City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

Updated:
7/21/14 @ 1:45pm
Added Elevations for Item 2 - PDP for The Links; 251 Queens Rd
Added communications Item 2 - PDP for The Links; 251 Queens Rd
Added communications for Items 3 & 4A-4C - CPA, Annexation & Rezoning regarding Southpoint
Added Draft June Planning Commission Minutes

7/18/14 @ 4:30pm
Added Retail Market Study Addendum for Item 3 - CPA H2020 Southern Developmet Plan
Added communications for Items 3 & 4A-4C - CPA, Annexation & Rezoning regarding Southpoint

7/17/14 @ 5:00pm
Added additional attachments and communications for the following items:
Item 2 - PDP for The Links; 251 Queens Rd
Items 3 & 4A-4C - CPA, Annexation, & Rezoning regarding Southpoint

7/16/14 @ 5:00pm
Added the following items:
Item 2 - PDP for The Links; 251 Queens Rd
Communications for Items 3 & 4A-4C - CPA, Annexation, & Rezoning regarding Southpoint

7/15/14 @ 5:00pm
The following items will be added when available:
Item 2 - PDP for The Links; 251 Queens Rd
Draft June Planning Commission Minutes

LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
CITY HALL, 6 EAST 6TH STREET, CITY COMMISSION MEETING ROOM
AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS
JULY 21 ~~& 23~~, 2014 6:30PM - 10:30PM

GENERAL BUSINESS:

PLANNING COMMISSION MINUTES
Receive and amend or approve the minutes from the Planning Commission meeting of June 23, 2014.

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.
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 (JULY 21, 2014) MEETING
NON-PUBLIC HEARING ITEM:

ITEM NO. 1 FINAL DEVELOPMENT PLAN FOR BAUER FARM; 4700 OVERLAND DR (SLD)

FDP-14-00207: Consider a Final Development Plan for Bauer Farm to include a 27,275 SF grocery store and a 11,623 SF commercial retail building, located at 4700 Overland Dr. Submitted by Treanor Architects, for Free State Group LLC, property owner of record.

PUBLIC HEARING ITEMS:

ITEM NO. 2 PRELIMINARY DEVELOPMENT PLAN FOR THE LINKS AT LAWRENCE; 251 QUEENS RD (MKM)

PDP-14-00171: Consider a Preliminary Development Plan for The Links at Lawrence, a 900 unit apartment complex, on approximately 78 acres located at 251 Queens Rd. Submitted by Blew & Associates PA, for Links at Lawrence, property owner of record.

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

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

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

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

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

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

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

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

****DEFERRED****

~~**ITEM NO. 5 TEXT AMENDMENT FOR PARKING & ACCESS STANDARDS (SMS)**~~

~~**TA-6-14-09/TA-13-00235**: Receive an update on the proposed Text Amendments to the City of Lawrence Land Development Code, Article 9 and related sections of Chapter 20, for comprehensive revisions to parking and access standards.~~

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

AJOURN

CALENDAR

June						**2014**
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					

July						**2014**
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		

August						**2014**
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						

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
June 23, 2014
Meeting Minutes DRAFT

June 23, 2014 – 6:30 p.m.
Commissioners present: Britton, Culver, Denney, Graham, Josserand, Kelly, Liese, Rasmussen, Struckhoff, von Achen
Staff present: McCullough, Stogsdill, Crick, Day, Halm, M. Miller, Ewert

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PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of April 21 and 23, 2014.

Motioned by Commissioner Kelly, seconded by Commissioner Denney, to approve the April 21 and 23, 2014 Planning Commission minutes.

Unanimously approved 10-0.

Receive and amend or approve the minutes from the Planning Commission meeting of May 19 and 21, 2014.

Motioned by Commissioner Kelly, seconded by Commission Denney, to approve the May 19 and 21, 2014 Planning Commission minutes.

Unanimously approved 10-0.

COMMITTEE REPORTS

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

Commissioner Britton said the Horizon 2020 committee met on June 9th. He said they heard two presentations, one from Matt Bond regarding stormwater, and another presentation on sustainability. He said they also discussed vision and mission statement issues. He said the committee will be meeting twice a month.

Commissioner Rasmussen said the next Horizon 2020 committee meeting was July 14.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- No ex parte.

- Abstentions:

  Commissioner Britton said Western Resources/Westar had been an opposing party in a few cases within his lawfirm but had nothing to do with the proposal on tonight's agenda and he has never worked on a case with Westar.

ELECTION OF OFFICERS FOR 2013-2014

Accept nominations for and elect Chair and Vice-Chair for the coming year.

Commissioner Culver nominated Commissioner Liese for Chair.
Motion carried 9-0-1, with Commissioner Liese abstaining.

Commissioner Liese nominated Commissioner Britton for Vice-Chair.
Motion carried 9-0-1, with Commissioner Britton abstaining.

MISC NO. 1 MINOR SUBDIVISION VARIANCES FOR ELSE ADDITION; 708-712 RHODE ISLAND (TLH)

MS-14-00231: Consider Minor Subdivision variances for Else Addition, located at 708-712 Rhode Island. Variances requested include reducing minimum lot size and minimum lot width. Submitted by Grob Engineering Services, LLC., for Aileen P. Else, Trustee and Sarah Norman, property owners of record.

STAFF PRESENTATION
Mr. Travis Halm presented the item.

APPLICANT PRESENTATION
Mr. Dean Grob, Grob Engineering Services, was present for questioning.

PUBLIC HEARING
No public comment.

ACTION TAKEN on variance 1
Motioned by Commissioner von Achen, seconded by Commissioner Graham, to approve variance associated with Minor Subdivision for Else Addition, MS-14-00231, located at 708 & 712 Rhode Island Street:

Create lots with less than 6,000 square feet.

Unanimously approved 10-0.

ACTION TAKEN on variance 2
Motioned by Commissioner von Achen, seconded by Commissioner Graham, to approve variance associated with Minor Subdivision for Else Addition, MS-14-00231, located at 708 & 712 Rhode Island Street:

Create lots narrower than 50 feet wide in an RM24-zoned district.

Unanimously approved 10-0.

PC Minutes 6/23/14 **DRAFT**

ITEM NO. 5 EXTENSION REQUEST FOR MERCATO PRELIMINARY PLAT; NE CORNER W 6TH ST & K-10 (MKM)

Extension request for a revised Preliminary Plat, PP-10-5-09, for lots 7, 8 and 9, Block Four and Lots 2, 3, and 4, Block Seven, Mercato Preliminary Plat dated 4/26/06. Property is located in the northeast corner of the intersection of W 6th Street/Hwy 40 and K10.

STAFF PRESENTATION
Ms. Mary Miller presented the item.

APPLICANT PRESENTATION
Mr. Matt Gough, Barber Emerson, was present for questioning.

PUBLIC HEARING
No public comment.

ACTION TAKEN
Motioned by Commissioner Rasmussen, seconded by Commissioner Culver, to grant the extension request for a revised Preliminary Plat, PP-10-5-09, for lots 7, 8 and 9 Block Four and Lots 2, 3, and 4, Block Seven as shown on the approved Preliminary Plat for Mercato dated 4/26/06.

Unanimously approved 10-0.

PC Minutes 6/23/14 **DRAFT**

ITEM NO. 1A RM32 & MU-PD to MU-PD; 1101 & 1115 INDIANA ST (SLD)

Z-14-00170: Consider a request to rezone approximately 2.52 acres from RM32 (Multi-Family Residential) District and MU-PD (Mixed Use-Planned Development) District to MU-PD (Mixed Use-Planned Development) District, located at 1101 and 1115 Indiana St. Submitted by Hartshorne Plunkard Architects on behalf of HERE Kansas LLC, Contract purchaser. Berkley Flats Apartments, LLC and Georgia Bell, property owners of record.

ITEM NO. 1B PRELIMINARY DEVELOPMENT PLAN FOR HERE @ KANSAS; 1101 & 1115 INDIANA ST (SLD)

PDP-14-00183: Consider a Preliminary Development Plan for HERE @ Kansas, located at 1101 & 1115 Indiana St. Submitted by Hartshorne Plunkard Architects on behalf of HERE Kansas LLC, Contract purchaser. Berkley Flats Apartments, LLC and Georgia Bell, property owners of record.

STAFF PRESENTATION
Ms. Sandra Day presented items 1A and 1B together.

APPLICANT PRESENTATION
Mr. Jim Heffernan, HERE Kansas LLC, provided a project overview.

PUBLIC HEARING
No public comment.

COMMISSION DISCUSSION
Commissioner Denney asked if the parking would be city parking, university parking, private parking, or a combination of all.

Mr. McCullough said agreements were being made with all parties to create win-wins for everyone but that it would be public parking.

Commissioner Josserand asked if the Greek Housing on the east side was contacted.

Mr. McCullough said several mailed notices were sent but that there had not been any response.

Commissioner Josserand felt staff should attempt to contact the Greek Housing by phone.

Commissioner von Achen asked about the lane width of Indiana Street.

Mr. McCullough said there would be an 11' lane on Mississippi Street and probably something similar on Indiana Street.

Commissioner Kelly inquired about the realignment of Fambrough Drive.

Ms. Day said the alignment of Fambrough Drive was shown in the KU master plan. She said there was currently no technical design or drawing for that alignment.

Commissioner Josserand said the applicant was seeking significant abatements and financial assistance from the City. He asked the applicant how much actual property tax the project would contribute if the City fully supported the application.

Mr. Heffernan said the contribution of the project extended from property taxes and sales taxes. He said the estimate on sales tax was eight times more than the current property taxes.

Commissioner Josserand said the applicant applied for an exemption on construction goods.

Mr. Heffernan said the sales tax component of the analysis was multifaceted. He said the most important and significant source of revenue generation would be the sales tax associated with the three retail uses. He said this project would the most significant private development project ever in the community. He said it would be a 70 million dollar project and provide many jobs.

Commissioner Culver inquired about the floor plans and the 2,700 sq ft of office use.

Mr. Heffernan said the office space would contain the leasing office with administrative staff and a bicycle room.

Commissioner Struckhoff said he would like the Bicycle Advisory Committee to look at the angled parking on Mississippi Street when the project reached the Site Planning stage. He said Mississippi Street was the number one bike route on the north side of campus because of the grade.

Mr. McCullough said that had been the number one issue through the process. He said he was not sure the Site Plan could be taken to the Bicycle Advisory Committee because it was an administrative function. He said the best and brightest from KU and the City would work on the issue to make it compatible.

Commissioner Denney asked what would happen at 9th & Mississippi due to the increased traffic from the project.

Mr. McCullough said he was not sure if the traffic study went that far. He said City Traffic Engineers had been looking at the project for a long time and he did not believe they recommended any improvements for 9th & Mississippi.

Commissioner von Achen asked staff to address the parking outside of the district on the east side.

Mr. McCullough said the mixed-use district was the only zoning district that allowed on-street parking to accommodate a use.

ACTION TAKEN on Item 1A
Motioned by Commissioner Rasmussen, seconded by Commissioner Denney, to approve the rezoning of approximately 2.52 acres from RM32 (Multi-Dwelling Residential) District to MU-PD (Mixed-Use with PD Overlay) District, based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Unanimously approved 10-0.

ACTION TAKEN on Item 1B
Motioned by Commissioner Rasmussen, seconded by Commissioner Denney, to approve Here @ Kansas Preliminary Development Plan – Preliminary Plat based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Approval of a subdivision plat variance for the reduced right-of-way for 11th Street from 80’ to 40’ of right-of-way.

2. Approval of increased density by the City Commission.
3. Submission of revised data for the Downstream Sanitary Sewer Analysis per the approval of the City Utility Engineer prior to the submission of a Final Development Plan.
4. Submission of a revised Drainage Study to reflect the updated area and bed count indicated in the cover letter per the approval of the City Stormwater Engineer.
5. Submission of a revised landscape plan to correspond to the development plan with property dimensions, building setback, sidewalk shown on the south side of the building, summary of a landscape schedule to include the quantity, size and symbol of proposed landscape materials
6. Revise Sheet PDP-01 to note property owners of record and indicate Here Kansas, LLC as developer.
7. Revise drawing set to include the angled parking exhibit. The on-street parking design is conceptual with the Preliminary Development Plan approval and may require modification with the Final Development Plan pre review comments of staff and the University of Kansas.
8. Revise the Project Data Summary on sheet PDP-01 to show 172 units on face of plan not 173.
9. Revise the Project Data Summary on sheet PDP-01 to show required parking consistent with the MU-PD Development Bonus Utilization Summary.
10. Revise the development plan to show a 14' setback required to meet to meet the standard of section 20-701 (g).
11. Revise the development plan to and to show that the building height complies with the maximum 80' allowed per the MU District and proposed redemption of development bonus points.

Commissioner von Achen wanted to be sure the Greek Houses would be contacted.

Mr. McCullough said staff would continue attempts to contact them. He said there were still several more steps in the development process and that this was just the Preliminary Development Plan.

Unanimously approved 10-0.

ITEM NO. 2 COMPREHENSIVE PLAN AMENDMENT TO CHP 14; K-10 & FARMERS TURNPIKE PLAN (JSC)

CPA-14-00005: Consider a Comprehensive Plan Amendment to Chapter 14- K-10 & Farmer's Turnpike Plan to expand the boundary and amend the future land use designations in the area southeast of I-70 and K-10. *Deferred by Planning Commission on 3/24/14.*

STAFF PRESENTATION
Mr. Jeff Crick presented the item.

APPLICANT PRESENTATION
Mr. David Hamby, BG Consultants, said the area was in the Perry/Lecompton school district which was one of the considerations the owner had to keep in mind when looking at the demographics for the development. He said houses would be harder to sell to families due to it being in the Perry/Lecompton school district. He said the reason for the RS5 request was to aim for retirees. He showed a picture of an existing self-storage unit on 6th Street to provide an example of buffering.

PUBLIC HEARING
No public comment.

COMMISSION DISCUSSION
Commissioner Graham inquired about buffering for the storage site.

Mr. Hamby said the concept plan showed a mix of evergreen and indigenous trees. He said there would be some limit to the trees that could be planted.

Commissioner Graham asked if the storage unit would have more buffering than the 6th Street storage unit he showed on the overhead.

Mr. Hamby said yes. He said lower shrubs could also be mixed with trees to help with buffering.

Commissioner Rasmussen asked what the abbreviation was for Office Research on the land use table.

Mr. McCullough said Office Research was a Comprehensive Plan designation, not a zoning designation.

Commissioner Denney inquired about the zoning of the area south of the Westar Substation.

Mr. McCullough said it was zoned Office/Residential.

Commissioner von Achen said even though it was zoned Office/Residential it could end up being all residential.

Mr. McCullough said not under the current plan. He said the current plan sought for a mix of uses. He said a residential only project would not be compliant with the Comprehensive Plan.

Commissioner von Achen asked how much IL zoning would be left after the Westar Substation and mini-storage project.

Mr. McCullough said those were the only uses that could be accommodated on the property.

Commissioner Rasmussen asked if staff was recommending any restrictions on the IL zoning.

Mr. McCullough said yes.

Commissioner Rasmussen said they were being asked to amend the Comprehensive Plan to recommend a use designation that would allow the property to be zoned IL.

Planning Commission asked to hear Items 3A-3F before voting on Item 2.

ITEM NO. 3A ANNEX 99.7 ACRES; S OF N 1750 RD & E 902 RD (MKM)

A-14-00161: Consider a request to annex approximately 99.7 acres located south of N 1750 Rd & E 902 Rd (extended). Submitted by BG Consultants Inc on behalf of Garber Enterprises Inc, property owner of record.

ITEM NO. 3B ANNEX 15 ACRES; ADJACENT TO N SIDE OF ROCK CHALK PARK (MKM)

A-14-00163: Consider a request to annex approximately 15 acres located adjacent to the north side of Rock Chalk Park. Submitted by BG Consultants Inc on behalf of Robert and Jan Maxwell Trust, property owner of record.

ITEM NO. 3C A TO RS5; 25.2 ACRES; SW OF N 1750 RD & E 902 RD (MKM)

Z-14-00162: Consider a request to rezone approximately 25.2 acres from County A (Agricultural) District to RS5 (Single-Dwelling Residential) District, located SW of N 1750 Rd and E 902 Rd. Submitted by BG Consultants Inc on behalf of Garber Enterprises Inc, property owner of record.

ITEM NO. 3D A TO RS7; 75.4 ACRES; SE OF N 1750 RD & E 902 RD (MKM)

Z-14-00164: Consider a request to rezone approximately 75.4 acres from County A (Agricultural) District to RS7 (Single-Dwelling Residential) District, located SE of N 1750 Rd and E 902 Rd. Submitted by BG Consultants Inc on behalf of Garber Enterprises Inc and Robert and Jan Maxwell Trust, property owners of record.

ITEM NO. 3E A TO IL; 13.3 ACRES; SW OF N 1750 RD & E 902 RD (MKM)

Z-14-00165: Consider a request to rezone approximately 13.3 acres from County A (Agricultural) District to IL (Limited Industrial) District, located SW of N 1750 Rd & E 902 Rd. Submitted by BG Consultants Inc on behalf of Garber Enterprises Inc, property owner of record.

ITEM NO. 3F A TO RS7-FP; .8 ACRE; SE OF N 1750 RD & E 902 RD (MKM)

Z-14-00204: Consider a request to rezone approximately .8 acre from County A (Agricultural) District to RS7-FP with (Single-Dwelling Residential with Floodplain Management Regulations Overlay) District, located SE of N 1750 Rd & E 902 Rd. Submitted by BG Consultants Inc on behalf of Garber Enterprises Inc, property owner of record.

STAFF PRESENTATION
Ms. Sandra Day presented items 3A-3F together.

COMMISSION DISCUSSION

Commissioner Josserand asked staff to respond to the letter that the League of Women Voters sent.

Mr. McCullough said none of the primary uses set forth in the plan would be compatible uses given a growing Westar Substation and easements. He said staff agreed with the League of Women Voters comment about not watering down residential office or changing it to the point it's not mixed use. He said one of the things that had changed since the Northwest Plan was adopted was a more stringent code when it came to protecting environmentally sensitive lands. He said it could be a little more dense to protect the sensitive lands. He said when the Northwest Area Plan was created one of the methods for preserving sensitive lands was employing larger lots.

Commissioner Liese asked Ms. Cille King from the League of Women Voters to respond.

Ms. Cille King, League of Women Voters, said annexing and rezoning would destroy the original intent of the Northwest Plan. She asked Planning Commission to consider what the change would mean to land use planning and that area of Lawrence.

Commissioner von Achen asked Ms. King about her comment that it would destroy the intent of the Northwest Plan.

Ms. King said this was a prime area for employment and rezoning it to mini-storage and more residential would take away the possibility for employment in the area.

Commissioner Struckhoff asked the applicant about recommending approval with residential office.

Mr. Hamby said the property owner wanted all or nothing and that if the RS5 zoning wasn't approved then he did not want to proceed with the rest of the request.

Commissioner Struckhoff inquired about access.

Mr. McCullough said the access was a driveway on an easement, not a public street.

Mr. Hamby said the agreement was set up as a driveway.

Commissioner Josserand asked the applicant about the significance of the storage facility relative to the whole plan.

Mr. Hamby said the RS5 zoning was for the retiree demographic. He said the homes would be smaller and the mini-storage would provide additional storage.

Commissioner Denney asked about the two buildings south of Westar.

Mr. McCullough said they were agricultural buildings.

Commissioner von Achen said Planning Commission had discussion in March about what a gateway should look like.

Mr. McCullough said it was a function of many variables, such as aesthetics, buildings, lighting, and signage. He said specific to the warehouse the applicant brought photos that showed it could be done in a reasonable manner and didn't have to look like metal sheds.

Commissioner Rasmussen inquired about other permitted uses in the IL district, such as mobile homes.

Mr. McCullough said mobile homes in the IL district could be used for non-residential purposes, such as office or utility purposes.

Commissioner Josserand said his biggest heartburn was storage facilities and how this gateway would look.

Commissioner Liese asked what they envisioned for that gateway.

Commissioner Britton said long range planning had already been done with what was envisioned for the area and expressed in the sector plans. He said the plans currently called for residential office except for the portion to the east. He said the consensus seemed to be that they did not want it to look like more single-family neighborhoods or even a nice looking utility storage facility. He said if they were going to change the Comprehensive Plan because of a specific development proposal it should be a really interesting and exciting opportunity for the community and he was not getting that feeling from this project. He felt that by approving the requests they would be giving up on good opportunities that they would not have anywhere else in Lawrence. He did not feel this project was exciting enough to merit that.

Commissioner Rasmussen said when the K-10 Farmer's Turnpike Plan was originally approved the idea was that drivers shouldn't drive through the industrial area to get into town. He said the IL zoning along the corridor made him uncomfortable. He felt they needed to be looking at the big picture and how they envision the area looking.

Commissioner Graham agreed with Commissioners Britton and Rasmussen. She said there would be people coming from all over Kansas to visit Rock Chalk Park and they needed to think about what they wanted the area to look like.

Commissioner Kelly said they needed to look at the large umbrella picture. He said the applicant indicated they wanted RS5 zoning or nothing at all. He said if the area was switched to residential it may be difficult for the people who live there to get to amenities.

Commissioner Liese said it sounded like Planning Commissioners were not comfortable amending the Comprehensive Plan. He asked staff if they would still vote on the rezonings if they denied the amendment to the Comprehensive Plan.

Mr. McCullough said yes, that their vote was a recommendation to City Commission.

Commissioner Denney asked if there were any Comprehensive Plan changes to allow Rock Chalk Park.

Mr. McCullough said not at its current location. He said there was a Comprehensive Plan change for the West of K-10 Plan when Rock Chalk Park was proposed at that section of the node. He said a CC600 was created at the node and Rock Chalk Park moved to the east side so a Special Use Permit was created. He said there was a retail component to the plan when Rock Chalk Park was proposed on the west side of K-10 which triggered an amendment to the Comprehensive Plan.

Commissioner von Achen said if the Comprehensive Plan was changed it should be for something that was an improvement for the community and she did not feel this was an improvement.

ACTION TAKEN on Item 2
Motioned by Commissioner von Achen, seconded by Commissioner Graham, to deny the Amendment to the Comprehensive Plan (CPA-14-00005).

Commissioner Britton said he did not want to support single-family residential sprawl and wanted to preserve agricultural areas. He said he would support the motion.

Commissioner Denney felt the Comprehensive Plan should only be changed when there was an error or something significant had changed since the plan was put into place.

Commissioner Culver said he would support the motion but would also support a staff recommendation of modifying the applicant's request. He believed there needed to be some protection for the area of residential office, specifically access to the property to the west.

Commissioner Kelly said he would support the motion. He said he was concerned about the property west of the Westar Substation and how it would be used. He said he was conflicted about mini-storage. He said he was supportive of keeping their options open.

Motion unanimously carried 10-0.

Mr. Hamby said he did not want to withdraw the requests and would be open to tabling the items until after he talked to the property owner.

Mr. McCullough said he did not feel there was a reason to defer.

Commissioner Denney asked if they deny items 3 the owner could still come up with a project that fit within the existing plan.

Mr. McCullough said yes.

ACTION TAKEN on Item 3A
Motioned by Commissioner von Achen, seconded by Commissioner Graham, to deny annexation (A-14-00161) of approximately 99.7 acres located south of N 1750 Rd & E 902 Rd (extended).

Motion carried 10-0.

ACTION TAKEN on Item 3B
Motioned by Commissioner von Achen, seconded by Commissioner Graham, to deny annexation (A-14-00163) of approximately 15 acres located adjacent to the north side of Rock Chalk Park.

Motion carried 10-0.

ACTION TAKEN on Item 3C
Motioned by Commissioner von Achen, seconded by Commissioner Graham, to deny rezoning (Z-14-00162) approximately 25.2 acres from County A (Agricultural) District to RS5 (Single-Dwelling Residential) District, located SW of N 1750 Rd and E 902 Rd.

Motion carried 10-0.

ACTION TAKEN on Item 3D
Motioned by Commissioner von Achen, seconded by Commissioner Graham, to deny rezoning (Z-14-00164) approximately 75.4 acres from County A (Agricultural) District to RS7 (Single-Dwelling Residential) District, located SE of N 1750 Rd and E 902 Rd.

Motion carried 10-0.

ACTION TAKEN on Item 3E
Motioned by Commissioner von Achen, seconded by Commissioner Graham, to deny rezoning (Z-14-00165) approximately 13.3 acres from County A (Agricultural) District to IL (Limited Industrial) District, located SW of N 1750 Rd & E 902 Rd.

Motion carried 10-0.

ACTION TAKEN on Item 3F
Motioned by Commissioner von Achen, seconded by Commissioner Graham, to deny rezoning (Z-14-00204) approximately .8 acre from County A (Agricultural) District to RS7-FP with (Single-Dwelling Residential with Floodplain Management Regulations Overlay) District, located SE of N 1750 Rd & E 902 Rd.

Motion carried 10-0.

PC Minutes 6/23/14 **DRAFT**

ITEM NO. 4 CONDITIONAL USE PERMIT FOR WESTAR ENERGY; 1703 E 902 RD (MKM)

CUP-14-00167: Consider a Conditional Use Permit for the expansion of Westar Energy's Baldwin Creek Substation on approximately 14.7 acres located at 1703 E 902 Rd. Submitted by Bartlett & West on behalf of Western Resources Inc, (aka Westar Energy, Inc.) property owner of record.

STAFF PRESENTATION
Ms. Mary Miller presented the item.

APPLICANT PRESENTATION
Ms. Cindy Risch, Westar Energy, said the purpose for the expansion was that Douglas County was growing and thriving and an additional source of bulk power was needed.

Commissioner Josserand asked where Douglas County received primary power feed from.

Ms. Risch said the Lawrence Energy Center. She said they didn't plan on starting to move dirt until at least 2015. She said they wouldn't start construction of the substation until 2020.

Commissioner Culver felt it made sense to expand on this site with existing infrastructure. He asked if it would be an ideal site if not for the existing infrastructure.

Ms. Risch said yes, this was an ideal site because of the additional source of bulk power from the transmission line that runs along the north edge. She said Westar would like to tap into that.

PUBLIC HEARING
No public comment.

ACTION TAKEN
Motioned by Commissioner Kelly, seconded by Commissioner Denney, to approve the Conditional Use Permit, CUP-14-00167, for the expansion of the Baldwin Creek Substation on approximately 14.7 acres, located at 1703 E 902 Rd subject to the following conditions:

1. Provision of an executed Annexation Agreement prior to release of the CUP plans.
2. Dedication of 40' of right-of-way for E 902 Road by separate instrument prior to release of the CUP plans

Commissioner Rasmussen said the expansion of substation was good for the community.

Unanimously approved 10-0.

ITEM NO. 6 PRELIMINARY DEVELOPMENT PLAN FOR THE LINKS AT LAWRENCE; 251 QUEENS RD (MKM)

PDP-14-00171: Consider a Preliminary Development Plan for The Links at Lawrence, a 882 unit apartment complex and 9 hole golf course, on approximately 78 acres located at 251 Queens Rd. Submitted by Blew & Associates PA, for Links at Lawrence, property owner of record.

ITEM NO. 7 TEXT AMENDMENT FOR PARKING & ACCESS STANDARDS (SMS)

TA-6-14-09/TA-13-00235: Receive an update on the proposed Text Amendments to the City of Lawrence Land Development Code, Article 9 and related sections of Chapter 20, for comprehensive revisions to parking and access standards.

Items 6 and 7 were deferred prior to the meeting.

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

AJOURN 9:38pm

2014
LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
MID-MONTH & REGULAR MEETING DATES

Mid-Month Meetings, Wednesdays 7:30 – 9:00 AM (*Friday Meeting)	**Mid-Month Topics**		**Planning Commission Meetings 6:30 PM, Mon & Wed**	
Jan 24*	*Planning Commission Retreat - half day Friday*		Jan 27	Jan 29
Feb 12	HERE @ KU	Topics for 2014	Feb 24	Feb 26
Mar 12	Small Business Facilitator	Continue H2020 Discussion from Jan Retreat	Mar 24	Mar 26
Apr 9	Apartment Trends – Tim Keller, Keller & Associates		Apr 21	Apr 23
May 14	Comp Plan Update Exercises		May 19	May 21
Jun 11	MPO Multi-Modal Studies http://lawrenceks.org/mpo/study	APA Conference updates	Jun 23	Jun 25
Jul 9	Preview presentation from development team of Annexation & Rezoning applications for proposed commercial & open space development containing approximately 167 acres located south of K-10 & east of US59		Jul 21	Jul 23
Aug 15*	*PC Orientation – all day Friday*		Aug 25	Aug 27
Sep 10			Sep 22	Sep 24
Oct 8			Oct 20	Oct 22
Nov 5			Nov 17	Nov 19
Dec 3			Dec 15	Dec 17

	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* *Joint meeting with other Cities' Planning Commissions* *Joint meeting with other Cities and Townships – UGA potential revisions*	*New County Zoning Codes* *Tour City/County Facilities* *Oread Overlay Districts* *Comprehensive Plan – Goals & Policies* *Utilities Master Plan* *Water Resources*
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 05/22/14

2014 PLANNING COMMISSION ATTENDANCE

	Jan 27 2014	Feb 24 2014	Feb 26 2014	Mar 24 2014	Apr 21 2014	Apr 23 2014	May 19 2014	May 21 2014	June 23 2014	July 21 2014
Britton	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Culver	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Denney	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Graham	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Josserand	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Kelly	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Liese	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Rasmussen	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	
Struckhoff	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
von Achen	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	

PLANNING COMMISSION REPORT
Non-Public Hearing Item

PC Staff Report
07/21/14

ITEM NO. 1 FINAL DEVELOPMENT PLAN FOR BAUER FARM; 4700 OVERLAND DR (SLD)

4820 BAUER FARM DRIVE and 4740 BAUER FARM DRIVE

FDP-14-00207: Consider a Final Development Plan for Bauer Farm to include a 27,275 SF grocery store and an 11,623 SF commercial retail building, located at 4700 Overland Dr. Submitted by Treanor Architects for Free State Group LLC, property owner of record.

STAFF RECOMMENDATION: Planning staff recommends approval of the Final Development Plan based upon the findings of fact presented in the body of the Staff Report subject to the following conditions:

1. Applicant shall provide cut sheets for the lighting fixtures for review and approval prior to release of the plan for building permits.
2. Submission of revised Final Development Plan with the following changes:
    a. Signature block for Planning Commission Chair and the Director of Planning.

Reason for Request: *Construction of two buildings: a 11,623 square feet in-line retail building, and a 27,275 square foot grocer, along with associated parking lots, driveways, sidewalks, utilities, grading and landscaping. To make way for the proposed improvements, while still providing necessary detention volume, the existing detention point which spans Champion Lane will be modified using segmental retaining walls (such as Redi-Rock Ledgestone units) along the perimeter of the pond. The existing private drive and public water main, which serves the existing Hurricane Alley car wash property will be extended north to Overland Drive.*

Attachments:
- Proposed Final Development Plan

Design Standards to Consider
- Consistency with approved Preliminary Development Plan, PDP-14-00055.
- Consistency with Article 10 of the 1966 Zoning Code.

KEY POINTS:
- This final development plan is specifically for Lot 2, in-line retail use to be addressed as 4820 Bauer Farm Drive and Lot 3, grocery to be addressed as 4740 Bauer Farm Drive.
- Final Development Plans for projects with preliminary approvals prior to the adoption of the 2006 Development Code require Planning Commission approval.
- A revised Preliminary Development Plan for Bauer Farms Northwest PCD [PDP-14-00055] was approved by the City Commission on May 6, 2014.
- The proposed development is in substantial conformance with the approved Preliminary Development Plan.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- CPA-14-00055; Comprehensive Plan Amendment to revise Chapter 6 and the 6th & Wakarusa Nodal Plan.
- Z-14-00057; amending the uses and retail square foot limitation of existing PCD approved per Ordinance 8986 by the City Commission on May 6, 2014.
- PDP-14-00055; Revised Preliminary Development Plan approved by the City Commission on May 6, 2014.
- PF-14-00054; Final Plat Bauer Farm 6th Plat. Easements accepted by the City commission on May 13, 2014 and recorded with the Douglas County Register of Deeds Office on June 25, 2014, Book 18 Page 801.

PUBLIC COMMENT

- Phone Inquiry from USD 497 regarding clarification of proposed development.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Study provided and accepted with Preliminary Development Plan.
- *Downstream Sanitary Sewer Analysis* - Study provided and accepted with Preliminary Development Plan.
- *Drainage Study* – Study provided and accepted with Preliminary Development Plan.
- *Retail Market Study* – Not applicable to application.

GENERAL INFORMATION

Current Zoning and Land Use: PD-[Bauer Farm Northwest] Planned Commercial Development District. Property is currently undeveloped but does contain a stormwater detention pond.

Surrounding Zoning:

To the south:
PD-[Bauer Farm] Planned Commercial Development District. Hurricane Car Wash, and additional commercial retail and fast order food uses to the south, and a detention pond to the west.

To the west:
West side of Wakarusa Drive. CO (Commercial Office) District. Vacant lots on the north and south sides of Overland Drive. Pending development on the northwest corner for medical office building.

To the north:
GPI (General Public and Institutional Uses) District north of Overland Drive; *School,* Free State High School and *Participant Sports & Recreation, Indoor,* Lawrence Indoor Aquatic Center.

To the east:
East side of Champion Lane. PD-[Bauer Farm] Planned Commercial Development District; existing Theater Lawrence.

STAFF SUMMARY

This Final Development Plan proposes the development of two of the four lots included in the Bauer Farm Northwest Planned Commercial District. Additionally, this Final Development Plan modifies the detention pond located on the west side of Champion Lane.

Site Summary	Lot 2 (4820 Bauer Farm Dr.)	Lot 3 (4740 Bauer Farm Dr.)	Tract A	Total
Lot Area (SF)	92,729	116,582	16,136	
Building (SF)	11,623	27,275	0	38,898
Impervious area (SF)	76,155	103,861	0	180,016
Pervious area (SF)	16,574	12,721	16,136	114,948

STAFF REVIEW

This application represents a substantial development of the commercial portion of the Bauer Farm Development on the north side of Bauer Farm Drive. The commercial area has been platted, creating developable lots and an interior access drive (private street) between Bauer Farm Drive and Overland Drive. This Final Development Plan will result in the completion of the access drive between Bauer Farm Drive and Overland Drive. Development of Lot 1 (on the southeast corner of Wakarusa Drive and Overland Drive) and Lot 4 (on the northwest corner of Champion Lane and Bauer Farm Drive) will require future Final Development Plan approval prior to a building permit.

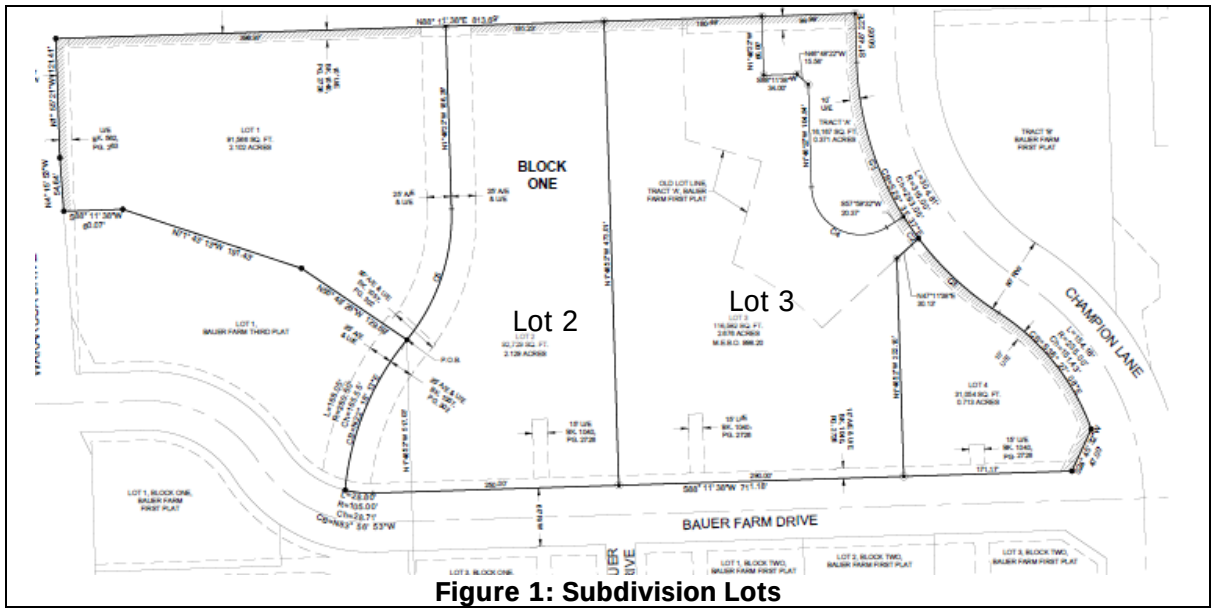

Figure 1: Subdivision Lots

Common Open Space

A minimum of 20% of the area in the Planned Development is required to be placed into Common Open Space. Common open space within the commercial development typically occurs as peripheral yards and interior open space. The approved Preliminary Development Plan shows that while Lots 2 and 3 do not meet the required open space individually, the four lots combined in the Bauer Farm Northwest PCD do comply with this design standard. Excess open space is provided in Tract A, and in the future development of Lot 1 and Lot 4 of Bauer Farm Northwest.

Access and Circulation

Vehicular access to this site is provided from Bauer Farm Drive, Overland Drive, and Champion Lane. An interior access drive (private street) will be added between Bauer Farm Drive and Overland Drive. Direct access to both Overland Drive and Champion Lane are restricted to specific access points established with the Final Plat. The proposed Final Development Plan is consistent with these access locations.

Champion Lane between W. 6th Street and Overland Drive is noted on Transportation Planning documents as a future bike route. Additionally Overland Drive between Wakarusa Drive and Folks Road is designated as a future bike route. Appropriate signage and pavement markings are recommended for the Final Development Plan as these two lots abut Overland Drive and Champion Lane.

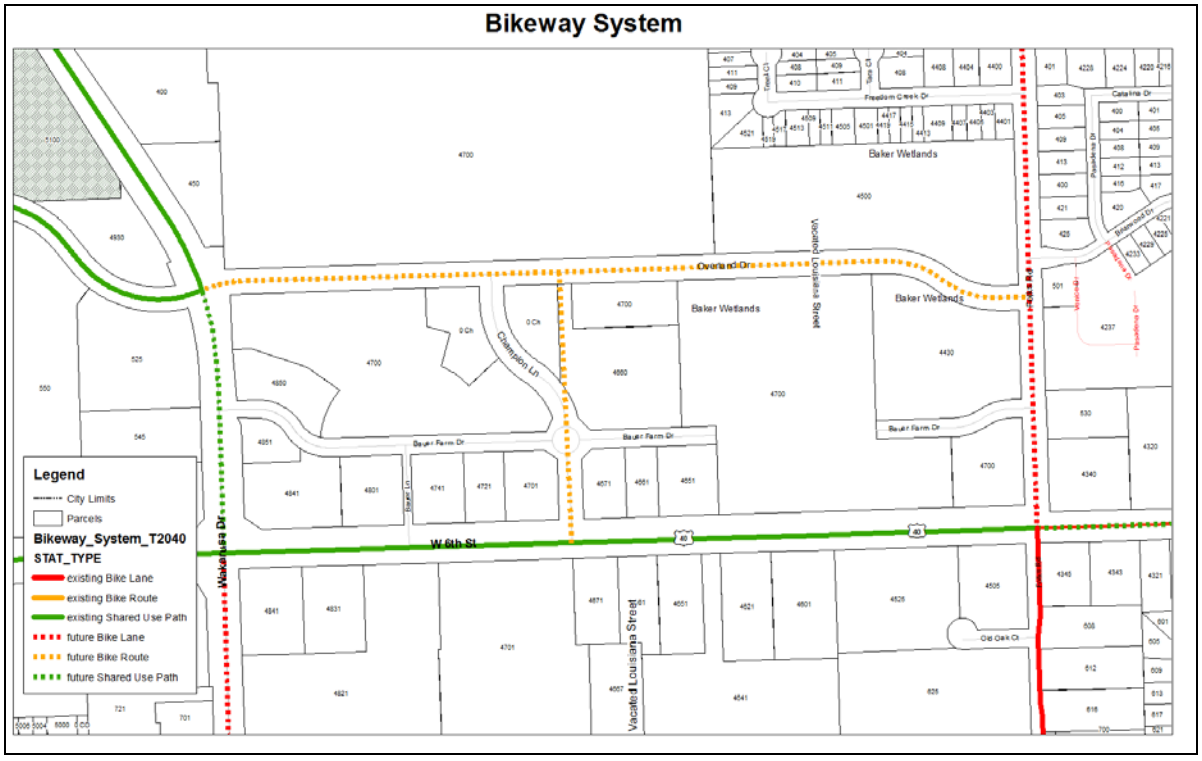

Figure 2: Bikeway System Map

Pedestrian Connectivity

Internal pedestrian walkways are provided throughout the development. The plan shows pedestrian connections within the site and connecting to existing public sidewalks surrounding the property.

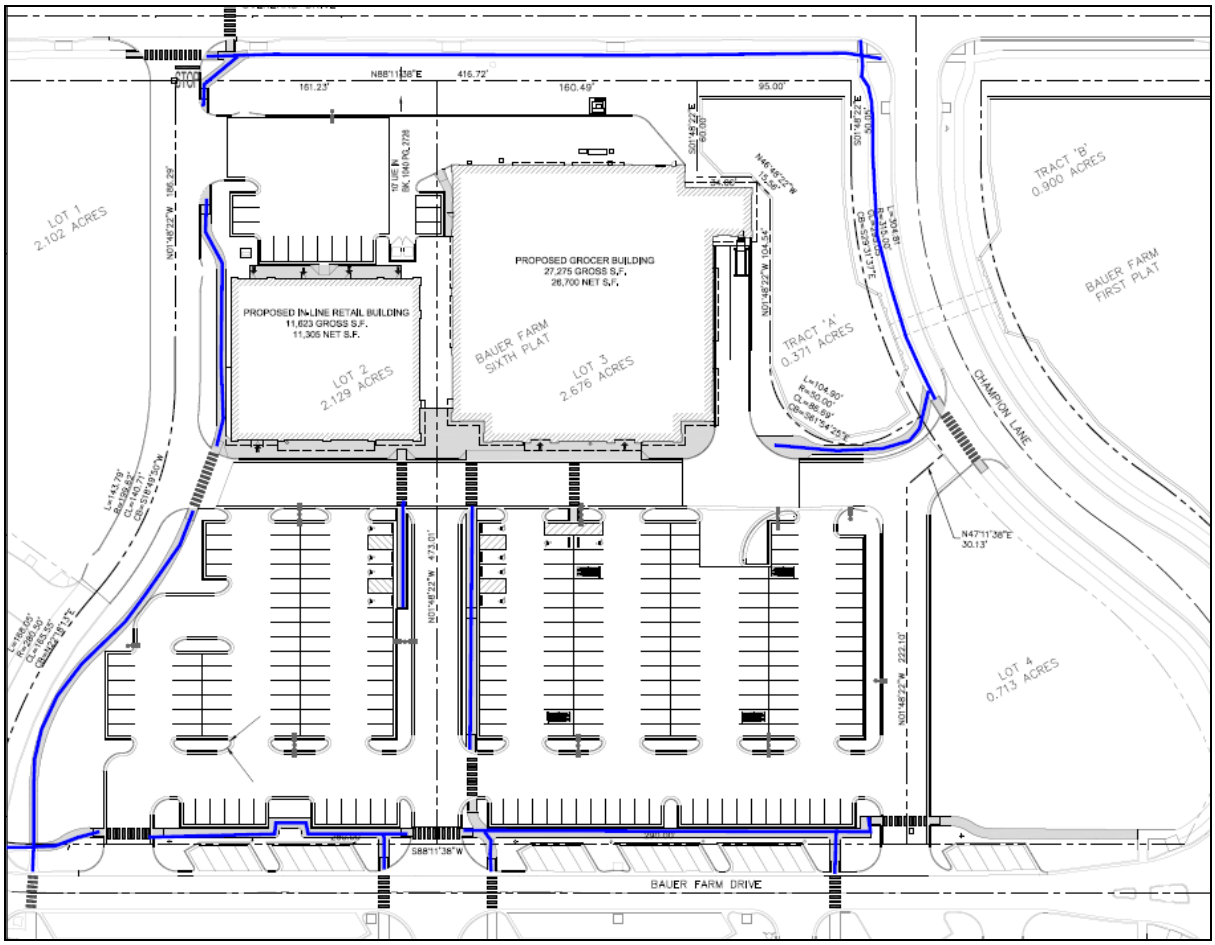

Figure 3: Pedestrian Pathway System Map

Lighting

A point-by-point photometric plan was provided for this proposed development. The lighting levels are compliant with the standards in Section 20-1103(d)(3). Details for the lighting fixtures should be provided and approved prior to release of the plan for issuance of building permits.

Commercial Design Standards

As the overall design of the site was approved with the Preliminary Development Plan, the changes being proposed to the site and the building façade were reviewed with the Commercial Design Standards included as Section Two of the Community Design Manual. The site provides overall good pedestrian and vehicular access.

The proposed façade is compliant with the Commercial Design Standards. The building façade contains both vertical and horizontal variation and a mix of materials is used in both buildings. The design provides a consistent theme for all commercial buildings within the development.

Conclusion

The proposed development is consistent with the planned development for this area and is compliant with the provisions of the Land Development Code and the Commercial Design Standards.

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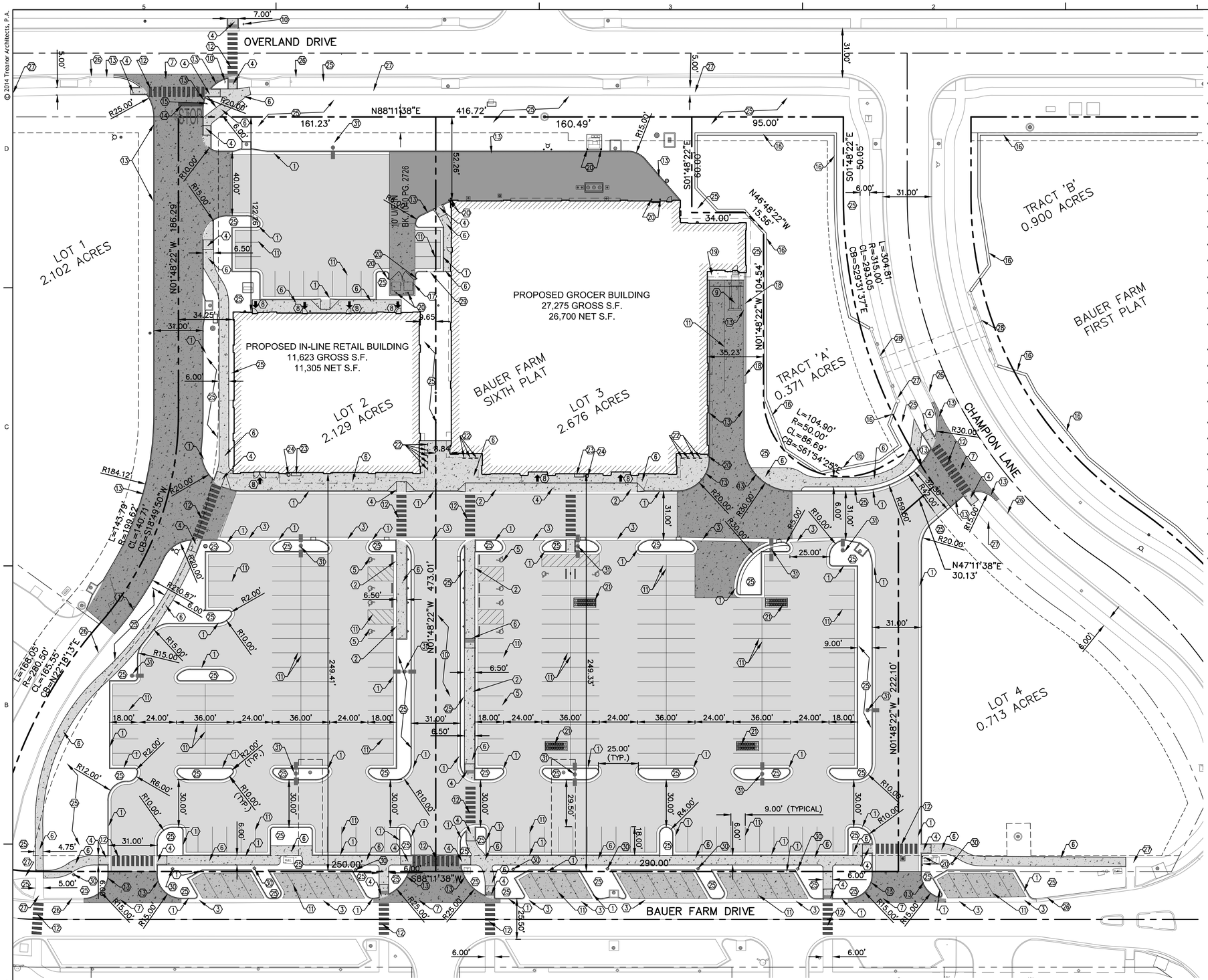

KEY NOTES

1. 6" CONCRETE CURB & GUTTER
2. CONCRETE LAYDOWN CURB & GUTTER
3. CONCRETE VALLEY GUTTER
4. ACCESSIBLE SIDEWALK RAMP
5. ACCESSIBLE PARKING STALLS. INCLUDES AT LEAST ONE VAN-ACCESSIBLE STALL PER BAY.
6. CONCRETE SIDEWALK.
7. CONCRETE COMMERCIAL DRIVEWAY APPROACH PER CITY OF LAWRENCE STANDARD.
8. PUBLIC ENTRANCE TO BUILDING.
9. GARBAGE COMPACTOR.
10. SCHOOL CROSSING SIGN.
11. 4" WIDE WHITE PAINTED PARKING STALL MARKINGS.
12. CROSSWALK MARKINGS.
13. 6" MONOLITHIC CURB.
14. 2' STOP BAR AND "STOP" MARKING.
15. STOP SIGN. POLE TO MATCH EXISTING SIGN POLES IN BAUER FARM.
16. REDI-ROCK LEDGESTONE RETAINING WALL. SEE PAGE 2 FOR ELEVATIONS.
17. DUMPSTER ENCLOSURE. BRICK WITH STONE ACCENT TO MATCH BUILDINGS.
18. SCREEN WALL. CONCRETE MASONRY UNITS WITH STONE VENEER. REFER TO BUILDING ELEVATIONS FOR WALL HEIGHT.
19. 4' LOADING DOCK.
20. CONCRETE-FILLED PIPE BOLLARD.
21. GROCERY CART CORRAL.
22. BICYCLE RACK. LANDSCAPE FORMS "PI" TYPE. POWDER COATED BLACK, IN-GROUND MOUNTED.
23. BENCH.
24. REFUSE RECEPTACLE.
25. LANDSCAPED AREA. REFER TO LANDSCAPE PLAN.
26. EXISTING CURB & GUTTER TO REMAIN.
27. EXISTING SIDEWALK TO REMAIN.
28. EXISTING BRIDGE TO REMAIN.
29. 4' WIDE CURB NOTCH FOR DRAINAGE.
30. PEDESTRIAN LIGHT. TYPE TO MATCH EXISTING LIGHTS ALONG SOUTH SIDE OF BAUER FARM DRIVE.
31. PARKING LOT LIGHT.

PARKING REQUIREMENTS

	OFF-STREET STALLS REQ'D	OFF-STREET STALLS PROVIDED	ADA STALLS REQ'D	ADA STALLS PROVIDED	BICYCLE STALLS REQUIRED	BICYCLE STALLS PROVIDED
INLINE RETAIL (LOT 2)	57	88	4	4	9	10
GROCER (LOT 3)	134	135	5	6	13	14

NOTE:
- AN ADDITIONAL 28 ON-STREET STALLS ALONG BAUER FARM DRIVE ARE TO BE CONSTRUCTED WITH THIS PROJECT.
- SHARED PARKING IS PART OF OVERALL DEVELOPMENT AND COVENANT.

LEGAL DESCRIPTION

LOTS 2, 3 AND TRACT 'A' IN BLOCK 1, BAUER FARM SIXTH PLAT A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, ACCORDING TO THE PLAT THEREOF.
CONTAINS 225,478 SQUARE FEET OR 5.176 ACRES, MORE OR LESS.

GENERAL NOTES

1. THIS PROJECT HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDING AND FACILITIES, APPENDIX A TO 28 CFR PART 36.
2. CITY OF LAWRENCE WILL NOT BE HELD RESPONSIBLE FOR PAVEMENT DAMAGE DUE TO REFUSE COLLECTION.
3. 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.
4. THE RETENTION BASIN WILL BE PRIVATELY-OWNED AND MAINTAINED. THE LANDOWNER IS RESPONSIBLE FOR THE MAINTENANCE OF THE RETENTION BASIN. FAILURE TO MAINTAIN THE RETENTION BASIN WILL RESULT IN THE LOSS OF THE STORMWATER DETENTION CREDIT. THE RETENTION BASIN WILL REMAIN FREE OF ANY NATURAL OR NON-NATURAL STRUCTURES OR VEGETATIVE BARRIERS (INCLUDING BUT NOT LIMITED TO TREES, SHRUBBERY, BERMS, FENCES, AND WALLS).
5. ALL CURB INLETS WILL BE CONSTRUCTED PER CITY OF LAWRENCE STORM SEWER STANDARD DETAILS.

LOT 2

	EXISTING	PROPOSED
BUILDINGS	0 S.F. (0%)	11,623 S.F. (12%)
PAVEMENT	1,928 S.F. (2%)	64,532 S.F. (70%)
IMPERVIOUS	1,928 S.F. (2%)	76,155 S.F. (82%)
PERVIOUS	90,801 S.F. (98%)	16,574 S.F. (18%)
LOT AREA	92,729 S.F.	92,729 S.F.

LOT 3

	EXISTING	PROPOSED
BUILDINGS	0 S.F. (0%)	27,275 S.F. (23%)
PAVEMENT	0 S.F. (0%)	76,586 S.F. (66%)
IMPERVIOUS	0 S.F. (0%)	103,861 S.F. (89%)
PERVIOUS	116,582 S.F. (100%)	12,721 S.F. (11%)
LOT AREA	116,582 S.F.	116,582 S.F.

TRACT 'A'

	EXISTING	PROPOSED
BUILDINGS	0 S.F. (0%)	0 S.F. (0%)
PAVEMENT	0 S.F. (0%)	0 S.F. (0%)
IMPERVIOUS	0 S.F. (0%)	0 S.F. (0%)
PERVIOUS	16,167 S.F. (100%)	16,167 S.F. (100%)
LOT AREA	16,167 S.F.	16,167 S.F.

CURRENT OWNER
FREESTATE GROUP, LLC
CONTACT PERSON: MICHAEL L. TREANOR
1040 VERMONT STREET
LAWRENCE, KANSAS 66044
(785) 371-0781

DEVELOPER / PROPOSED OWNER
WAKARUSA INVESTORS, LLC
CONTACT PERSON: DAVID GEIST
6834 SOUTH UNIVERSITY BLVD, SUITE 415
CENTENNIAL, COLORADO 80122
(720) 489-0424

LAND SURVEYOR
COOK, FLATT & STROBEL ENGINEERS, P.A.
CONTACT PERSON: KIRK R. BALDWIN, LS
850 EAST 13TH STREET, SUITE B
LAWRENCE, KANSAS 66044
(785) 856-9600

CIVIL ENGINEER
TREANOR ARCHITECTS, P.A.
CONTACT PERSON: MATTHEW L. MURPHY, PE
1040 VERMONT STREET
LAWRENCE, KANSAS 66044
(785) 727-2407

ARCHITECT
CAHEN ARCHITECTURAL GROUP, P.C.
CONTACT PERSON: CRAIG I. CAHEN, AIA
7076 SOUTH ALTON WAY, BUILDING A
CENTENNIAL, COLORADO 80112
(303) 743-0002 EXT. 211

PAVEMENT LEGEND
- HEAVY-DUTY REINFORCED CONCRETE (STREETS, DRIVE APRONS, TRUCK ZONES)
- LIGHT -DUTY REINFORCED CONCRETE (ON-STREET PARKING STALLS)
- UNREINFORCED CONCRETE (SIDEWALKS)
- HEAVY-DUTY ASPHALT PAVEMENT (LOADING AREA)
- ASPHALT PAVEMENT (PARKING LOT)

N

SCALE: 1" = 30'

30 15 0 30 60

CE14.002.00B

Bauer Farm Northwest - Phase I

Final Development Plan For

4700 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name: Date:
Name: Date:
Name: Date:

TREANOR ARCHITECTS P.A.
1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com

THIS SITE PLAN IS FOR PLANNING PURPOSES ONLY NOT FOR CONSTRUCTION

REVISIONS

1	CITY COMMENTS 2014-06-13
2	
3	
4	

Rel. Date: 05.14.2014

SITE LAYOUT PLAN

1

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FILE PATH: p:\ce14.002.00b bauer farms grocer - nw corner champion-\3_drawings\1_autocad\PLANNING\final development plan\01 SITE LAYOUT PLAN.DWG
DATE PRINTED: Friday, June 13, 2014
LAST SAVED: Friday, June 13, 2014
PRINTED BY: Kelv Spare

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OVERLAND DRIVE

BAUER FARM DRIVE

CHAMPION LANE

EXISTING FIRE HYDRANT

PROPOSED 3-PHASE ELECTRICAL SECTIONALIZER TO REPLACE EXISTING SINGLE PHASE SECTIONALIZER

2" SDR-9 HDPE DOMESTIC WATER SERVICE LINE

6" FIRE PROTECTION LINE

NATURAL GAS SERVICE LINE

PROPOSED 6'x9' VAULT FOR FIRE LINE DCDA

NATRUAL GAS SERVICE LINE

6" SANITARY SEWER SERVICE LINE

EXISTING 8" SANITARY SEWER MAIN

6" SANITARY SEWER SERVICE LINE

PROPOSED TRANSFORMER ON CONCRETE PAD

PROPOSED ELECTRICAL JUNCTION BOX

PROPOSED FIRE HYDRANT

CASTING FOR EXISTING SANITARY SEWER MANHOLE TO BE ADJUSTED TO MATCH PROPOSED PAVEMENT ELEVATION

PROPOSED TRANSFORMER ON CONCRETE PAD

PROPOSED REMOTE FIRE DEPARTMENT CONNECTION

PROPOSED GREASE INTERCEPTOR

SECONDARY ELECTRICAL SERVICE

4' HEIGHT LOADING DOCK

63 L.F. 2" SDR-9 HDPE DOMESTIC WATER SERVICE

6" FIRE PROTECTION LINE FOR POSSIBLE FUTURE BUILDING SPRINKLER SYSTEM

PROPOSED TELEPHONE SERVICE LINE

PROPOSED 8" WATER MAIN. PUBLIC IMPROVEMENT PLANS TO BE SUBMITTED SEPARATE FROM BUILDING PERMIT SUBMITTAL.

PROPOSED ELECTRICAL JUNCTION BOX

TRENCH DRAIN ON 12" PVC PIPE

F.F.E. = 1005.10

F.F.E. = 1004.40

STORMWATER RETENTION BASIN 100-YEAR WSE = 997.20 OUTLET ELEV. = 991.00

STORMWATER RETENTION BASIN

EXISTING FIRE HYDRANT

PRIMARY ELECTRICAL SERVICE LINE

PROPOSED FIRE HYDRANT

PROPOSED ELECTRICAL LINES TO BE FED FROM EXISTING SECTIONALIZER

EXISTING STORM SEWER MANHOLE

PROPOSED FIRE HYDRANT

CASTING FOR EXISTING WATER VALVE TO BE ADJSTED TO MATCH PROPOSED PAVEMENT ELEVATION

EXISTING TELEPHONE PEDESTAL TO BE RELOCATED 5' SOUTHEAST

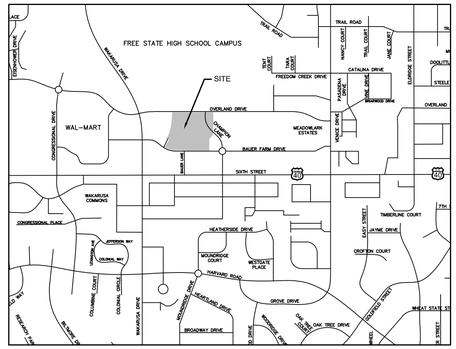
EXISTING CURB INLET TO REMAIN

EXISTING ELECTRICAL SECTIONALIZER TO REMAIN

EXISTING ELECTRICAL SECTIONALIZER TO REMAIN

EXISTING FIRE HYDRANT

EXISTING FIRE HYDRANT



VICINITY MAP
SCALE: 1" = 1000'

GRADING AND UTILITY LEGEND

-CATV-	EXISTING CABLE TV LINE
-FO-	EXISTING FIBER OPTIC LINE
-GAS-	EXISTING NATURAL GAS MAIN
-SAN-	EXISTING SANITARY SEWER MAIN
-STM-	EXISTING STORM SEWER PIPE
-UGE-	EXISTING UNDERGROUND ELECTRIC LINE
-UGT-	EXISTING UNDERGROUND TELEPHONE LINE
-W-	EXISTING WATER MAIN
-12"W-	EXISTING 12" WATER MAIN
-GAS-	PROPOSED GAS LINE
-SAN-	PROPOSED SANITARY SEWER LINE
-UGE-	PROPOSED UNDERGROUND ELECTRIC LINE
-UGT-	PROPOSED UNDERGROUND TELEPHONE LINE
-W-	PROPOSED WATER LINE
BW	BOTTOM OF WALL ELEVATION
EM	PROPOSED ELECTRIC METER
GM	PROPOSED GAS METER
WM	PROPOSED WATER METER
C/O	PROPOSED CLEANOUT
DS	PROPOSED DOWNSPOUT
F.F.E.	FINISHED FLOOR ELEVATION
JB	PROPOSED STORM SEWER JUNCTION BOX
MH	PROPOSED STORM SEWER MANHOLE
CI	PROPOSED STORM SEWER CONCRETE BOX CURB INLET
GI	PROPOSED 2'x3' NYLOPLAST CURB INLET WITH HIGH-FLOW VANE GRATE
SP	PROPOSED SANITARY SEWER SAMPLING PORT
STUB	PROPOSED STORM SEWER LINE WITH END PLUG
	FOR FUTURE SERVICE TO ADJACENT LOT
TW	TOP OF WALL ELEVATION

UTILITY NOTES

1. ALL STORM SEWER PIPING WILL BE HIGH-DENSITY POLYETHYLENE (HDPE) DUAL-WALL PIPE WITH SMOOTH INTERIOR.
2. ALL SANITARY SEWER PIPING WILL BE STANDARD DIMENSION RATIO (SDR) 26 POLYVINYL CHLORIDE (PVC).
3. DOMESTIC WATER SERVICE LINES WILL BE SDR-9 HDPE
4. FIRE SPRINKLER SERVICE LINES AND WATER MAINS MUST BE RATED AS DR14 AS DEFINED IN AWWA C900.
5. OCCUPANCY PERMITS FOR PROPOSED BUILDINGS WILL NOT BE ISSUED UNTIL THE REQUIRED PUBLIC DRAINAGE IMPROVEMENTS ARE COMPLETE, INSPECTED AND ACCEPTED BY THE PUBLIC WORKS DEPARTMENT.
6. THE RETENTION BASIN WILL BE PRIVATELY OWNED AND MAINTAINED. THE LAND OWNER IS RESPONSIBLE FOR THE MAINTENANCE OF THE RETENTION BASIN. FAILURE TO MAINTAIN THE RETENTION BASIN WILL RESULT IN THE LOSS OF THE STORMWATER DETENTION CREDIT. THE RETENTION BASIN WILL REMAIN FREE OF ANY NATURAL OR NON-NATURAL STRUCTURES OR VEGETATIVE BARRIERS (INCLUDING BUT NOT LIMITED TO TREES, SHRUBBERY, BERMS, FENCES, AND WALLS)
7. ALL CURB INLETS WILL BE CONSTRUCTED PER CITY OF LAWRENCE STORM SEWER STANDARD DETAILS.

BENCHMARKS

BM #1 CHISELED SQUARE ON THE CENTER FRONT FACE OF THE FIRST CURB INLET EAST OF THE ENTRANCE TO PEOPLE'S BANK (4831 WEST SIXTH STREET) ON THE SOUTH SIDE OF 6TH STREET (U.S. HIGHWAY 40)
ELEVATION: 1012.98 FEET A.M.S.L.

BM #2 CHISELED SQUARE ON THE CENTER FRONT FACE OF THE CURB INLET IN THE SOUTHEAST QUADRANT OF THE INTERSECTION OF OVERLAND DRIVE AND WAKARUSA DRIVE.
ELEVATION: 1002.75 FEET A.M.S.L.

SCALE: 1" = 30'

30 15 0 30 60

CE14.002.00B

Bauer Farm Northwest - Phase I

Final Development Plan For

4700 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name: Date:

Name: Date:

Name: Date:

TREANOR ARCHITECTS P.A.
1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com

THIS SITE PLAN IS FOR PLANNING PURPOSES ONLY NOT FOR CONSTRUCTION

REVISIONS

1	CITY COMMENTS	2014-06-13
2		
3		
4		

Rel. Date: 05.14.2014

GRADING AND UTILITY PLAN

2

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FILE PATH: p:\ce14.002.00b bauer farms grocer - nw corner champion-\3_drawings\1_autocad\PLANNING\final development plan\02 GRADING AND UTILITY PLAN.DWG
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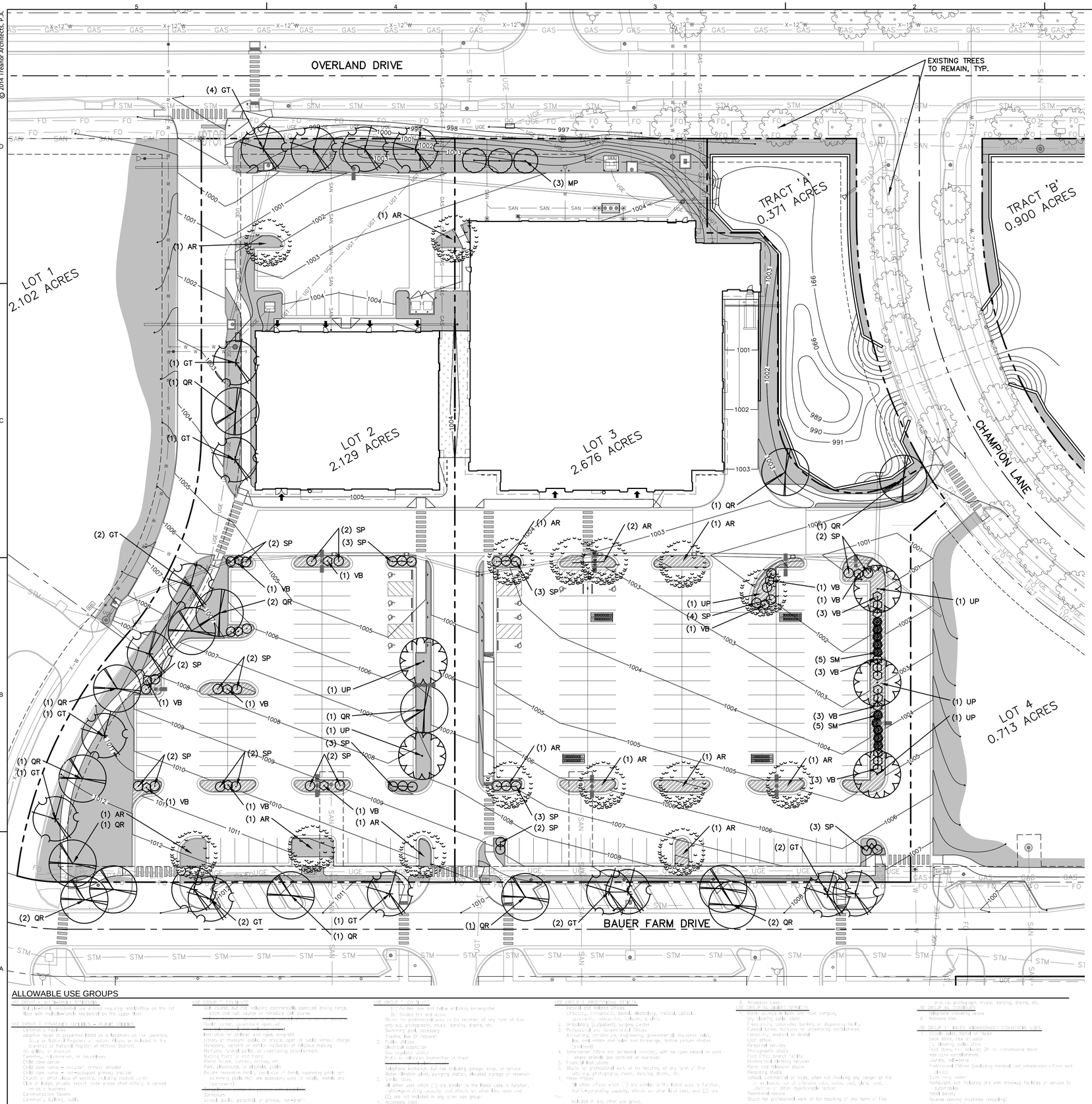

PLANT SCHEDULE

SYMBOL	KEY	QTY.	NAME	SIZE	COND.
		5	EXISTING TREE		
		5	EXISTING TREE TO REMAIN		
		51	SHADE TREE		
	UP	5	DYNASTY ELM – ULMUS PARIFOLIA 'DYNASTY'	2" CAL MIN.	B&B
	QR	15	NORTHERN RED OAK – QUERCUS RUBRA		
	AR	15	PACIFIC SUNSET MAPLE – ACER RUBRUM 'PACIFIC SUNSET'		
	GT	16	SKYLINE THORNLESS LOCUST – GLEDITSIA TRICANTHOS 'SKYLINE'		
		3	ORNAMENTAL TREE		
	MP	3	SNOWDRIFT CRABAPPLE – MALUS 'SNOWDRIFT'	2" CAL MIN.	B&B
		72	DECIDUOUS/EVERGREEN SHRUBS/ORNAMENTAL GRASSES/PERENNIALS		
	SM	10	DWARF KOREAN LILAC – SYRINGA METERI 'PALIBIN'	2 GAL.	CONT.
	SP	39	GOLDMOUND SPIREA – SPIRAEA JAPONICA 'GOLDMOUND'		
	VB	23	MOWHAWK VIBURNUM – VIBURNUM X BURKWOODII X CORLESII 'MOWHAWK'		
		47 C.Y.	DOUBLE SHREDDED HARDWOOD MULCH (3" LAYER MIN.)	N/A	N/A
		15 C.Y.	RIVER ROCK (3" LAYER MIN.)	3"–4"	N/A
	N/A	40,040 S.F.	TURF TYPE FESCUE (SOD)	SOD	N/A

INTERIOR PARKING LANDSCAPE SUMMARY

LANDSCAPE AREA REQUIRED: # OF STALLS x 60 S.F.

LOT 2 – 91 STALLS PROVIDED
REQUIRED: 5,460 SQ. FT.
PROVIDED: 4,215 SQ. FT.

LOT 3 – 133 STALLS PROVIDED
REQUIRED: 7,980 SQ. FT.
PROVIDED: 3,417 SQ. FT.

TREES & SHRUBS REQUIRED: 1 TREE & 3 SHRUBS / 10 STALLS

LOT 2 – 91 / 10 = 9.1 (10)
REQUIRED: 10 TREES, & 30 SHRUBS
PROPOSED: 10 TREES, & 30 SHRUBS

LOT 3 – 133 / 10 = 13.3 (14)
REQUIRED: 14 TREES, & 42 SHRUBS
PROPOSED: 15 TREES, & 42 SHRUBS

ALLOWABLE USE GROUPS

ALLOWABLE USE GROUPS CONTINUED

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Name: Date:

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LANDSCAPE PLAN

3

SCALE: 1" = 30'

30 15 0 30 60

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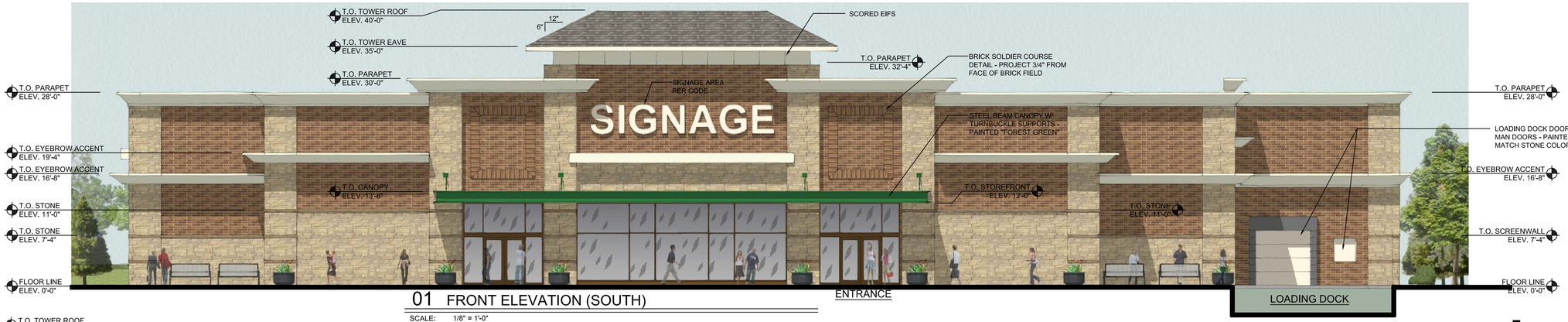

01 FRONT ELEVATION (SOUTH)

SCALE: 1/8" = 1'-0"

02 RIGHT SIDE ELEVATION (EAST)

SCALE: 1/8" = 1'-0"

03 REAR ELEVATION (NORTH)

SCALE: 1/8" = 1'-0"

04 LEFT SIDE ELEVATION (WEST)

SCALE: 1/8" = 1'-0"

MATERIALS & COLOR LEGEND

- E.I.F.S. (SANDBLASTED FINISH) COLOR: OFF-WHITE
- CULTURED STONE VENEER (LEDGESTONE - DRY STACK) COLOR: "BAUER FARMS BLEND"
- BRICK (THRU-WALL) COLOR: REDDISH-BROWN
- SOLDIER COURSE BRICK ACCENT (PROJECT 3/4 " FROM FACE OF FIELD BRICK) COLOR: REDDISH-BROWN
- STONE BANDING / SILL COLOR: MEDIUM BROWN
- STOREFRONT SYSTEM W/ CLEAR NON-REFLECTIVE GLASS FRAMING COLOR: DARK ANODIZED BRONZE
- CONCRETE TILE ROOFING COLOR: SLATE GRAY
- PAINTED STEEL CANOPY COLOR: FOREST GREEN

0" 2' 4' 8' 16'

SCALE: 1/8" = 1'-0"

CE14.002.00B

Bauer Farm Northwest - Phase I

Final Development Plan For

4700 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name:	Date:
Name:	Date:
Name:	Date:

Realize Your Vision

CAHEN ARCHITECTURAL GROUP P.C.

7076 South Alton Way, Building A

Centennial, Colorado 80112, (303) 743-9002

cahen-arch.com

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REVISIONS

1	CITY COMMENTS 2014-06-13
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EXTERIOR ELEVATIONS ANCHOR BUILDING

5

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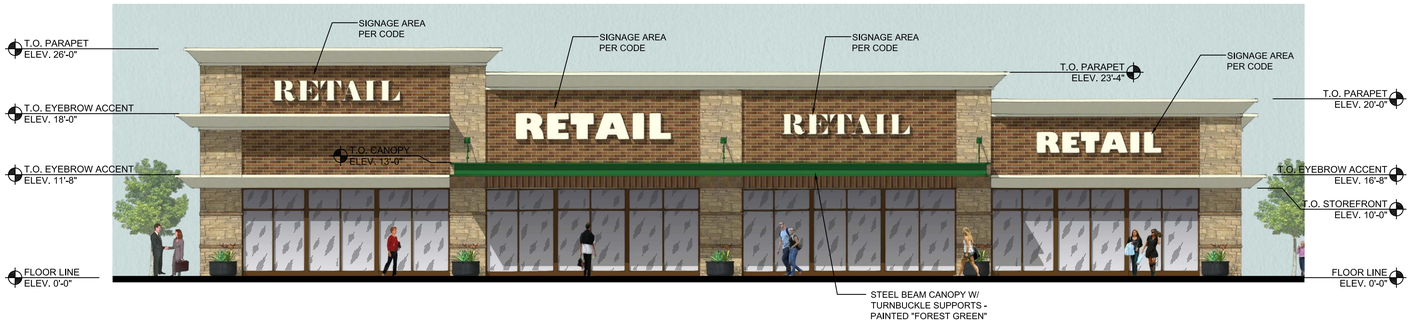
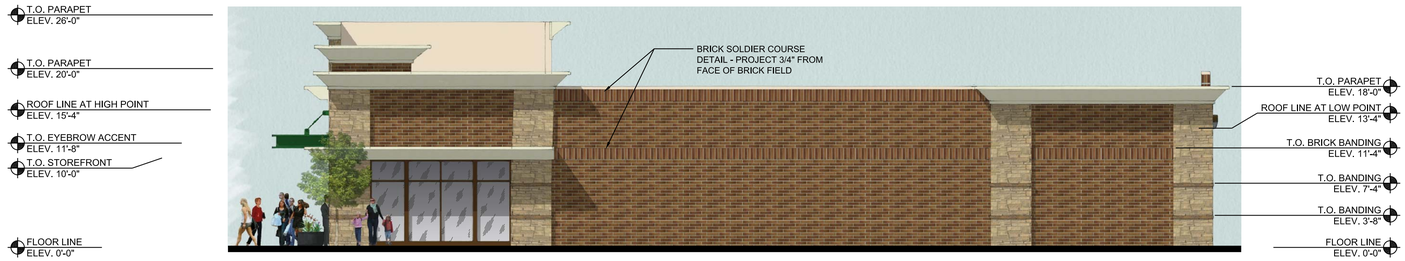


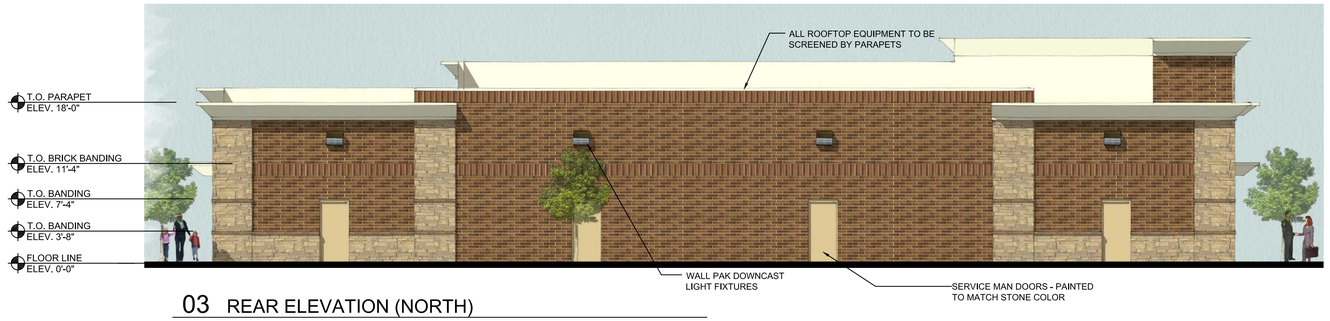
01 FRONT ELEVATION (SOUTH)

SCALE: 1/8" = 1'-0"



02 RIGHT SIDE ELEVATION (EAST)

SCALE: 1/8" = 1'-0"



03 REAR ELEVATION (NORTH)

SCALE: 1/8" = 1'-0"

04 LEFT SIDE ELEVATION (WEST)

SCALE: 1/8" = 1'-0"

MATERIALS & COLOR LEGEND

- E.I.F.S. (SANDBLASTED FINISH) COLOR: OFF-WHITE
- CULTURED STONE VENEER (LEDGESTONE - DRY STACK) COLOR: "BAUER FARMS BLEND
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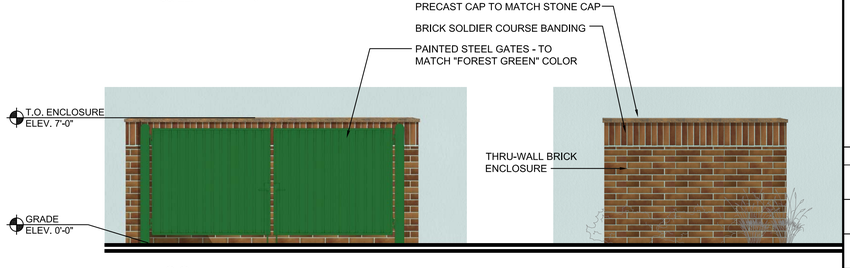
- SOLDIER COURSE BRICK ACCENT (PROJECT 3/4 " FROM FACE OF FIELD BRICK) COLOR: REDDISH-BROWN
- STONE BANDING / SILL COLOR: MEDIUM BROWN
- STOREFRONT SYSTEM W/ CLEAR NON-REFLECTIVE GLASS FRAMING COLOR: DARK ANODIZED BRONZE
- CONCRETE TILE ROOFING COLOR: SLATE GRAY
- PAINTED STEEL CANOPY COLOR: FOREST GREEN
- WALL SCONCE LIGHT FIXTURE COLOR: DARK BRONZE
- WALL PAK LIGHT FIXTURE COLOR: DARK BRONZE

05 MONUMENT SIGN

SCALE: 1/4" = 1'-0"



06 TRASH ENCLOSURE

SCALE: 1/4" = 1'-0"

0" 2' 4' 8' 16'

SCALE: 1/8" = 1'-0"

CE14.002.00B

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APPROVED BY:

Name:	Date:
Name:	Date:
Name:	Date:

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EXTERIOR ELEVATIONS RETAIL BUILDING

6

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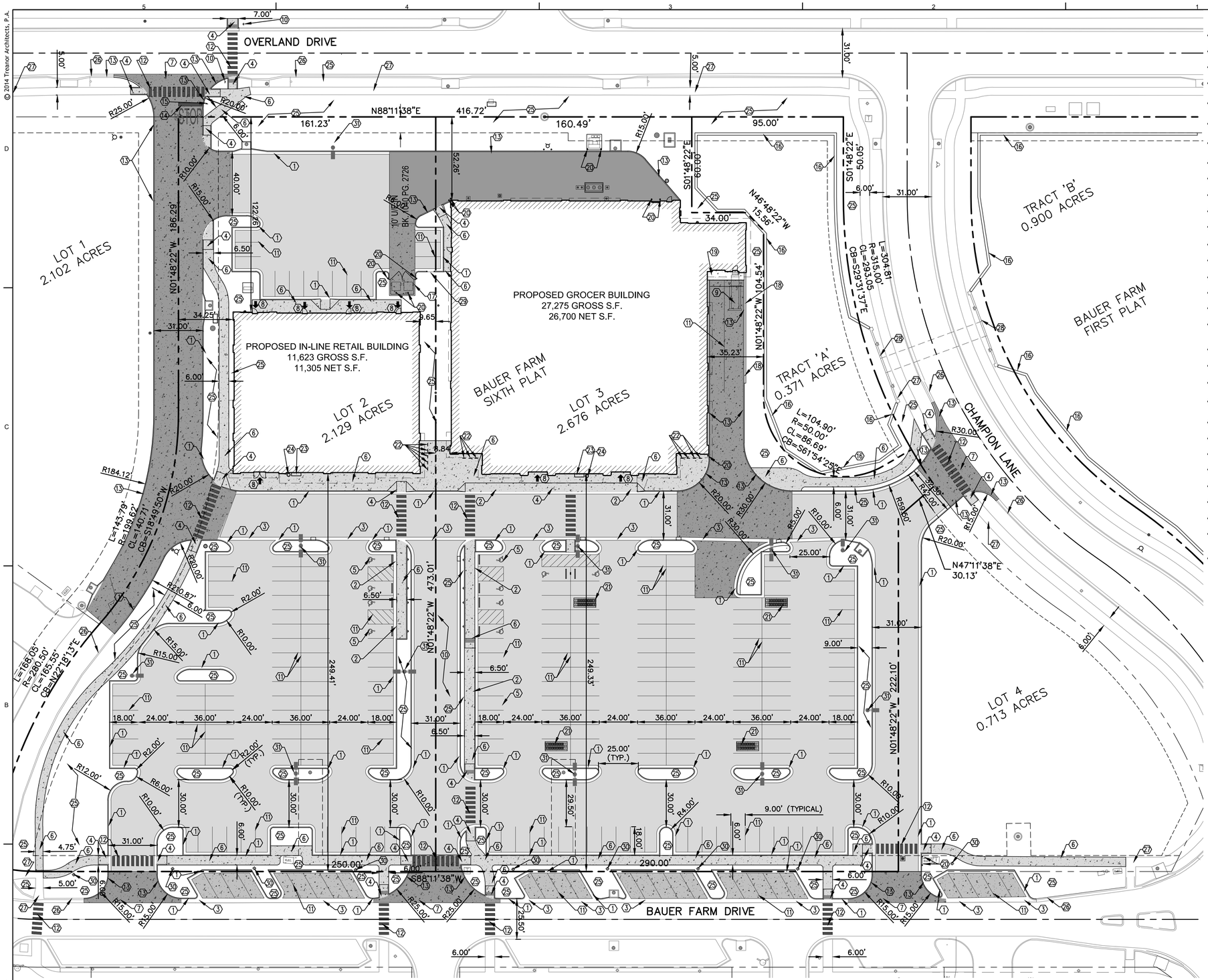

KEY NOTES

1. 6" CONCRETE CURB & GUTTER
2. CONCRETE LAYDOWN CURB & GUTTER
3. CONCRETE VALLEY GUTTER
4. ACCESSIBLE SIDEWALK RAMP
5. ACCESSIBLE PARKING STALLS. INCLUDES AT LEAST ONE VAN-ACCESSIBLE STALL PER BAY.
6. CONCRETE SIDEWALK.
7. CONCRETE COMMERCIAL DRIVEWAY APPROACH PER CITY OF LAWRENCE STANDARD.
8. PUBLIC ENTRANCE TO BUILDING.
9. GARBAGE COMPACTOR.
10. SCHOOL CROSSING SIGN.
11. 4" WIDE WHITE PAINTED PARKING STALL MARKINGS.
12. CROSSWALK MARKINGS.
13. 6" MONOLITHIC CURB.
14. 2' STOP BAR AND "STOP" MARKING.
15. STOP SIGN. POLE TO MATCH EXISTING SIGN POLES IN BAUER FARM.
16. REDI-ROCK LEDGESTONE RETAINING WALL. SEE PAGE 2 FOR ELEVATIONS.
17. DUMPSTER ENCLOSURE. BRICK WITH STONE ACCENT TO MATCH BUILDINGS.
18. SCREEN WALL. CONCRETE MASONRY UNITS WITH STONE VENEER. REFER TO BUILDING ELEVATIONS FOR WALL HEIGHT.
19. 4' LOADING DOCK.
20. CONCRETE-FILLED PIPE BOLLARD.
21. GROCERY CART CORRAL.
22. BICYCLE RACK. LANDSCAPE FORMS "PI" TYPE. POWDER COATED BLACK, IN-GROUND MOUNTED.
23. BENCH.
24. REFUSE RECEPTACLE.
25. LANDSCAPED AREA. REFER TO LANDSCAPE PLAN.
26. EXISTING CURB & GUTTER TO REMAIN.
27. EXISTING SIDEWALK TO REMAIN.
28. EXISTING BRIDGE TO REMAIN.
29. 4' WIDE CURB NOTCH FOR DRAINAGE.
30. PEDESTRIAN LIGHT. TYPE TO MATCH EXISTING LIGHTS ALONG SOUTH SIDE OF BAUER FARM DRIVE.
31. PARKING LOT LIGHT.

