	7,581,660	$12,260,437	
2007	Est. 8,100,000	$12,453,791	
2008	Est. 8,500,000	$12,898,143	
2009	Est. 8,800,000	$13,677,542	
2010	9,120,567	$13,531,722	$10,686,072
2000 – 2010 Total Change	**3,745,037**	**$3,183,651**	**$338,001**
2000 – 2010: Average / Year	**374,504**	**$318,365**	**$33,800**
Percent Change 2000 – 2010	**69.7%**	**30.8%**	**3.3%**

@ = U.S. Bureau of Labor Statistics inflation calculator through 2010 adjusted to 2000.
Source: U.S. Census; Lawrence/Douglas County Planning Department; City of Lawrence Finance Department; Grubb Ellis/Winbury Group.

Despite population and retail development growth, Lawrence has declined in attracting the city's fair share of retail demand. Lawrence's retail sales data and "pull factor" reflect the fact that the Lawrence retail market has declined from historic sales expenditures levels. A "pull factor" is a measure of the market share captured in a community by all of the retail businesses and is used to compare the magnitude of sales activity to the level of business activity on a per capita basis. A pull factor above 1.00 indicates that the community is attracting business while one that is below 1.00 indicates that the community is losing retail sales to other places.

Lawrence's pull factor in 2010 was 1.02, according to Kansas Department of Revenue (See Table B – "Lawrence and Douglas County Retail Pull Factors 2000 – 2010"). This reflects a decline of 9.7 percent in the past decade for Lawrence. Douglas County has also declined by 7.5 percent over the past decade. As a result of these trends, **there remains potential for both Lawrence and Douglas County to recapture retail sales leakage.**

Table B
Lawrence and Douglas County Retail Pull Factors 2000 – 2010

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
2000 – 2010: Total Change	**(0.11)**	**(0.07)**
Percent Change	**(9.7%)**	**(7.5%)**

Source: Kansas Department of Revenue.

It is also significant is the fact that Douglas County remains below 1.00, declining to its lowest level, 0.85 in 2009, from a peak of 0.99 in 2005, indicating retail sales dollars are increasingly leaving Douglas County.

The city's pull factor is lower than eight Kansas cities nearest to Lawrence in population. (See Table C – "Major Kansas Cities Retail Pull Factor 2007 - 2010".) Lawrence's 1.02 pull factor is 8th among the 10 medium sized cities in Kansas with population between 30,000 and 120,000 persons and unchanged over the three years.

Because Lawrence is the employment center for Douglas County, is located at the convergence of all major roads in Douglas County and houses nearly 80 percent of the county's population, the city and county have the potential to grow their retail base and recapture this retail sales leakage.

Table C
Major Kansas Cities Retail Pull Factors 2007 - 2010

2010 Ranking by City	Retail Pull Factor 2007	Retail Pull Factor 2010	Percent Change 2007 - 2010
1. Lenexa	1.58	1.55	(1.9%)
2. Salina	1.48	1.44	(2.8%)
3. Topeka	1.47	1.47	No Change
4. Hutchinson	1.35	1.40	3.6%
5. Manhattan	1.28	1.36	5.9%
6. Leawood	1.26	1.31	3.8%
7. Olathe	1.28	1.24	(3.2%)
8. Lawrence	**1.02**	**1.02**	**No Change**
9. Shawnee	1.04	0.98	(5.8%)
10. Leavenworth	0.70	0.84	6.3%

Source: Kansas Department of Revenue.

The fact that Lawrence and Douglas County retail pull factors have declined over the past decade further indicates an inadequate selection of goods within the city to satisfy all consumers. The larger and more convenient the selection of goods that Lawrence can offer and attracting non-residents through unique shopping and dining options, the more likely Lawrence and Douglas County's retail sales leakage can recover from this trend and be overcome.

Lawrence and Douglas County's potential to increase their declining pull factors can be attributed to a range of factors from Kaw Landing influencing the local retail market:

1. The site is located immediately adjacent to Downtown Lawrence and across the street from the Lawrence Visitor Information Center.

2. The site is on the primary artery connecting Lawrence to Leavenworth County. Many Lawrence residents employed in Wyandotte and Leavenworth Counties use North 2nd Street (U.S. Highway 59) to commute to Leavenworth or Wyandotte Counties.

3. Douglas County attracts workers from outside Douglas County according to 2000 U.S. Census data (See Table D – Douglas County Work Force Place of Residency").

Lawrence and Douglas County have the ability to increase sales from adjacent counties because of Douglas County's employment opportunities. More than 7,000 persons commute into Douglas County for employment. Jefferson and Shawnee Counties provide the largest number of workers. Over 1,500 of Douglas County's workers are from Leavenworth and Wyandotte Counties entering Lawrence from the northeast portion of the city.

Table D
Douglas County Work Force Place of Residency 2000

County of Residence	Number of Douglas County Workers	Percent of Labor Force
Douglas County	41,186	**84.0%**
Non-Douglas County:	7,845	**16.0%**
Jefferson County	1,640	3.3%
Shawnee County	1,317	2.7%
Wyandotte County	796	1.6%
Leavenworth County	785	1.6%
All Other Counties	3,307	6.8%
Total Work Force	**49,031**	**100%**

Source: 2000 U.S. Census.

The City of Lawrence updated the city's retail market data base in October 2010. Square footage figures for 2005 were estimated based on data collected by the local commercial real estate firm of Colliers (Table E – "Lawrence Commercial Square Feet 2000 - 2010"). The following table presents the average annual amount of new commercial development added to the city's inventory.

Table E
Lawrence Commercial Square Feet 2000 - 2010

Year	Total Retail Square Feet	Annual Change in Square Feet
2000	5,375,530	48,500
2001	5,424,030	67,893
2002	5,491,923	179,441
2003	5,671,364	36,950
2004	5,708,314	770,786
2005	6,479.110	1,102,560
2010	9,120,567	N / A
2000 – 2010 Annual Average Change		**374,504 square feet**

Source: City of Lawrence Finance Department; U.S. Census; Colliers.
Note: City of Lawrence includes all commercial uses located within retail centers.

Projected Population

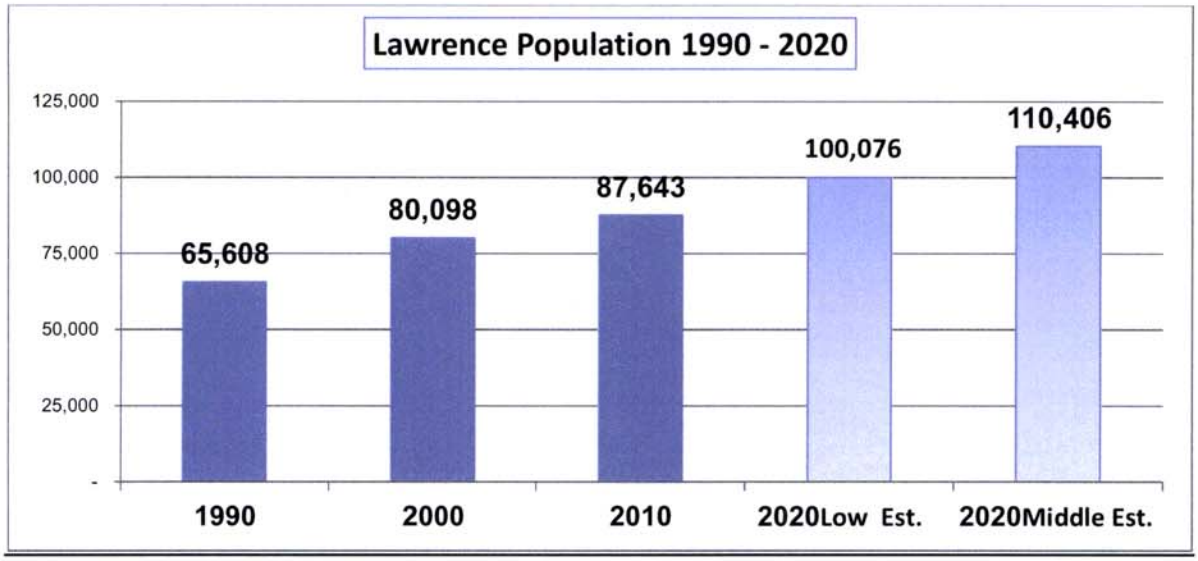
Population growth is one of the key factors influencing retail demand. In the past decade, Lawrence has added an average of 1,143 new residents. The most recent population figure reported by the U.S. Census Bureau in 2010 set the city's population at 87,643.