PARKING REQUIREMENTS

	OFF-STREET STALLS REQ'D	OFF-STREET STALLS PROVIDED	ADA STALLS REQ'D	ADA STALLS PROVIDED	BICYCLE STALLS REQUIRED	BICYCLE STALLS PROVIDED
INLINE RETAIL (LOT 2)	57	88	4	4	9	10
GROCER (LOT 3)	134	135	5	6	13	14

NOTE:
- AN ADDITIONAL 28 ON-STREET STALLS ALONG BAUER FARM DRIVE ARE TO BE CONSTRUCTED WITH THIS PROJECT.
- SHARED PARKING IS PART OF OVERALL DEVELOPMENT AND COVENANT.

LEGAL DESCRIPTION

LOTS 2, 3 AND TRACT 'A' IN BLOCK 1, BAUER FARM SIXTH PLAT A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, ACCORDING TO THE PLAT THEREOF.
CONTAINS 225,478 SQUARE FEET OR 5.176 ACRES, MORE OR LESS.

GENERAL NOTES

1. THIS PROJECT HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDING AND FACILITIES, APPENDIX A TO 28 CFR PART 36.
2. CITY OF LAWRENCE WILL NOT BE HELD RESPONSIBLE FOR PAVEMENT DAMAGE DUE TO REFUSE COLLECTION.
3. 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.
4. THE RETENTION BASIN WILL BE PRIVATELY-OWNED AND MAINTAINED. THE LANDOWNER IS RESPONSIBLE FOR THE MAINTENANCE OF THE RETENTION BASIN. FAILURE TO MAINTAIN THE RETENTION BASIN WILL RESULT IN THE LOSS OF THE STORMWATER DETENTION CREDIT. THE RETENTION BASIN WILL REMAIN FREE OF ANY NATURAL OR NON-NATURAL STRUCTURES OR VEGETATIVE BARRIERS (INCLUDING BUT NOT LIMITED TO TREES, SHRUBBERY, BERMS, FENCES, AND WALLS).
5. ALL CURB INLETS WILL BE CONSTRUCTED PER CITY OF LAWRENCE STORM SEWER STANDARD DETAILS.

LOT 2

	EXISTING	PROPOSED
BUILDINGS	0 S.F. (0%)	11,623 S.F. (12%)
PAVEMENT	1,928 S.F. (2%)	64,532 S.F. (70%)
IMPERVIOUS	1,928 S.F. (2%)	76,155 S.F. (82%)
PERVIOUS	90,801 S.F. (98%)	16,574 S.F. (18%)
LOT AREA	92,729 S.F.	92,729 S.F.

LOT 3

	EXISTING	PROPOSED
BUILDINGS	0 S.F. (0%)	27,275 S.F. (23%)
PAVEMENT	0 S.F. (0%)	76,586 S.F. (66%)
IMPERVIOUS	0 S.F. (0%)	103,861 S.F. (89%)
PERVIOUS	116,582 S.F. (100%)	12,721 S.F. (11%)
LOT AREA	116,582 S.F.	116,582 S.F.

TRACT 'A'

	EXISTING	PROPOSED
BUILDINGS	0 S.F. (0%)	0 S.F. (0%)
PAVEMENT	0 S.F. (0%)	0 S.F. (0%)
IMPERVIOUS	0 S.F. (0%)	0 S.F. (0%)
PERVIOUS	16,167 S.F. (100%)	16,167 S.F. (100%)
LOT AREA	16,167 S.F.	16,167 S.F.

CURRENT OWNER
FREESTATE GROUP, LLC
CONTACT PERSON: MICHAEL L. TREANOR
1040 VERMONT STREET
LAWRENCE, KANSAS 66044
(785) 371-0781

DEVELOPER / PROPOSED OWNER
WAKARUSA INVESTORS, LLC
CONTACT PERSON: DAVID GEIST
6834 SOUTH UNIVERSITY BLVD, SUITE 415
CENTENNIAL, COLORADO 80122
(720) 489-0424

LAND SURVEYOR
COOK, FLATT & STROBEL ENGINEERS, P.A.
CONTACT PERSON: KIRK R. BALDWIN, LS
850 EAST 13TH STREET, SUITE B
LAWRENCE, KANSAS 66044
(785) 856-9600

CIVIL ENGINEER
TREANOR ARCHITECTS, P.A.
CONTACT PERSON: MATTHEW L. MURPHY, PE
1040 VERMONT STREET
LAWRENCE, KANSAS 66044
(785) 727-2407

ARCHITECT
CAHEN ARCHITECTURAL GROUP, P.C.
CONTACT PERSON: CRAIG I. CAHEN, AIA
7076 SOUTH ALTON WAY, BUILDING A
CENTENNIAL, COLORADO 80112
(303) 743-0002 EXT. 211

PAVEMENT LEGEND
- HEAVY-DUTY REINFORCED CONCRETE (STREETS, DRIVE APRONS, TRUCK ZONES)
- LIGHT -DUTY REINFORCED CONCRETE (ON-STREET PARKING STALLS)
- UNREINFORCED CONCRETE (SIDEWALKS)
- HEAVY-DUTY ASPHALT PAVEMENT (LOADING AREA)
- ASPHALT PAVEMENT (PARKING LOT)

N

SCALE: 1" = 30'

30 15 0 30 60

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REVISIONS

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SITE LAYOUT PLAN

1

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OVERLAND DRIVE

BAUER FARM DRIVE

CHAMPION LANE

EXISTING FIRE HYDRANT

PROPOSED 3-PHASE ELECTRICAL SECTIONALIZER TO REPLACE EXISTING SINGLE PHASE SECTIONALIZER

2" SDR-9 HDPE DOMESTIC WATER SERVICE LINE

6" FIRE PROTECTION LINE

NATURAL GAS SERVICE LINE

PROPOSED 6'x9' VAULT FOR FIRE LINE DCDA

NATRUAL GAS SERVICE LINE

6" SANITARY SEWER SERVICE LINE

EXISTING 8" SANITARY SEWER MAIN

6" SANITARY SEWER SERVICE LINE

PROPOSED TRANSFORMER ON CONCRETE PAD

PROPOSED ELECTRICAL JUNCTION BOX

PROPOSED FIRE HYDRANT

CASTING FOR EXISTING SANITARY SEWER MANHOLE TO BE ADJUSTED TO MATCH PROPOSED PAVEMENT ELEVATION

PROPOSED TRANSFORMER ON CONCRETE PAD

PROPOSED REMOTE FIRE DEPARTMENT CONNECTION

PROPOSED GREASE INTERCEPTOR

SECONDARY ELECTRICAL SERVICE

4' HEIGHT LOADING DOCK

63 L.F. 2" SDR-9 HDPE DOMESTIC WATER SERVICE

6" FIRE PROTECTION LINE FOR POSSIBLE FUTURE BUILDING SPRINKLER SYSTEM

PROPOSED TELEPHONE SERVICE LINE

PROPOSED 8" WATER MAIN. PUBLIC IMPROVEMENT PLANS TO BE SUBMITTED SEPARATE FROM BUILDING PERMIT SUBMITTAL.

PROPOSED ELECTRICAL JUNCTION BOX

TRENCH DRAIN ON 12" PVC PIPE

F.F.E. = 1005.10

F.F.E. = 1004.40

STORMWATER RETENTION BASIN 100-YEAR WSE = 997.20 OUTLET ELEV. = 991.00

STORMWATER RETENTION BASIN

EXISTING FIRE HYDRANT

PRIMARY ELECTRICAL SERVICE LINE

PROPOSED FIRE HYDRANT

PROPOSED ELECTRICAL LINES TO BE FED FROM EXISTING SECTIONALIZER

EXISTING STORM SEWER MANHOLE

PROPOSED FIRE HYDRANT

CASTING FOR EXISTING WATER VALVE TO BE ADJSTED TO MATCH PROPOSED PAVEMENT ELEVATION

EXISTING TELEPHONE PEDESTAL TO BE RELOCATED 5' SOUTHEAST

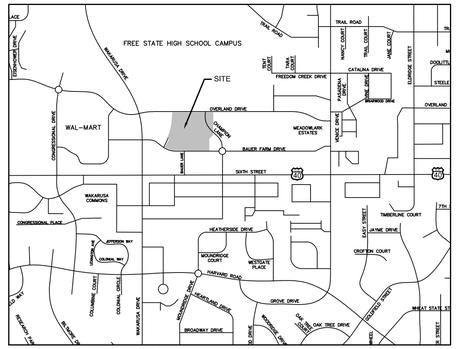
EXISTING CURB INLET TO REMAIN

EXISTING ELECTRICAL SECTIONALIZER TO REMAIN

EXISTING ELECTRICAL SECTIONALIZER TO REMAIN

EXISTING FIRE HYDRANT

EXISTING FIRE HYDRANT



VICINITY MAP
SCALE: 1" = 1000'

GRADING AND UTILITY LEGEND

-CATV-	EXISTING CABLE TV LINE
-FO-	EXISTING FIBER OPTIC LINE
-GAS-	EXISTING NATURAL GAS MAIN
-SAN-	EXISTING SANITARY SEWER MAIN
-STM-	EXISTING STORM SEWER PIPE
-UGE-	EXISTING UNDERGROUND ELECTRIC LINE
-UGT-	EXISTING UNDERGROUND TELEPHONE LINE
-W-	EXISTING WATER MAIN
-12"W-	EXISTING 12" WATER MAIN
-GAS-	PROPOSED GAS LINE
-SAN-	PROPOSED SANITARY SEWER LINE
-UGE-	PROPOSED UNDERGROUND ELECTRIC LINE
-UGT-	PROPOSED UNDERGROUND TELEPHONE LINE
-W-	PROPOSED WATER LINE
BW	BOTTOM OF WALL ELEVATION
EM	PROPOSED ELECTRIC METER
GM	PROPOSED GAS METER
WM	PROPOSED WATER METER
C/O	PROPOSED CLEANOUT
DS	PROPOSED DOWNSPOUT
F.F.E.	FINISHED FLOOR ELEVATION
JB	PROPOSED STORM SEWER JUNCTION BOX
MH	PROPOSED STORM SEWER MANHOLE
CI	PROPOSED STORM SEWER CONCRETE BOX CURB INLET
GI	PROPOSED 2'x3' NYLOPLAST CURB INLET WITH HIGH-FLOW VANE GRATE
SP	PROPOSED SANITARY SEWER SAMPLING PORT
STUB	PROPOSED STORM SEWER LINE WITH END PLUG
	FOR FUTURE SERVICE TO ADJACENT LOT
TW	TOP OF WALL ELEVATION

UTILITY NOTES

1. ALL STORM SEWER PIPING WILL BE HIGH-DENSITY POLYETHYLENE (HDPE) DUAL-WALL PIPE WITH SMOOTH INTERIOR.
2. ALL SANITARY SEWER PIPING WILL BE STANDARD DIMENSION RATIO (SDR) 26 POLYVINYL CHLORIDE (PVC).
3. DOMESTIC WATER SERVICE LINES WILL BE SDR-9 HDPE
4. FIRE SPRINKLER SERVICE LINES AND WATER MAINS MUST BE RATED AS DR14 AS DEFINED IN AWWA C900.
5. OCCUPANCY PERMITS FOR PROPOSED BUILDINGS WILL NOT BE ISSUED UNTIL THE REQUIRED PUBLIC DRAINAGE IMPROVEMENTS ARE COMPLETE, INSPECTED AND ACCEPTED BY THE PUBLIC WORKS DEPARTMENT.
6. THE RETENTION BASIN WILL BE PRIVATELY OWNED AND MAINTAINED. THE LAND OWNER IS RESPONSIBLE FOR THE MAINTENANCE OF THE RETENTION BASIN. FAILURE TO MAINTAIN THE RETENTION BASIN WILL RESULT IN THE LOSS OF THE STORMWATER DETENTION CREDIT. THE RETENTION BASIN WILL REMAIN FREE OF ANY NATURAL OR NON-NATURAL STRUCTURES OR VEGETATIVE BARRIERS (INCLUDING BUT NOT LIMITED TO TREES, SHRUBBERY, BERMS, FENCES, AND WALLS)
7. ALL CURB INLETS WILL BE CONSTRUCTED PER CITY OF LAWRENCE STORM SEWER STANDARD DETAILS.

BENCHMARKS

BM #1 CHISELED SQUARE ON THE CENTER FRONT FACE OF THE FIRST CURB INLET EAST OF THE ENTRANCE TO PEOPLE'S BANK (4831 WEST SIXTH STREET) ON THE SOUTH SIDE OF 6TH STREET (U.S. HIGHWAY 40)
ELEVATION: 1012.98 FEET A.M.S.L.

BM #2 CHISELED SQUARE ON THE CENTER FRONT FACE OF THE CURB INLET IN THE SOUTHEAST QUADRANT OF THE INTERSECTION OF OVERLAND DRIVE AND WAKARUSA DRIVE.
ELEVATION: 1002.75 FEET A.M.S.L.

SCALE: 1" = 30'

30 15 0 30 60

CE14.002.00B

Bauer Farm Northwest - Phase I

Final Development Plan For

4700 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name: Date:

Name: Date:

Name: Date:

TREANOR ARCHITECTS P.A.
1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com

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REVISIONS

1	CITY COMMENTS	2014-06-13
2		
3		
4		

Rel. Date: 05.14.2014

GRADING AND UTILITY PLAN

2

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FILE PATH: p:\ce14.002.00b bauer farms grocer - nw corner champion-\3_drawings\1_autocad\PLANNING\final development plan\02 GRADING AND UTILITY PLAN.DWG
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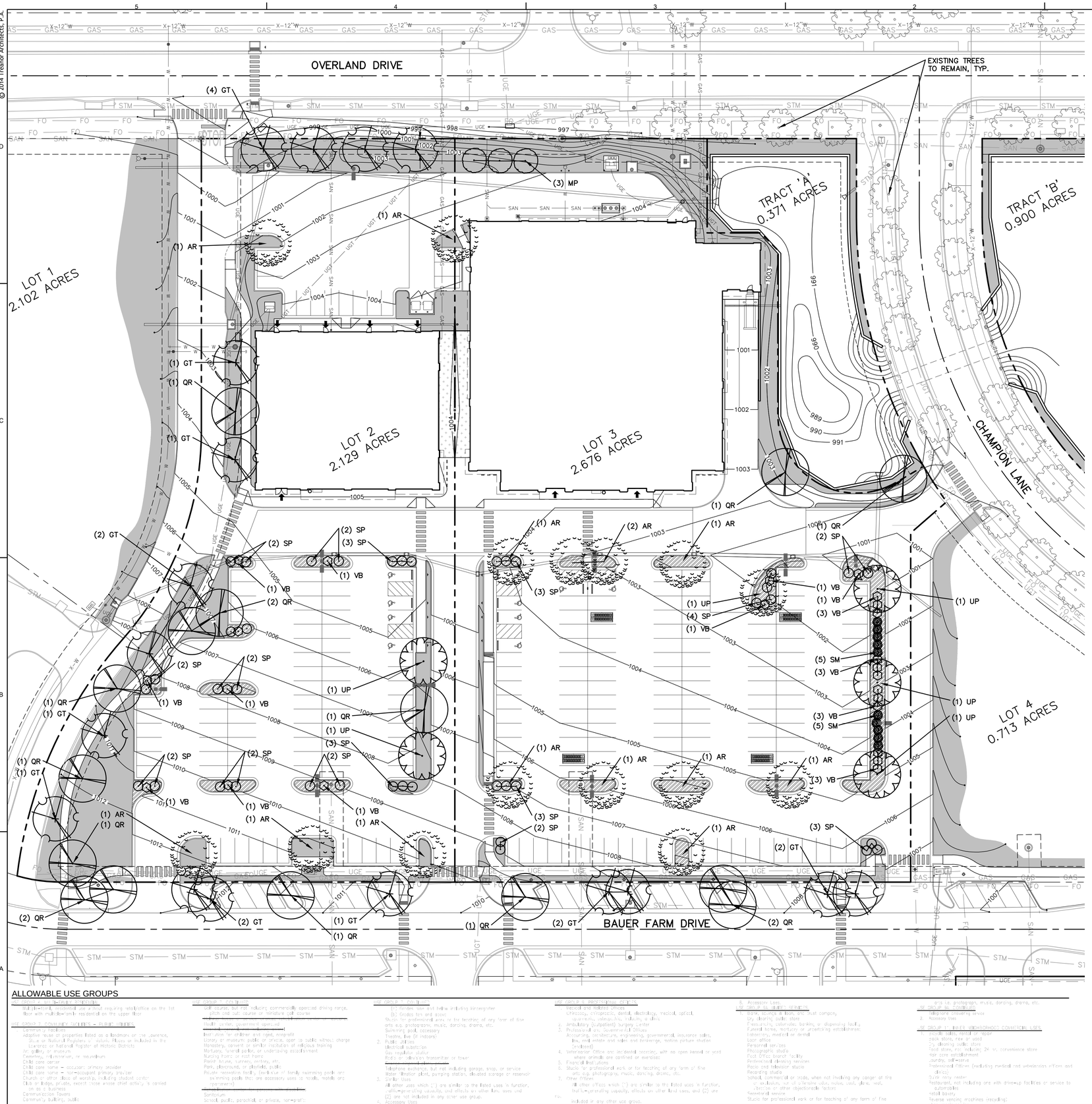

PLANT SCHEDULE

SYMBOL	KEY	QTY.	NAME	SIZE	COND.
		5	EXISTING TREE		
		5	EXISTING TREE TO REMAIN		
		51	SHADE TREE		
	UP	5	DYNASTY ELM – ULMUS PARIFOLIA 'DYNASTY'	2" CAL MIN.	B&B
	QR	15	NORTHERN RED OAK – QUERCUS RUBRA		
	AR	15	PACIFIC SUNSET MAPLE – ACER RUBRUM 'PACIFIC SUNSET'		
	GT	16	SKYLINE THORNLESS LOCUST – GLEDITSIA TRICANTHOS 'SKYLINE'		
		3	ORNAMENTAL TREE		
	MP	3	SNOWDRIFT CRABAPPLE – MALUS 'SNOWDRIFT'	2" CAL MIN.	B&B
		72	DECIDUOUS/EVERGREEN SHRUBS/ORNAMENTAL GRASSES/PERENNIALS		
	SM	10	DWARF KOREAN LILAC – SYRINGA METERI 'PALIBIN'	2 GAL.	CONT.
	SP	39	GOLDMOUND SPIREA – SPIRAEA JAPONICA 'GOLDMOUND'		
	VB	23	MOWHAWK VIBURNUM – VIBURNUM X BURKWOODII X CORLESII 'MOWHAWK'		
		47 C.Y.	DOUBLE SHREDDED HARDWOOD MULCH (3" LAYER MIN.)	N/A	N/A
		15 C.Y.	RIVER ROCK (3" LAYER MIN.)	3"–4"	N/A
	N/A	40,040 S.F.	TURF TYPE FESCUE (SOD)	SOD	N/A

INTERIOR PARKING LANDSCAPE SUMMARY

LANDSCAPE AREA REQUIRED: # OF STALLS x 60 S.F.

LOT 2 – 91 STALLS PROVIDED
REQUIRED: 5,460 SQ. FT.
PROVIDED: 4,215 SQ. FT.

LOT 3 – 133 STALLS PROVIDED
REQUIRED: 7,980 SQ. FT.
PROVIDED: 3,417 SQ. FT.

TREES & SHRUBS REQUIRED: 1 TREE & 3 SHRUBS / 10 STALLS

LOT 2 – 91 / 10 = 9.1 (10)
REQUIRED: 10 TREES, & 30 SHRUBS
PROPOSED: 10 TREES, & 30 SHRUBS

LOT 3 – 133 / 10 = 13.3 (14)
REQUIRED: 14 TREES, & 42 SHRUBS
PROPOSED: 15 TREES, & 42 SHRUBS

ALLOWABLE USE GROUPS

ALLOWABLE USE GROUPS CONTINUED

FILE PATH: p:\ce14.002.00b bauer farms grocer – nw corner champion–\3_drawings\1_autocad\PLANNING\final development plan\03 LANDSCAPE PLAN.DWG
DATE PRINTED: Friday, June 13, 2014
LAST SAVED BY: Erica Kelly-Spore
PRINTED BY: Kelly Spore

CE14.002.00B

Bauer Farm Northwest - Phase I

Final Development Plan For

4700 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name: Date:

Name: Date:

Name: Date:

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3		
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Rel. Date: 05.14.2014

LANDSCAPE PLAN

3

SCALE: 1" = 30'

30 15 0 30 60

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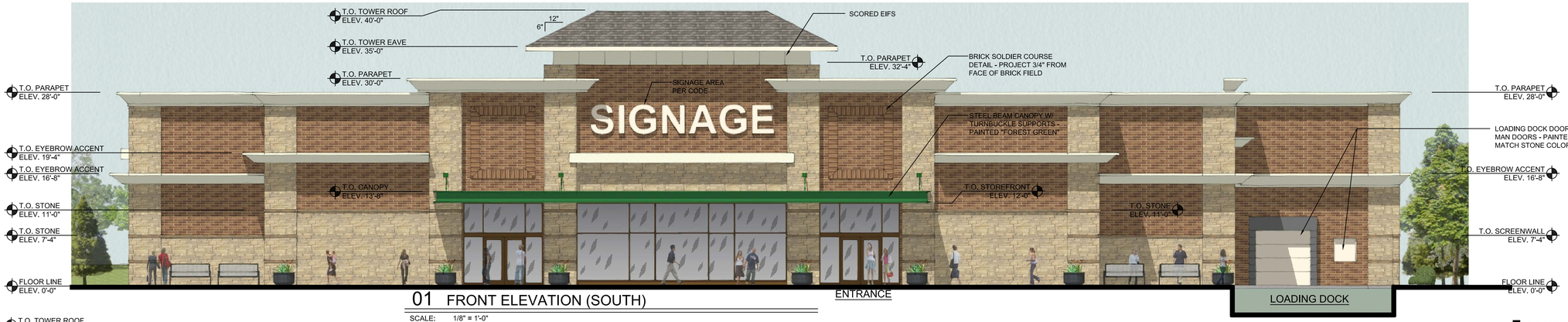

01 FRONT ELEVATION (SOUTH)

SCALE: 1/8" = 1'-0"

02 RIGHT SIDE ELEVATION (EAST)

SCALE: 1/8" = 1'-0"

03 REAR ELEVATION (NORTH)

SCALE: 1/8" = 1'-0"

04 LEFT SIDE ELEVATION (WEST)

SCALE: 1/8" = 1'-0"

MATERIALS & COLOR LEGEND

- E.I.F.S. (SANDBLASTED FINISH) COLOR: OFF-WHITE
- CULTURED STONE VENEER (LEDGESTONE - DRY STACK) COLOR: "BAUER FARMS BLEND"
- BRICK (THRU-WALL) COLOR: REDDISH-BROWN
- SOLDIER COURSE BRICK ACCENT (PROJECT 3/4 " FROM FACE OF FIELD BRICK) COLOR: REDDISH-BROWN
- STONE BANDING / SILL COLOR: MEDIUM BROWN
- STOREFRONT SYSTEM W/ CLEAR NON-REFLECTIVE GLASS FRAMING COLOR: DARK ANODIZED BRONZE
- CONCRETE TILE ROOFING COLOR: SLATE GRAY
- PAINTED STEEL CANOPY COLOR: FOREST GREEN

0" 2' 4' 8' 16'

SCALE: 1/8" = 1'-0"

CE14.002.00B

Bauer Farm Northwest - Phase I

Final Development Plan For

4700 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name:	Date:
Name:	Date:
Name:	Date:

Realize Your Vision

CAHEN ARCHITECTURAL GROUP P.C.

7076 South Alton Way, Building A

Centennial, Colorado 80112, (303) 743-9002

cahen-arch.com

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Rel. Date: 05.14.2014

EXTERIOR ELEVATIONS ANCHOR BUILDING

5

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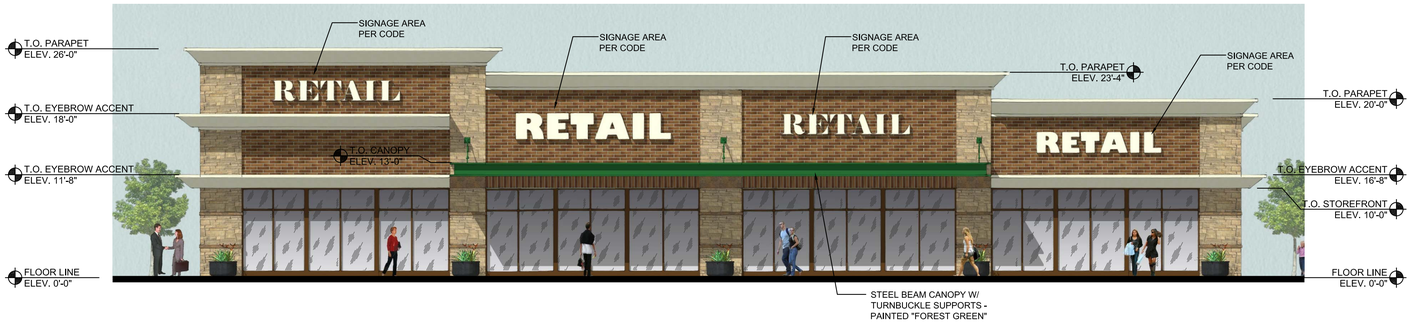
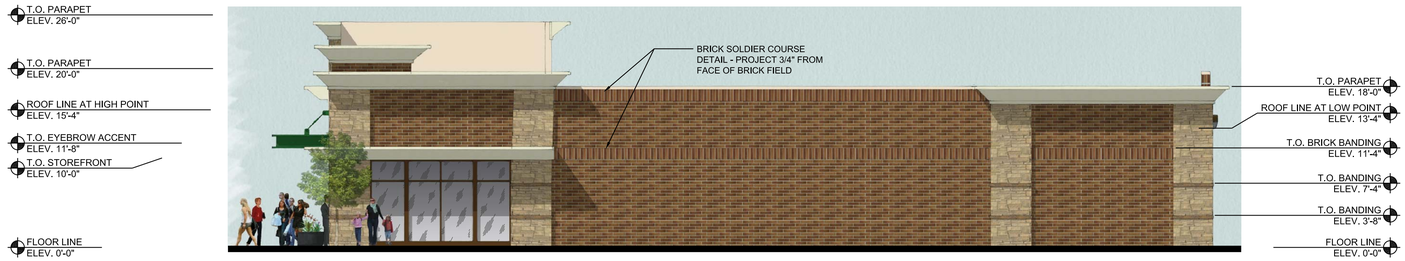


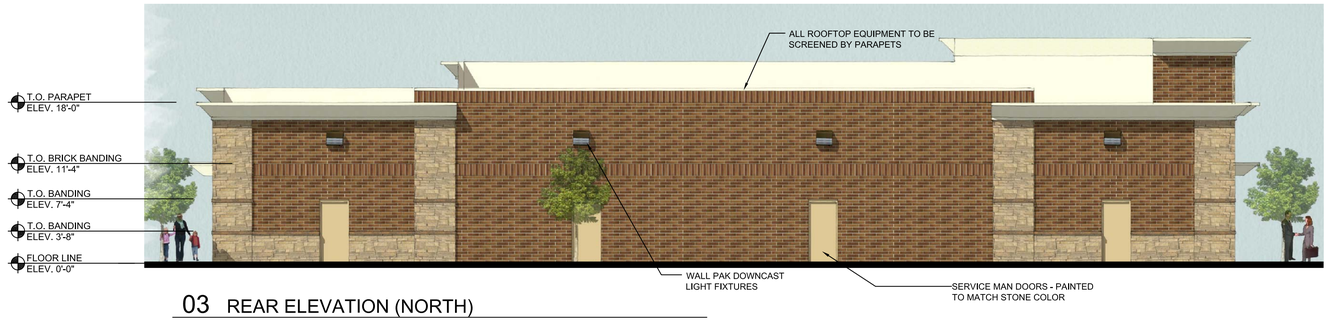
01 FRONT ELEVATION (SOUTH)

SCALE: 1/8" = 1'-0"



02 RIGHT SIDE ELEVATION (EAST)

SCALE: 1/8" = 1'-0"



03 REAR ELEVATION (NORTH)

SCALE: 1/8" = 1'-0"

04 LEFT SIDE ELEVATION (WEST)

SCALE: 1/8" = 1'-0"

MATERIALS & COLOR LEGEND

- E.I.F.S. (SANDBLASTED FINISH) COLOR: OFF-WHITE
- CULTURED STONE VENEER (LEDGESTONE - DRY STACK) COLOR: "BAUER FARMS BLEND
- BRICK (THRU-WALL) COLOR: REDDISH-BROWN
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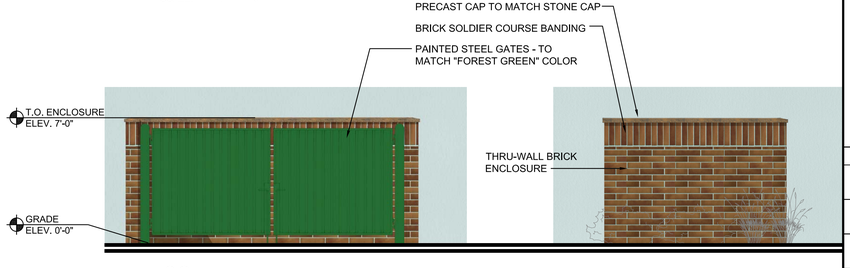
- STONE BANDING / SILL COLOR: MEDIUM BROWN
- STOREFRONT SYSTEM W/ CLEAR NON-REFLECTIVE GLASS FRAMING COLOR: DARK ANODIZED BRONZE
- CONCRETE TILE ROOFING COLOR: SLATE GRAY
- PAINTED STEEL CANOPY COLOR: FOREST GREEN
- WALL SCONCE LIGHT FIXTURE COLOR: DARK BRONZE
- WALL PAK LIGHT FIXTURE COLOR: DARK BRONZE

05 MONUMENT SIGN

SCALE: 1/4" = 1'-0"



06 TRASH ENCLOSURE

SCALE: 1/4" = 1'-0"

0" 2' 4' 8' 16'

SCALE: 1/8" = 1'-0"

CE14.002.00B

Bauer Farm Northwest - Phase I

Final Development Plan For

4700 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name:	Date:
Name:	Date:
Name:	Date:

Realize Your Vision

CAHEN ARCHITECTURAL GROUP P.C.

7076 South Alton Way, Building A

Centennial, Colorado 80112, (303) 743-0002

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EXTERIOR ELEVATIONS RETAIL BUILDING

6

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PLOTTED BY: Scott

PLANNING COMMISSION REPORT
Regular Agenda -Public Hearing Item

PC Staff Report
7/21/14

ITEM NO. 2: PRELIMINARY DEVELOPMENT PLAN FOR THE LINKS; 251 QUEENS RD (MKM)

PDP-14-00171: Consider a Preliminary Development Plan for The Links at Lawrence, a 900 unit apartment complex, on approximately 78 acres located at 251 Queens Rd. Submitted by Blew & Associates PA, for Links at Lawrence, property owner of record.

STAFF RECOMMENDATION ON PRELIMINARY DEVELOPMENT PLAN: Planning Staff recommends approval of The Links at Lawrence Preliminary Development Plan based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Agreements not to protest the formation of a benefit district must be executed by the applicant and provided to the Planning Office before recording of the Final Development Plan for the following:
   a. Street and sidewalk improvements for Queens Road.
   b. Street and sidewalk improvements for George Williams Way.
   c. Geometric intersection improvements for Queens Road and Wakarusa Drive.
   d. Intersection improvements, geometric and signalization, for Queens Road and W 6th Street.
   e. Intersection improvements, geometric and signalization, for George Williams Way and Rock Chalk Drive.

2. Provision of a revised Preliminary Development Plan with the following changes:
   a. Provide a continuous evergreen hedge, or 6 ft solid fence or wall along the south side of the parking/drive area in the Southeast Quadrant of the development adjacent to the proposed Kellyn Addition.
   b. Provide a 12 ft Pedestrian Access Easement for the shared use path within the Utility Easement for the Sanitary Sewer Interceptor Line and add the following note: *"A 12' shared use path will be constructed by the property owner within the pedestrian easement to City standards, at the time of this development. The path will terminate 50' south of the north property line with a mini cul-de-sac. When a connecting trail has been constructed on the property to the north, the developer of this project will construct the remaining 12' wide connecting piece of the shared use path."*
   c. Make minor changes to utilities shown on the plan per City Utilities Engineer's comments.
   d. Make minor changes to the plan per the City Fire Code Official's comments.
   e. Add the following note: "*Prior to any construction activity the perimeter of the protected wooded areas adjacent to the construction activity will be fenced at the drip line and signage will be erected that notes that any construction activity, grading, trenching or storage is prohibited within the fenced area.*
   f. Note the number of van accessible ADA parking spaces provided in the parking data for each phase.

g. Revise the Parking Summary to note the bicycle parking requirement as 1 space per 4 auto spaces provided, provide the required additional bicycle parking spaces, and show the location of the bicycle parking on the plan.
h. Relocate bufferyard landscaping along the south property line north of the 25 ft utility easement. If necessary widen the bufferyard by relocating the buildings to the north to provide adequate landscaping area.
i. Revise plan based on minor technical issues. Staff will provide the applicant with a list.

3. Stormwater Engineer is currently reviewing the revised plans and will provide comments that may result in revisions to the plan, including possibly requiring a detention pond on the southwest corner.

Reason for Request: The changes proposed from the formerly approved Preliminary Development Plan meet the definition of a Major Change and require the rehearing and reapproval of a Preliminary Development Plan (Section 20-1304(d)(11)(v).

KEY POINTS
- Environmentally sensitive lands, including a stream corridor and stands of mature trees, are located on the subject property.
- A modification had previously been approved from the height requirement. No modification is being requested with this plan.
- Per Section 20-701(f)(3) density calculations in the PD Overlay District are weighted based on the number of bedrooms proposed in a dwelling unit.
- The changes proposed with this development plan which are considered Major Changes are the relocation of the recreation common open space, and an increase of more than 5% of the total ground area covered by buildings (13.8% increase).

FACTORS TO CONSIDER
- Conformance with the purpose of Planned Developments (Section 20-701, Development Code).
- Compliance with Development Code.
- Conformance with *Horizon 2020*.
- Conformance with Subdivision Regulations.

ASSOCIATED CASES

ANNEXATION
- The City Commission approved annexation request (A-11-07-07) at their February 26, 2008 meeting. The annexation became effective with adoption and publication of Ordinance 8825.

REZONING
- The City Commission approved rezoning requests [Z-11-28A-07 and Z-11-28B-07] to the RM12 District and –PD Overlay Districts at their February 26, 2008 meeting. The RM12 rezoning was conditioned to permit a maximum residential density of 6 dwelling units per acre. These rezonings became effective with adoption and publication of Ordinance Nos. 8226 and 8227.

DEVELOPMENT
- The City Commission approved a Preliminary Development Plan [PDP-11-06-07] for The Links at Lawrence, a Planned Residential Development containing 40 multi-dwelling buildings with 12 dwelling units per building for a total of 480 dwelling units, on February 27, 2008.

- A Final Plat (PF-08-05-09) and Final Development Plan (FDP-08-07-09) were submitted in August of 2009.
- A revised Preliminary Development Plan (PDP-12-00283) was submitted in 2012 to utilize the weighted density calculations afforded in the Planned Development Overlay District. This plan was approved by the City Commission on February 19, 2013.
- The subject revised Preliminary Development Plan was submitted to allow for a reconfiguration of the building/parking layout, relocation of the recreational common open space and an increase in density in terms of both dwelling units per acre and total number of units. The relocation of the recreation open space and increases by more than 5% the ground area covered by buildings are considered 'Major Changes' by Code and require the rehearing and reapproval of a Preliminary Development Plan.

OTHER ACTION REQUIRED

- City Commission approval of Preliminary Development Plan.
- Submittal and administrative approval of Final Development Plan.
- Recording of Final Development Plan with the Douglas County Register of Deeds.
- Submittal and administrative approval of Final Plat.
- City Commission acceptance of dedications shown on the Final Plat.
- Public Improvement Plans submitted to City Public Works and Utilities Departments. The plans must be approved and the means of ensuring completion of public improvements accepted prior to recording the Final Plat.
- Recording of the Final Plat with the Douglas County Register of Deeds.
- Building permits must be obtained prior to construction of structures.

PUBLIC COMMENT

- Jack Graham, adjacent property owner to the north, visited the Planning Office to discuss the development and provided the following comments:
  --A fence should be built along the north property line, this could be a wire fence built within the trees, in areas where the tree cover is thick.
  --The trail should not be constructed to the north property line until a connecting trail is constructed on the property to the north.
  --Lighting should be evaluated to insure no glare or trespass on his property.

GENERAL INFORMATION

Current Zoning and Land Use: RM12-PD (Multi-Dwelling Residential with Planned Development Overlay) District; woodland and agricultural uses. (Planned residential development has received preliminary approval.)

Surrounding Zoning and Land Use:

To the west:
GPI (General Public and Institutional Use) District; Rock Chalk Park KU/Regional Sports Facility and City Recreation Center, *General Entertainment and Spectator Sports* and *Participant Sports & Recreation (Indoor and Outdoor).*

To the north:
Property outside the city limits which is zoned A (County-Agricultural); rural residences, woodland,

and agricultural uses.

To the east:
RS7 (Single-dwelling Residential) District, single-dwelling residences.

PRD-Westwood Hills (Westwood Hills Planned Residential Development); undeveloped.

To the south:
RM12D (Multi-dwelling Residential), RS7 (Single-dwelling Residential), OS (Open Space) Districts; platted subdivisions which have not yet been developed. The OS area has been designated as a city park. (Figure 1.)

Area

Gross Area	81.31 acres previous plan **79.46 acres (due to dedication of right-of-way for George Williams Way)**
Right-of-Way	6.74 acres (due to dedication of right-of-way for George Williams Way)
Net Area	72.72 acres
Lot 1, Block One*	29.57 acres
Lot 2, Block One (labeled as Lot 4)*	20.80
Lot 1, Block Two (labeled as Lot 2)*	22.06 acres
Lot 1, Block Three (labeled as Lot 3)*	.33 acres (14,374 sq ft)

*These lots should be re-labeled on the plat sheet and throughout the PDP to reflect the lot and block numbers referenced above.

SITE SUMMARY			
	Existing	**Proposed**	**Change**
Land Use:	Woodland and Agriculture	*Multi-Dwelling Residential, accessory parking, passive and active recreation*	Change in use (No change from previously approved use)
Land Area:	79.46 acres	72.72 acres	-6.74 acres (right-of-way)
Building Area:	0 sq ft	278,605 sq ft (244,807 sq ft previous plan)	+278,605 sq ft (+33,798 sq ft from previous plan
Pavement Area:	0 sq ft	633,128 sq ft	+633,128 sq ft
Impervious Area:	0 sq ft	911,733 sq ft (28.8%)	+ 911,733 sq ft

Pervious Area:	3,167,571 sq ft	2,255,838 sq ft (71.2%)	- 911,733 sq ft

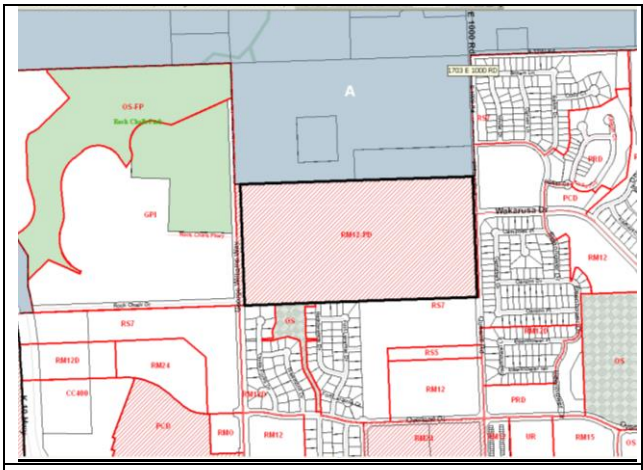


Figure 1a. Zoning in the area.

Figure 1b. Land use in the area. The green highlighted area is City parkland.

Parking Summary

Use	Req. per Sec 20-902	Parking Required	Parking Provided
Multi-Dwelling Residential	1 vehicle space / bedroom + 1/10 units for visitors	Phase 1: 1,038 bedroom + 650 units (65 spaces) =1,103 spaces Phase 2: 430 bedrooms plus 258 units (26 spaces) = 456 spaces	1,103 456
TOTAL		1,559 spaces	1,559 spaces
ADA Accessible Spaces	Phase 1: Parking areas with over 1,000 spaces: 20 spaces plus 1 for every 100 over 1000; 1 of every 8 spaces must be van accessible Phase 2: Parking areas with between 401 and 500 parking spaces: 9 spaces with 2 being van accessible.	Phase 1: 22 ADA spaces 3 van accessible Phase 2: 9 spaces 2 van accessible	Phase 1: 23 van accessible* Phase 2: 11 van accessible*
Bicycle Parking	1 per every 4 vehicle spaces	Phase 1: 1103 spaces—276 spaces Phase 2: 456 spaces—114 spaces	Phase 1—161** Phase 2—65**

* The parking summary on the plan should be revised to note how many van accessible ADA parking spaces are provided to insure compliance with Code.

**The bicycle requirement should be noted on the plan as 1 per 4 auto spaces shown. Additional bicycle parking should be provided and the location of the bicycle parking should be shown on the plan.

STAFF ANALYSIS

The property contains approximately 72 acres and is located approximately ½ mile north of W 6th Street between Queens Road and George Williams Way. The development will consist of 900 dwelling units and recreational amenities which will be developed in 2 phases. The apartments on the east portion of the property and Rock Chalk Drive will be developed as Phase 1, and the apartments lining George Williams Way will be developed as Phase 2.

Residential development is adjacent to the property on the east and is planned for the property to the south. The property to the west was recently rezoned to the GPI (General Public and Institutional Use) District and developed as a regional sports/athletic center. The property to the north is agricultural/rural land outside the city limits. This area is not included in a current long range plan, but the Northwest Area Plan recommended low density residential uses for this area. Based on the long range plan's recommendation, staff is assuming residential development will also occur to the north of the subject property.

Access to the development will be provided from Rock Chalk Drive through the property as well as one access point on George Williams Way. The owners of the subject property dedicated additional right-of-way for George Williams Way prior to platting to accommodate street improvements necessary for the sports center.

When development was originally proposed on this property in 2007, the Development Code required all residential developments with sensitive lands to develop either as a Cluster Development or as a Planned Development. The property was rezoned to a base district with a planned overlay district and development plans were submitted. The Code required that a minimum of 20% of the site be set aside as common open space and that 50% of the area set-aside be developed as Recreational Open Space. As the proposal was to develop apartments with a nine-hole golf course, more than 20% of the site was proposed as common open space. Approximately 46 acres or 63% of the site was proposed to be maintained as common open space with the original submittal; however, some of the common open space was to be developed with golf course and lakes. The 2012 revised plan proposed approximately 44 acres of common open space (60%) and relocated some of the golf course from the wooded areas and removed the lakes. The golf course was removed from the project with the current plan which proposes approximately 47.4 acres of common open space with 23.6 acres being developed for recreational uses, leaving 23.8 acres as natural open space. The recreational open space includes a tennis court, basketball court, putting green, swimming pool, and clubhouse. The environmentally sensitive areas are shown on Sheet C3-5 of the plan set. Per Code, only the stream corridor and stands of mature trees are recognized as environmentally sensitive lands but the developer included information on the steep slopes as well.

- Total site area: 79.45 acres, net area: 72.72 acres
- Stands of Mature Trees pre-development: 31.0 acres, 39% of total site (42.6% of net area)
- Stands of Mature Trees post-development: 23.8 acres, 30% of total site (32.7% of net area)
- Steep Slopes pre-development: 17.92 acres, 22.5% of total site (24.6% of net area)
- Steep Slopes post-development: 16.33 acres, 20.6% of total site (22.5% of net area)

With the removal of the golf course from the wooded areas, the amount of contiguous wooded area that is preserved was increased. See Figure 2.

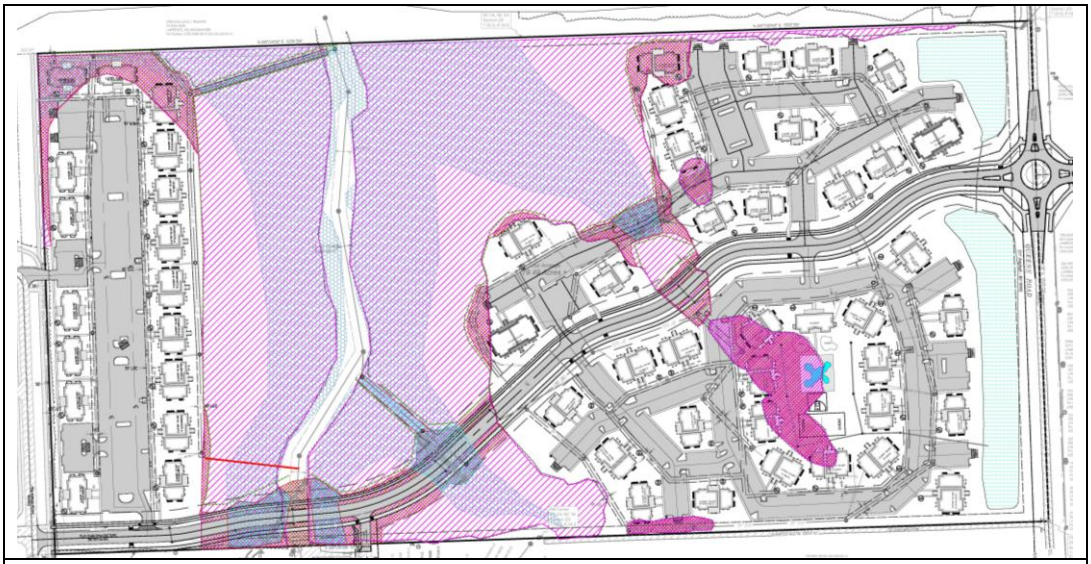


Figure 2a. Sensitive Area Site Plan. Stands of Mature Trees shown in red, steep slopes above 15% in blue.

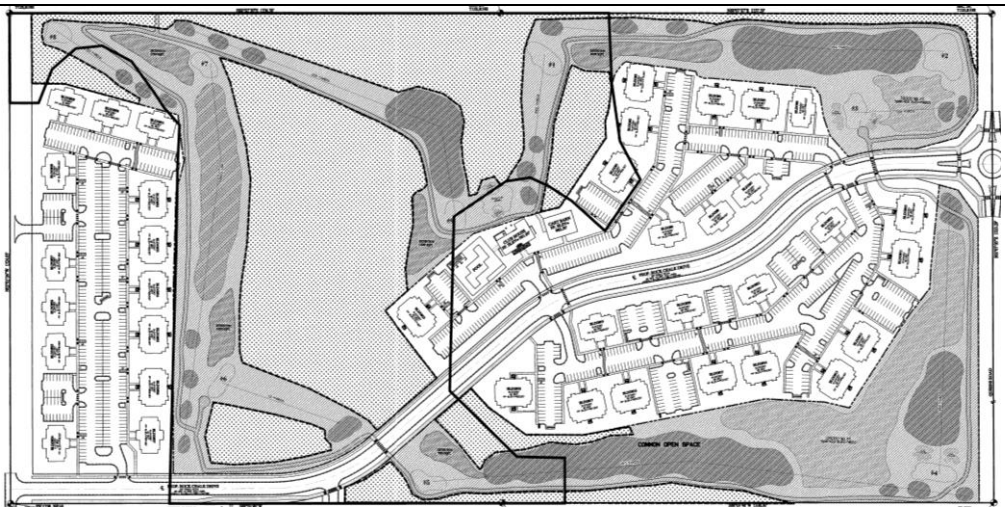


Figure 2b. Protected area and recreational open space with 2012 approved plan. This plan did not show the City's sanitary sewer interceptor line which crosses the site from north to south.

Other changes being proposed with this Preliminary Development Plan include an increase of more than 5% in the building coverage on the site, and an increase in density from 4.65 dwelling units per acre to 6 dwelling units per acre. The relocated common open space and the increase in building coverage are considered major changes; therefore, a revised Preliminary Development Plan has been submitted for rehearing and consideration.

The following table compares the previously approved and current development plans:

	2012 Approved PDP	Proposed PDP	Change
Site Area	72.76 acres	72.72	--
Common Open Space (% of total)	43.88 acres (60.3%)	47.4 acres (65.1%)	+ 3.52 acres
Protected Sensitive Lands(% of total)	14.62 acres 20% of total site	23.8 acres 32.7% of total site	+ 9.18 acres
Number of buildings	37	53	+16
Number of dwellings	630	900	+ 270
Number of bedrooms	1050	1468	+ 418
Density (weighted)	4.65 du/acre	6 du/acre	+1.35 du/acre
Parking Provided	1164 spaces	1559 spaces	+395 spaces
Building Area	244,807 sq ft	278,605 sq ft	+ 33,798 sq ft
Impervious Surface	468,269 sq ft (14.8%)	1,104,307 sq ft (34.8%)	+ 636,038 sq ft
Building Height	41.5 Club House 39 ft Apartment (max)	25.9 ft Club House 35 ft Apartments (max)	No modification required

Figure 3 compares the development pattern in the previously approved PDP and that being proposed with the current PDP.

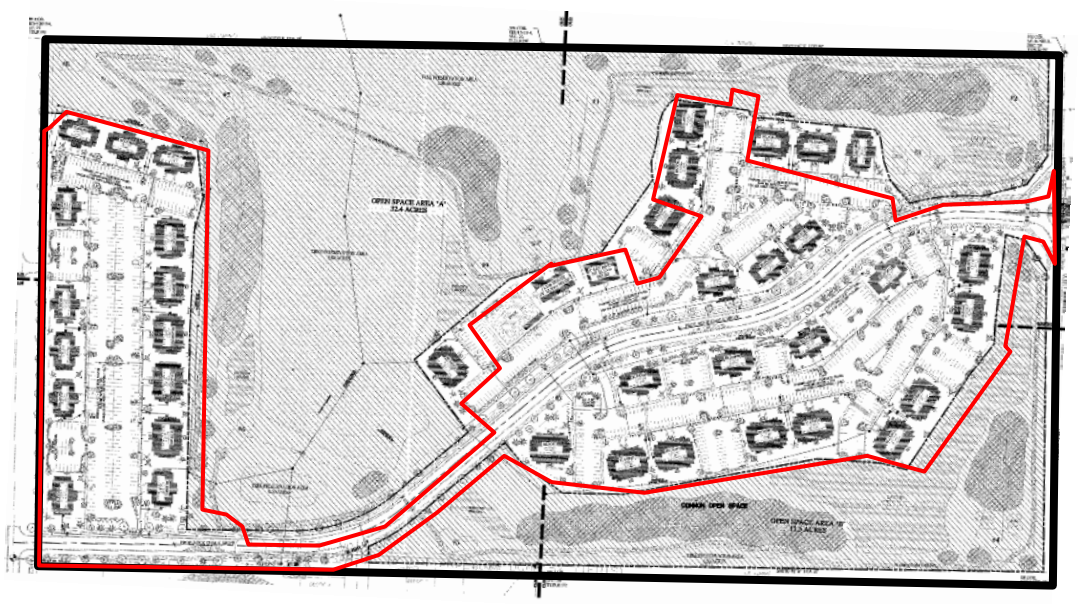


Figure 3a. Previously approved PDPs had similar layouts. The 2012 PDP reduced the golf course area and expanded the building area. (Approximate boundaries of 2007 Development is outlined in red for comparison.)

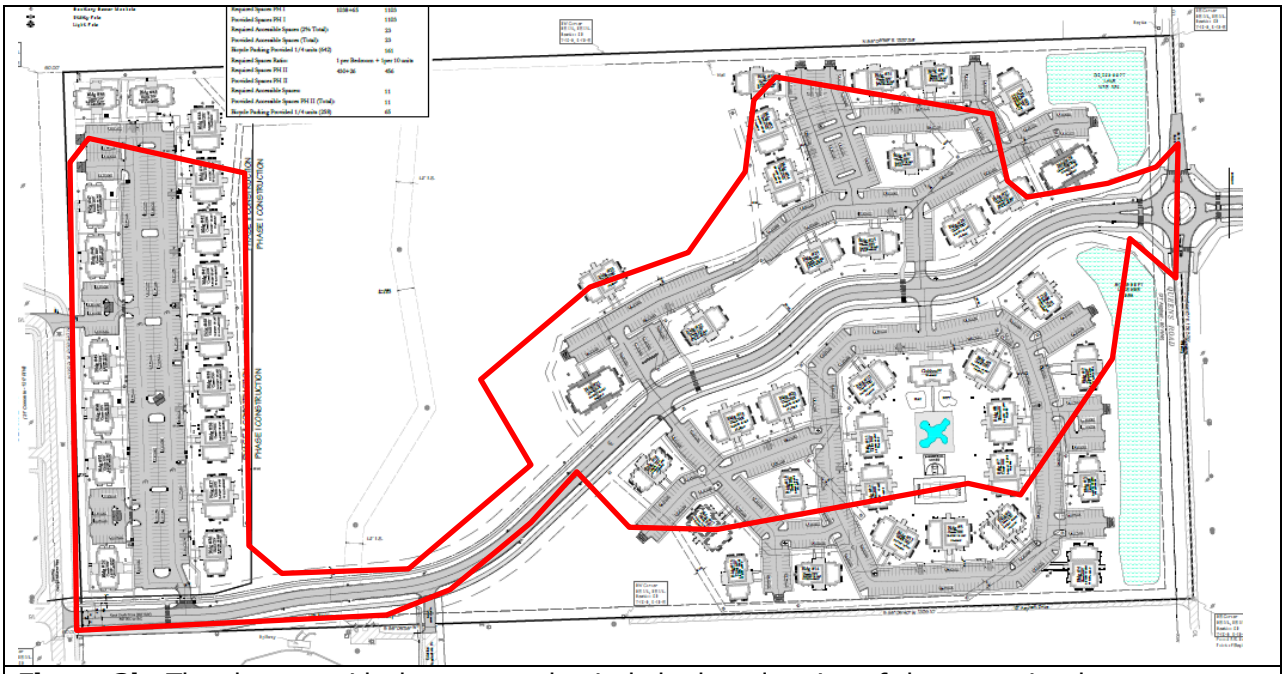


Figure 3b. The changes with the current plan include the relocation of the recreational common open space and a reconfiguration of the building/parking area layout. (2012 approximate layout overlaid in red.)

The proposed Preliminary Development Plan for The Links at Lawrence has been evaluated based upon findings of fact and conclusions per Section 20-1304(d)(9) of the Development Code for the City of Lawrence, requiring consideration of the following nine items:

1) ***The Preliminary Development Plan's consistency with the Comprehensive Plan of the City.***

The subject property is within the Baldwin Creek Drainage Basin, an area in which *Horizon 2020* recommends development not be permitted until plans to extend sanitary sewer service to the entire drainage basin have been developed. The West Baldwin Creek Sanitary Sewer Interceptor from pump station PS45 located along the north edge of the Oregon Trail Addition north and east through the subject property to the pump station PS48 has been completed.

The Comprehensive Plan recommends that new large-scale, low-density, single-family residential development be located to the west of the city, with the area east of the South Lawrence Trafficway being developed prior to the area to the west. (page 5-4) The proposed development is a large-scale, low-density residential development which is proposing multi-dwelling rather than single-dwelling residences.

Policy 5.1 of the plan recommends that natural environmental features within residential areas be preserved and protected. (page 5-19) The Preliminary Development Plan clusters the dwelling units, parking areas, and recreational open space leaving approximately 23.8 acres as natural open space which insures the protection of natural features and sensitive lands. With previously approved development plans, a portion of the common open space was to be used for a nine-hole golf course, but 20% of the site was designated as natural open space. With the current plan, the golf course has been removed from the environmentally sensitive area and 23.8 acres of the sensitive area is to be protected. (76.8% of the environmentally sensitive

area, 32.7% of the total site area). This exceeds the 20% required by Code and is an increase from the 17.09 acres provided with the 2012 plan.

The Comprehensive Plan recommends that Development Proposals be reviewed for compatibility with existing land uses, including any neighborhood plan. (Policy 4.1, page 5-17) The property lies within the boundary of *The Northwest plan (1997)*. The *Northwest Plan* recommends that residential uses vary from W 6th Street to the north from higher density near W 6th Street to lower density northward. The *Northwest plan* recommends low-density, which the development proposal meets; but also recommends single-family residences. The typical land use arrangement at the time the *Northwest plan* was adopted was for single-family residences to be lower density and multi-family residential developments to be higher density. With the adoption of the 2006 Development Code new single-dwelling zoning districts were created which could be developed at 'medium-density'. Under the Development Code, the level of density does not dictate the housing type as it did when the *Northwest Plan* was adopted.

While the Northwest Area Plan was adopted in 1997, it is used as a guiding document for development in the area with consideration being given to changes in the Code. The Northwest Area Plan recommended low density development as a means to protect the environmentally sensitive features: stream corridor, steep slopes, woods, in the area. Since the adoption of the Northwest Area Plan in 1997, additional protection measures have been adopted by the City. Section 20-1101 of the Development Code contains standards for the protection of sensitive lands on residential properties. The proposed use, an apartment complex, utilizes a cluster form of housing which concentrates the street and utility extensions rather than the overall extension that would be required with standard, single-dwelling, low density housing.

Chapter 16 of the Comprehensive Plan - *Environment*, recommends the following (staff discussion follows each recommendation in *italics)*:

- "Development should maintain the natural benefits of existing topography. Development on steep slopes (above 15%) should be done in a manner that encourages the use of the existing topography with minimal grading to minimize adverse effects." (Policy 2.1, page 16-12)

  Steep slopes were included in the sensitive area site plan, although the Development Code does not require their protection as environmentally sensitive lands. The improvements being proposed to the site are located outside of this area with the exception of a portion of Rock Chalk Drive and an access drive on the southern reach of the steep slopes. (Figure 3)

- "Encourage environmentally sensitive site design practices which minimize the unnecessary physical and visual impacts upon the surrounding landscape caused by removal of woodlands." (Policy 2.2(a)(2), page 16-12)

  Removing the proposed golf course from the wooded area allows a larger, more contiguous wooded area to be protected. A 50 ft to 100 ft clearing was created in a utility easement with the installation of the Baldwin Creek Interceptor Line. A 12' shared use path will be constructed by the property owner within the pedestrian easement to City standards, at the time of this development. The path will terminate 50' south of the north property line with a mini cul-de-sac. When a connecting trail has been constructed on the property to the north, the developer of this project will construct the remaining 12' wide connecting piece of the shared use path.

Figure 4. Steep slopes (>15%) shown in blue dots. Stands of mature trees shown in red hatchmarks. Stands of mature trees that will be removed are shown in bright pink and steepslopes/stands of mature trees that will be disturbed are marked in bright blue.

Staff Finding – The proposed development complies with the general land use provisions found in *Horizon 2020* and the *Northwest plan*. A low-density multi-dwelling development is unique and is being proposed here to allow for the development with the extraordinary protection of open space and natural features. The development does not conform strictly with the wording of the *Northwest plan*, but does comply with the intent of providing low-density residential development further from W 6th Street and with *Horizon 2020's* recommendation of low-density residential development and the protection of natural features.

2) Preliminary Development Plan's consistency with the Planned Development Standards of Section 20-701 including the statement of purpose.

The purpose statement includes the following (staff comments follow in *italics*):

a) Ensure development that is consistent with the comprehensive plan.
As discussed previously, the development is consistent with the comprehensive plan and the adopted plan for the area.

b) Ensure that development can be conveniently, efficiently and economically served by existing and planned utilities and services.
Waterlines are located within the area and the Baldwin Creek Interceptor Sewer Line has been installed through the property. The development can be conveniently served by existing utilities and services.

c) Allow design flexibility which results in greater public benefits than could be achieved using conventional zoning district regulations.
This area could develop as a conventional RM12 District, however when rezoned in 2006 the Development Code required that properties containing substantial amounts of environmentally sensitive lands, as defined by Code, be developed as a Planned Development. The Development Code has since been revised to remove this requirement

and allow properties with environmentally sensitive lands to develop with base zoning through the site planning process. Design flexibility is provided through the planned development process through modifications to the standards in the base district such as a smaller lot size, increased density, reduced setbacks, increased height, and a change in parking requirements. These modifications allow the development to be tailored to the particular use and the site specific characteristics.

d) Preserve environmental and historic resources.
There are no known historical resources in this area. The environmental resources in the area are the stands of mature trees and the stream corridor. The plan concentrates development on the more level areas which allows for the protection of the stream corridor and much of the wooded area.

e) Promote attractive and functional residential, nonresidential, and mixed-use developments that are compatible with the character of the surrounding area.
65.1% of the total land area is being set aside as common open space. The buildings will be set back from the property line, with the exception of along George Williams Way where the buildings will be set near the road with the parking behind it to create an attractive street frontage. The buildings are located approximately 150 ft from Queens Road and ponds are to be located along Queens Road. The large setback and the open space provided by the ponds will provide an effective buffer between the properties.

Rock Chalk Drive will border the south side of the development on the western portion while the eastern portion of the development will back up to the adjacent development to the south. With earlier plans, a 60 ft buffer area was provided on the north and south property lines in compliance with a requirement in the Development Code, Section 20-1701(j). The requirement to provide a 60 ft buffer has been removed from the Code as the bufferyard requirements for base districts should be adequate; however, additional buffering may be required when building scale and massing is incompatible with adjacent development.

The buildings are well setback from the adjacent streets, but are located near the north and south property lines as shown in Figures 5 and 6.

The buildings on the north and south perimeter of the project will be 3 story Classic IV models. This model does not have balconies. The buildings are setback from the adjacent properties a minimum of 35 ft from the north property line and 37 ft from the south property line. No development proposals have been submitted for the property to the north but it is expected to develop as single-dwelling residential, based on the recommendations of the Northwest Area Plan. The property to the south has single-dwelling zoning and a preliminary plat has been approved, Figure 6.

Three buildings and parking areas are located along the southeastern property line, adjacent to the proposed Kellyn Addition. The nearest buildings, approximately 37 ft from the south property line, are oriented so the sides face the south. These buildings do not contain balconies and a 25 ft Type 1 Bufferyard is proposed, as required by Code. In order to minimize impact to the adjacent single-dwelling residential development, a continuous hedge or solid fence or wall should be installed in this area to screen the parking areas from the nearby residences. The height of the buildings is mitigated by the bufferyard, the

37 ft setback and the fact that the buildings are oriented so the narrow portion fronts the adjacent property.

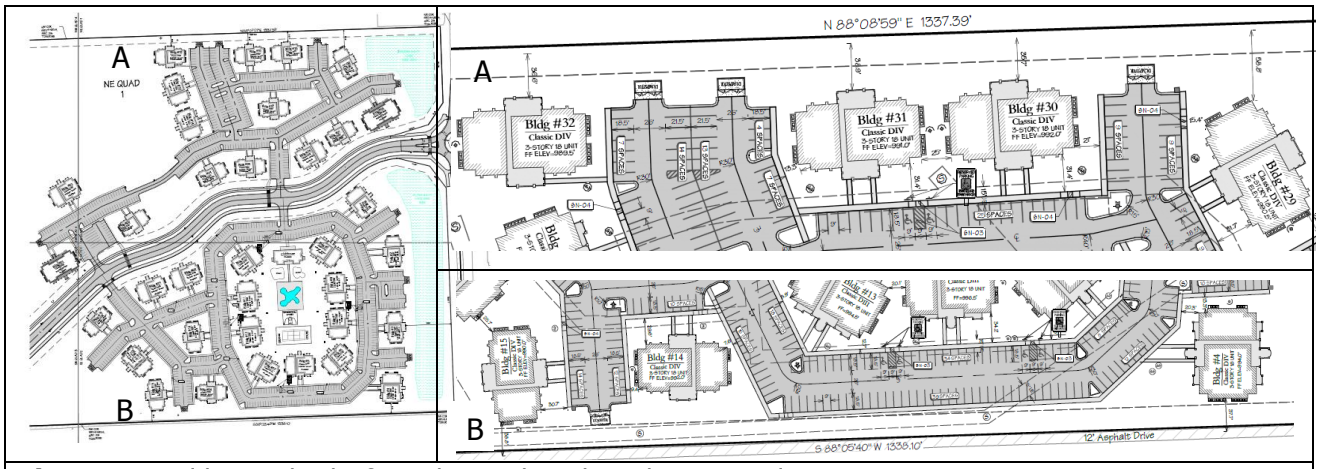


Figure 5. Building setbacks from the north and south property lines.

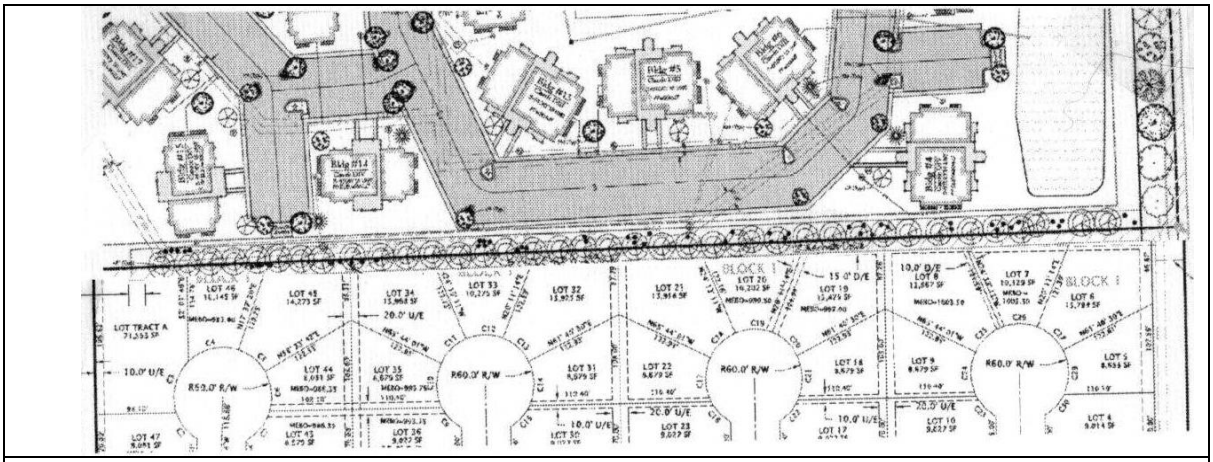


Figure 6. Relationship with proposed development to the south.

The proposed development, as conditioned, meets the standards for a Planned Development in Section 20-701. The proposed development meets the minimum area requirement for a PD district.

Section 20-701(d) states that all of the standards of the Development Code apply to development within a PD District except as expressly authorized by regulations of Section 20-701. The dimensional standards of the RM12 District are met. The proposed density is compliant with the density restriction placed on the property with the rezoning ordinance. The parking requirements of Article 9 apply to this development and have been met. The landscaping requirements of Article 10 apply to this development. The Preliminary Development Plan shows the landscaping; however, this will be reviewed and revised, if necessary, with the Final Development Plan. The development takes access primarily to the internal street, Rock Chalk Drive, and has a secondary access point shown on George Williams Way. The bufferyard landscaping along the south property line is located within a Utility Easement. The landscaping

should be pulled back from the utility easement and a wider bufferyard provided, if necessary, to accommodate the landscaping.

The proposed development, as conditioned, is compliant with the standards of the Development Code.

Staff Finding – The proposed Preliminary Development Plan is consistent with the Statement of Purpose of Planned Developments. The proposed Preliminary Development Plan, as conditioned, is consistent with the standards of Section 20-701 of the Development Code.

3) The nature and extent of the common open space in the Planned Development.

Portions of the sensitive lands which include heavily wooded areas and steep slopes will be protected and serve as common open space. The applicant's intent is to develop an apartment complex with accessory recreational uses, such as tennis courts, swimming pool, club house, etc. These recreational amenities make up the open recreation space, and are a part of the common open space. 43.88 acres, 60.3% of the site, is being set aside as common open space and 23.8 acres, 32.7% of the site is being maintained as natural open space. The common open space provided complies with the requirements in the Development Code.

The Code requires that a minimum of 50% of the common open space be developed as recreational space unless environmentally sensitive lands are present. If environmentally sensitive lands are present the amount of Recreational Open Space may be reduced to no less than 5% if necessary to preserve natural open space. The Recreational Open Space (23.6 acres) is located in an area without environmentally sensitive lands, but makes up 50.0 % of the common open area. This allows the protection of the environmentally sensitive lands through placement in the common open area.

Staff Finding – The proposed Preliminary Development Plan will provide common open space which exceeds that required by Code.

4) The reliability of the proposals for maintenance and conservation of the common open space.

The plan notes that Links at Lawrence will own the property and will maintain the common open space. The plan notes the areas to be conserved. A note must be placed on the Preliminary Development Plan that prior to any construction activity occurring on the site, the perimeter of the wooded areas adjacent to any construction activity will be fenced at the drip line and signage will be erected which states that any construction activity, grading, trenching or storage is prohibited within the fenced area.

Staff Finding –Links at Lawrence will own and maintain the common open space. A note must be placed on the plan regarding protection measures which will be undertaken for the common open space which contains environmentally sensitive features during construction.

5) The adequacy or inadequacy of the amount and function of the common open space in terms of the densities and dwelling types proposed in the plan.

The density of the entire site is 6 dwelling units per acre; however, the 900 dwelling units will be clustered on the east and west portions of the site. The Development Code requires 50 sq. ft. of outdoor area that can be used for recreational purposes for each dwelling unit in a conventional RM12 District. The Code states that the required outdoor areas serve 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. The development plan proposes 900 dwelling units. The Development Code would require 45,000 sq. ft., (900 x 50 sq. ft) or a little more than an acre, of outdoor area. This development is being designed as a planned development but the apartments are located in small areas, similar to the conventional RM12 zoning district. Where the 45,000 sq. ft. would adequately mitigate the denser development in a base district, the Preliminary Development Plan provides 48 acres of common open space. Approximately 24 acres will remain as natural open space and will provide a scenic, natural area for the site. The remainder, approximately 24 acres, will be developed with active recreation uses which will provide recreational opportunities for residents.

Staff Finding – The amount and function of the common open space is adequate based on the density of the areas being developed for residential uses. The dwelling types are apartment buildings. The amount of open space being provided exceeds that required by the Development Code in the conventional RM12 District and exceeds the open space requirement of the Planned Developments.

6) Whether the Preliminary Development Plan makes adequate provisions for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment.

The Fire Code Officials have been discussing the proposed plans with the applicant. Any changes recommended by the Fire Code Officials should be made to the Preliminary Development Plan.

Wooded areas will be conserved to provide visual enjoyment and passive recreation. The large amount of common open space will provide ample light and air. There will be several opportunities for recreational enjoyment on the site. The tennis courts, basketball courts, club house, putting green, and swimming pool are part of the common open space being provided as open recreational space. A 10 ft wide bike/rec path will be installed on one side of Rock Chalk Drive to connect with the bicycle/walking path system in the area. A pedestrian/access easement will be provided from the parkland in the Oregon Trail Addition at the southern border of the property to the northern border. A 12 ft wide rec path will be constructed with this development; however, it will not connect to the north property line at this time. The connection will occur when a trail has been developed on the property to the north. Per Section 20-810(f)(4)(iii) pedestrian easements must be a minimum of 12' in width. This easement will be shown on the Preliminary Development Plan and will be finalized at the final plat stage.

Staff Finding – The Preliminary Development Plan's provisions for Fire/Medical access are being discussed with the Fire Code Officials and the plan will be revised to reflect any changes recommended. The Preliminary Development Plan has made adequate provisions for public services and provides adequate control over vehicular traffic through limited access points onto Rock Chalk Drive, which is designated on the Major Thoroughfares Map as a collector street. The plan furthers the amenities of light and air, recreation and visual enjoyment through the provision of common open space, open recreation space, and other recreational facilities.

7) Whether the plan will measurably and adversely impact development or conservation of the neighborhood area by:

a) doubling or more the traffic generated by the neighborhood;

The City Transportation Planner indicated that the development would increase the traffic in the neighborhood by more than double; but pointed out that there is little development existing in the area. The residential area to the east of Queens Road and St. Margaret's Episcopal Church

to the south are the only developments in the area. Therefore, the fact that the amount of traffic generated will be more than doubled is tempered by the fact that the area is currently undeveloped.

b) proposing housing types, building heights or building massings that are incompatible with the established neighborhood pattern; or

The housing types and massings are compatible with the established neighborhood pattern. The houses located along Queens Road face away from the road, therefore this development is to their rear. The buildings proposed in this development may not be appropriate in close proximity to the other residences in the neighborhood; however, the impact of the buildings type and massing will be mitigated by the separation distance and the golf course landscaping. The buildings will be located 150 ft to 360 ft from Queens Road. A portion of the golf course will be located within this buffer area. The property is further separated from the residences by Queens Road, a collector street. The houses adjacent to Queens Road face away from the development. The impact of the building type and massing should be minimal on the neighborhood to the east.

Property to the south has been platted as a residential subdivision. Rock Chalk Drive will separate the development from the residences to the south. South of Rock Chalk Drive, where it borders the south side of the subject property, will be residences, most of which face away from Rock Chalk Drive, and City parkland. Two lots near Headwaters Drive may have their sides toward the proposed development. No buildings are planned for this area. The golf course and open space will be located north across Rock Chalk Drive. The impact of the building type and massing should be minimal on the neighborhood to the south.

The land to the west, across George Williams Way, is zoned GPI and is being planned as a sports/recreation facility for KU and the City of Lawrence. The building type and massing should have no impact on this future development.

The building type and massing should have minimal impact on the existing rural residences or on future development to the north.

c) increasing the residential density 34% or more above the density of adjacent residential properties.

The property to the north is outside the city limit and is zoned for agricultural uses, but is recommended in the *Northwest Area Plan* for low density residential development. The property to the east is zoned for RS7 (Single-dwelling Residential) uses with a maximum density of 6.2 units per acre. To the south is a platted subdivision, which has not yet been constructed. The properties in this subdivision are zoned for RS7 (Single-dwelling Residential), RM12 (Multi-dwelling Residential) and RM12D (Multi-dwelling Residential, duplex) uses. The densities to the south are a maximum of 6.2 and 12 units per acre. The proposed density of the Links at Lawrence development is 6 units per acre. The development will not increase the residential density above the density of adjacent residential properties.

Staff Finding-- Staff has determined that the Preliminary Development Plan will not have measurable and adverse impact on the development or conservation of the neighborhood area. The density is less or similar to surrounding residential properties and the buffering provided by the building setbacks, lakes and the open space will minimize any negative impacts the multi-dwelling structures may have on adjacent properties.

8) Whether potential adverse impacts have been mitigated to the maximum practical extent.

The parking areas' location within the interior of the site should prevent any glare or spill-over light onto adjacent properties. A photometric plan will be required at the final development plan stage to insure there is no adverse impact from the proposed exterior lighting. The recreational facilities are located in the center of the site and should not impact the surrounding properties.

Staff Finding – Possible adverse impacts of exterior lighting will be addressed with a photometric plan to insure there is no spillover light. The location of the recreational facilities in the center of the site insulates the noise and activity from surrounding properties.

9) The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the Planned Unit Development in the case of a plan that proposes development over a period of years.

Staff Finding- A phased development has not been proposed.

Staff Review and Conclusion

The proposed Preliminary Development Plan conforms to the anticipated land use for this area as stated in the Comprehensive Plan, and *Northwest Plan* and *6th & K-10/South Lawrence Trafficway Nodal Plan*. The development will conserve environmentally sensitive lands while providing multi-dwelling residences at a density similar to single-family units (6 units per acre). The proposal allows the property to be utilized for residences while retaining much of the natural features on the site through the use of multi-dwelling residences (apartments) to cluster the residential development. While 20% of the site is required to be set aside as common open space with a Planned Development, the use of apartments rather than single-dwelling residences in this location allows 60% of the property to be set aside as common open space.

The amount of open space being utilized with this development and the interior location of the residential structures minimizes any negative impacts on surrounding residential properties to the north, east and south.

TRAFFIC ANALYSIS FOR THE LINKS AT LAWRENCE
LAWRENCE, KANSAS

April 21, 2014

Background

A current traffic study is in the process of being completed. This document is intended to be an approximation based on a 2007 traffic analysis.

A traffic study was conducted for the Links at Lawrence by Iteris, Inc. of Lincoln, Nebraska back in December of 2007. The Links at Lawrence will be an apartment complex and nine hole golf course built on the South half of the Northeast Quarter of Section 29, Township 12 South, Range 19 East in Lawrence, Kansas. The 81-acre site is bounded by Queens Road on the East and the future George Williams Way to the West. Rock Chalk Drive will traverse through the site.

The December 2007 traffic study was based on a 480-unit complex and the 9-hole golf course. The complex has been changed to an 882-unit complex to go along with the golf course.

The new total number of daily trips will increase from 3,357 to 5,880 trips per day with an equal number of 2,054 trips going to the East and West.

The AM Peak Hour Trip Generation will increase from 259 to 488 trips. With 20% of the traffic expected to enter and 80% expected to leave the complex, the number of trips leaving the site will increase from 195 to 390 trips.

The PM Peak Hour Trip Generation will increase from 306 to 570 trips. 570 trips will break down into 365 Entering and 205 Exiting.

With an additional 402 units, the number of daily trips will increase by 2523 trips per day with the AM Peak Hour increasing by 195 trips and the PM Peak Hour increasing by 264 trips.

Proposed Features:

Feature	Description
	Property Line
	Onsite Property Line
	Offsite Property Line
	Right-Of-Way Line
	Setback Line
	Easement Line
	Zoning Limits
℄	Street / Drive Centerline
	Curb And Gutter (See Site Plan For Size)
	Thickened Edge Of Pavement
	Edge Of Gravel
	Firelane Striping
	Asphalt Pavement (See Detail Sheet For Pavement Sections)
	Concrete Pavement (See Detail Sheet For Pavement Sections)
	Concrete Sidewalk (See Site Plan For Dimensions)
X	General Fence Line (See Plan For Type)
	Chain Link Fence Line
	Board Fence Line
00 SPACES	Parking Counter
	Storm Catch Basin(s)
	Retaining Wall
See UTILITY PLAN for More Information	
	Gate Valve
	Fire Hydrant Assembly
	Water Meter - Single
	Water Meter - Double
	Sanitary Sewer Manhole
	Utility Pole
	Light Pole

Site Information:

PROPERTY INFORMATION		
Gross Site Area:	3,461,301.00 sf	79.46 sf
Proposed Dedicated R.O.W.:	293,730.00 sf	6.74 acres
Net Site Area:	3,167,571.00 sf	72.72 acres
Zoning:		RM12-PD OVERLAY
ZONING REGULATIONS		
Front Setback:		25 ft
Side Setback (Interior):		5 ft
Rear Setback		25 ft
Bldg. Height 3 Story 18 units:		34.9 ft
Bldg. Height 2 Story 12 units:		25.9 ft
Bldg. Height cart barn:		31.6 ft
Bldg. Height clubhouse:		25.9 ft
Max Bldg. Height:		35 ft
SITE INFORMATION		
Total Paved Area Rock Chalk:	140,918.00 sf	3.24 acres
Total Paved Area PH 1:	375,740.00 sf	8.63 acres
Total Paved Area PH 2:	177,365.00 sf	4.07 acres
Total Sidewalk Area Rock Chalk:	51,656.00 sf	1.19 acres
Total Sidewalk Area PH 1:	59,085.00 sf	1.36 acres
Total Sidewalk Area PH 2:	20,938.00 sf	0.48 acres
Total Building Area PH1:	187,570.00 sf	4.31 acres
Total Building Area PH2:	91,035.00 sf	2.09 acres
Total Impervious Area:	1,104,307.00 sf	34.9%
Total Pervious Area:	2,063,264.00 sf	65.1%
PARKING REGULATIONS		
Required Spaces Ratio:	1 per Bedroom + 1per 10 units	
Required Spaces PH I	1038+65	1103
Provided Spaces PH I		1103
Required Accessible Spaces (2% Total):		23
Provided Accessible Spaces (Total):		23
Bicycle Parking Provided 1/4 units (642)		161
Required Spaces Ratio:	1 per Bedroom + 1per 10 units	
Required Spaces PH II	430+26	456
Provided Spaces PH II		
Required Accessible Spaces:		11
Provided Accessible Spaces PH II (Total):		11
Bicycle Parking Provided 1/4 units (258)		65

Building Information PH I:

Custom Deluxe III	(12)	2 BR Units	3 Story	34.9 ft	5,931.50 sf	18 DU x	19 Bldgs	342 Units	Bedrooms (570)
	(6)	1 BR Units							
Classic Deluxe IV	(12)	2 BR Units	3 Story	33.3 ft	4,843.15 sf	18 DU x	14 Bldgs	252 Units	Bedrooms (420)
	(6)	1 BR Units							
Custom Deluxe III Big Boy Units	(24)	1 BR Units	3 Story	34.9 ft			2 Bldgs	48 Units	Bedrooms (48)
Clubhouse M	(1)		1 Story	25.9 ft			1 Bldgs	1 Units	
				Density: 26.0 D.U. / Acre			642 Proposed Units		(1038)

Building Information PH II:

Custom Deluxe III	(12)	2 BR Units	3 Story	34.9 ft	5,931.50 sf	18 DU x	8 Bldgs	144 Units	Bedrooms (240)
	(6)	1 BR Units							
Classic Deluxe IV	(12)	2 BR Units	3 Story	25.9 ft	4,843.15 sf	18 DU x	1 Bldgs	18 Units	Bedrooms (30)
	(6)	1 BR Units							
Classic Deluxe IV	(8)	2 BR Units	2 Story	25.9 ft	4,843.15 sf	12 DU x	8 Bldgs	96 Units	Bedrooms (160)
	(4)	1 BR Units							
				Density: 10.4 D.U. / Acre			258 Proposed Units		(430)

Note:
- See Survey For Existing Features Legend.
- See Cover Sheet For Abbreviation List.

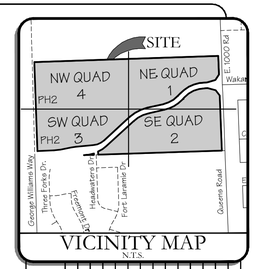
811 Know what's below. Call before you dig.