The most recent version of Horizon 2020 projects the city's population to increase to approximately 100,076 to 110,406 (the plan's low and middle population scenarios) by 2020 contributing to an on-going demand for additions to the city's retail supply. New "green field" retail construction is predominantly planned in northwest Lawrence. Because of limited land availability, new retail development in Downtown Lawrence is driven by redevelopment as planned at Kaw Landing.

Table F
Lawrence Population 1990 - 2020

Year	Actual / Estimated Population	
1990	65,608	
2000	80,098	
2010	87,643	
1990 – 2010 Total **Annual Average Change**	**19,035 persons** **952 persons**	
Horizon 2020 Projection	**Low:**	**Middle:**
Estimated 2020 Population	100,076	110,406
2010 – 2020 Total Change **Annual Average Change**	**12,433** **1,243**	**22,763** **2,276**

Source: Lawrence/Douglas County Planning Department Horizon 2020; U.S. Census.



Source: Lawrence/Douglas County Planning Department Horizon 2020; U.S. Census.

From 1990 to 2000, that section of Lawrence in the central portion of the city, the area where Kaw Landing is located within the Lawrence 66044 ZIP Code experienced a 3.7 percent increase in population growth. The area of Lawrence contained 36 percent of the city's population in 2000. (Census data by ZIP code for 2010 has not published yet.)

Table G
Lawrence Population by ZIP Code Area 1990 – 2000

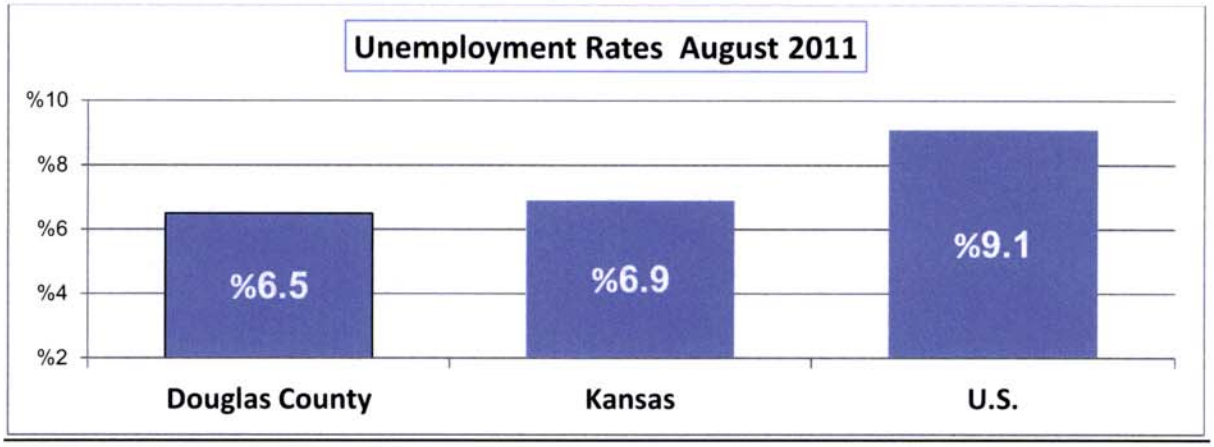
ZIP Code: Area of Lawrence	66044 Central/ North	66046 Southern	66047 Southwest	66049 Northwest	TOTAL
1990	30,021	16,345	9,194	**12,615**	68,608
2000	31,131	19,981	15,122	**20,338**	86,572
Net Change	**1,110**	**3,636**	**5,928**	**7,723**	17,964
Percent Change	**3.7%**	**22.2%**	**64.5%**	**61.2%**	**27.0%**
2000 Percent of Total Population	36%	23%	17%	**23%**	**100%**

Note: City limits and ZIP code boundary do not match.
Source: U.S. Census.

C. Douglas County Employment

Employment growth in Douglas County is concentrated in Lawrence and further contributes to the growth in local sales tax collections and retail demand. The number of jobs in Douglas County increased by 2,600 jobs from 47,600 in July 2010 to 50,200 in August 2011 according to the most recent data published by the Kansas Department of Labor. Despite the recent

economic recession, Douglas County's unemployment rate in August 2011 was 6.5%, lower than Kansas' 6.9% unemployment rate and significantly lower than the U.S. unemployment rate.



Source: Kansas Department of Labor; U.S. Department of Labor.

Douglas County Per Capita Income

In addition to population growth, the amount of retail space in a community is a direct function of the amount of disposable income. In 2009, Douglas County had a per capita income of $32,070 according to the U.S. Department of Commerce Bureau of Economic Analysis. It is widely acknowledged that countywide income levels are weighted lower due to the influence in Douglas County of the number of college students factored into per capita income calculations. Douglas County's per capita income is 82 percent of the statewide average. Nevertheless, since 2000, Douglas County's per capita income has increased by 3.9% after adjusting for inflation. (See Table H - "Douglas County Per Capita Income 2000 – 2009 (in 2009 consumer price index inflation adjusted dollars.")

Table H
Douglas County per Capita Income 2000 – 2009

Year	Douglas County Per Capita
2000	$24,747
2009 Actual	$32,070
2000 Inflation Adjusted to 2009	$30,831
2000 – 2009 Percent Change	**22.8%**
2000 – 2009 Inflation Adjusted Change	**3.9%**

Source: U.S. Department of Commerce Bureau of Economic Analysis; U.S. Department of Labor CPI.

III. DOWNTOWN AND NORTH LAWRENCE RETAIL MARKET'S OVERVIEW

The retail districts for Kaw Landing include Downtown and North Lawrence. The two Lawrence retail submarkets contain approximately 2,172,215 square feet which includes the existing 5,423 square feet at the existing businesses on the Kaw Landing parcel. The Downtown and North Lawrence districts represent 23.8 percent of the total Lawrence retail market although the area has approximately 36 percent of the city's 2000 population.

A key indicator of the current condition of a retail market and influence on retail demand are retail vacancy rates. In 2010, the average retail vacancy rate for the nation's 50 largest major metropolitan areas was 10.0 percent according to Integra Realty Resources, Inc. Viewpoint 2011. The metropolitan Kansas City area retail vacancy rate was 14.1 percent. In 2010, the City of Lawrence 2010 Retail Market Report indicated a city-wide retail vacancy rate of 7.0 percent, lower than the Kansas City metropolitan area and the nation. Together, Downtown Lawrence and North Lawrence district's represent 23.9 percent of the city's total commercial square footage. (See Table J - "Lawrence Square Feet by District 2010").

Table J
Lawrence Square Feet by District 2010

District	Total Square Feet	Total Vacant	Vacancy Rate	Percent of Lawrence Total Retail
Downtown Lawrence	1,857,339	139,305	7.5%	20.4%
North Lawrence	314,876	86,484	27.5%	3.5%
All other Lawrence	6,948,352	416,406	6.0%	76.2%
TOTAL	**9,120,567**	**642,195**	**7.0%**	**100%**

Source: City of Lawrence Planning Department 2010 Retail Market Report.

Kaw Landing Site Description

The Kaw Landing site on North Second Street offers direct access for pedestrians and by automobile and bicycle from Downtown Lawrence. The site also offers excellent visibility and is suited for expanded retail and commercial development because:

- It is located on and has direct access to U.S. Highways 40/59 is visible to all travelers between the Kansas Turnpike (I-70) and Downtown Lawrence;
- The site offers excellent visibility and access to passing automobiles;
- The site is easily accessible for pedestrians from Massachusetts Street; and
- It will provide for the entertainment and serve as an attractive outdoor venue and attraction for Lawrence and Douglas County.

The site is immediately adjacent to the former Union Pacific Depot that serves as the Lawrence Visitor Information Center. The center is open seven days a week and attracts an

average of 1,000 persons monthly distributing information to visitors about Lawrence. The depot is also available for rent and serves as a public meeting facility and is routinely used for wedding rehearsal dinners and receptions hosting more than 100 special events annually.

Upon redevelopment, the 18 acre Kaw Landing site will provide a raised walkway and patios extending 1,800 feet along the bank of the Kansas River. This walkway will make the commercial development unique to Lawrence and Northeast Kansas attracting visitors to the community and will serve as an attractive, one-of-a-kind setting for dining, shopping and passive outdoor recreation.

Proposed Commercial Uses

Kaw Landing proposes to add a net increase of 217,377 square feet. The existing commercial portion of the site is zoned CS, Commercial Strip District, allowing for a mix of retail, office and related commercial uses. Contractual commitments about the major use for the movie theatre and hotel company have yet to be made. The existing Johnny's Restaurant on the site will be removed and will expand and locate into a new building with an outdoor deck overlooking the Kansas River.

The following graph illustrates the major use categories followed by Table K that presents the estimated square footage for 24 specific retail uses.

Table K and Graph
Major Uses Proposed at Kaw Landing
(By Estimated Square Feet)

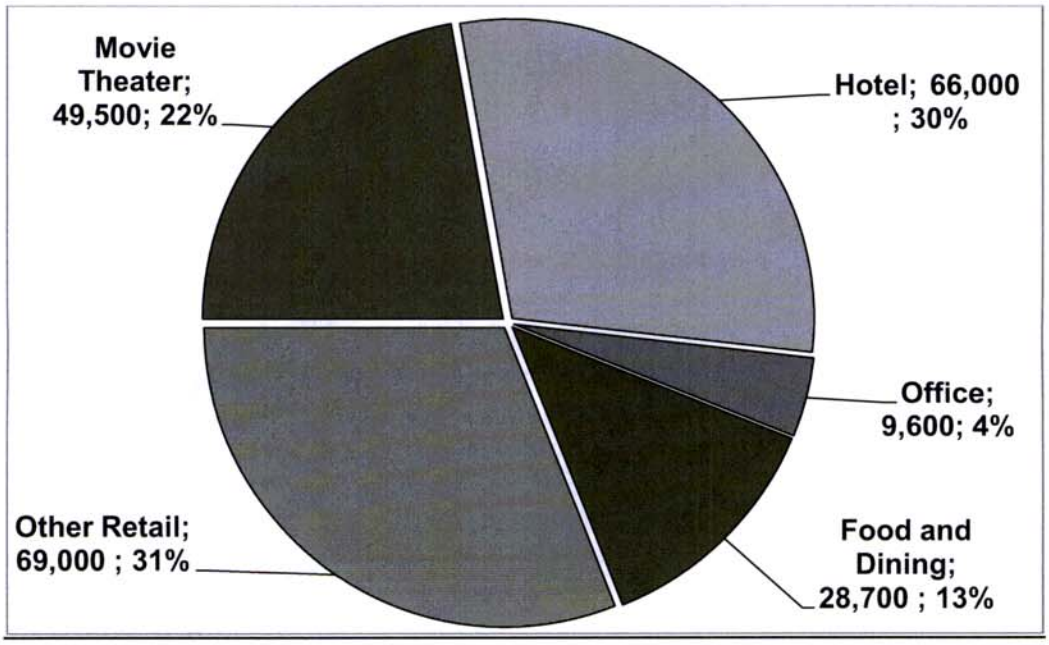


Table K
Proposed Uses by Major Category and Square Footage

Major Planned Use	Estimated Square Feet	Sub-Total
Movie Theater (1)	49,500	49,500
Hotel (1)	66,000	66,000
Other Retail (16):		
Sporting Goods	27,000	
Home Accessories	7,500	
Soft Goods/Apparel Store(s)	5,800	
Beauty Health	4,000	
Home Store	3,700	
Women's Specialty	3,000	
Bicycle Shop	2,400	
Tanning Salon	2,400	
Bakery	2,400	
Health Food/Vitamin Store	2,400	
Electronics	2,400	
Art Gallery	1,200	
Specialty food	1,200	
Ice Cream	1,200	
Flower Shop	1,200	
Stationary Shop	1,200	69,000
Food Services and Dining (6):		
Micro-Brewery	8,000	
Johnny's (expansion)	6,700	
Restaurant #2	8,000	
Smoothies/Salads/Wraps	2,400	
Sandwich Shop	2,400	
Coffee Shop	1,200	28,700
Office (4) : Real Estate, Financial Services, Insurance Brokerage, Architect	9,600	9,600
Total Square Feet	**222,800**	**222,800**

Potential Impact on Downtown Lawrence

The proposed commercial uses have other locations in other of Lawrence's commercial districts including Downtown Lawrence. A review of the number of like retail establishments in these categories and the number and percent located in Downtown Lawrence has been assessed in Table L – "Lawrence Commercial Inventory Comparisons." There are 334 existing Lawrence retail establishments offering similar products and services as the proposed uses at Kaw Landing. The proposed uses within the Kaw Landing and their numeric comparison to Downtown Lawrence are presented in the following Table L.

Table L
Lawrence Commercial Inventory Comparisons

Commercial by Use	Lawrence Total 2010	Downtown Lawrence 2011	Downtown Lawrence Percent of City	Lawrence Percent Outside of Downtown Lawrence	Kaw Landing Planned
Retail	395	114	29%	71%	17
Food Services	250	82	33%	67%	6
Hotel	16	3	19%	81%	1
Vacant / Other	N / A	35	N / A	N / A	4
TOTAL	661	234	N / A	N / A	28

Note: Figures do not include 94 non-retail, non-food services in Downtown Lawrence or the citywide total.

Source: City of Lawrence Planning and Development Services "Analysis of Lawrence's Downtown Commercial Space" Memorandum, May 18, 2011; U.S. Census Bureau.

The net addition of approximately 22 to 24 commercial establishments will represent approximately 8 to 9 percent of the number of commercial establishments in Downtown Lawrence. The redevelopment reflects the specialty retail, entertainment and dining uses that prevail in Downtown Lawrence. Often, these proposed uses locate in unique, destination and/or entertainment oriented settings that patronize Downtown Lawrence rather than neighborhood centers.

Projected Impact on Retail Vacancy Rate

Kaw Landing will increase the city-wide vacancy rate in the unlikely event that the proposed project was fully constructed and not fully occupied. However, the two largest tenants of the project are intended to be constructed to satisfy specific tenants (the 49,500 square foot movie theatre and the 66,000 square foot hotel) and will not be constructed unless and/or until the each tenant and/or owner-occupant is contractually committed to Kaw Landing. Because of the size and importance of these users, the balance of the center will not be built until or unless a pre-leasing commitment is secured for one or both of these tenants.

Furthermore, Johnny's Restaurant will relocate within the new development upon completion of its new building. Therefore, there is no possibility that the proposed development would be completely unoccupied.

Upon occupancy of Kaw Landing, the city-wide vacancy rate will decline by 0.1 percent to 6.9 percent. If the proposed development is only 50 percent occupied, an unlikely scenario as described above, the city-wide vacancy rate would increase by 1.0 percent in the scenario that center is only half occupied. (See Table M - "Proposed Development Impact on Lawrence Vacancy Rate.")

Table M
Proposed Development Impact on Lawrence Vacancy Rate

	City of Lawrence			With Proposed Kaw Landing Project		City-wide Vacancy Rate
Project Occupancy Assumption	Total Square Feet	Total Occupied Square Feet	Total Vacant Square Feet	Project Occupied Square Feet	Project Vacant Square Feet	
Total 2011	9,120,567	8,478,372	642,195	N / A	N / A	7.0%
Kaw Landing (net) 100% Occupied	9,337,944	8,695,749	642,195	217,377	0	6.9%
50% Occupied	9,337,944	8,587,061	750,884	108,689	108,689	8.0%
0% Occupied	9,337,944	8,478,372	859,572	0	217,377	9.2%

Source: City of Lawrence 2010 Retail Market Study.