GRAPHIC SCALE
10' 0 5' 10' 20' 40'
(IN FEET)
1 inch = 100 ft

N W E S

Site General Notes:

- ALL EXTERIOR LIGHTING MUST BE FULL CUT OFF
- SIDEWALKS ADJACENT TO PARKING ARE 5'-0" WIDE. SIDEWALKS TO BUILDING ARE 4'-0" WIDE
- ALL PARKING STALLS ARE 18.5' TO THE FACE OF CURB WITH A 26'-0" DRIVE ISLE, AND A MINIMUM WIDTH OF 9' AT THE MOST NARROW POINT WHEN ALONG A CURVE
- ALL SIDEWALKS AT 2% CROSS SLOPE MAX.
- All ADA SPACES & STRIPED AREAS ARE 9' WIDE EACH , EXCEEDING THE MINIMUM VAN ACCESSIBLE REQUIREMENTS
- ALL CURB ISLAND RADII ARE 3.5' AT FACE OF CURB, UNLESS OTHERWISE NOTED



VICINITY MAP
N.T.S.

REVISIONS:	NO.	DESCRIPTION	DATE:

SITE PLAN OVERALL

Preliminary Plat For

Links at Lawrence, KS
Rock Chalk Drive

Lindsey Construction
1183 E. Joyce Blvd.
Fayetteville, AR 72703
(479) 521-6603 Office (479) 521-8615 Fax

MEMO:

NOT FOR CONSTRUCTION FOR REVIEW ONLY!!!

FIRM:
BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS
524 W. SYCAMORE ST, SUITE 4
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com
Certificate of Authorization № 1534

DRAWN BY:	JOB NUMBER:
E Heller	2014-138
SUBMITTAL DATE:	SCALE:
2014-07-02	1"=100'

DRAWING NAME: 14-138 Civil 004.dwg

SHEET NUMBER: C2

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REV	DATE	DESCRIPTION
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5		
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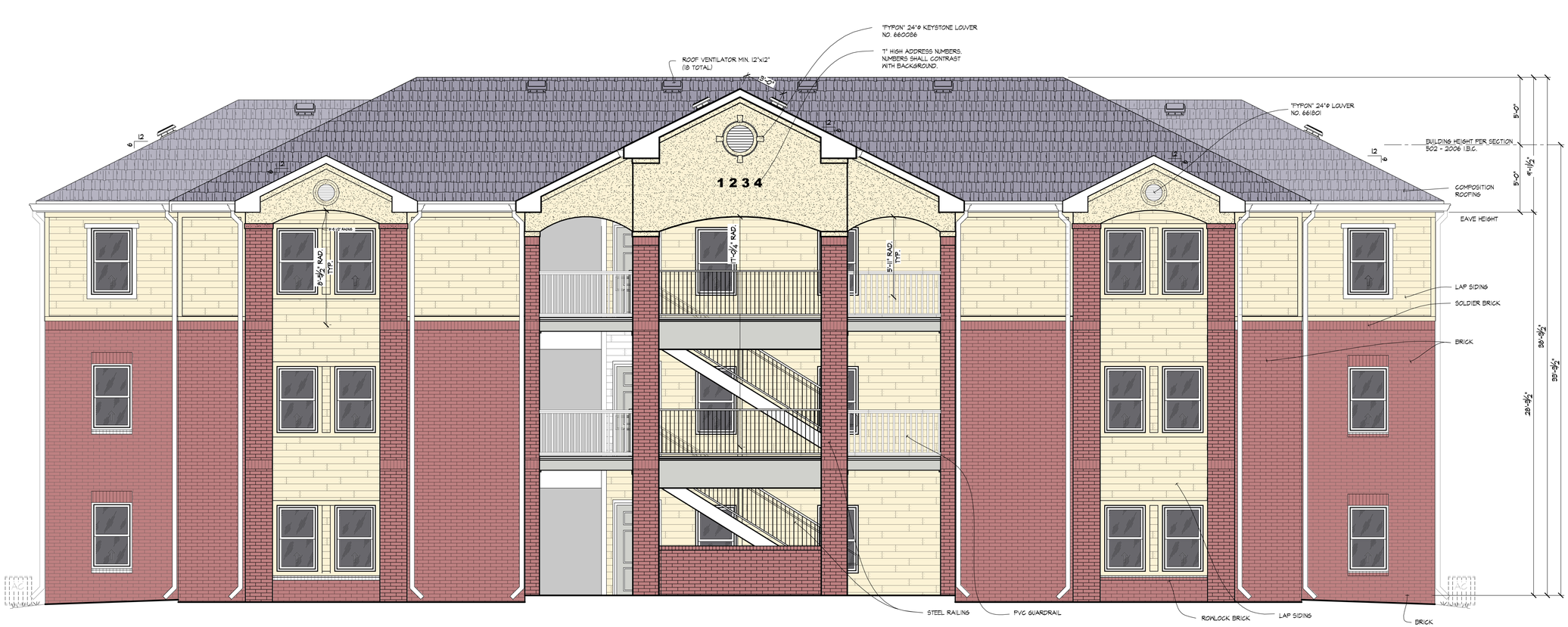
1		ISSUED
		DRAWN

FUGITT AND ASSOCIATES
ARCHITECT
WILLIAM KIM FUGITT A.I.A
1200 E. JOYCE BLVD.
FAYETTEVILLE, AR 72703
479.521.6686
KIM.FUGITT@FUGITTARC.COM

CLASSIC DELUXE IV (3 STORY)



A / A-4 FRONT AND REAR ELEVATION

Scale : 1/4"=1'-0"

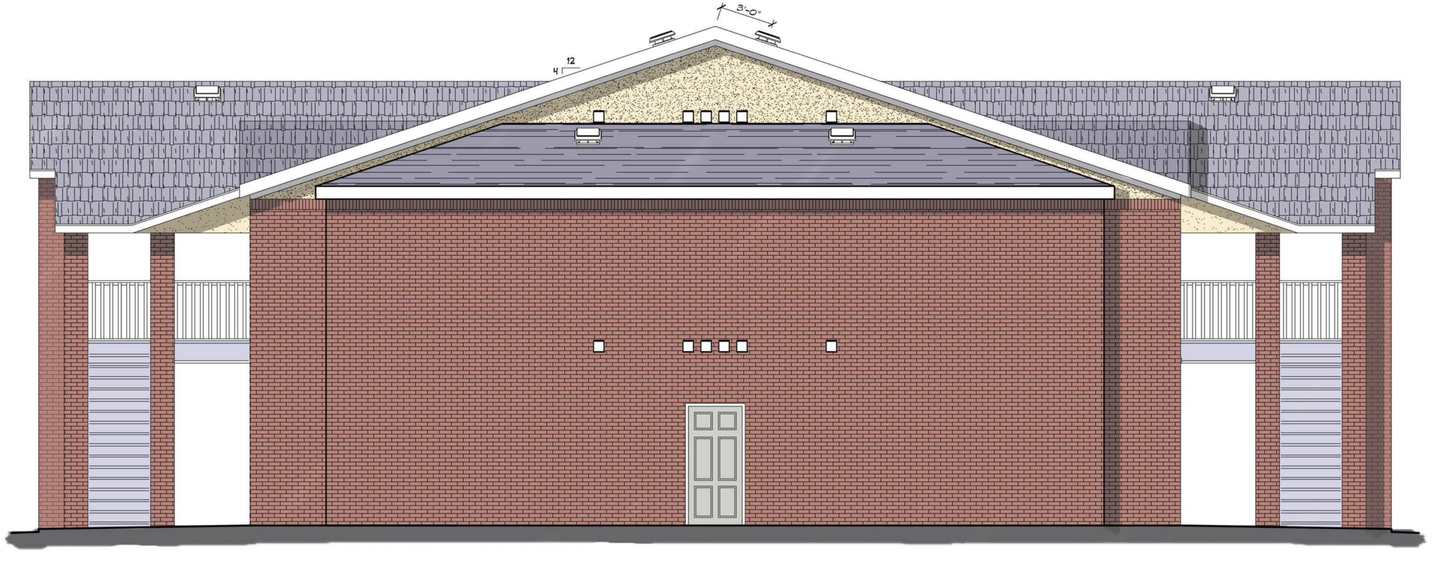
Description:

Location:

Sheet Content:

Sheet: A-4

Document Date:



B
A-3

RIGHT AND LEFT SIDE ELEVATION

SCALE : 1/4" = 1'-0"

A
A-3

FRONT AND REAR ELEVATION

SCALE : 1/4" = 1'-0"

REV	DATE	DESCRIPTION	DRAWN
6			
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2			
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ISSUED			

ARCH D - 24 X 36 IN.
< P O R T R A I T >

FUGITT AND ASSOCIATES ARCHITECT
WILLIAM KIM FUGITT AIA
1200 E. JOYCE BLVD.
FAYETTEVILLE, AR 72703
479.521.6686
KIM.FUGITT@FUGITTARC.COM

CLASSIC DELUXE II APARTMENT

DESCRIPTION:
CUSTOM DELUXE III (3 Story)

LOCATION:

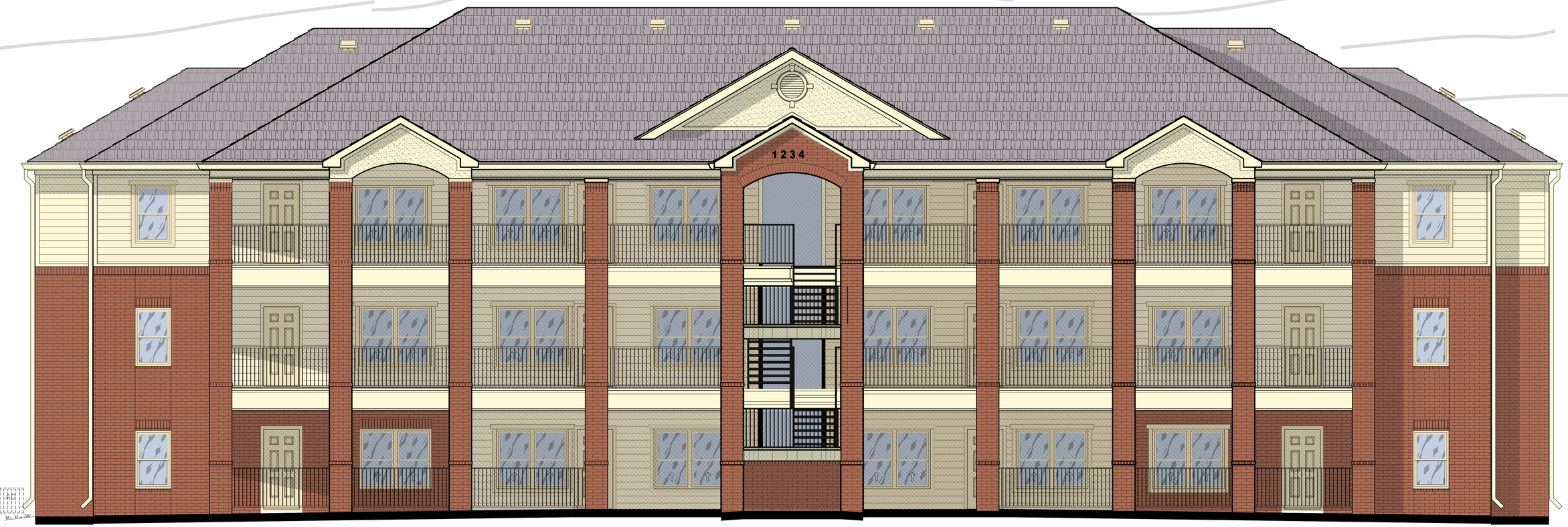
SHEET CONTENT:
Front Elevation

SHEET:

DOCUMENT DATE:
February 6, 2013

LAST EDITED BY: MITCH
F:_JOBFILE\J.RENDERINGS\COLORED ELEVATIONS\PSD\CUSTOMDIII\CUSTOMD3_3STORY.DWG

©2005



A
BB
FRONT AND REAR ELEVATION
Scale : 1/4" = 1'-0"

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ISSUED:		DRAWN:

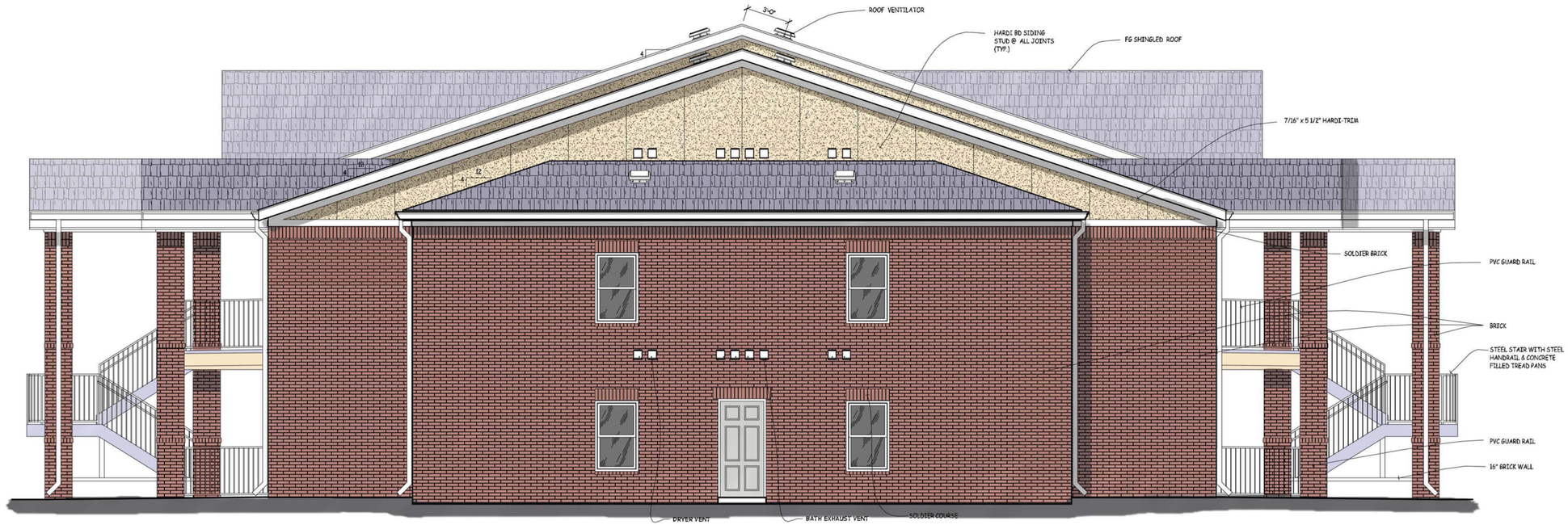
ARCH D - 24 X 36 IN.
< P O R T R A I T >

FUGITT AND ASSOCIATES ARCHITECT
WILLIAM KIM FUGITT AIA
1200 E. JOYCE BLVD.
FAYETTEVILLE, AR 72703
479.521.6686
KIM.FUGITT@FUGITTARC.COM

CUSTOM DELUXE III + (BB 3 STORY)

DESCRIPTION:
CUSTOM DELUXE III + (BB 3 Story)
LOCATION:
SHEET CONTENT:
Front and Rear Elevation
Window Details
SHEET:
BB
DOCUMENT DATE:
July 3, 2014

LAST EDITED BY: MITCH
F:_JOBFILES\2.RENDERINGS\CUSTOM BIGBOY.DWG



B / A-3 **RIGHT AND LEFT SIDE ELEVATION**

Scale : 1/4" = 1'-0"

A / A-3 **FRONT AND REAR ELEVATION**

Scale : 1/4" = 1'-0"

REV	DATE	DESCRIPTION	DRAWN
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1			
ISSUED			

ARCH D - 24 X 36 IN.
(P O R T R A I T)

FUGITT AND ASSOCIATES ARCHITECT
WILLIAM KIM FUGITT AIA
1200 E. JOYCE BLVD.
FAYETTEVILLE, AR 72703
479.521.6686
KIM.FUGITT@FUGITTARC.COM

CUSTOM DELUXE III

DESCRIPTION:
CUSTOM DELUXE III (3 Story)

LOCATION:

SHEET CONTENT:
Front Elevation

SHEET:
A-4

DOCUMENT DATE:
February 6, 2013

LAST EDITED BY: MITCH
F:_JOBFILE\2_RENDERINGS\COLORED ELEVATIONS\PSD\CUSTOMDIII\CUSTOMD9_HSTORY.DWG

A
A-4
FRONT AND REAR ELEVATION
Scale : 1/4" = 1'-0"

REV	DATE	DESCRIPTION

ISSUED:
DRAWN:

Tue, Nov 08, 11

William Kim Fugitt, a.i.a.
Architect
1165 Joyce Blvd. Fayetteville, AR. 72703
phone: 479-521-6686 e-mail: kim.fugitt@fugittarc.com

CUSTOM DELUXE III (3 STORY)

City Approval Date 10 / 31 / 2011

CUSTOM DELUXE III (3 Story)

FRONT ELEVATIONS

SHEET

November 18, 2011

Proposed Features:

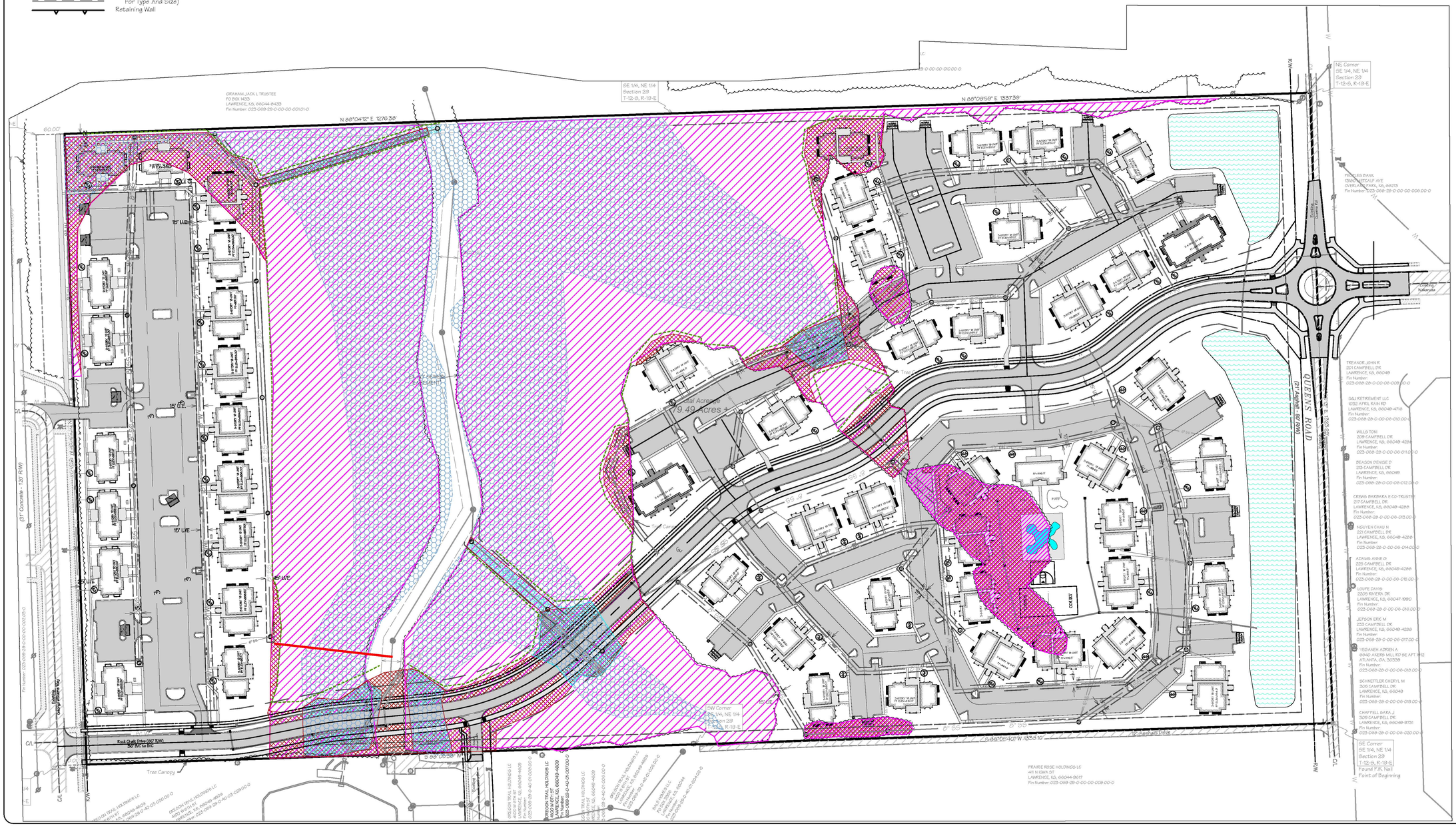
Feature	Description
	Property Line
	Onsite Property Line
	Offsite Property Line
	Right-Of-Way Line
	Easement Line
	Zoning Limits
℄	Street / Drive Centerline
	Curb And Gutter (See Site Plan For Size)
	Thickened Edge Of Pavement
	Edge Of Gravel
	Asphalt Pavement (See Detail Sheet For Pavement Sections)
	Concrete Pavement (See Detail Sheet For Pavement Sections)
	Concrete Sidewalk (See Site Plan For Dimensions)
X	General Fence Line (see Plan For Type)
	Chain Link Fence Line
	Board Fence Line
	Storm Catch Basin(s)
	Storm Pipe (See Grading Plan For Type And Size)
	Retaining Wall

X"W	See Utility Plan For Line Sizes Water Line
	Tee, Cross, Bends, Gate Vale & Reducer
	Fire Hydrant & Assembly
	Water Meter - Single
	Water Meter - Double
X"FM	Sanitary Sewer Force Main
X"SS	Sanitary Sewer Line
	Sanitary Sewer Service
	Sanitary Sewer Manhole
GAS	Gas Line
OHE	Overhead Electric Line
UGE	Underground Electric Line
C-TV	Cable Television Line
FO	Fiber Optic Line
OHT	Overhead Telephone Line
UGT	Underground Telephone Line
	Utility Pole
	Light Pole

Note:

- Only Symbols That Appear On This Sheet Are Shown In This Legend.
- See Survey For Existing Features Legend.
- See Cover Sheet For Abbreviation List.

Sensitive Areas	Sq Ft	Acres	% of Site
Total Site Area	3,460,842	79.45	100.0
Pre-developed Sensitive Area the 'stands of mature trees' area that is part of the open area.	1,353,722	31.0	39
Pre-developed Sensitive Area slopes exceeding 15%+/- area that is part of the open area.	780,8432	17.92	22.5
Post-developed Sensitive Area the 'stands of mature trees' being removed	313,280	7.19 (preserved 23.8)	8.6
Post-developed Sensitive Area slopes exceeding 15%+/- Disturbed	69,351	1.59 (preserved 16.33)	2



VICINITY MAP

N.T.S.

No.	REVISIONS: DESCRIPTION	DATE

SENSITIVE AREA PLAN
OVERALL

Preliminary Plat For

Links at Lawrence, KS
Rock Chalk Drive
Lindsey Construction
1183 E. Joyce Blvd.
Fayetteville, AR 72703
(479) 521-6603 Office (479) 521-8615 Fax

SEAL

NOT FOR CONSTRUCTION FOR REVIEW ONLY!!!

PREPARED BY:
BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS
524 W. SYCAMORE ST, SUITE 4
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com
Certificate of Authorization № 1534

DRAWN BY:	JOB NUMBER:
E Heller	2014-138
SUBMITTAL DATE:	SCALE:
2014-07-02	1"=100'

DRAWING NAME: 14-138 Civil 006.dwg

SHEET NUMBER: C3-5

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Memorandum
City of Lawrence – Douglas County
Planning & Development Services

To: **Lawrence-Douglas County Planning Commission**
From: **Planning Staff**
Date: **For July 21, 2014 Planning Commission Meeting**
RE: **The Links – Queens Road Improvements**

Staff has received several communications from property owners on the east side of Queens Road regarding the improvement of Queens Road as it relates to The Links development project. This email provides information on the current status of this matter.

Queens Road is currently unimproved in terms of meeting city standards even though the majority of the property on the east side of Queens Road is developed to urban standards. Most of these properties, when originally platted, were required to enter into an "Agreement Not to Protest the Formation of a Benefit District" for future street and sidewalk improvements. Such agreements reflect the developer's and/or future owner's acceptance to be part of a special assessment benefit district established to finance street improvements (street, sidewalk, storm water, etc.). Westwood Hills, Park West, and Overland Pointe subdivisions on the east side of Queens Road have such agreements. Some of these properties are primarily owner-occupied and some are rental developments.

As the properties on the west side of Queens Road have gained zoning entitlements, they too have entered into such agreements. These include Hunter's Ridge, Kellyn Addition, and The Links. Queens Road is currently included in the city's capital improvement plan for design in 2016 and construction in 2017, though this is subject to change and the benefit district may be formed earlier.

At present, city staff plans on recommending to the City Commission that the benefit district be formed for the properties deriving benefit from its improvement, but that the city pay the assessments for all of the properties located on the east side of Queens Road that are owner-occupied. Several options exist for the city commission's eventual consideration as noted on the attached maps. None of these options have been determined at this point, nor has the decision as to what, if any, portion of the assessments the city at large will pay.

Plate Number KEY
*** represents "U13959"**
^ represents "U13960"

Westwood Hills

N 1700 RD

E 1000 RD

Brown Ln

Cody Ct

Eaton Dr

Carver Ln

White Dr

Keaton Ct

Parker Ct

ParkerCir

Dole Dr

Inge Ct

Earhart Cir

400316A

400316C

400318

Links

U13970

U13970A

Wakarusa Dr

Glenwood

Campbell Pl

Campbell Dr

Eisenhower Dr

Carson Dr

Carson Pl

Queens Rd

Eisenhower Pl

Eisenhower Ln

Eisenhower Ter

Park West

Overland Dr

Overland Pointe

Congressional Dr

Congressional Pl

future park (undeveloped)

Fort Benton Way

Fort Laramie Dr

Fort Laramie Ct

Headwaters Dr

Freemont Way

Freemont Dr

Three Forks Dr

George Williams Way

Chimney Rocks Cir

Stoneridge Dr

W 6th St

Stonecreek Dr

April Rain Rd

Wheaton Dr

Branchwood Ct

Branchwood Dr

Fox Chase Ct

Fox Chase Dr

Deer Run Dr

Silverstone Dr

Plate Number KEY
*** represents "U13959"**
^ represents "U13960"

N 1700 RD
E 1000 RD
WAKARUSA DR
Brown Ln
White Dr
Carver Ln
Eaton Dr
Cody Ct
Eisenhower Dr
Chamberlin Ct
Parker Ct
Parker Cir
Dole Dr
Inge Ct
Earhart Cir
Wakarusa Dr
Campbell Pl
Campbell Dr
Carson Dr
Carson Pl
Eisenhower Pl
Eisenhower Ln
Eisenhower Ter
Queens Rd
Fort Laramie Dr
Fort Laramie Ct
Headwaters Dr
Overland Dr
Stoneridge Dr
Congressional Dr
W 6th St

Westwood Hills
Links
Park West
Overland Pointe
future park (undeveloped)

400318
U13970
U13970A
^-064

Plate Number KEY
*** represents "U13959"**
^ represents "U13960"

N 1700 RD
E 1000 RD
WAKARUSA DR
Brown Ln
White Dr
Carver Ln
Eaton Dr
Cody Ct
Chamberlin Ct
Eisenhower Dr
Parker Ct
Parker Cir
Dole Dr
Inge Ct
Earhart Cir
Wakarusa Dr
Campbell Pl
Campbell Dr
Carson Dr
Carson Pl
Eisenhower Pl
Eisenhower Ln
Eisenhower Ter
Queens Rd
Fort Laramie Dr
Fort Laramie Ct
Headwaters Dr
Overland Dr
Stoneridge Dr
Congressional Dr
W 6th St

Westwood Hills
Links
Park West
Overland Pointe
future park (undeveloped)

400318
U13970
U13970A
^-064

Plate Number KEY
*** represents "U13959"**
^ represents "U13960"

N 1700 RD
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Chamberlin Ct
Eisenhower Dr
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Dole Dr
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Earhart Cir
Wakarusa Dr
Campbell Pl
Campbell Dr
Carson Dr
Carson Pl
Eisenhower Pl
Eisenhower Ln
Eisenhower Ter
Queens Rd
Fort Laramie Dr
Fort Laramie Ct
Headwaters Dr
Overland Dr
Stoneridge Dr
Congressional Dr
W 6th St

Westwood Hills
Links
Park West
Overland Pointe
future park (undeveloped)

400318
U13970
U13970A

Plate Number KEY
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E 1000 RD

Brown Ln

White Dr

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Cody Ct

Westwood Hills

Parker Ct

Parker Cir

Dole Dr

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WAKARUSA DR

Wakarusa Dr

Campbell Pl

Campbell Dr

Eisenhower Dr

Carson Dr

Carson Pl

Queens Rd

Eisenhower Pl

Eisenhower Ln

Eisenhower Ter

Park West

Overland Pointe

Overland Dr

Links

400318

U13970

U13970A

future park (undeveloped)

Fort Benton Way

Headwaters Dr

Fort Laramie Dr

Fort Laramie Ct

Freemont Way

Three Forks Dr

Freemont Dr

Chimney Rocks Cir

George Williams Way

Stoneridge Dr

W 6th St

Congressional Dr

Congressional Pl

Stonecreek Dr

Wheaton Dr

Branchwood Dr

Fox Chase Ct

Fox Chase Dr

Silverstone Dr

RECEIVED

JUL 17 2014

City County Planning Office
Lawrence, Kansas

July 17, 2014

Lawrence City Commission
Lawrence Planning Department

Dear Fellow Residents:

We are writing to inform you of our opposition to a zoning request that will permit the construction of a 900 (!) unit apartment complex on Queen's Road (think about the same number of units in all of the residence halls on the KU campus). Many apartment complexes have been constructed in the area already. Most are poorly designed, poorly laid-out, badly landscaped, and externally ugly. While we respect the right of land owners to use their property as they see economically advantageous and within the planning guidelines set out by the Lawrence community, we simply do not understand the continued construction of more and more apartments in an area that situated within a single family home environment. Northwest Lawrence is simply too overbuilt with large-scale apartment complexes, most of which remain largely unoccupied. A better place for such living quarters might well be near the new technical park on K-10; workers there are likely to move into an apartment while searching through Lawrence for permanent living quarters. Other prime sites would be in East or North Lawrence, given the continued development in those areas.

We recognize that our conclusions will bear little weight on the Commission's rezoning decision, as does the opinion of most residents. We are hopeful, however, that the overbuilding will stop at some point.

Sincerely,

Glen and Lynn Marotz
348 North Eaton Drive

RECEIVED
JUL 17 2014
City County Planning Office
Lawrence, Kansas

July 10, 2014

Dear Lawrence-Douglas County Metropolitan Planning Commision,

This is regarding the proposed LINKS project near Queens Rd.
I am a new home owner with my property adjacent to Queens Rd. at 305 Campbell Drive. When I purchased my property, the proposed apartment complex units were approximately 430. Now the proposed number is 900. I would not have purchased this property knowing that many units were considered.
My main concern is the Queens Rd. assessment. I do NOT agree with any assessment fees being considered for my property. The road is BEHIND my home. I do not plan to nor have I ever used Queens Rd. for transportation access. It is out of my way. I use Wakarusa and 6th St. access. I feel the assessment fees should be paid by the company that is responsible for this entire project.
Please take my concerns into consideration.

Sincerely,

Cheryl Schnettler

Cheryl Schnettler
305 Campbell Dr.
Lawrence, KS 66049
920-915-9761

LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED
JUL 21 2014
City County Planning Office
Lawrence, Kansas

President
Cille King

Vice President
Carrie Lindsey

Secretary
Caleb Morse

Treasurer
Marjorie Cole

Directors
Margaret Arnold

Caroljean Brune

Debra Duncan

James Dunn

Midge Grinstead

Marlene Merrill

Austin Turney

July 20, 2014
Mr. Bruce Liese, Chairman, and Planning Commission
Lawrence-Douglas County Metropolitan Planning Commission

RE: ITEM NO. 2: PRELIMINARY DEVELOPMENT PLAN FOR THE LINKS; 251 QUEENS RD

Dear Chairman Liese and Planning Commissioners:

We ask that you deny this request for approval of the proposed Links Preliminary Development Plan and return the plan to its original density. It is within your purview to recommend this be done. We also ask that you take the opportunity to review the impact that this current proposal will have on the neighboring property. Because it is a Planned Development, you also can require that the housing type be single family rather than apartments. We ask that you change the development pattern to that of Cluster Development, designed to avoid encroaching on the vegetation and sensitive land, including the steep slopes and stream. Our reasons are as follows:

1. The Preliminary Development Plan stage gives the Planning Commission the opportunity to correct the mistakes that have been made in the past with this project. We ask that you do this rather than make the situation worse now by approving the current Preliminary Development Plan change.

2. This is still under the planning guidance of the Northwest Plan. When the plan was being considered by the Committee writing the plan, it was recognized that as the plan area extended north from 6th Street, the land under consideration was very sensitive, and needed special protection. As a result, the Committee incorporated into the Plan the following recommendation:

> "Page 5, Northwest Plan, (Land Use, Recommendation 3) "Single family residential is encouraged in the central and northern parts of sections 28 and 29. Planning of neighborhoods should follow the neighborhood planning concept..."

With the new Code, adopted in 2006, it was possible to zone sensitive areas for Cluster Development; whereas previously, sensitive land was supposed to be protected by using the Planned Unit Development approach. The Links with its low-density, two-story apartments, golf course, detention ponds, and PD zoning, although questionable in terms of the Northwest Plan, was promised as a family-oriented alternative development. The RM-12 District, with the Planned Development Overlay District and a maximum density limit of 6 units an acre applied, was necessary to allow apartments under the new Land Development Code, although the original actual density of the plan was closer to 4 units an acre. As time progressed with The Links, the height of the apartments and their density increased, until now the density being sought is more that twice that of the original plan; now an overwhelming 900+ units.

LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED
JUL 21 2014
City County Planning Office
Lawrence, Kansas

President
Cille King

Vice President
Carrie Lindsey

Secretary
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Directors
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July 20, 2014
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Lawrence-Douglas County Metropolitan Planning Commission

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1. The Preliminary Development Plan stage gives the Planning Commission the opportunity to correct the mistakes that have been made in the past with this project. We ask that you do this rather than make the situation worse now by approving the current Preliminary Development Plan change.

2. This is still under the planning guidance of the Northwest Plan. When the plan was being considered by the Committee writing the plan, it was recognized that as the plan area extended north from 6th Street, the land under consideration was very sensitive, and needed special protection. As a result, the Committee incorporated into the Plan the following recommendation:

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PO BOX 1072 • LAWRENCE KS 66044-1072
league@sunflower.com • www.lawrenceleague.com
www.facebook.com/lwvldc • www.twitter.com/lwvldc

Again, we ask that you recognize the negative impact that this current proposal will have on the neighboring property and that you return the plan to its original planned density, or less. Because it is a Planned Development, you also can require that the housing type be single family rather than apartments, developed as Cluster Housing, and designed to avoid encroaching on the vegetation and sensitive land. We also ask that where necessary, such as to shield parking areas for example, that the set-backs and screening be designed to be really effective, especially if the Code standards are insufficient.

We hope that you will act on our suggestions and allow the developer of this project to create a development that will be an asset to the neighborhood and encourage single family development around it.

Thank you for considering our letter.

Sincerely yours,

Cille King
Cille King
President

Alan Black
Alan Black, Chairman
Land Use Committee

Mary Miller

From: Patricia Willer [ppwiller@gmail.com]
Sent: Monday, July 21, 2014 9:31 AM
To: Mary Miller
Subject: Input on plan modification for Links development

To the Planning Commission:
This is to voice concern about the pending request to greatly increase the density of the proposed Links Apartment development in northwest Lawrence.

I am a homeowner in the Westwood Hills neighborhood just off Wakarusa and quite close to Queens Road. As a homeowner I watch growth and development in this area with both enthusiasm and concern. It is a lovely area with great potential but there is also a very real risk of over development. Low density multiple family and a healthy mix of single family and business development are critical.

Last year a large apartment complex was completed on Wakarusa. We are now joined by many good new neighbors, who bring increased vitality to the area. But the downside is both the increase in traffic and the speed of traffic on Wakarusa, burgeoning trash and litter problems, and additional noise in a very peaceful neighborhood. Trash gets caught in the natural areas along Wakarusa. People make u-turns to access parking lots in the apartment complex. Traffic moves very quickly through a residential neighborhood, with many walkers, bikers and runners.

It is certainly the case that more development will come to the northwest part of Lawrence. I ask the Planning Commission and City Commission to exert great diligence in wise development that retains that which is special about the area and does not create apartment blight from overbuilding. I welcome apartments, but not a sea of apartment roofs as far as the eye can see.

The Links project has already been granted one increase in density . Let's consider that previous increase to be the compromise point. Further increases will have a negative impact.

Thank you for your consideration.
Patricia Willer
331 North Carver Lane
Lawrence, KS. 66049

PLANNING COMMISSION REPORT
Regular Agenda – Action Item

PC Staff Report
7/21/14

ITEM NO. 3: COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 6, CHAPTER 14, AND TO THE REVISED SOUTHERN DEVELOPMENT PLAN (JSC)

CPA-14-00107: Consider a Comprehensive Plan Amendment to *Horizon 2020* Chapter 6 to change the designation from Auto-Related Commercial to Regional Commercial, and Chapter 14 (*Revised Southern Development Plan*) to revise the future land use designations from medium-density residential, traditional neighborhood design, open space, and auto-related commercial uses to commercial use at the southeast corner of the intersection of US-59 and N. 1250 Road. Submitted by Landplan Engineering, P.A. for Armstrong Management LC and Grisham Management LC, owners of record.

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

STAFF RECOMMENDATION: If appropriate, approve and sign Planning Commission Resolution PCR-14-00282.

KEY POINTS

1. An amendment is requested by the applicant to allow for approximately 538,550 gross square feet commercial use, of which 458,550 gross square feet would be retail uses and 80,000 gross square feet would be for a 100 room hotel.
2. Proposal would expand one of two Regional Commercial nodes within the City of Lawrence.
3. Proposal is a departure from the adopted form, level and type of commercial development and residential mixture envisioned for this site.
4. Proposal would expand the commercially designated land in the South Iowa Regional Commercial center from 399.6 acres to 522.6 acres (30.8% increase).
5. Proposal could potentially positively affect the City's pull factor and tax revenue.
6. Proposal could impact the timing of development for other entitled, but entirely or partially undeveloped, commercial areas including Mercato, Fairfield Farms, North Mass, Bauer Farms, and Menards properties, thereby potentially under serving these areas of the community.

SUMMARY

The applicant has requested an amendment to:

1) *Horizon 2020: Chapter 6, Commercial Land Use,* to change the designation from Auto-Related Commercial to Regional Commercial, and
2) *Chapter 14, Specific Plans* amending the *Revised Southern Development Plan* to revise the future land uses designations from medium-density residential, traditional neighborhood design, and auto-related commercial uses to commercial uses. The reason for this Comprehensive Plan Amendment is to bring *Horizon 2020* and the *Revised Southern Development Plan* into alignment with the proposed commercial center.

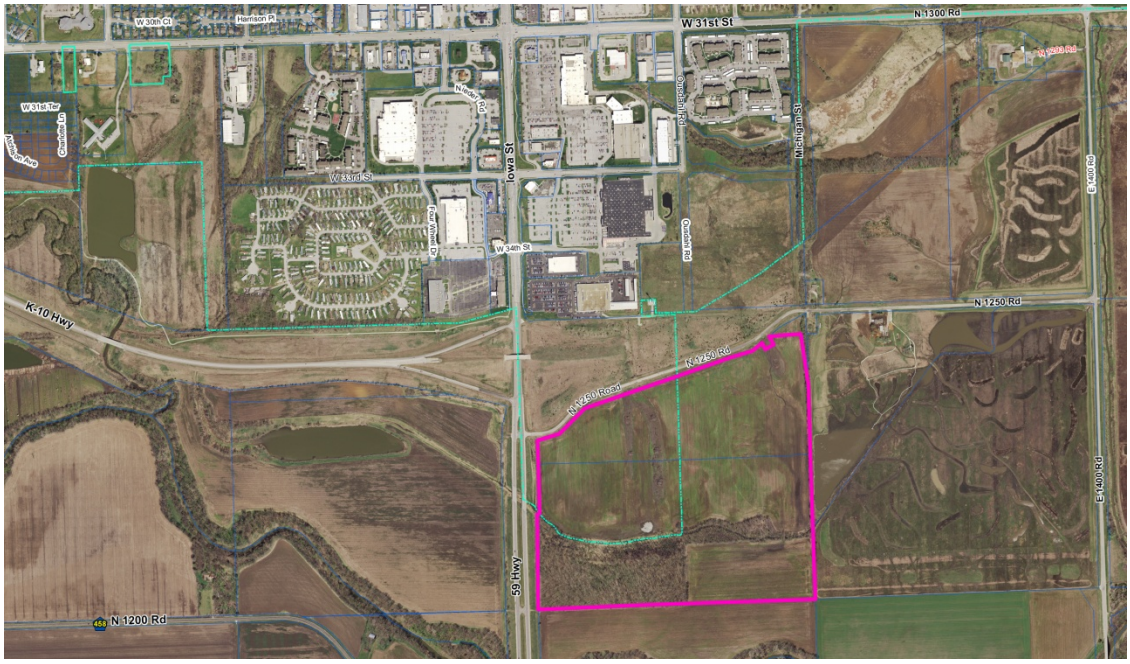


Figure 1: Portion requesting the Modification of Future Land Use Designations (Key parcels highlighted)

Items related to this Comprehensive Plan Amendment include:

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

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

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

STAFF REVIEW

The applicant is requesting revisions to the adopted future land use map and commercial node designation on the southeast corner of the intersection of S. Iowa Street (US-59) and N. 1250 Road, at the interchange of S. Iowa Street and the South Lawrence Trafficway. The request would modify Chapter 6: Commercial and Chapter 14, specifically the *Revised Southern Development Plan* to allow a proposed commercial center to be located at this intersection. The development concept would entail extending the South Iowa Regional Commercial center by adding approximately 538,550 gross square feet commercial use, of which 43,000 gross square feet would be specifically restaurant uses, 392,550 gross square feet for general retail, and 80,000 gross square feet for a 100 room hotel.

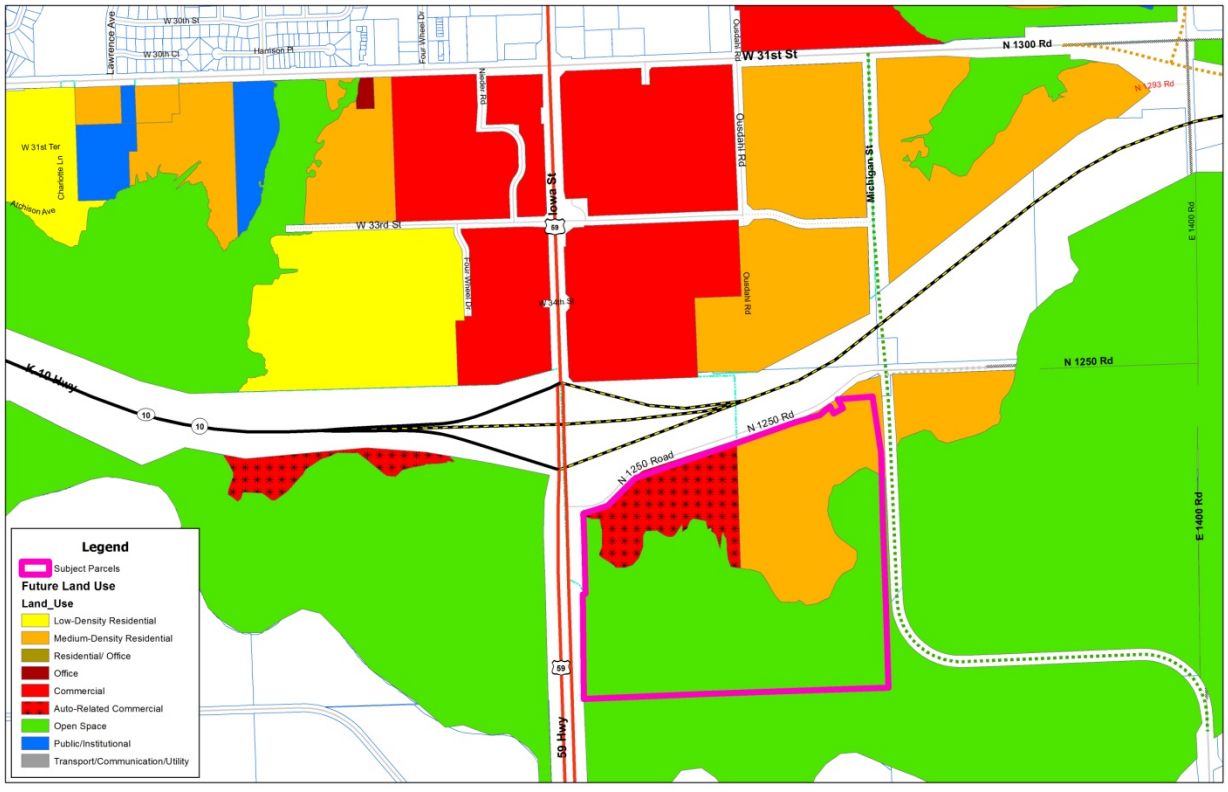


Figure 2: *Revised Southern Development Plan*: Future Land Use Map 3-1

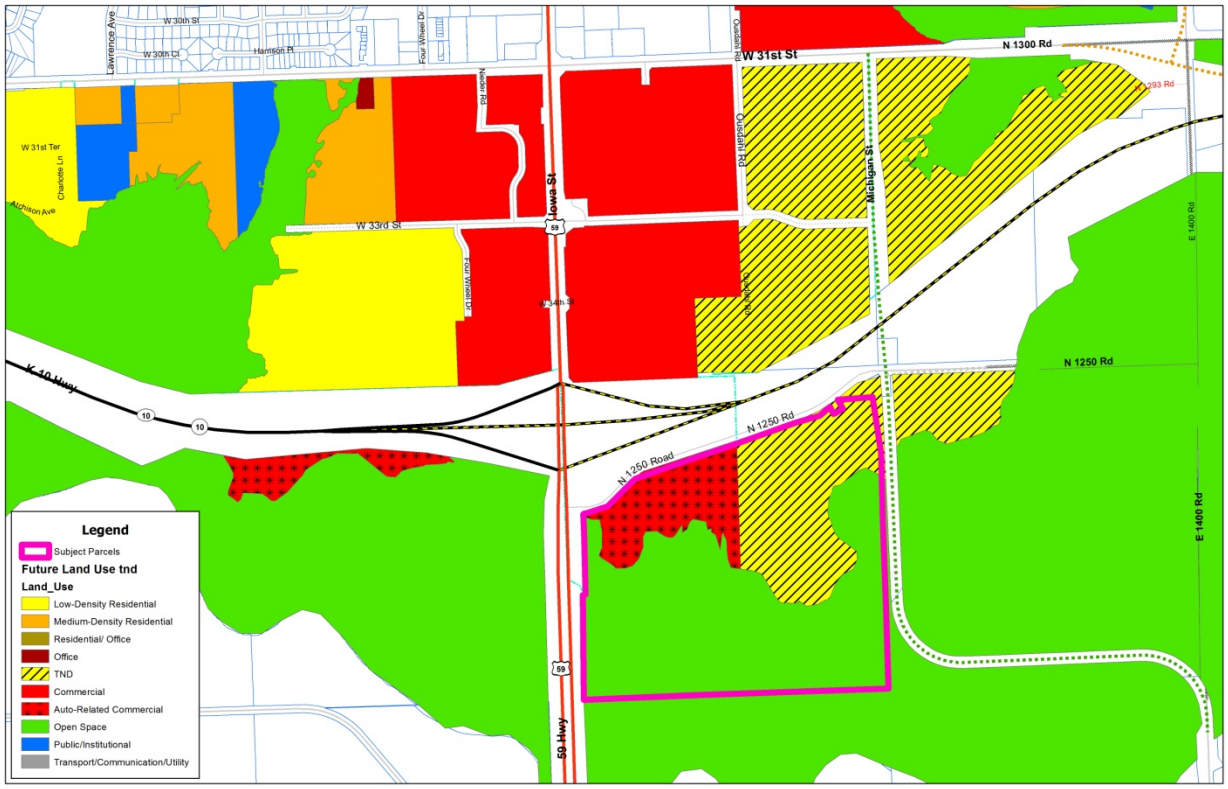


Figure 3: ***Revised Southern Development Plan*****: Future Land Use – TND Option Map 3-2**

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

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

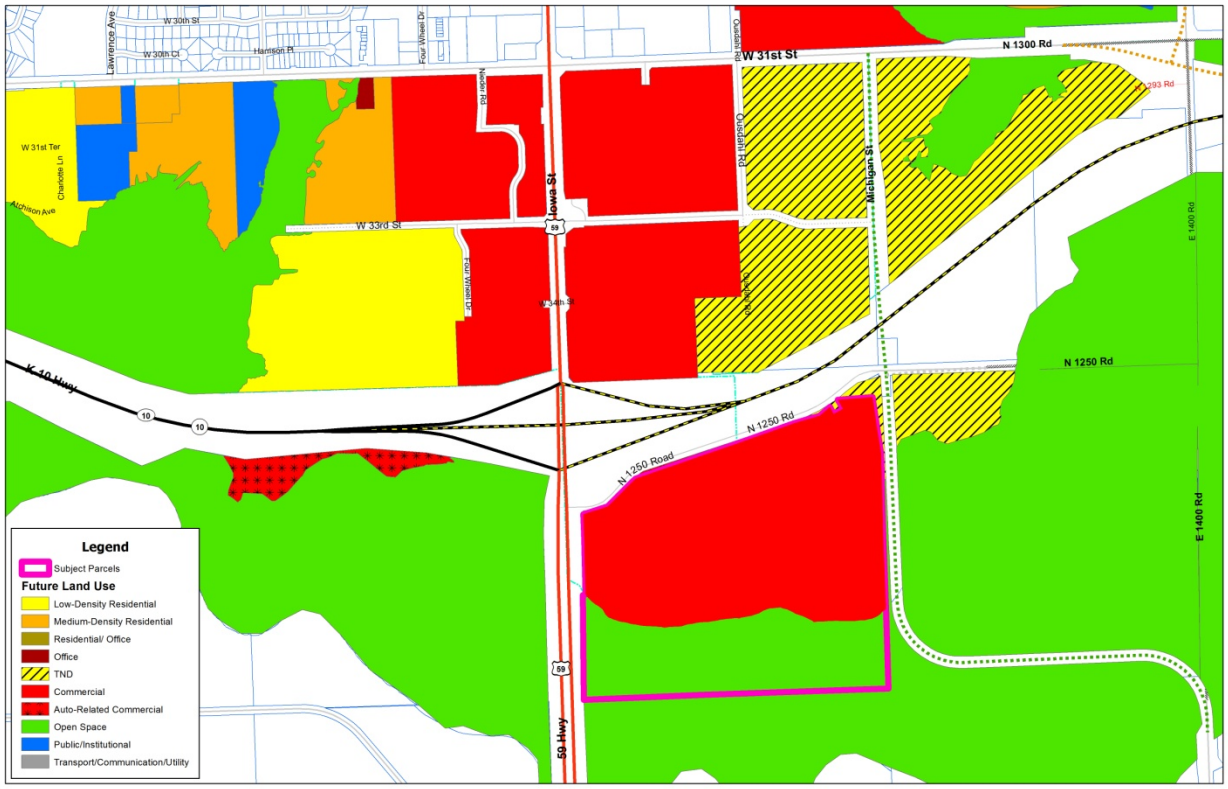


Figure 4: Proposed Modification to *Revised Southern Development Plan* Future Land Use Map

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

> *A unique type of commercial development is an Auto-Related Commercial Center. These centers include a wide variety of uses such as auto sales and repair, restaurants, hotels, and other similar uses that attract a large amount of the traveling public. However, these uses are not limited to Auto-Related Commercial Centers. A common feature of all these uses is that they typically have a small amount of commercial square footage under roof, but require a large amount of acreage for parking or sales display.*
>
> *Because these centers have a limited variety of uses and a relatively small amount of commercial square footage, Auto-Related Commercial Centers do not fit within the definition of a Community or Regional Commercial Center. These types of centers are very intensive and therefore need to be directed to areas that have an ability to handle the intensive nature of an Auto-Related Commercial Center.*
>
> *Auto-Related Commercial Centers shall be located at the intersection of two state or federally designated highways. To ensure that the Auto-Related Commercial Centers develop in a planned manner that provides a positive benefit to the*

community, Auto-Related Commercial Centers shall have a lot length-to-depth ratio between 1:1 and 3:2 and must be a minimum of 20 acres in size.

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

This proposal would increase the commercial acreage to approximately 123 acres to support the regional commercial scale of the proposed conventional retail development. In addition, the *Revised Southern Development Plan* designates 46.5 acres for medium-density residential with an optional traditional neighborhood design/development pattern, planned for the eastern side of this development, which would be designated for all commercial uses under the current proposal. This would also reduce the open space designated lands that currently are along the southern portion of the site.

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

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

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

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

In general, development and redevelopment along the Iowa Street segment shall emphasize consolidated access, frontage roads, coordinated site planning and design, and high quality development. Development signage should be in scale with sites and should complement and not compete with signage of adjoining parcels. Improved landscaping would enhance the visual appeal of the corridor. Landscaped transition yards should be established between residential and non-residential uses.

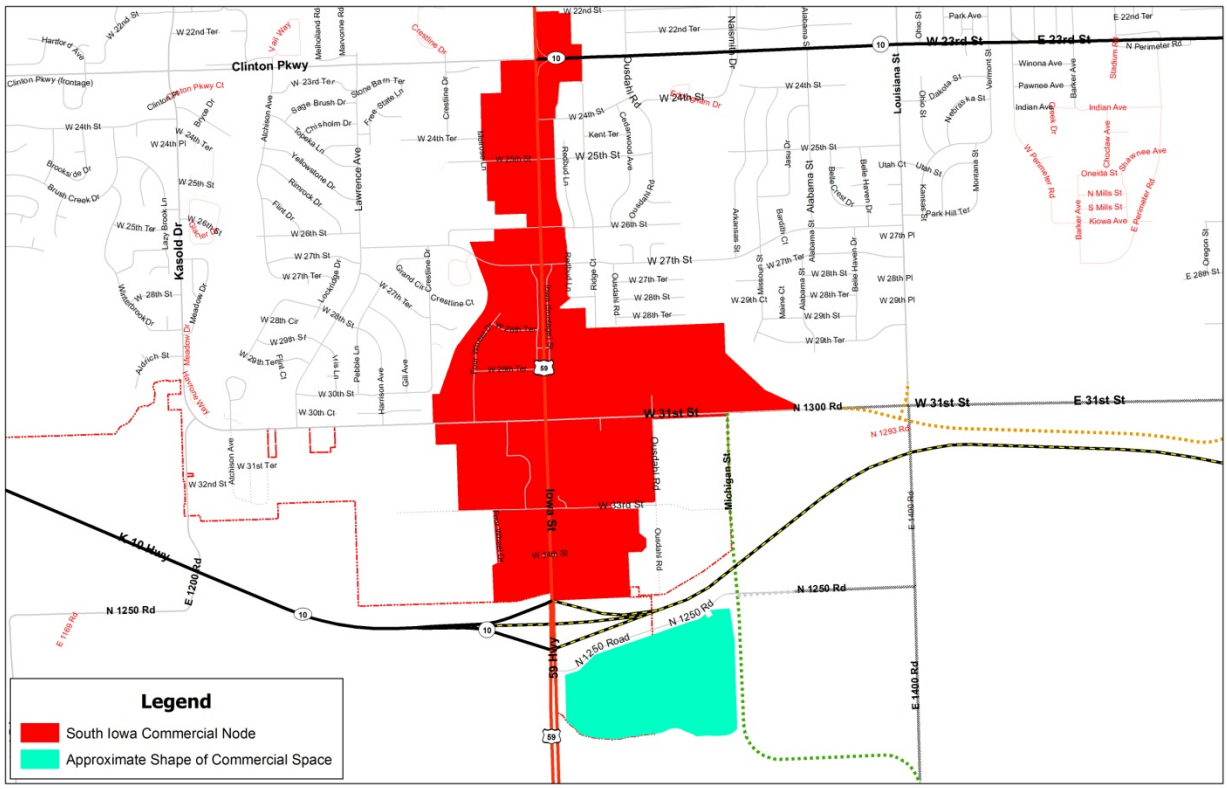


Figure 5: Existing South Iowa Regional Commercial Center with proposed extension indicated

Retail Market Study:

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

> *"For proposals that will create more than 100,000 square feet of retail space within the city: the impact of the proposed project on the retail market. Staff will provide an analysis based on the addition of the square footage to the retail market, vacancy rate trends, square footage per capita trends, and current demand trends, including but not limited to population, income, pull factors, and retail sales using the latest available city-wide retail market report."*

Staff is reviewing this project for compliance with the Land Development Code, in addition to the criteria in *Horizon 2020*, based on the comprehensive plan amendment request and the rezoning request. Staff is conducting this analysis based on the most recent citywide market study completed in 2012 (http://www.lawrenceks.org/assets/pds/planning/documents/2012Retail.pdf), and updating the supply figures based on this request to add roughly 458,550 square feet of commercial (retail) uses.

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

Projected City Wide Vacancy Rate with Southpoint Retail Project				
	Total Built	Occupied	Vacant	Vacant % - City Wide
2012 City Wide Retail Market Analysis	9,105,151	8,451,929	653,222	7.2%
Southpoint Retail (458,550 sf) - 100% Vacant	9,563,701	8,451,929	1,111,772	11.6%
Southpoint Retail (458,550 sf) - 50% Vacant	9,563,701	8,681,204	882,497	9.2%
Southpoint Retail (458,550 sf) - 0% Vacant	9,563,701	8,910,479	653,222	6.8%

Horizon 2020, Policy 3.15 (b) states that, *"The project shall not be approved if the market study indicates the commercial project or any proposed phase cannot be absorbed into the community within three years from the date of its estimated completion, or that it would result in a community-wide retail vacancy rate greater than eight percent." Horizon 2020* uses a vacancy rate threshold of 8% as one factor in order to determine market health, and the most recent city-wide market study figured the city-wide vacancy rate at 7.2%, slightly higher than the 2010 vacancy rate of 7.0% and the 2006 vacancy rate of 6.7%. The addition of this project, when completed and entirely vacant, will push the city-wide vacancy rate to 11.6%. Staff has also conducted further analysis that takes into consideration other commercial projects that have received approvals, but have not been constructed to date. The table below illustrates the impact that other major projects, that have been approved, will have on the overall vacancy rate.

	Total Square Feet	Total Occupied Square Feet	Total Vacant Square Feet	City-wide Vacancy Rate
Total Current Retail Inventory	**9,105,151**	**8,451,929**	**653,222**	**7.2%**
Approved Northwest corner – 6th and K-10 Node	155,000			
Approved Northeast corner- 6th and K-10 Node (Mercato)	359,640			
Fairfield Farms	200,000			
North Mass	217,337			
31st & Ousdahl – Phase I (Menards)	189,988	189,988		
31st & Ousdahl – Phase II	65,340			
Total (without Southpoint) - 100% Vacant	**10,292,456**	**8,641,917**	**1,650,539**	**16.0%**
Total (without Southpoint) - 0% Vacant	**10,292,456**	**9,639,234**	**653,222**	**6.3%**
Southpoint	458,550			
Total with Southpoint project - All projects 100% Vacant	**10,751,006**	**8,641,917**	**2,109,089**	**19.6%**
Total with Southpoint project- Only Southpoint 100% Vacant	**10,751,006**	**9,639,234**	**1,111,772**	**10.3%**
Total with Southpoint project- All projects 0% Vacant	**10,751,006**	**10,097,784**	**653,222**	**6.1%**

*This figure is taken from the project's market study and includes space that may not be truly retail in nature.
**Menards has the majority of the necessary planning approvals and has submitted a building permit application, the square footage for the Menards store is being considered occupied for this analysis.

If all approved commercial space that has been approved were constructed and vacant, the city-wide vacancy rate would rise to 19.6%. If all approved commercial spaces that have been approved were to be constructed but occupied, except for the subject of this request (Southpoint), the city-wide vacancy rate would be 10.3%.

While the market study shows that the project, upon completion and vacant, 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, it is unlikely that the space will be vacant upon completion. In addition, this request for additional retail square footage is being made with understanding that the majority of the space is already leased to retailers. The applicant has identified some of the proposed retail tenants, and has indicated that three unidentified retailers are currently in

the Lawrence market and plan to relocate from their existing space to the new retail center. While this will certainly cause vacancy in other parts of Lawrence, the city has seen vacant retail spaces redevelop in multiple locations when this situation arises.

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

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

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

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

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

Retail Space per capita			
	Total SF	**Population**	**SF per capita**
2012 City Wide RMS	**9,105,151**	**93,944**	**97**
Approved Northwest corner – 6th and K-10 Node	155,000		
Approved Northeast corner- 6th and K-10 Node (Mercato)	359,640		
Fairfield Farms	200,000		
North Mass	217,337		
31st & Ousdahl – Phase I (Menards)	189,988		
31st & Ousdahl – Phase II	65,340		
Total of all approved projects without Southpoint	**10,292,456**	**93,944**	**110**
Southpoint	458,550		
Total of all approved projects with Southpoint	**10,751,006**	**93,944**	**114**
Total of 2012 City Wide RMS plus Menards with Southpoint (but not all approved projects)	**9,753,689**	**93,944**	**104**

With the 2012 Retail Market Report, in Lawrence there were approximately 97 square feet of retail space per capita in 2012. With the addition of this project's square footage to the market, as well as the addition of the Menards store's square footage since they have started construction, there would be approximately 104 square feet of retail space per capita. However, this analysis does not take into consideration any of the other approved commercial development. If all approved projects were added, there would be 110 square feet of retail space per capita and if the Southpoint project were added on top of that, that figure would rise to 114 square feet per capita. By the time the project is fully constructed and occupied in 2016, population will have grown (using our average annual growth rate,) to around 96,000 people, which would result in 102 square feet of retail space per capita, not including other approved projects. Staff does not view the addition of this retail space as having a significant impact on the retail market in terms of square feet per capita.

Lawrence Trade Pull Factors and Trade Capture Area Figures						
	Collections	Per Capita	Pull Factor	Trade Area Capture	% of County Sales	Population[1]
FY 2013	81,747,115	$913	1.07	95,424	92.90%	89,512
FY 2012	$79,524,295	$896	1.07	94,639	93.00%	88,727
FY 2011	$74,699,896	$852	1.07	93,560	92.80%	87,643
FY 2010	$61,696,381	$674	1.02	93,630	92.40%	91,611
FY 2009	$67,723,146	$696	0.99	89,630	92.30%	90,083
FY 2008	$63,864,019	$714	0.99	88,638	92.50%	89,415
FY 2007	$61,894,678	$702	1.02	89,985	92.40%	88,168
FY 2006	$60,892,108	$748	1.12	90,982	91.30%	81,379
FY 2005	$58,300,971	$716	1.11	90,058	90.90%	81,417

Also important is an analysis of "pull factors," or a measure of local commerce based on a comparison of local spending to the state as a whole. A pull factor above 1.00 indicates that a community attracts retail sales, while a factor below 1.00 indicates that the community is losing retail sales to outside areas. The Kansas Department of Revenue issues pull factor reports for all of Kansas. The most recent, issued in early 2014, states that Lawrence's pull factor was 1.07 in 2013, which has held steady at 1.07 since 2011. The marked increase in the City's pull factor these last three years now means that the City is attracting retail sales to the community.

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

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

Retail Market Analysis Finding: Considering all factors noted above, this proposal should not have a detrimental impact on the health of the community's retail market.

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

COMPREHENSIVE PLAN AMENDMENT REVIEW

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

Applicant's response: In the last 2-3 years, the City has shown a renewed interest in fortifying its diverse commercial/retail markets. This fact has been borne out by decisions by the Planning and City Commissions to permit the downtown commercial district to cross north of the Kansas River and the South Iowa commercial corridor to expand eastward along 31st Street. These examples represent very different types of commercial projects and, thus, they reflect the City's desire to maintain a diverse commercial market, while sustaining the unique commercial market found downtown.

Within the same time period, the City has discouraged new multi-family housing developments. Whether on the southern or western periphery of the City, local residents and Planning Commissioners have spoken out against medium-density residential proposals for properties similar to the subject site. One of the most recent amendments to the Comprehensive Plan, in fact, exchanged medium density residential land uses for regional commercial land uses just .12 mile north of the subject site.

It appears that the City has placed a higher value on quality retail/commercial centers than on other high-intensity forms of development such as apartment complexes. The former is more effective in growing the City's sales and property tax base, and has allowed the City to maintain the high level of services its citizens have come to expect. The City has also encouraged locations for more regional and national retailers inside the City limits to supply sales tax revenues that would otherwise be directed to Shawnee and Johnson Counties.

Since the Revised Southern Development Plan was adopted, there has been significant expansion and redevelopment of auto related commercial properties within the South Iowa commercial corridor. While the Plan contemplates such uses south of the South Lawrence Trafficway (SLT) on the subject property, the changed conditions and circumstances of nearby auto related commercial properties directly impacts this contemplated use.

Staff's response: Circumstances and conditions have not changed since the plan was adopted. The plan anticipates urbanization of this area with the completion of the South Lawrence Trafficway, and seeks to employ a reasonable development pattern to address the intersection of two state highways, as well as a local street to the east. While staff believes the current plan addresses these conditions well, the applicant's proposal is also viable in this area.

As previously outlined, compatibility with adjacent land uses is also an item that merits consideration in this proposal. With highways located on the north and west of the proposal, and waterways/wetlands on the eastern and southern sides, these conditions effectively isolate this section of land. Given this condition, the site may not lend itself as strongly to favoring

residential development as originally planned, as the area will be primarily auto-centric given the transportation systems. Additionally, the inclusion of Auto-Related uses within the development does help in maintaining aspects of the original designation of the Auto-Related Center as outlined in *Horizon 2020* and the *Revised Southern Development Plan*.

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

Applicant's response: The proposed CPA would facilitate the development of a large retail/commercial center at the subject site. Such a development would not only bring significant public improvements to the street and utility infrastructure at this location, just south of the SLT, but would also help to increase City sales tax revenue. At the same time, the proposed CPA would reduce the amount of planned medium-density residential land uses, a land use already perceived to be over-abundant within the City. It should also be noted that medium density residential in this location would significantly strain the City's sanitary sewer system in allocation already known for capacity problems during periods of wet weather.

Staff's response: As planned in both *Horizon 2020*, and the *Revised Southern Development Plan*, Auto-Related Commercial Centers,

> "include a wide variety of uses such as auto sales and repair, restaurants, hotels, and other similar uses that attract a large amount of the traveling public. However, these uses are not limited to Auto-Related Commercial Centers. A common feature of all these uses is that they typically have a small amount of commercial square footage under roof, but require a large amount of acreage for parking or sales display." (*Horizon 2020*, p. 6-12)

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

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

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

Staff's response: While the Revised Southern Development Plan anticipated commercial uses to be located at this intersection, it did not envision the intensity and scale of a regional

commercial center. The plan anticipated the commercial uses to be auto-related, mainly due to the location next to Iowa Street (Highway 59) and the South Lawrence Trafficway. The concept plan provided not only indicates a different form, but also an increase in size by 81 acres (193% increase) over the originally anticipated 42 acres. The expectation was that auto-related commercial uses were to provide goods and services for people traveling along K-10/South Lawrence Trafficway. The intent and scope of a Regional Commercial Center is to attract a retail market greater than the local community as a shopping destination.

The applicant is proposing to develop 122.96 acres of a 169.06 acre parcel. The remaining 46.10 acres are proposed to be zoned OS, since they are currently located in Wakarusa River floodplain. A portion of the acreage proposed for development of commercial uses also lies in the regulatory floodplain. The Land Development Code does not prohibit development within the floodplain, and the expansion of commercial land use into this space would be subject to the floodplain regulation.

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

A. The Comprehensive Plan does not anticipate the need for a new Regional Commercial Center within the planning period.

   Staff Finding: The proposal is not to create a new Regional Commercial Center, but to expand the existing South Iowa Regional Commercial Center.

B. Designating a new Regional Commercial Center will require an amendment to the Comprehensive Plan.

   Staff Finding: This application fulfills this criterion, as the applicant is seeking to amend the comprehensive plan to expand the South Iowa Regional Commercial Center.

C. Design Criteria

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

      Staff Finding: The proposal is consistent with this criterion.

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

      Staff Finding: This proposal has approximately 1,553 linear foot frontage along S. Iowa Street/US-59, and also 2,663 linear foot frontage. The proposal is consistent with this criterion.

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

      Staff Finding: The South Iowa Regional Commercial Center currently has 2.07 million gross square feet of commercial space. This proposal will add 538,550

square feet, giving the center a total of 2.68 million square feet of commercial space. The center was already above this limit before this request.

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

   Staff Finding: The proposal is consistent with this criterion.

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

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

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

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

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

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

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

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

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

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

I. A proposal requiring a revised or new site plan for property in an existing Regional Commercial Center shall include a plan for reducing curb cuts, providing cross access easements to adjacent properties, and buffering for adjacent non-commercial uses.

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

J. New or existing Regional Commercial Centers shall not intrude or expand into the surrounding residential or lower-intensity uses.

   Staff Finding: The proposal is consistent with this criterion.

K. CC400 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

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

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

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

Applicant's response: Please see the response to question #1. In general, the proposed CPA coincides with previous City approvals which replaced medium density residential land uses with regional commercial land uses near the South Iowa commercial corridor. Such policy change is in response to evolving public needs and market demands.

Staff's response: At present, there has not been a change in public policy. The location of both auto-related commercial development and traditional neighborhood/residential development is still viewed as appropriate for this location even if residential uses may be somewhat isolated from other residential uses, but the applicant's proposal is as well. While medium-density residential can mean development similar to apartments, it does not strictly require multi-family, apartment-style development. The inclusion of traditional neighborhood design was intended to encourage a mixture of land uses, grid-like street patterns and pedestrian circulation, intensively-used open spaces, architectural character and further a sense of community (Revised Southern Development Plan, p. 19).

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

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

Applicant's response: The proposed CPA, if approved will facilitate significant public improvements and extensions to infrastructure just south of the SLT. Such improvements would dovetail with the current expansion of the SLT and immediate roadways and utilities being conducted by the State and City.

Staff's response: Infrastructure development will be required to ensure adequate support of this commercial development. Further analysis regarding the details towards traffic impacts and infrastructure capacity will be addressed in the subsequent rezonings (Z-14-00105 and Z-14-00106), forthcoming development proposal, and approval of a final plat.

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

Applicant's response: The proposed CPA will facilitate regional commercial land uses bounded by open space on the south and east. The CPA is accompanied by a rezoning request that

would ensure open space uses on the ground immediately to the south. Additionally, the applicant has already begun discussion with Roger and Jonathan Boyd of Baker University and the Baker Wetland Complex to ensure compatibility with the wetlands which lie immediately to the east.

Staff's response: The site is adjacent to the South Lawrence Trafficway to the north, and US-59 to the west. Otherwise, it is surrounded by farmland to the east and south. The primary compatibility issue for this proposal is environmental with the adjacent Baker Wetlands and the currently mapped floodplain along the southern boundary of this development. Given the existing conditions on all sides of this particular site, the location is effectively isolated, resulting in any development at this location to effectively accessible by driving.

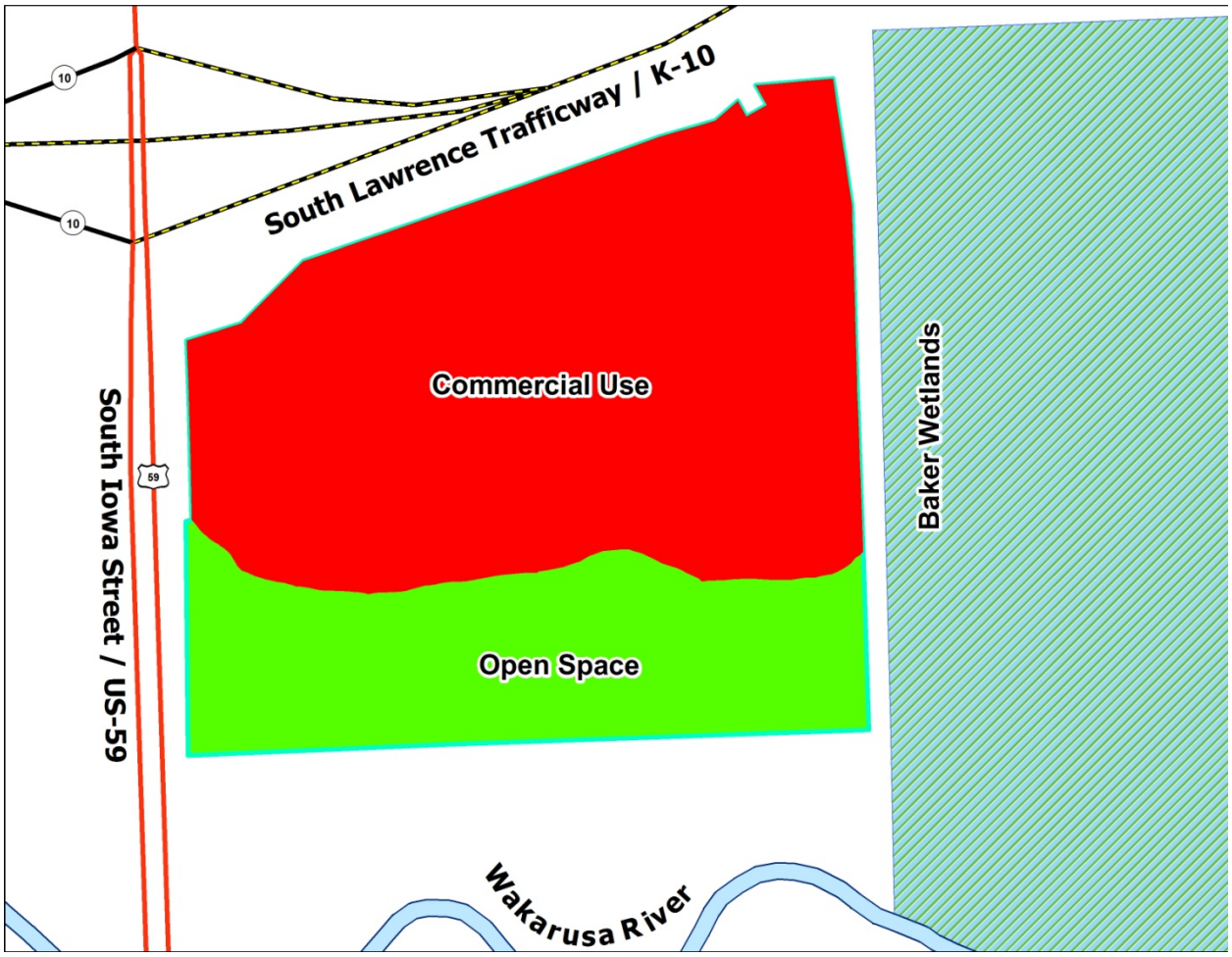


Figure 6: Illustration of Existing Land Uses

7. Will the proposed change advance the interests of the citizens of Lawrence and Douglas County as a whole, not solely those having immediate interest in the affected area?

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

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

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

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

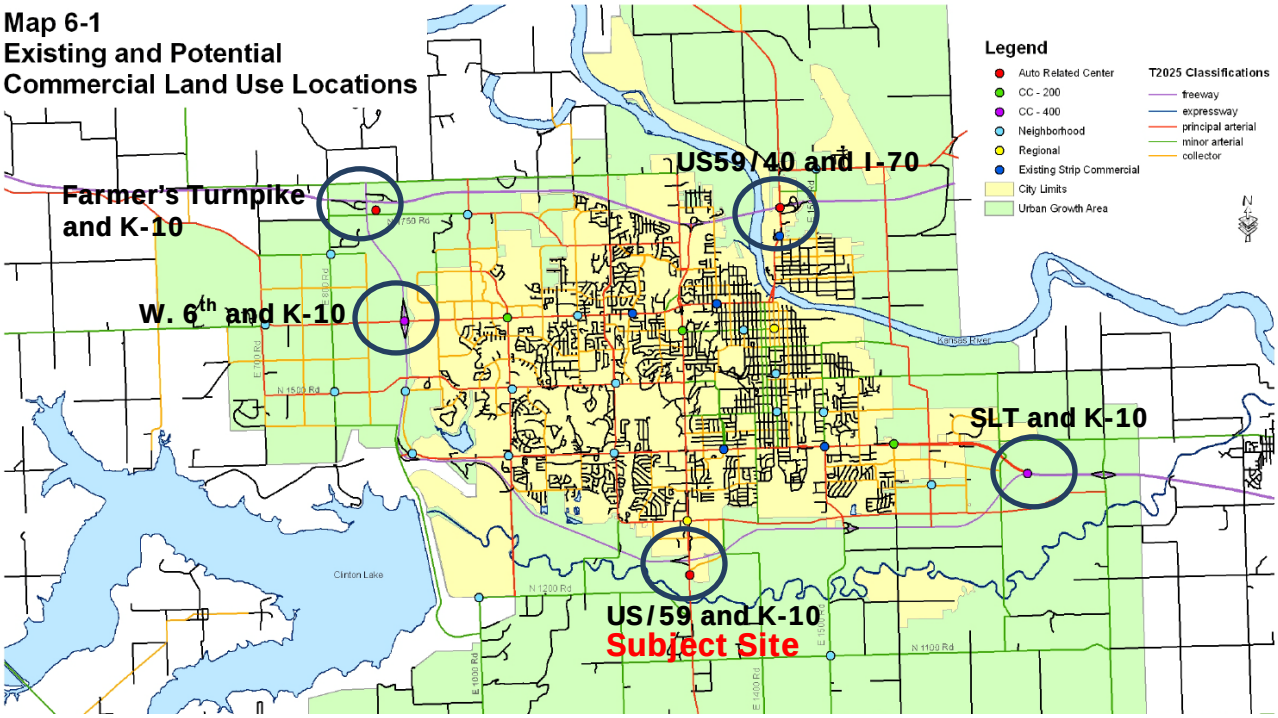


Figure 7: Other Entitled Commercial Centers

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

PROFESSIONAL STAFF RECOMMENDATION

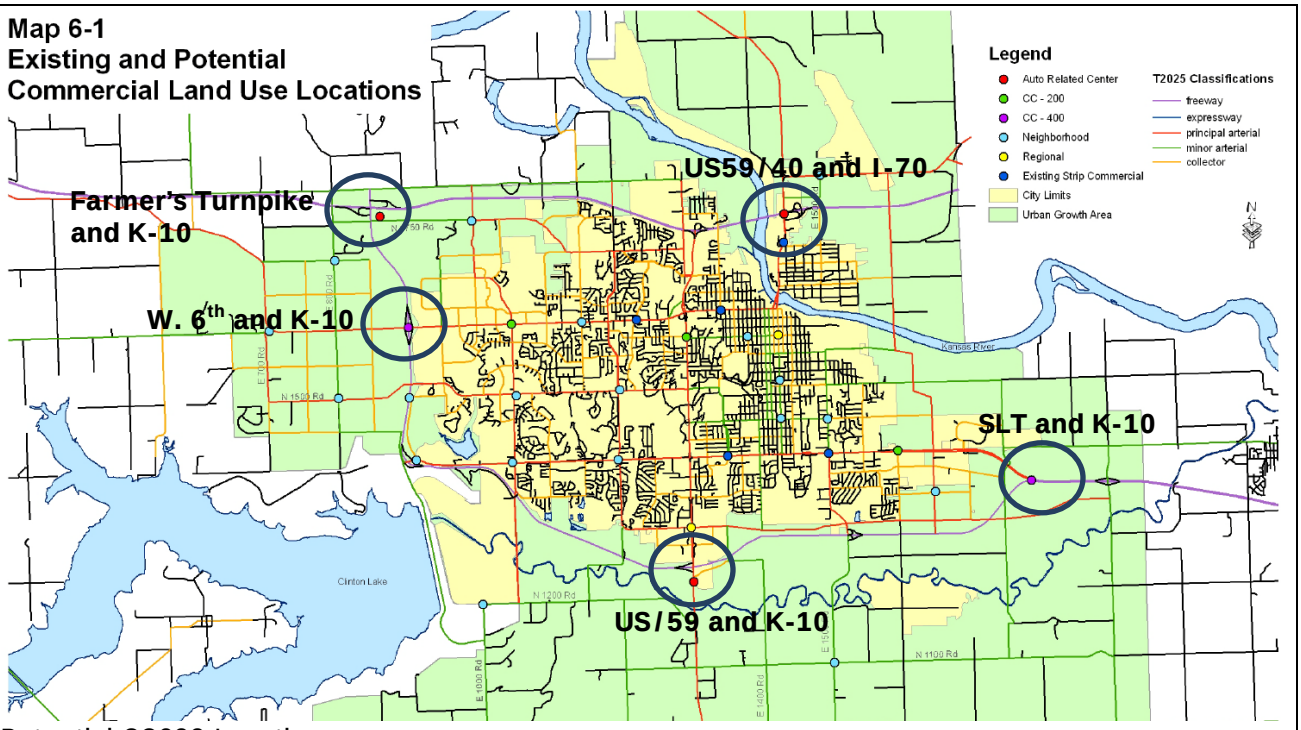
Staff recommends forwarding a recommendation of approval of this comprehensive plan amendment to *Horizon 2020*, to the Lawrence City Commission and Douglas County Board of Commissioners to amend Chapter 6, and the *Revised Southern Development Plan* with staff's suggested language in order to expand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

Memorandum
City of Lawrence – Douglas County
Planning & Development Services

To: **Lawrence-Douglas County Planning Commission**
From: **Planning Staff**
Date: **For February 25, 2013 Planning Commission Meeting**
RE: **Review various sites for possible CC600 designation**

Purpose

The Lawrence City Commission directed staff to review the suitability of various highway intersections as CC600 Commercial Centers. Staff chose sites that are located at the intersections of two highways and are designated by *Horizon 2020* as Auto-Related or CC400 Commercial Centers. This report examines the proposed W. 6th Street and K-10 Highway location, in addition to four other locations.



Potential CC600 Locations

Recommendations Summary

- W. 6th Street and K-10 - Appropriate for the CC600 designation.
- Farmer's Turnpike and K-10 – Appropriate as an Auto-Related Center, but not appropriate for the CC600 designation.
- US59/40 and I-70 – Existing commercial center that is not appropriate for the CC600 designation.
- South Lawrence Trafficway and K-10 – Appropriate for the CC400 designation, but not

appropriate for the CC600 designation at this time.

- US59 (South Iowa) and K-10 – Appropriate as an Auto-Related Center or as a Regional Center, but not appropriate for the CC600 designation.

W. 6th Street and K-10 Highway

This intersection is designated as a CC400 Commercial Center by *Horizon 2020*. The presence of the proposed regional recreation center adjacent to the commercial node is a large part of the request to designate this intersection as a CC600 Commercial Center.

The northeast corner has zoning approvals for commercial and residential uses. The southeast corner is developed with single-family and duplex uses and has zoning approvals for high density residential and office land uses. The portion of the intersection that fronts W. 6th Street is currently undeveloped and does not have zoning approvals, but is designated for commercial uses. The northwest portion of the intersection is undeveloped and is seeking CC600 zoning. The southwest portion of the intersection is developed with a church with the rest of the corner designated for future industrial/employment uses.

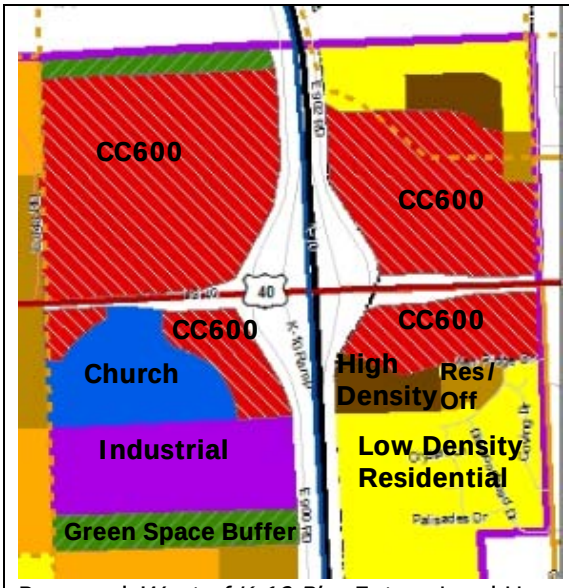
This intersection is located on a major commuter route and a large volume of traffic uses K-10 to access I-70 and to return to Lawrence from I-70. To a lesser extent, commuters also use Hwy. 40 to commute to and from Lawrence.

This intersection lies on the edge of Lawrence. As such, it is expected that Lawrence will continue to grow west, north and south of this intersection into the future. The intersection also is adjacent to the proposed recreation center, which is north of the northeast corner of the commercial node. The proposed recreation center has the potential to attract many visitors to this intersection, thus increasing the demand for retail in the area.

Recommendation

It is appropriate to expand the CC400 Commercial Center designation of this intersection to the CC600 Commercial Center. This is a major intersection now and in the future, and should have a sufficient amount of commercial retail development. A review of the CC600 policies follows.

W. 6th Street and K-10 Highway



Proposed *West of K-10 Plan* Future Land Use

Proposed

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

A. CC600 Centers shall be located at the intersection of two state or federally designated highways. This is the US-40 and K-10 Highways intersection.

B. CC600 Centers shall have a maximum of 600,000 gross square feet of commercial retail space as defined in this chapter. Other uses of a non-retail nature shall not have a space limitation. At this time, the node is designated for 400,000 square feet of commercial retail space. The CC600 proposal would limit the commercial retail space to 600,000 square feet, though non-retail commercial uses would also be permitted.

C. A maximum of 90 percent of the commercial square footage, as defined in this chapter, in a new CC600 Center shall be located on two corners of the intersection. The remaining commercial square footage, as defined in this chapter, shall be located on one or both of the remaining corners. Currently the northeast corner has approximately 360,000 square feet of approved commercial retail square footage. The remaining 240,000 square feet would be allocated to the other corners. The subject proposal would meet this criterion.

D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. The subject proposal, through conditional zoning, would meet this criterion.

E. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area. The southwest corner currently has a religious institution use with the rest of the intersection planned for industrial/employment uses. The southeast corner currently has zoning for high density residential along with existing low and medium-density residential uses. There is also potential for office uses. Commercial uses are planned but zoning approvals are not currently in place. The northwest corner is currently undeveloped. In addition to the commercial zoning approvals for the northeast corner, there are also zoning approvals for a range of residential uses along with potential for office uses.

F. A nodal or area plan must be completed before a development proposal for any corner of a CC600 Center is forwarded to the Planning Commission. Expansion of the CC600 center shall require amendment of the nodal or area plan. A Nodal Plan (*A Nodal Plan for the Intersection of West 6th Street & Kansas Highway 10*) and a Sector Plan (*West of K-10 Plan*) exist for this intersection. Designating the intersection as a CC600 requires changes to those plans. Proposed changes

have been considered by the Planning Commission at their May and October 2012 meetings.

G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. Commercial Design review is required for all new commercial development.

I-70 and K-10 Highway

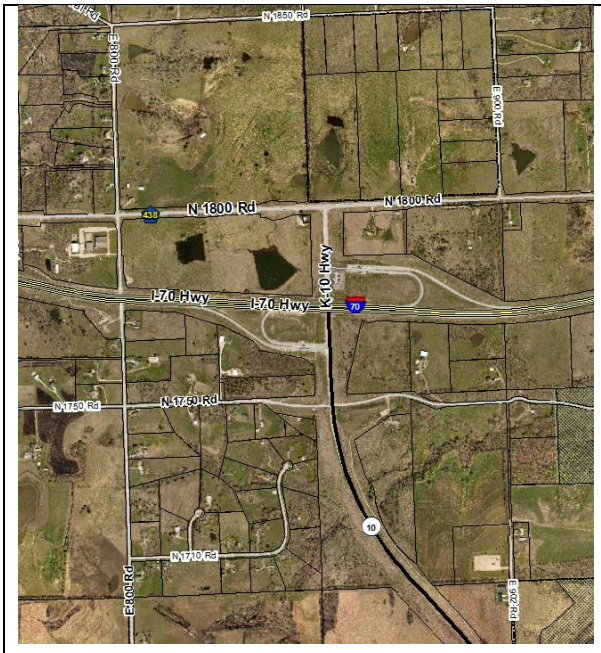
Horizon 2020 currently designates the northwest and northeast corners of this intersection as an Auto-Related Commercial Center.

Although there is no separation requirement for CC600 Districts, this intersection is approximately 1¾ miles from the W. 6th Street and K-10 intersection, which is currently designated a CC400 with a request to designate it as a CC600.

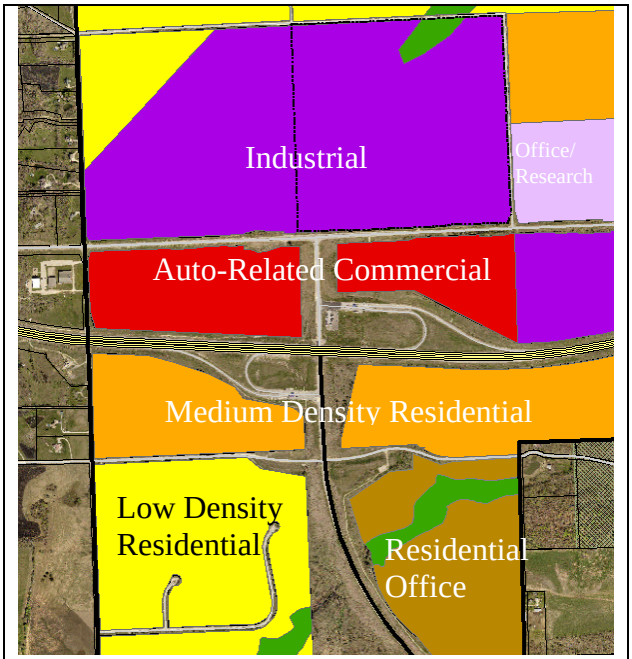
The size of the two corners of the intersection that are designated as a future Auto-Related Commercial Center are limited by an I-70 ramp and the close proximity to N. 1800 Road, which is a principle arterial. The two corners may not have the necessary land area to support a large commercial retail area. This may require the commercial retail uses to extend north or east of the intersection onto property which is currently designated for industrial uses by the *K-10 and Farmer's Turnpike Plan*. The concentration of industrial use in this area is important for community-wide economic development and should be protected from encroachment by commercial retail uses. Further, there is no planned use that is generating the need to re-designate this node.

Recommendation

This intersection is not appropriate as a future CC600 Commercial Center. A review of the proposed CC600 policies follows.



K-10 and I-70



K-10 and Farmer's Turnpike Plan

Proposed

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

A. CC600 Centers shall be located at the intersection of two state or federally designated highways. This is the I-70 and K-10 Highway intersection.

B. CC600 Centers shall have a maximum of 600,000 gross square feet of commercial retail space as defined in this chapter. Other uses of a non-retail nature shall not have a space limitation. The property is undeveloped. This criterion could be met if re-designated as a CC600.

C. A maximum of 90 percent of the commercial square footage, as defined in this chapter, in a new CC600 Center shall be located on two corners of the intersection. The remaining commercial square footage, as defined in this chapter, shall be located on one or both of the remaining corners. The property is undeveloped. This criterion could be met if re-designated as a CC600.

D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. The property is undeveloped. This criterion could be met if re-designated as a CC600.

E. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area. The property is undeveloped. This criterion could be met if re-designated as a CC600.

F. A nodal or area plan must be completed before a development proposal for any corner of a CC600 Center is forwarded to the Planning Commission. Expansion of the CC600 center shall require amendment of the nodal or area plan. A Sector Plan exists for this intersection. The Farmer's Turnpike and K-10 Plan designates the 4 corners for Auto-Related Commercial and Medium Density Residential future land use. The Plan would have to be amended to reflect the CC600 designation. There has been no change in circumstance to warrant such an amendment.

G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. Commercial Design review is required for all new commercial development.

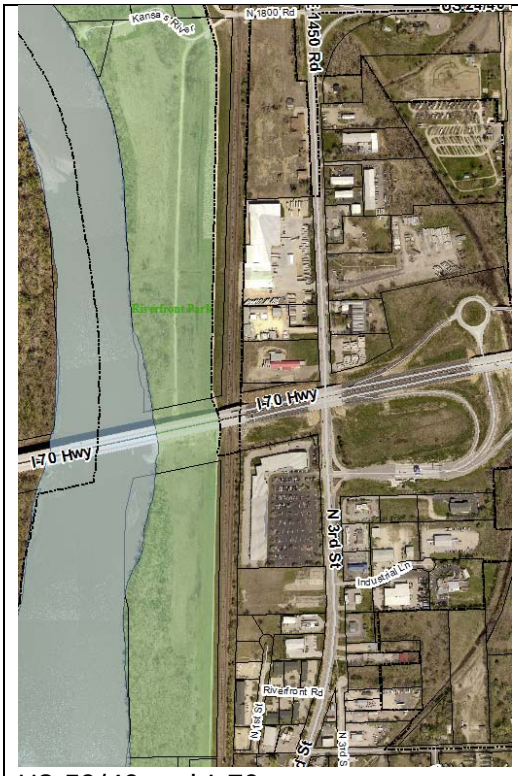
US59/40 and I-70

Horizon 2020 currently designates this intersection as an Auto-Related Commercial Center. The intersection is developed with commercial and industrial uses. There remains little available land to develop additional commercial uses.

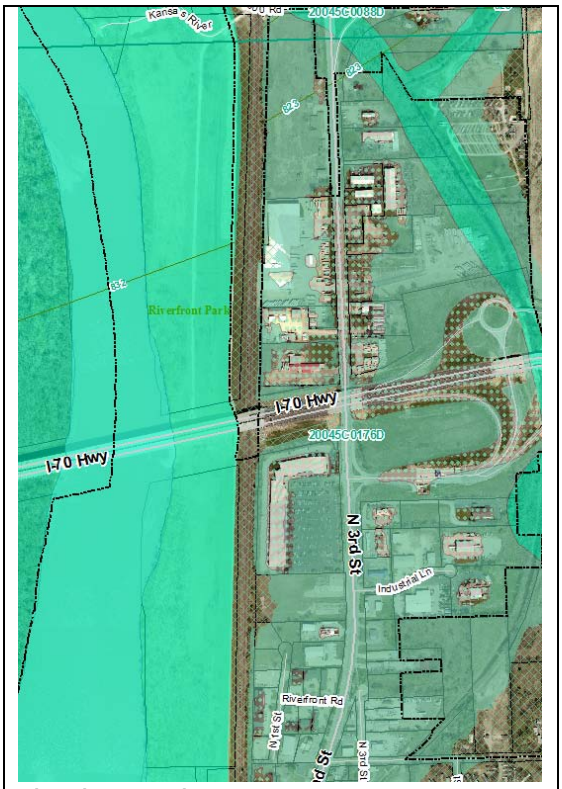
Further, the vast majority of the intersection is located within the 100-year floodplain. Additional development in the area has implications for storm water management. The *Northeast Sector Plan* is a future land use plan for the Grant Township area north and east of this intersection. The *Northeast Sector Plan* recommends very limited future development due to a number of factors, including storm water concerns.

Recommendation

This intersection is not appropriate as a CC600 Commercial Center. A review of the proposed CC600 policies follows.



US-59/40 and I-70



Flood Hazard Area

Proposed

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

A. CC600 Centers shall be located at the intersection of two state or federally designated highways. This is the US-59/40 and I-70 intersection.

B. CC600 Centers shall have a maximum of 600,000 gross square feet of commercial retail space as defined in this chapter. Other uses of a non-retail nature shall not have a space limitation. The intersection currently has less than

600,000 gross square feet being used as commercial retail space. To reach that level of commercial retail development the intersection likely will have to redevelop with larger commercial buildings. Larger buildings, and their associated parking, could exacerbate the existing storm water issues in this area.

C. A maximum of 90 percent of the commercial square footage, as defined in this chapter, in a new CC600 Center shall be located on two corners of the intersection. The remaining commercial square footage, as defined in this chapter, shall be located on one or both of the remaining corners. This is a developed intersection that wasn't originally planned as a commercial node. Therefore it is difficult to determine if it currently meets this criterion given the existing development.

D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. Buildings of this size, and their associated parking, could exacerbate the existing storm water issues in this area.

E. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area. While there are some non-commercial employment related uses, all of the corners contain some retail development. There is no residential in the immediate area.

F. A nodal or area plan must be completed before a development proposal for any corner of a CC600 Center is forwarded to the Planning Commission. Expansion of the CC600 center shall require amendment of the nodal or area plan. The is no Nodal or Area Plan for the intersection. The *Northeast Sector Plan* is immediately adjacent to the area.

G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. Commercial Design review is required for all new commercial development.

K-10 Highway and the South Lawrence Trafficway

Horizon 2020 currently designates this intersection as a CC400 Commercial Center. The intersection is currently undeveloped. The exact location of the commercial node is unknown at this time due to the lack of a developed transportation system in the area.

This area is poised to become a major transportation intersection upon completion of the South Lawrence Trafficway.

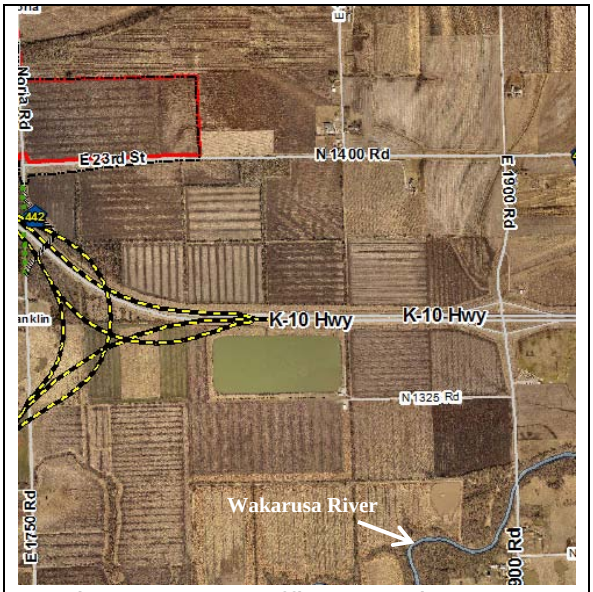
This area is less likely to see a large amount of residential development immediately adjacent to the intersection, compared with the W. 6th Street and K-10 node, due to the presence of the Wakarusa River, which is south of the intersection, and the regulatory flood hazard areas.

The *Southeast Area Plan* covers an area west of this intersection. The Plan designates a range of land uses for the area including low, medium and high density residential, industrial/employment uses, and Neighborhood and Community Commercial designations. The commercial designations are approximately 1 and 2 miles from this intersection.

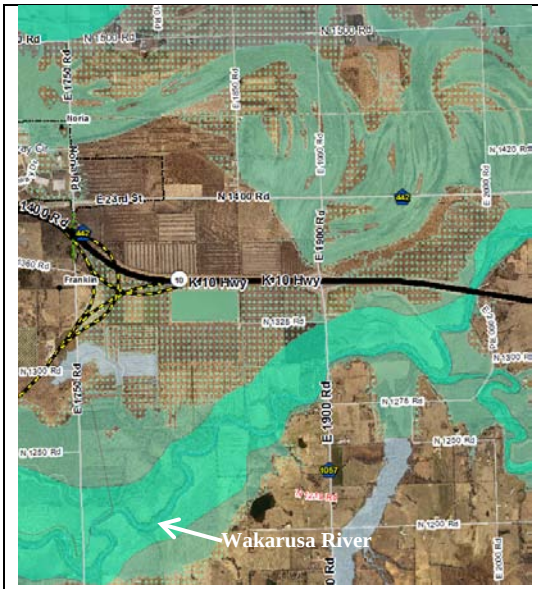
A lack of significant future residential development along with future commercial designations west of the area do not support expanding this node from a CC400 to a CC600 designation at this time, though the true impact of completing the South Lawrence Trafficway is unknown and this area may someday support the CC600 designation.

Recommendation

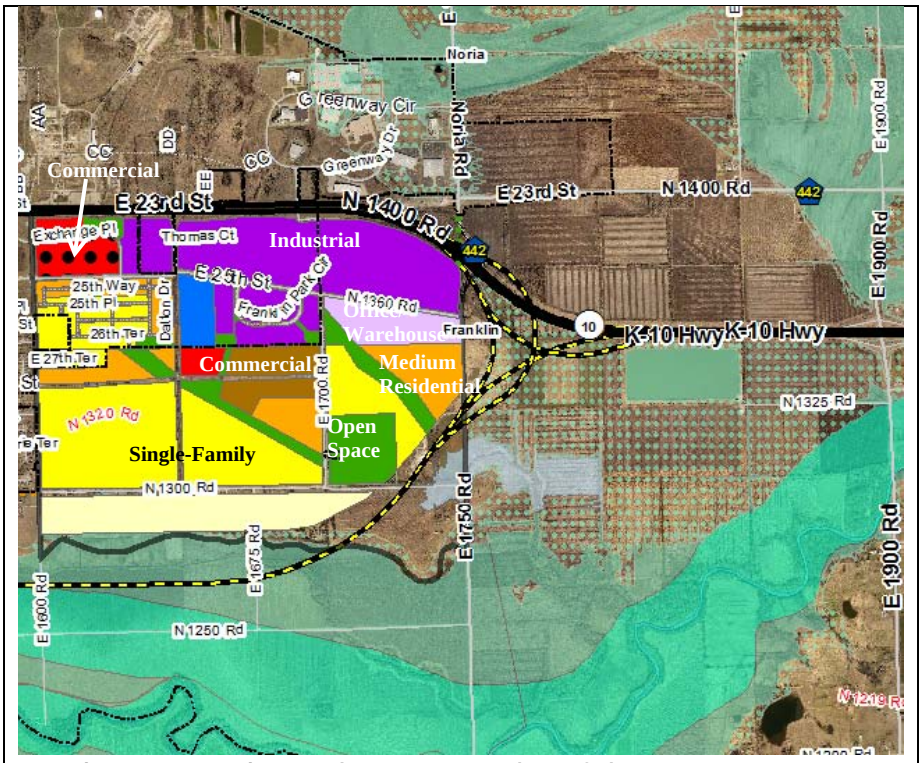
While the intersection may be appropriate for the CC400 designation, it is not appropriate for expansion to a CC600 designation at this time. A review of the proposed CC600 policies follows.



South Lawrence Trafficway and K-10



Flood Hazard Area



Southeast Area Plan on the western edge of the area

Proposed

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

A. CC600 Centers shall be located at the intersection of two state or federally designated highways. This is the future intersection of the South Lawrence Trafficway and K-10 Highway.

B. CC600 Centers shall have a maximum of 600,000 gross square feet of commercial retail space as defined in this chapter. Other uses of a non-retail nature shall not have a space limitation. The property is undeveloped. This criterion could be met if re-designated as a CC600.

C. A maximum of 90 percent of the commercial square footage, as defined in this chapter, in a new CC600 Center shall be located on two corners of the intersection. The remaining commercial square footage, as defined in this chapter, shall be located on one or both of the remaining corners. The property is undeveloped. This criterion could be met if re-designated as a CC600.

D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. The property is undeveloped. This criterion could be met if re-designated as a CC600.

E. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and

recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area. The property is undeveloped. This criterion could be met if re-designated as a CC600.

F. A nodal or area plan must be completed before a development proposal for any corner of a CC600 Center is forwarded to the Planning Commission. Expansion of the CC600 center shall require amendment of the nodal or area plan. The is no Nodal or Area Plan for the intersection.

G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. Commercial Design review is required for all new commercial development.

US59 (Iowa Street) and K-10

Horizon 2020 currently designates the southern portion of the intersection as an Auto-Related Commercial Center. The southern portion of the intersection is currently undeveloped. The northern portion of the intersection is currently developed with strip commercial uses and is designated as a Regional Commercial Center (1.5 million square feet of retail).

The South Iowa corridor from 23rd Street to K-10 Highway is a strip commercial area with a large amount of commercial retail square footage. The area has essentially become a Regional Commercial Center, and *Horizon 2020* recognizes the area as such.

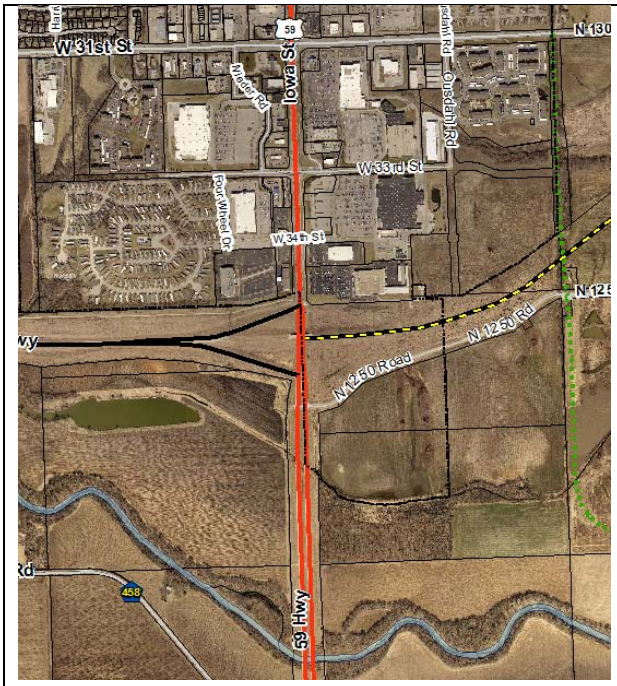
The Wakarusa River is south of the area and the portion of the intersection south of K-10 contains regulatory flood hazard area.

The *Revised Southern Development Plan* designates land uses for this intersection. The Plan designated the northwest and northeast corners as a Regional Commercial Center with the southwest and southeast corners designated as Auto-Related Commercial and open space.

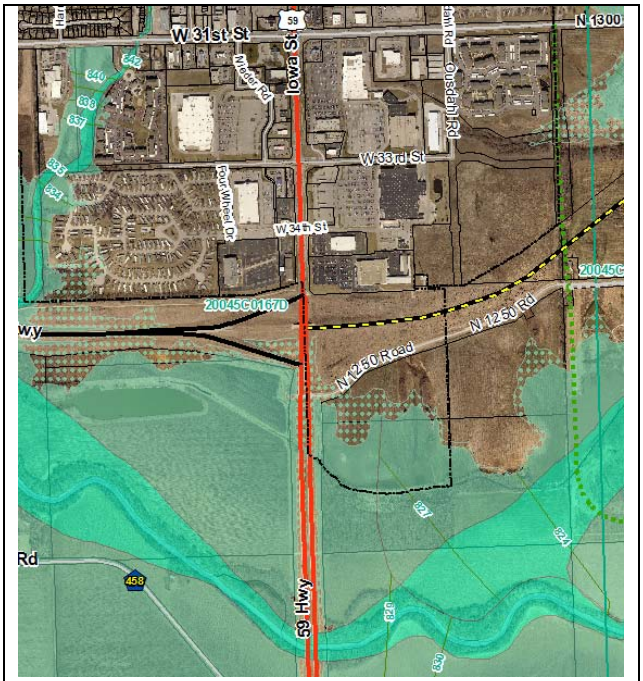
As Lawrence grows south of the Wakarusa River in the future, it may be appropriate to extend the regional commercial uses south of K-10 Highway, a designation that would surpass the CC600 designation as the north corners of the node, south of 31st Street, already have more than 900,000 square feet of commercial retail.

Recommendation

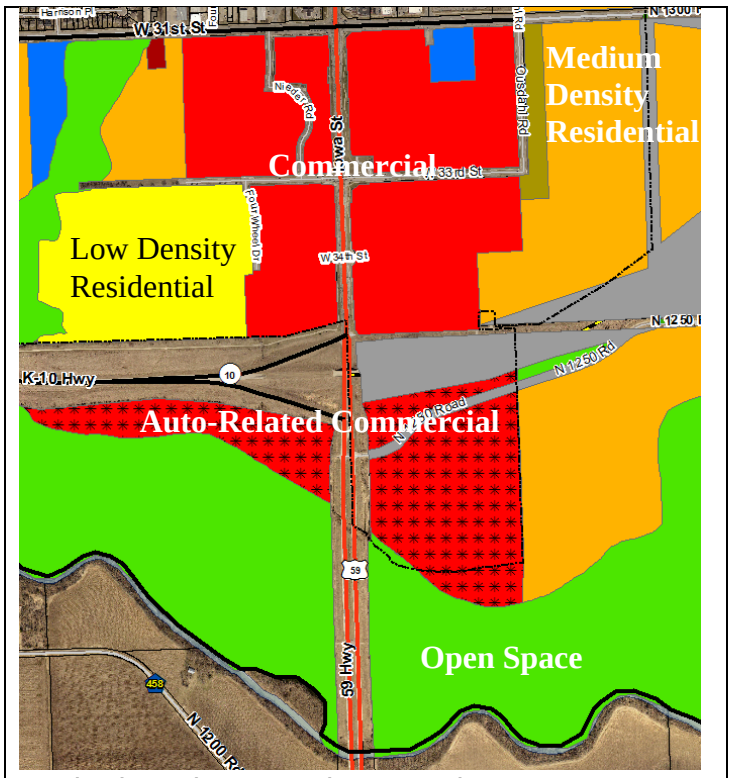
This intersection is not appropriate as a CC600 Commercial Center because the north corners south of 31st Street (the areas between 31st Street and K-10) already have in excess of 900,000 square feet of commercial retail. It may be more appropriate to designate the South Iowa corridor as a Regional Commercial Center that extends south of K-10 Highway interchange. A review of the proposed CC600 policies follows.



US-59 and K-10



Flood Hazard Area



Revised Southern Development Plan

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

A. CC600 Centers shall be located at the intersection of two state or federally designated highways. This is the US-59 and K-10 intersection.

B. CC600 Centers shall have a maximum of 600,000 gross square feet of commercial retail space as defined in this chapter. Other uses of a non-retail nature shall not have a space limitation. The north corners of the intersection, between 31st Street and K-10, already have more than 900,000 square feet of commercial retail.

C. A maximum of 90 percent of the commercial square footage, as defined in this chapter, in a new CC600 Center shall be located on two corners of the intersection. The remaining commercial square footage, as defined in this chapter, shall be located on one or both of the remaining corners. The north corners of the intersection, between 31st Street and K-10, already have more than 900,000 square feet of commercial retail.

D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node. The existing development on the north corners may not comply with this criterion.

E. Corners of the node that are not developed with commercial uses should be

utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area. There are some residential uses within the northwest corner. Otherwise, the bulk of the uses in the northwest and northeast corners are commercial retail uses.

F. A nodal or area plan must be completed before a development proposal for any corner of a CC600 Center is forwarded to the Planning Commission. Expansion of the CC600 center shall require amendment of the nodal or area plan. The *Revised Southern Development Plan* is the plan for the area. Designating the property south of K-10 as anything other than Auto-Related Commercial may require an amendment to the Plan.

G. CC600 Centers shall develop in a manner that is consistent with the city's adopted design guidelines. Commercial Design review is required for all new commercial development.

Revised Southern Development Plan

Lawrence/Douglas County Planning Commission Approved 11/28/07
Lawrence City Commission Approved <DATE PENDING>
Board of County Commissions Approved <DATE PENDING>

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INTRODUCTION

Background and Purpose

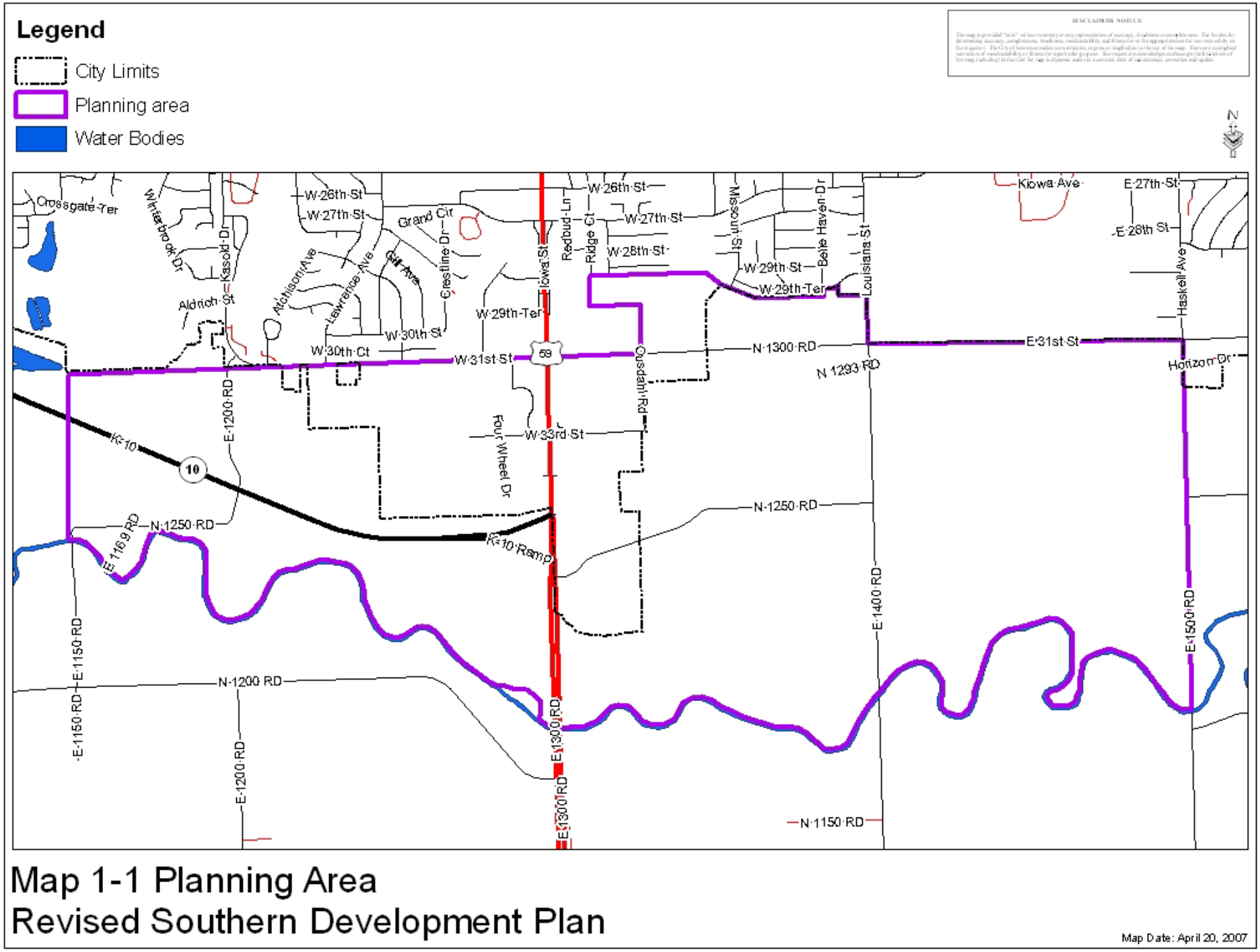
The original Southern Development Plan was adopted March 1, 1994 by the Lawrence City Commission. This plan covered an area roughly bounded on the north by W. 31st Street, to the west by Kasold Drive, to the south by the north bank of the Wakarusa River, and to the east by Louisiana Street. This land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

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

Description of Planning Area

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

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



Map 1-1 Planning Area
Revised Southern Development Plan

Map Date: April 20, 2007

Policy Framework

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

- *Horizon 2020,* The Comprehensive Plan for Lawrence and Unincorporated Douglas County. Lawrence-Douglas County Metropolitan Planning Office. 1998.
- *Transportation 2025*, Lawrence/Douglas County Long Range Transportation Plan. Lawrence/ Douglas County Metropolitan Planning Office and LSA Associates. September 2002.
- *Lawrence-Douglas County Bicycle Plan*, Lawrence/ Douglas County Metropolitan Planning Office. May 2004.
- *Lawrence Parks & Recreation Department A Comprehensive Master Plan*. Leon Younger & PROS. 2000.
- *31st Street Corridor Study, Iowa Street to County Route 1057*. TransSystems Corporation. January 28, 2003.
- *City of Lawrence, Kansas Water Master Plan*. Black & Veatch. December 2003.
- *City of Lawrence, Kansas Wastewater Master Plan*. Black & Veatch. December 2003.

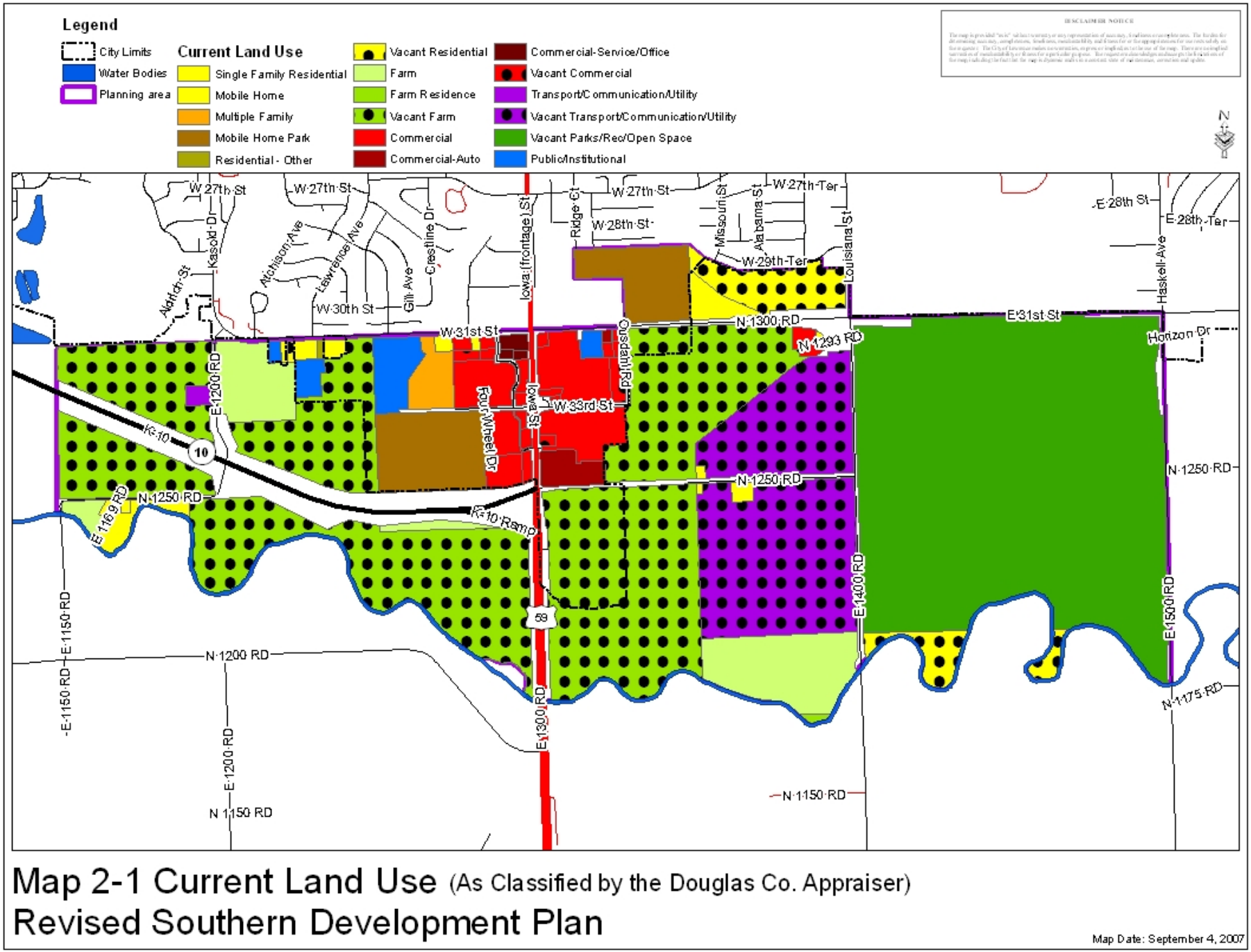
EXISTING CONDITIONS

Current Land Use

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

Table 2-1

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


Legend
City Limits
Water Bodies
Planning area
Current Land Use
Single Family Residential
Mobile Home
Multiple Family
Mobile Home Park
Residential - Other
Vacant Residential
Farm
Farm Residence
Vacant Farm
Commercial
Commercial-Auto
Commercial-Service/Office
Vacant Commercial
Transport/Communication/Utility
Vacant Transport/Communication/Utility
Vacant Parks/Rec/Open Space
Public/Institutional
DISCLAIMER NOTICE
N
W 27th St
W 28th St
W 29th Ter
W 30th St
W 31st St
W 33rd St
E 28th St
E 28th Ter
E 31st St
Kasold Dr
Atchison Ave
Lawrence Ave
Gill Ave
Crestline Dr
Iowa (frontage) St
Ridge Ct
Missouri St
Alabama St
Louisiana St
Haskell Ave
Horizon Dr
Osaban Rd
Four Wheel Dr
Iowa St
N 1300 RD
N 1293 RD
N 1250 RD
E 1200 RD
E 1150 RD
E 1169 RD
E 1300 RD
E 1400 RD
E 1500 RD
N 1200 RD
N 1150 RD
N 1175 RD
K-10
K-10 Ramp
10
59
Map 2-1 Current Land Use (As Classified by the Douglas Co. Appraiser)
Revised Southern Development Plan
Map Date: September 4, 2007

Current Zoning

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

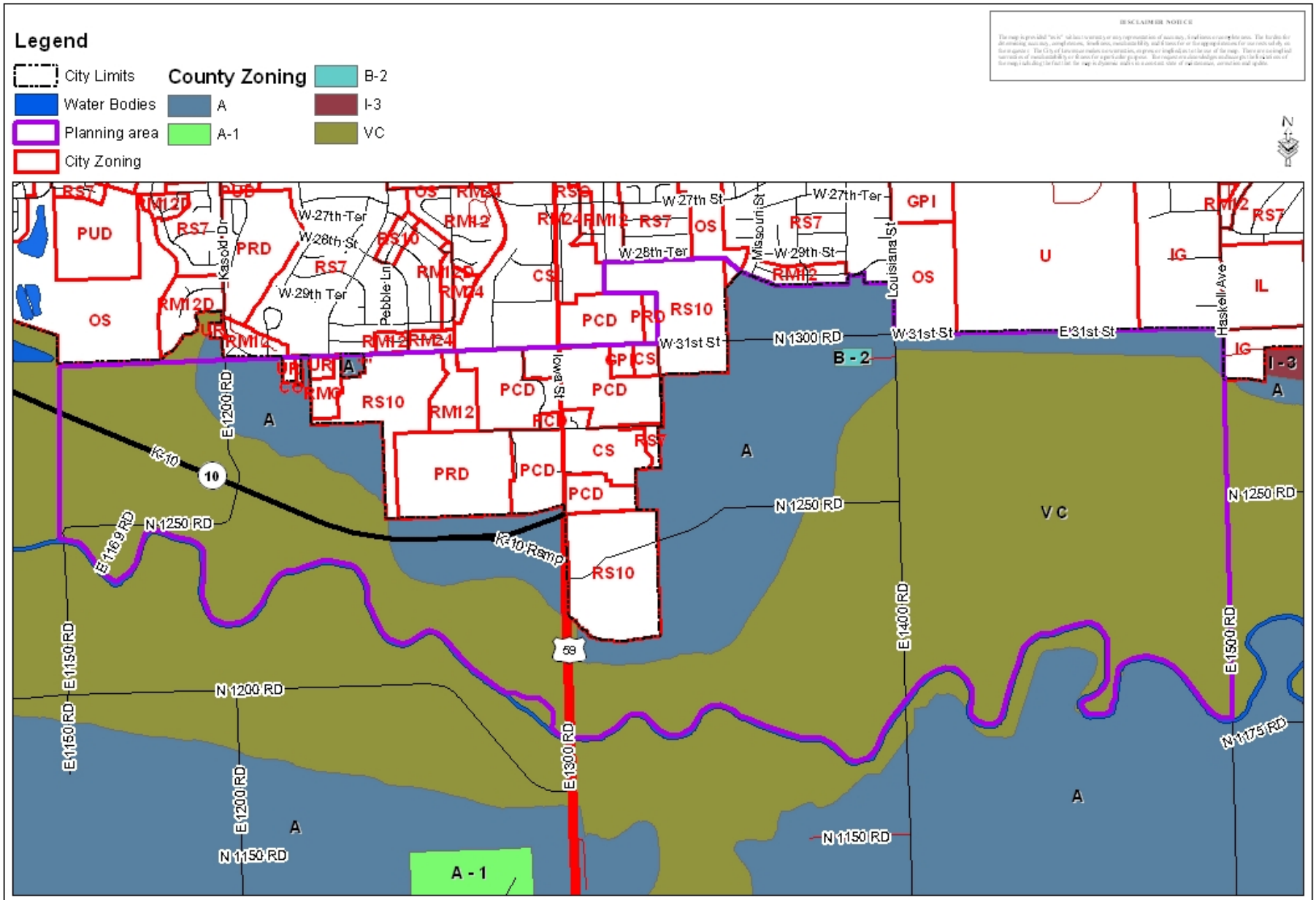
The *Revised Southern Development Plan* planning area is located partially in the county and partially within the city. Map 2-2 shows the current zoning designations and the tables below describe the map designations.

Table 2-2

City Zoning	District Name	Comprehensive Plan Designation
RS10	Single-Dwelling Residential (10,000 sq. feet per dwelling unit)	Low-Density Residential
RS7	Single-Dwelling Residential (7,000 sq. feet per dwelling unit)	Low-Density Residential
RM12	Multi-Dwelling Residential (12 dwelling units per acre)	Medium-Density Residential
PRD	Planned Residential Development	N/A
CO	Office Commercial	Office or Office/Research
CS	Strip Commercial	N/A
PCD	Planned Commercial Development	N/A
GPI	General Public and Institutional	N/A
UR	Urban Reserve	N/A

Table 2-3

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



Map 2-2 Current Zoning
Revised Southern Development Plan

Map Date: September 4, 2007

Current Infrastructure

Water

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

Sanitary Sewer

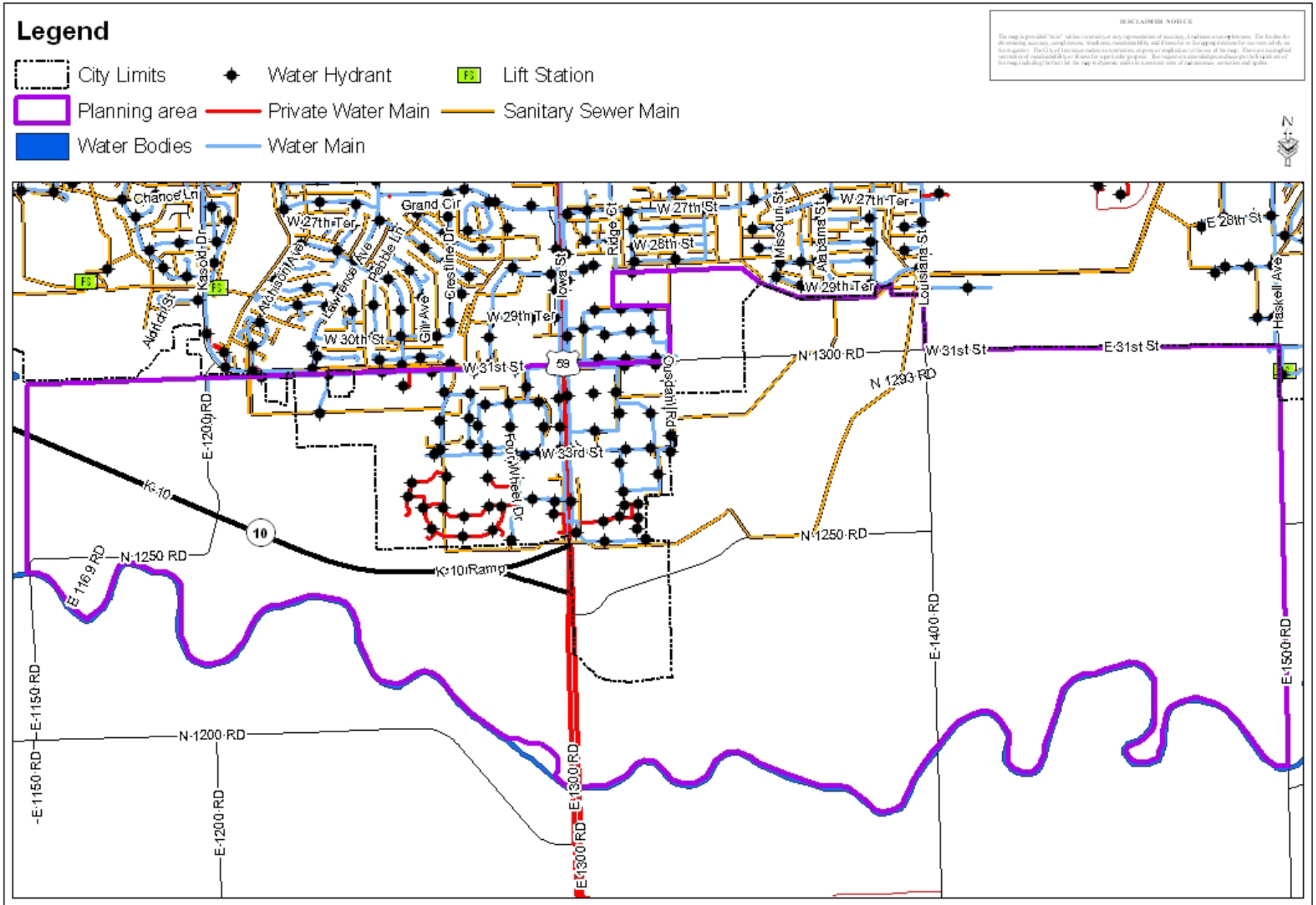
City sanitary sewer is supplied to most of the planning area that is within the city limits and to limited areas in the county. The portions of the planning area located in the county that are not serviced by City sanitary sewer are serviced by private septic systems. The City sanitary sewer lines are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

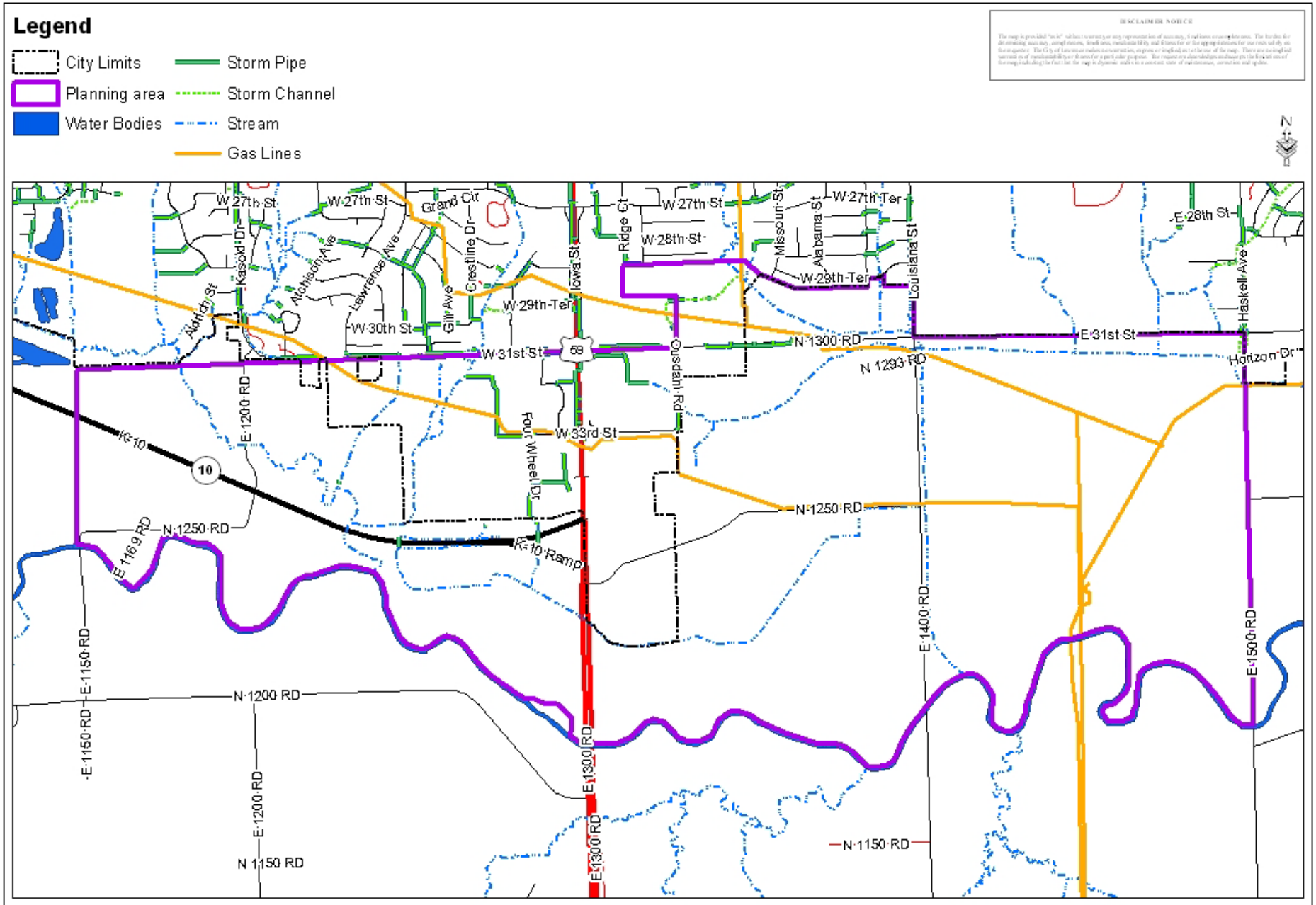
Storm Sewer

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

Gas

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


Legend
City Limits
Planning area
Water Bodies
Water Hydrant
Private Water Main
Water Main
Lift Station
Sanitary Sewer Main
DISCLAIMER NOTICE
N
Chance Ln
Grand Cir
W 27th Ter
W 27th St
W 28th St
W 29th Ter
W 30th St
W 31st St
W 33rd St
E 28th St
E 31st St
Kasold Dr
Ridge Ct
Missouri St
Alabama St
Louisiana St
Haskell Ave
Iowa St
Crestline Dr
Pebble Ln
Lawrence Ave
Gill Ave
Atchison Ave
Atchison St
Ousdahl Rd
Four Wheeler Dr
N 1300 RD
N 1293 RD
N 1250 RD
N 1200 RD
E 1200 RD
E 1169 RD
E 1150 RD
E 1400 RD
E 1500 RD
E 1300 RD
K-10
K-10 Ramp
59
10
Map 2-3 City Sanitary Sewer and Water
Revised Southern Development Plan
Map Date: April 20, 2007

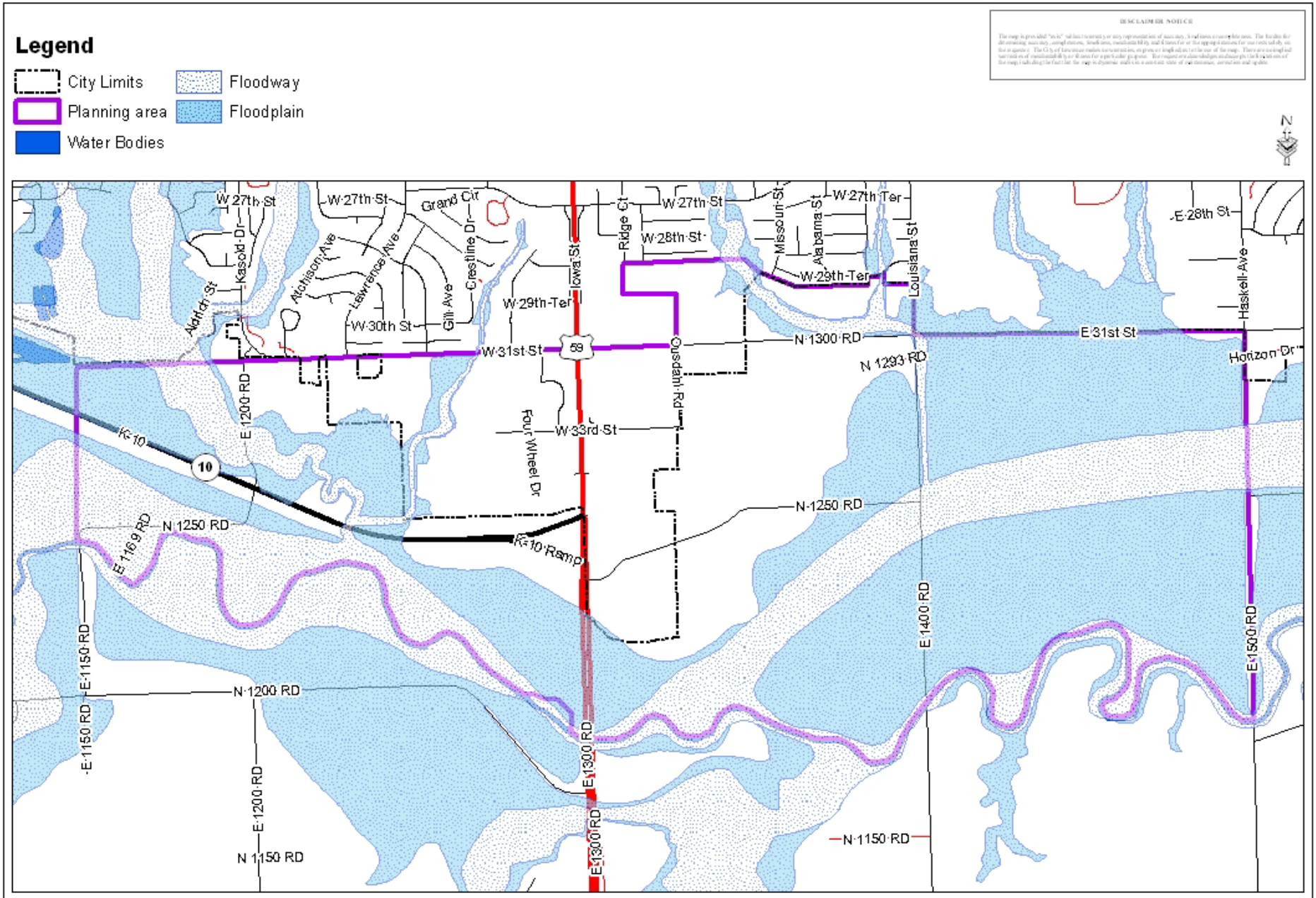


Map 2-4 City Storm Water and Southern Star Gas
Revised Southern Development Plan

Map Date: April 20, 2007

Floodplain

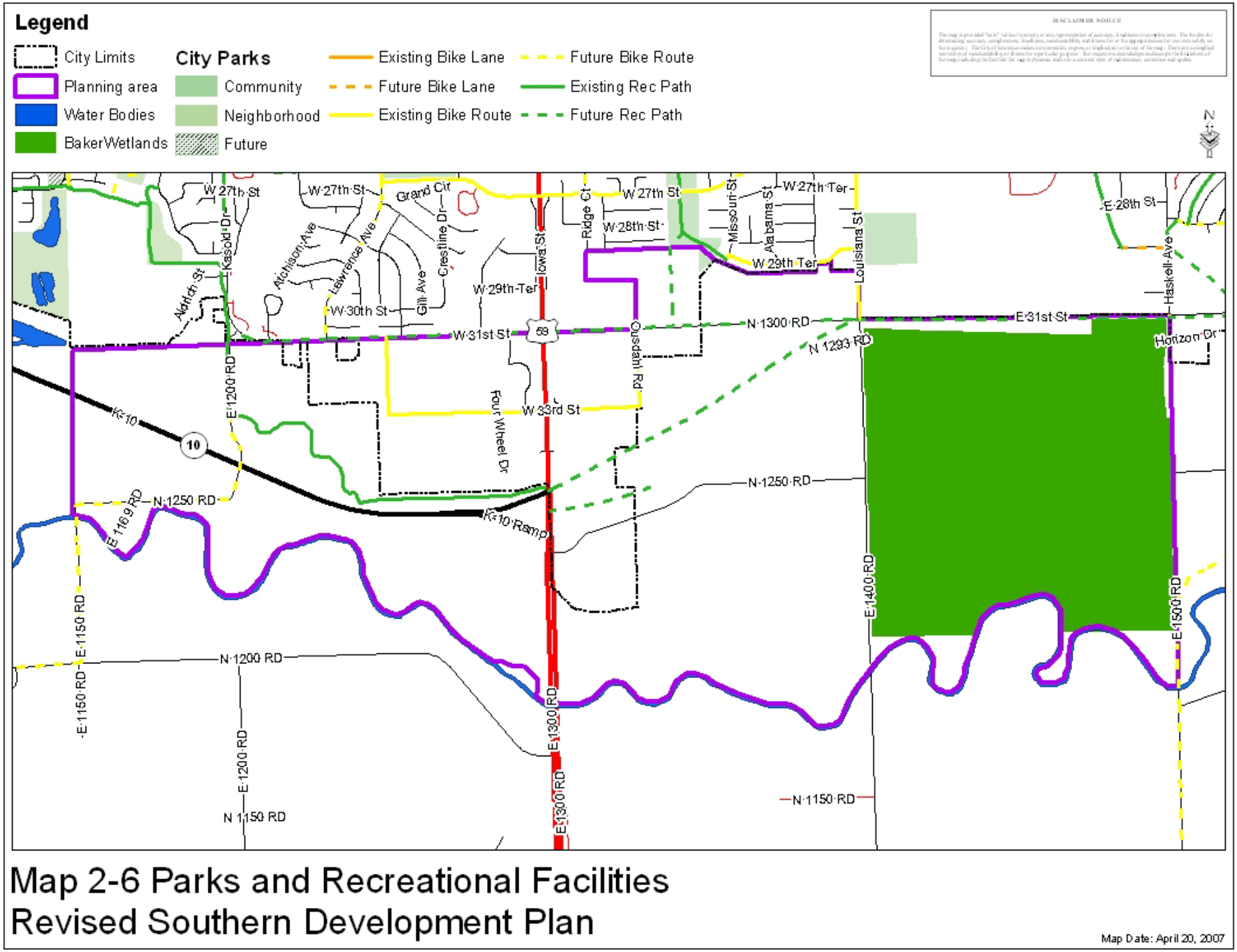
The FEMA (Federal Emergency Management Agency) designated special flood hazard area makes up a large portion of the *Revised Southern Development Plan* planning area and is shown on Map 2-5. Of the total 2,260 acres within the planning area, 1,464 acres are located within the floodplain and/or the floodway. The floodplain is any land area susceptible to being inundated by flood waters from any source. The floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Developing in the floodplain is allowed both in the City and in the County based on the corresponding regulations. No development is allowed in the floodway except for flood control structures, road improvements, easements and rights-of-way, or structures for bridging the floodway.


Legend
City Limits
Planning area
Water Bodies
Floodway
Floodplain
DISCLAIMER NOTICE
N
W 27th St
W 27th St
Grand Cir
Kasold Dr
Atchison Ave
Lawrence Ave
Crestline Dr
Ridge Ct
W 27th St
Missouri St
Alabama St
W 27th Ter
E 28th St
Haskell Ave
Ash Dr St
W 30th St
Gill Ave
W 28th St
W 29th Ter
Iowa St
W 29th Ter
Louisiana St
E 31st St
N 1300 RD
W 31st St
59
Queens Rd
N 1293 RD
Horizon Dr
E 1200 RD
Four Wheel Dr
W 33rd St
K-10
10
N 1250 RD
E 1169 RD
K-10 Ramp
N 1250 RD
E 1400 RD
E 1500 RD
E 1150 RD
E 1150 RD
N 1200 RD
E 1300 RD
E 1200 RD
E 1300 RD
N 1150 RD
N 1150 RD
Map 2-5 Floodplain
Revised Southern Development Plan
Map Date: April 20, 2007

Parks and Recreational Facilities

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

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



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

Map Date: April 20, 2007

Transportation

Streets

Transportation 2025 (T2025) is the comprehensive, long-range transportation plan for the metropolitan area. T2025 designates streets according to their functional classification or their primary purpose. These functional classifications are shown on Map 2-7. The classification system can be described as a hierarchy from the lowest order, local streets that serve to provide direct access to adjacent property, to collector streets that carry traffic from local streets, to major thoroughfares (arterial streets) that carry traffic across the entire city. Freeways and expressways are the highest order of streets and are designed with limited access to provide the highest degree of mobility to serve large traffic volumes with long trip lengths.

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

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

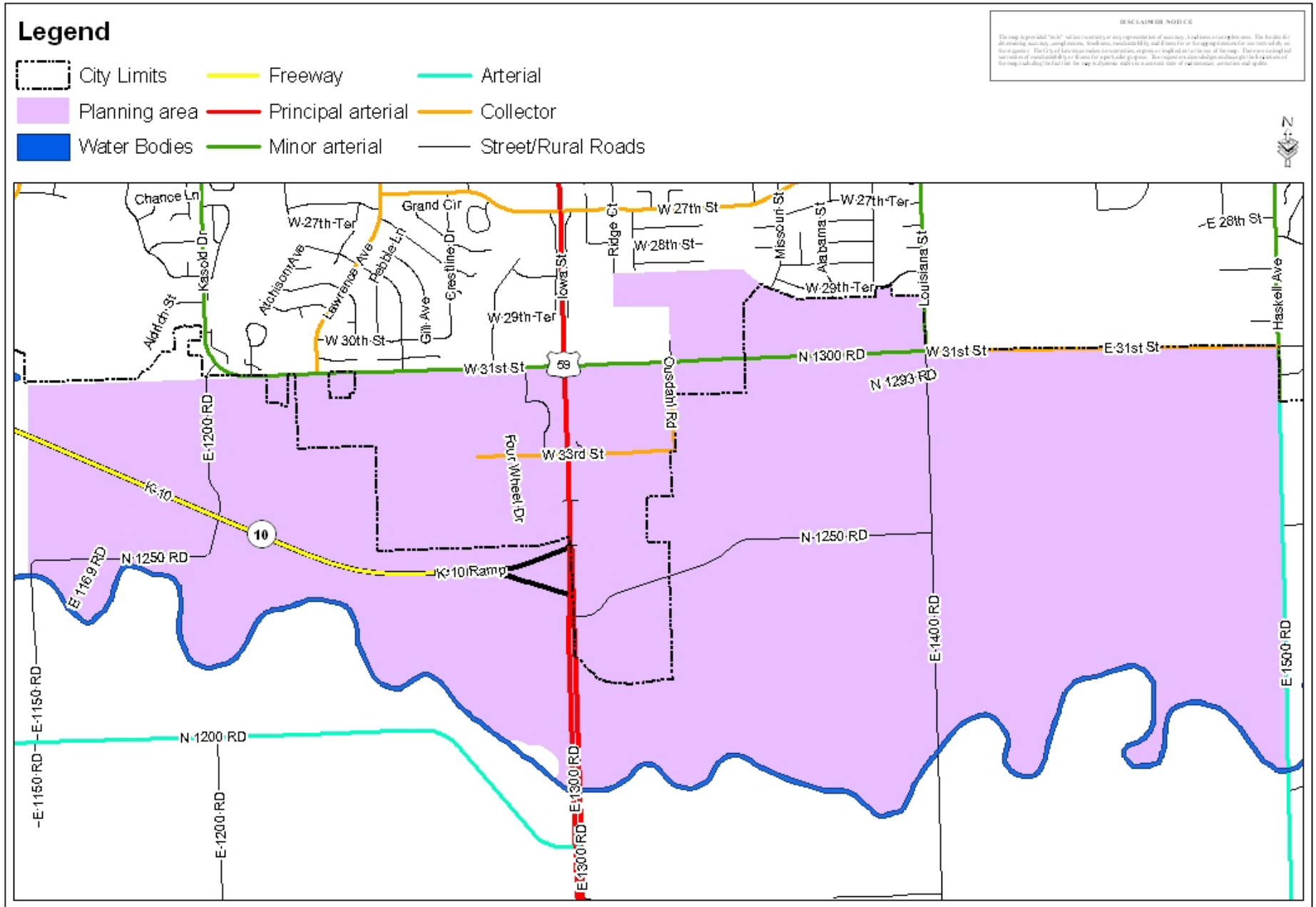
Transit

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

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

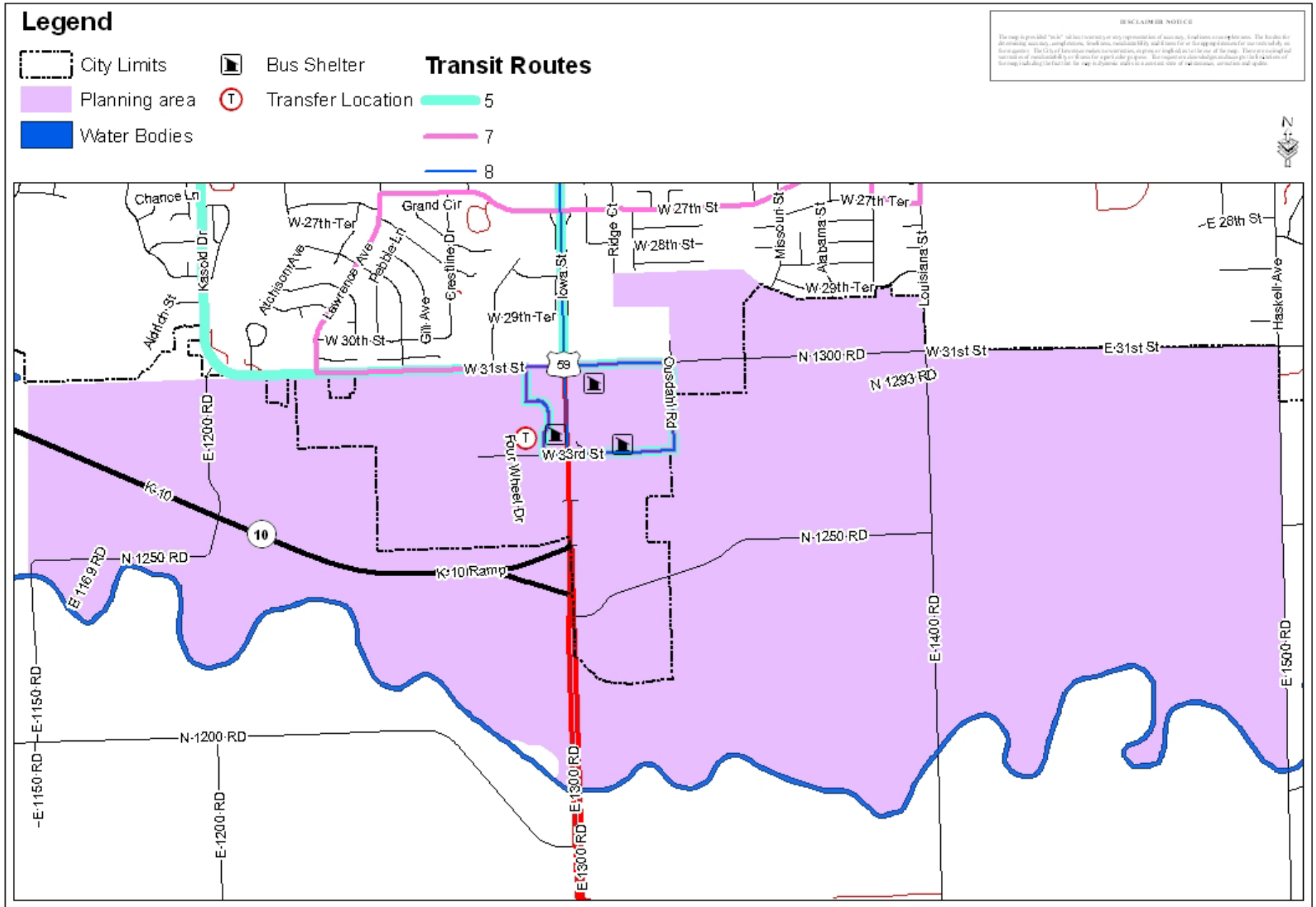
- Route 7, South Iowa/Downtown, travels through the planning area along Lawrence Avenue, W. 31st Street, Neider Road, Four Wheel Drive, W. 33rd Street, Ousdahl Road, and S. Iowa Street.

- Route 8, KU/South Iowa/Downtown, travels through the planning area along Lawrence Avenue, W. 31st Street, Neider Road, Four Wheel Drive, W. 33rd Street, Ousdahl Road, and S. Iowa Street.



Map 2-7 Road Classification
Revised Southern Development Plan

Map Date: April 20, 2007



Map 2-8 Transit Routes
Revised Southern Development Plan

Map Date: April 20, 2007

RECOMMENDATIONS

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

Low-Density Residential:

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

Density: 6 or fewer dwelling units per acre

Intensity: Low

Applicable Areas:

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

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

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

Medium-Density Residential:

The intent of the medium-density residential use is to allow for a variety of types of residential options for the area.

Density: 7-15 dwelling units per acre

Intensity: Medium

Applicable Areas:

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

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

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

Residential/Office:

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

Density: 4-15 dwelling units per acre

Intensity: Low-Medium

Applicable Areas:

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

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

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

Office:

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

Intensity: Medium

Applicable Areas:

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

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

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

Traditional Neighborhood Development (TND):

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

Density: Variable

Intensity: Variable

Applicable Areas:

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

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

Primary Uses: Residential, retail, office, civic

Commercial:

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

Intensity: Medium to High

Applicable Areas:

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

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

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

Open Space:

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

Intensity: Minimal

Applicable Areas:

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

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

Primary Uses: Passive recreation, nature preserve, agricultural

Public/ Institutional:

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

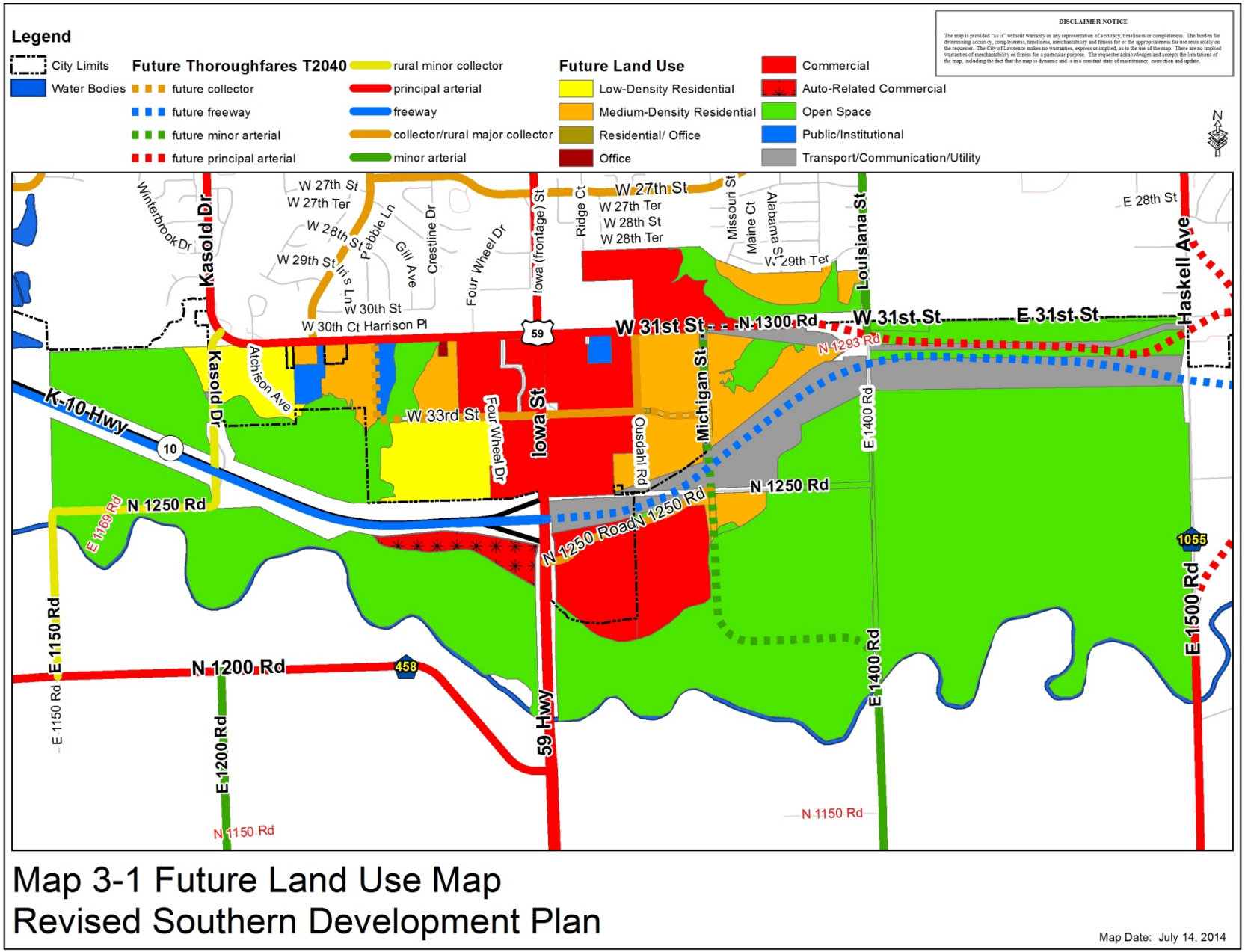
Intensity: Variable

Applicable Areas:

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

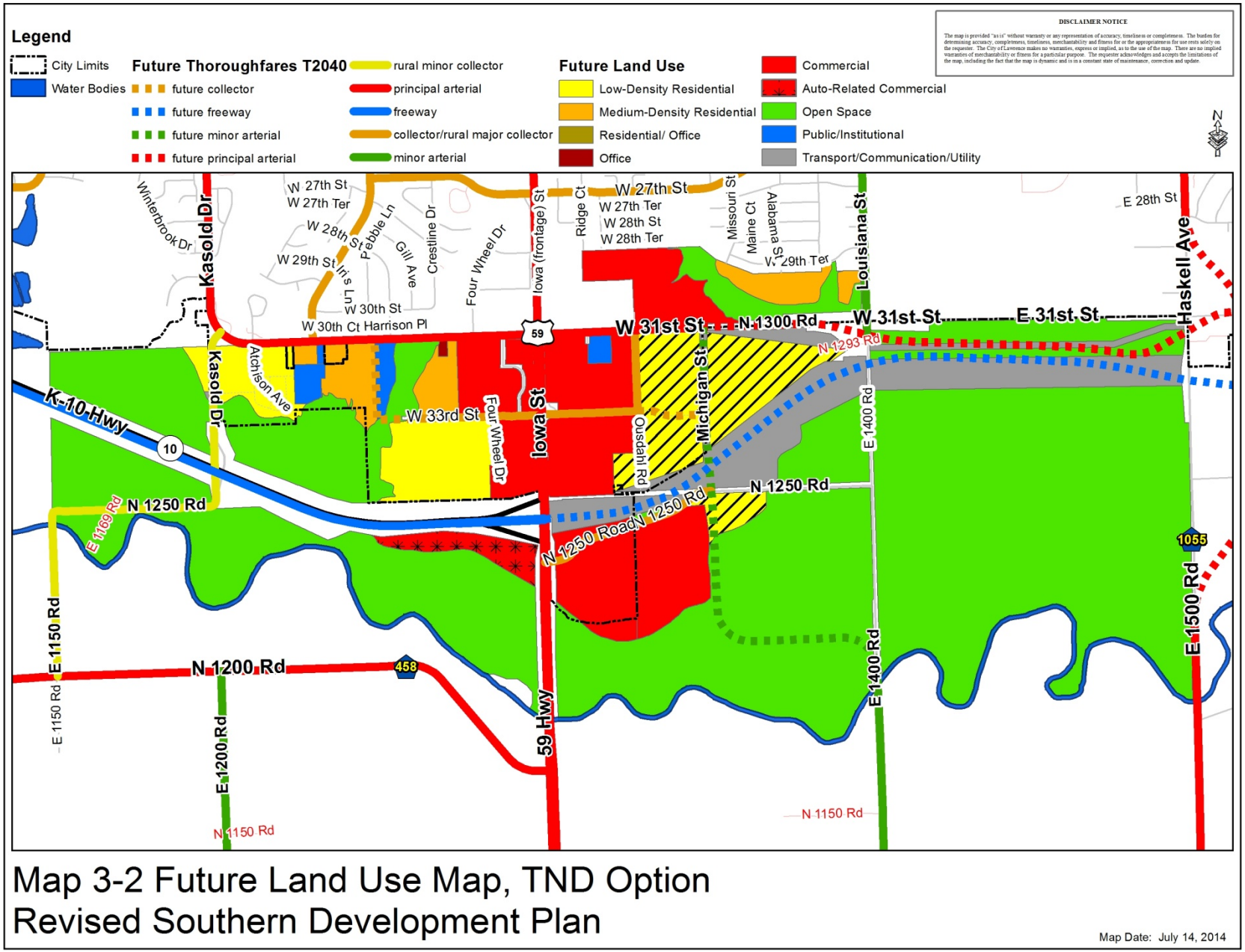
Zoning Districts: GPI (General Public and Institutional)

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



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

Map Date: July 14, 2014



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

Map Date: July 14, 2014

Policies

General

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

Gateways

1. Development shall enhance 'Gateways' by creating an aesthetically pleasing view into the city.

2. Aesthetically pleasing landscaped entry way along Gateways shall be required. Both public and private property owners are responsible for achieving and maintaining this aesthetically pleasing landscaping.

3. Fencing installations shall incorporate continuous landscaping at the base and edges of the fence to integrate the fence with site and landscaping

4. High quality, aesthetically pleasing building materials should be used.

5. Pedestrian friendly connectivity between properties shall be incorporated.

Commercial

1. Encourage diversity and gradation of uses with access restricted to arterial, frontage road, or collector streets. Commercial curb cuts on major arterials shall be discouraged and frontage roads shall be encouraged.

2. Planned Development Overlay zones shall be self-contained with consideration given to: independent traffic networks; land use buffers; and/or a gradation of land uses, as well as, landscaped buffer(s) along the perimeter of the planned commercial development.

3. Future commercial development and/or redevelopments of existing commercial areas shall be in the form of Planned Development Overlays.

Residential

1. Landscaped or open space buffers shall occur between major arterials and residential developments (exclusive of dedicated right-of-way).

2. The gradation of residential intensities of land uses is encouraged as this area develops or redevelops. Medium intensity areas shall be used as buffers between more intensive developments and low-density residential areas. Low-density residential developments shall be encouraged to develop on the interior of the neighborhoods units.

3. Single-family lots shall be designed to take access only from local streets.

4. Planned Residential Developments are encouraged where creative design solutions are warranted.

5. Property northwest of the intersection of W. 31st and Louisiana Streets, north of the FEMA designated floodplain shall:
   - have a gross density of no more than 8 dwelling units per acre, and
   - develop with similar residential character to the neighborhood to the north including such structures as single-family dwellings, duplexes, triplexes, and rowhouses.

Open Space/Floodplain

1. Encourage recreational uses that do not alter the natural character of the area.

2. Encourage preservation of the floodplain or open space through private or public/private partnerships.

3. Areas within the regulatory floodplain shall not be counted as *contributing* more than 50% of the open space *used* in the computation of density for Planned Development Overlays e.g., areas designated as open space/floodplain cannot be used to justify increased residential development densities.

4. Encourage connection between public lands and bicycle/pedestrian trails along the South Lawrence Trafficway (SLT).

5. Encourage acquisition or development of land for neighborhood recreational paths.

Landscaping

1. Encourage extensive open space and/or berming between different land use categories (e.g., commercial and residential) to provide noise and visual buffers.

2. Encourage native/low-maintenance landscape materials on public lands.

Transportation Network and Corridors

1. Proposed development along W. 31st Street east of S. Iowa Street should assist in the cost of the interim W. 31st Street and Louisiana Street intersection improvements.

2. Commercial vehicular circulation patterns shall be primarily self-contained within the commercially zoned and developed area.

3. Limit access points onto arterial streets through the use of frontage roads and encourage reverse frontage road(s) access to be located at mid-points of blocks.

4. Sufficient area, outside of the required street rights-of-way, shall be required to provide screening along major transportation corridors. This area shall be restricted in use to providing for: utility needs, berming, and landscaping needs.

5. Churches and other community facilities shall be located where access is available from collector or arterial streets.

6. Transportation 2030 or subsequent long-range transportation plans, once adopted, shall supersede any recommendations, actions, or policies referenced in *Transportation 2025*.

Signage

1. Signs shall be restricted to one building face (side).

2. Signage on the site (in addition to the building face sign) shall be restricted to monument type signs.

3. Allow only interior illuminated (or comparable) signs.

Utilities

1. Future utility transmission lines and existing overhead lines shall be placed underground when installed or replaced.

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

Exterior Lighting

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

Commercial Land Use

CHAPTER SIX - COMMERCIAL LAND USE

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

STRATEGIES: COMMERCIAL DEVELOPMENT

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

- Support downtown Lawrence as the Regional Retail/Commercial/Office/Cultural Center with associated residential uses through the careful analysis of the number, scale, and location of other mixed-use commercial/retail developments in the community. Downtown Lawrence is the cultural and historical center for the community and shall be actively maintained through implementation of the adopted design guidelines that regulate the architectural and urban design character of this regional center.

- Establish and maintain a system of commercial development nodes at selected intersections which provide for the anticipated neighborhood, community and regional commercial development needs of the community throughout the planning period.

- Require commercial development to occur in "nodes", by avoiding continuous lineal and shallow lot depth commercial development along the city's street corridors and Douglas County roads.

- Encourage infill development and/or redevelopment of existing commercial areas with an emphasis on Downtown Lawrence and existing commercial gateways. Sensitivity in the form of site layout and design considerations shall be given to important architectural or historical elements in the review of development proposals.

- Improve the overall community image through development of site layout and accessibility plans that are compatible with the community's commercial and retail areas.

- Require new Commercial Centers in the unincorporated portion of Douglas County to be located at the intersection of two hard surfaced County Routes or the intersection of a hard surfaced county route and a state or federally designated highway and no closer than four miles to another Commercial Center in the unincorporated portion of Douglas County.

NODAL DEVELOPMENT

The Goals and Strategies in this chapter center on the Nodal Development Concept for new commercial development and the definitions of the four different categories of commercial nodes: Neighborhood, CC200, CC400, CC600, and Regional Commercial. The Nodal Development Concept encompasses all four corners of an intersection, although all four corners do not need to be commercially developed. The concept of nodal development shall also be applied to the redevelopment of existing commercial areas when the redevelopment proposal enlarges the existing commercial area. The following text provides a detailed description of the appropriate uses and development patterns for each respective category of commercial development.

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

DESIGN STANDARDS

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

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

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

1. Site design features, such as building placement, open space and public areas, outdoor lighting, landscaping, pedestrian and bicycle amenities, interfacings with adjacent properties, site grading and stormwater management, parking areas and vehicular circulation (including access management).

2 Building design features, such as architectural compatibility, massing, rooflines, detailing, materials, colors, entryways, window and door treatments, backsides

of buildings, service/mechanical/utility features and human-scale relationships.

COMMERCIAL CENTER CATEGORIES

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

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

■ *Commercial Uses*

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

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

■ *Downtown Commercial Center*

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

The Downtown Commercial Center is the Regional Retail/Commercial/Office/Cultural Center for the community and is considered a destination driver that attracts and serves the area beyond that of the local community. The Downtown Commercial Center has an established

development and architectural/urban design pattern. Unique among commercial centers in Lawrence, the Downtown Commercial Center combines a variety of land uses, including governmental, retail, office, public facilities, institutions, churches, and residential. Linear in design, the Downtown Commercial Center is focused along Massachusetts Street with New Hampshire and Vermont Streets serving as secondary activity areas. General building patterns are urban. Mixed-use, multi-story buildings are the most common building form and parking is provided on-street and through community parking lots and parking structures.
Building designs and public improvements are focused on providing a pedestrian-oriented commercial experience. Massachusetts Street has a distinct streetscape with sawtooth parking and a focus on first floor (pedestrian oriented) retail use. Vermont and New Hampshire Streets provide the major vehicular movement patterns and provide access to the majority of the community parking areas. Alleyways, which provide service access, are one of the main character-defining elements that distinguish the Downtown Commercial Center from other commercial centers. To ensure there are a variety of commercial uses, the maximum footprint for an individual store is limited to approximately 25,000 gross square feet. One of the keys to the success of the Downtown Commercial Center is the ability to provide a wide range of leasable square footage that is both flexible and capable of being tailored to a specific use. Construction within the Downtown Commercial Center is regulated by a set of design guidelines administered through an Urban Conservation Overlay Zoning District.

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

■ *Neighborhood Commercial Centers*

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

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

A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. Neighborhood Commercial Centers shall contain no more than a total of

100,000 gross square feet of commercial space with the exception of Neighborhood Commercial Centers that include a grocery store. Neighborhood Commercial Centers that have a grocery store larger than 60,001 gross square feet may have up to a total of 125,000 gross square feet of commercial space.

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

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

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

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

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

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

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

■ *Mixed-Use Districts*

The City of Lawrence includes areas where infill and new development opportunities exist that would appropriately be developed or redeveloped as a mixed-use district. Such areas present potential opportunities for development and redevelopment as mixed-use districts, offering a mix of residential and non-residential uses. This mixed use is encouraged in individual structures as well as throughout the area. There are also areas that are currently mixed use in nature that should be preserved.

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

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

■ *Inner-Neighborhood Commercial Centers*

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

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

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

■ *Community Commercial Center*

A Community Commercial Center provides goods and services to several different neighborhood

areas. It requires a site of sufficient size to accommodate buildings, parking, stormwater detention and open space areas. Although it may include a food or drug store, it is likely to provide a broad range of retail uses and services that typically generate more traffic and require larger lot sizes then found in a Neighborhood Commercial Center. Community Commercial Center uses may include hardware stores, video outlets, clothing stores, furniture stores, grocery store, movie theaters, home improvement stores, auto supply and services, athletic and fitness centers, indoor entertainment centers, etc.