Discussion of the Existing and Maintaining a Commercial Inventory

In most growing cities with a similar or larger population than Lawrence, it is common planning practice and reflects good economic development policy to have an inventory of sites that provides for a choice of commercial development options, including accommodating redevelopment. It serves a community's economic interest to maintain an inventory of residential, office, industrial and retail sites to stimulate and attract new private investment. Offering competitive sites also prevents inflating real estate asking prices that occurs where and when there is a shortage of or constraint of development opportunities.

Historically, Lawrence has maintained an inventory of approved commercial space that exceeds development activity. There is an inventory or more than 600,000 square feet approved but not constructed commercial development in 2010. Despite this figure, the amount and pace of new construction is likely to decline in the future given the more stringent financing standards imposed on real estate development as a result of the national recession. Three of the projects in Lawrence where a sizable amount of approved commercial but not constructed space exists and their relevance to Kaw Landing are analyzed as follows:

- Bauer Farm - The Bauer Farm project is expected to accommodate a major national tenant to serve residents of the western portion of the city. It is common for a major national retail anchor to attract a range of small, ancillary tenants commercially compatible with a national anchor.

- Mercato - The 359,640 square feet of commercial development plans to include a home improvement center. This use competes with one of the proposed uses at Kaw Landing. The size of the Lawrence and Douglas County retail markets may not be sufficient to absorb both of these competing uses in the short term. However, as stated above, by

Lawrence offering alternative sites, the city benefits from attracting the strongest, most economically feasible business.

- Fairfield Farms - There are 200,000 square feet of commercial space approved at Fairfield Farms located on East 23rd Street at O'Connell Road in East Lawrence. The planned development is located within the East Lawrence retail sub-market and is intended to serve the retail needs of East Lawrence residents. Therefore, the project will not compete with the new East or West Lawrence commercial businesses.

In conclusion, local and national financial institutions, offering new entertainment venues in the community, the rate of population and employment growth and retail market conditions will significantly influence the amount of new commercial development in Lawrence. Maintaining a choice of development options endures that the city will attract the most viable businesses.

IV. PROJECTED RETAIL DEMAND ANALYSIS AND CONCLUSION

The Lawrence retail trade area includes all of Douglas County since Lawrence is the major employment center for Douglas County. Downtown Lawrence's trade area routinely attracts shoppers and diners from beyond Douglas County. Therefore, in evaluating the retail market in Lawrence, all of Douglas County's population must be considered.

Based on this analysis, there is a demand for approximately 1.2 million to as much as 2.2 million square feet of commercial retail through 2020. A five year projection period is used reflecting the phasing of the proposed Kaw Landing redevelopment and the initial phase will not reach the market before 2012 (See Table O – "Projected Capture Rate for Kaw Landing Development").

This retail demand projection averages two alternative population scenarios (Table M – "Lawrence Retail Commercial Demand Analysis"). The two alternative scenarios and the methodology used for this analysis are based on the city's prevailing square feet per capita and projected as follows:

Demand Alternative A: Horizon 2020 Low Population Growth Projection:
This scenario relies on is the city low population growth projection found in the Horizon 2020 Plan, or an annual average of 1,243 new residents over the next decade. (See Table F – "Lawrence Population 1990 – 2020").

Demand Alternative B: Horizon 2020 Middle Population Growth Projection:
This scenario relies on is the city middle population growth projection found in the Horizon 2020 Plan, or an annual average of 2,276 new residents over the next decade.

However, Kaw Landing will also generate demand from beyond Douglas County as an entertainment venue with hotel accommodations and by being a unique setting over and above attracting existing and future local residents.

This projected commercial demand is less than the average amount of development that has been absorbed since 2000. To the extent that Lawrence and Douglas County seek to "grow" their pull factors by capturing sales leakage from Leavenworth County residents employed in Douglas County, additional retail square feet is warranted.

Table N
Lawrence Commercial Demand Analysis

Demand Factor	Persons / Square Feet
2010 Lawrence Population *(a)*	87,643 persons
2010 Commercial Square Feet *(b)*	9,120,567 square feet
= Square Feet per Capita	98.4 sq. feet per capita
Alternative A: Horizon 2020 Low Population Growth	
@ 1,243 average annual population growth (See Table F)	
	98.4 sq. ft. x 1,243 persons/year
Average Annual Commercial Demand	= 122,311 square feet
10 Year Total Demand: 2011 – 2020	1,223,112 square feet
Annual Average Demand	**122,311 square feet/year**
Alternative B: Horizon 2020 Middle Population Growth	
@ 2,276 projected average annual population increase (See Table F)	
	98.4 sq. ft. x 2,276 persons/year
Average Annual Commercial Demand	= 223,958 square feet
10 Year Total Demand: 2011 – 2020	2,239,585 square feet
Annual Average Demand	**223,958 square feet/year**
Kaw Landing Capture Rate:	
With 217,377 square feet by 2015:	**26.7 – 35.5 percent total square feet of demand**

(a) Source: U.S. Census.
(b) Source is the City of Lawrence Retail Market Report 2010.

Based on these demand projections, Kaw Landing could capture from 16.7 to 35.5 percent of the citywide demand through 2015. (See Table O – "Projected Capture Rate for Expanded Kaw Landing Development".) However, more than one-half of the proposed commercial uses (the movie theater and the hotel) are driven by other economic and demographic factors beyond population growth. These two uses will have minimal effect on retail demand required to satisfy only Lawrence's population growth.

Horizon 2020 encourages redevelopment of existing commercial areas with an emphasis on Downtown Lawrence and existing commercial gateways. The proposed Kaw Landing responds to this adopted strategy.

Table O
Projected Capture Rate for Kaw Landing Development

Year	Alt. A: Minimum Est. Demand (Square Feet)	Alt. B: Maximum Est. Demand (Square Feet)	Existing Kaw Landing Site (5,423 Square Feet)	Kaw Landing Project (net 217,377 Square Feet)	Kaw Landing Market Share of Demand
2011	122,311	223,958	N / A	0	N / A
2012	244,622	447,916	N / A		
2013	366,933	570,227	N / A		
2014	489,244	692,538	N / A		
2015	611,555	814,849	N / A	217,377	26.7 – 35.5 percent

Conclusion

In conclusion, there is sufficient commercial demand for new square feet for Downtown Lawrence to absorb net increase of 217,377 square feet. This finding and conclusion is based on the following:

- The proposed development enjoys a unique riverfront location.
- The site is located directly adjacent to and linked to Downtown Lawrence.
- The potential exists for Lawrence and Douglas County to support increased retail in Downtown by capturing Lawrence and Douglas County sales leakage.
- Visitors, shoppers and retail sales from nearby counties will be attracted to the riverfront site for arts, lodging, entertainment and dining.

This retail market study has been prepared exclusively in consideration of Kaw Landing redevelopment in Lawrence, Kansas. It may be used for deliberation by City of Lawrence officials in consideration of this proposed project. Otherwise, any use or reproduction of the material in this report without the expressed consent of RICHARD CAPLAN & ASSOCIATES is prohibited.