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

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

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

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

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

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

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

appropriate governing body (City or County Commission) shall approve the nodal plan before approval of the development within the nodal area can move forward.

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

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

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

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

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

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

In order to facilitate the orderly development of future commercial nodes; Lawrence shall

attempt to complete "nodal plans" for each future commercial center in advance of development proposals.

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

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

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

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

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

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

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

■ *Regional Commercial Centers*

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

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

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

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

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

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

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

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

■ *Existing Strip Commercial Developments*

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

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

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

■ *Auto-Related Commercial Centers*

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

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

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

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

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

- ***Recreational Uses***

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

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

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

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

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

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

LAWRENCE - EXISTING COMMERCIAL AREAS

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

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

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

- ***Downtown Lawrence***

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In general, development and redevelopment along the Iowa Street segment shall emphasize consolidated access, frontage roads, coordinated site planning and design, and high quality development. Development signage should be in scale with sites and should complement and not compete with signage of adjoining parcels. Improved landscaping would enhance the visual appeal of the corridor. Landscaped transition yards should be established between residential and non-residential uses.

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

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

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

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

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

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

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

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

This is the oldest section of the W. 6th Street corridor and is an Existing Strip Commercial Development. There are a variety of uses along this corridor, but the primary two are fast food restaurants and medical offices and supplies. This section is typical strip development with small individual lots, each with a curb cut onto W. 6th Street. The Comprehensive Plan does not

recommend the expansion of this area beyond the property currently zoned commercial or office. All new development or redevelopment occurring along this corridor shall be required to consolidate curb cuts and provide access easements to adjoining properties.

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

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

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

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

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

The intersection of W. 6th Street and Wakarusa Drive is an existing Community Commercial Center limited to 600,000 square feet of commercial gross square footage (CC600 Center) with a nodal development pattern. While this intersection is designated a CC600 Center, there already exists more commercial gross square footage at the intersection than is recommended for a CC600 Center.

Portions of the intersection of W. 6th Street and Wakarusa Drive are still developing. However, the southern half of the intersection is almost completely developed and shall not be expanded beyond Congressional Drive to the west. The northern half of the intersection is undeveloped. Commercial development of this portion of the intersection shall not extend beyond Overland Drive (extended) to the north, Congressional Drive (extended) to the west; and Champion Lane (extended) to the east.

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

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

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

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

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

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

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

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

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

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

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

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

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

This area is an existing Neighborhood Commercial Center with a strip development pattern that serves as a gateway into Downtown Lawrence. The group of buildings at the northeast corner of W. 9th Street and Indiana Street has a scale and configuration of structures similar to Downtown Lawrence. The majority of the development along this corridor is characterized by stand-alone structures with multiple curb cuts. New development and redevelopment proposals along this corridor shall include consolidation of curb cuts and cross access easements to adjoining properties. Because the corridor serves as a gateway to Downtown Lawrence, the Downtown Architectural Design Guidelines should be amended to specifically address this area.

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

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

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

The definitions of Neighborhood, Existing Strip Commercial, CC200, CC400, CC600 and Regional Commercial Centers are on pages 6-3 through 6-12.

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

LAWRENCE - NEW COMMERCIAL AREAS

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

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

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

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

- *Inner-Neighborhood Commercial Centers*

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

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

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

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

- *Neighborhood Commercial Centers*

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

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

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

- *Community Commercial Centers (CC200)*

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

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

- *Community Commercial Centers (CC400)*

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

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

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

- *Community Commercial Centers (CC600)*

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

1. W. 6th Street and K-10

- *Auto-Related Commercial Centers*

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

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

- *Regional Commercial Centers*

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

UNINCORPORATED DOUGLAS COUNTY - EXISTING COMMERCIAL AREAS

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

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

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

UNINCORPORATED DOUGLAS COUNTY - NEW COMMERCIAL AREAS

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

hard surfaced County Route and a state or federally designated highway.

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

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

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

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

COMMERCIAL LAND USE GOALS AND POLICIES

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

GOAL 1: Established Commercial Area Development

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

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

A. Encourage and support the development of a broad mix of land uses, with an emphasis on retail as a major land use, the provision of parking facilities, improved accessibility, and the expansion of Downtown Lawrence while maintaining the integrity of surrounding neighborhoods.

B. Strengthen, define and support neighborhood residential areas adjacent to Downtown Lawrence in order to reinforce the safety, image and identity of Downtown Lawrence.

C. Closely analyze (through Policies 1.7, 3.7 G, 3.9 E, and any other relevant Policies) the impact of requests for development of community and/or regional shopping areas to ensure that such development does not have a negative impact on the Regional Retail/Commercial/Office/Cultural Center. This analysis would be used to evaluate the potential impact on the future viability of the Regional Retail/Commercial/Office/Cultural Center as a whole and not the potential impact on individual businesses or properties.

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

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

Policy 1.3: Assure Compatibility of Development

A. Encourage new development and redevelopment to consider horizontal and vertical proportions, building forms, roof types, and exterior materials and details existing in the surrounding area.

B. New development and redevelopment shall conform to the applicable adopted design guidelines.

Policy 1.4: Redevelopment of Existing Commercial Areas

A. Existing commercial areas should be improved and upgraded. Particular emphasis should be given to existing commercial gateways. Overall storm water management, vehicular and pedestrian access, and site maintenance shall be undertaken.

B. Upgrade the image and appearance of existing developments with new lighting, landscaping, signage and pedestrian access.

C. Encourage public and/or private partnerships for redevelopment.

D. Consider financial and development incentives to encourage re-use (renovation or redevelopment) of commercial properties.

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

A. Encourage redevelopment and limited expansion of existing commercial areas in the unincorporated areas of Douglas County.

B. No new commercial development shall occur within the UGA.

Policy 1.6: Maintain an Inventory of Commercial Land

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

Policy 1.7: Monitor Economic Impact of Commercial Growth

A. The amount of commercial space, the quality of commercial space, commercial space vacancy rates, and the size of commercial space shall be monitored for each quadrant of the city (15^{th} Street shall be the north-south dividing line and Iowa Street the east-west dividing line). Each matrix cell shall include the total gross square footage of all the buildings in each respective size range and condition grade. Each cell shall also include the vacancy rate for buildings of each respective size and condition.

B. These variables shall be placed in a matrix and used in analyzing any commercial rezoning request and/or development plan.

C. The matrix shall be updated annually.

D. Planning Staff shall be responsible for maintaining and revising the matrix. However some of the data for some of the variables, particularly vacancy rates,

may have to be provided by outside sources.

E. Planning Staff will provide an annual sales tax per square foot ratio. This data will be provided for different sectors within the city limits.

F. Establish and implement a methodology for the annual collection of business use data in support of economic impact analyses.

Matrix

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

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

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

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

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

Policy 2.1: Use Appropriate Transitional Methods

A. Commercial areas shall minimize adverse impacts on adjacent residential areas. Screening and buffering shall be provided which may include landscaped setbacks, berms and open space areas. Traffic and parking shall not adversely affect neighborhood quality. Noise, safety and overall maintenance of commercial properties shall be carefully monitored.

B. Use landscaped transition yards between residential and non-residential uses that include additional lot depth, berms, landscape screening, and/or fences and walls to provide additional buffering between differing land use intensities.

C. Compatible transition from commercial uses to less intensive land uses shall consider:

1. Site Orientation

   a. Vehicular access shall be from collector, arterial or access streets.

   b. Pedestrian access shall be designed to provide internal and external circulation from adjacent neighborhoods.

   c. Streets designed with elements to provide visual or physical buffering may serve as boundaries between different intensities of land uses.

2. Building Relationships

   a. A back-to-back relationship is preferable between uses.

   b. Commercial buildings and parking lots shall not have lesser setbacks than those required of abutting residential uses.

   c. The height and massing of commercial buildings and accessory structures shall be oriented to avoid creating a negative visual effect on residential neighborhoods.

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

3. Land Features

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

b. Encourage the use of existing topography to separate commercial developments and other more or less intensive land uses.

4. Screening and Landscaping

a. Encourage creative and extensive use of landscaping and berming techniques for natural transitions between differing intensities of land uses.

b. Fences shall not be used as a sole method of providing screening and buffering between differing intensities of land uses.

c. Encourage site design that uses existing vegetation, such as stands of mature trees, as natural buffers or focal points.

d. Encourage the use of high quality materials in the construction of screening and landscape areas to decrease long-term maintenance costs.

5. Lighting

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

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

A. The overall design and arrangement of commercial development shall be compatible with adjacent residential uses.

B. Ensure adequate screening of unsightly views of commercial developments (such as loading docks, rooftop equipment, service entrances, trash containers, parking areas, exterior storage) through the extensive use of elements such as landscaping, berms, fencing, architectural design, open space, setbacks, and/or building orientation.

C. In order to ensure that parking lots are not the dominant visual feature associated with commercial areas, buildings shall be located adjacent to the public rights-of-way and parking located toward the interior of the development.

Policy 2.3: Higher-Density Residential Development as Transitional Use

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

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

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

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

A. Encourage using low-intensity office, research and semi-public development as a transition between commercial development and low-density residential neighborhood. The development shall include:

1. Design elements such as height, massing, and scale compatible with the surrounding low-density residential uses;

2. Site design that is compatible with surrounding residential neighborhoods with consideration given to extensive screening, building and parking orientation, and preservation of natural site amenities; and

3. Site access provided from arterial, collector or access streets, with traffic directed away from surrounding residential areas.

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

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

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

GOAL 3: Criteria for Commercial Development

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

Policy 3.1: Utilize Locational Criteria for Commercial Development

A. **Commercial Nodes:** Nodes shall occur at arterial/collector or arterial/arterial intersections depending on the type of commercial center.

B. **Strip Commercial Development:** Stop the formation or expansion of Strip Commercial Development by directing new development in a more clustered pattern.

C. **Assembling of Land:** Encourage the assembling of small tracts to form larger, more cohesive parcels to enable well-planned and orderly development to occur.

D. **Vehicular Access:** Limit the principal vehicular access of commercial development to arterial, collector or frontage (access) streets.

E. **Site Layout:** Commercial development shall be located to avoid substantial disruption of natural drainage and vegetation.

F. **Compatibility with Adjacent Land Uses:** Encourage the location of commercial nodes where they can efficiently utilize local resources, where their adverse impacts on adjacent uses are minimized, and where they will effectively provide the community with desired products, services and employment opportunities.

G. **Public Improvements:** Construction of a new commercial center cannot begin until all infrastructure improvements serving the center have been completed.

Policy 3.2: Establish Design Standards for Commercial Development

A. The city shall develop reasonable design standards for new and redeveloped commercial areas which improve:

1. Integration with the surrounding neighborhoods;
2. Pedestrian movement to and within the commercial areas;
3. The aesthetics of the districts from the surrounding street system; and
4. The design to create attractive focal points for the surrounding populations.

B. Incentive systems shall be developed to encourage commercial areas to provide

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

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

Policy 3.3: Criteria for Inner-Neighborhood Commercial Centers

A. Encourage redevelopment of existing Inner-Neighborhood Commercial Centers through alternative standards for:

1. Required parking;
2. Open space requirements;
3. Required setbacks; and
4. Required lot size.

B. Do not encourage the expansion of existing Inner-Neighborhood Commercial Centers.

C. Inner-Neighborhood Commercial Centers may be located on local, collector, or arterial streets. They may also take access from an alley.

D. Standards for New Inner-Neighborhood Commercial Centers:

1. Inner-Neighborhood Commercial Centers shall be allowed only in those situations where the center is an integral part of an overall planned neighborhood or if the Center can be integrated into an existing neighborhood;
2. Centers shall not have gas pumps, drive-thru or drive-up facilities;
3. Centers may include residential uses;
4. Centers shall no more than 3,000 gross square feet of commercial space; and
5. Centers shall be designed as an integrated part of the surrounding neighborhood so that their appearance does not detract from the character of the neighborhood.

Policy 3.4: Criteria for Mixed-Use Redevelopment Centers

A. Encourage redevelopment of areas where existing structures are underutilized, have experienced a high turnover rate, or have remained vacant for an extended period of time.

B. Mixed-Use Redevelopment Centers shall be no larger than six acres in size.

C. Mixed-Use Redevelopment Centers shall include a mix of the following uses within the subject area and where possible, include mixed-use structures:

1. Residential;
2. Civic;
3. Office;

4. Small-scale commercial:
    a. Total commercial spaces shall not exceed 25% of the net floor area within the subject area, and
    b. A single retail space shall not occupy more than 16,000 square feet of ground-floor level, net floor area of a structure; and
5. Open space.

D. Mixed-Use Redevelopment Centers shall maintain the character of the surrounding neighborhood*s* by:

1. Achieving integration with adjacent land uses by providing transitions between uses through alleyways and use and landscape buffers;
2. Incorporating existing structures wherever possible;
3. Maintaining general structure spacing, massing, scale, and street frontage relationship when incorporating new structures.

E. Mixed-Use Redevelopment Centers shall provide multi-modal services to include the following options:

1. Pedestrian, including pedestrian-scaled street furnishings, plantings and gathering spaces;
2. Bicycle, including bicycle parking;
3. Vehicular; and
4. Transit, if available.

Policy 3.5: Criteria for Mixed-Use Districts

A. Encourage preservation of areas that are mixed use in nature, as well as development and redevelopment of areas with vacant land, or where existing structures are underutilized, have experienced a high turnover rate, or have remained vacant for an extended period of time.

B. Mixed-Use Districts shall be no larger than 20 acres in size.

C. Mixed-Use Districts shall include a mix of the following uses within the subject area and where possible, in mixed-use structures:
    a. Residential;
    b. Non-residential.

D. Mixed-Use Districts shall maintain the character of the surrounding neighborhoods by:
    a. Achieving integration with adjacent land uses by providing transitions through alleyways, variation among development intensity, and implementation of landscape buffers;
    b. Incorporating existing structures wherever possible;
    c. Maintaining general structure spacing, massing, scale, and street frontage relationship when incorporating new structures.

E. Mixed-Use Districts shall provide multi-modal services to include the following options:

a. Pedestrian oriented public spaces, which shall include pedestrian-scaled street furnishings, and plantings;
b. Bicycle, including bicycle parking;
c. Vehicular; and
d. Transit.

Policy 3.6: Criteria for Neighborhood Commercial Centers

A. Neighborhood Commercial Centers shall be located at the arterial/arterial or arterial/collector street intersections.

B. Limit the commercial uses in neighborhood centers to one corner of the intersection.

C. New Neighborhood Commercial Centers shall be at least one (1) mile from any existing or new Commercial Center.

D. Neighborhood Commercial Centers shall contain no more than 100,000 gross square feet of commercial space with the exception of Neighborhood Commercial Centers that include a grocery store. Neighborhood Commercial Centers with a grocery store of 60,001 or more gross square feet may have up to a total of 125,000 gross square feet of commercial space.

E. No one commercial use in a Neighborhood Commercial Center shall occupy an area larger than 40,000 gross square feet. The only exception is a grocery store, which may occupy an area up to 80,000 gross square feet.

F. A nodal plan shall be completed before a proposal for a Neighborhood Commercial Center goes before the Planning Commission.

G. Locate office, public, semi-public, parks and recreation or medium- and higher-density residential developments on remaining corners of intersection to avoid excessive concentrations of commercial traffic and unnecessary duplication of commercial services.

H. Low-density residential uses may be located at the remaining corners of the intersection if sufficient screening measures are provided to offset noise and views of the intersection are provided.

I. Integrate neighborhood commercial centers into the surrounding residential neighborhoods by including pedestrian access, appropriate transitional elements and, if possible, the location of public or semi-public uses or parks and recreation uses adjacent to the commercial development.

J. Neighborhood Commercial Centers shall be designed with pedestrian mobility as a top priority.

1. Pedestrians shall be able to easily walk to all stores in a neighborhood center without using a vehicle.

2. Parking lots shall provide pedestrian accessways to reduce the potential of pedestrian/vehicle conflicts.

K. Facades shall have a variety of textures, colors, shapes, etc. such that the buildings in a Neighborhood Center do not have a single uniform appearance.

L. Neighborhood Centers should have dedicated open space areas that useable by the Center's employees and shoppers.

M. Neighborhood Commercial Centers shall not expand into the surrounding portions of the neighborhood.

N. Any commercial development proposal for a corner in a new Neighborhood Commercial Center shall have a length-to-depth ratio between 1:1 and 3:2.

O. Neighborhood Commercial Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.7: Criteria for Existing Strip Commercial areas

A. A redevelopment plan should be made for each existing Strip Commercial Center

B. Tools such as public/private partnerships, special overlay districts, reduced development standards, lot consolidation and purchase, access management plans, cross access easements, etc. should be used to enhance redevelopment opportunities for existing Strip Commercial areas.

C. Existing Strip Commercial areas shall not expand into surrounding lower-intensity zoning areas.

D. Curb cut consolidation and cross access easements shall be included when an existing site plan is revised or a new site plan proposed.

E. Existing Strip Commercial areas shall develop or redevelop in a manner consistent with the city's adopted design guidelines.

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

A. CC200 Centers shall be located at the intersection of arterial/arterial streets.

B. CC200 Centers shall have no more than 200,000 gross square feet of commercial space.

C. No single store shall occupy more than 100,000 gross square feet.

D. A general merchandise store (including discount and apparel stores) shall not exceed 65,000 gross square feet.

E. The sum of the gross square footage for all stores occupying space between 40,000 and 125,000 shall not be more than 75 percent of gross commercial square footage for the corner of the intersection.

F. Corners of the node not developed with commercial uses shall have extensive on-site screening and shall be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area.

G. New or existing CC200 Centers shall not encroach or expand into the surrounding residential or lower-intensity uses.

H. A proposal requiring a revised or new site plan for property in a CC200 Center shall include plan for reducing curb cuts, providing cross access easements to adjacent properties, and buffering for adjacent non-commercial uses.

I. A nodal plan shall be completed before proposals for the redevelopment or expansion of an existing CC200 Center that include more than 50 percent of the existing gross commercial square footage or plans to expand the center by more than 20 percent go before the Planning Commission.

J. Proposals for the redevelopment or expansion of an existing CC200 Center that include more than 50 percent of the existing gross commercial square footage or plans to expand the center by more than 20 percent shall include a building with at least 40,000 gross square feet of commercial space.

K. A nodal plan shall be completed before a proposal for a new CC200 Center goes before the Planning Commission.

L. Proposals for a new CC200 Center shall include a building with at least 40,000 gross square feet of commercial space.

M. CC200 Centers shall develop or redevelop in a manner that is consistent with the city's adopted design guidelines.

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

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

B. CC400 Centers must be a minimum of 3.75 miles apart.

C CC400 Centers shall have a maximum of 400,000 gross square feet of commercial space.

D. At least 95 percent of the commercial gross square footage in a new CC400 Center shall be located on two corners of the intersection. The remaining five percent shall be located on one of the remaining two corners.

E. No single store in a CC400 Center shall occupy more than 175,000 gross square feet.

F. The sum of the gross square footage for all stores occupying between 100,000 and 175,000 cannot be more than 70 percent of the gross commercial square footage for the corner of the intersection.

G. If the proposal for a corner of the intersection includes more than 100,000 gross square feet of commercial space, the proposal shall include a single building that has at least 40,000 gross square feet of commercial space.

H. Proposals in which the commercial gross square footage is less than ten percent of the total square footage of the project do not have to meet the minimum acreage and lot depth.

I. Any commercial development proposal for a single corner in a new CC400 Center shall be a minimum of 20 acres in size.

J. Any commercial development proposal for a single corner in a new CC400 Center shall have a length-to-depth ratio between 1:1 and 3:2.

K. Access points into a new CC400 Center shall be from the two points furthest from the intersection.

L. CC400 Centers shall be designed with feeder and/or reverse frontage streets to collect internal traffic and for easy access from the surrounding community.

M. CC400 Centers shall be designed with pedestrian mobility as a top priority.

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

2. Parking lots shall provide pedestrian accessways to reduce the potential of pedestrian/vehicle conflicts.

O. Facades shall have a variety of textures, colors, shapes, etc. such that the buildings in a CC400 Center do not have a single uniform appearance.

P. CC400 Centers should have dedicated open space areas that useable are by the center's employees and shoppers.

Q. Buildings shall not be separated from adjacent street rights-of-way by large expanses of parking.

R. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area.

S. Existing CC400 Centers shall not expand into areas with existing less intensive uses (low-intensity residential, institutional uses, office, multi-family residential, etc.).

T. A nodal plan must be completed before a development proposal for any corner of CC400 Center is forwarded to the Planning Commission.

U. CC400 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

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

A. CC600 Centers shall be located at the intersection of two state or federally designated highways.

B. CC600 Centers shall have a maximum of 600,000 gross square feet of commercial retail space as defined in this chapter. Other uses of a non-retail nature shall not have a space limitation.

C. A maximum of 90 percent of the commercial square footage, as defined in this chapter, in a new CC600 Center shall be located on two corners of the intersection. The remaining commercial square footage, as defined in this chapter, shall be located on one or both of the remaining corners.

D. No more than two commercial buildings over 100,000 gross square feet each may be located on a single corner of the node.

E. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related, public and semi-public, parks and recreation, and higher-density residential uses with extensive on-site screening. Encourage the development of mixed-use centers (office, employment-related uses, public and semi-public uses) adjacent to community commercial development to provide mutual attraction to employees and retailers and to enhance the visual image of the area.

F. A nodal or area plan must be completed before a development proposal for any corner of a CC600 Center is forwarded to the Planning Commission. Expansion of

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

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

Policy 3.11: Nodal Plan Criteria

A. The city should attempt to complete a nodal plan for newly designated Commercial Center before there is pressure to develop the node.

B. A nodal plan shall be completed for any new Commercial Center before a development proposal for the node can go before the Planning Commission.

C. A nodal plan shall include the following information:

1. Existing natural features;
2. Appropriate transitional uses;
3. Appropriate use for each specific corner of the intersection;
4. Access points from each location;
5. Necessary infrastructure improvements;
6. Overall traffic flow in and around the node and the surrounding area;
7. The "ultimate geometric design" for the intersection based on the proposed land uses for the intersection; and
8. Any and all other necessary information needed to create the nodal plan.

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

A. Recognize and emphasize Downtown Lawrence as the Regional Retail/Commercial/Office/Cultural Center -- which is an intensely developed, large-scale, mixed use location that serves as an activity center for the community.

B. Continue to encourage a broad mix of uses in downtown Lawrence, including retail, office, residential, entertainment, lodging, unique visitor attractions, expanded conference facilities. Maintain the core concentration of governmental, cultural/social facilities and services and recreation, leisure and community events in this area.

C. Encourage the continuation of community social activities (Art in the Park, holiday parades, etc.) to occur in Downtown Lawrence.

D. Continue to support the building design criteria set forth in the "Downtown Architectural Design Guidelines".

E. The "Downtown Architectural Design Guidelines" should be amended to include the W. 9th Street area that serves as a gateway into Downtown Lawrence.

F. Maintaining and protecting the vitality of Downtown Lawrence is important to the

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

Policy 3.13: Criteria for Regional Commercial Centers

A. The Comprehensive Plan does not anticipate the need for a new Regional Commercial Center within the planning period.

B. Designating a new Regional Commercial Center will require an amendment to the Comprehensive Plan.

C. Design Criteria

1. The commercial development plan for a corner shall have a minimum of 40 acres;
2. The development shall have a minimum of 1,400 linear feet of frontage on a public street;
3. A Regional Commercial Center shall not have more than 1.5 million gross square feet of commercial space; and
4. A Regional Commercial Center shall be located at the intersection of two state or federally designated highways or the intersection of an arterial street and a state or federally designated highway.

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

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

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

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

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

J. A proposal requiring a revised or new site plan for property in an existing Regional Commercial Center shall include a plan for reducing curb cuts, providing cross access easements to adjacent properties, and buffering for adjacent non-commercial uses.

K. New or existing Regional Commercial Centers shall not intrude or expand into the surrounding residential or lower-intensity uses.

L. CC400 Centers shall develop in a manner that is consistent with the city's adopted design guidelines.

Policy 3.14: Criteria for Commercial Development in Unincorporated Areas

A. Existing commercial areas that are located at the intersection of a hard surfaced County Route and a state or federally designated highway should be allowed to expand if the necessary infrastructure (water, road, approved wastewater treatment facility, etc.) is available.

B. Encourage new commercial development at key access points on major corridors only if served by adequate infrastructure, community facilities and services.

C. The commercial gross square footage of a development shall be limited to a total of 15,000 gross square feet.

D. The only new commercial area shall be located at the intersection of either US-56 and K-33 or US-56 and County Route 1061.

Policy 3.15: Require a Market Impact Analysis

A. Proposals to create any shopping district that, when considering the entire node, will result in greater than 150,000 gross square feet of commercial building space shall include an independent market analysis. Initial development proposals of 50,000 gross square feet or less on any single corner are exempt from this market analysis requirement, but will be limited to one exemption per corner of the intersection. The market analysis shall adhere to all of the following criteria:

1. The entity proposing the commercial project shall provide the funding of the study.

2. The independent consultant that performs the market study shall be chosen by the city and agreed upon by the entity submitting the proposal for the shopping center.

3. The study shall analyze the commercial proposal and provide at least the following information:

    a. The overall viability of the proposal;
    b. The validity of the proposal considering any community retail vacancy, sales/square foot and square footage/capita data as outlined in Policy 1.7;
    c. How the proposal will impact existing commercial development in the community;
    d. How the mix and sizes of proposed uses of the development will impact the viability of Downtown Lawrence;
    e. A building phasing schedule based upon the community's ability to absorb the additional commercial square footage; and
    f. Any other additional information required by the Planning Commission.

B. The project shall not be approved if the market study indicates the commercial project or any proposed phase cannot be absorbed into the community within three years from the date of its estimated completion, or that it would result in a community-wide retail vacancy rate of greater than eight percent.

Policy 3.16: Criteria for Auto-Related Commercial Centers

A. Auto-Related Centers shall be located at the intersection of two state or federally designated highways.

B. Auto-Related Centers shall have a lot length-to-depth ratio between 1:1 and 3:2 and shall be a minimum of 20 acres in size.

C. As Auto-Related Centers are located in areas that serve as “gateways” to the city, any proposal shall be closely scrutinized for architectural appearance, landscaping, signage, etc.

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

GOAL 4: Transportation Considerations

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

Policy 4.1: Levels of Service

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

Policy 4.2: Evaluate Traffic Impacts

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

Policy 4.3: Minimize Traffic Diversion

A. Prohibit direct vehicular access from commercial developments to local residential streets.

B. Discourage commercial traffic through residential neighborhoods.

Policy 4.4: Ensure Adequate Ingress and Egress

A. Limit the principal access of commercial development to arterial, collector or access/frontage streets.

B. Develop ways to improve access to downtown and other commercial centers within the community through improved bike and pedestrian paths, bus access (loading/unloading) and parking areas, public transportation, and vehicular access.

Policy 4.5: Limit Access

A. Minimize curb cuts along arterial and collector streets.

B. Encourage shared access between adjacent commercial developments and coordinated traffic circulation within proposed development areas.

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

Policy 4.6: Provide Vehicular Circulation

A. Development proposals shall provide adequate internal circulation within commercial developments that allows access to adjacent commercial buildings and commercial or mixed-use centers.

B. Development proposals shall ensure that vehicular circulation related to a specific proposal does not rely on public streets for internal traffic circulation needs but provides circulation within the development.

Policy 4.7: Provide Pedestrian Access

A. The city should develop a pedestrian/bicycle pathway system that provides access from the University of Kansas campus to Downtown Lawrence.

B. Development proposals should provide safe, convenient pedestrian access to concentrated retail areas from parking areas.

C. Development proposals should include sidewalks on one side of local streets (public and private) and both sides of collector and arterial streets.

D. Development proposals should include pedestrian access linking developments to neighborhoods while ensuring physical separation from vehicles along both public and private streets and within parking areas.

E. Development proposals shall give consideration to providing a safe, reasonable method for pedestrian access across major intersections.

Policy 4.8: Provide Bicycle Access

A. Commercial development proposals should provide for interior bicycle access.

B. The city should develop a plan to provide bicycle links between major activity generators within the community.

Policy 4.9: Encourage Convenient Parking within Commercial Areas

A. Development proposals shall provide convenient parking for retail areas.

B. The city and property owners should work together to develop convenient parking for short-term visitors and long-term parking areas for employees.

Policy 4.10: Utilize Outlying Parking Lots

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

Policy 4.11: Ensure Adequate Truck Loading and Maneuvering Areas

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

Map 6-1
Existing and Potential Commercial Land Use Locations

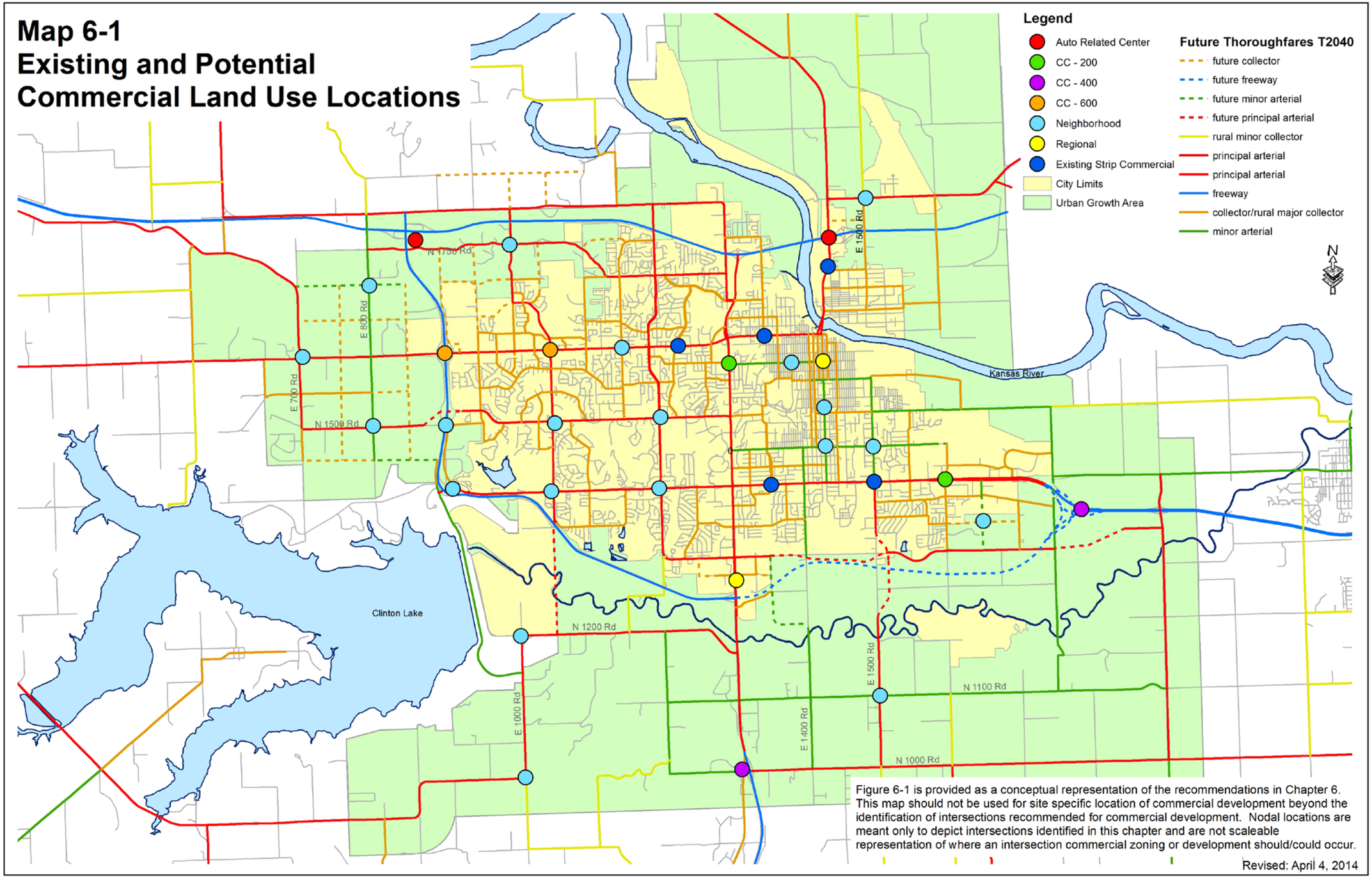


Figure 6-1 is provided as a conceptual representation of the recommendations in Chapter 6. This map should not be used for site specific location of commercial development beyond the identification of intersections recommended for commercial development. Nodal locations are meant only to depict intersections identified in this chapter and are not scaleable representation of where an intersection commercial zoning or development should/could occur.

Revised: April 4, 2014

Southpoint Retail Market Study

Lawrence, Douglas County, Kansas

June 20, 2014

Prepared by

RICHARD CAPLAN & ASSOCIATES

609 w. 70th Street Kansas City, MO 64113

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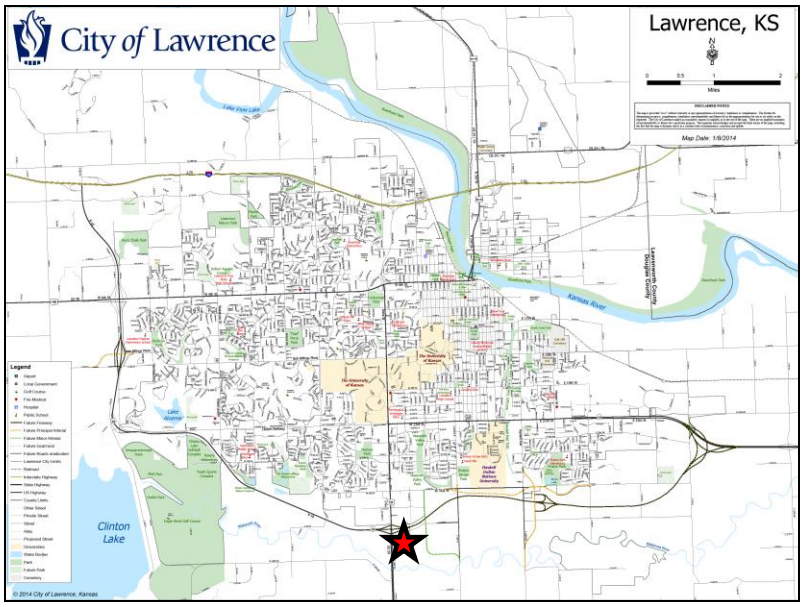
Executive Summary

A retail market study has been prepared on behalf of Collett for the company's commercial center, Southpoint, planned on South Iowa Street at K-10/South Lawrence Trafficway in Lawrence, Kansas scheduled for opening in 2016.

Southpoint will offer the Lawrence market area at least seven national retail companies that currently do not have a retail outlet in Lawrence. These businesses will occupy approximately 40% of the retail space at Southpoint. However, as a result of their addition to the Douglas County market, the City of Lawrence will be able to increase its retail sales capture rate (pull factor) through new and expanded retail offerings and attract shoppers who historically spend a portion of their retail dollars outside of Douglas County.

Southpoint Center Locational Map, Lawrence, Douglas County



The Southpoint project also plans to accommodate three existing retail establishments in Lawrence. Their relocation to Southpoint offers these businesses a commercial center and building space more tailored to their operations as well as an easily accessible location to all Douglas County residents.

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

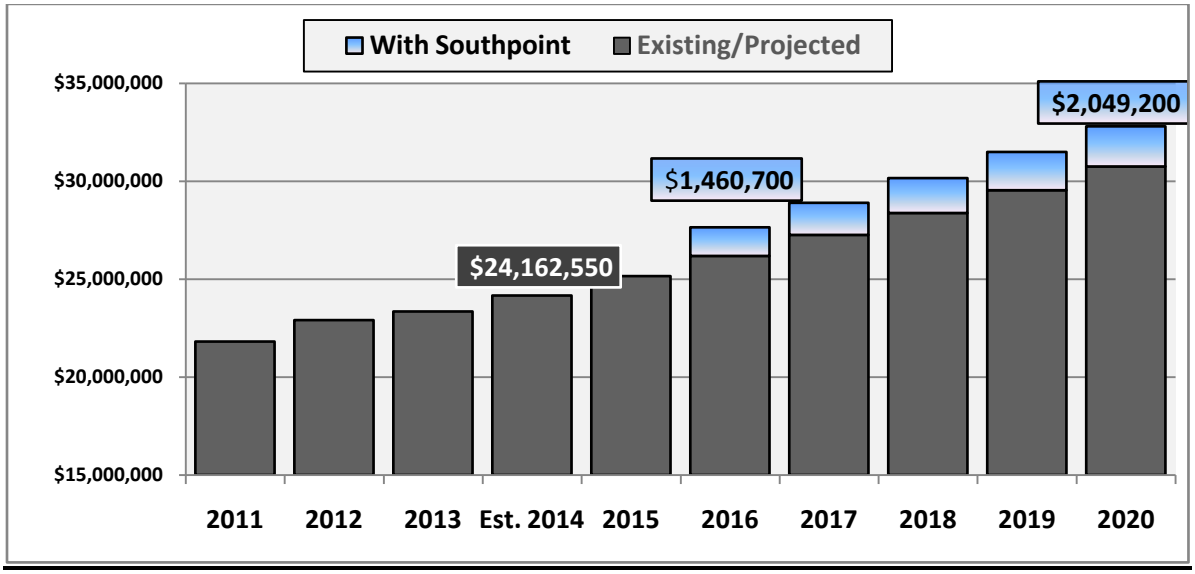
I. The amount and type of retail sales leakage occurring in the market area;
II. The projected amount of retail sales generated by Southpoint (see Table A on the following page);
III. The net projected retail sales impact on the City of Lawrence; and
IV. An analysis of the projected impact of Southpoint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

Based on the findings of this analysis, **Southpoint will generate approximately $2,049,200 in additional sales tax revenue to the City of Lawrence** upon build out in 2020 and **increase the city's retail pull factor from 1.07 to 1.14** as summarized in the following Table A and described in detail in this market study.

Table A
Projected Lawrence Retail Sales Taxes and Pull Factor 2010 – 2020

Year	Actual / Projected Sales Taxes (@1.55%)	Plus: Southpoint Sales Taxes	Revised Total Sales Taxes	Existing/ Projected Pull Factor
2011	$ 21,812,424	$ -	$ -	1.02
2012	$ 22,906,979	$ -	$ -	1.07
2013	$ 23,347,479	$ -	$ -	1.07
2014 (Budget)	$ 24,162,550	$ -	$ -	1.07
2015	$ 25,153,215	$ -	$ -	1.07
2016	$ 26,184,500	$ 1,460,700	$ 27,645,200	1.13
2017	$ 27,258,050	$ 1,637,700	$ 28,895,750	1.13
2018	$ 28,375,650	$ 1,781,900	$ 30,157,550	1.14
2019	$ 29,539,050	$ 1,954,000	$ 31,493,050	1.14
2020	$ 30,750,150	$ 2,049,200	$ 32,799,350	1.14
% Change 2015-2020	**22.3%**	N / A	**30.4%**	**6.5%**

Source: City of Lawrence; RICHARD CAPLAN & ASSOCIATES.



I. Douglas County Retail Sales Analysis

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

Southpoint Market Area

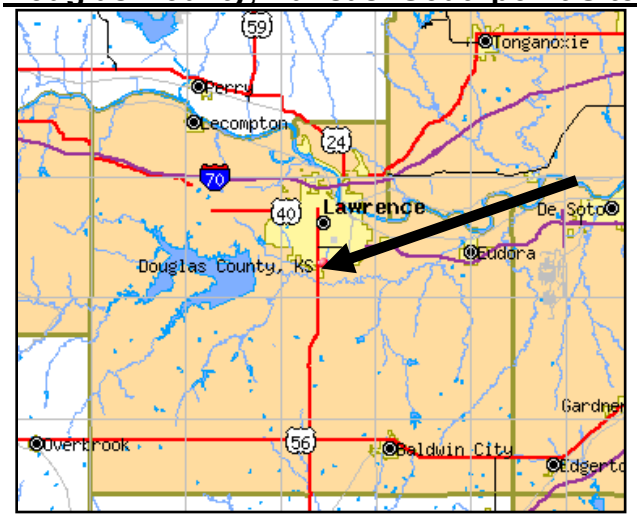
This analysis utilized Douglas County retail sales data since the county provides a more comprehensive insight into the potential retail for Southpoint. The primary market area for Southpoint is all of Douglas County, Kansas, not only the City of Lawrence.

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

- The presence of national retailers, many not currently present in Douglas County;
- The size and mix of tenants of the center;
- The central location within Douglas County;
- The South Iowa Street (U.S. 59) location adjacent to the Lawrence's largest commercial district;
- The visibility and direct access to the site from K-10/South Lawrence Trafficway providing easy access and visibility to Eastern Douglas County residents in Eudora; and
- Direct access to the site from U.S. 59 Highway providing easy access and visibility to southern Douglas County residents in Baldwin City.

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

Douglas County, Kansas: Southpoint Site



Retail Sales Categories

Retail sales are paid to and reported by the Kansas Department of Revenue according to the standardized NAICS (North American Industry Classification System). There are 12 major retail reporting categories. These categories and the most common type of retail establishments found in each category are presented in the following Table I-A ("NAICS Retail Classifications").

Table I - A
NAICS Retail Classifications

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

Source: U.S. Census.

Ten of the 12 retail categories are planned to be located in Southpoint. The two categories not planned to be tenants in Southpoint are Motor Vehicles and Parts Dealers (NAICS 441), and Building Materials and Garden Equipment (NAICS 444). The Motor Vehicles and Vehicle Parts sector (NAISC 441) is well represented north of Southpoint along the South Iowa Street corridor, as well as elsewhere in Lawrence. Category 444 will be well served by the addition of Menards to the Lawrence market in 2015.

Douglas County Retail Sales Leakage by Category

In order to perform this leakage analysis, sales tax data reported to the State of Kansas was analyzed for calendar year 2012. This 2012 data is the most recent full year available by NAICS code for the State of Kansas and Douglas County. (The pull factor for Douglas County remained the same in 2013.)

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

Not surprisingly, Douglas County's two retail pull factors over 1.00 can be attributed to the demographic fact that Lawrence is home to 24,435 University of Kansas students, as well as full-time university students at Haskell Indian Nations University (student enrollment 1,000) and Baker University (student enrollment 3,280) also in Douglas County in nearby Baldwin City. More specifically,

- Food and Beverage Stores (NAICS 445) has a pull factor of 1.05.
  This sales factor is greatly influenced by university students who buy groceries and beverages. Furthermore, many students are, in fact, not accounted for in the Douglas County official population but rather counted by the U.S. Census in their permanent place of residence when it is not Douglas County. This does not reflect itself in the sales expenditure data but impacts the pull factor. The exact number university students in this group are a matter of on-going demographic-related debates in Lawrence, as well as other college towns across the U.S. The precise number of full-time college students not accounted for in Douglas County is uncertain.

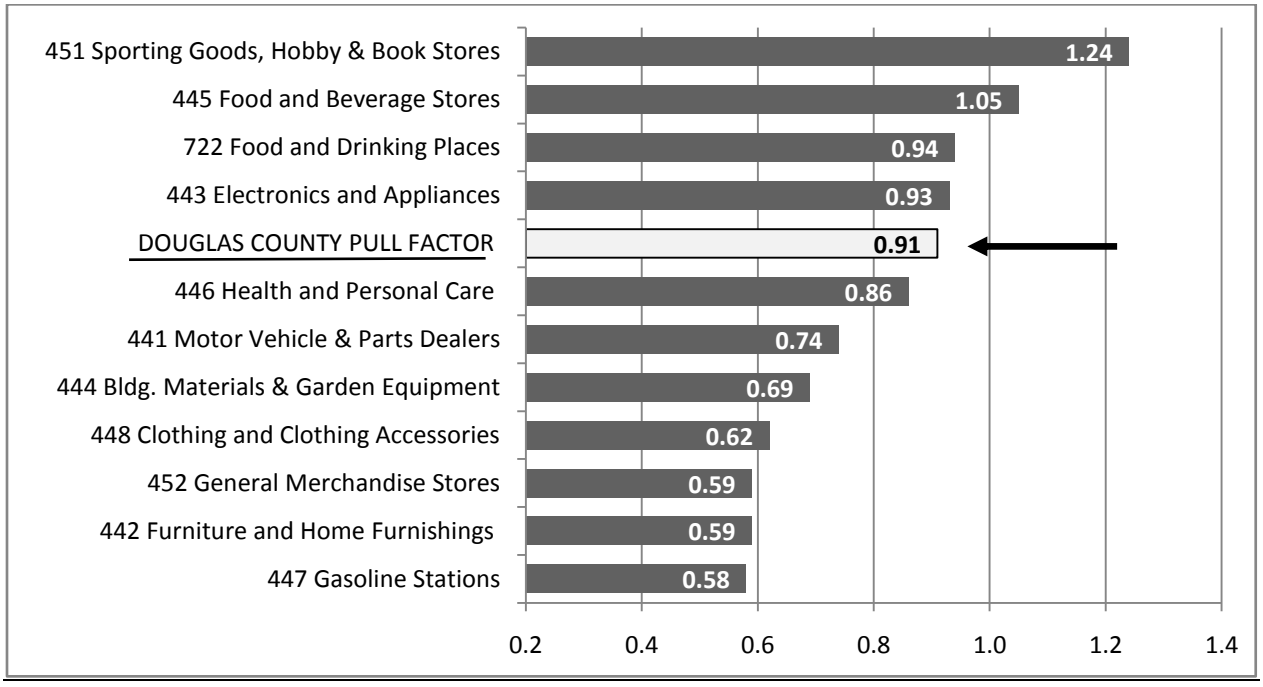
- Sporting Goods, Hobby and Book Stores (NACIS 451) has a pull factor of 1.24.
  This category's high pull factor is due to the inclusion of book stores. Given the quantity and prices of college text books, as well as related reading materials sold to college students, this high pull fact is to be expected. Analysis of confidential information in this category indicates that the retail sales attributed to sporting goods and hobby related expenditures are below 1.00.

The other nine retail categories presented in the following table (Table I-B – "Douglas County Retail Pull Factors by Category 2012") and depicted in the accompanying graph reflect

opportunities for real retail expansion in Lawrence and Douglas County achieved, in part, by the introduction into the market of a greater selection of goods and products in these retail areas.

Table I - B & Graph
Douglas County Retail Pull Factors by Category 2012

NAICS Category	State Taxes Collected Per Capita (@ 1%)	1% Douglas County Sales Taxes Collected Per Capita	Douglas County Pull Factor Ranking	Douglas County Retail Pull Factor
441 Motor Vehicle and Parts Dealers	$137.00	$100.94	**6th**	**0.74**
442 Furniture and Home Furnishings Stores	$23.39	$13.70	**10th**	**0.59**
443 Electronics and Appliance Stores	$17.54	$16.24	**4th**	**0.93**
444 Building Materials, Garden Equipment	$59.67	$40.94	**7th**	**0.69**
445 Food and Beverage Stores	$94.31	$99.44	**2nd**	**1.05**
446 Health and Personal Care Stores	$13.96	$12.00	**5th**	**0.86**
447 Gasoline Stations	$26.67	$15.43	**11th**	**0.58**
448 Clothing and Clothing Accessories Stores	$35.05	$21.59	**8th**	**0.62**
451 Sporting Goods, Hobby, Musical Instruments, and Book Stores	$21.15	$26.12	**1st**	**1.24**
452 General Merchandise Stores	$164.90	$96.60	**9th**	**0.59**
722 Food and Drinking Places	$93.82	$88.43	**3rd**	**0.94**
TOTAL	**$608.29**	**$553.02**	N/A	**0.91**



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

II. Southpoint Projected Retail Sales

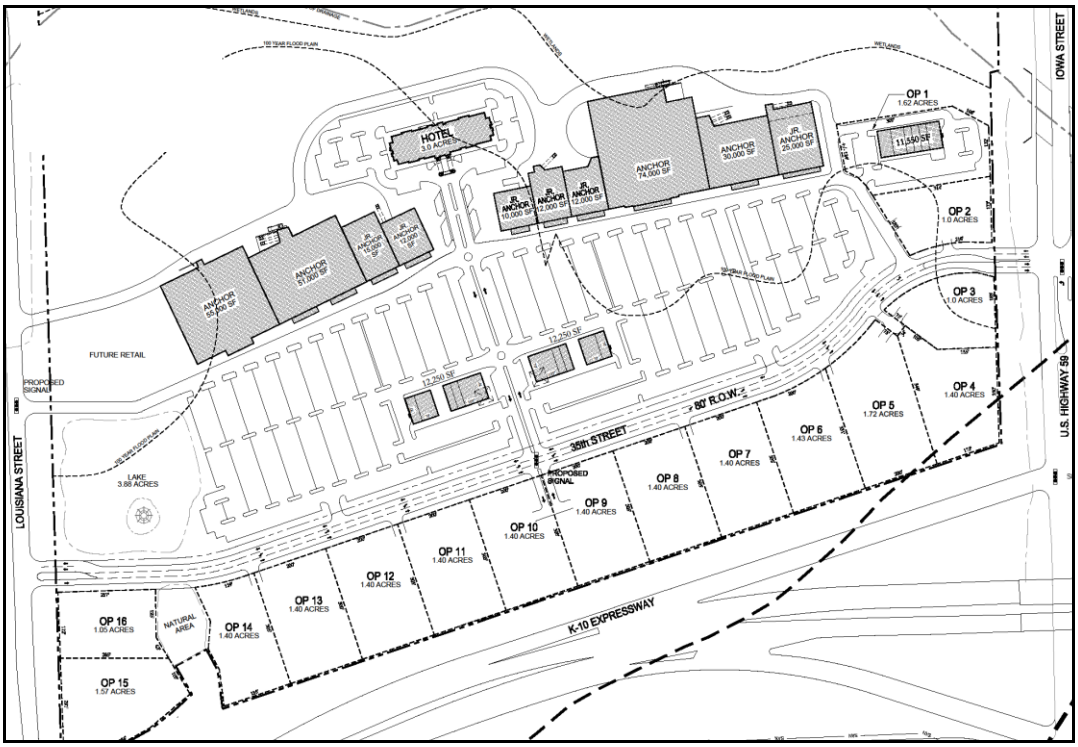
Upon full build out in 2020, Southpoint is planned to have 538,550 square feet of commercial use which includes 18,000 square feet of office users and an 80,000 square foot hotel. The following rendering displays the site plan and the square footage for each space. Southpoint is planned to contain a mix of 31 commercial businesses. These businesses include the relocation of three existing establishments (one expansion and two reductions in net leasable space from their current store) to Southpoint. (See Table II-A – "Southpoint Tenant Mix by Category and Size") These three businesses will occupy a combined total of 92,000 square feet from their current spaces that total 112,400 square feet resulting in a potential net increase of 20,400 vacant square feet to the Lawrence retail inventory, at least on a temporary basis.

Table II - A
Southpoint Tenant Mix by Category and Size

NAISC	Category	Number in Southpoint	Total Square Feet Planned	Opening Year(s)
441	Motor Vehicle and Parts Dealers	None	N / A	N / A
442	Furniture and Home Furnishings	4	69,050	2016, 2017, 2019
443	Electronics and Appliances	1	25,000	2016
444	Bldg. Materials & Garden Eqpmnt.	None	N / A	N / A
445	Food and Beverage	2	33,000	2016, 2018
446	Health and Personal Care	1	10,000	2016
447	Gasoline Station with C-Store	1	5,000	2016
448	Clothing Stores	4	67,000	2016, 2018, 2020
451	Sporting Goods, Hobby & Books	3	141,000	2016, 2017, 2018
452	General Merchandise	4	37,000	2016, 2018, 2020
721	Accommodations	1	80,000 (100 rooms)	2020
722	Food and Drinking Places (5 sit down restaurants; 3 fast food establishments)	8	52,000	2016, 2017, 2018, 2019, 2020
Other:				
523	Office uses, Medical offices	2	18,000	2020
561	Mailing & Shipping services	1	1,500	2020
TOTAL		**12 Categories; 32 businesses**	**538,550 Sq. feet**	**-**

Source: Collett; RICHARD CAPLAN & ASSOCIATES.

Southpoint Site Plan



Projected Retail Sales

Southpoint is projected to result in a net increase of approximately $132 million in retail sales to Lawrence and Douglas County. (See Table II–E "Southpoint Projected Retail Sales"). Accommodations sales data for the future hotel in these sales projections are reported with transient guest tax data and are included in section III of this market study.

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

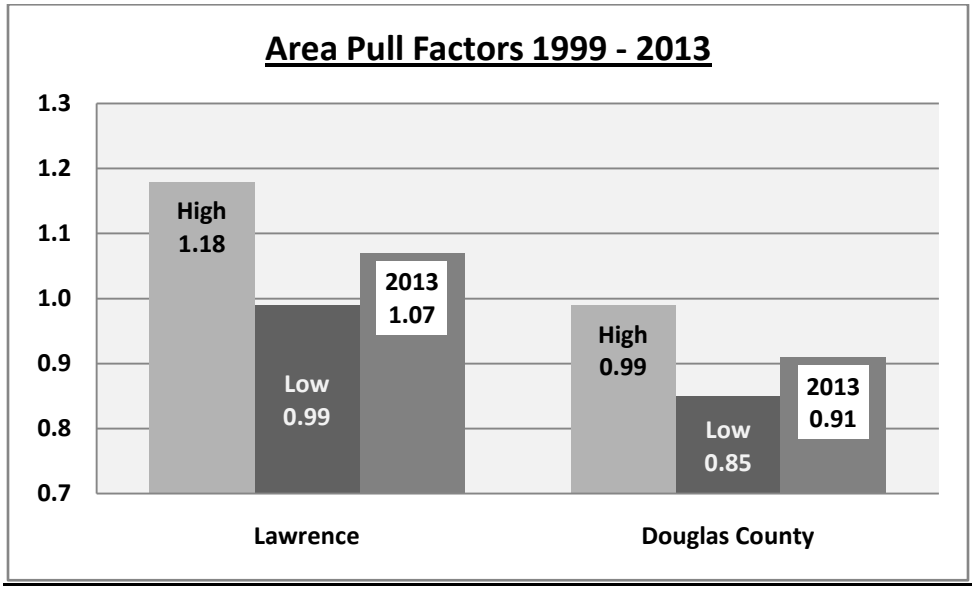
- Average store data published for those Southpoint tenants that are publicly owned companies as reported in the company's most recent SEC filing;
- Confidential data provided to Collett by several of the national retailers that have committed to locate in the project;
- Historical retail sales trends for Lawrence and Douglas County including number, size and reported retail sales of the retailers already in Douglas County;
- Retail industry averages by category as published by the Urban Land Institute's Dollar and Cents of Shopping Centers;
- Key Douglas County and Lawrence demographic trends and conditions especially population growth, per capita income and age groups; and
- Recapturing Douglas County sales leakage described on the following pages offering a combination of new national retailers to the community and expanding the selection of goods and products to residents.

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

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

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

Source: Kansas Department of Revenue.



Furthermore, although Douglas County is the 5th most populated county in Kansas, it ranks 7th among the 10 most populated counties in Kansas. (See Table II-C – "Pull Factors for Kansas 10 Most Populated Counties 2013")

Table II - C
Pull Factors for Kansas' 10 Most Populated Counties 2013

Pull Factor Rank	Kansas County	2012 Population	FY 2013 Pull Factor
1	Saline	55,988	1.30
2	Johnson	559,913	1.28
3	Sedgwick	503,899	1.13
4	Shawnee	178,269	1.04
5	Reno	52,218	0.92
6	Wyandotte	159,129	0.92
7	**Douglas**	**112,864**	**0.91**
8	Riley	75,508	0.79
9	Butler	64,269	0.71
10	Leavenworth	72,604	0.54

Source: Kansas Department of Revenue.

The City of Lawrence's retail pull factor is lower than seven Kansas cities nearest to Lawrence in population. (See Table II-D – "Pull Factors for Mid-Sized Kansas Cities 2013"). Lawrence's pull factor is 8th among the 10 mid-size populated cities in Kansas with a population between 30,000 and 120,000 persons. **Lawrence's retail pull factor is ranked 17th among the State of Kansas' 25 1st class cities.**

Table II - D
Pull Factors for Mid-Sized Kansas Cities 2013

Rank	City	Pull Factor
1	Lenexa	1.59
2	Salina	1.45
3	Leawood	1.42
4	Topeka	1.33
5	Manhattan	1.31
6	Hutchinson	1.30
7	Olathe	1.17
8	**Lawrence**	**1.07**
9	Shawnee	0.93
10	Leavenworth	0.74

Source: Kansas Department of Revenue.

In summary, retail sales in Lawrence and Douglas County have the potential to grow by approximately 10%. This growth is achievable as it reflects past pull factors reached by both the City of Lawrence and Douglas County.

In conclusion, because Lawrence is the employment center for Douglas County, is located at the convergence of all major highways in Douglas County and houses 79% of the county's population, the city and county have the potential to grow their retail base and recapture the county's sales leakage. Based on the realistic opportunity for Lawrence and Douglas County to grow their retail pull factors based on past sales levels and through the addition of national name brands add to the local market, **Southpoint will add approximately $132 million in retail sales to the local economy upon full opening of the development.** The projected phasing for the opening of the Southpoint from 2016 until 2020 is summarized in the following Graph & Table.

Southpoint Total Square Feet by Year

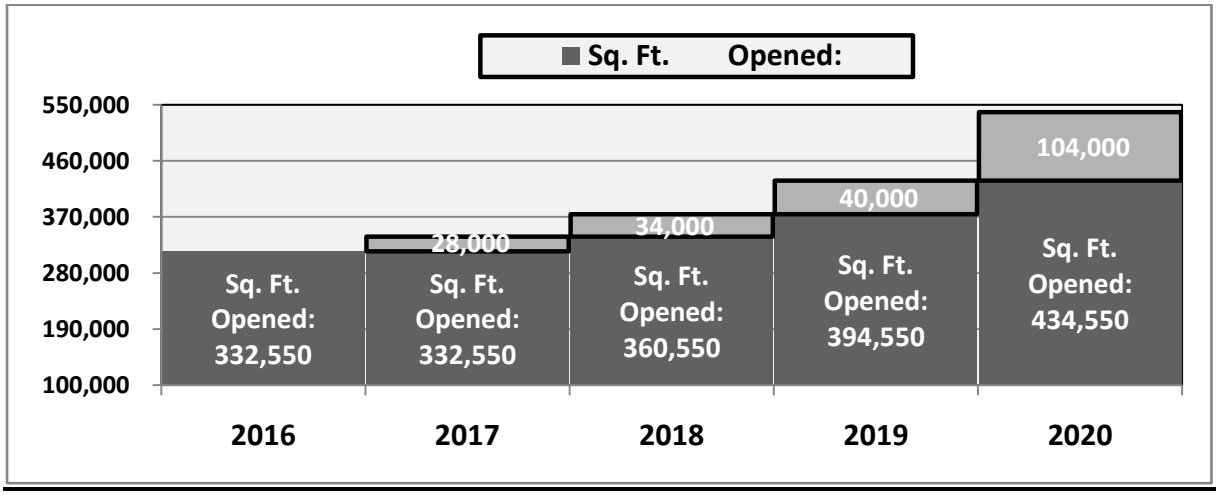


Table II – E
Southpoint Projected Retail Sales & Guest Receipts

Year Opened	Additional Businesses Open	Additional Square Feet Open	Total Sales
2016	18	332,550	$94,240,600
2017	4	28,000	$105,661,900
2018	3	34,000	$114,961,900
2019	3	40,000	$126,063,800
2020	4	104,000	Sales: $132,210,300 Transient Guest: $2,200,000
TOTAL	**32**	**538,550**	**$134,420,300**

III. Southpoint Projected Sales Tax to City of Lawrence

The total sales tax rate in Lawrence is 8.70% that includes the State of Kansas and Douglas County. The City of Lawrence share of sales tax is 1.55%. The city's transient guest tax is 6.0%.

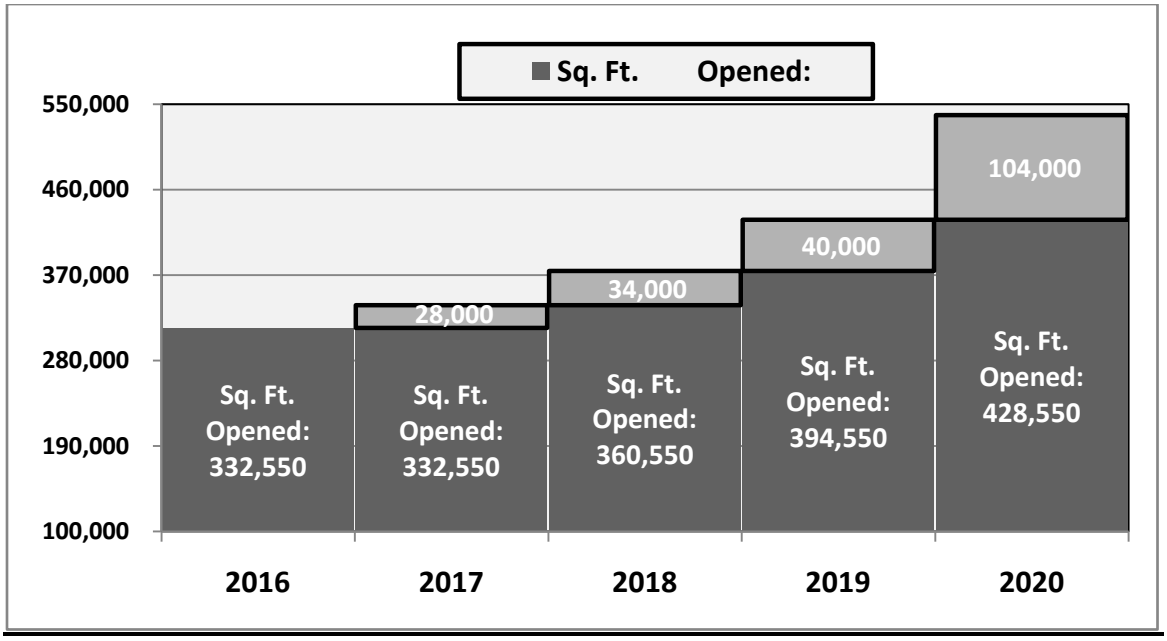
Based on pull factors achieved by the City of Lawrence in 2001 and Douglas County in 2005, there is the potential to recapture Douglas County sales leakage and grow Lawrence retail sales by up to 10% based on historical data and through increasing the selection of products and an expanded choice of brand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

Based on **Southpoint projected City of Lawrence sales tax sales of $132,210,300 (in 2013 dollars) upon full development,** This will result in a net increase of approximately at least 6.7% in retail sales growth to the city.

In addition to sales taxes, Southpoint will generate a total annual increase in Lawrence in transient guest taxes of $132,000 per year beginning in 2020. (See Table III-A - "Projected Southpoint Annual Sales and City of Lawrence Tax Receipts.") These projections incorporate the net change in retail sales from the three existing Lawrence tenants planning to relocate to Southpoint.

Sales tax from the project will build over the five year period (2016 – 2020) that the project is under development. The build out is presented in the following graph III-A Southpoint Total Square Feet by Year**.**

Southpoint Total Square Feet by Year



Based on this build out scenario, total projected sales are presented in the following Table III – A.

Table III - A
Projected Southpoint Sales and City Sales & Guest Tax Receipts 2016 - 2020

Year; Total Square Feet Open	2016, 2017		2018		2019		2020 and Beyond	
	Total Sales (in 2013 $)	City Sales Taxes (@1.55%)	Total Sales (in 2013 $)	City Sales Taxes (@1.55%)	Total Sales (in 2013 $)	City Sales Taxes (@1.55%)	Total Sales (in 2013 $)	Sales & Guest Taxes
2016: 332,550 s.f.	$94.2 m	$1,063,600	$94.2 m	$1,063,600	$94.2 m	$1,063,600	$94.2 m	$1,063,600
2017: 360,550 s.f.	$11.4 m	$73,400	$11.4 m	$73,400	$11.4 m	$73,400	$11.4 m	$73,400
2018: 394,550 s.f.	-	-	$9.3 m	$1,781,900	$9.3 m	$1,781,900	$9.3 m	$1,781,900
2019: 434,550 s.f.	-	-	-	-	$11.2	$1,954,000	$11.2	$1,954,000
2020: 538,550 s.f.; + Hotel	-	-	-	-	-	-	$6.1 m $2,200,000	$2,049,200 $132,000
TOTALS	**$105.6 million**	**$1,137,000**	**$114.9 million**	**$1,781,900**	**$126.1 million**	**$1,954,000**	**$132.2 million; + Hotel: $2.2 million**	**$2,181,200**

Note: Sales taxes reflect only the net increase in retail sales from the three existing Lawrence tenants planning to relocate to Southpoint.

IV. Projected Impact on Lawrence Vacancy Rate

This study projects the impact on the Lawrence commercial vacancy rate upon adding Southpoint to the city's inventory and considering the impact of relocations from elsewhere in the city. These findings also provide insight into the ability of the project to achieve full occupancy. Upon occupancy of the Southpoint, the city-wide vacancy rate will decline to 6.6% in 2016 and may rise back to 7.2% by 2020. (See Table IV - D - "Proposed Development Impact on Lawrence Vacancy Rate").

Background

There has been an average over 334,000 added square feet of commercial development in Lawrence from 1995 through 2012ince 1993, according to the City of Lawrence Planning & Development Services 2012 Retail Market Report. This amount has fluctuated from during periods of the city's highest population growth rates from 2002 to 2004 and declined during the national recession. For this reason, projecting commercial development based on a 20 year annual average has been used from 2014 through 2020. The projected absorption through 2020 incorporates Southpoint and all outstanding major commercial projects approved by the City of Lawrence as summarized in the following Table. (See Table IV– A – "Lawrence, Kansas Unbuilt Commercial Inventory"). Excluding Southpoint, the City of Lawrence has an approved unbuilt inventory of 1,184,968 commercial square feet. Southpoint's addition to the market will raise this amount to 1,723,518 square feet.

Table IV - A
Lawrence, Kansas Unbuilt Commercial Inventory

Project	Approved Square Feet	Timing
Fairfield Farms	200,000	Unknown
Gateway	155,000	Unknown
Mercato	359,640	Unknown
31st & Ousdahl Phase I (Menards)	189,988	2015
31st & Ousdahl Phase II	65,340	Unknown
North Mass	215,000	Unknown
SUB-TOTAL	1,184,968	-
SOUTHPOINT	**538,550**	**2016 - 2020**
TOTAL	**1,723,518**	-
Projected Annual Average 2014-2020	**246,217**	-

Source: City of Lawrence Planning & Development Services.

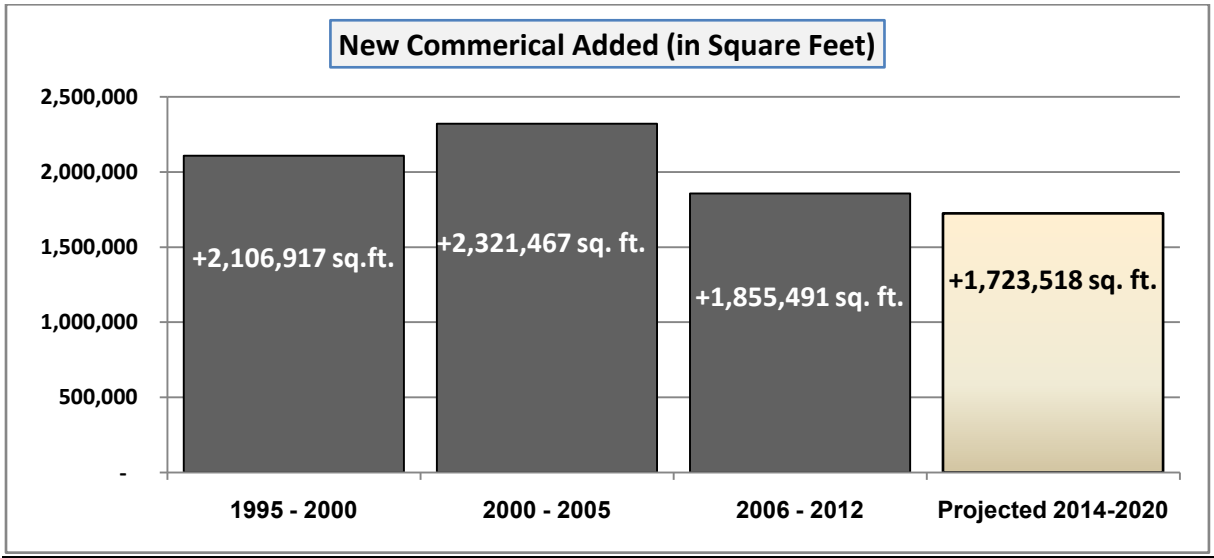
Phase I at 31st & Ousdahl, Menards, is the only one of these five projects that announced a firm store opening timetable. The company expects the project to be open in 2015, before Southpoint. In addition, it should be noted that the sales category, Goods and Services are not in competition with any of the expected retail tenants at Southpoint.

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

This absorption projection in this study covers from 2016 through 2020, the years that Southpoint is planned to enter the market to coincide with the projected completion and opening of the new K10/U.S. 59 (South Iowa Street) interchange immediately adjacent to Southpoint.

If all of these projects are completed and phased into local market by 2020, an unlikely scenario since one or more the sites may compete for the same national tenants as Southpoint, this will result in adding an average 246,217 square feet per year through 2020. **This amount is less than the 264,070 square feet annual average amount that has been absorbed by the Lawrence market between 2006 and 2012.**

Graph IV - B
Lawrence Commercial Development Trends 1995 - 2020



Annual Average	**351,153 sq.ft.**	**386,911 sq.feet**	**264,070 sq.feet**	**246,217 sq. feet**

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

Note: These absorption figures assume that the Douglas County population will continue to grow as projected in Horizon 2020.

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

The following table reflects the City of Lawrence and private source's commercial vacancy data for the city since 2006.

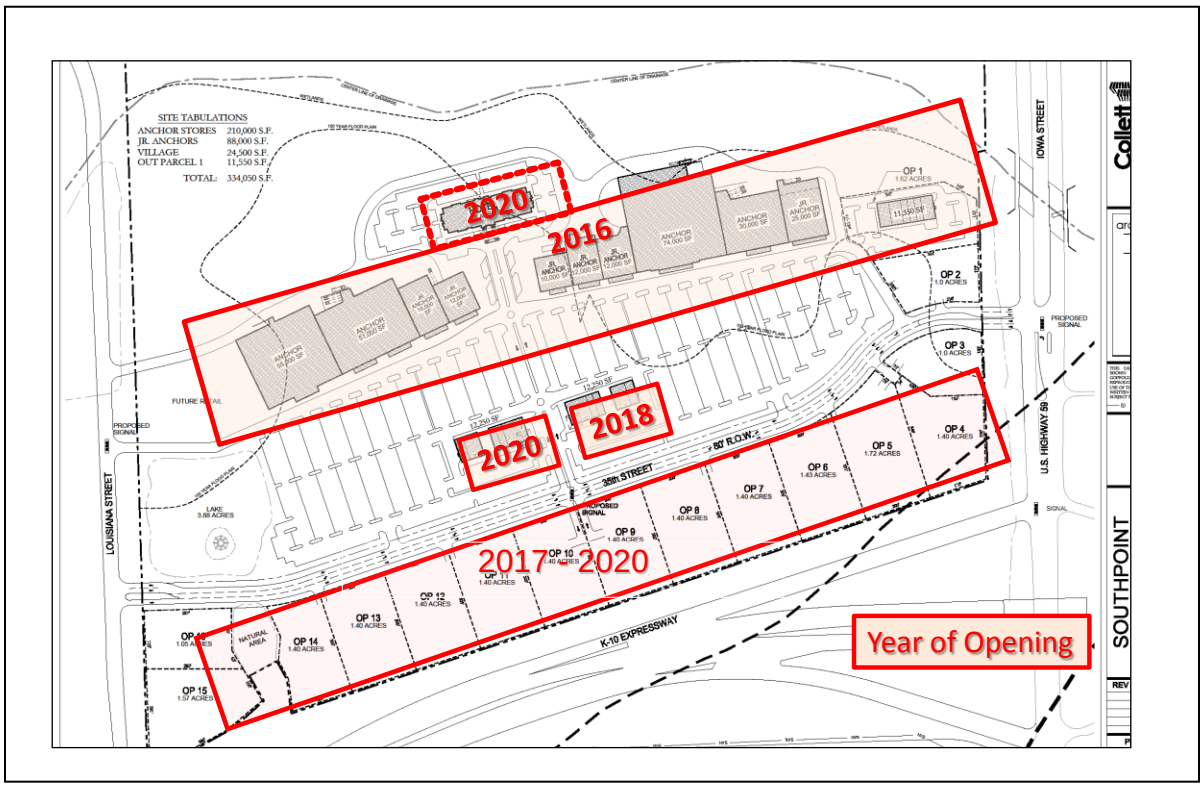
Table IV - A
Lawrence Commercial Vacancy Rates 2006 - 2013

Year	City of Lawrence Data		Private Real Estate Data	
	Total Commercial Square Feet	Vacancy Rate	Retail Vacancy Rate	Source
2006	7,249,660	6.6%	3.9%	Development Strategies
2007	N / A	N / A	5.1%	Grubb & Ellis
2008	N / A	N / A	5.3%	Grubb & Ellis
2009	N / A	6.6%	5.4%	Grubb & Ellis
2010	8,800,567	7.0%	N / A	N / A
2012	9,105,151	7.2%	5.4%	Colliers International
2013	N / A	N / A	4.4%	Colliers International
2006 – 2012 Average	**264,070 per year**	**6.8%**	**5.0%**	

As stated, Southpoint's square feet are projected to be opened beginning in 2016 through 2020 in the stages as summarized in the following table and map.

Table IV - C
Southpoint Opening Schedule 2016 – 2020

Year Opening	Square Feet Completed	Total Square Feet Opened
2016	332,550	332,550
2017	28,000	360,550
2018	34,000	394,550
2019	40,000	434,550
2020	104,000	538,550
Total	**538,550**	**538,550**



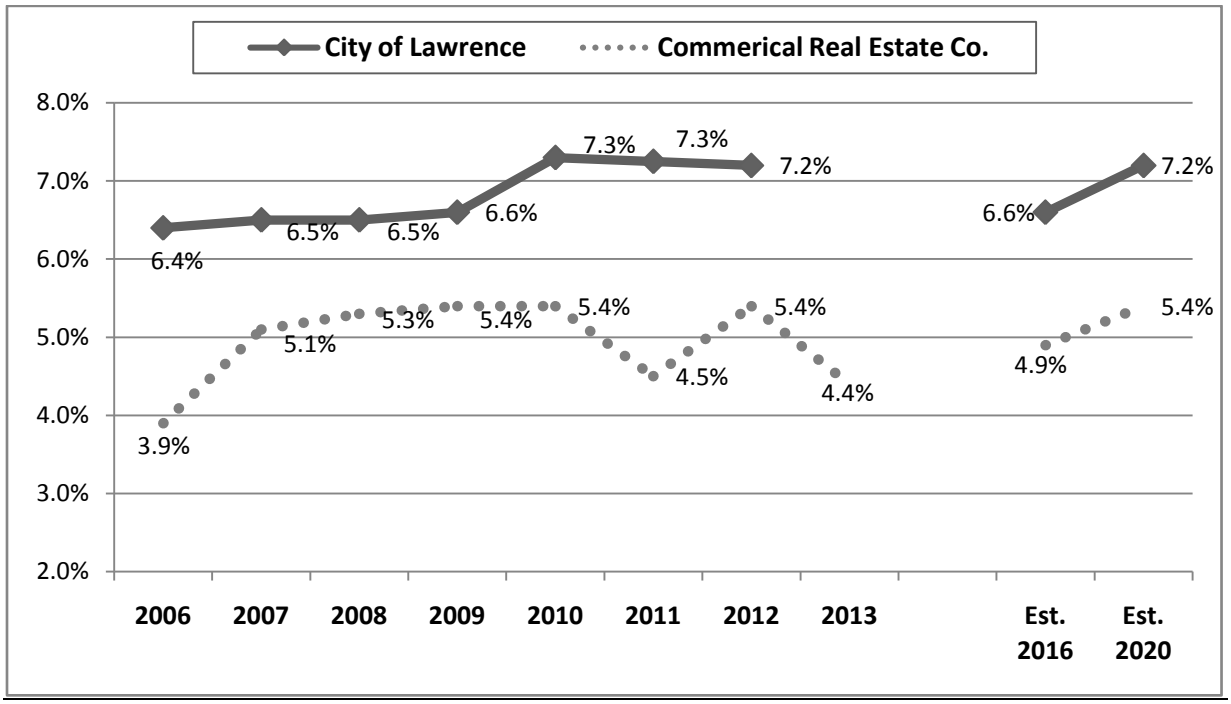
Findings and Conclusion

In conclusion, the city's commercial vacancy has been projected to be 7.2% upon completion of the Southpoint project in 2020. This projection is based on the following:

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

In conclusion, upon occupancy of the Southpoint, the city-wide vacancy rate will remain within the range of 6.6% to 7.2% based upon the city's continued ability to absorb an average of 264,070 square feet annually since 2006. (See Table IV - D - "Commercial Vacancy Rate 2006 – 2020 and Proposed Development Impact on Lawrence Vacancy Rate"). This represents the city's historic average absorption and vacancy rates from 2006 through 2013. This vacancy projection incorporates the build out of the total approved inventory. This total build out amount represents less than the amount of square footage that has been added to the Lawrence market since 2006.

Graph IV - D
Commercial Vacancy Rates 2006 - 2020



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

Table IV - D
Lawrence Commercial Square Footage and Vacancy Rates 2012 - 2020

Year	Total Square Footage	Southpoint Square Footage Opened	Total Annual Increase in Square Footage	Net Annual Absorption	Actual / Projected Total Vacant	Projected Vacancy Rate
Actual 2012	9,105,151	N / A	N / A	N / A	653,222	7.2%
2014	9,336,979	N / A	231,828	200,698	637,427	6.8%
2015	9,568,807	N / A	231,828	200,698	655,306	6.8%
2016	9,901,357	332,550	Southpoint phase I: 332,550	332,550	655,306	6.6%
2017	10,133,185	28,000	231,828	200,698	686,436	6.8%
2018	10,365,013	34,000	231,828	200,698	717,566	6.9%
2019	10,596,841	40,000	231,828	200,698	748,696	7.1%
2020	10,828,669	104,000	231,828	200,698	779,826	7.2%
2014 - 2020 Change	**1,723,518**	**538,550**	**1,723,518**	**1,513,238**	**142,399**	**0.4%**

These projections assume that each phase of Southpoint will be fully occupied in the year opened. They also assume that space vacated space by the three relocations within Lawrence to Southpoint will be reoccupied by other commercial tenants by 2020.

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

Richard Caplan
June 20, 2014
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Southpoint Retail Market Study

Addendum:

Economic Impact on the City of Lawrence

July 17, 2014

City of Lawrence Property Taxes

In 2013, the total property tax mill levy for land in the City of Lawrence was 124.808 mills. Of this total, 23.7% of this total, 29.534 mills is the City of Lawrence share of the total and remitted to the City of Lawrence. Southpoint will pay **$174,480 per year** (in 2013 dollars) to the City of Lawrence in property taxes for 104.87 acres upon full build out of the project.

The following table summarizes by the property tax payments by year beginning in FY 2017 through Southpoint build out projected in FY 2021.

The major assumptions for these figures are based on the average assessed values assigned by the Douglas County Appraiser's Office for comparable, recently appraised commercial land and commercial buildings in the City of Lawrence in 2014 and are described following Table A - 1.

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

Fiscal Year	**Land** (a)	**Improvements** (b)	**City of Lawrence TOTAL TAXES**
2017	$85,470	$61,840	**$147,310**
2018	$85,470	$67,050	**$152,520**
2019	$85,470	$73,370	**$158,840**
2020	$85,470	$80,810	**$166,280**
2021	$85,470	$89,010	**$174,480**

Assumptions:
(a) The assessed value of the land will average $240,000 per acre.
(b) The assessed value of the improvements will average $55.00 per square foot of improvements.

Douglas County Projected Employment

Southpoint will generate **738 direct employment** opportunities in Lawrence and Douglas County upon full build out of the development.

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

Table A - 2
Southpoint Employment by Labor Market Category

Year	Retail Services	Food Services	Accommodations	TOTAL JOBS
2016	352	32	0	**384**
2017	382	83	0	**465**
2018	418	115	0	**533**
2019	461	166	0	**627**
2020 Total **% of Total**	**486** **66%**	**217** **29%**	**35** **5%**	**738**

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

Memorandum
City of Lawrence / Douglas County
Planning and Development Services

TO: **Planning Commission**

FROM: **Jeff Crick, AICP, Planner II**

CC: **Scott McCullough, Planning and Development Services Director**

Date: **For the July 21, 2014 Planning Commission Meeting**

RE: **Requested Additional Information for CPA-14-00107, A-14-00104, Z-14-00105, and Z-14-00106**

At the request of Commissioner Josserand, staff is providing information regarding traffic counts at the intersections of K-10/South Lawrence Trafficway & 6th Street and K-10/South Lawrence Trafficway & South Iowa Street. The following data is the Annual Average Daily Traffic for both directions, which is available from the Kansas Department of Transportation:

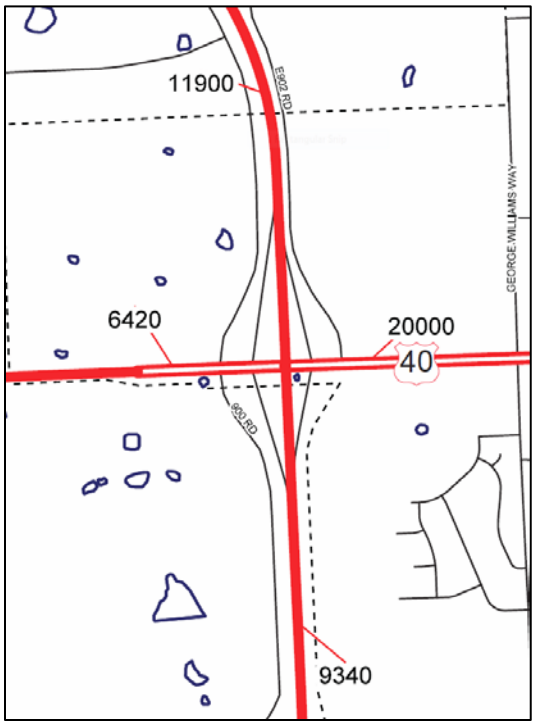


Figure 1: KDOT Traffic Counts (2013) for 6th St. at K-10

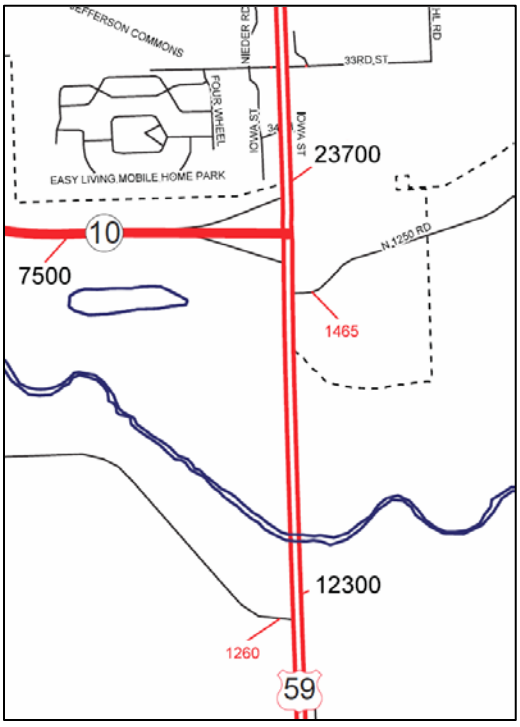


Figure 2: KDOT Traffic Counts (2013) for South Iowa St. at K-10

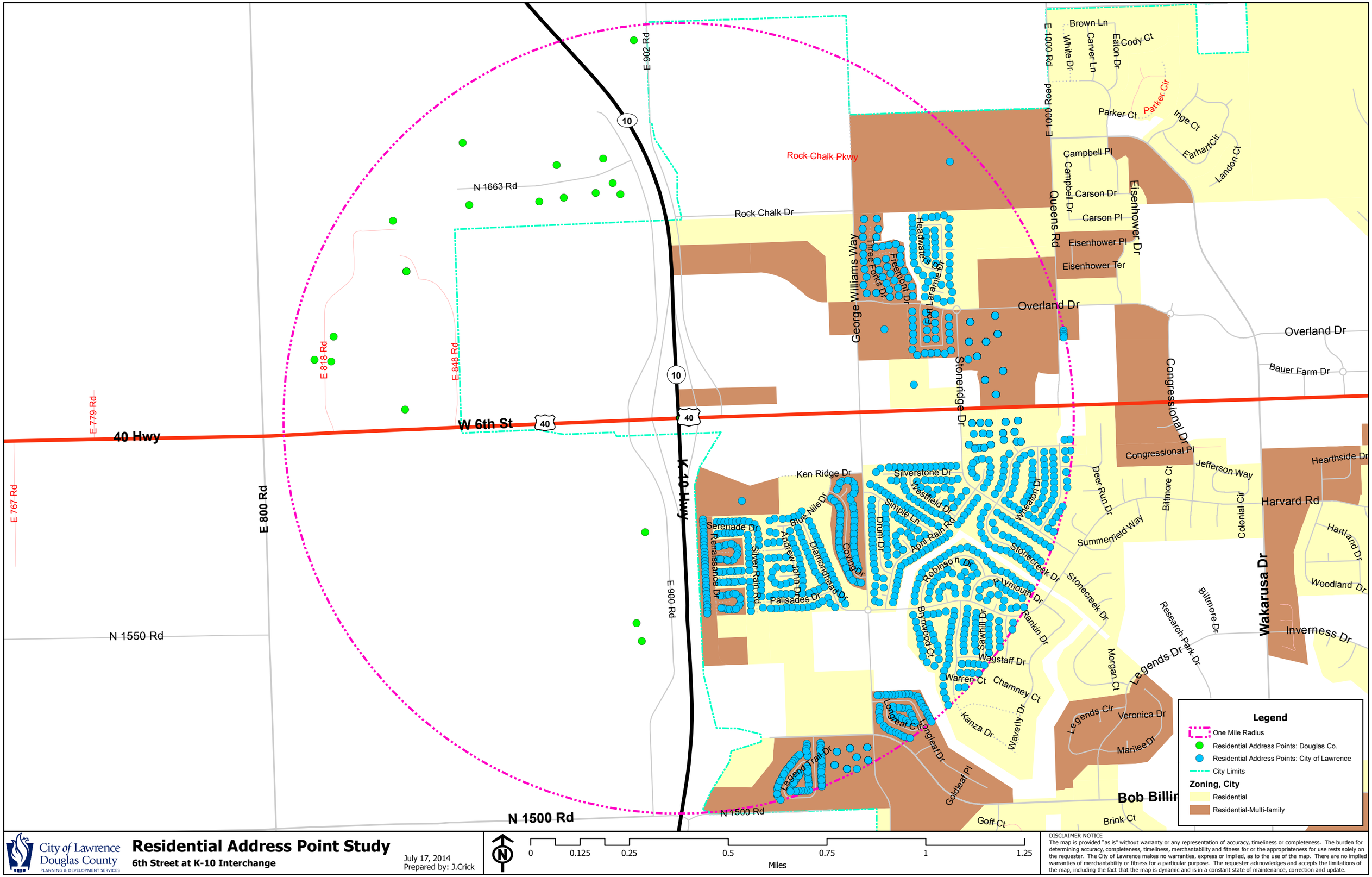
Staff was also asked to study the amounts of residentially zoned property within 1 mile of those intersections. Using the U.S. Census Bureau value for average household size (2.3 people per household) for the community, staff was able to approximate the populations living within a 1 mile radius of the these two locations.