Rich Caplan
September 30, 2011
RICHARD CAPLAN & ASSOCIATES

NORTH LAWRENCE RIVERFRONT

LAWRENCE, KANSAS

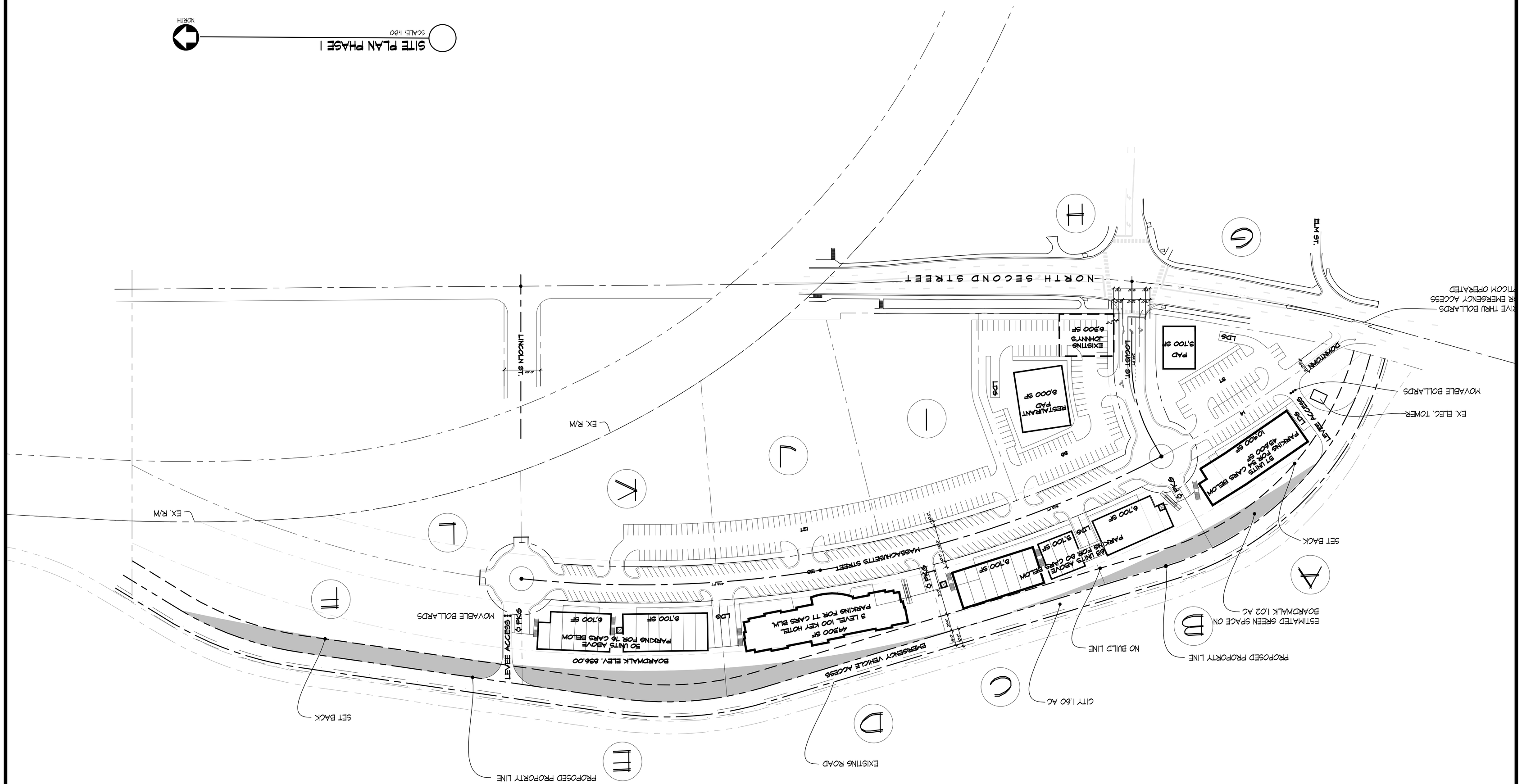
SITE

RELEASE: NONE
DATE: 6.02.10

PROJECT # 26445

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PHASE I OPTION A

SITE SUMMARY PHASE I	
RETAIL SHOPS	32,300 SF
HOTEL A 100 KEYS	44,500 SF
HOTEL B 100 KEYS	43,200 SF
RESIDENTIAL 102 UNITS	59,600 SF
RESTAURANT PADS (2)	7,200 SF

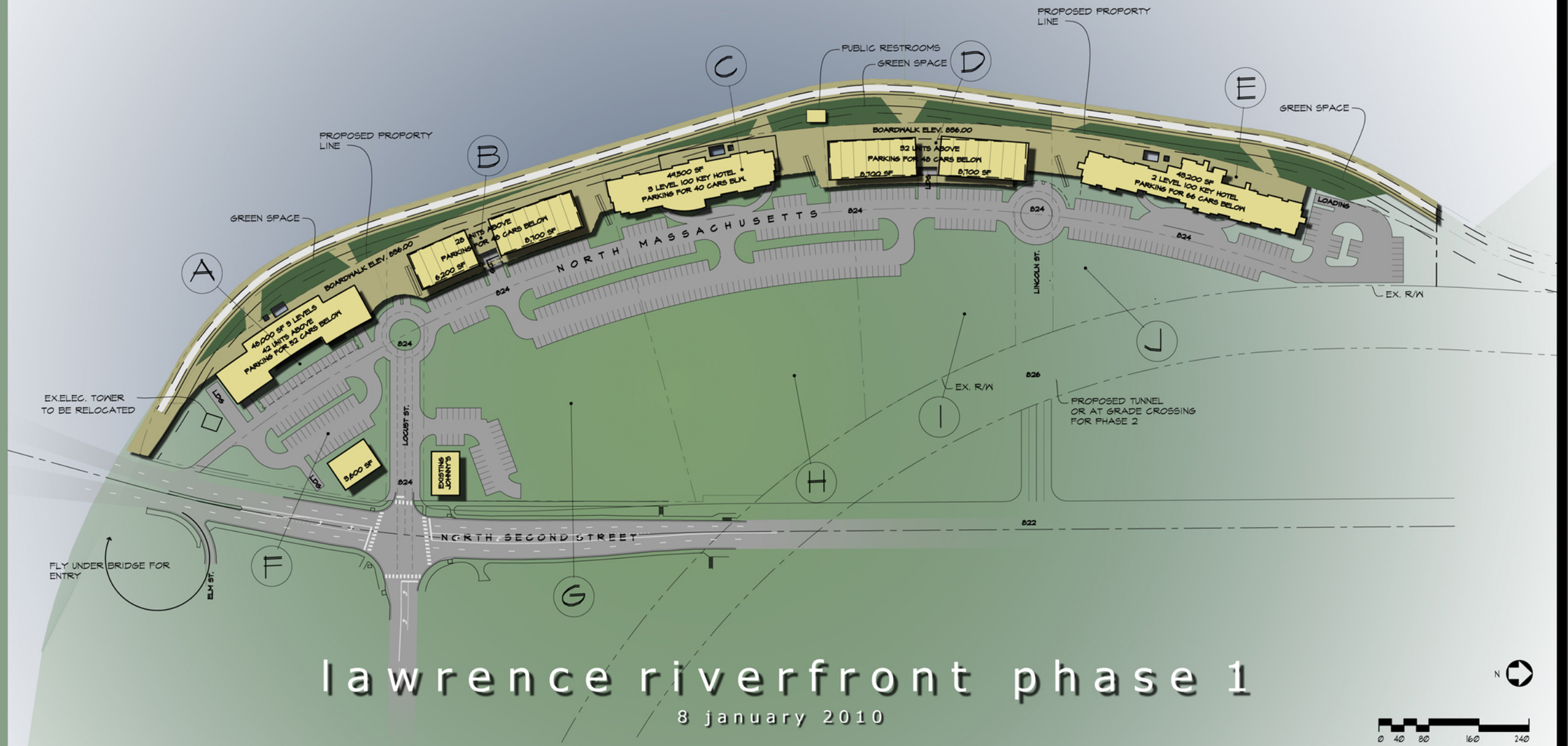
PARKING SUMMARY	
RETAIL SHOPS	162 SPACES
HOTEL A 100 KEYS	115 SPACES
HOTEL B 100 KEYS	115 SPACES
RESIDENTIAL 102 UNITS	153 SPACES
RESTAURANT PADS (2)	72 SPACES
TOTAL REQUIRED	617 SPACES
TOTAL PROVIDED	665 SPACES

PHASE I OPTION B REF. SECTION 3

NOTE: OPTION B HAS A 5 LEVEL APTS AND 4 LEVEL APTS OVER RETAIL

SITE SUMMARY PHASE I	
RETAIL SHOPS	32,300 SF
HOTEL A 100 KEYS	44,500 SF
HOTEL B 100 KEYS	43,200 SF
RESIDENTIAL 192 UNITS	156,200 SF
RESTAURANT PADS (2)	7,200 SF

PARKING SUMMARY	
RETAIL SHOPS	162 SPACES
HOTEL A 100 KEYS	115 SPACES
HOTEL B 100 KEYS	115 SPACES
RESIDENTIAL 162 UNITS	384 SPACES
RESTAURANT PADS (2)	72 SPACES
TOTAL REQUIRED	848 SPACES
TOTAL PROVIDED	965 SPACES



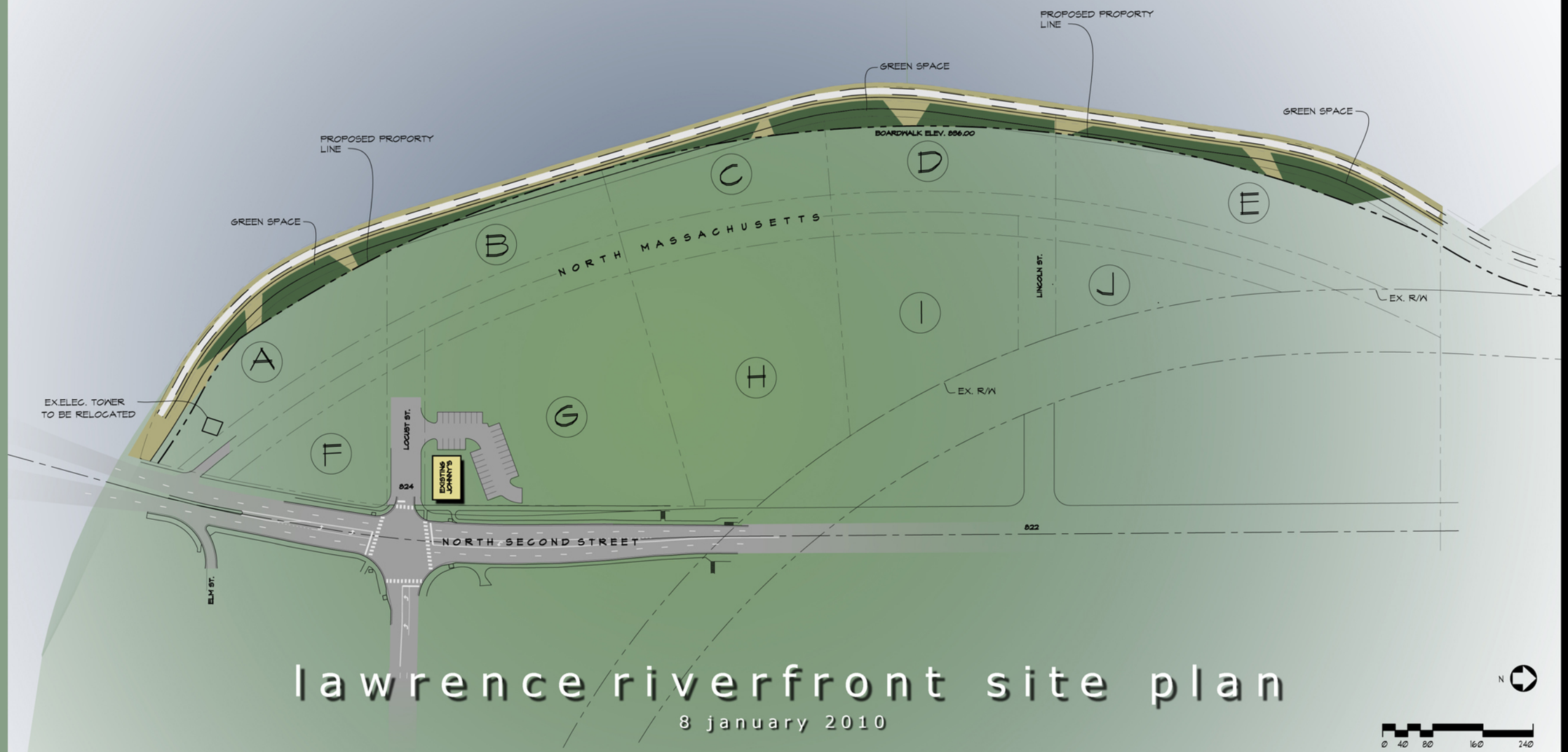
lawrence riverfront phase 1

8 january 2010

paulwerner ARCHITECTS

SITE SUMMARY	
N. MASS	126,800 SF
LOCUST	13,700 SF
LINCOLN	9,900 SF
SUBTOTAL	150,400 SF
BOARDWALK	101,400 SF
TOTAL	251,800 SF

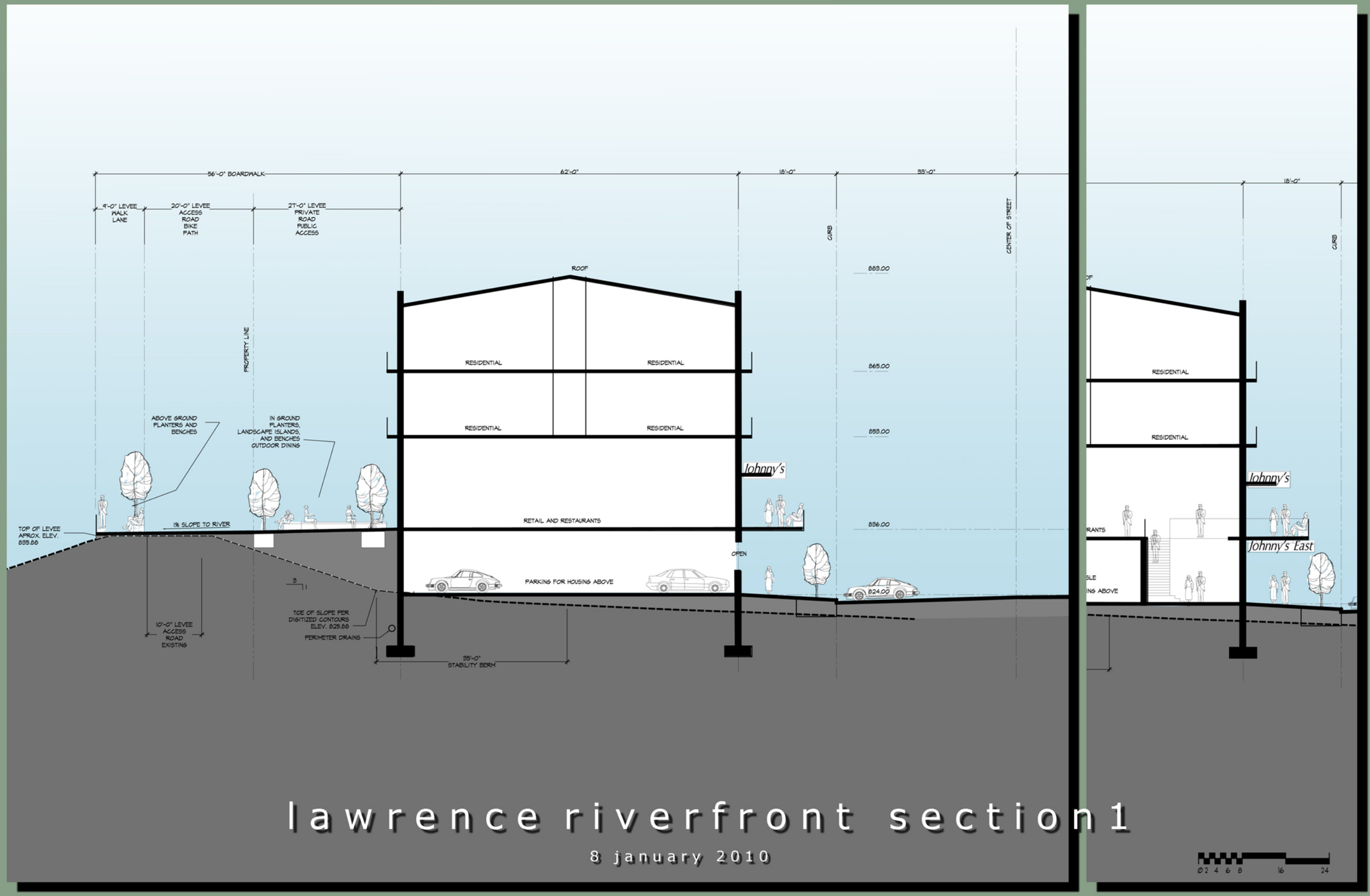
SITE SUMMARY	
PARCEL A	39,000 SF
PARCEL B	39,800 SF
PARCEL C	36,700 SF
PARCEL D	37,900 SF
PARCEL E	65,000 SF
PARCEL F	28,400 SF
PARCEL G	122,000 SF
PARCEL H	110,400 SF
PARCEL I	70,400 SF
PARCEL J	26,700 SF
TOTAL	576,300 SF



lawrence riverfront site plan

8 january 2010

paulwerner ARCHITECTS



lawrence riverfront section 1

8 january 2010

paulwerner ARCHITECTS

Kirk McClure
707 Tennessee Street
Lawrence, Kansas 66044

January 20, 2012

Lawrence Douglas County Planning Commission
City Hall
6 East 6th Street
Lawrence, KS 66044