Location	Estimated Households		Total Households	Total Population (2.3 people per Household)
	City	County		
6th St. at K-10	1,472	21	1,493	3,434
S. Iowa St. at K-10	1,449	4	1,453	3,342

Attached are the maps from the study of the two locations.

Some points on the maps are stacked and/or overlap, so they do not indicate amount/intensity of households (multi-family projects). Also, some points indicated on the maps are properties that are either currently under construction, or are anticipated to be constructed within 3 to 5 years.

Aerial maps are provided to reflect the actual units currently constructed.



City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

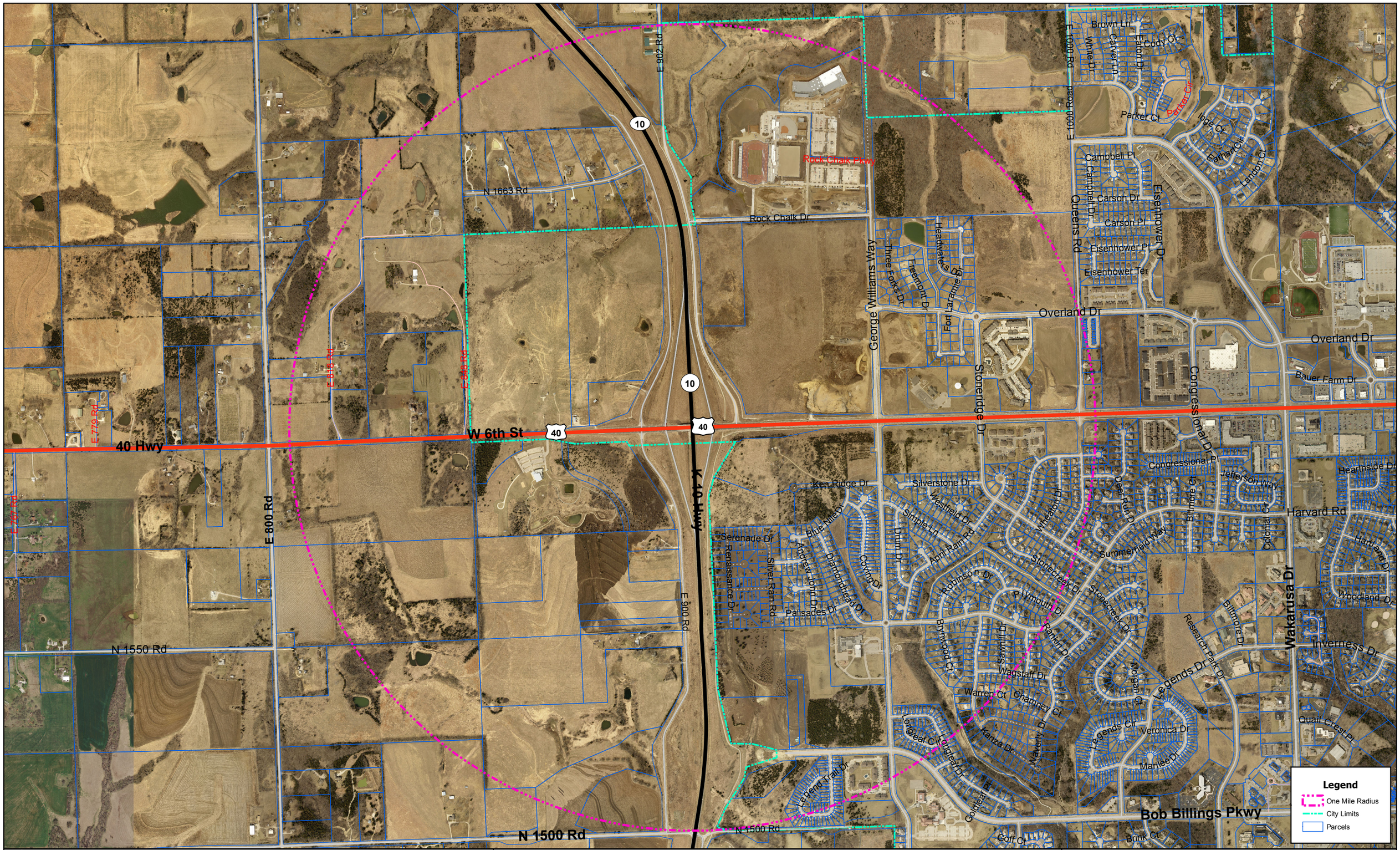
Residential Address Point Study

6th Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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.



City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

2014 Aerial Photograph

6th Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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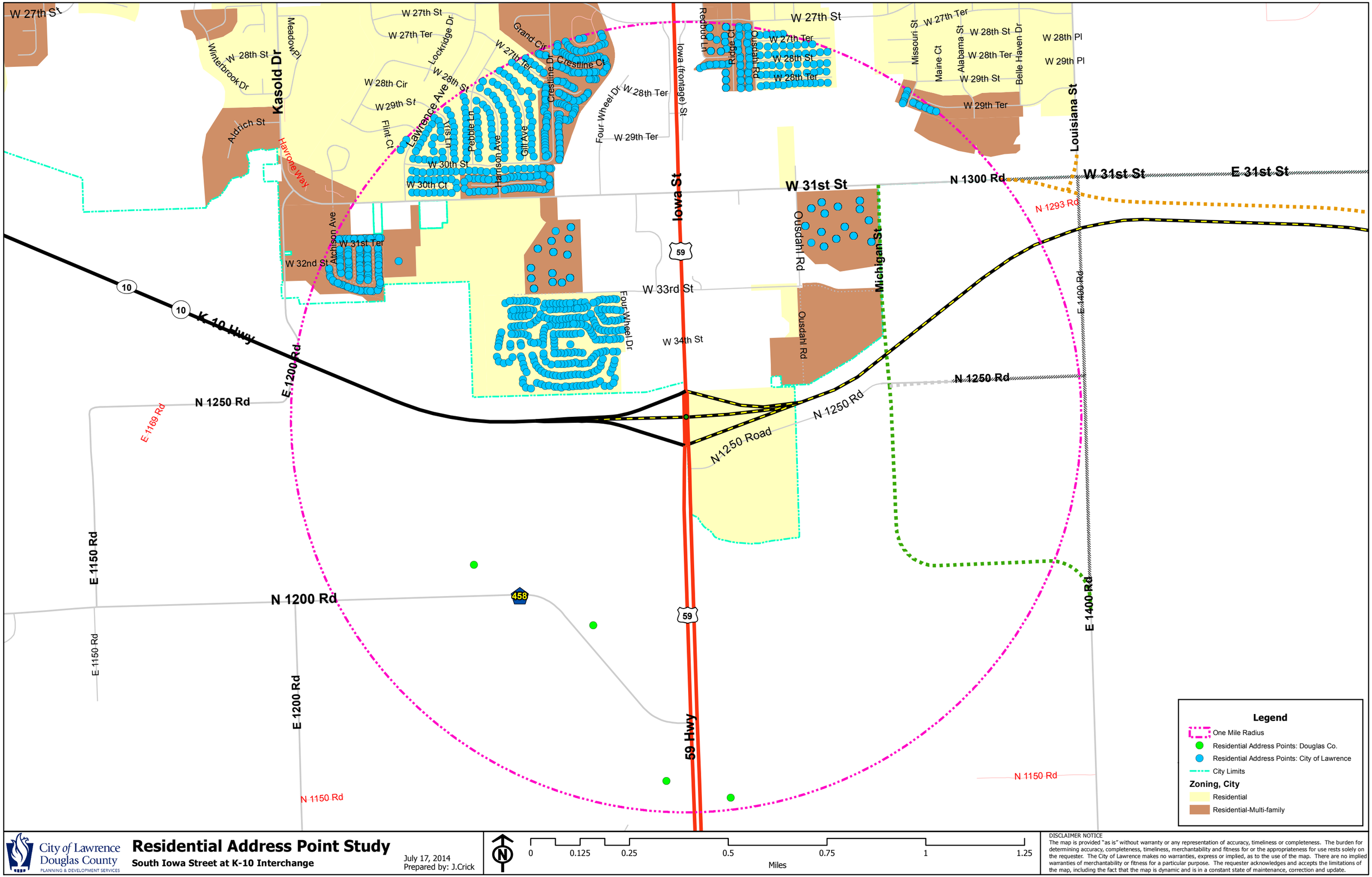

City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

Residential Address Point Study

South Iowa Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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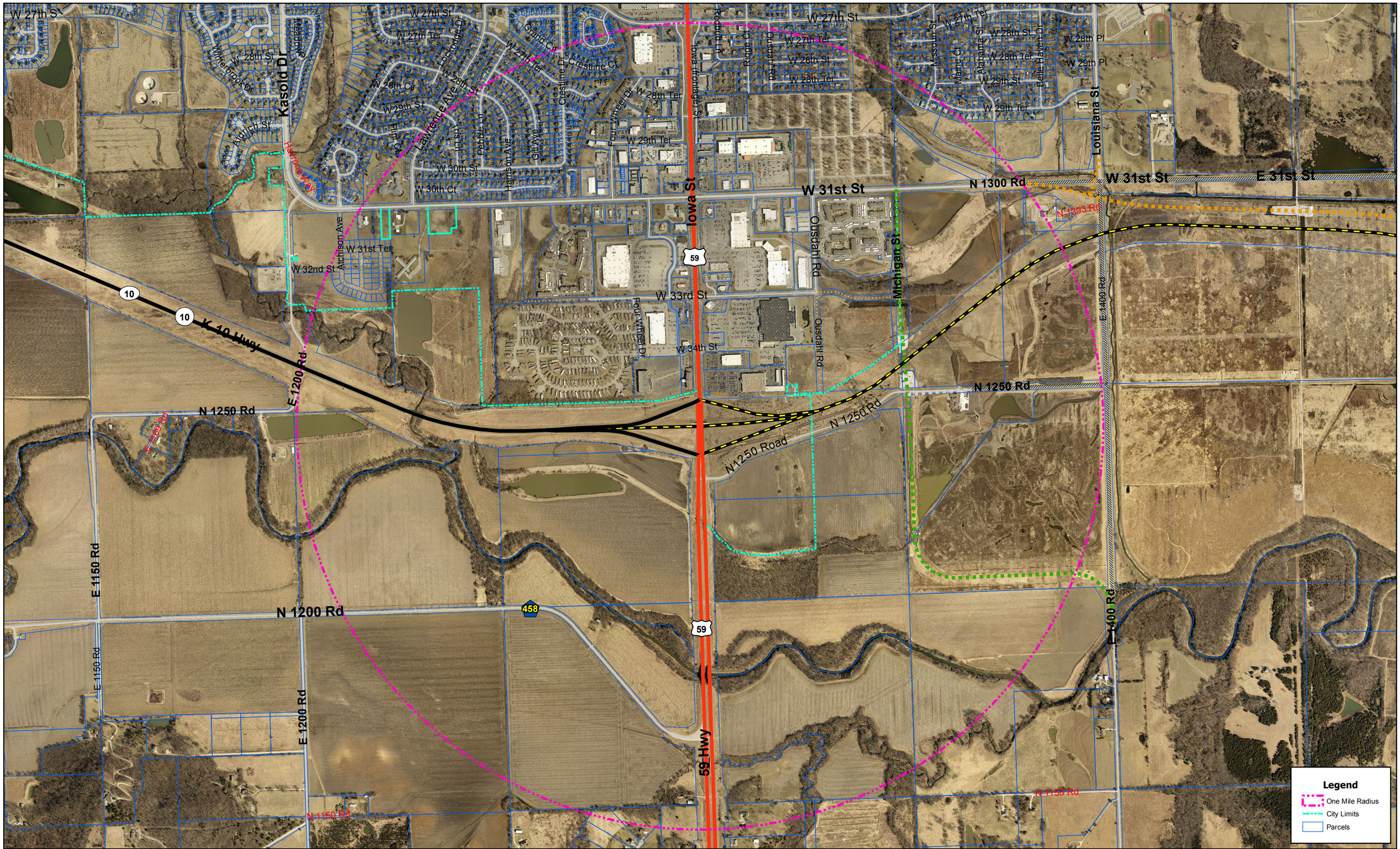

City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

2014 Aerial Photograph

South Iowa Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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From:	Chris Challis
To:	Amy Miller
Cc:	Scott McCullough; dan watkins; "Brian W.C. Sturm, RLA, ASLA, LEED AP"
Subject:	Proposed Lawrence Project
Date:	Sunday, July 06, 2014 9:39:28 PM
Attachments:	Southpoint Market Study Lawrence KS June 20 2014.pdf Lawrence Kansas Color Site Plan No Car.pdf

---

Amy –

Hope you're doing well. Following-up our discussions concerning our project in Lawrence, I am providing additional information concerning our proposed project at South Iowa and the South Lawrence Trafficway.

Retail Market Study. I have attached our Market Study, prepared by Caplan & Associates. It concludes that our project will provide approximately $132,000,000 in new retail sales in the Lawrence market upon completion. These estimated retail sales will increase the City's sales tax revenues by 5.5% in 2016-17 ($1.13mm annual increase) when the project opens and will increase the City's sales tax revenues by 6.6% in 2020 ($2.18mm annual increase) when the project is fully completed.

In addition, the report looked at retail sales 'leakage' to other markets. For the retail sectors experiencing the some of the greatest sales 'leakage' (e.g., clothing, general merchandise, furniture & home furnishings, and gasoline stations), our project will add new retailers to each of these categories, helping stem the current leakage.

The Report also explains that the addition of the new project will be within the City's historic average for new retail development since 2006, and will not materially affect the City's historic vacancy rate over that period.

Note that the Report's conclusions (including those summarized above) account for the relocation of 3 retailers currently in the Lawrence market.

Retailers. We're pleased to inform you that we are working with the following tenants for our project: Academy Sports, Ulta, Designer Shoe Warehouse (DSW), Old Navy, and Marshall's/HomeGoods. We also expect to be able to identify more tenants in the near future, including our specialty grocer.

Site Plan. I have also attached an updated site plan for your reference.

Should you have any questions concerning the above, please don't hesitate to let me know.

Regards,

Christopher N. Challis

Collett

118-C W. Union Street | Direct (386) 316-9837
Morganton, NC 28655 | Main (828) 430-8674

website | bio | vCard | map | email

Member of International Council of Shopping Centers

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From: <Bolick>, Zak <Zak.Bolick@INTRUSTBANK.COM>
Date: Tuesday, July 15, 2014 at 3:19 PM
To: USD497 USD497 <pkelly@usd497.org>
Subject: Southpoint Retail Development

Good afternoon Patrick,

I wanted to reach out to you this afternoon to voice my support for the Southpoint Retail Development that comes before you this coming Monday, July 21st where I understand you will weigh in on the requested annexation, rezoning, and amendment to the Comprehensive Plan as it relates to this development. As a business professional, homeowner, and graduate of Leadership Lawrence, I understand the tax burden that the residents of Lawrence, Kansas carry due to our wonderful city amenities and services, alongside of our lack of enough commercial and industrial developments to support it what we have.

With that said, I would ask that you pave the way for this development, which among many things will:

- Be an obvious and much needed gateway to our community from the South, along a much improved 59 Highway and finally to be completed SLT;
- Be a buffer to protect and enhance the Baker wetlands;
- Provide much needed sales and property tax dollars to our community;
- Prevent some existing spending dollars being spent outside of our community from continuing to do so.

We are blessed in this case with a developer who has spent time in our market, who has a history across the Southern half of our country doing like developments, and who believes in his development enough that he is not asking for any special financial incentives from the City, saying that the retail demand in our community is such that the development can be successful without them. This development should not negatively affect our amazing downtown, and was designed such that it is a regional retail destination feel rather than a walkable downtown look and feel, as to not compete with downtown Lawrence. Furthermore, thanks in part to the development at 9th & New Hampshire, as well as the new library and parking garage, and other downtown infill, there are more people living, working, and playing in downtown than perhaps ever before. It is clear to me that the retail demand and natural future growth is South, while the natural residential growth is West. As more and more people move farther West, and when Rock Chalk Park opens and is as popular as we all know it will be, there will be retail demand in that area. But before us today, we have an opportunity to welcome the right developer and the right tenants to our community, and reap the benefits of them being there in as short as a couple of years.

I urge you to consider this project for what it is, and what it means for our community, and support the annexation, rezoning, and amendment to the Comprehensive Plan this coming Monday, July 21st at your meeting.

Thank you for taking the time to read my email. I hope that it finds you doing well.

Best,

Zak Bolick, Commercial Relationship Manager
INTRUST Bank | 901 Vermont Street | Lawrence, KS 66044
Phone: 785-830-2616 | Mobile: 785-766-3836 | Fax: 785-830-2636
zak.bolick@intrustbank.com
www.intrustbank.com
I trust INTRUST.

Please consider the environment before printing this email.

From: "Dan Chavez" <Danc@chavezrestoration.com>
Date: Jul 15, 2014 5:32 PM
Subject: "Southpoint"
To: "montanastan62@gmail.com" <montanastan62@gmail.com>
Cc:

Stan,

My name is Dan Chavez; I am a local business owner and a Lawrence resident for the past 11 years. I am contacting you in regard to the Southpoint Development. I am one of many that believe in the Southpoint Development. I do not have a vested interest in the project, or know anyone that does. However, as a Lawrence resident, I am encouraged by such a project, and I think it will help keep tax dollars in Douglas County, as well as attract surrounding retail dollars from neighboring communities.

There have been times in the past that I felt the commission has looked for reasons not to approve such a project, listening to those afraid of too much change or growth. There will always be naysayers with whatever project is placed before the planning commission, some with great passion. I would ask you simply to weight the logic of those that oppose this project. I would challenge you to look at the merits of the Southpoint Development for what it can offer Lawrence and its residents.

I think in years passed; there were times when quality projects were more plentiful, when missing one opportunity only meant waiting on the next one. I wonder from a retail dollars standpoint if we can afford to miss the potential that this project offers Lawrence residents. Please consider the value that Southpoint offers to Lawrence, and vote accordingly. Thank you, Dan Chavez

DIAMOND REALTY INVESTMENTS, INC.

5215 N. O'Connor Blvd, Suite #670
Irving, TX 75039

July 16th, 2014

Planning Commission
City Hall – 1st Floor
6 East 6th Street
PO Box 708
Lawrence, KS 66044

Dear Planning Commission members:

Diamond URS Lawrence, LLC, also known as The Connection at Lawrence, is a 324 unit, 888 bed class A off campus student housing multifamily property located at 3100 Ousdahl Road in Lawrence.

As an established business and tax paying entity, we are writing to express our full support for the proposed Southpoint Retail Development on the SE corner of Iowa St and K-10 (SLT).

As a business and property owner in Lawrence, we've been pleased to see positive signs of economic growth in the city and the area near our property (e.g. Menards and the K-10 SLT most recently.) We believe further developments will have a positive impact on the city, fellow property owners, and retail customers.

We are sorry that we will not be in attendance for the meeting on Monday July 21st, so we wanted to express our support for this project.

Sincerely,

Mark Stinger
Vice President & Chief Asset Manger
Diamond Realty Investments, Inc.

From: "Jones, Claudia K" <Claudia.Jones@intrustbank.com>
Date: Jul 16, 2014 8:31 AM
Subject: FW: Southpoint Retail Development
To: "montanastan62@gmail.com" <montanastan62@gmail.com>
Cc:

I just wanted to send this e-mail letting you know that from what I have read, I am in support of this project. I am uncertain as to why we would not want a project like this to come to Lawrence. It will bring more jobs, more retail sales for Lawrence, which in turn will increase the City's sales tax revenues. I was born and raised in Lawrence, KS and have lived here for almost 60 years and get tired of driving to Topeka or KC to shop at stores that Lawrence does not offer. I do shop downtown but the stores that are anticipated to be in this project would not interfere with the type of stores that Downtown Lawrence has to offer.

It is my understanding that Southpoint will not need any special taxing districts, tax rebates or other financial incentives from the City. This is even a larger bonus for Lawrence, a company wanting to locate in our city and not asking for any incentives to come.

I hope you will support the annexation, rezoning and amendment to the comprehensive plan to allow this project to move forward.

Claudia Jones

Southpoint Retail Development is important for our community, and I support the annexation, rezoning, and comprehensive plan amendment as the first steps in getting it built.

I also support the Family Fun Center that I have seen occasionally in the news. I know that there are protests to putting it out by Raintree, and as a former Raintree parent, I don't personally see the issue; however, there are plenty of other locations where something like this could go. North Lawrence (Tanger outlet area), West Lawrence (near the new Rock Chalk Park area - I just know that there is a place for this in our community. I have two children – 6 & 11, and have to go to Topeka or Kansas City to do anything other than swimming, bowling, or a movie. I am very concerned about the lack of fun activities available to kids and teens, and as a Lawrence native, I know the kinds of trouble bored kids get in. My hangout as a teenager was a restaurant – that's pretty sad.

Thank you for your consideration on these issues.

Heather Brown
Closing Director, McGrew Real Estate

1501 Kasold Drive
Lawrence, KS 66047

Main: (785) 843-2055
Direct: (785) 838-8274
Fax: (785) 843-2466

From: CadreLawrence [mailto:mdfales@silverlakebank.com]
Sent: Wednesday, July 16, 2014 9:49 AM
To: Bryan C. Culver
Subject: CadreLawrence Southpoint Retail Development Data Sheet

CADRELAWRENCENEWS

On behalf of CadreLawrence, thank you for taking the time to read this email. As we hope you know, having provided us with your email address, CadreLawrence is your community kitchen table, with an open invitation to the whole community to engage in thoughtful dialog by voicing support and presenting evidence for the creation of jobs and economic growth in Lawrence. With this email, you have the opportunity to get active in the support of a proposed new retail development which goes before the Planning Commission on Monday, July 21st. Read below to learn more about this proposal, and to identify our ask of you.

Information contained in this data sheet was gathered from months of research and communication with Chris Challis, developer for Collett, the company proposing the development on South Iowa, as well as data retrieved from the Retail Market Study prepared by Richard Kaplan & Associates. This is not the opinion of CadreLawrence, but more so the data that was reported to CadreLawrence from these sources.

- Planned on South Iowa Street at K-10/South Lawrence Traffic way in Lawrence, Kansas scheduled for opening in 2016.
- Will offer the Lawrence market area at least seven national retail companies that currently do not have a retail outlet in Lawrence.
    - Academy Sports
    - Ulta
    - Designer Shoe Warehouse (DSW)
    - Old Navy
    - Marshall's/Home Goods
    - Others yet to be named, including a specialty grocer
        - These businesses will occupy approximately 40% of the retail space at Southpoint.
- The project also plans to accommodate three existing retail establishments in Lawrence.
    - Their relocation to Southpoint offers these businesses a commercial center and building space more tailored to their operations as well as an easily accessible location to all Douglas County residents.
- Upon full build out in 2020, Southpoint is planned to have 538,550 square feet of commercial use.
    - This includes 18,000 square feet of office users and an 80,000 square foot, 100 room hotel.

Sales Tax Impact Estimate

- Southpoint will provide approximately $132,000,000 in new retail sales in the

Lawrence market upon completion.

- These estimated retail sales will increase the City's sales tax revenues by 5.5% in 2016-17 ($1.13mm annual increase) when the project opens and will increase the City's sales tax revenues by 6.6% in 2020 ($2.18mm annual increase) when the project is fully completed.
- The project is estimated to provide a cumulative $8,883,500 in additional sales tax revenue from 2016-2020, from opening through completion.

Leakage Impact

- The number of retail dollars leaking out of Lawrence to Johnson County or Topeka is estimated to decrease significantly with this new development.
  - Lawrence's drawing power as a retail center currently is about 10 percent less than Olathe's, about 25 percent less than Manhattan's and Topeka's, and about 50 percent less than Lenexa's.
  - For the retail sectors where Lawrence experiences some of the greatest sales leakage to our neighboring communities (e.g., clothing, general merchandise, furniture & home furnishings, and gasoline stations), Southpoint will add new retailers to each of these categories, helping stem the current leakage, and keep Douglas County dollars in Douglas County, and perhaps draw dollars from neighboring counties to Douglas County.

Vacancy Impact

- The addition of this development will be within the City's historic average for new retail development since 2006, and will not materially affect the City's historic vacancy rate over that period.

City Provided Financial Incentives

- Southpoint has been designed so it will not need any special taxing districts, tax rebates or other similar financial incentives from the city.
  - Interest from potential tenants for the center has been high enough that the development group is confident in its success without incentives.

Our ask of you

- Contact your planning commissioners, and use the information from this fact sheet to draft an email or letter to tell them whether or not you support the Southpoint retail development. The action ahead of the Planning Commission on Monday, July 21st includes annexation, rezoning and amending the Comprehensive Plan. The earlier the better, but the deadline for written communication to be included in the Planning Commission packet is 10:00 am on Monday, July 21st.
- Share this information with 3-5 or more people in your own social network, and ask them to get active in the process as well.
- Try to attend the Planning Commission meeting on Monday evening, July

21st to allow the Planning Commissioners to hear your voice.

- Ask questions. If we do not have the answers, we will get the answers directly from Chris Challis of Collett. Direct questions to info@cadrelawrence.com.
- Your Planning Commission contact information:
    - City Appointees:
        - Amalia Graham - amalia.graham@gmail.com
        - Stan Rasmussen - montanastan62@gmail.com
        - Jon Josserand - jonjosserand@gmail.com
        - Patrick Kelly - pkelly@usd497.org
        - Bryan Culver - bculver@bankingunusual.com
    - County Appointees:
        - Jim Denney - denney1@sunflower.com
        - Pennie von Achen - squampva@aol.com
        - Clay Britton - clay.britton@yahoo.com
        - Bruce Liese - bruce@kansascitysailing.com
        - Eric Struckhoff - eric.c.struckhoff@gmail.com

Sincerely,
CadreLawrence

Hello Planning Commissioners,

I am writing to express that I do not support the approval of the Southpoint retail development. I am fully aware of the anticipated economic impact of the development, but want the commission to know that many of us in the community value the preservation of land and natural resources above economic impact *in some cases*. The continued sprawl south of Lawrence is not something that all residents want. Stores like Old Navy have already failed here,perhaps for reasons I am unaware of, but I suggest putting efforts into supporting local small businesses, rather than continuing to develop in natural areas around Lawrence in support of more large, corporate businesses.

Thank you for your time and consideration. I hope you hear from the many other residents I know who are NOT supportive of this development.

Best,
Emily Hampton

From: Karen Lowder [mailto:klowder@cwood.org]
Sent: Tuesday, July 15, 2014 3:28 PM
To: amailia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; pkelly@usd497.org; Bryan C. Culver
Cc: denny1@sunflower.com; squampva@aol.com; clay.britton@yahoo.com; bruce@kansascitysailing.com; eric.c.struckhoff@gmail.com
Subject: Please vote yes!

http://www2.ljworld.com/weblogs/town_talk/2014/jul/7/old-navy-academy-sports-others-announced/

I hope you ladies and gentlemen will consider the financial gain in jobs that many of these new pending properties might be able to provide, not only for our community, but for surrounding communities as well. We have a vibrant downtown with many local businesses that will remain a big draw because of its uniqueness, but I imagine we are losing a lot of sales tax revenue to Kansas City, Topeka and the Legends. My son recently came home for a wedding and needed to pick up a suit for his small son, but refused to even look for clothes in Lawrence because the selection is greater in Kansas City. I couldn't argue with that.

Wages, sales tax revenues, tax incentives…I'm sure there is much more to consider, but Lawrence is expanding its horizons with the Rock Chalk Park and the Warehouse Arts initiative…those visitors will need places to eat, places to stay and places to shop in their down time…it might as well be Lawrence! Let's make it work! Thanks for your consideration.

Karen Lowder
947 New Hampshire
#302
Lawrence, KS 66044

LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED
JUL 21 2014
City County Planning Office
Lawrence, Kansas

July 20, 2014

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Marlene Merrill

Austin Turney

Mr. Bruce Liese, Chairman, and Planning Commission
Lawrence-Douglas County Metropolitan Planning Commission

RE: ITEM NO. 3: COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 6, CHAPTER 14, AND TO THE REVISED SOUTHERN DEVELOPMENT PLAN
ITEM NO. 4A ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD
ITEM NO. 4B RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY
ITEM NO. 4C RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY

Dear Chairman Liese and Planning Commissioners:

We ask the Planning Commission to deny the Comprehensive Plan change, the annexation, and the rezoning requests of the Southpoint proposal for the following reasons:

1. The overriding consideration should be whether the location is appropriate for the proposed use. We answer that it absolutely is not, because:

   a. It is away from population centers and is at the southern entrance to Lawrence where the automobile traffic will be entering and leaving. This location really requires automobile-oriented uses such as a fuel station, quick shop needs, and overnight accommodations. This type of use has been designated in the Comprehensive Plan for this area as an Auto-Oriented Center.

   b. The original concern that this type of use would become a Truck Stop is not warranted for Auto-Oriented centers because they do not require either Regional or General Industrial zoning, the only districts that permit Truck Stops. Truck Stops also require a Special Use Permit.

c. Because of the proposed design of Louisiana Street to bridge the SLT, as well as the Iowa Street connection to the SLT, it would seem to us that the traffic pattern of the area would be especially sensitive to added traffic from shopping-center customers. To add non-essential traffic, such as this leaving and entering slow-moving type would seem to add dangerous and unnecessary traffic connections to the fast-moving through traffic lanes.

d. Shopping centers located in the County (or almost in the County as is this site), have been shown to encourage County sprawl. The future use of a shopping center in this location would, we suggest, encourage County population to develop around it, leading to more non-farm rural residential growth.

e. The proximity of the Southpoint development to the floodplain is also an important argument against

allowing this type of development there. With the necessary modification of the floodplain and the amount of runoff that has to be accommodated, this is a difficult area to develop. In addition, the inevitable runoff directly into the floodplain has a major impact on farmland downstream. We suggest that you talk to the farmers who have already been negatively affected by city runoff, before encouraging more.

2. The major argument given in favor of Southpoint seems to be that this devlopment would positively affect the City's pull factor and tax revenue. We could not find convincing arguments why this would be true. Our reasons are as follows:

a. The stores that Southpoint lists as being future occupants are the same stores that are found in other cities around Lawrence, so there would be no real reason to shop in Lawrence for out-of-town customers (the source of "pull.")

b. The argument that the sales tax revenues will increase as a result of Southpoint depends on an increase in overall sales as a result of the development. The counter argument is that an increase in sales depends on an increase in income, which in turn, is dependent on an increase in employment, which brings the increase in population which brings the increase in overall incomes. Rather than increasing the amount of commercial use and zoning, the answer to this dilemma would be to increase the amount of available employment by supporting more business/industrial and office development. We suggest that the area near the SLT and this intersection outside of the Auto-Oriented area would be an important area to preserve for employment-related uses.

The planning staff method for determining the viability of future zoning by determining the current vacancy rates we find is unconvincing for justifying an increase in zoning, especially where Lawrence is already overzoned (commercial) and overbuilt (apartments). As one citizen/realtor once pointed out, landlords need occupants, if for no other reason than to protect and maintain their property, regardless of whether they pay full rent or not, and occupancy is not necessarily a sign of a healthy business.

For these reasons, and many others, we urge the Planning Commission to deny the Southpoint requests to change the Comprehensive Plan (Item 3), and the requests for Annexation, Rezoning to Regional Commercial, and Open Space (Items 4a,b,and c).

Thank you for considering our concerns.

Sincerely yours,

Cille King

Cille King
President

Alan Black

Alan Black, Chairman
Land Use Committee

From: Candice Davis [mailto:cdavis.chc@gmail.com]
Sent: Monday, July 21, 2014 9:51 AM
To: Scott McCullough
Cc: David L. Corliss
Subject: Fwd: North Carolina retail proposal- letter

Hello Scott. I would like for you to include my letter in the packet for the PC tonight. I did send the e-mail to PC personal e-mails but would also like to have it included in the packet. I know that you are continually in most difficult positions as you try to accommodate many interests. However, sometimes "NO" is the most effective response to end continuous pressure from individual private interests. I believe that our long-range city planning must be forward thinking and reviewed periodically before developers summit their hearts desire. Sticking to such a plan is paramount and might make your job and those of other commissioners much easier. I know you are working hard but I am passionate about this town and will do what I can to see that changes move in a positive direction. The North Carolina group is just now contacting LAN about their proposal. They plan to speak to the group in August but the timing is very late in the city process. Your friendly but concerned neighbor, Candice Davis

Dear Planning Commissioners, 7-19-14

I am aware that you are reviewing a request for rezoning by a development group from North Carolina. They would like to invest in a large retail project south of existing retail on Iowa street that would be 40% as large as our downtown.

Having lived in Lawrence for 30 years, I am concerned about the continuing viability of our downtown retail businesses as well as city planning practices. Who is planning our city? Do the citizens of Lawrence want big developers and their lawyers to plan where projects will be located? A recent Horizon 2020 survey identified protection of our downtown as a top priority.

Good city planning should always consider the over-all health and welfare of the entire city, follow appropriate protocol and use established urban planning principles. This out-of-town firm is requesting rezoning to accommodate their development. Our long-range plan should only be changed to address the projected needs of the city not to address the needs of a developer.

Is this proposal really good city planning, and good for Lawrence?

Thank you for your thoughtful consideration, Candice Davis

Concerns/Questions

1. Is the North Carolina developer aware of our long-term city plan, Horizon 2020? Do they care about the welfare of our community or is this purely business?

2. The latest Horizon 2020 survey placed maintaining a viable downtown as a top priority.

3. Existing downtown retail is already shrinking. Bars and restaurants are tipping the scale.

4. What about existing commitments to Mercado and their plans for retail expansion in west Lawrence?

5. The new city recreation center to the west is promising much city and regional activity. Will this threaten taxpayer investments and hurt the potential retail market in that area?

6. There is already the highest % of retail on South Iowa Street. How will this impact existing city-wide retail businesses?

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July 20, 2014

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Re: **ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTERS 6 & 14 CPA-14-00107**
ITEM NO. 4A ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD A-14-00104
ITEM NO. 4B RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY Z-14-00105
ITEM NO. 4C RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY Z-14-00106

Members of the Lawrence Douglas County Planning Commission,

The applicant, Collett and Associates, seeks to develop a parcel on Iowa Street through an amendment to Horizon 2020, annexation of land and rezoning of the land. The proposal, Southpoint, calls for development of: About 460,000 square feet of retail in a first phase; 80,000 square feet for a 100-room hotel; and probably about 70,000 square of additional square feet of retail in a second phase (14 parcels at 5,000 square feet per parcel). The development will contain a total of over 600,000 square feet of commercial space.

This project is large; when fully built it will be the equivalent of 40 percent of our downtown. It will expand the supply of space on South Iowa by about 30 percent. At this scale it has the potential to have a significant negative impact on other retail shopping districts in Lawrence, including the downtown.

Additional Hotel Space:

The issue: Can the community absorb additional hotel space without threatening existing and future taxpayer investment in hotels?

The taxpayers of Lawrence are heavily invested in hotels. The taxpayers invested about $11 million in the Oread Hotel. The taxpayers are investing about $10 million in the 9th and New Hampshire project with a significant portion of that amount serving the new hotel.

Lawrence has zoned multiple parcels for additional hotel space. Hotel zoning was approved in the North Mass development. Hotel zoning was approved in the latest revision of the Bauer Farms development.

Lawrence is about to begin a process that may lead to a new conference center. This center will probably include additional hotel space, and this hotel and conference center will probably include a significant taxpayer contribution.

The Southpoint proposal includes a hotel. The staff report is silent on the hotel issue. It is unknown whether or not the city can absorb an additional hotel without threatening its already large investment in hotels.

The City made the hotel investments without careful study of the city's capacity to absorb new hotel space. The City is about to embark on such a study to guide it to a better decision on the conference center.

Zoning for additional hotel space may hurt an already saturated market. Zoning for additional hotel space may threaten existing taxpayer investment.

Recommendation on the hotel component: Do not approve additional hotel space until the absorption study is complete and it is clear that additional hotel space will not threaten existing, and possibly future, taxpayer investment.

Additional Retail Space:

The Issue: Can the Lawrence retail market absorb the proposed space without significant negative impact upon existing retail districts?

The Economics of Retail Markets: In a well-balanced market, the supply should grow in proportion with growth in demand.

The economics of retail real estate are well established. Demand for retail space is what determines the value of retail space, the number of jobs it will produce and the sales tax revenues that it will generate. The supply of retail space does not drive these outcomes. There are many false beliefs that building real estate grows the economy. It does not. Growth in the economy is a function of growth in the aggregate income of the households within the community because income sets the amount of spending that a market will experience. More stores do not create more spending; rather, only more income to the households in the community can drive growth in the economy. As a result, more stores do not create more spending, more sales taxes, more retail jobs or more value of all retail buildings. If too many

stores are added to a market, the stores vie for the finite amount of spending, driving down the revenue per square foot, hurting all stores.

Retail Demand: The best proxy for demand in a market is the local retail sales tax revenues. They show the actual spending in the market reflecting changes in income, the community's pull factor and the use of on-line shopping.

The City's retail market study shows that inflation adjusted retail sales taxes have been flat from 2000 to 2012. They actually declined very slightly at -.012 percent per year over the last twelve years. However, there has been negligible growth from 1995 to 2014 at +0.40 percent per year. Thus, for a long period of time, retail spending in real terms has not grown for about 20 years. See the table below.

Table: Lawrence Retail Supply and Demand Conditions 1995 to 2012

Year	*Inflation Adjusted Sales Taxes*	*Commercial Square Feet*
2012	$ 13,593,996	9,105,151
2000	$ 13,797,066	5,299,404
1995	$ 12,695,769	4,372,183

Demand Annualized Growth Rate

0.40%	**1995 to 2012**
-0.12%	2000 to 2012

Supply Annualized Growth Rate

4.4%	**1995 to 2012**
4.6%	2000 to 2012

Source: City of Lawrence 2012 Retail Market Report

Demand Conclusion: The city's capacity to support growth in its supply of retail space is non-existent. With no growth in retail spending, the city has no capacity to support additional retail space at this time. The developer is only seeking to capture a share of that spending for the proposed development, taking this demand, and possibly some of the vendors, away from existing shopping districts.

Retail Supply: The stock of retail space has grown dramatically since 1995, which is the last time there seemed to be a balance between the supply of and the demand for retail space. From 1995 to 2012, the stock grew by 4.8 million square feet. This growth translates into a rate of growth of 4.4 percent per year. The City has approved an additional 1.2 million square feet at 6th Street and the SLT, Fairfield Farms, North Mass and 31st and Ousdahl Streets.

Supply conclusion: The supply of retail space is growing rapidly with much more approved for development.

Implications: The supply of retail space is growing rapidly while the retail spending is flat. This means that the revenues per square foot are falling. Reduced revenues lowers property values in existing shopping centers, including the downtown. Reduced revenues threaten the ability of attract investment to older existing properties. This is especially threatening to historic properties such as in our downtown.

If we expect to maintain the condition of our existing shopping centers, and especially if we want out downtown to continue to thrive, the space needs to attract sufficient revenue per square foot to drive sufficient lease rates that attract investment.

Staff report: The staff report on the proposed development concludes that because the vacancy rate has not become terribly bad, that the retail market will not be hurt by this development.

Vacancy is one of many measures of market health, but vacancy is one of the weaker indicators of market health. The notion is that if a market is overbuilt, the vacancy rate will rise proportionately. This is not true. Property owners will fill their space, even if it means granting rent concessions to attract occupants. Even with a rent concession that takes rents below costs, the property owner will lose less with a rent concession than with an empty property.

The staff should expand its analysis to examine the revenues coming into each market segment (defined both spatially and by type of vendor). It is clear from the staff report that the market is suffering from declining revenues per square foot over a long period of time, which leads to poor maintenance and reduced investment in existing properties, both of which are harmful to a retail market.

The Caplan Report: The market analysis provided by the developer contains multiple errors. Probably the most severe is the assumption that sales will rise 4.1 percent per year when they have not even been keeping up with inflation for a long period of time.

The Caplan report uses the argument that the proposed development will improve the Pull Factor of the entire retail market. The report claims that the community will benefit from new spending attracted to the local market. This can be a valid claim in a tourist market or a market with very special tenants that they become a destination shopping location not found in the region nor having any close substitutes elsewhere in the region.

This notion of attracting new spending into the community is simply not plausible with the proposed project. The vendors will not attract shoppers that are not already here. The vendors listed in the development proposal are not unique to the Kansas City-Lawrence-Topeka region. Thus, shoppers from Johnson County will not drive here for these vendors; they already have them in Johnson County. Shoppers from Shawnee County will not drive here for these vendors; they already have them, or have very close substitutes, in Topeka.

The best option to improve the pull factor in Lawrence is to enhance the one unique, destination shopping district that we have, Downtown Lawrence.

Recommendation:

Someday, this site on South Iowa Street may be an appropriate site for additional retail space and even hotel space on the scale proposed. That day is not even in sight.

- Retail spending remains flat while the supply has grown too quickly.
- We want to enhance, not degrade, the condition of our shopping centers and especially our downtown.
- We do not want to jeopardize our current and future hotel investments.

Tell the developer that this proposal is premature and cannot be approved at this time.

Yours truly,

Kirk McClure

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July 21, 2014

VIA ELECTRONIC MAIL

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Re: Southpoint Project

Dear Members of the Planning Commission:

I represent K-10/40 Development, L.C., whose managers have an interest in the Mercato retail and commercial development at the northeast corner of Highways 40 (6th St.) and 10 in West Lawrence. Tonight, the Commission will consider a Comprehensive Plan Amendment to Horizon 2020 relating to what has been commonly referred to as the Southpoint Project, along with considering an annexation request and two rezoning requests affecting the same Project (the "Project"). For the reasons outlined here, the Commission should not at the present time recommend approval of the Project.

The Project is the largest commercial land use ever proposed to the City. Staff acknowledges at p. 14 of the Comprehensive Plan Amendment report (Item 3) that the proposed Comprehensive Plan Amendment *does not conform* to certain Horizon 2020 policies. Staff recognizes in multiple places in the Comprehensive Plan Amendment report that a number of retail and commercial developments will be negatively affected. This includes Mercato and a number of other sites mentioned in the report, and businesses and locations that are not mentioned in the report. The pending requests veer from existing policies and implicate significant questions of public policy and planning.

The Comprehensive Plan Amendment staff report includes some of Horizon 2020's goals and criteria for directing land use decisions, but certain policies warrant emphasis. Horizon 2020 does not contemplate the need for a new regional commercial center (Policy 3.13 at p. 15 of the staff report). While the staff report states that the Southpoint location simply would become "appended" to or "expand" the South Iowa Regional Commercial Center, in substance a project of this size does create a regional commercial center. This is a major departure from Horizon 2020.

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

The concern with the Project is not that it proposes retail and commercial development. The critical issue for tonight is whether the City process and directives under Horizon 2020 are being followed. Staff recognizes that there has not been a change in public policy, one of the criteria to be considered in determining whether to amend the Comprehensive Plan (*see* p. 17 of the report). That the City is now working with a task force to amend Horizon 2020 establishes that it is premature to change or gauge public policy.

There has been much discussion of the potential tenants for the Project. It appears this potential has been the driving force in garnering support from certain quarters. But the proper focus for the Southpoint concept plan is against the backdrop of the City's Comprehensive Plan policies and goals. We urge the Commission to adhere strictly to Horizon 2020 and to postpone this Project until the public process has been properly engaged.

Very truly yours,

Mary Jo Shaney

MJS:hkm
cc: Scott McCullough, Director, Planning and Development Services,
via e-mail smccullough@lawrenceks.org

PLANNING COMMISSION REPORT
PUBLIC HEARING ITEM

PC Staff Report
7/21/14

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

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

STAFF RECOMMENDATION: Staff recommends approval of the requested annexation [A-14-00104] of approximately 102.64 acres located along the east side of S. Iowa Street and the south side of N. 1250 Road (Armstrong Road) based on the findings in the body of the staff report and forwarding this request to the City Commission with a recommendation for approval.

Applicant's Reason for Request: *The annexation request is part of a package of development applications, including two (2) rezoning requests and a comprehensive plan amendment, which propose the development of a retail/commercial center at this location. This annexation request is consistent with Annexation Policy #1, listed on page 4-5 of Horizon 2020, which states "Lawrence will actively seek voluntary annexation of land within the UGA as development is proposed." The subject property is located within Service Area 4 of the UGA.*

KEY POINTS

- Subject property is located adjacent to existing City Limits along the west and north property lines.
- This Annexation request is submitted concurrently with a comprehensive plan amendment and rezoning for commercial and open space uses.
- The property is located within the designated Urban Growth Area for the City of Lawrence and within the boundary of the *Revised Southern Development Plan*.
- The property, when combined with land in the City of Lawrence, is located at the intersection of two State Highways.
- Utility and street extensions are feasible to serve the property.

COMPREHENSIVE PLAN FACTORS TO CONSIDER

- The annexation request is compliant with the Growth Management and Transportation policies of the Comprehensive Plan.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- CPA-14-00107
- Z-14-00105: 122 AC to CR/CR-FP
- Z-14-00106: 46.10 AC to OS-FP

Other action required:

- City Commission approval of annexation and adoption/publication of ordinance.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- General questions from the public clarifying the nature of the request and inquiring about specific businesses that may be located at this site.

Site Summary

Parcels included in annexation request:	3
Gross area included in all development requests:	168.64 Acres[1]
Gross area in to be annexed:	102.64 Acres
Area to be annexed excluding Highway right-of-way	83.28 Acres
Gross area encumbered by regulatory floodplain:	47 Acres (apx.)

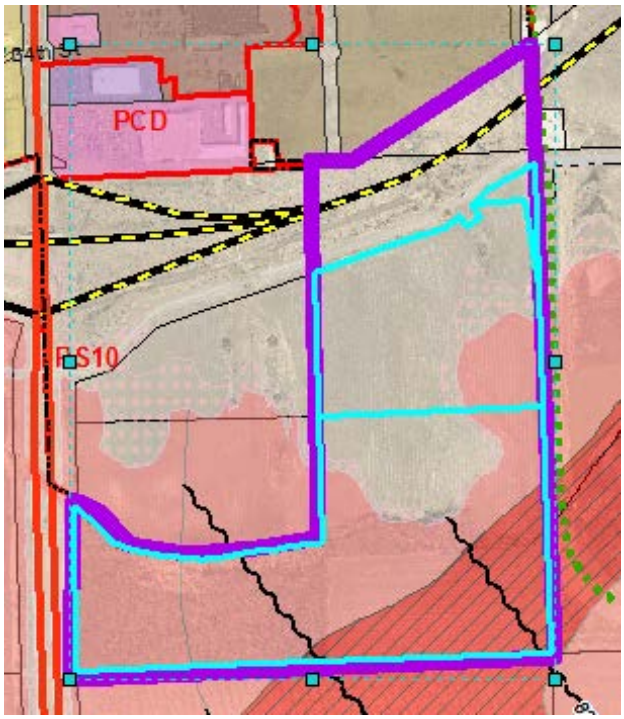


Figure 1: Boundary of Full Annexation Outlined in Purple

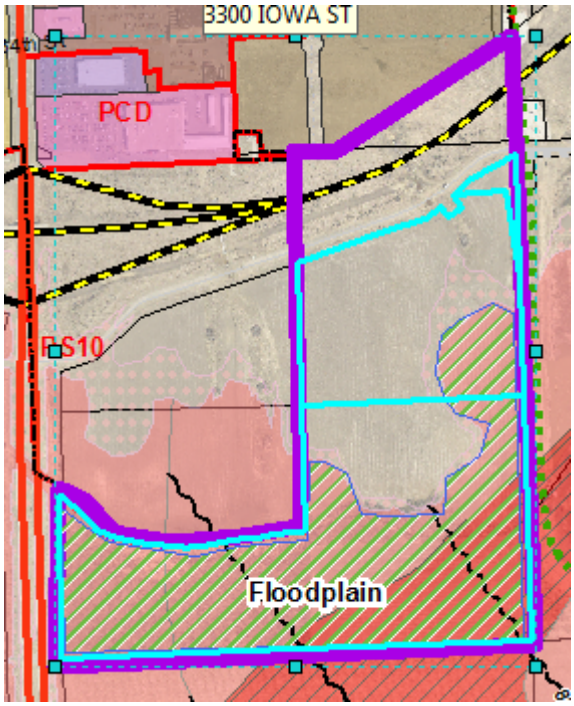


Figure 2: Proposed Annexation Excluding Right-of-Way outlined in Blue.

Subject property is located within Service Area 4 of the Urban Growth Area as defined in *Horizon 2020 [Map 3-1 Horizon 20202].*

EXISTING CONDITIONS

The proposed annexation is a reversed "L" shaped property located along the south side of the South Lawrence Trafficway and the east side of Highway 59. The current zoning and land use is described for the land being annexed included in this application. A separate summary of the current zoning and surrounding land use will be included in the staff reports for each of the two related zoning applications Z-14-00105 and Z-14-00106.

Current Zoning and Land Use:	A (County -Agricultural) District and VC (County – Valley Channel District); used for agricultural crop production.

[1] Acreage includes SLT right-of-way. Area less SLT right-of-way equal to 119.85 acres.

Surrounding Zoning and Land Use: To the east, east side of future Michigan Street: A (County – Agricultural) District and VC (County – Valley Channel) District; Baker Wetland Visitor Center.

To the north: RS10 (Single-Dwelling Residential District along the south side of K-10 Highway Right-of–Way. RM15 (Multi-Dwelling Residential) District along the north side of K-10 Highway between Michigan Street and Ousdahl Road including area on the west side of Ousdahl Road. Agriculture uses and developing Highway. Uses along the north side of K-10 highway include an automotive dealership, a communication tower and vacant lots platted for multi-dwelling residential uses.

To the west: A (County - Agriculture) and RS10 (Single-Dwelling Residential District along the south side of K-10 Highway Right-of–Way. Agriculture uses and developing Highway.

To the south: VC (County – Valley Channel District); agricultural uses.

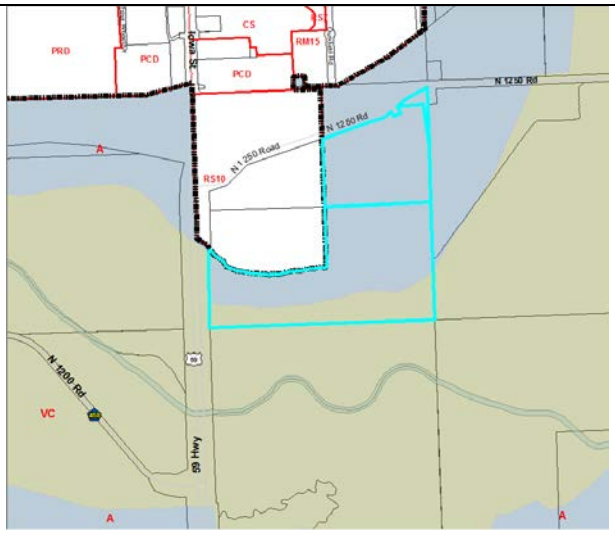


Figure 3: Existing Zoning

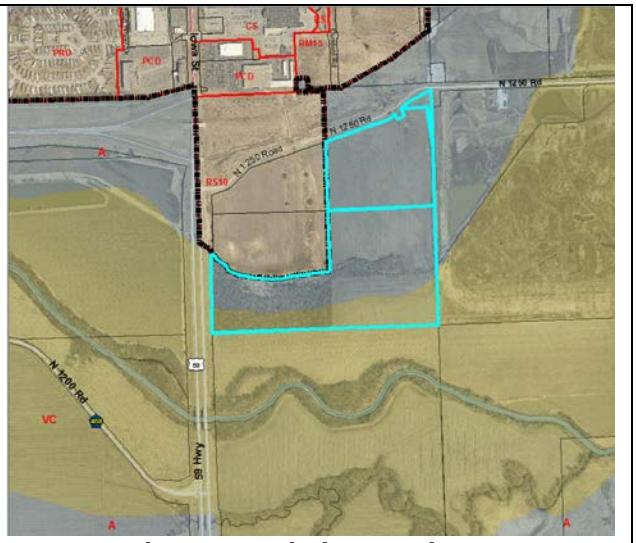


Figure 4: Existing Land Use

Project Summary

This annexation request is part of a larger 168-acre area development proposal. The 66 acres located at the immediate intersection of Highways K-10 and 59 is within the jurisdictional boundary of Lawrence. The annexation request extends the City Boundary to the south along Highway 59 and to the east along Highway K-10 to future Michigan Street, which is being constructed as part of the Highway K-10 project. Application documents include a conceptual plan showing the possible commercial development and lot division of the entire 168-acre area. A formal submission of a preliminary plat, final plat, and site plan will be made in the future, if the pending requests are approved.

Specific land uses are discussed in the related rezoning staff reports for this property.

Annexation Procedure

Kansas Law [*K.S.A. 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 all annexation requests in excess of ten acres. This annexation request is accompanied by rezoning requests and a comprehensive plan amendment.

The City Commission received the annexation request on March 15, 2014 and forwarded the request to the City Commission for initiation on April 8, 2014.

The City of Lawrence Administrative Annexation Policy (AP-74) requires that the costs associated with compensation to a Rural Water District be paid pursuant to Kansas Statutes. The property included in this request is located in a part of the county that is not served by any Rural Water District. However, Rural Water District 2 has infrastructure located within existing right-of-way for this area. If the annexation request is approved, staff will coordinate any additional processing related to rural water district compensation.

COMPREHENSIVE PLAN
The subject property is located within Service Area 4 of the Urban Growth Area as shown in Map 3-1 of *Horizon 2020*. Service areas are defined in Chapter 4, Growth Management, *Horizon 2020*. A key feature of the plan states:

> *The Plan promotes development in the UGA through an adopted annexation policy which anticipates well-planned development of fringe areas.*

Urban Growth Areas are those areas designated in Douglas County that surround incorporated cities and where the plan *"directs development" to be located.* Specific Growth Management policies are located in Chapter 4, Horizon 2020. Policies that are supportive of the property being annexed are as follows:

GOAL 1: Establish Urban Growth Areas

Policy 1.3.2: Nonresidential Land Uses

b. Non-residential developments should be developed in a planned manner with respect to adjacent uses, common access and integration of uses with the surrounding neighborhood.

c. Location of non-residential uses should occur only at designated nodes of intersecting street/roads.

e. Environmentally sensitive areas within the UGA should be protected, conserved and incorporated within the design context of a proposed development.

Policy 1.4: Establish Utility Extension Policy for Newly Annexed Areas

b. Proposed developments based on planned growth areas will be given priority over proposals inconsistent with utility plans.

GOAL 3: Annexation Policy

To implement the goals of the Comprehensive Plan, to provide for the orderly development of the community and to provide areas of land which will receive municipal services that can accommodate the residential, commercial and industrial growth of the community, it will be necessary to annex additional land into the incorporated municipal boundaries of Lawrence, Eudora, Baldwin City and Lecompton.

Policy 3.1: Areas Immediately Adjacent to the City Limits

a. Areas immediately adjacent to municipalities (Lawrence, Eudora, Baldwin City and Lecompton) should be encouraged to annex voluntarily if utility services are available to them.

b. Developments in need of the extension of city utilities or city services shall first be required to annex.

c. Properties within the UGA's should be encouraged to annex consistent with a service delivery plan.

Plan policies support voluntary annexation, annexations that are consistent with planned infrastructure extensions, annexations that are adjacent to existing city limits and are within designated urban growth boundaries. This annexation request is consistent with the growth management policies found in *Horizon 2020*.

COMPLIANCE WITH ADOPTED AREA PLANS

The subject property is located within the *Revised Southern Development Plan*, a specific sector plan. This application is submitted concurrently with a comprehensive plan amendment application regarding commercial uses in the area. The plan amendment does not impact the suitability of annexation of this property. The *Revised Southern Development Plan* is discussed in detail in the related CPA and rezoning staff reports.

The plan addresses specific land use recommendations for residential, commercial, and open space uses as well as, gateways, landscaping signage and site specific development patterns. These elements are further discussed in the rezoning applications and will be included in future development related applications such as subdivision platting and site planning.

Infrastructure and Utility Extensions

Public Right-of-Way: The proposed annexation abuts Highway K-10 to the north, Highway 59 along the west and future Michigan Street along the east. Additionally, the applicant is working with KDOT and City staff to locate a mutually beneficial alignment for 35th street.

The Major Thoroughfares Map shows existing and future street network for arterial and collector streets. Upon full development, future Michigan Street will function as a minor arterial street and 35th Street will function as a collector street. Highway 59 is designated as a principal arterial street with Highway K- 10 designated as a freeway. In addition to the street network required to serve this area, adequate traffic control and intersection improvements are required. Signals, round-about and other geometric improvements pertaining to turn lanes will impact the total required right-of-way required both within the boundary of the development project and on adjacent property. The applicant, KDOT and City staff have been meeting to discuss specific concerns regarding access locations and intersection requirements for development of this area.

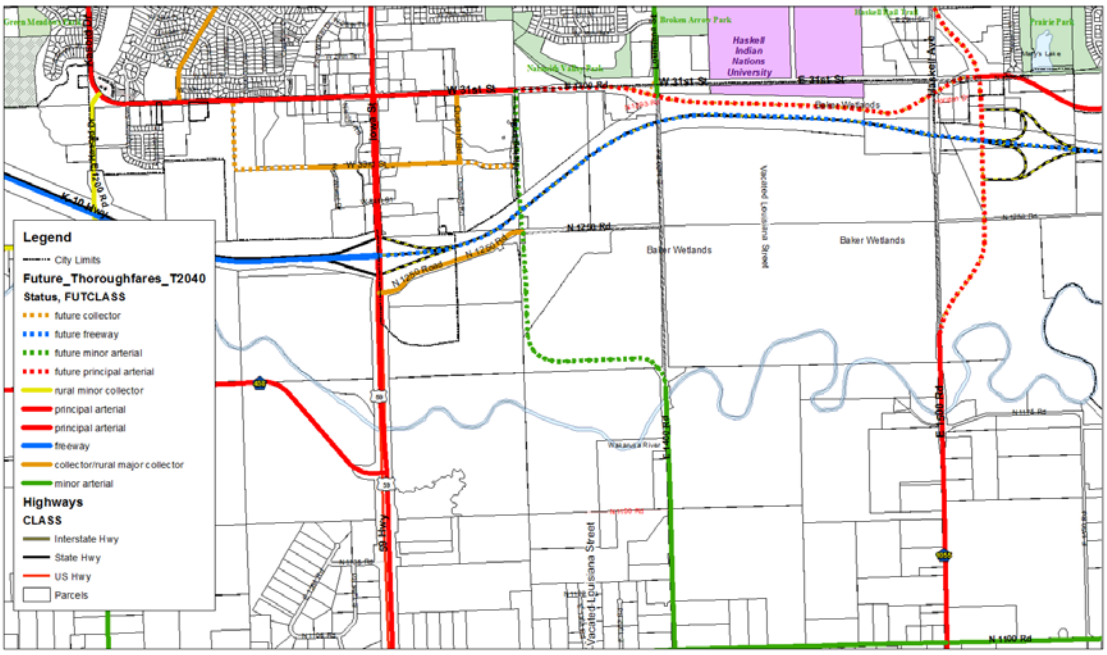


Figure 5: Future Thoroughfares Map

Right-of-way dedication will be required as the property develops and will be detailed as part of the subdivision process.

Development of this area includes improvements to the non-motorized network that include public sidewalks and bicycle lanes, paths, and routes. Some improvements will be included with the SLT project and others will be provided with the specific development of the subject property.

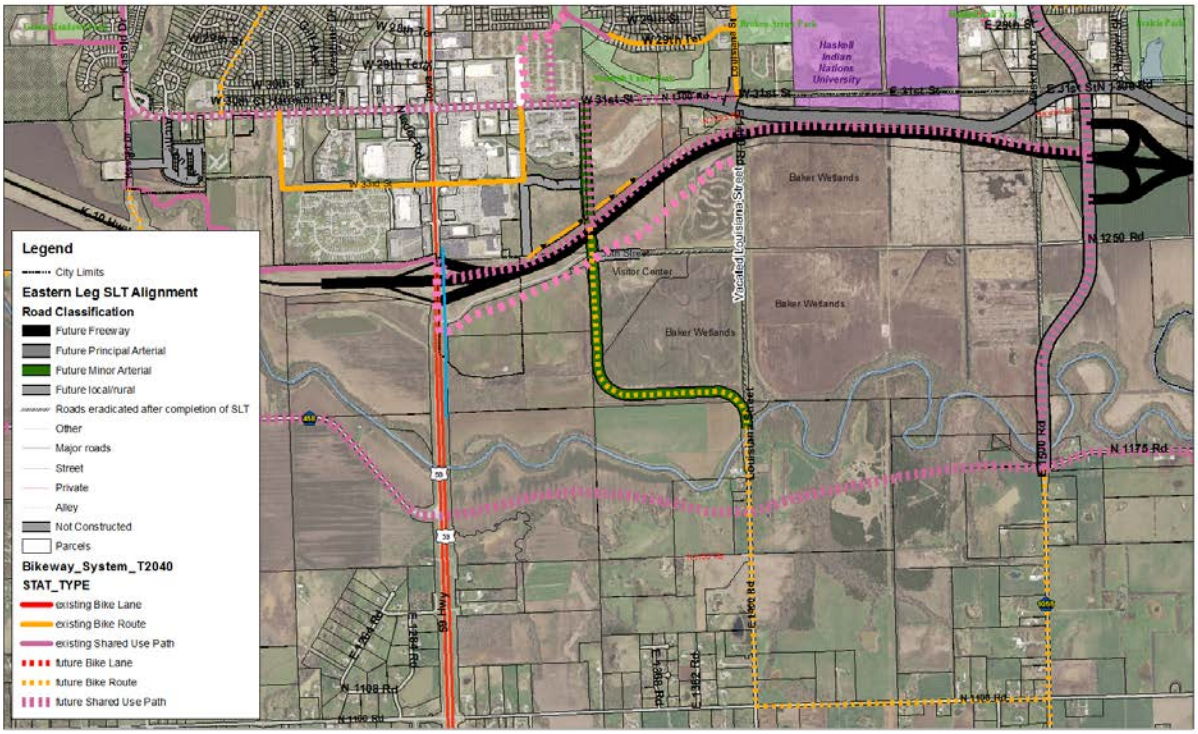


Figure 6: Street and Bikeway Network Map

Utility Extensions: Water and sanitary sewer line extensions are proposed in this area per the adopted utility master plans for these facilities. Development of the site does require extension of

water lines to the property and accommodation for a looped water system. A segment of the sanitary sewer is being relocated on the north side of Highway K-10 from Michigan Street up to 31st Street. Adequate capacity to this area will be available once the Wakarusa Wastewater Treatment Plat and Pump Station 10 are on line in 2018. These improvements are required concurrent with development of the subject property.

Final alignment of utilities, pipe sizes and timing will be coordinated with subdivision and public improvement plans for development of this area regardless of the type or intensity of development. Specific infrastructure costs are unknown at this time. There are no figures available at this time regarding estimated costs for utility extensions.

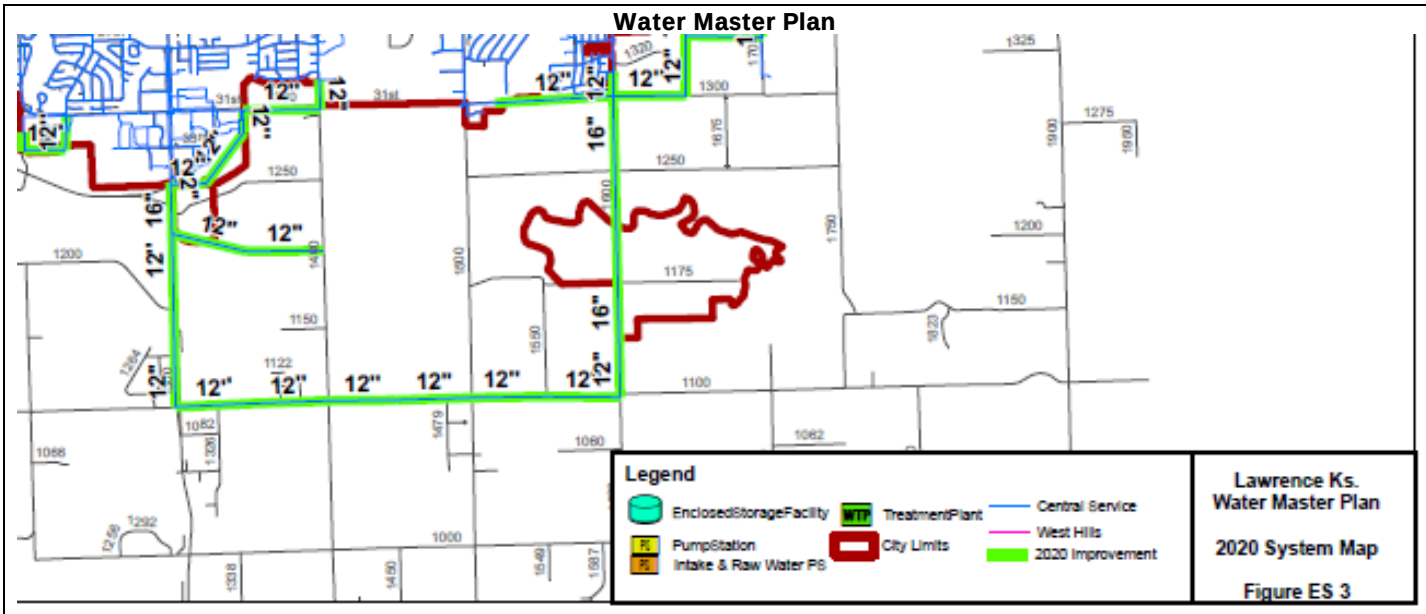


Figure 7: Excerpt of Water Master Plan Map
http://www.lawrenceks.org/assets/utilities/files/Lawrence%20Water%20Master%20Plan%20Exec%20Summary%202012.pdf

Sanitary Sewer Master Plan

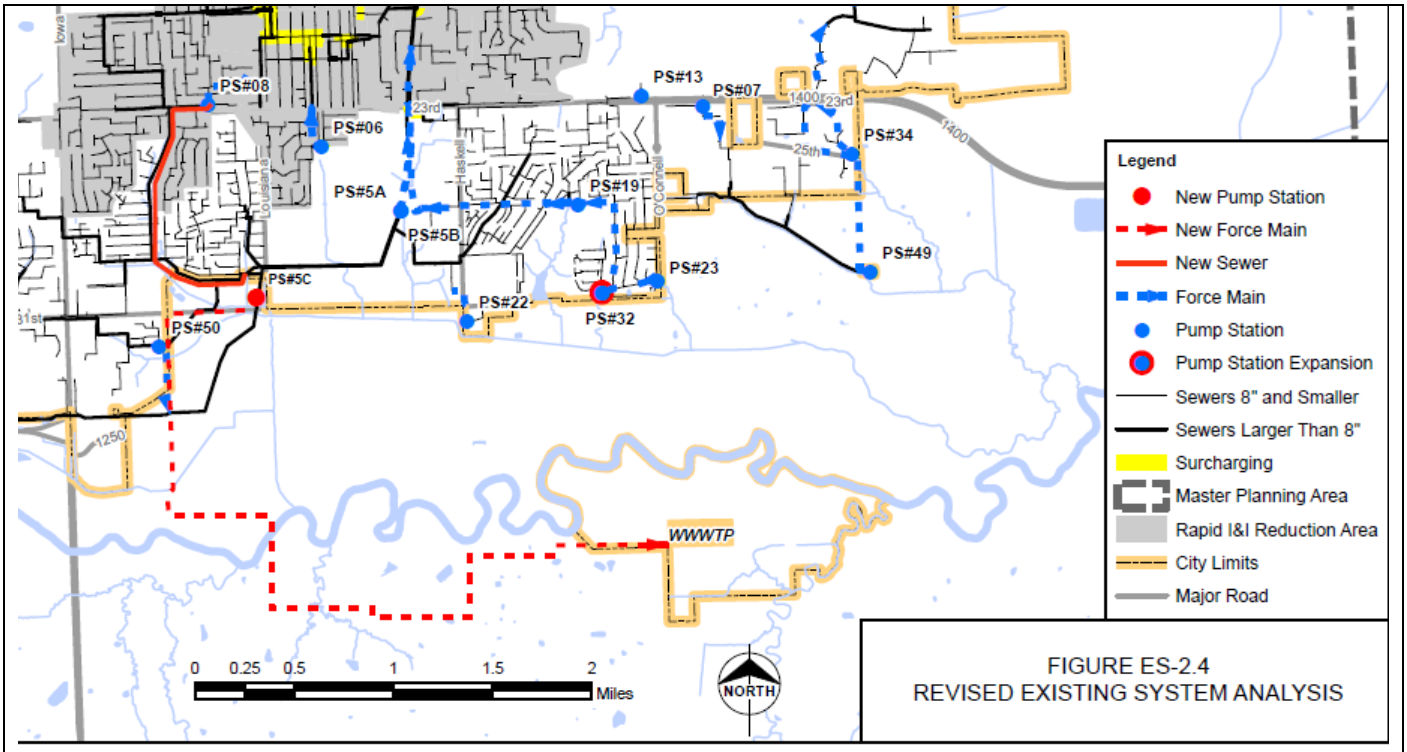


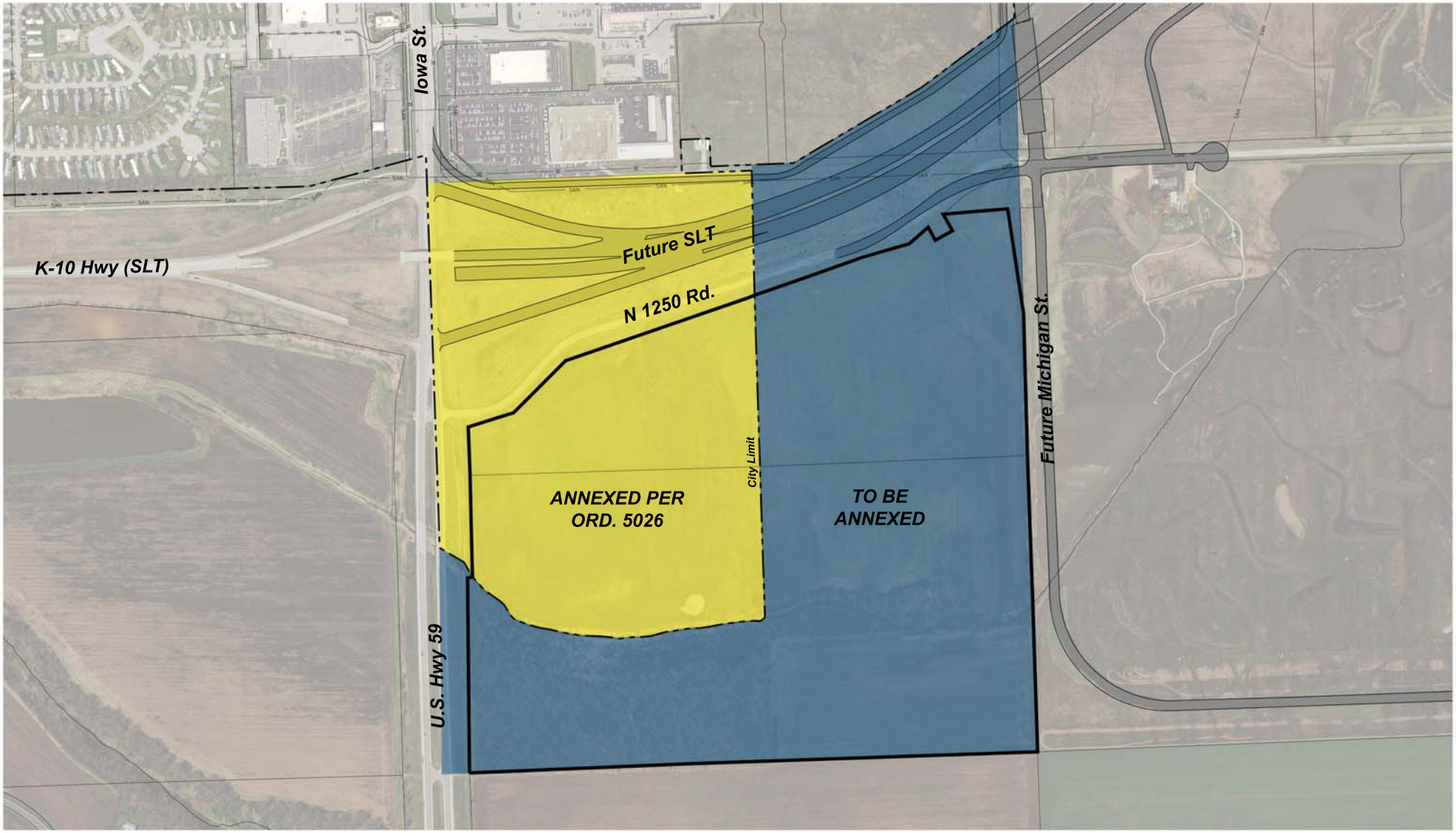
Figure 8: Excerpt of Sanitary Sewer Master Plan Map
http://www.lawrenceks.org/assets/utilities/files/ESFinalReport.pdf

FUTURE DEVELOPMENT

This application was submitted with a concept plan showing a possible development option that includes the proposed annexation and an existing tract of land currently within the City Limits. This concept plan should not be taken to represent the ultimate development and final arrangement of lots, 35th Street alignment and intersection points. The concept plan, while a valuable tool to aid in the broad assessments of land use considerations, does not provide the level of detail needed to assess design criteria. The concept plan provides a lens by which to view the scope of anticipated needs to serve the type and intensity of development anticipated by the developer. Additional review through the subdivision process includes a statement regarding how public improvements are expected to be financed section 20-809 (f)(3)(iii). A preliminary plat has not been prepared for this property at this time.

CONCLUSION

The proposed annexation is compliant with recommendations of *Horizon 2020.* The subject property is located within the Lawrence Urban Growth Area and City services can be extended to this property; therefore, annexation is appropriate.



SOUTHPOINT CENTER
ANNEXATION EXHIBIT
PREPARED FOR SLT, LLC
MARCH, 2014

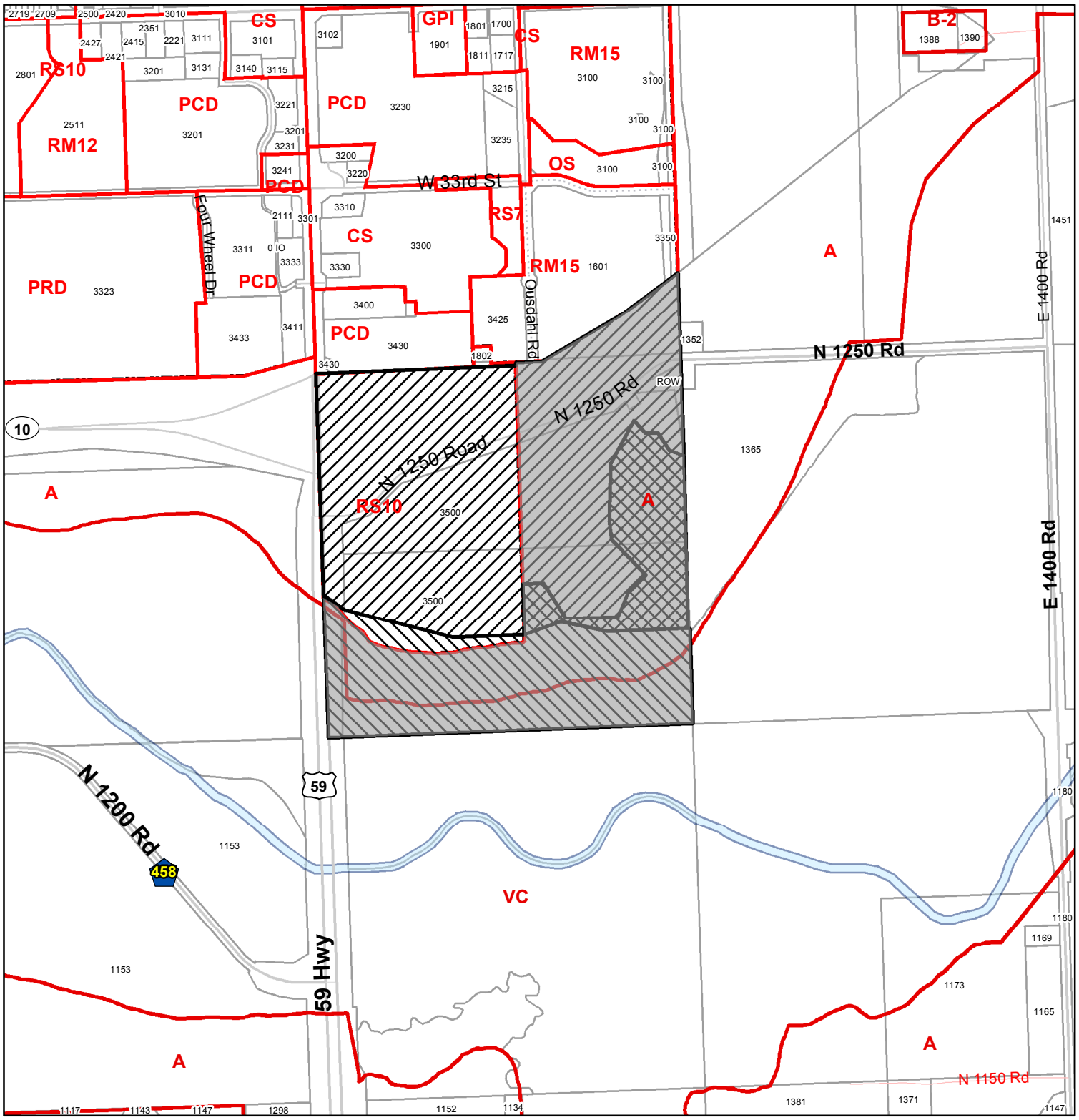
ANNEXATION SUMMARY:

ANNEXED PER ORD. 5026
TOTAL AREA: 66.00 AC.

TO BE ANNEXED
TOTAL AREA: 102.64 AC.

LANDPLAN ENGINEERING PA

SCALE: 1" = 200'
200 100 0 200 400



A-14-00104: Annex approximately 102.64 acres
Z-14-00105: Rezone 122.96 acres from RS10 District and A District to CR/CR-FP District &
Z-14-00106: Rezone 46.1 acres from RS10 District, A District and VC District to OS-FP District
Located at Southeast Corner of US 59 Highway (Iowa Street) & East Leg of K 10 Highway

A-14-00104

Z-14-00105: A to CR-FP

Z-14-00105: RS10 & A to CR

Z-14-00106: A & VC to OS-FP

Lawrence-Douglas County Planning Office
June 2014

Memorandum
City of Lawrence / Douglas County
Planning and Development Services

TO: **Planning Commission**

FROM: **Jeff Crick, AICP, Planner II**

CC: **Scott McCullough, Planning and Development Services Director**

Date: **For the July 21, 2014 Planning Commission Meeting**

RE: **Requested Additional Information for CPA-14-00107, A-14-00104, Z-14-00105, and Z-14-00106**

At the request of Commissioner Josserand, staff is providing information regarding traffic counts at the intersections of K-10/South Lawrence Trafficway & 6th Street and K-10/South Lawrence Trafficway & South Iowa Street. The following data is the Annual Average Daily Traffic for both directions, which is available from the Kansas Department of Transportation:

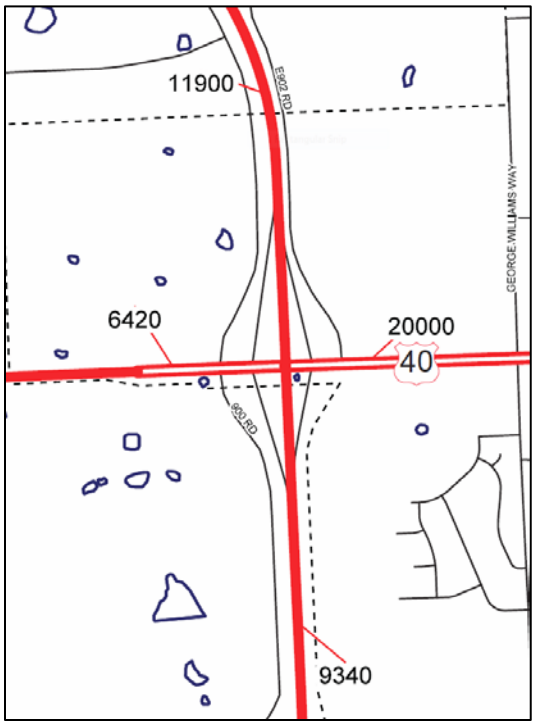


Figure 1: KDOT Traffic Counts (2013) for 6th St. at K-10

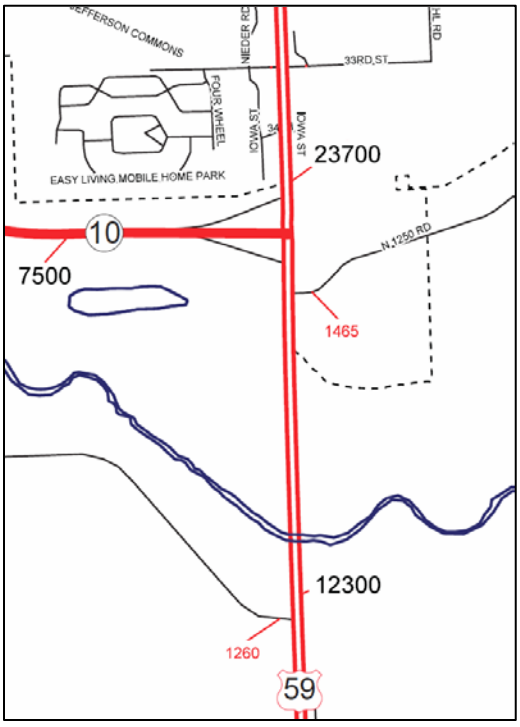


Figure 2: KDOT Traffic Counts (2013) for South Iowa St. at K-10

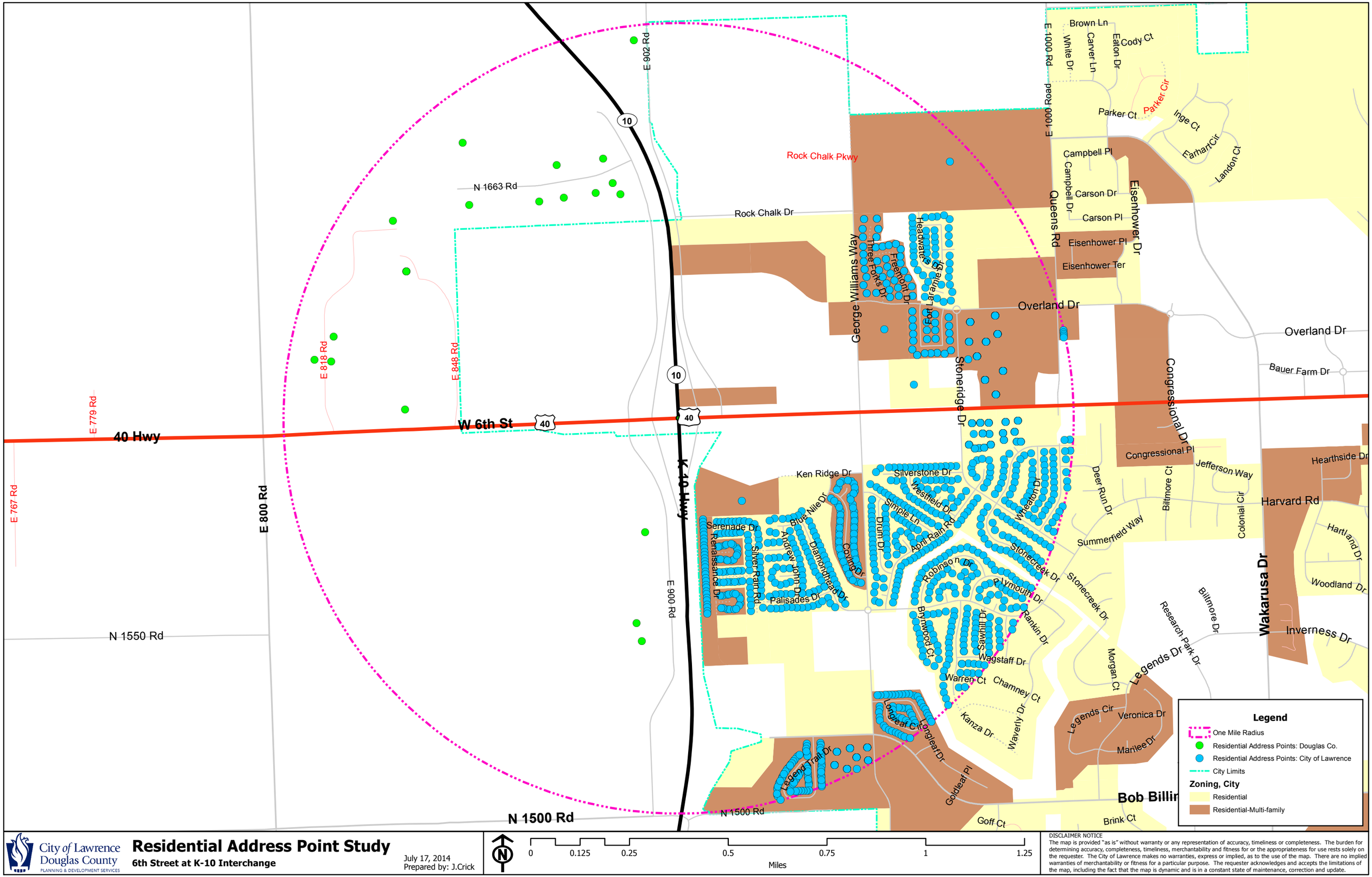
Staff was also asked to study the amounts of residentially zoned property within 1 mile of those intersections. Using the U.S. Census Bureau value for average household size (2.3 people per household) for the community, staff was able to approximate the populations living within a 1 mile radius of the these two locations.