RE: **COMPREHENSIVE PLAN AMENDMENT TO H2020 - CHP 6**
NORTH MASS DEVELOPMENT

The comprehensive plan amendment seeks changes to expand the boundaries of Downtown in order to accommodate a new mixed-use development north of the Kansas River. It seeks to raise the building footprint limitation in the area to 50,000 square feet. The market study indicates that this request is to add roughly 230,000 square feet of retail, office and hotel space.

The Retail Market of Lawrence is Overbuilt

From 1997 to 2010, the growth in retail spending was only 26 percent. (Data taken from the Douglas County Tax Assessor.) During the same time period, retail space grew by 36 percent, adding over 500,000 square feet more than spending would support. (Data from the Kansas Department of Revenue and the Consumer Price Index.) At this pace of growth in spending and if no additional square feet of space are added to the stock, it will take about 6 years for the market to return to the level of equilibrium found in 1997, the last year that the supply of retail space was balanced with the demand for retail space.

The City has very little influence on the number of people who choose to live in Lawrence, nor can it do much about the income of that population. This means that Lawrence has little influence on the level of retail spending in Lawrence. However, Lawrence can influence the amount of retail and other commercial space that exists in the market. Adjusting the size and location of the space is a critical part of keeping a market healthy.

Lawrence should attempt to seek a balance between supply and demand. This promotes the overall health of the market, and it protects the financial health of the existing retail districts. Our Downtown is the most important of these districts because it is the one district that can attract shoppers from outside of town.

The Ability of Lawrence to Attract Shoppers to Town Depends upon the Downtown

The market analysis for this proposal correctly states that the retail pull factor is lower now than in the past. (The pull factor is the ratio of our retail spending per capita to the state average retail spending per capita.) The market analysis incorrectly suggests that the way to raise the pull factor is to add more space to an already overbuilt market. This will on add to our current problems.

The Downtown is the only shopping opportunity in Lawrence that is truly unique to the region and appeals to shoppers from outside of Lawrence. Out of town shoppers will not come to Lawrence for its 23rd Street shops; these shoppers have commercial strips where they live. They will not come to Lawrence for its South Iowa Street; these shoppers have big boxes where they live. Out of town shoppers will come to our historic Downtown Lawrence if it provides an attractive shopping experience. Empty stores and deteriorated buildings do not provide an attractive shopping experience.

Adding new space in North Lawrence will only serve to dilute the available demand for Downtown. Conceivably, this space could attract new shoppers, but this will occur only if the space complements and enhances the offerings in the Downtown and does not compete with the Downtown. It is extremely unlikely that the proposed development will achieve this stature.

Shoppers from Johnson County will not be interested in a Dick's Sporting Goods store; they have sporting goods stores at home, and it competes with the sporting goods stores now in the Downtown. Shoppers from Johnson County will not be interested in chain restaurants; they have these chain restaurants at home, and they compete with the locally owned restaurants Downtown. Tourists already have many hotel options. We should protect our downtown hotels, especially our historic Eldridge Hotel, and not add competing options, especially while occupancy rates are low as they are now.

The experience of Lawrence in building unique commercial centers is instructive. The Riverfront Mall was supposed to be an anchor retail center that would attract bus loads of out of town shoppers. What we got is a tourist caliber hotel. The Bauer Farms was supposed to be new urbanism. What we got was a drive-through drug store, a drive-through Taco Bell, and an attempt to build an unneeded home improvement center. Lawrence should have learned that very high quality retail space requires public participation with well administered controls on the process from the start of the development process through operation of the property. Granting a comprehensive plan amendment permits high-quality development. Unfortunately, it does nothing to

insure that only high-quality development happens or that it happens only when it is needed.

Without proper controls on the development process, the resulting space is likely to compete with our Downtown and not enhance it.

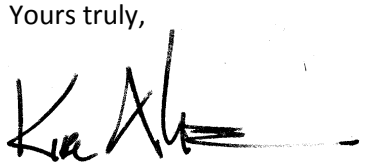
Recommendation

Our retail market is overbuilt. We have too much space competing for too little spending. Adding space now only worsens the problem.

Our historic Downtown is a unique attraction. The proposed development will only serve to compete with the Downtown, diluting the demand that it needs.

The Planning Commission should deny the proposed Comprehensive Plan Amendment.

Yours truly,



Kirk McClure

-----Original Message-----
From: Dan's E-mail [mailto:dhughes101@sunflower.com]
Sent: Sunday, January 22, 2012 8:08 PM
To: Rick Hird
Subject: North Mass Development

Mr. Hird,

I've been following the progression of the North Mass Development, and in my conversations with many of the stakeholders in Downtown, most are completely unaware of the project. Several have expressed a desire to speak at the Planning Commission Meeting, but are unable to attend on short notice.

With this in mind, I would like to request the deferring of this item to the next meeting so that those folks can have their voices heard.

Sincerely,

Dan Hughes
Sunflower Outdoor & Bike Shop
804 Massachusetts St.
Lawrence, KS 66044
(785) 843-5000 work
(785) 393-4992 mobile
dhughes101@sunflower.com

League of Women Voters of Lawrence-Douglas County
P.O. Box 1072, Lawrence, Kansas 66044

RECEIVED
JAN 23 2012
City County Planning Office
Lawrence, Kansas

January 22, 2012

Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: ITEM NO. 11; COMPREHENSIVE PLAN AMENDMENT TO H2020 - CHP 6; NORTH MASS DEVELOPMENT

Dear Chairman Hird and Planning Commissioners:

The developers of the North Lawrence Riverfront development (North Mass Development) are asking to be included in the special provisions of the Comprehensive Plan (CP) for our Downtown. We suggest that the developers of this project are requesting this CP change in order to be able to benefit from the special provisions that our historic Downtown now has. We suggest that adding the North Mass Development is an unfortunate proposal and that should it actually be realized, it will prove to be a burden rather than a benefit to the city. We suggest this for the following reasons:

The location of the project is environmentally hazardous. North Lawrence is subject to severe flooding. Although this area is one of the few locations in North Lawrence that might not flood should the levee be breached, because of its close proximity to the levee, should there be a construction error or unusually high ground water, we question whether developing this area is environmentally safe, or for that matter, wise. There are areas in North Lawrence that periodically flood just from rainwater. Roofing over this location could add to this problem.

The justification for adding this area to the Comprehensive Plan provisions for the Downtown is based on its being a benefit and adding a "pull factor" rather than placing the Downtown at a competitive disadvantage by adding too much unneeded commercial, one opinion voiced by opponents. Because there are widely differing opinions on this, we believe that it would be very unwise to accept the conclusion of only one supporting analysis. There should be another unbiased analysis of this situation, since the staff seems inclined to support changing the CP.

It occurred to us that this Riverfront Development may not be just seeking special opportunities available for downtown development such as reduced requirements for parking, but also the type of support that some of our other Downtown developments have asked for and received, such as Tax Increment Financing and other special financial support. It should be noted that not all of these requests that have been granted have succeeded.

We suggest that rather than allow the Riverfront Development to be included in the Downtown Comprehensive Plan, the City reexamine its policies toward the Downtown, make a thorough study of what it actually needs, and concentrate on helping our historic Downtown succeed even if a new approach is needed. We ask that you not change the CP to include the Riverfront Development, otherwise known as North Mass Development.