Location	Estimated Households		Total Households	Total Population (2.3 people per Household)
	City	County		
6th St. at K-10	1,472	21	1,493	3,434
S. Iowa St. at K-10	1,449	4	1,453	3,342

Attached are the maps from the study of the two locations.

Some points on the maps are stacked and/or overlap, so they do not indicate amount/intensity of households (multi-family projects). Also, some points indicated on the maps are properties that are either currently under construction, or are anticipated to be constructed within 3 to 5 years.

Aerial maps are provided to reflect the actual units currently constructed.



City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

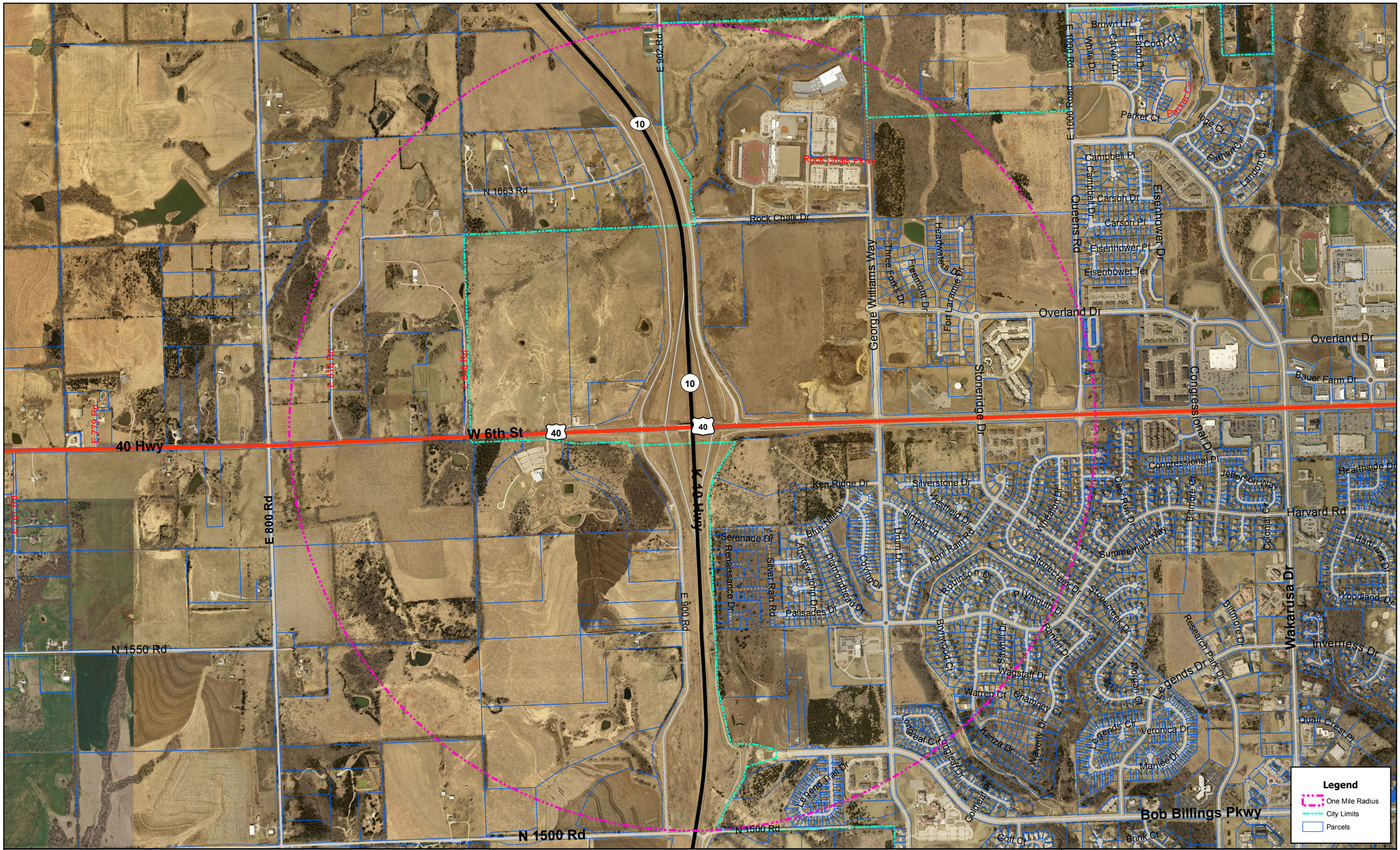
Residential Address Point Study

6th Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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.



City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

2014 Aerial Photograph

6th Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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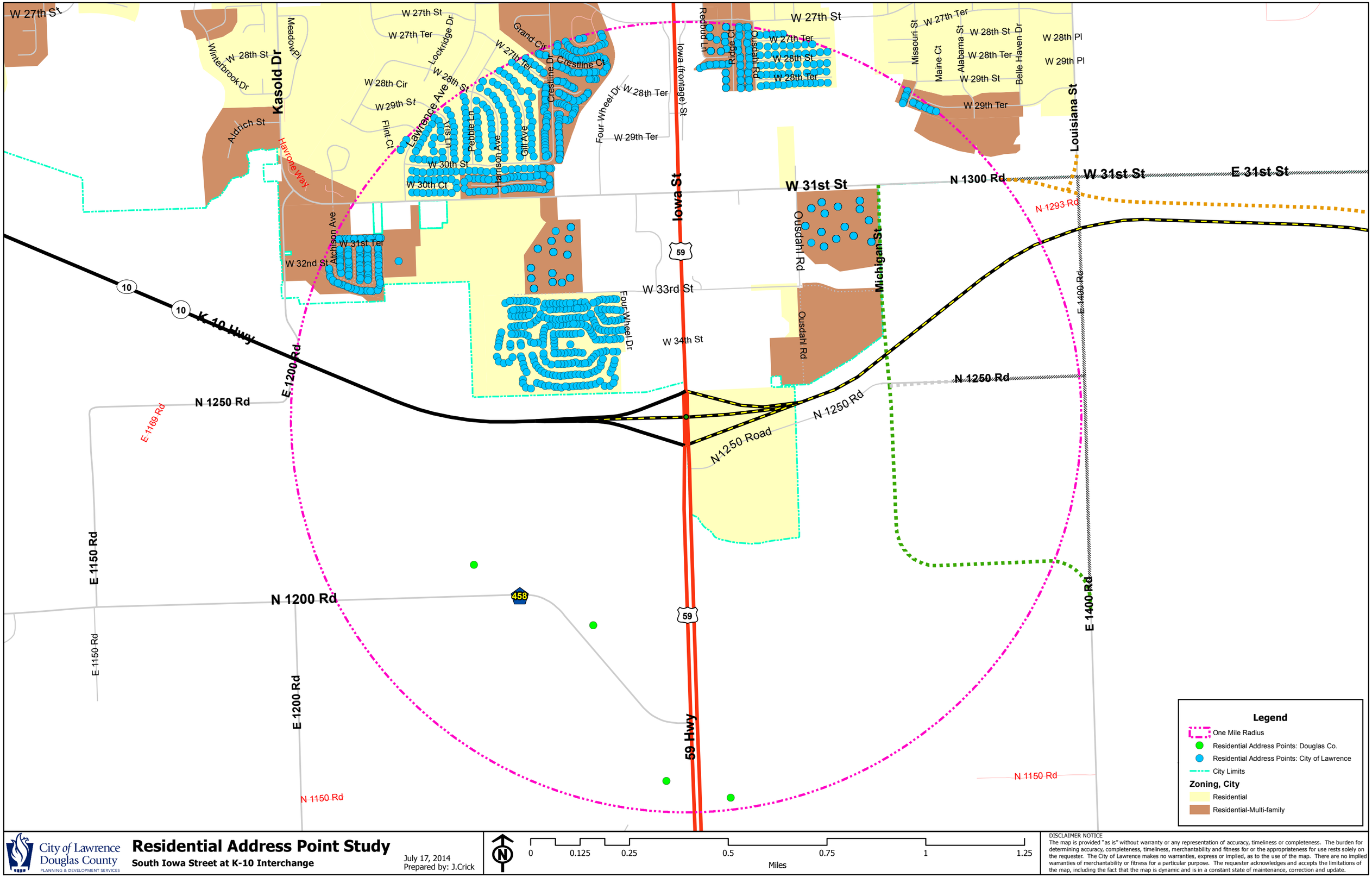

City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

Residential Address Point Study

South Iowa Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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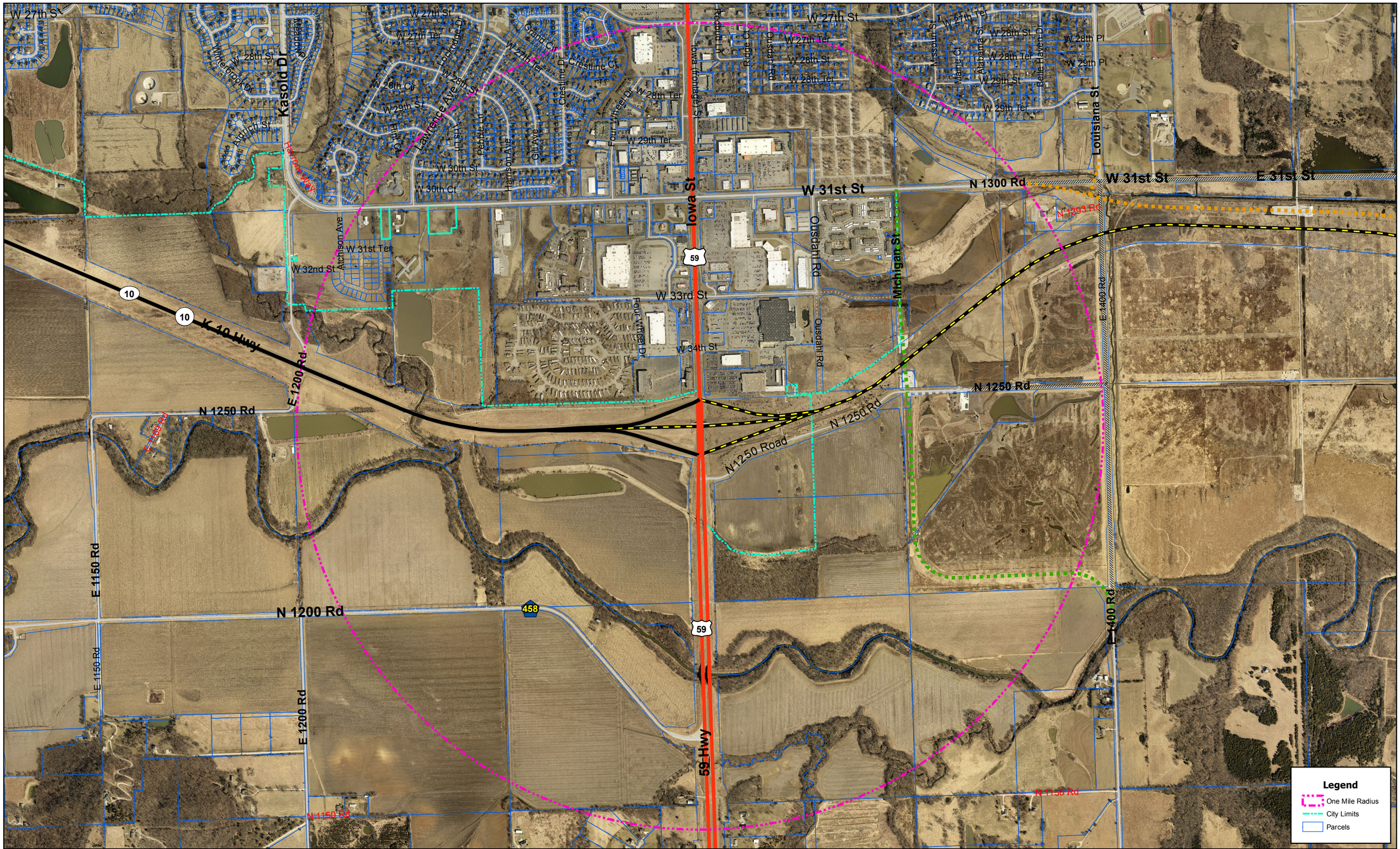

City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

2014 Aerial Photograph

South Iowa Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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From: <Bolick>, Zak <Zak.Bolick@INTRUSTBANK.COM>
Date: Tuesday, July 15, 2014 at 3:19 PM
To: USD497 USD497 <pkelly@usd497.org>
Subject: Southpoint Retail Development

Good afternoon Patrick,

I wanted to reach out to you this afternoon to voice my support for the Southpoint Retail Development that comes before you this coming Monday, July 21st where I understand you will weigh in on the requested annexation, rezoning, and amendment to the Comprehensive Plan as it relates to this development. As a business professional, homeowner, and graduate of Leadership Lawrence, I understand the tax burden that the residents of Lawrence, Kansas carry due to our wonderful city amenities and services, alongside of our lack of enough commercial and industrial developments to support it what we have.

With that said, I would ask that you pave the way for this development, which among many things will:

- Be an obvious and much needed gateway to our community from the South, along a much improved 59 Highway and finally to be completed SLT;
- Be a buffer to protect and enhance the Baker wetlands;
- Provide much needed sales and property tax dollars to our community;
- Prevent some existing spending dollars being spent outside of our community from continuing to do so.

We are blessed in this case with a developer who has spent time in our market, who has a history across the Southern half of our country doing like developments, and who believes in his development enough that he is not asking for any special financial incentives from the City, saying that the retail demand in our community is such that the development can be successful without them. This development should not negatively affect our amazing downtown, and was designed such that it is a regional retail destination feel rather than a walkable downtown look and feel, as to not compete with downtown Lawrence. Furthermore, thanks in part to the development at 9th & New Hampshire, as well as the new library and parking garage, and other downtown infill, there are more people living, working, and playing in downtown than perhaps ever before. It is clear to me that the retail demand and natural future growth is South, while the natural residential growth is West. As more and more people move farther West, and when Rock Chalk Park opens and is as popular as we all know it will be, there will be retail demand in that area. But before us today, we have an opportunity to welcome the right developer and the right tenants to our community, and reap the benefits of them being there in as short as a couple of years.

I urge you to consider this project for what it is, and what it means for our community, and support the annexation, rezoning, and amendment to the Comprehensive Plan this coming Monday, July 21st at your meeting.

Thank you for taking the time to read my email. I hope that it finds you doing well.

Best,

Zak Bolick, Commercial Relationship Manager
INTRUST Bank | 901 Vermont Street | Lawrence, KS 66044
Phone: 785-830-2616 | Mobile: 785-766-3836 | Fax: 785-830-2636
zak.bolick@intrustbank.com
www.intrustbank.com
I trust INTRUST.

Please consider the environment before printing this email.

From: "Dan Chavez" <Danc@chavezrestoration.com>
Date: Jul 15, 2014 5:32 PM
Subject: "Southpoint"
To: "montanastan62@gmail.com" <montanastan62@gmail.com>
Cc:

Stan,

My name is Dan Chavez; I am a local business owner and a Lawrence resident for the past 11 years. I am contacting you in regard to the Southpoint Development. I am one of many that believe in the Southpoint Development. I do not have a vested interest in the project, or know anyone that does. However, as a Lawrence resident, I am encouraged by such a project, and I think it will help keep tax dollars in Douglas County, as well as attract surrounding retail dollars from neighboring communities.

There have been times in the past that I felt the commission has looked for reasons not to approve such a project, listening to those afraid of too much change or growth. There will always be naysayers with whatever project is placed before the planning commission, some with great passion. I would ask you simply to weight the logic of those that oppose this project. I would challenge you to look at the merits of the Southpoint Development for what it can offer Lawrence and its residents.

I think in years passed; there were times when quality projects were more plentiful, when missing one opportunity only meant waiting on the next one. I wonder from a retail dollars standpoint if we can afford to miss the potential that this project offers Lawrence residents. Please consider the value that Southpoint offers to Lawrence, and vote accordingly. Thank you, Dan Chavez

DIAMOND REALTY INVESTMENTS, INC.

5215 N. O'Connor Blvd, Suite #670
Irving, TX 75039

July 16th, 2014

Planning Commission
City Hall – 1st Floor
6 East 6th Street
PO Box 708
Lawrence, KS 66044

Dear Planning Commission members:

Diamond URS Lawrence, LLC, also known as The Connection at Lawrence, is a 324 unit, 888 bed class A off campus student housing multifamily property located at 3100 Ousdahl Road in Lawrence.

As an established business and tax paying entity, we are writing to express our full support for the proposed Southpoint Retail Development on the SE corner of Iowa St and K-10 (SLT).

As a business and property owner in Lawrence, we've been pleased to see positive signs of economic growth in the city and the area near our property (e.g. Menards and the K-10 SLT most recently.) We believe further developments will have a positive impact on the city, fellow property owners, and retail customers.

We are sorry that we will not be in attendance for the meeting on Monday July 21st, so we wanted to express our support for this project.

Sincerely,

Mark Stinger
Vice President & Chief Asset Manger
Diamond Realty Investments, Inc.

From: "Jones, Claudia K" <Claudia.Jones@intrustbank.com>
Date: Jul 16, 2014 8:31 AM
Subject: FW: Southpoint Retail Development
To: "montanastan62@gmail.com" <montanastan62@gmail.com>
Cc:

I just wanted to send this e-mail letting you know that from what I have read, I am in support of this project. I am uncertain as to why we would not want a project like this to come to Lawrence. It will bring more jobs, more retail sales for Lawrence, which in turn will increase the City's sales tax revenues. I was born and raised in Lawrence, KS and have lived here for almost 60 years and get tired of driving to Topeka or KC to shop at stores that Lawrence does not offer. I do shop downtown but the stores that are anticipated to be in this project would not interfere with the type of stores that Downtown Lawrence has to offer.

It is my understanding that Southpoint will not need any special taxing districts, tax rebates or other financial incentives from the City. This is even a larger bonus for Lawrence, a company wanting to locate in our city and not asking for any incentives to come.

I hope you will support the annexation, rezoning and amendment to the comprehensive plan to allow this project to move forward.

Claudia Jones

Southpoint Retail Development is important for our community, and I support the annexation, rezoning, and comprehensive plan amendment as the first steps in getting it built.

I also support the Family Fun Center that I have seen occasionally in the news. I know that there are protests to putting it out by Raintree, and as a former Raintree parent, I don't personally see the issue; however, there are plenty of other locations where something like this could go. North Lawrence (Tanger outlet area), West Lawrence (near the new Rock Chalk Park area - I just know that there is a place for this in our community. I have two children – 6 & 11, and have to go to Topeka or Kansas City to do anything other than swimming, bowling, or a movie. I am very concerned about the lack of fun activities available to kids and teens, and as a Lawrence native, I know the kinds of trouble bored kids get in. My hangout as a teenager was a restaurant – that's pretty sad.

Thank you for your consideration on these issues.

Heather Brown
Closing Director, McGrew Real Estate

1501 Kasold Drive
Lawrence, KS 66047

Main: (785) 843-2055
Direct: (785) 838-8274
Fax: (785) 843-2466

From: CadreLawrence [mailto:mdfales@silverlakebank.com]
Sent: Wednesday, July 16, 2014 9:49 AM
To: Bryan C. Culver
Subject: CadreLawrence Southpoint Retail Development Data Sheet

CADRELAWRENCENEWS

On behalf of CadreLawrence, thank you for taking the time to read this email. As we hope you know, having provided us with your email address, CadreLawrence is your community kitchen table, with an open invitation to the whole community to engage in thoughtful dialog by voicing support and presenting evidence for the creation of jobs and economic growth in Lawrence. With this email, you have the opportunity to get active in the support of a proposed new retail development which goes before the Planning Commission on Monday, July 21st. Read below to learn more about this proposal, and to identify our ask of you.

Information contained in this data sheet was gathered from months of research and communication with Chris Challis, developer for Collett, the company proposing the development on South Iowa, as well as data retrieved from the Retail Market Study prepared by Richard Kaplan & Associates. This is not the opinion of CadreLawrence, but more so the data that was reported to CadreLawrence from these sources.

- Planned on South Iowa Street at K-10/South Lawrence Traffic way in Lawrence, Kansas scheduled for opening in 2016.
- Will offer the Lawrence market area at least seven national retail companies that currently do not have a retail outlet in Lawrence.
    - Academy Sports
    - Ulta
    - Designer Shoe Warehouse (DSW)
    - Old Navy
    - Marshall's/Home Goods
    - Others yet to be named, including a specialty grocer
        - These businesses will occupy approximately 40% of the retail space at Southpoint.
- The project also plans to accommodate three existing retail establishments in Lawrence.
    - Their relocation to Southpoint offers these businesses a commercial center and building space more tailored to their operations as well as an easily accessible location to all Douglas County residents.
- Upon full build out in 2020, Southpoint is planned to have 538,550 square feet of commercial use.
    - This includes 18,000 square feet of office users and an 80,000 square foot, 100 room hotel.

Sales Tax Impact Estimate

- Southpoint will provide approximately $132,000,000 in new retail sales in the

Lawrence market upon completion.

- These estimated retail sales will increase the City's sales tax revenues by 5.5% in 2016-17 ($1.13mm annual increase) when the project opens and will increase the City's sales tax revenues by 6.6% in 2020 ($2.18mm annual increase) when the project is fully completed.
- The project is estimated to provide a cumulative $8,883,500 in additional sales tax revenue from 2016-2020, from opening through completion.

Leakage Impact

- The number of retail dollars leaking out of Lawrence to Johnson County or Topeka is estimated to decrease significantly with this new development.
  - Lawrence's drawing power as a retail center currently is about 10 percent less than Olathe's, about 25 percent less than Manhattan's and Topeka's, and about 50 percent less than Lenexa's.
  - For the retail sectors where Lawrence experiences some of the greatest sales leakage to our neighboring communities (e.g., clothing, general merchandise, furniture & home furnishings, and gasoline stations), Southpoint will add new retailers to each of these categories, helping stem the current leakage, and keep Douglas County dollars in Douglas County, and perhaps draw dollars from neighboring counties to Douglas County.

Vacancy Impact

- The addition of this development will be within the City's historic average for new retail development since 2006, and will not materially affect the City's historic vacancy rate over that period.

City Provided Financial Incentives

- Southpoint has been designed so it will not need any special taxing districts, tax rebates or other similar financial incentives from the city.
  - Interest from potential tenants for the center has been high enough that the development group is confident in its success without incentives.

Our ask of you

- Contact your planning commissioners, and use the information from this fact sheet to draft an email or letter to tell them whether or not you support the Southpoint retail development. The action ahead of the Planning Commission on Monday, July 21st includes annexation, rezoning and amending the Comprehensive Plan. The earlier the better, but the deadline for written communication to be included in the Planning Commission packet is 10:00 am on Monday, July 21st.
- Share this information with 3-5 or more people in your own social network, and ask them to get active in the process as well.
- Try to attend the Planning Commission meeting on Monday evening, July

21st to allow the Planning Commissioners to hear your voice.

- Ask questions. If we do not have the answers, we will get the answers directly from Chris Challis of Collett. Direct questions to info@cadrelawrence.com.
- Your Planning Commission contact information:
    - City Appointees:
        - Amalia Graham - amalia.graham@gmail.com
        - Stan Rasmussen - montanastan62@gmail.com
        - Jon Josserand - jonjosserand@gmail.com
        - Patrick Kelly - pkelly@usd497.org
        - Bryan Culver - bculver@bankingunusual.com
    - County Appointees:
        - Jim Denney - denney1@sunflower.com
        - Pennie von Achen - squampva@aol.com
        - Clay Britton - clay.britton@yahoo.com
        - Bruce Liese - bruce@kansascitysailing.com
        - Eric Struckhoff - eric.c.struckhoff@gmail.com

Sincerely,
CadreLawrence

Hello Planning Commissioners,

I am writing to express that I do not support the approval of the Southpoint retail development. I am fully aware of the anticipated economic impact of the development, but want the commission to know that many of us in the community value the preservation of land and natural resources above economic impact *in some cases*. The continued sprawl south of Lawrence is not something that all residents want. Stores like Old Navy have already failed here,perhaps for reasons I am unaware of, but I suggest putting efforts into supporting local small businesses, rather than continuing to develop in natural areas around Lawrence in support of more large, corporate businesses.

Thank you for your time and consideration. I hope you hear from the many other residents I know who are NOT supportive of this development.

Best,
Emily Hampton

From: Karen Lowder [mailto:klowder@cwood.org]
Sent: Tuesday, July 15, 2014 3:28 PM
To: amailia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; pkelly@usd497.org; Bryan C. Culver
Cc: denny1@sunflower.com; squampva@aol.com; clay.britton@yahoo.com; bruce@kansascitysailing.com; eric.c.struckhoff@gmail.com
Subject: Please vote yes!

http://www2.ljworld.com/weblogs/town_talk/2014/jul/7/old-navy-academy-sports-others-announced/

I hope you ladies and gentlemen will consider the financial gain in jobs that many of these new pending properties might be able to provide, not only for our community, but for surrounding communities as well. We have a vibrant downtown with many local businesses that will remain a big draw because of its uniqueness, but I imagine we are losing a lot of sales tax revenue to Kansas City, Topeka and the Legends. My son recently came home for a wedding and needed to pick up a suit for his small son, but refused to even look for clothes in Lawrence because the selection is greater in Kansas City. I couldn't argue with that.

Wages, sales tax revenues, tax incentives…I'm sure there is much more to consider, but Lawrence is expanding its horizons with the Rock Chalk Park and the Warehouse Arts initiative…those visitors will need places to eat, places to stay and places to shop in their down time…it might as well be Lawrence! Let's make it work! Thanks for your consideration.

Karen Lowder
947 New Hampshire
#302
Lawrence, KS 66044

LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED
JUL 21 2014
City County Planning Office
Lawrence, Kansas

July 20, 2014

President
Cille King

Vice President
Carrie Lindsey

Secretary
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Treasurer
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Directors
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Debra Duncan

James Dunn

Midge Grinstead

Marlene Merrill

Austin Turney

Mr. Bruce Liese, Chairman, and Planning Commission
Lawrence-Douglas County Metropolitan Planning Commission

RE: ITEM NO. 3: COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 6, CHAPTER 14, AND TO THE REVISED SOUTHERN DEVELOPMENT PLAN
ITEM NO. 4A ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD
ITEM NO. 4B RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY
ITEM NO. 4C RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY

Dear Chairman Liese and Planning Commissioners:

We ask the Planning Commission to deny the Comprehensive Plan change, the annexation, and the rezoning requests of the Southpoint proposal for the following reasons:

1. The overriding consideration should be whether the location is appropriate for the proposed use. We answer that it absolutely is not, because:

   a. It is away from population centers and is at the southern entrance to Lawrence where the automobile traffic will be entering and leaving. This location really requires automobile-oriented uses such as a fuel station, quick shop needs, and overnight accommodations. This type of use has been designated in the Comprehensive Plan for this area as an Auto-Oriented Center.

   b. The original concern that this type of use would become a Truck Stop is not warranted for Auto-Oriented centers because they do not require either Regional or General Industrial zoning, the only districts that permit Truck Stops. Truck Stops also require a Special Use Permit.

c. Because of the proposed design of Louisiana Street to bridge the SLT, as well as the Iowa Street connection to the SLT, it would seem to us that the traffic pattern of the area would be especially sensitive to added traffic from shopping-center customers. To add non-essential traffic, such as this leaving and entering slow-moving type would seem to add dangerous and unnecessary traffic connections to the fast-moving through traffic lanes.

d. Shopping centers located in the County (or almost in the County as is this site), have been shown to encourage County sprawl. The future use of a shopping center in this location would, we suggest, encourage County population to develop around it, leading to more non-farm rural residential growth.

e. The proximity of the Southpoint development to the floodplain is also an important argument against

allowing this type of development there. With the necessary modification of the floodplain and the amount of runoff that has to be accommodated, this is a difficult area to develop. In addition, the inevitable runoff directly into the floodplain has a major impact on farmland downstream. We suggest that you talk to the farmers who have already been negatively affected by city runoff, before encouraging more.

2. The major argument given in favor of Southpoint seems to be that this devlopment would positively affect the City's pull factor and tax revenue. We could not find convincing arguments why this would be true. Our reasons are as follows:

a. The stores that Southpoint lists as being future occupants are the same stores that are found in other cities around Lawrence, so there would be no real reason to shop in Lawrence for out-of-town customers (the source of "pull.")

b. The argument that the sales tax revenues will increase as a result of Southpoint depends on an increase in overall sales as a result of the development. The counter argument is that an increase in sales depends on an increase in income, which in turn, is dependent on an increase in employment, which brings the increase in population which brings the increase in overall incomes. Rather than increasing the amount of commercial use and zoning, the answer to this dilemma would be to increase the amount of available employment by supporting more business/industrial and office development. We suggest that the area near the SLT and this intersection outside of the Auto-Oriented area would be an important area to preserve for employment-related uses.

The planning staff method for determining the viability of future zoning by determining the current vacancy rates we find is unconvincing for justifying an increase in zoning, especially where Lawrence is already overzoned (commercial) and overbuilt (apartments). As one citizen/realtor once pointed out, landlords need occupants, if for no other reason than to protect and maintain their property, regardless of whether they pay full rent or not, and occupancy is not necessarily a sign of a healthy business.

For these reasons, and many others, we urge the Planning Commission to deny the Southpoint requests to change the Comprehensive Plan (Item 3), and the requests for Annexation, Rezoning to Regional Commercial, and Open Space (Items 4a,b,and c).

Thank you for considering our concerns.

Sincerely yours,

Cille King

Cille King
President

Alan Black

Alan Black, Chairman
Land Use Committee

From: Candice Davis [mailto:cdavis.chc@gmail.com]
Sent: Monday, July 21, 2014 9:51 AM
To: Scott McCullough
Cc: David L. Corliss
Subject: Fwd: North Carolina retail proposal- letter

Hello Scott. I would like for you to include my letter in the packet for the PC tonight. I did send the e-mail to PC personal e-mails but would also like to have it included in the packet. I know that you are continually in most difficult positions as you try to accommodate many interests. However, sometimes "NO" is the most effective response to end continuous pressure from individual private interests. I believe that our long-range city planning must be forward thinking and reviewed periodically before developers summit their hearts desire. Sticking to such a plan is paramount and might make your job and those of other commissioners much easier. I know you are working hard but I am passionate about this town and will do what I can to see that changes move in a positive direction. The North Carolina group is just now contacting LAN about their proposal. They plan to speak to the group in August but the timing is very late in the city process. Your friendly but concerned neighbor, Candice Davis

Dear Planning Commissioners, 7-19-14

I am aware that you are reviewing a request for rezoning by a development group from North Carolina. They would like to invest in a large retail project south of existing retail on Iowa street that would be 40% as large as our downtown.

Having lived in Lawrence for 30 years, I am concerned about the continuing viability of our downtown retail businesses as well as city planning practices. Who is planning our city? Do the citizens of Lawrence want big developers and their lawyers to plan where projects will be located? A recent Horizon 2020 survey identified protection of our downtown as a top priority.

Good city planning should always consider the over-all health and welfare of the entire city, follow appropriate protocol and use established urban planning principles. This out-of-town firm is requesting rezoning to accommodate their development. Our long-range plan should only be changed to address the projected needs of the city not to address the needs of a developer.

Is this proposal really good city planning, and good for Lawrence?

Thank you for your thoughtful consideration, Candice Davis

Concerns/Questions

1. Is the North Carolina developer aware of our long-term city plan, Horizon 2020? Do they care about the welfare of our community or is this purely business?

2. The latest Horizon 2020 survey placed maintaining a viable downtown as a top priority.

3. Existing downtown retail is already shrinking. Bars and restaurants are tipping the scale.

4. What about existing commitments to Mercado and their plans for retail expansion in west Lawrence?

5. The new city recreation center to the west is promising much city and regional activity. Will this threaten taxpayer investments and hurt the potential retail market in that area?

6. There is already the highest % of retail on South Iowa Street. How will this impact existing city-wide retail businesses?

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July 20, 2014

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Re: **ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTERS 6 & 14 CPA-14-00107**
ITEM NO. 4A ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD A-14-00104
ITEM NO. 4B RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY Z-14-00105
ITEM NO. 4C RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY Z-14-00106

Members of the Lawrence Douglas County Planning Commission,

The applicant, Collett and Associates, seeks to develop a parcel on Iowa Street through an amendment to Horizon 2020, annexation of land and rezoning of the land. The proposal, Southpoint, calls for development of: About 460,000 square feet of retail in a first phase; 80,000 square feet for a 100-room hotel; and probably about 70,000 square of additional square feet of retail in a second phase (14 parcels at 5,000 square feet per parcel). The development will contain a total of over 600,000 square feet of commercial space.

This project is large; when fully built it will be the equivalent of 40 percent of our downtown. It will expand the supply of space on South Iowa by about 30 percent. At this scale it has the potential to have a significant negative impact on other retail shopping districts in Lawrence, including the downtown.

Additional Hotel Space:

The issue: Can the community absorb additional hotel space without threatening existing and future taxpayer investment in hotels?

The taxpayers of Lawrence are heavily invested in hotels. The taxpayers invested about $11 million in the Oread Hotel. The taxpayers are investing about $10 million in the 9th and New Hampshire project with a significant portion of that amount serving the new hotel.

Lawrence has zoned multiple parcels for additional hotel space. Hotel zoning was approved in the North Mass development. Hotel zoning was approved in the latest revision of the Bauer Farms development.

Lawrence is about to begin a process that may lead to a new conference center. This center will probably include additional hotel space, and this hotel and conference center will probably include a significant taxpayer contribution.

The Southpoint proposal includes a hotel. The staff report is silent on the hotel issue. It is unknown whether or not the city can absorb an additional hotel without threatening its already large investment in hotels.

The City made the hotel investments without careful study of the city's capacity to absorb new hotel space. The City is about to embark on such a study to guide it to a better decision on the conference center.

Zoning for additional hotel space may hurt an already saturated market. Zoning for additional hotel space may threaten existing taxpayer investment.

Recommendation on the hotel component: Do not approve additional hotel space until the absorption study is complete and it is clear that additional hotel space will not threaten existing, and possibly future, taxpayer investment.

Additional Retail Space:

The Issue: Can the Lawrence retail market absorb the proposed space without significant negative impact upon existing retail districts?

The Economics of Retail Markets: In a well-balanced market, the supply should grow in proportion with growth in demand.

The economics of retail real estate are well established. Demand for retail space is what determines the value of retail space, the number of jobs it will produce and the sales tax revenues that it will generate. The supply of retail space does not drive these outcomes. There are many false beliefs that building real estate grows the economy. It does not. Growth in the economy is a function of growth in the aggregate income of the households within the community because income sets the amount of spending that a market will experience. More stores do not create more spending; rather, only more income to the households in the community can drive growth in the economy. As a result, more stores do not create more spending, more sales taxes, more retail jobs or more value of all retail buildings. If too many

stores are added to a market, the stores vie for the finite amount of spending, driving down the revenue per square foot, hurting all stores.

Retail Demand: The best proxy for demand in a market is the local retail sales tax revenues. They show the actual spending in the market reflecting changes in income, the community's pull factor and the use of on-line shopping.

The City's retail market study shows that inflation adjusted retail sales taxes have been flat from 2000 to 2012. They actually declined very slightly at -.012 percent per year over the last twelve years. However, there has been negligible growth from 1995 to 2014 at +0.40 percent per year. Thus, for a long period of time, retail spending in real terms has not grown for about 20 years. See the table below.

Table: Lawrence Retail Supply and Demand Conditions 1995 to 2012

Year	*Inflation Adjusted Sales Taxes*	*Commercial Square Feet*
2012	$ 13,593,996	9,105,151
2000	$ 13,797,066	5,299,404
1995	$ 12,695,769	4,372,183

Demand Annualized Growth Rate

0.40%	**1995 to 2012**
-0.12%	2000 to 2012

Supply Annualized Growth Rate

4.4%	**1995 to 2012**
4.6%	2000 to 2012

Source: City of Lawrence 2012 Retail Market Report

Demand Conclusion: The city's capacity to support growth in its supply of retail space is non-existent. With no growth in retail spending, the city has no capacity to support additional retail space at this time. The developer is only seeking to capture a share of that spending for the proposed development, taking this demand, and possibly some of the vendors, away from existing shopping districts.

Retail Supply: The stock of retail space has grown dramatically since 1995, which is the last time there seemed to be a balance between the supply of and the demand for retail space. From 1995 to 2012, the stock grew by 4.8 million square feet. This growth translates into a rate of growth of 4.4 percent per year. The City has approved an additional 1.2 million square feet at 6th Street and the SLT, Fairfield Farms, North Mass and 31st and Ousdahl Streets.

Supply conclusion: The supply of retail space is growing rapidly with much more approved for development.

Implications: The supply of retail space is growing rapidly while the retail spending is flat. This means that the revenues per square foot are falling. Reduced revenues lowers property values in existing shopping centers, including the downtown. Reduced revenues threaten the ability of attract investment to older existing properties. This is especially threatening to historic properties such as in our downtown.

If we expect to maintain the condition of our existing shopping centers, and especially if we want out downtown to continue to thrive, the space needs to attract sufficient revenue per square foot to drive sufficient lease rates that attract investment.

Staff report: The staff report on the proposed development concludes that because the vacancy rate has not become terribly bad, that the retail market will not be hurt by this development.

Vacancy is one of many measures of market health, but vacancy is one of the weaker indicators of market health. The notion is that if a market is overbuilt, the vacancy rate will rise proportionately. This is not true. Property owners will fill their space, even if it means granting rent concessions to attract occupants. Even with a rent concession that takes rents below costs, the property owner will lose less with a rent concession than with an empty property.

The staff should expand its analysis to examine the revenues coming into each market segment (defined both spatially and by type of vendor). It is clear from the staff report that the market is suffering from declining revenues per square foot over a long period of time, which leads to poor maintenance and reduced investment in existing properties, both of which are harmful to a retail market.

The Caplan Report: The market analysis provided by the developer contains multiple errors. Probably the most severe is the assumption that sales will rise 4.1 percent per year when they have not even been keeping up with inflation for a long period of time.

The Caplan report uses the argument that the proposed development will improve the Pull Factor of the entire retail market. The report claims that the community will benefit from new spending attracted to the local market. This can be a valid claim in a tourist market or a market with very special tenants that they become a destination shopping location not found in the region nor having any close substitutes elsewhere in the region.

This notion of attracting new spending into the community is simply not plausible with the proposed project. The vendors will not attract shoppers that are not already here. The vendors listed in the development proposal are not unique to the Kansas City-Lawrence-Topeka region. Thus, shoppers from Johnson County will not drive here for these vendors; they already have them in Johnson County. Shoppers from Shawnee County will not drive here for these vendors; they already have them, or have very close substitutes, in Topeka.

The best option to improve the pull factor in Lawrence is to enhance the one unique, destination shopping district that we have, Downtown Lawrence.

Recommendation:

Someday, this site on South Iowa Street may be an appropriate site for additional retail space and even hotel space on the scale proposed. That day is not even in sight.

- Retail spending remains flat while the supply has grown too quickly.
- We want to enhance, not degrade, the condition of our shopping centers and especially our downtown.
- We do not want to jeopardize our current and future hotel investments.

Tell the developer that this proposal is premature and cannot be approved at this time.

Yours truly,

Kirk McClure

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July 21, 2014

VIA ELECTRONIC MAIL

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Re: Southpoint Project

Dear Members of the Planning Commission:

I represent K-10/40 Development, L.C., whose managers have an interest in the Mercato retail and commercial development at the northeast corner of Highways 40 (6th St.) and 10 in West Lawrence. Tonight, the Commission will consider a Comprehensive Plan Amendment to Horizon 2020 relating to what has been commonly referred to as the Southpoint Project, along with considering an annexation request and two rezoning requests affecting the same Project (the "Project"). For the reasons outlined here, the Commission should not at the present time recommend approval of the Project.

The Project is the largest commercial land use ever proposed to the City. Staff acknowledges at p. 14 of the Comprehensive Plan Amendment report (Item 3) that the proposed Comprehensive Plan Amendment *does not conform* to certain Horizon 2020 policies. Staff recognizes in multiple places in the Comprehensive Plan Amendment report that a number of retail and commercial developments will be negatively affected. This includes Mercato and a number of other sites mentioned in the report, and businesses and locations that are not mentioned in the report. The pending requests veer from existing policies and implicate significant questions of public policy and planning.

The Comprehensive Plan Amendment staff report includes some of Horizon 2020's goals and criteria for directing land use decisions, but certain policies warrant emphasis. Horizon 2020 does not contemplate the need for a new regional commercial center (Policy 3.13 at p. 15 of the staff report). While the staff report states that the Southpoint location simply would become "appended" to or "expand" the South Iowa Regional Commercial Center, in substance a project of this size does create a regional commercial center. This is a major departure from Horizon 2020.

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

The concern with the Project is not that it proposes retail and commercial development. The critical issue for tonight is whether the City process and directives under Horizon 2020 are being followed. Staff recognizes that there has not been a change in public policy, one of the criteria to be considered in determining whether to amend the Comprehensive Plan (*see* p. 17 of the report). That the City is now working with a task force to amend Horizon 2020 establishes that it is premature to change or gauge public policy.

There has been much discussion of the potential tenants for the Project. It appears this potential has been the driving force in garnering support from certain quarters. But the proper focus for the Southpoint concept plan is against the backdrop of the City's Comprehensive Plan policies and goals. We urge the Commission to adhere strictly to Horizon 2020 and to postpone this Project until the public process has been properly engaged.

Very truly yours,

Mary Jo Shaney

MJS:hkm
cc: Scott McCullough, Director, Planning and Development Services,
via e-mail smccullough@lawrenceks.org

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
7/21/14

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

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

STAFF RECOMMENDATION: Staff recommends approval of rezoning 122.96 acres from RS10 (Single-Dwelling Residential) District and County A (Agricultural) District to CR (Regional Commercial) District and CR-FP (Regional Commercial Floodplain Overlay) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report.

ATTACHMENTS
1. Map 6-1 Horizon 2020 Existing/Future Commercial Locations
2. Revised Southern Development Plan Map
3. Concept Plan
4. Section 20-201 Base Districts
5. List of permitted Uses
6. K-10-SLT Factsheet

PROPERTY OWNER'S REASON FOR REQUEST
Applicant's Response: *This rezoning request is part of a package of development applications, including an annexation request and a comprehensive plan amendment, which propose the development of a retail/commercial center at this location. As indicated on the attached Concept Plan, this rezoning request for Regional Commercial (CR) entails 613,200 gross square feet (GSF) of commercial land uses, of which 42,600 GSF is restaurant, 410,600 GSF is general retail, and 160,000 GSF is hotel (200 rooms).*

Staff's Response: These numbers have been revised since the original submission of the application to include 538,550 gross square feet commercial use, of which 458,550 gross square feet would be retail uses and 80,000 gross square feet would be for a 100 room hotel as noted in CPA-14-00107.

KEY POINTS
- This request is intended to facilitate new commercial development.
- Location is at intersection of two highways.
- Property includes areas encumbered by regulatory floodplain.
- Upon annexation, the current county zoning designation is no longer appropriate for portion of property included in request.

ASSOCIATED CASES/OTHER ACTION REQUIRED
- CPA-14-00107
- A-14-00104: annexation of 21.7 acres
- Z-14-00106: 46.10 AC to OS-FP

OTHER ACTION REQUIRED:
- City Commission approval of rezoning and adoption of ordinance.
- Publication of rezoning ordinance.

PLANS AND STUDIES REQUIRED
- *Traffic Study* – Not required for rezoning
- *Downstream Sanitary Sewer Analysis* – Not required for rezoning
- *Drainage Study* – Not required for rezoning
- *Retail Market Study* – See staff review below

Note regarding development study requirements: Traffic study, drainage study and sanitary sewer studies have been discussed with the applicant. These studies will be provided with the submission of a preliminary plat and will be considered throughout the development process as the detail of the project is defined.

PUBLIC COMMENT
- General inquiries from public regarding scope of development requests. Staff has clarified for callers that the current requests are for the Comprehensive Plan Amendment, annexation and zoning. A concept plan has been submitted with the development package. Specific development proposals are not available at this time.

GENERAL INFORMATION:	

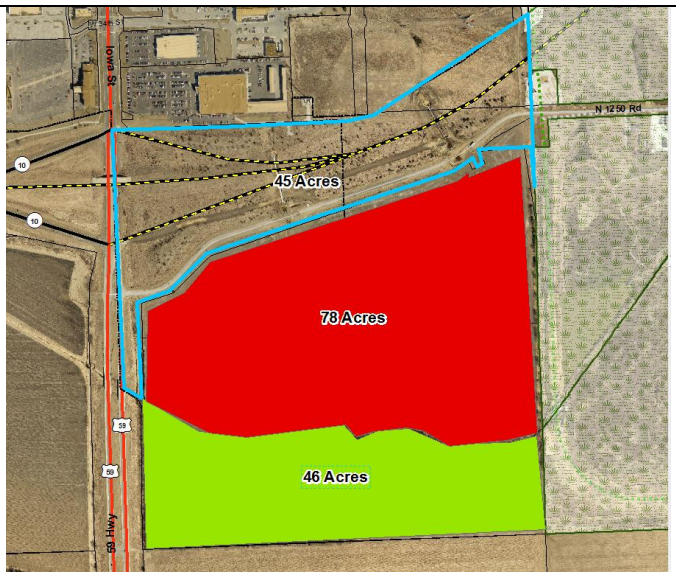
Request includes 122.96 acres for CR and CR-FP
 	
• 104.87 acres [CR]
  ○ 45.4 acres existing ROW [CR]
  ○ 59.47 acres development area [CR]
  ○ 19.09 acres [CR-FP]
 	
• 78.56 acres [CR and CR-FP without ROW]
 	
See Z-14-00106 for proposed OS-FP discussion.
	

Table 1: General Summary

Project Summary
This property is located on the south side of K-10 Highway between Highway 59 on the west and Michigan Street extended on the east. The proposed zoning includes the abutting highway right-of-way for a contiguous boundary description. This application is independent of the proposed Open Space District to the south included in Z-14-00106.

Included with this request is a concept plan depicting the potential development of the proposed CR and CR-FP area. This concept plan includes individual buildings and tenant spaces as well as generalized pad sites.

The addition of the Floodplain Overlay District designation (-FP) applies to only that portion that is encumbered by the regulatory floodplain plus the area that includes 2' above the base flood elevation of the site.

REVIEW & DECISION-MAKING CRITERIA

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN
Applicant's Response: *"This request conforms to the design criteria for Regional Commercial Centers (Ch. 6, Policy 3.13(C)). While both Chapters 6 & 14 of H2020 recommend an Auto Related Commercial Center and Medium Density Residential land uses for this location, this request generally conforms to the scope and intensity of such prescribed development. An accompanying rezoning request proposes to place the balance of the property within an OS district. Please see the attached Comprehensive Plan Amendment for additional information."*

The City Commission recently approved an amendment to *Horizon 2020* and the *Revised Southern Development Plan* as part of the recent approval for CR zoning for the Menards project, expanding commercial development along W. 31st Street [CPA-13-00067]. This rezoning request has been submitted concurrently with a request to modify *Horizon 2020* and the related *Revised Southern Development Plan [CPA-14-00107]*. If approved, this would expand the commercial area south of K-10 Highway.

Current Plan
The Plan currently designates this intersection as an "Auto Related Center."

This type of commercial use is described as a "*unique type of commercial development". "These centers include a wide variety of uses such as auto sales and repair, restaurants, hotels, and other similar uses that attract a large amount of the traveling public. However, these uses are not limited to Auto-related commercial centers. A common feature of all these uses is that they typically have a small amount of commercial square footage under roof, but require large amount of acreage for parking or sales display."* Uses listed in this section of *Horizon 2020* can occur in other commercial zoning districts including CS, CR and CC.

Another characteristic described in *Horizon 2020* is the intensive nature of these types of centers and the *need to be directed to areas that have an ability to handle the intensive nature of an Auto-Related Commercial Center*. The Plan specifically recommends Auto-Related Commercial Centers locate at the intersection of two state or federally designated highways.

The plan also notes that all designated Auto-Related Centers serve as "gateways" to the city. Applicable development standards, such as increased landscaping and higher quality architecture, should be anticipated by the developer.

K-10 Highway is recognized in *Horizon 2020* as the physical boundary and edge to the commercial corridor that has developed for the South Iowa Street (23rd Street to K-10) for the existing Regional Commercial Center (Page 6-15). Commercial uses south of K-10 are not recommended except for the possible location of an Auto-Related commercial Center. The plan

also notes that as the community grows "it may be necessary to change the recommended location of commercial centers or not use a designated intersection for a commercial use. The plan also states that it does not support "increasing the size or number of new Commercial Centers" but "may consider small, new inner-neighborhood centers as part of new planned neighborhoods." (Page 6-20).

The proposed location of US-59 and K-10 is one of the three designated locations included in *Horizon 2020* for a potential new Auto-Related Commercial Center. The request complies with the general criteria for Auto-Related commercial Centers per Policy 3.16 as follows:

Policy 3.16: Criteria for Auto-Related Commercial Centers *(Page 6-41)*

A. Auto-Related Centers shall be located at the intersection of two state or federally designated highways.

B. Auto-Related Centers shall have a lot length-to-depth ratio between 1:1 and 3:2 and shall be a minimum of 20 acres in size.

C. *As Auto-Related Centers are located in areas that serve as "gateways" to the city, any proposal shall be closely scrutinized for architectural appearance, landscaping, signage, etc.*

Horizon 2020 provides several policies applicable to the proposed request. The Plan recommends compatible transition between commercial development and other less intensive land uses (Goal 2). Buffering can be achieved by the use of landscaping, setbacks and open space. The proposed request includes 46 acres of open space to the south (Z-14-00106) as well as the existing Baker Wetlands located on the east side of Michigan Street extended.

Goal 3 addresses specific criteria for commercial development. These include support for nodal development versus strip commercial development, appropriate vehicular access, site development that avoids substantial disruption of natural drainage and vegetation and appropriate public improvements. The proposed request is bounded on the north and west by existing highway right-of-way and open space to the south and east.

The design standards ensure that a new regional commercial center is capable of development with a critical mass of uses including multiple big box buildings, parking, and other physical development considerations. S. Iowa (23rd Street to K-10) is an existing commercial center. Map 6-1 of *Horizon 2020* shows the existing and future commercial land use locations.

This request is for CR (Regional Commercial) zoning. Section 20-201 of the Land Development Code provides a matrix that shows how each base district is intended to be applied to the Comprehensive Plan. The Land Development Code does not include a specific zoning district that correlates to the Comprehensive Plan designation of "Auto-Related Commercial Center". See attachment Section 20-201. The CC and CR districts are reasonable districts to consider that reflect the intensity of the Auto-Related Commercial Center as well as the applicant's request to change the plan to extend the Community Regional corridor to the subject property.

Revised Plan

CPA-14-00107 addresses changes to *Horizon 2020* to revise the description and type of commercial node that should be applied to the Highway 59 and K-10 intersection. Changes to

Horizon 2020 include changes to Chapter 14 Specific Plan – *Revised Southern Development Plan*. The *Revised Southern Development Plan* is discussed later in this report. This report assumes approval of CPA-14-00107.

Staff Finding – The request for CR zoning in this location is consistent with recommended changes to *Horizon 2020* goals and policies and specific land use recommendations included in the *Revised Southern Development Plan* per CPA-14-00107. If CPA-14-00107 is not approved, then the rezoning request would not align with the Plan since ti is larger in area than what the *Revised Southern Development Plan* designates.

2. ZONING AND LAND USES OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

Current Zoning and Land Use:	RS10 (Detached Residential Development) A (County-Agricultural), FW–FF (County Floodway and Floodway Fringe Overlay) Districts; existing agricultural use.
Surrounding Zoning and Land Use:	To the north: Along the north side of K-10 Highway PD-[Crown Toyota (Playless Cashways) PCD], A (County Agricultural) District and RM15 (Multi-Dwelling Residential) District. Existing uses include an automotive dealership, communication tower, and vacant lots for multi-dwelling residential development.
	To the east: Along the east side of Michigan Street extended, A (County-Agricultural), VC (Valley Channel), and FW –FF (County Floodway and Floodway Fringe Overlay) Districts; Wetlands Mitigation Areas/ Baker Wetlands, and Baker Wetlands Visitor Center Complex (SUP-12-00248).
	To the west : Along the west side of Highway 59, VC (Valley Channel), and FW –FF (County Floodway and Floodway Fringe Overlay) Districts; existing agricultural uses.
	To the south: Proposed OS-FP (Open Space- Floodplain Overlay) District per Z-14-00106. Existing use is agricultural. Proposed use is open space.

Staff Finding – The existing zoning and land use in this immediate area includes both city and county zoning and a significant area both north and south that is vacant or used for agricultural purposes. This area includes two state highways and is dominated by designated floodplain.

3. CHARACTER OF THE AREA

Applicant's Response: *"The subject property lies at the southeast corner of the interchange between Kansas Highway 10, a.k.a. the South Lawrence Trafficway, or SLT, and U.S. Highway 59, a.k.a. S. Iowa Street. The property is bounded to the north by N 1250 Road and SLT right-of-way. Further north rests the southern end of the South Iowa commercial corridor. The property is bounded to the west by Hwy 59 right-of-way. Nearby properties to the west and south are generally located within the Wakarusa River floodplain and are actively farmed. The*

property to the east, generally known as the Baker Wetlands, is owned by the State and is the location for wetland mitigation associated with SLT construction. As part of SLT construction, a stretch of Louisiana Street will be relocated one quarter-mile west and constructed immediately east of the subject property. This new street will form the eastern boundary of the subject property, thereby separating it from the Baker Wetlands."

The subject property is located south of K-10 Highway within Service Area 4 of the Urban Growth Area. This is a rural area with agriculture and open space being the primary land uses. Natural features in the area include the Wakarusa River, south of the subject property; riparian woodlands along the Wakarusa River; floodplain; and wetlands. A major thoroughfare, the South Lawrence Trafficway, is being constructed north of the subject property.

A feature in the area is the Baker Wetlands and the Baker Wetlands Visitor Center to the east of the proposed site. The open space use is also discussed in the staff report for Z-14-00106. This segment of Douglas County is not located within a designated neighborhood. Development in the area could result in a new neighborhood for the City of Lawrence.

There is relatively little area for development within the area between K-10 Highway to the north and the Wakarusa River to the South. As this area develops the character of the area will be impacted by the developable area and the presence of significant area dedicated and used for open space activity and the regulatory floodplain.

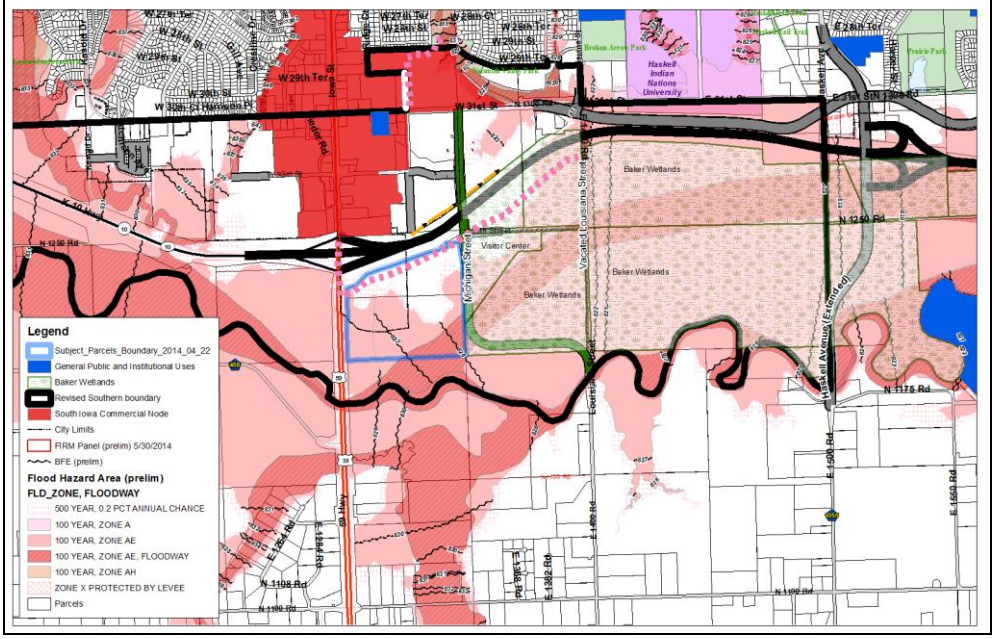


Figure 1: Existing floodplain and Baker Wetlands

Staff Finding – this area is dominated by two state highways, regulatory floodplain and the Baker Wetlands. The current character of the area south of K-10 Highway is agricultural.

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 June 2013 anticipating Auto-Related Commercial and residential development for the subject site.

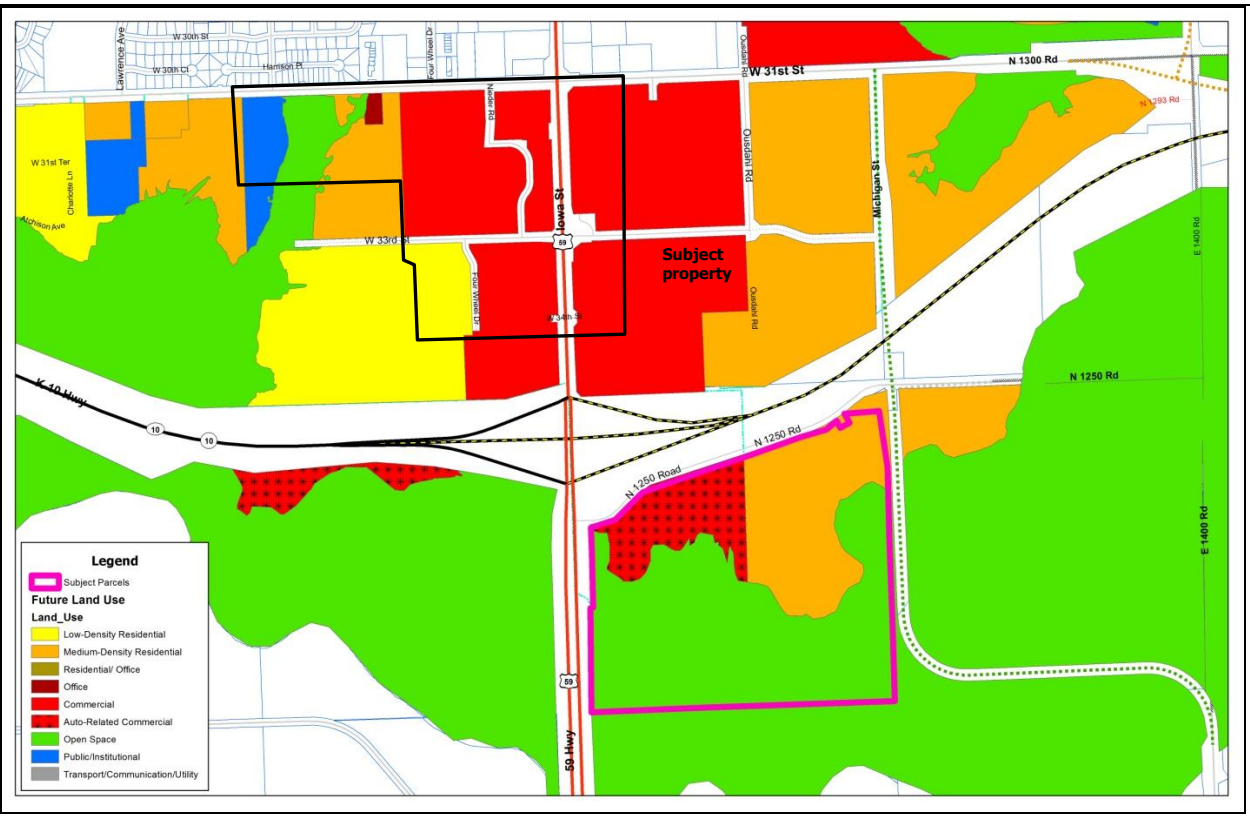


Figure 2: *Revised Southern Development Plan* Land Use Map 3-1

An Auto-Related commercial area is identified south of K-10 Highway along Highway 59. This use is shown to be buffered by a medium density residential use between Michigan Street on the east and Ousdahl Road (extended) on the west. This residential development included a conventional development option and a "Traditional Neighborhood Design" (TND) as shown in map 3-2 of the Plan. A copy of the plan is included in the CPA staff report for reference. These areas are encouraged to development consistent with the City's Smart Code utilizing zoning districts T3, T4, T5 and T5.5. To date, no developer had approached the City with intent to utilize the adopted Smart Code. If approved, the site would develop without any residential uses.

A majority of the land use is shown as open space. This open space corresponds with the extensive regulatory floodplain in the immediate area. Portions of the commercial request that are encumbered by the floodplain are proposed to be rezoned CR-FP in response to this existing land feature.

If CPA-14-00107 is approved the revised land use plan removes the residential uses west of Michigan Street and designates them as commercial.

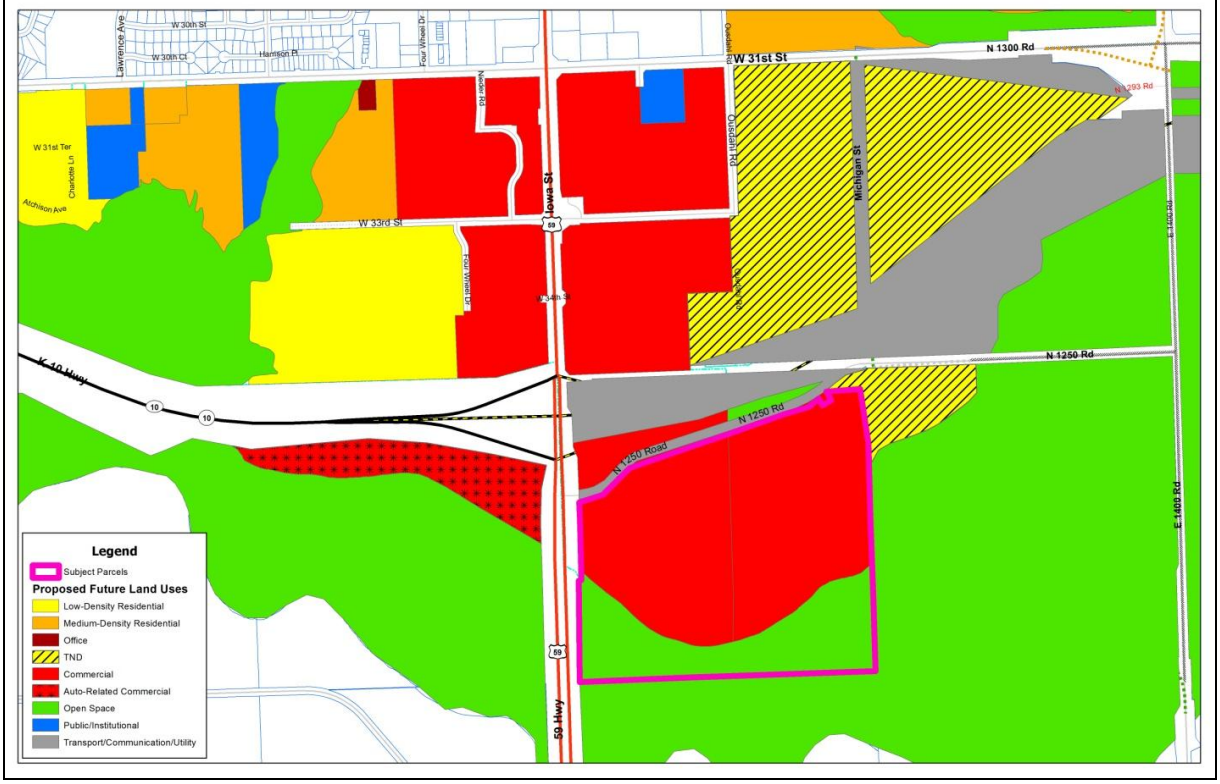


Figure 3: Proposed Modification to *Revised Southern Development Plan* Future Land Use Map

Staff Finding – The proposed commercial rezoning conforms with proposed land use recommendations in the *Revised Southern Development Plan* to extend the commercial use to the east. If CPA-14-00107 is not approved, then the rezoning request would not be supportable by the *Revised Southern Development Plan.*

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

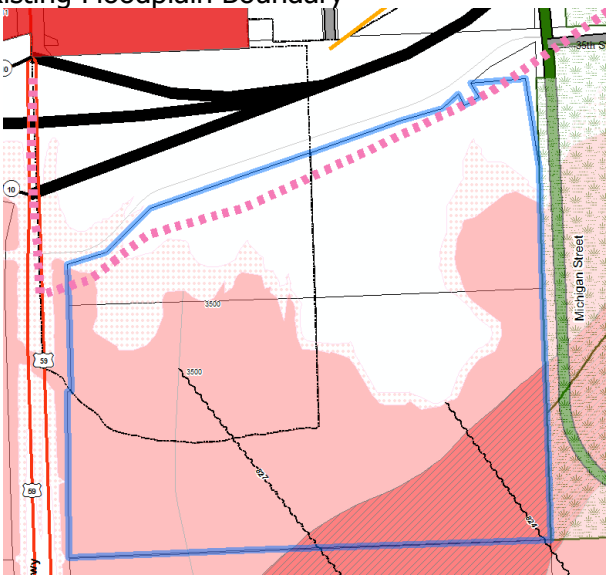
Applicant's Response: *"The subject property straddles the existing City limit line. An annexation request is being submitted concurrent with this rezoning request. The portion of the property located inside the City is zoned RS10, a district which will not permit retail/commercial development. The portion that lies in the unincorporated area of the County is zoned A and VC. Upon annexation, those current zoning districts will no longer be appropriate."*

This request includes existing RS zoning as well as property zoned A (Agricultural) District. Upon annexation, the existing A (Agricultural) County District designation will no longer be suitable for this property. The RS10 District is a remnant of a past practice to apply very low-density residential zoning automatically upon annexation as a temporary holding zone. Several significant development actions are occurring in this area including the extension and improvement of major infrastructure. The proximity and imminent completion of the highway and street network within the next two years as well as the construction of the Waste Water Treatment Plant and pump station make accessing this area with urban services feasible.

This property is located within the Lawrence Urban Growth Area and has been planned for commercial development. The proximity of the property to the highways leverages access to support this site for development.

The existing commercial boundary in the Revised Southern Development Plan follows the boundary of the floodplain and assumes no development in any portion of the regulatory floodplain.

Existing Floodplain Boundary



Approved *RSDP* Land Use Plan

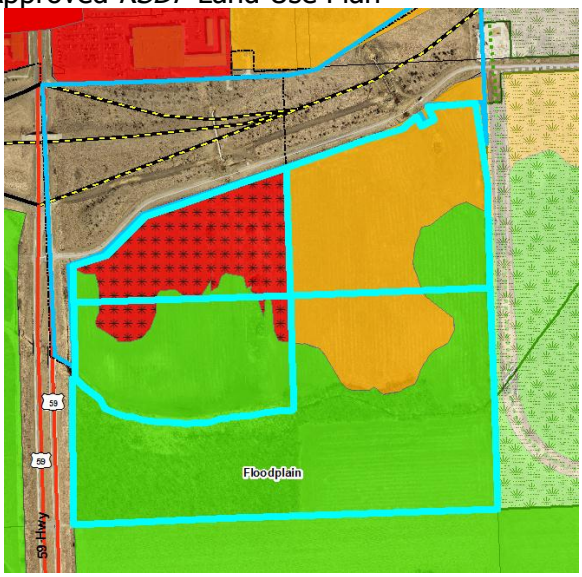


Figure 4: Subject Property

However, the Land Development Code does allow development of a portion of the Regulatory Floodplain commonly known as the Floodway Fringe, with limitation. The FP Overlay District was specifically created to address floodplain/flood prone areas. Furthermore, it is a Code requirement that upon annexation the FP district be applied.

Since portions of this property are encumbered by regulatory floodplain **and** are being annexed after March 1, 2003, it is appropriate to zone the property as part of the Floodplain Overlay District. The boundary of the FP (Floodplain) Overlay District is established as the base flood elevation plus an area of 2' of "freeboard". For reference, floodplain terms used in this report are defined in Article 12 of the Land Development Code.

The CR district allows a variety of uses. These uses are listed in section 20-402 of the Land Development Code. Residential uses and Mining uses are the only two use groups that are fully prohibited in the CR district. A range of Community Facility, Medical Facility, Recreational Facility, Commercial and industrial Uses are allowed in the CR district. The applicant has not proposed any specific use restrictions for this CR request.

Staff Finding – Upon annexation, the existing County designation is no longer suitable. The property is suitable for the commercial zoning consistent with land use recommendations relating to changes to *Horizon 2020* and the *Revised Southern Development Plan* previously discussed. The CR District is the base-zoning district. The portion of the property encumbered by the regulatory floodplain will be zoned with the CR base district and the FP Overlay District.

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

Property Owner's Response: *"The subject property has never been developed beyond agricultural uses."*

The RS portion of the property was annexed in 1979 per Ordinance No. 5026. At that time when county properties were annexed into the City of Lawrence, a zoning designation of RS-1 was applied automatically. The RS-1 zoning converted to RS10 upon the adoption of the Land Development code.

The portions of this property zoned A (Agricultural) and VC (Valley Channel) Districts are undeveloped and has been zoned A (Agricultural) and VC (Valley Channel) District since 1966.

Staff Finding – This property is undeveloped since 1966. The portion currently zoned RS10 has been undeveloped since the adoption of the Land Development Code in 2006 and zoned RS-1 since the 1979 annexation.

7. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicant's response: *Approval of this rezoning will have negligible impact to nearby properties. This request is appropriate considering the significant transportation improvements currently under construction in this part of the City. The request will facilitate development at a scale similar to that recommended in the Revised Southern Development Plan (incorporated into H2020 as part of Chapter 14).*

This property is bounded on the north and west by highway right-of-way with limited access. The property is also bounded on the south and east by existing and proposed open space. These land uses provide a definite edge to development. Area shown on the Revised Southern Development Plan on the east side of Michigan Street (on the south side of the South Lawrence Trafficway) has been incorporated into the Baker Wetland Visitor Center and is not likely to be redeveloped in the future for a more intensive residential use. Development of the Commercial Area is unlikely to have an impact on land uses to the west and south in terms of nuisance activity. Appropriate design must be implemented at the time of subdivision and site plan to mitigate and buffer the uses as applicable.

This site is isolated by the highway and floodplain in the area. Traffic and floodplain management are two key development topics that will require additional study and review to ensure unintended impacts are not incurred by surrounding property owners, land users and the general public.

Approval of this request entitles an additional commercial area for development. There are several existing commercial areas including Mercato, Fairfield Farms, and North Massachusetts Street with commercial development approvals where development timing could be hindered by the addition of more retail area. Thus potentially underserving the area around these projects until they are developed.

This topic is also discussion in CPA-14-00107.

Staff Finding – Approval of the request entitles additional land area for commercial development. Impact on nearby properties are subject to mitigation of traffic and buffering requirements between uses. Approval of the request could hinder development of already approved commercial areas.

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: *"Approval of this request will facilitate development at this highway interchange location at a scale similar to that recommended by the comprehensive plan. Denial of the request would require the applicant and/or future applicants to seek a different mix of commercial and perhaps multi-family residential zoning.*

Evaluation of these criteria includes weighing the benefits to the public versus the benefits of the owner of the subject property. Benefits are measured based on the anticipated impacts of the rezoning request on the public health, safety and welfare.

If the rezoning request were denied, the property could remain as an agriculturally used property; however, upon annexation an applicable city-zoning district is needed. A more appropriate temporary zoning district would be UR (Urban Reserve). This district would be applicable if the Commission determines the request is premature.

If the rezoning were approved, the uses allowed change from residential/Agricultural to commercial with a wide variety of commercial uses allowed. Limiting uses could serve to create a development with specific objectives. Likewise, the Commission could recommend the addition of a PD (Planned Development Overlay) District to ensure additional scrutiny of development than what conventional zoning grants to development. This would require an additional public hearing and the submission of a development plan for consideration.

Approval of the request will facilitate development and investment along a major piece of infrastructure (South Lawrence Trafficway) at an intersection designated for commercial uses.

Staff Finding – Benefits to the community include the investment in property within existing utility, transportation and service corridors. Denial of the request would require the applicant to develop the property as an Auto-Related Commercial Center per the current *Revised Southern Development Plan*.

9. RETAIL MARKET STUDY. FOR PROPOSALS THAT WILL CREATE MORE THAN 100,000 SQUARE FEET OF RETAIL SPACE WITHIN THE CITY: THE IMPACT OF THE PROPOSED PROJECT ON THE RETAIL MARKET. STAFF WILL PROVIDE AN ANALYSIS BASED ON THE ADDITION OF THE SQUARE FOOTAGE TO THE RETAIL MARKET, VACANCY RATE TRENDS, SQUARE FOOTAGE PER CAPITA TRENDS, AND CURRENT DEMAND TRENDS, INCLUDING BUT NOT LIMITED TO POPULATION, INCOME, PULL FACTORS, AND RETAIL SALES USING THE LATEST AVAILABLE CITY-WIDE RETAIL MARKET REPORT.

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

> *"For proposals that will create more than 100,000 square feet of retail space within the city: the impact of the proposed project on the retail market. Staff will provide an*

analysis based on the addition of the square footage to the retail market, vacancy rate trends, square footage per capita trends, and current demand trends, including but not limited to population, income, pull factors, and retail sales using the latest available city-wide retail market report."

Staff is reviewing this project for compliance with the Land Development Code, in addition to the criteria in *Horizon 2020*, based on the comprehensive plan amendment request and the rezoning request. Staff is conducting this analysis based on the most recent citywide market study completed in 2012 (http://www.lawrenceks.org/assets/pds/planning/documents/2012Retail.pdf), and updating the supply figures based on this request to add roughly 458,550 square feet of commercial (retail) uses.

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

Projected City Wide Vacancy Rate with Southpoint Retail Project				
	Total Built	Occupied	Vacant	Vacant % - City Wide
2012 City Wide Retail Market Analysis	9,105,151	8,451,929	653,222	7.2%
Southpoint Retail (458,550 sf) - 100% Vacant	9,563,701	8,451,929	1,111,772	11.6%
Southpoint Retail (458,550 sf) - 50% Vacant	9,563,701	8,681,204	882,497	9.2%
Southpoint Retail (458,550 sf) - 0% Vacant	9,563,701	8,910,479	653,222	6.8%

Table 2: Projected Vacancy Rate

Horizon 2020, Policy 3.15 (b) states that, *"The project shall not be approved if the market study indicates the commercial project or any proposed phase cannot be absorbed into the community within three years from the date of its estimated completion, or that it would result in a community-wide retail vacancy rate greater than eight percent." Horizon 2020* uses a vacancy rate threshold of 8% as one factor in order to determine market health, and the most recent city-wide market study figured the city-wide vacancy rate at 7.2%, slightly higher than the 2010 vacancy rate of 7.0% and the 2006 vacancy rate of 6.7%. The addition of this project, when completed and entirely vacant, will push the city-wide vacancy rate to 11.6%. Staff has also conducted further analysis that takes into consideration other commercial projects that have received approvals, but have not been constructed to date. The table below illustrates the impact that other major projects, that have been approved, will have on the overall vacancy rate.

	Total SF	Total Occupied SF	Total Vacant SF	City-wide Vacancy Rate
Total Current Retail Inventory	**9,105,151**	**8,451,929**	**653,222**	**7.2%**
Approved Northwest corner – 6th and K-10 Node	155,000			
Approved Northeast corner- 6th and K-10 Node (Mercato)	359,640			
Fairfield Farms	200,000			
North Mass	217,337			
31st & Ousdahl – Phase I (Menards)	189,988	189,988		
31st & Ousdahl – Phase II	65,340			
Total (without Southpoint) - 100% Vacant	**10,292,456**	**8,641,917**	**1,650,539**	**16.0%**
Total (without Southpoint) - 0% Vacant	**10,292,456**	**9,639,234**	**653,222**	**6.3%**
Southpoint	458,550			
Total with Southpoint project - All projects 100% Vacant	**10,751,006**	**8,641,917**	**2,109,089**	**19.6%**
Total with Southpoint project- Only Southpoint 100% Vacant	**10,751,006**	**9,639,234**	**1,111,772**	**10.3%**
Total with Southpoint project- All projects 0% Vacant	**10,751,006**	**10,097,784**	**653,222**	**6.1%**

Table 3: Retail Inventory

*This figure is taken from the project's market study and includes space that may not be truly retail in nature.
**Menards has the majority of the necessary planning approvals and has submitted a building permit application, the square footage for the Menards store is being considered occupied for this analysis.

If all approved commercial space that has been approved were constructed and vacant, the city-wide vacancy rate would rise to 19.6%. If all approved commercial spaces that have been approved were to be constructed but occupied, except for the subject of this request (Souhtpoint), the city-wide vacancy rate would be 10.3%.

While the market study shows that the project, upon completion and vacant, 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, it is unlikely that the space will be vacant upon completion. In addition, this request for additional retail square footage is being made with understanding that the majority of the space is already leased to retailers. The applicant has identified some of

the proposed retail tenants, and has indicated that three unidentified retailers are currently in the Lawrence market and plan to relocate from their existing space to the new retail center. While this will certainly cause vacancy in other parts of Lawrence, the city has seen vacant retail spaces redevelop in multiple locations when this situation arises.

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

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

Table 4: Demand Factor

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

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

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

Retail Space per capita			
	Total SF	**Population**	**SF per capita**
2012 City Wide RMS	**9,105,151**	**93,944**	**97**
Approved Northwest corner – 6th and K-10 Node	155,000		
Approved Northeast corner- 6th and K-10 Node (Mercato)	359,640		
Fairfield Farms	200,000		
North Mass	217,337		
31st & Ousdahl – Phase I (Menards)	189,988		
31st & Ousdahl – Phase II	65,340		
Total of all approved projects without Southpoint	**10,292,456**	**93,944**	**110**
Southpoint	458,550		
Total of all approved projects with Southpoint	**10,751,006**	**93,944**	**114**
Total of 2012 City Wide RMS plus Menards with Southpoint (but not all approved projects)	**9,753,689**	**93,944**	**104**

Table 5: Retail Space Per Capita

With the 2012 Retail Market Report, in Lawrence there were approximately 97 square feet of retail space per capita in 2012. With the addition of this project's square footage to the market, as well as the addition of the Menards store's square footage since they have started construction, there would be approximately 104 square feet of retail space per capita. However, this analysis does not take into consideration any of the other approved commercial development. If all approved projects were added, there would be 110 square feet of retail space per capita and if the Southpoint project were added on top of that, that figure would rise to 114 square feet per capita. By the time the project is fully constructed and occupied in 2016, population will have grown (using our average annual growth rate,) to around 96,000 people, which would result in 102 square feet of retail space per capita, not including other approved projects. Staff does not view the addition of this retail space as having a significant impact on the retail market in terms of square feet per capita.

Lawrence Trade Pull Factors and Trade Capture Area Figures						
	Collections	Per Capita	Pull Factor	Trade Area Capture	% of County Sales	Population[1]
FY 2013	81,747,115	$913	1.07	95,424	92.90%	89,512
FY 2012	$79,524,295	$896	1.07	94,639	93.00%	88,727
FY 2011	$74,699,896	$852	1.07	93,560	92.80%	87,643
FY 2010	$61,696,381	$674	1.02	93,630	92.40%	91,611
FY 2009	$67,723,146	$696	0.99	89,630	92.30%	90,083
FY 2008	$63,864,019	$714	0.99	88,638	92.50%	89,415
FY 2007	$61,894,678	$702	1.02	89,985	92.40%	88,168
FY 2006	$60,892,108	$748	1.12	90,982	91.30%	81,379
FY 2005	$58,300,971	$716	1.11	90,058	90.90%	81,417

Table 6: Pull Factors

Also important is an analysis of "pull factors," or a measure of local commerce based on a comparison of local spending to the state as a whole. A pull factor above 1.00 indicates that a community attracts retail sales, while a factor below 1.00 indicates that the community is losing retail sales to outside areas. The Kansas Department of Revenue issues pull factor reports for all of Kansas. The most recent, issued in early 2014, states that Lawrence's pull factor was 1.07 in 2013, which has held steady at 1.07 since 2011. The marked increase in the City's pull factor these last three years now means that the City is attracting retail sales to the community.

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

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

Retail Market Analysis Finding: Considering all factors noted above, this proposal should not have a detrimental impact on the health of the community's retail market.

PROFESSIONAL STAFF RECOMMENDATION

The focus of this report is the specific land use request for CR zoning. This application was made with a concept plan for a specific development pattern that includes a mix of retail uses and pad site development along the south side of K-10 Highway.

The timing of this development is intended to coincide with the completion of the highways, street network and utility infrastructure improvements actively being made in the area.

As discussed above, a portion of this property is encumbered by the regulatory floodplain. The FP (Floodplain Overlay) District will be applied to a portion of this property. The impact of this zoning designation is that:

1. A local floodplain development permit is required for development of the site. Such permit is typically submitted concurrently with a site plan or applicable development plan.
2. New development requires an approved Hydrologic and Hydraulic Study at the time of platting demonstrating there will be no rise in the Base Flood Elevation and no increase in the flood velocities at any point resulting from the proposed development.
3. Fill may not be placed in a setback.
4. Structural design of buildings and improvements must meet minimum flood proofing standards, including elevating 1' above the base flood elevation.
5. Exterior storage of material is required to be adequately flood proofed including being raised 1' above Base Flood Elevation.
6. Maximum impervious surface cover within the FP District is 60%.

A study has not yet been submitted but is anticipated with a preliminary plat and site plan for this property pending approval of the annexation and rezoning applications.