Thank you for considering our letter.

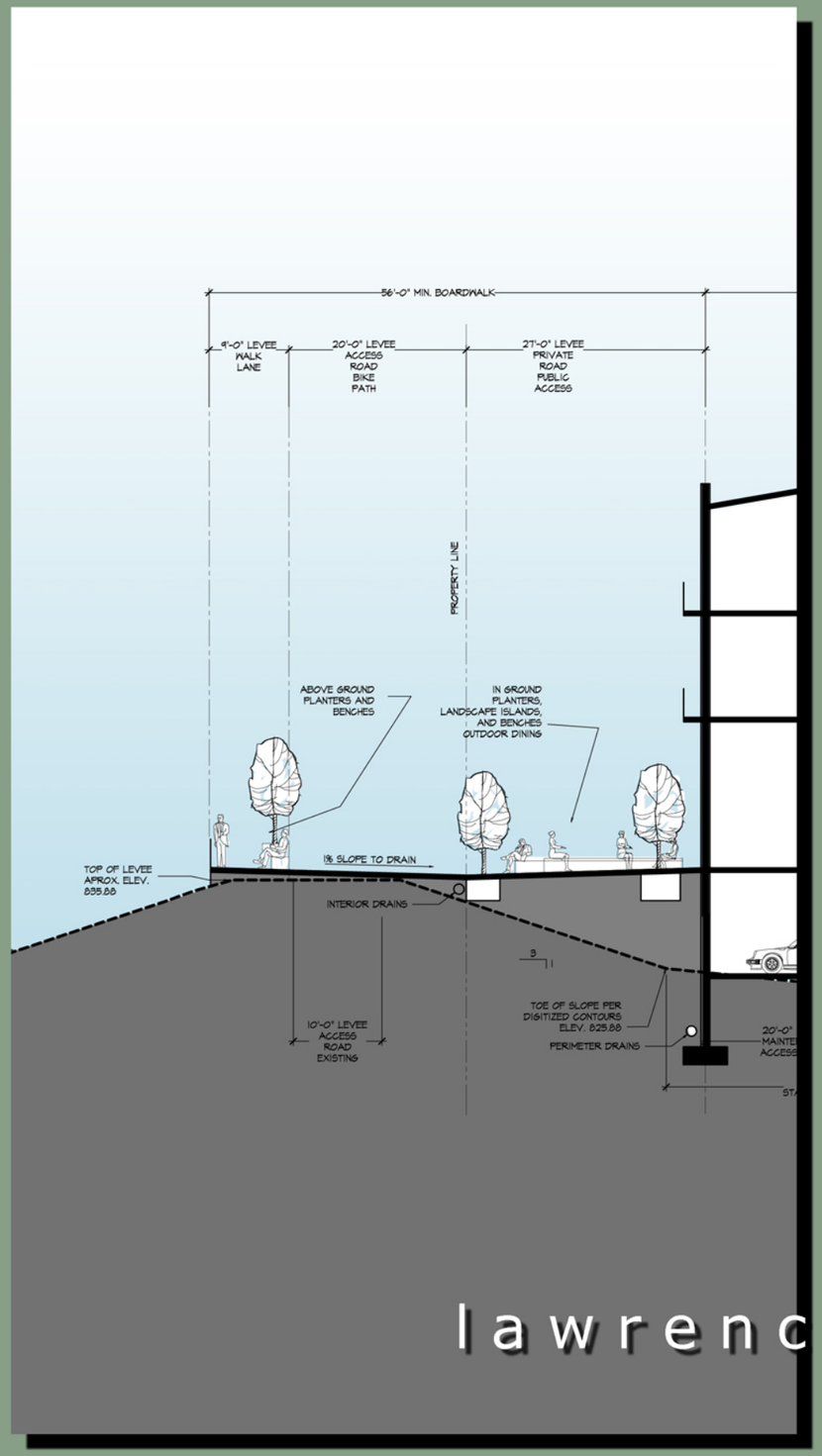
Sincerely yours,

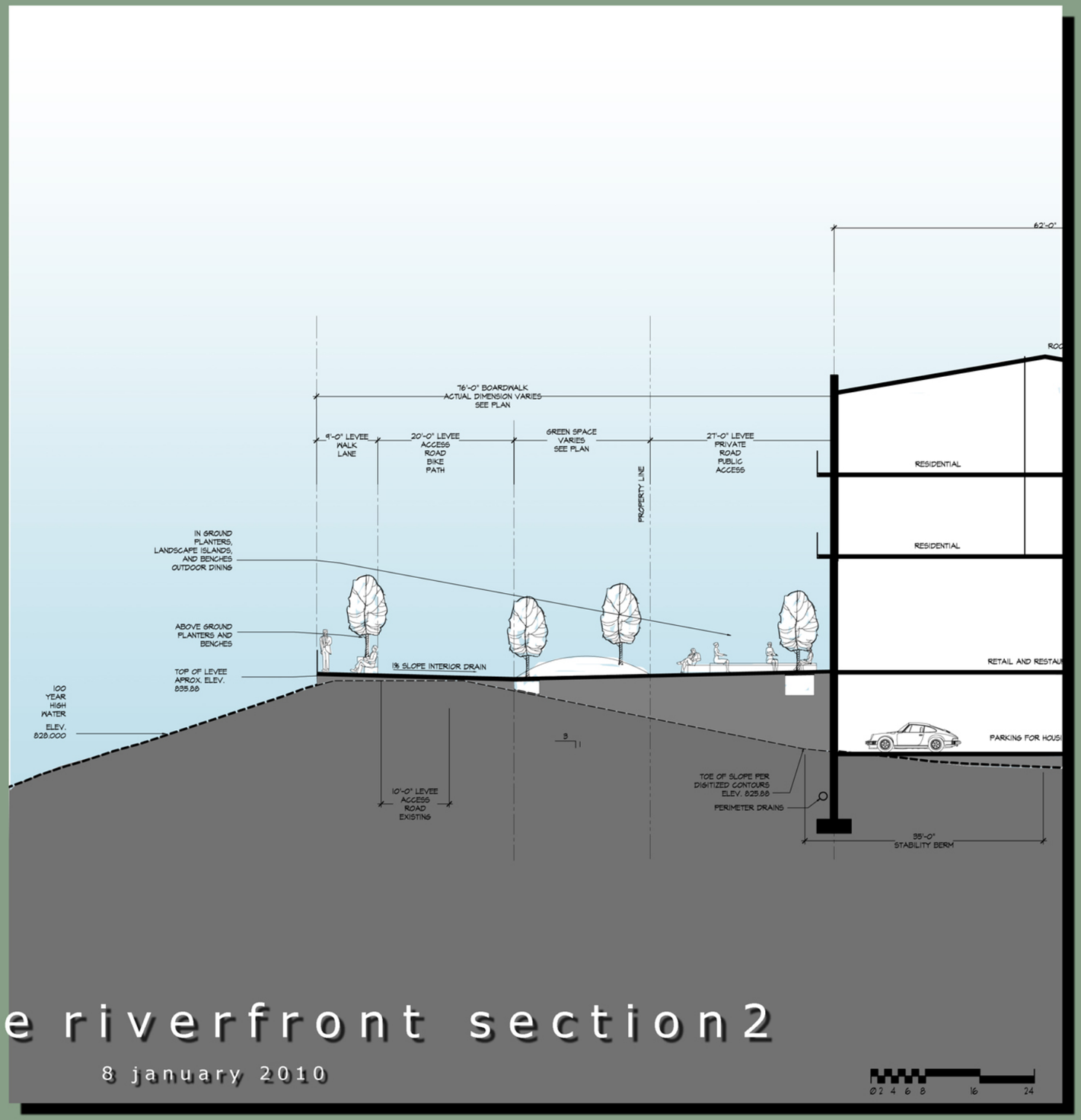
Alan Black

Milton Scott
Vice President

Alan Black, Chairman
Land Use Committee

LWV1-22-12pc agenda Item11 N Mass Dev.-LTR.wpd





lawrence riverfront section2

8 january 2010

paulwerner ARCHITECTS