The Land Development Code provides certain design standards such as buffer yards, landscaping, limitation on impervious surface coverage, building and parking lot setbacks as they apply to the base district, overlay districts and commercial design standards.

Additionally, Section 20-307 of the Land Development Code requires certain design considerations for development adjacent to the SLT/K-10 Transportation Corridor. This boundary extends 500' on either side of the centerline of the trafficway and requires additional setback and landscaping, which will be employed at platting and site planning phases of development.

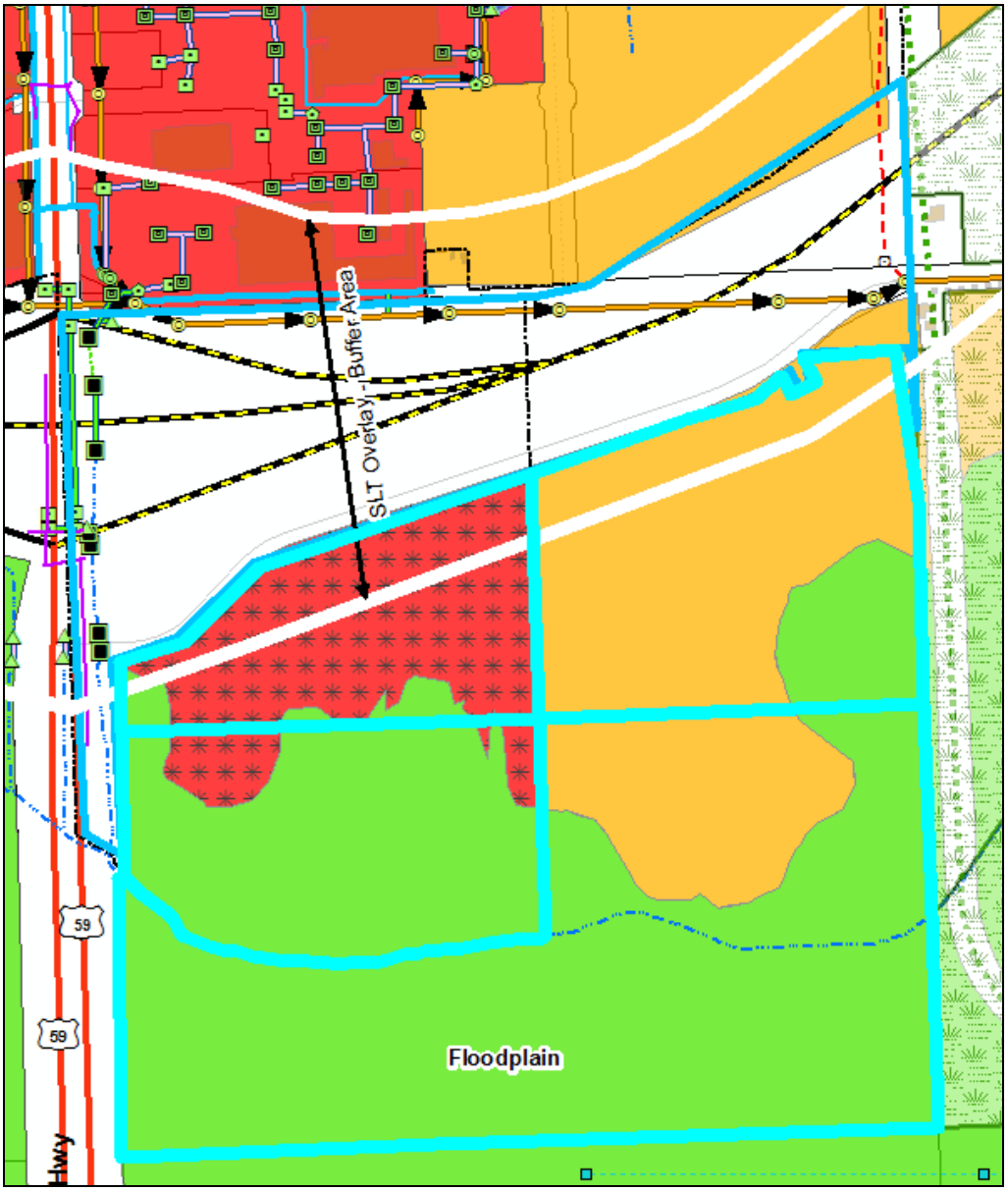


Figure 5: SLT/T-10 Transportation Corridor Overlay District

A number of existing design and development standards will be applicable to this property as it develops. Staff recommends approval of the proposed CR and CR-FP zoning.

CONCLUSION

If CPA -14-00107 is found to be appropriate, then the findings in this report support the requested rezoning if CPA-14-00107 is not found approved then it would be appropriate to consider a reduced area for commercial development and consider use restrictions for this district consistent with an Auto-Related Commercial Center uses.

Map 6-1
Existing and Potential Commercial Land Use Locations

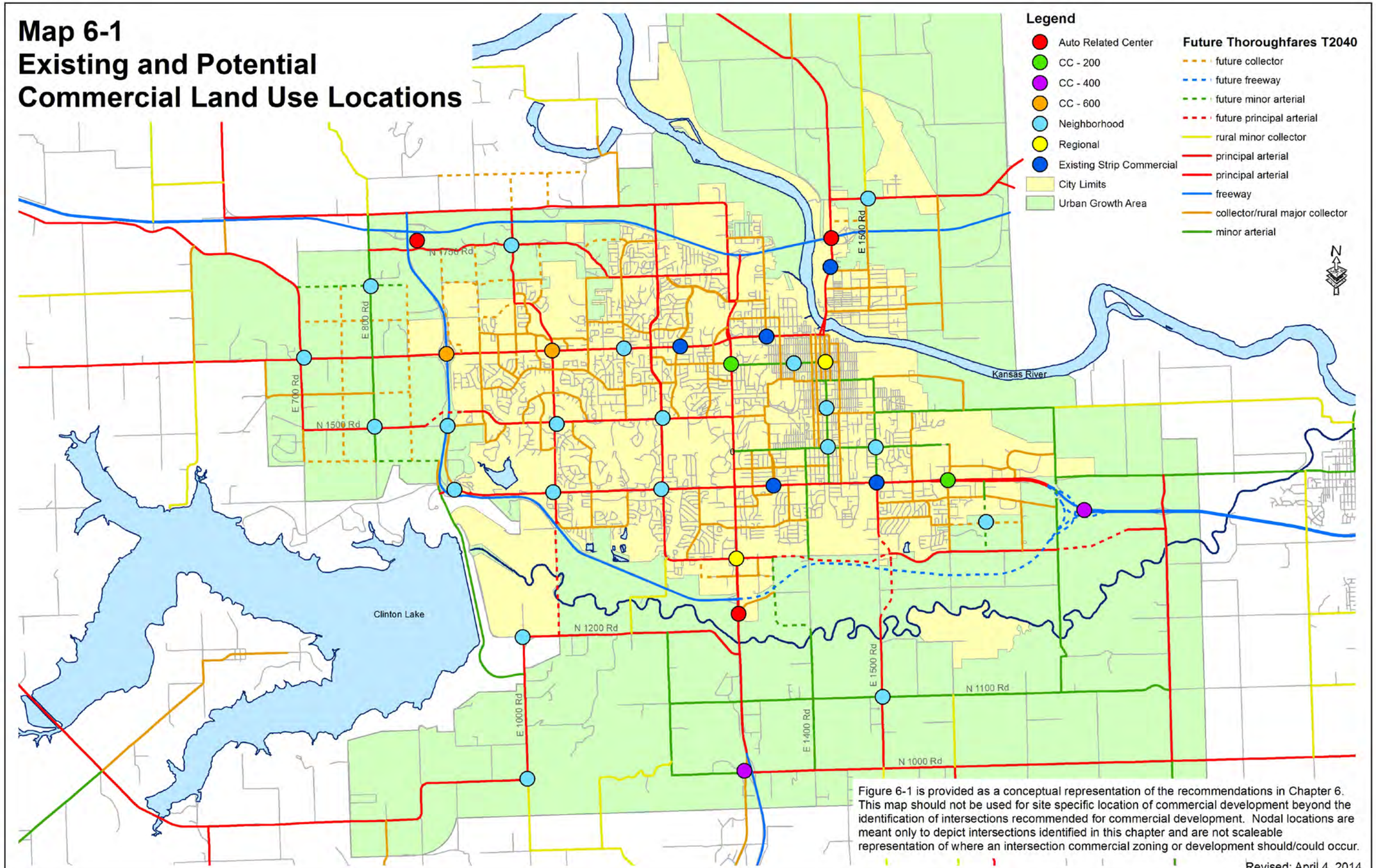
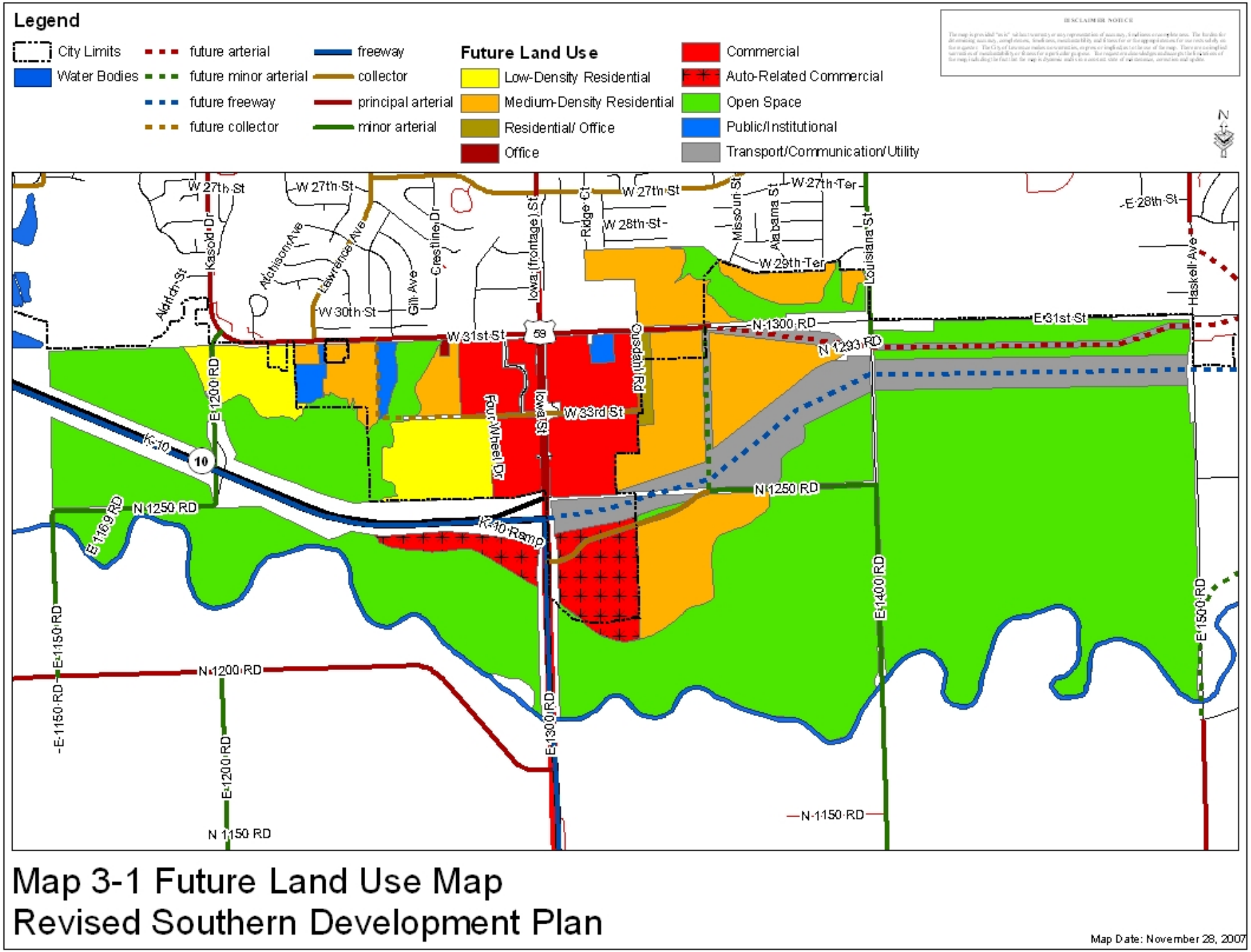


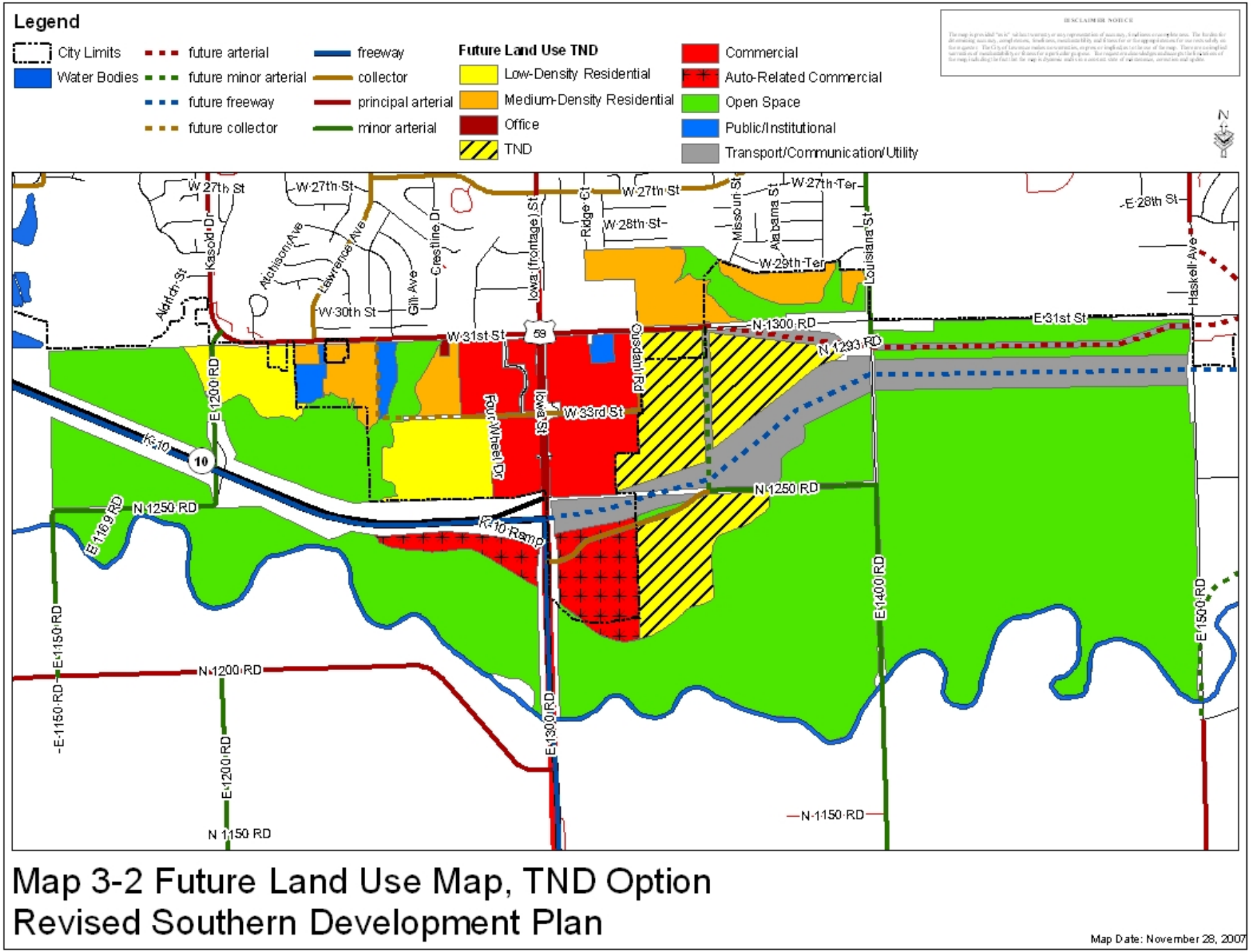
Figure 6-1 is provided as a conceptual representation of the recommendations in Chapter 6. This map should not be used for site specific location of commercial development beyond the identification of intersections recommended for commercial development. Nodal locations are meant only to depict intersections identified in this chapter and are not scaleable representation of where an intersection commercial zoning or development should/could occur.

Revised: April 4, 2014



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

Map Date: November 28, 2007


Legend
City Limits
Water Bodies
future arterial
future minor arterial
future freeway
future collector
freeway
collector
principal arterial
minor arterial
Future Land Use TND
Low-Density Residential
Medium-Density Residential
Office
TND
Commercial
Auto-Related Commercial
Open Space
Public/Institutional
Transport/Communication/Utility
DISCLAIMER NOTICE
N
W 27th St
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N 1300 RD
N 1293 RD
W 33rd St
N 1250 RD
N 1200 RD
N 1150 RD
E 1200 RD
E 1150 RD
E 1400 RD
E 1500 RD
E 1300 RD
E 1169 RD
K-10
K-10 Ramp
69
10
Kasold Dr
Atchison Ave
Lawrence Ave
Gill Ave
Crestline Dr
Iowa (frontage) St
Ridge Ct
Missouri St
Alabama St
Louisiana St
Haskell Ave
Four Wheel Dr
Iowa St
Cousdahl Rd
Map 3-2 Future Land Use Map, TND Option
Revised Southern Development Plan
Map Date: November 28, 2007

SITE TABULATIONS

ANCHOR STORES	198,000 S.F.
JR. ANCHORS	51,000 S.F.
RETAIL	18,000 S.F.
GROCER	25,000 S.F.
OUT PARCEL 1	11,550 S.F.
TOTAL:	303,550 S.F.

HOTEL

ANCHOR 62,000 SF +/- 355 SPACES

JR. ANCHOR 12,000 SF

JR. ANCHOR 12,000 SF

RETAIL 8,000 SF

ANCHOR 30,000 SF

GROCER 25,000 SF

OP 1 1.68 ACRES

11,550 SF

OP 2 1.22 ACRES

FUTURE RETAIL +\- 60,000 SF +\- 6.83 ARCES

ANCHOR 55,000 SF

ANCHOR 51,000 SF

JR. ANCHOR 15,000 SF

JR. ANCHOR 12,000 SF

RETAIL 10,000 SF

DEMISED AREA 5.78 ACRES

355 SPACES

DEVELOPER PARCEL 8.62 ACRES

447 SPACES

DEVELOPER PARCEL 15.39 ACRES

842 SPACES

FUTURE PARKING APPROX. 384 SPACES

OP 3 2.4 ACRES

OP 4 1.44 ACRES

OP 5 1.22 ACRES

OP 6 1.40 ACRES

OP 7 1.40 ACRES

OP 8 1.40 ACRES

OP 9 1.53 ACRES

OP 10 1.53 ACRES

OP 11 1.31 ACRES

OP 12 1.31 ACRES

OP 13 1.58 ACRES

OP 14 1.57 ACRES

OP 15 1.05 ACRES

NATURAL AREA

35th STREET 80' R.O.W. 4.89 ACRES

IOWA STREET

LOUISIANA STREET

U.S. HIGHWAY 59

K-10 EXPRESSWAY

PROPOSED SIGNAL

SIGNAL

SCALE 1:100

Colleti

SOONER INVESTMENT

Commercial and Investment Real Estate

2301 West I-44 Service R. Suite 100 Oklahoma City, OK 73112
(405)842-0456 Fax (405)842-2366

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LAWRENCE, KANSAS

SCHEMATIC SITE PLAN

REV	DATE

PROJECT NO.
13.001.00

DATE
05-01-14

SHEET
LP-1

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.

(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
Strip Commercial	CS	NA

Use Group Table Per Section 20-402

The following Use Groups are permitted in the CR District except as shown with a strike through. There are no proposed use restrictions by the applicant or staff for this application.
Use Groups
RESIDENTIAL USE GROUP **Household Living** **Group Living**
Not permitted in the CR district with the exception of Group Homes approved with a Special Use Permit.
PUBLIC AND CIVIC USE GROUP
Community Facilities
Cemetery
College/University
~~Cultural Center/ Library~~
Day Care Center
~~Day Care Home Class A~~
~~Day Care Home Class B~~
~~Detention Facility~~
Lodge, Fraternal and Civic Assembly
Postal and Parcel Service
Public Safety
School
Funeral and Internment
Temporary Shelter (SUP)
Social Service Agency
Community Meal Program (SUP)
Utility Minor (P or SUP)
Utility Major (SUP)
Medical Facilities
~~Community Mental Health Facility~~
~~Extended Care Facility, General~~
~~Extended Care Facility, Limited~~
Health Care Office/ Clinic
~~Hospital~~
Outpatient Care Facility
Recreational Facilities
Active Recreation
Entertainment & Spectator sports, General
Entertainment & spectator sports, Limited
Participant Sports & Recreation, Indoor
Participant Sports & Recreation, Outdoor
Passive Recreation
Nature Preserve/Undeveloped
~~Passive Recreation~~
Religious Assembly
Campus or community Institution
Neighborhood Institution
COMMERCIAL USE GROUP
Animal Services
Kennel
Live Stock Sale (SUP)
Sales and Grooming
Veterinary
Eating and Drinking Establishments
Accessory Bar
~~Accessory Restaurant~~
Bar or Lounge
Brewpub
Fast Order Food
Fast Order food, Drive-In
Nightclub
Private Dining Establishments
Restaurant Quality
Office
Administrative and Professional
Financial, insurance & real Estate
Other
Parking Facilities
Accessory
Commercial
Retail Sales and Service
Building Maintenance
Business equipment
Business support
Construction Sales and Service
Food and Beverage
Mixed Media Store
Personal Convenience
Personal Improvement
Repair Service, Consumer
Retail Sales, General
Retail Establishment, Large
Retail Establishment, Medium
Retail Establishment, Specialty
Sexually Oriented Businesses
~~Sexually Oriented Media Store~~
~~Physical Sexually Oriented Business~~
Sex Shop
Sexually Oriented Theater
Transient Accommodations
~~Bed and Breakfast~~
Campground
Hotel, Motel, Extended Stay
Vehicle Sales & Service
Cleaning (Car Wash)
Fleet Storage
Gas and Fuels Sales
Truck Stop
Heavy Equipment Repair
Heavy Equipment Sales/Rental
Inoperable Vehicles Storage
Light Equipment Repair
Light Equipment Sales/Rental
RV and Boats Storage
INDUSTRIAL USE GROUP
Industrial Facilities
~~Explosive Storage~~
~~Industrial General~~
~~Industrial Intensive~~
Laundry Service
Manufacturing & Production, Limited (SUP)
Manufacturing & Production, Technical
Research Service
Scrap and Salvage Operation
Wholesale, Storage & Distribution

Use Group Table Per Section 20-402

Exterior Storage (Accessory)
Heavy (SUP)
Light
Mini-Warehouse
OTHER USE GROUP
Adaptive Reuse
~~Designated Historic Property~~
~~Greek Housing Unit~~
Agricultural
Agricultural Sales
Agricultural, Animal
Agriculture, Crop
Communications Facilities
Amateur & receive only antennas (Accessory)
~~Broadcasting Tower~~
Communications Service Establishment
Telecommunication antenna (Accessory)
Telecommunications Tower (SUP)
Satellite Dish (Accessory)
Mining
~~Mining~~ Not permitted in the CR district
Recycling Facilities
Large collection
Small Collection

Mitigation Plans for Baker Wetlands

KDOT worked with the USACoE, FHWA, Baker University, and the public to develop wetland mitigation plans for this area. The mitigation agreement includes:

- More wetlands will be created. To replace approximately 58 acres of wetlands and habitat impacted, the state will create or restore 317 acres.
- Habitat restored. 37 acres of Upland Prairie and 16 acres of Riparian Habitats will be preserved, restored or created.
- Enhanced educational facilities. A wetland education and research center will be built dedicated to studying the role of wetlands in the environment. The facility will be run by Baker University.
- Enhanced access.
- Hike and bike trails from Iowa Street to Haskell Avenue.
- Camp site for educational use and parking areas within mitigation area.
- Preservation of the Baker Wetlands for future generations. To assist Baker University in its role as steward of the wetlands, the state will provide an endowment to cover the maintenance, operations and administration of wetlands enhancements.
- Provide a single transportation corridor through a sensitive area. 31st Street will be located closer to the South Lawrence Trafficway to reduce noise and light impacts in the Haskell Wetlands.
- Reduce noise and light impacts. Haskell Avenue and Louisiana Avenue will be relocated farther from the original Baker Wetlands.
- Noise walls will be constructed through the wetlands to minimize freeway noise impacts.
- Additional measures include:
  - A narrower median (46' wide) will be used through the wetlands (vs. a typical 60' wide median).
  - Limits on highway lighting through the wetlands.
  - No disturbance of the east-west historic berm (just south of existing 31st Street).
  - No grubbing in the wetlands.
  - Special construction procedures to minimize disturbance of existing soils in the wetlands.
  - All highway runoff will be diverted away from the wetlands.

Economic Benefits

This six-mile, four-lane freeway is projected to have a regional economic benefit of $3.7 billion, the greatest of any project under the T-WORKS program. KDOT determines economic benefit through use of a computer-modeling tool called TREDIS, which analyzes transportation benefits, including:

- Congestion relief
- Travel time savings
- Market access expansion
- Safety impacts
- Contingent development
- New population markets

The completion of the South Lawrence Trafficway represents the "final piece" in an otherwise efficient transportation system serving Douglas, Johnson and Shawnee counties, and an important step toward improving safety, reducing congestion, and supporting regional industry.

CONTACT INFORMATION

Kimberly Qualls
NE Kansas KDOT Public Affairs Manager
785.296.3881
kqualls@ksdot.org

For additional information on the SLT visit www.ksdot.org/TWORKS

South Lawrence Trafficway

moving forward

Kansas Department of Transportation

Fall 2012

BY THE NUMBERS

- Location – Complete K-10 from South Junction of US 59/K-10 to East K-10
- Cost – $150 Million Construction Cost Length – 6 Miles
- Economic Impact – $3.7 Billion Benefit to the Kansas Economy
- Fall 2013 Begin Construction
- Fall 2016 Open to Traffic

As part of the 2010 T-WORKS transportation program, the South Lawrence Trafficway (SLT) was identified as the number one priority for the state of Kansas and has the highest economic benefit of all the projects in the T-WORKS program. After years of study, the SLT is moving forward.

K-10 and I-70 are vital links for the state - connecting Manhattan, Topeka, Lawrence and Johnson County. These corridors are paramount in supporting commerce, education and culture.

Study Goals

During the years of study, Kansas Department of Transportation (KDOT) examined in detail, twelve different alignment options including the option of doing nothing ("no build"). The detailed reviews evaluated each of the alternatives based on:

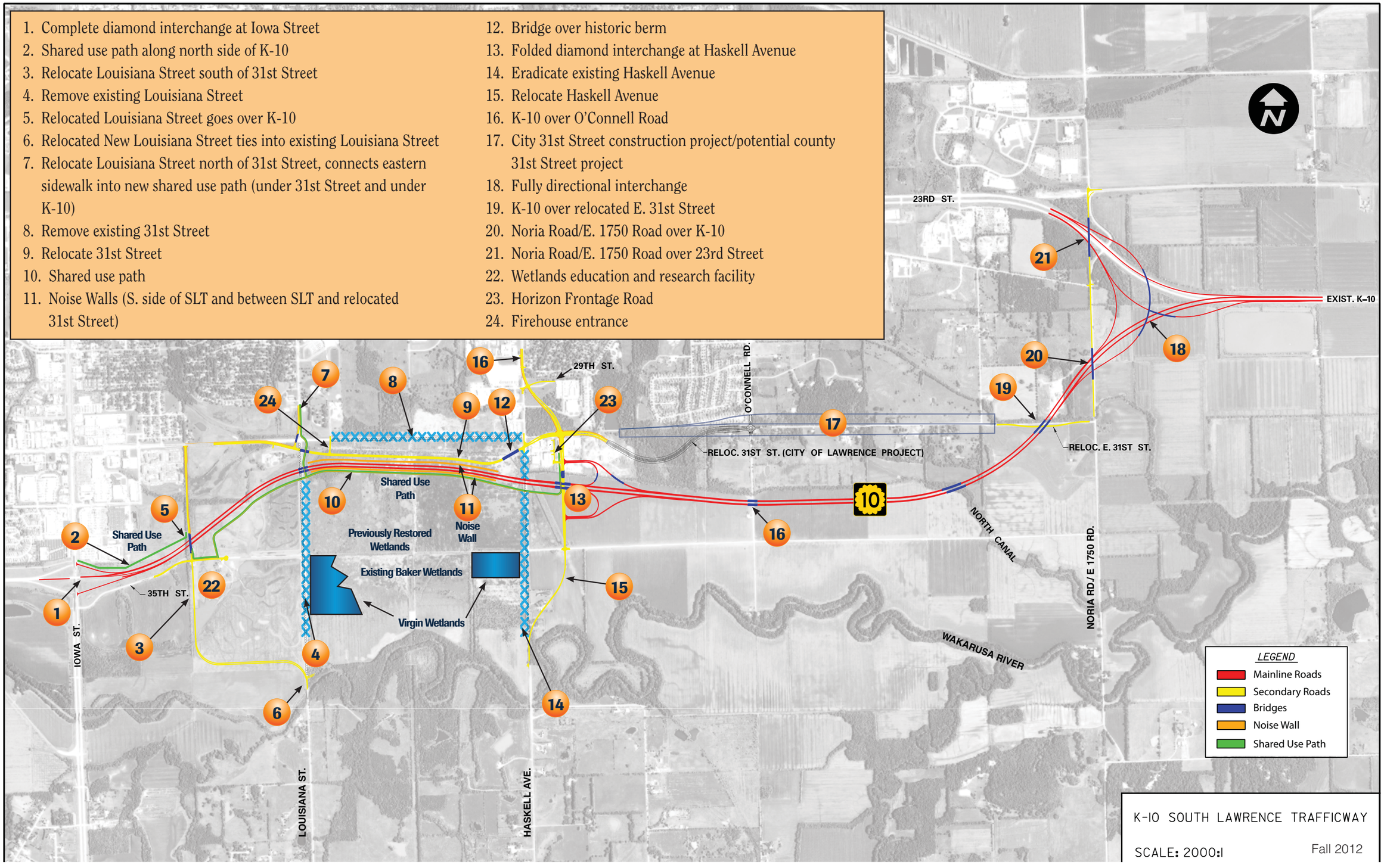
- Safety — projected crash rates
- Efficiency — congestion relief, volume of traffic diverted from city streets, length of alignment
- Environmental impacts — farmland impacts, visual and noise impacts, wetland impacts, cultural and historic resource impacts (avoidance, minimization, and mitigation for impacts taken into account)
- Cost — construction, operation, and maintenance costs ("reasonable expenditure of public funds")

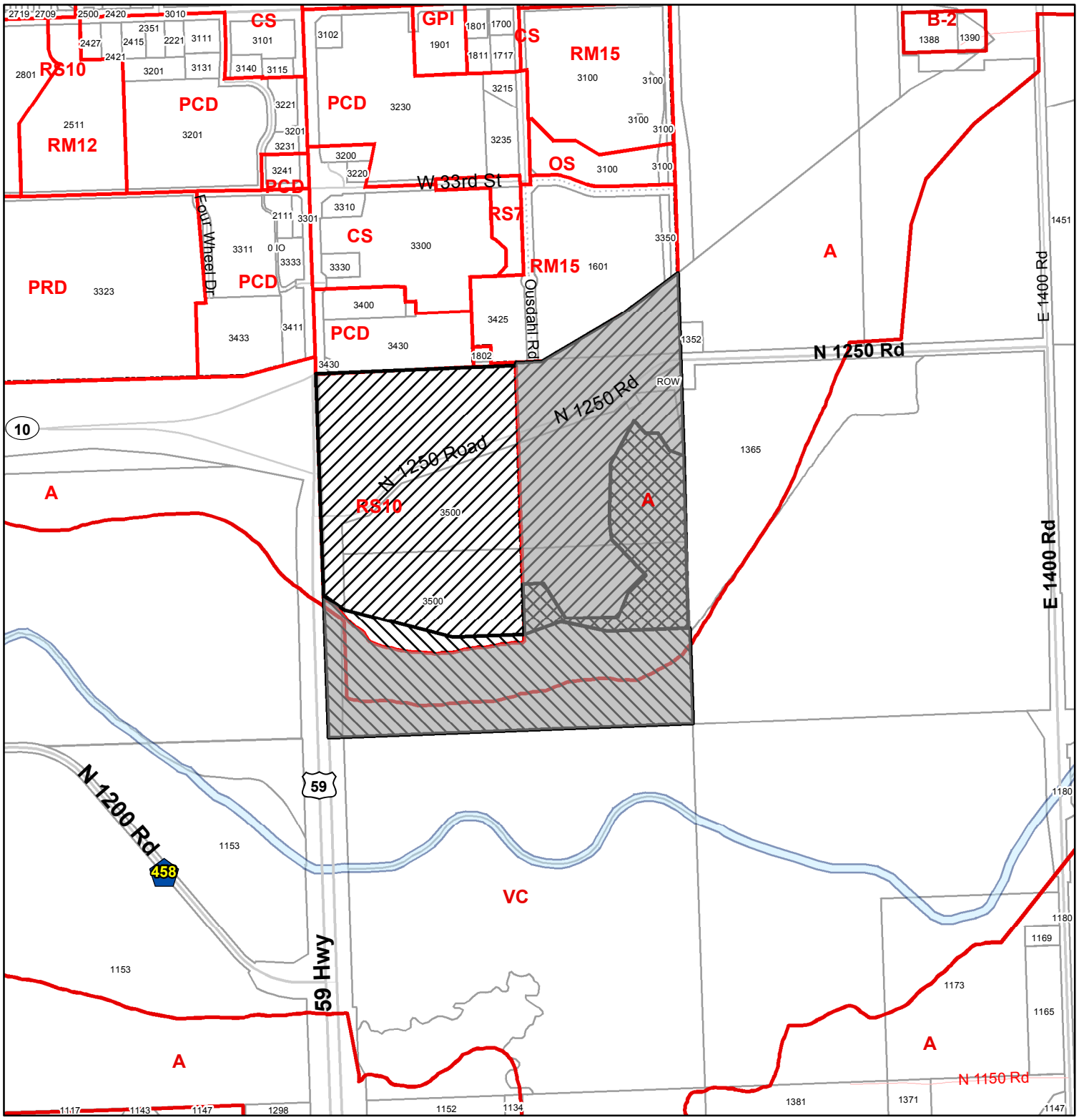
Based on these criteria, two federal agencies, the Federal Highway Administration (FHWA) and the U.S. Army Corps of Engineers (USACoE) approved the preferred "32nd Street" alignment, which is shown above and in greater detail inside this brochure.

KDOT Project #10-23 K-8392-04

South Lawrence Trafficway Map

1. Complete diamond interchange at Iowa Street
2. Shared use path along north side of K-10
3. Relocate Louisiana Street south of 31st Street
4. Remove existing Louisiana Street
5. Relocated Louisiana Street goes over K-10
6. Relocated New Louisiana Street ties into existing Louisiana Street
7. Relocate Louisiana Street north of 31st Street, connects eastern sidewalk into new shared use path (under 31st Street and under K-10)
8. Remove existing 31st Street
9. Relocate 31st Street
10. Shared use path
11. Noise Walls (S. side of SLT and between SLT and relocated 31st Street)
12. Bridge over historic berm
13. Folded diamond interchange at Haskell Avenue
14. Eradicate existing Haskell Avenue
15. Relocate Haskell Avenue
16. K-10 over O'Connell Road
17. City 31st Street construction project/potential county 31st Street project
18. Fully directional interchange
19. K-10 over relocated E. 31st Street
20. Noria Road/E. 1750 Road over K-10
21. Noria Road/E. 1750 Road over 23rd Street
22. Wetlands education and research facility
23. Horizon Frontage Road
24. Firehouse entrance





A-14-00104: Annex approximately 102.64 acres
Z-14-00105: Rezone 122.96 acres from RS10 District and A District to CR/CR-FP District &
Z-14-00106: Rezone 46.1 acres from RS10 District, A District and VC District to OS-FP District
Located at Southeast Corner of US 59 Highway (Iowa Street) & East Leg of K 10 Highway

A-14-00104

Z-14-00105: A to CR-FP

Z-14-00105: RS10 & A to CR

Z-14-00106: A & VC to OS-FP

Lawrence-Douglas County Planning Office
June 2014

Memorandum
City of Lawrence / Douglas County
Planning and Development Services

TO: **Planning Commission**

FROM: **Jeff Crick, AICP, Planner II**

CC: **Scott McCullough, Planning and Development Services Director**

Date: **For the July 21, 2014 Planning Commission Meeting**

RE: **Requested Additional Information for CPA-14-00107, A-14-00104, Z-14-00105, and Z-14-00106**

At the request of Commissioner Josserand, staff is providing information regarding traffic counts at the intersections of K-10/South Lawrence Trafficway & 6th Street and K-10/South Lawrence Trafficway & South Iowa Street. The following data is the Annual Average Daily Traffic for both directions, which is available from the Kansas Department of Transportation:

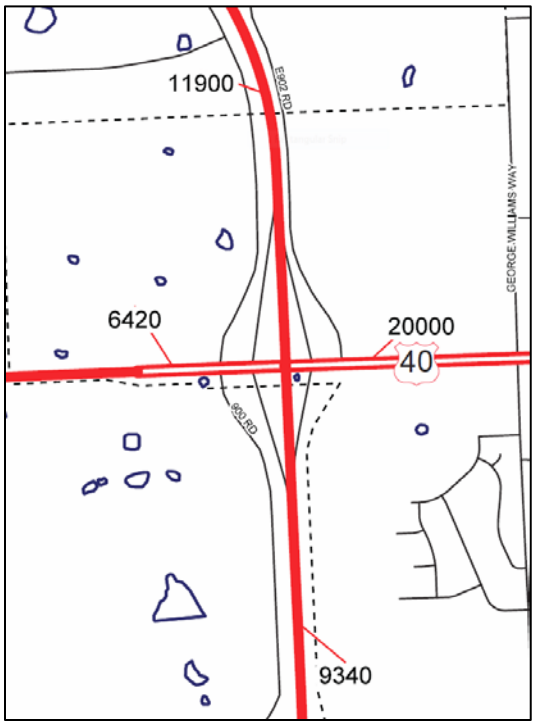


Figure 1: KDOT Traffic Counts (2013) for 6th St. at K-10

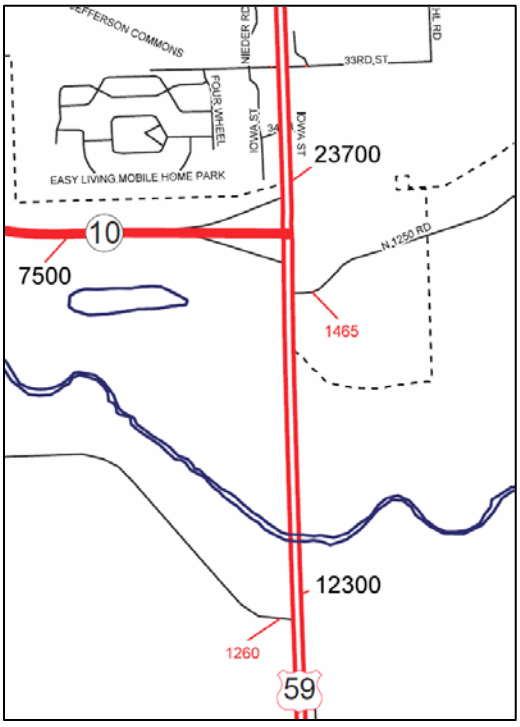


Figure 2: KDOT Traffic Counts (2013) for South Iowa St. at K-10

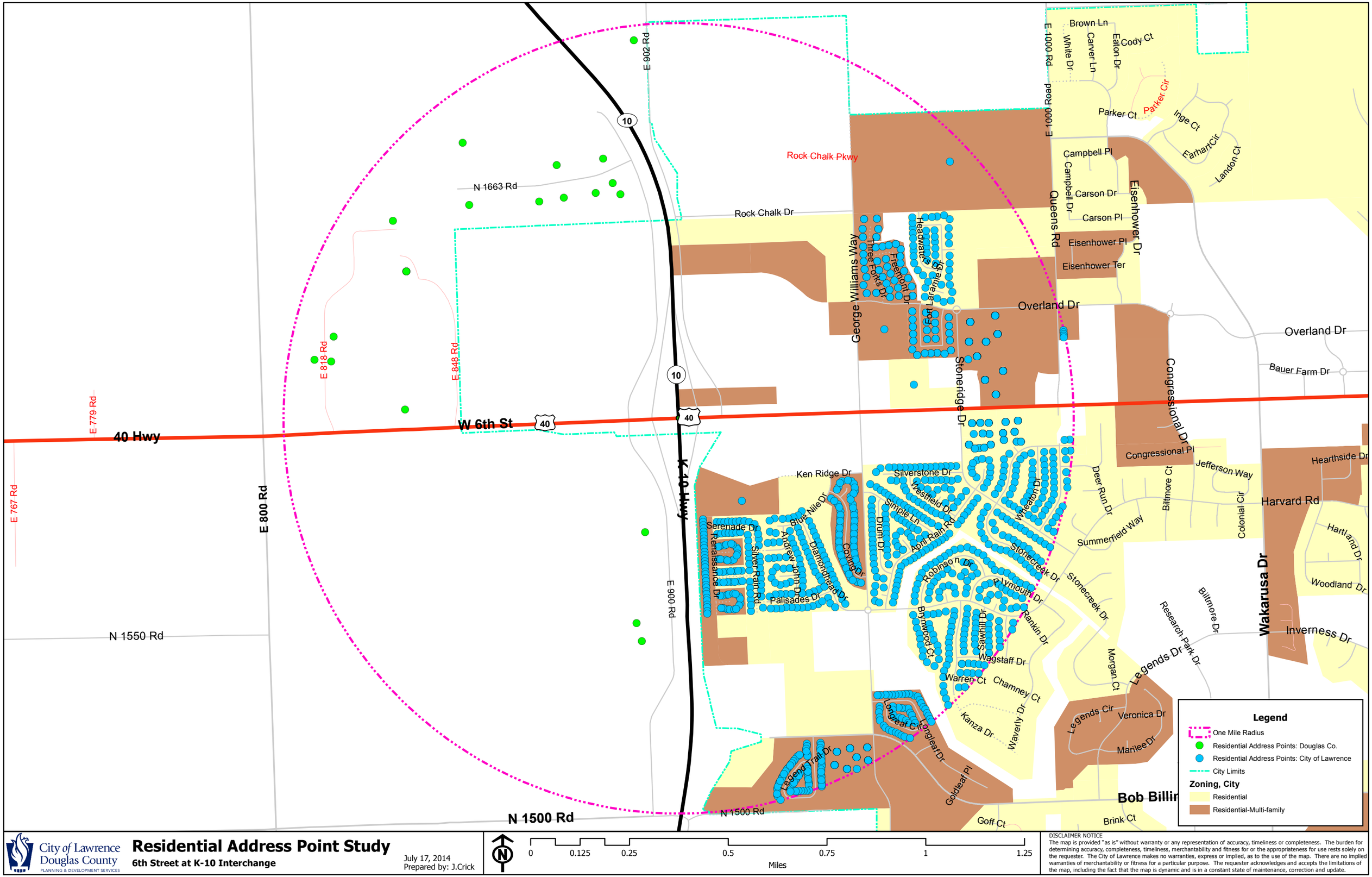
Staff was also asked to study the amounts of residentially zoned property within 1 mile of those intersections. Using the U.S. Census Bureau value for average household size (2.3 people per household) for the community, staff was able to approximate the populations living within a 1 mile radius of the these two locations.

Location	Estimated Households		Total Households	Total Population (2.3 people per Household)
	City	County		
6th St. at K-10	1,472	21	1,493	3,434
S. Iowa St. at K-10	1,449	4	1,453	3,342

Attached are the maps from the study of the two locations.

Some points on the maps are stacked and/or overlap, so they do not indicate amount/intensity of households (multi-family projects). Also, some points indicated on the maps are properties that are either currently under construction, or are anticipated to be constructed within 3 to 5 years.

Aerial maps are provided to reflect the actual units currently constructed.



City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

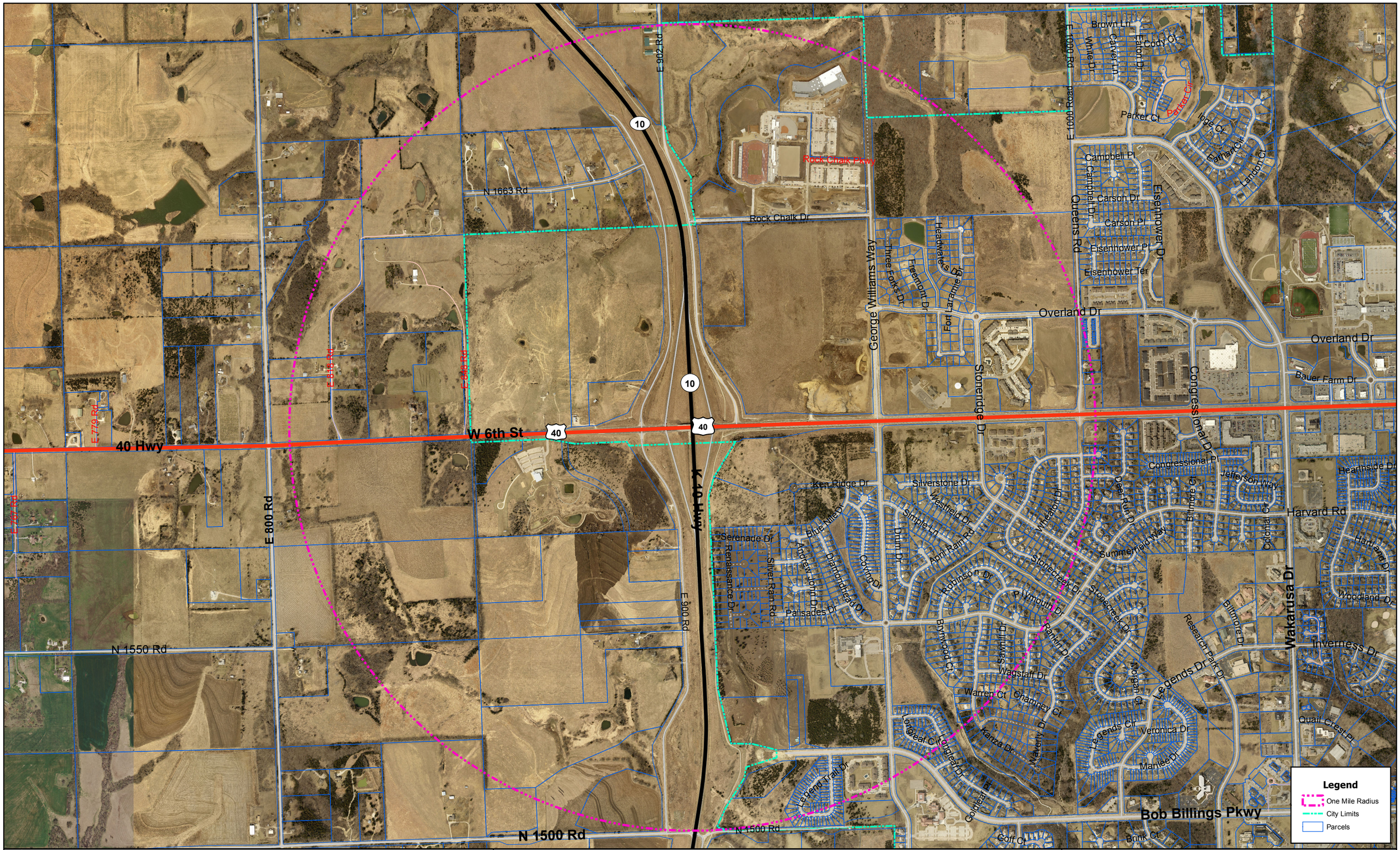
Residential Address Point Study

6th Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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.



City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

2014 Aerial Photograph

6th Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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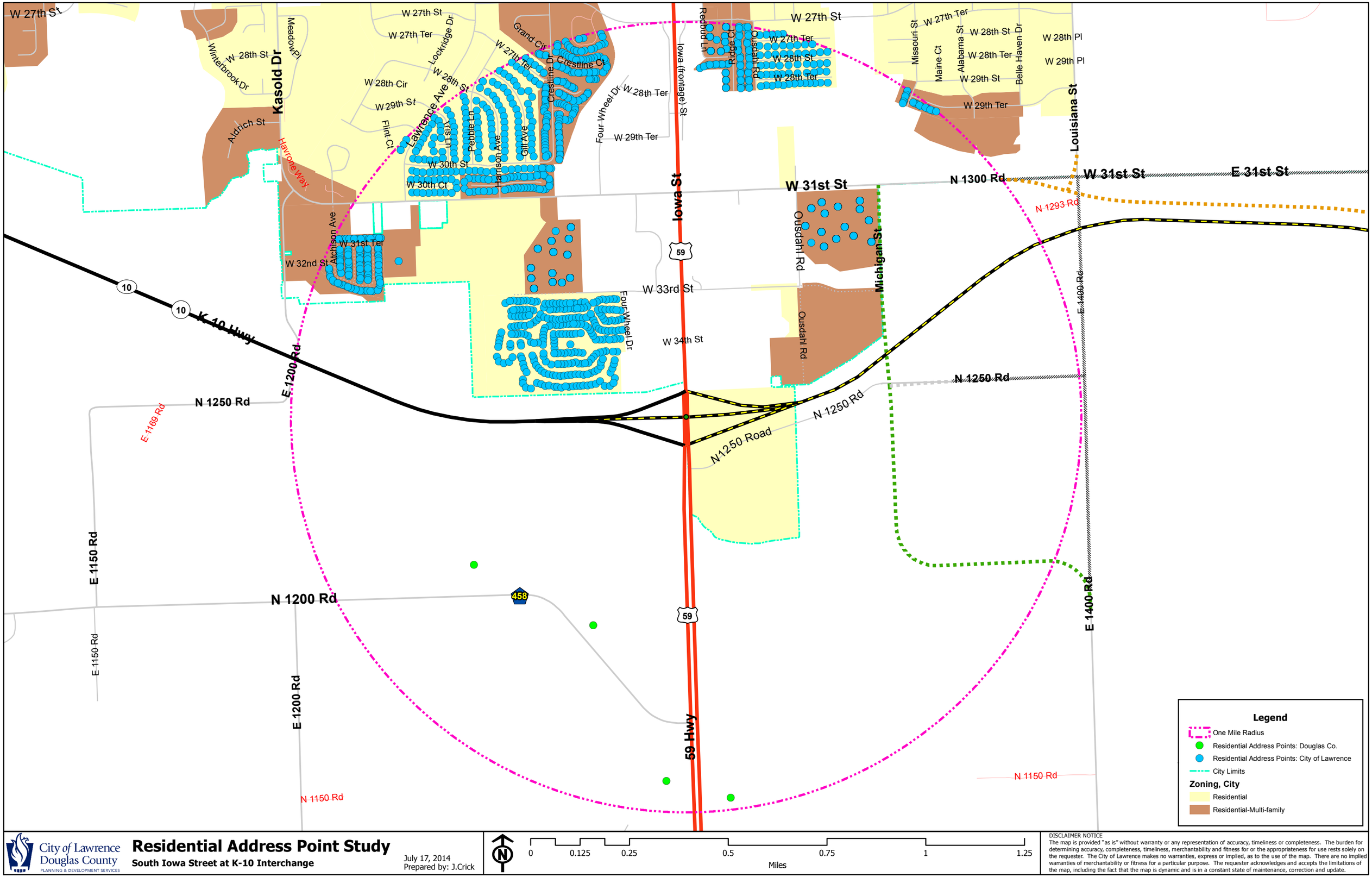

City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

Residential Address Point Study

South Iowa Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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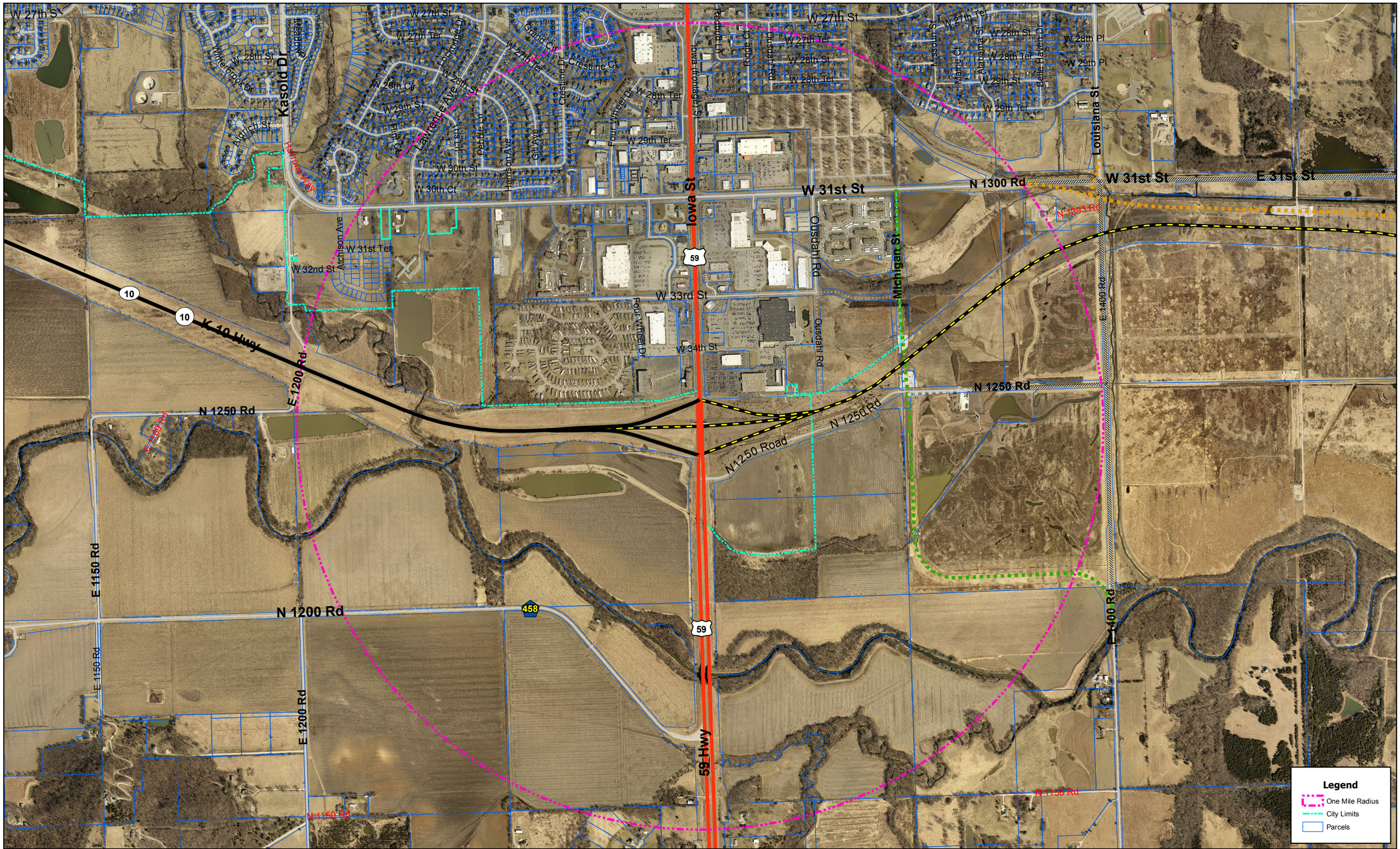

City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

2014 Aerial Photograph

South Iowa Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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From: <Bolick>, Zak <Zak.Bolick@INTRUSTBANK.COM>
Date: Tuesday, July 15, 2014 at 3:19 PM
To: USD497 USD497 <pkelly@usd497.org>
Subject: Southpoint Retail Development

Good afternoon Patrick,

I wanted to reach out to you this afternoon to voice my support for the Southpoint Retail Development that comes before you this coming Monday, July 21st where I understand you will weigh in on the requested annexation, rezoning, and amendment to the Comprehensive Plan as it relates to this development. As a business professional, homeowner, and graduate of Leadership Lawrence, I understand the tax burden that the residents of Lawrence, Kansas carry due to our wonderful city amenities and services, alongside of our lack of enough commercial and industrial developments to support it what we have.

With that said, I would ask that you pave the way for this development, which among many things will:

- Be an obvious and much needed gateway to our community from the South, along a much improved 59 Highway and finally to be completed SLT;
- Be a buffer to protect and enhance the Baker wetlands;
- Provide much needed sales and property tax dollars to our community;
- Prevent some existing spending dollars being spent outside of our community from continuing to do so.

We are blessed in this case with a developer who has spent time in our market, who has a history across the Southern half of our country doing like developments, and who believes in his development enough that he is not asking for any special financial incentives from the City, saying that the retail demand in our community is such that the development can be successful without them. This development should not negatively affect our amazing downtown, and was designed such that it is a regional retail destination feel rather than a walkable downtown look and feel, as to not compete with downtown Lawrence. Furthermore, thanks in part to the development at 9th & New Hampshire, as well as the new library and parking garage, and other downtown infill, there are more people living, working, and playing in downtown than perhaps ever before. It is clear to me that the retail demand and natural future growth is South, while the natural residential growth is West. As more and more people move farther West, and when Rock Chalk Park opens and is as popular as we all know it will be, there will be retail demand in that area. But before us today, we have an opportunity to welcome the right developer and the right tenants to our community, and reap the benefits of them being there in as short as a couple of years.

I urge you to consider this project for what it is, and what it means for our community, and support the annexation, rezoning, and amendment to the Comprehensive Plan this coming Monday, July 21st at your meeting.

Thank you for taking the time to read my email. I hope that it finds you doing well.

Best,

Zak Bolick, Commercial Relationship Manager
INTRUST Bank | 901 Vermont Street | Lawrence, KS 66044
Phone: 785-830-2616 | Mobile: 785-766-3836 | Fax: 785-830-2636
zak.bolick@intrustbank.com
www.intrustbank.com
I trust INTRUST.

Please consider the environment before printing this email.

From: "Dan Chavez" <Danc@chavezrestoration.com>
Date: Jul 15, 2014 5:32 PM
Subject: "Southpoint"
To: "montanastan62@gmail.com" <montanastan62@gmail.com>
Cc:

Stan,

My name is Dan Chavez; I am a local business owner and a Lawrence resident for the past 11 years. I am contacting you in regard to the Southpoint Development. I am one of many that believe in the Southpoint Development. I do not have a vested interest in the project, or know anyone that does. However, as a Lawrence resident, I am encouraged by such a project, and I think it will help keep tax dollars in Douglas County, as well as attract surrounding retail dollars from neighboring communities.

There have been times in the past that I felt the commission has looked for reasons not to approve such a project, listening to those afraid of too much change or growth. There will always be naysayers with whatever project is placed before the planning commission, some with great passion. I would ask you simply to weight the logic of those that oppose this project. I would challenge you to look at the merits of the Southpoint Development for what it can offer Lawrence and its residents.

I think in years passed; there were times when quality projects were more plentiful, when missing one opportunity only meant waiting on the next one. I wonder from a retail dollars standpoint if we can afford to miss the potential that this project offers Lawrence residents. Please consider the value that Southpoint offers to Lawrence, and vote accordingly. Thank you, Dan Chavez

DIAMOND REALTY INVESTMENTS, INC.

5215 N. O'Connor Blvd, Suite #670
Irving, TX 75039

July 16th, 2014

Planning Commission
City Hall – 1st Floor
6 East 6th Street
PO Box 708
Lawrence, KS 66044

Dear Planning Commission members:

Diamond URS Lawrence, LLC, also known as The Connection at Lawrence, is a 324 unit, 888 bed class A off campus student housing multifamily property located at 3100 Ousdahl Road in Lawrence.

As an established business and tax paying entity, we are writing to express our full support for the proposed Southpoint Retail Development on the SE corner of Iowa St and K-10 (SLT).

As a business and property owner in Lawrence, we've been pleased to see positive signs of economic growth in the city and the area near our property (e.g. Menards and the K-10 SLT most recently.) We believe further developments will have a positive impact on the city, fellow property owners, and retail customers.

We are sorry that we will not be in attendance for the meeting on Monday July 21st, so we wanted to express our support for this project.

Sincerely,

Mark Stinger
Vice President & Chief Asset Manger
Diamond Realty Investments, Inc.

From: "Jones, Claudia K" <Claudia.Jones@intrustbank.com>
Date: Jul 16, 2014 8:31 AM
Subject: FW: Southpoint Retail Development
To: "montanastan62@gmail.com" <montanastan62@gmail.com>
Cc:

I just wanted to send this e-mail letting you know that from what I have read, I am in support of this project. I am uncertain as to why we would not want a project like this to come to Lawrence. It will bring more jobs, more retail sales for Lawrence, which in turn will increase the City's sales tax revenues. I was born and raised in Lawrence, KS and have lived here for almost 60 years and get tired of driving to Topeka or KC to shop at stores that Lawrence does not offer. I do shop downtown but the stores that are anticipated to be in this project would not interfere with the type of stores that Downtown Lawrence has to offer.

It is my understanding that Southpoint will not need any special taxing districts, tax rebates or other financial incentives from the City. This is even a larger bonus for Lawrence, a company wanting to locate in our city and not asking for any incentives to come.

I hope you will support the annexation, rezoning and amendment to the comprehensive plan to allow this project to move forward.

Claudia Jones

Southpoint Retail Development is important for our community, and I support the annexation, rezoning, and comprehensive plan amendment as the first steps in getting it built.

I also support the Family Fun Center that I have seen occasionally in the news. I know that there are protests to putting it out by Raintree, and as a former Raintree parent, I don't personally see the issue; however, there are plenty of other locations where something like this could go. North Lawrence (Tanger outlet area), West Lawrence (near the new Rock Chalk Park area - I just know that there is a place for this in our community. I have two children – 6 & 11, and have to go to Topeka or Kansas City to do anything other than swimming, bowling, or a movie. I am very concerned about the lack of fun activities available to kids and teens, and as a Lawrence native, I know the kinds of trouble bored kids get in. My hangout as a teenager was a restaurant – that's pretty sad.

Thank you for your consideration on these issues.

Heather Brown
Closing Director, McGrew Real Estate

1501 Kasold Drive
Lawrence, KS 66047

Main: (785) 843-2055
Direct: (785) 838-8274
Fax: (785) 843-2466

From: CadreLawrence [mailto:mdfales@silverlakebank.com]
Sent: Wednesday, July 16, 2014 9:49 AM
To: Bryan C. Culver
Subject: CadreLawrence Southpoint Retail Development Data Sheet

CADRELAWRENCENEWS

On behalf of CadreLawrence, thank you for taking the time to read this email. As we hope you know, having provided us with your email address, CadreLawrence is your community kitchen table, with an open invitation to the whole community to engage in thoughtful dialog by voicing support and presenting evidence for the creation of jobs and economic growth in Lawrence. With this email, you have the opportunity to get active in the support of a proposed new retail development which goes before the Planning Commission on Monday, July 21st. Read below to learn more about this proposal, and to identify our ask of you.

Information contained in this data sheet was gathered from months of research and communication with Chris Challis, developer for Collett, the company proposing the development on South Iowa, as well as data retrieved from the Retail Market Study prepared by Richard Kaplan & Associates. This is not the opinion of CadreLawrence, but more so the data that was reported to CadreLawrence from these sources.

- Planned on South Iowa Street at K-10/South Lawrence Traffic way in Lawrence, Kansas scheduled for opening in 2016.
- Will offer the Lawrence market area at least seven national retail companies that currently do not have a retail outlet in Lawrence.
    - Academy Sports
    - Ulta
    - Designer Shoe Warehouse (DSW)
    - Old Navy
    - Marshall's/Home Goods
    - Others yet to be named, including a specialty grocer
        - These businesses will occupy approximately 40% of the retail space at Southpoint.
- The project also plans to accommodate three existing retail establishments in Lawrence.
    - Their relocation to Southpoint offers these businesses a commercial center and building space more tailored to their operations as well as an easily accessible location to all Douglas County residents.
- Upon full build out in 2020, Southpoint is planned to have 538,550 square feet of commercial use.
    - This includes 18,000 square feet of office users and an 80,000 square foot, 100 room hotel.

Sales Tax Impact Estimate

- Southpoint will provide approximately $132,000,000 in new retail sales in the

Lawrence market upon completion.

- These estimated retail sales will increase the City's sales tax revenues by 5.5% in 2016-17 ($1.13mm annual increase) when the project opens and will increase the City's sales tax revenues by 6.6% in 2020 ($2.18mm annual increase) when the project is fully completed.
- The project is estimated to provide a cumulative $8,883,500 in additional sales tax revenue from 2016-2020, from opening through completion.

Leakage Impact

- The number of retail dollars leaking out of Lawrence to Johnson County or Topeka is estimated to decrease significantly with this new development.
  - Lawrence's drawing power as a retail center currently is about 10 percent less than Olathe's, about 25 percent less than Manhattan's and Topeka's, and about 50 percent less than Lenexa's.
  - For the retail sectors where Lawrence experiences some of the greatest sales leakage to our neighboring communities (e.g., clothing, general merchandise, furniture & home furnishings, and gasoline stations), Southpoint will add new retailers to each of these categories, helping stem the current leakage, and keep Douglas County dollars in Douglas County, and perhaps draw dollars from neighboring counties to Douglas County.

Vacancy Impact

- The addition of this development will be within the City's historic average for new retail development since 2006, and will not materially affect the City's historic vacancy rate over that period.

City Provided Financial Incentives

- Southpoint has been designed so it will not need any special taxing districts, tax rebates or other similar financial incentives from the city.
  - Interest from potential tenants for the center has been high enough that the development group is confident in its success without incentives.

Our ask of you

- Contact your planning commissioners, and use the information from this fact sheet to draft an email or letter to tell them whether or not you support the Southpoint retail development. The action ahead of the Planning Commission on Monday, July 21st includes annexation, rezoning and amending the Comprehensive Plan. The earlier the better, but the deadline for written communication to be included in the Planning Commission packet is 10:00 am on Monday, July 21st.
- Share this information with 3-5 or more people in your own social network, and ask them to get active in the process as well.
- Try to attend the Planning Commission meeting on Monday evening, July

21st to allow the Planning Commissioners to hear your voice.

- Ask questions. If we do not have the answers, we will get the answers directly from Chris Challis of Collett. Direct questions to info@cadrelawrence.com.
- Your Planning Commission contact information:
    - City Appointees:
        - Amalia Graham - amalia.graham@gmail.com
        - Stan Rasmussen - montanastan62@gmail.com
        - Jon Josserand - jonjosserand@gmail.com
        - Patrick Kelly - pkelly@usd497.org
        - Bryan Culver - bculver@bankingunusual.com
    - County Appointees:
        - Jim Denney - denney1@sunflower.com
        - Pennie von Achen - squampva@aol.com
        - Clay Britton - clay.britton@yahoo.com
        - Bruce Liese - bruce@kansascitysailing.com
        - Eric Struckhoff - eric.c.struckhoff@gmail.com

Sincerely,
CadreLawrence

Hello Planning Commissioners,

I am writing to express that I do not support the approval of the Southpoint retail development. I am fully aware of the anticipated economic impact of the development, but want the commission to know that many of us in the community value the preservation of land and natural resources above economic impact *in some cases*. The continued sprawl south of Lawrence is not something that all residents want. Stores like Old Navy have already failed here,perhaps for reasons I am unaware of, but I suggest putting efforts into supporting local small businesses, rather than continuing to develop in natural areas around Lawrence in support of more large, corporate businesses.

Thank you for your time and consideration. I hope you hear from the many other residents I know who are NOT supportive of this development.

Best,
Emily Hampton

From: Karen Lowder [mailto:klowder@cwood.org]
Sent: Tuesday, July 15, 2014 3:28 PM
To: amailia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; pkelly@usd497.org; Bryan C. Culver
Cc: denny1@sunflower.com; squampva@aol.com; clay.britton@yahoo.com; bruce@kansascitysailing.com; eric.c.struckhoff@gmail.com
Subject: Please vote yes!

http://www2.ljworld.com/weblogs/town_talk/2014/jul/7/old-navy-academy-sports-others-announced/

I hope you ladies and gentlemen will consider the financial gain in jobs that many of these new pending properties might be able to provide, not only for our community, but for surrounding communities as well. We have a vibrant downtown with many local businesses that will remain a big draw because of its uniqueness, but I imagine we are losing a lot of sales tax revenue to Kansas City, Topeka and the Legends. My son recently came home for a wedding and needed to pick up a suit for his small son, but refused to even look for clothes in Lawrence because the selection is greater in Kansas City. I couldn't argue with that.

Wages, sales tax revenues, tax incentives…I'm sure there is much more to consider, but Lawrence is expanding its horizons with the Rock Chalk Park and the Warehouse Arts initiative…those visitors will need places to eat, places to stay and places to shop in their down time…it might as well be Lawrence! Let's make it work! Thanks for your consideration.

Karen Lowder
947 New Hampshire
#302
Lawrence, KS 66044

LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED
JUL 21 2014
City County Planning Office
Lawrence, Kansas

July 20, 2014

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Austin Turney

Mr. Bruce Liese, Chairman, and Planning Commission
Lawrence-Douglas County Metropolitan Planning Commission

RE: ITEM NO. 3: COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 6, CHAPTER 14, AND TO THE REVISED SOUTHERN DEVELOPMENT PLAN
ITEM NO. 4A ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD
ITEM NO. 4B RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY
ITEM NO. 4C RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY

Dear Chairman Liese and Planning Commissioners:

We ask the Planning Commission to deny the Comprehensive Plan change, the annexation, and the rezoning requests of the Southpoint proposal for the following reasons:

1. The overriding consideration should be whether the location is appropriate for the proposed use. We answer that it absolutely is not, because:

   a. It is away from population centers and is at the southern entrance to Lawrence where the automobile traffic will be entering and leaving. This location really requires automobile-oriented uses such as a fuel station, quick shop needs, and overnight accommodations. This type of use has been designated in the Comprehensive Plan for this area as an Auto-Oriented Center.

   b. The original concern that this type of use would become a Truck Stop is not warranted for Auto-Oriented centers because they do not require either Regional or General Industrial zoning, the only districts that permit Truck Stops. Truck Stops also require a Special Use Permit.

c. Because of the proposed design of Louisiana Street to bridge the SLT, as well as the Iowa Street connection to the SLT, it would seem to us that the traffic pattern of the area would be especially sensitive to added traffic from shopping-center customers. To add non-essential traffic, such as this leaving and entering slow-moving type would seem to add dangerous and unnecessary traffic connections to the fast-moving through traffic lanes.

d. Shopping centers located in the County (or almost in the County as is this site), have been shown to encourage County sprawl. The future use of a shopping center in this location would, we suggest, encourage County population to develop around it, leading to more non-farm rural residential growth.

e. The proximity of the Southpoint development to the floodplain is also an important argument against

allowing this type of development there. With the necessary modification of the floodplain and the amount of runoff that has to be accommodated, this is a difficult area to develop. In addition, the inevitable runoff directly into the floodplain has a major impact on farmland downstream. We suggest that you talk to the farmers who have already been negatively affected by city runoff, before encouraging more.

2. The major argument given in favor of Southpoint seems to be that this devlopment would positively affect the City's pull factor and tax revenue. We could not find convincing arguments why this would be true. Our reasons are as follows:

a. The stores that Southpoint lists as being future occupants are the same stores that are found in other cities around Lawrence, so there would be no real reason to shop in Lawrence for out-of-town customers (the source of "pull.")

b. The argument that the sales tax revenues will increase as a result of Southpoint depends on an increase in overall sales as a result of the development. The counter argument is that an increase in sales depends on an increase in income, which in turn, is dependent on an increase in employment, which brings the increase in population which brings the increase in overall incomes. Rather than increasing the amount of commercial use and zoning, the answer to this dilemma would be to increase the amount of available employment by supporting more business/industrial and office development. We suggest that the area near the SLT and this intersection outside of the Auto-Oriented area would be an important area to preserve for employment-related uses.

The planning staff method for determining the viability of future zoning by determining the current vacancy rates we find is unconvincing for justifying an increase in zoning, especially where Lawrence is already overzoned (commercial) and overbuilt (apartments). As one citizen/realtor once pointed out, landlords need occupants, if for no other reason than to protect and maintain their property, regardless of whether they pay full rent or not, and occupancy is not necessarily a sign of a healthy business.

For these reasons, and many others, we urge the Planning Commission to deny the Southpoint requests to change the Comprehensive Plan (Item 3), and the requests for Annexation, Rezoning to Regional Commercial, and Open Space (Items 4a,b,and c).

Thank you for considering our concerns.

Sincerely yours,

Cille King

Cille King
President

Alan Black

Alan Black, Chairman
Land Use Committee

From: Candice Davis [mailto:cdavis.chc@gmail.com]
Sent: Monday, July 21, 2014 9:51 AM
To: Scott McCullough
Cc: David L. Corliss
Subject: Fwd: North Carolina retail proposal- letter

Hello Scott. I would like for you to include my letter in the packet for the PC tonight. I did send the e-mail to PC personal e-mails but would also like to have it included in the packet. I know that you are continually in most difficult positions as you try to accommodate many interests. However, sometimes "NO" is the most effective response to end continuous pressure from individual private interests. I believe that our long-range city planning must be forward thinking and reviewed periodically before developers summit their hearts desire. Sticking to such a plan is paramount and might make your job and those of other commissioners much easier. I know you are working hard but I am passionate about this town and will do what I can to see that changes move in a positive direction. The North Carolina group is just now contacting LAN about their proposal. They plan to speak to the group in August but the timing is very late in the city process. Your friendly but concerned neighbor, Candice Davis

Dear Planning Commissioners, 7-19-14

I am aware that you are reviewing a request for rezoning by a development group from North Carolina. They would like to invest in a large retail project south of existing retail on Iowa street that would be 40% as large as our downtown.

Having lived in Lawrence for 30 years, I am concerned about the continuing viability of our downtown retail businesses as well as city planning practices. Who is planning our city? Do the citizens of Lawrence want big developers and their lawyers to plan where projects will be located? A recent Horizon 2020 survey identified protection of our downtown as a top priority.

Good city planning should always consider the over-all health and welfare of the entire city, follow appropriate protocol and use established urban planning principles. This out-of-town firm is requesting rezoning to accommodate their development. Our long-range plan should only be changed to address the projected needs of the city not to address the needs of a developer.

Is this proposal really good city planning, and good for Lawrence?

Thank you for your thoughtful consideration, Candice Davis

Concerns/Questions

1. Is the North Carolina developer aware of our long-term city plan, Horizon 2020? Do they care about the welfare of our community or is this purely business?

2. The latest Horizon 2020 survey placed maintaining a viable downtown as a top priority.

3. Existing downtown retail is already shrinking. Bars and restaurants are tipping the scale.

4. What about existing commitments to Mercado and their plans for retail expansion in west Lawrence?

5. The new city recreation center to the west is promising much city and regional activity. Will this threaten taxpayer investments and hurt the potential retail market in that area?

6. There is already the highest % of retail on South Iowa Street. How will this impact existing city-wide retail businesses?

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

July 20, 2014

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Re: **ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTERS 6 & 14 CPA-14-00107**
ITEM NO. 4A ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD A-14-00104
ITEM NO. 4B RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY Z-14-00105
ITEM NO. 4C RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY Z-14-00106

Members of the Lawrence Douglas County Planning Commission,

The applicant, Collett and Associates, seeks to develop a parcel on Iowa Street through an amendment to Horizon 2020, annexation of land and rezoning of the land. The proposal, Southpoint, calls for development of: About 460,000 square feet of retail in a first phase; 80,000 square feet for a 100-room hotel; and probably about 70,000 square of additional square feet of retail in a second phase (14 parcels at 5,000 square feet per parcel). The development will contain a total of over 600,000 square feet of commercial space.

This project is large; when fully built it will be the equivalent of 40 percent of our downtown. It will expand the supply of space on South Iowa by about 30 percent. At this scale it has the potential to have a significant negative impact on other retail shopping districts in Lawrence, including the downtown.

Additional Hotel Space:

The issue: Can the community absorb additional hotel space without threatening existing and future taxpayer investment in hotels?

The taxpayers of Lawrence are heavily invested in hotels. The taxpayers invested about $11 million in the Oread Hotel. The taxpayers are investing about $10 million in the 9th and New Hampshire project with a significant portion of that amount serving the new hotel.

Lawrence has zoned multiple parcels for additional hotel space. Hotel zoning was approved in the North Mass development. Hotel zoning was approved in the latest revision of the Bauer Farms development.

Lawrence is about to begin a process that may lead to a new conference center. This center will probably include additional hotel space, and this hotel and conference center will probably include a significant taxpayer contribution.

The Southpoint proposal includes a hotel. The staff report is silent on the hotel issue. It is unknown whether or not the city can absorb an additional hotel without threatening its already large investment in hotels.

The City made the hotel investments without careful study of the city's capacity to absorb new hotel space. The City is about to embark on such a study to guide it to a better decision on the conference center.

Zoning for additional hotel space may hurt an already saturated market. Zoning for additional hotel space may threaten existing taxpayer investment.

Recommendation on the hotel component: Do not approve additional hotel space until the absorption study is complete and it is clear that additional hotel space will not threaten existing, and possibly future, taxpayer investment.

Additional Retail Space:

The Issue: Can the Lawrence retail market absorb the proposed space without significant negative impact upon existing retail districts?

The Economics of Retail Markets: In a well-balanced market, the supply should grow in proportion with growth in demand.

The economics of retail real estate are well established. Demand for retail space is what determines the value of retail space, the number of jobs it will produce and the sales tax revenues that it will generate. The supply of retail space does not drive these outcomes. There are many false beliefs that building real estate grows the economy. It does not. Growth in the economy is a function of growth in the aggregate income of the households within the community because income sets the amount of spending that a market will experience. More stores do not create more spending; rather, only more income to the households in the community can drive growth in the economy. As a result, more stores do not create more spending, more sales taxes, more retail jobs or more value of all retail buildings. If too many

stores are added to a market, the stores vie for the finite amount of spending, driving down the revenue per square foot, hurting all stores.

Retail Demand: The best proxy for demand in a market is the local retail sales tax revenues. They show the actual spending in the market reflecting changes in income, the community's pull factor and the use of on-line shopping.

The City's retail market study shows that inflation adjusted retail sales taxes have been flat from 2000 to 2012. They actually declined very slightly at -.012 percent per year over the last twelve years. However, there has been negligible growth from 1995 to 2014 at +0.40 percent per year. Thus, for a long period of time, retail spending in real terms has not grown for about 20 years. See the table below.

Table: Lawrence Retail Supply and Demand Conditions 1995 to 2012

Year	*Inflation Adjusted Sales Taxes*	*Commercial Square Feet*
2012	$ 13,593,996	9,105,151
2000	$ 13,797,066	5,299,404
1995	$ 12,695,769	4,372,183

Demand Annualized Growth Rate

0.40%	**1995 to 2012**
-0.12%	2000 to 2012

Supply Annualized Growth Rate

4.4%	**1995 to 2012**
4.6%	2000 to 2012

Source: City of Lawrence 2012 Retail Market Report

Demand Conclusion: The city's capacity to support growth in its supply of retail space is non-existent. With no growth in retail spending, the city has no capacity to support additional retail space at this time. The developer is only seeking to capture a share of that spending for the proposed development, taking this demand, and possibly some of the vendors, away from existing shopping districts.

Retail Supply: The stock of retail space has grown dramatically since 1995, which is the last time there seemed to be a balance between the supply of and the demand for retail space. From 1995 to 2012, the stock grew by 4.8 million square feet. This growth translates into a rate of growth of 4.4 percent per year. The City has approved an additional 1.2 million square feet at 6th Street and the SLT, Fairfield Farms, North Mass and 31st and Ousdahl Streets.

Supply conclusion: The supply of retail space is growing rapidly with much more approved for development.

Implications: The supply of retail space is growing rapidly while the retail spending is flat. This means that the revenues per square foot are falling. Reduced revenues lowers property values in existing shopping centers, including the downtown. Reduced revenues threaten the ability of attract investment to older existing properties. This is especially threatening to historic properties such as in our downtown.

If we expect to maintain the condition of our existing shopping centers, and especially if we want out downtown to continue to thrive, the space needs to attract sufficient revenue per square foot to drive sufficient lease rates that attract investment.

Staff report: The staff report on the proposed development concludes that because the vacancy rate has not become terribly bad, that the retail market will not be hurt by this development.

Vacancy is one of many measures of market health, but vacancy is one of the weaker indicators of market health. The notion is that if a market is overbuilt, the vacancy rate will rise proportionately. This is not true. Property owners will fill their space, even if it means granting rent concessions to attract occupants. Even with a rent concession that takes rents below costs, the property owner will lose less with a rent concession than with an empty property.

The staff should expand its analysis to examine the revenues coming into each market segment (defined both spatially and by type of vendor). It is clear from the staff report that the market is suffering from declining revenues per square foot over a long period of time, which leads to poor maintenance and reduced investment in existing properties, both of which are harmful to a retail market.

The Caplan Report: The market analysis provided by the developer contains multiple errors. Probably the most severe is the assumption that sales will rise 4.1 percent per year when they have not even been keeping up with inflation for a long period of time.

The Caplan report uses the argument that the proposed development will improve the Pull Factor of the entire retail market. The report claims that the community will benefit from new spending attracted to the local market. This can be a valid claim in a tourist market or a market with very special tenants that they become a destination shopping location not found in the region nor having any close substitutes elsewhere in the region.

This notion of attracting new spending into the community is simply not plausible with the proposed project. The vendors will not attract shoppers that are not already here. The vendors listed in the development proposal are not unique to the Kansas City-Lawrence-Topeka region. Thus, shoppers from Johnson County will not drive here for these vendors; they already have them in Johnson County. Shoppers from Shawnee County will not drive here for these vendors; they already have them, or have very close substitutes, in Topeka.

The best option to improve the pull factor in Lawrence is to enhance the one unique, destination shopping district that we have, Downtown Lawrence.

Recommendation:

Someday, this site on South Iowa Street may be an appropriate site for additional retail space and even hotel space on the scale proposed. That day is not even in sight.

- Retail spending remains flat while the supply has grown too quickly.
- We want to enhance, not degrade, the condition of our shopping centers and especially our downtown.
- We do not want to jeopardize our current and future hotel investments.

Tell the developer that this proposal is premature and cannot be approved at this time.

Yours truly,

Kirk McClure

WHITE | GOSS
ATTORNEYS AT LAW

MARY JO SHANEY
mshaney@whitegoss.com
816.502.4731

July 21, 2014

VIA ELECTRONIC MAIL

Bruce Liese (bruce@kansascitysailing.com)
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Lawrence-Douglas County Metropolitan
Planning Commission
City of Lawrence, Kansas
City Hall
6 East 6th Street
Lawrence, KS 66044

Re: Southpoint Project

Dear Members of the Planning Commission:

I represent K-10/40 Development, L.C., whose managers have an interest in the Mercato retail and commercial development at the northeast corner of Highways 40 (6th St.) and 10 in West Lawrence. Tonight, the Commission will consider a Comprehensive Plan Amendment to Horizon 2020 relating to what has been commonly referred to as the Southpoint Project, along with considering an annexation request and two rezoning requests affecting the same Project (the "Project"). For the reasons outlined here, the Commission should not at the present time recommend approval of the Project.

The Project is the largest commercial land use ever proposed to the City. Staff acknowledges at p. 14 of the Comprehensive Plan Amendment report (Item 3) that the proposed Comprehensive Plan Amendment *does not conform* to certain Horizon 2020 policies. Staff recognizes in multiple places in the Comprehensive Plan Amendment report that a number of retail and commercial developments will be negatively affected. This includes Mercato and a number of other sites mentioned in the report, and businesses and locations that are not mentioned in the report. The pending requests veer from existing policies and implicate significant questions of public policy and planning.

The Comprehensive Plan Amendment staff report includes some of Horizon 2020's goals and criteria for directing land use decisions, but certain policies warrant emphasis. Horizon 2020 does not contemplate the need for a new regional commercial center (Policy 3.13 at p. 15 of the staff report). While the staff report states that the Southpoint location simply would become "appended" to or "expand" the South Iowa Regional Commercial Center, in substance a project of this size does create a regional commercial center. This is a major departure from Horizon 2020.

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

The concern with the Project is not that it proposes retail and commercial development. The critical issue for tonight is whether the City process and directives under Horizon 2020 are being followed. Staff recognizes that there has not been a change in public policy, one of the criteria to be considered in determining whether to amend the Comprehensive Plan (*see* p. 17 of the report). That the City is now working with a task force to amend Horizon 2020 establishes that it is premature to change or gauge public policy.

There has been much discussion of the potential tenants for the Project. It appears this potential has been the driving force in garnering support from certain quarters. But the proper focus for the Southpoint concept plan is against the backdrop of the City's Comprehensive Plan policies and goals. We urge the Commission to adhere strictly to Horizon 2020 and to postpone this Project until the public process has been properly engaged.

Very truly yours,

Mary Jo Shaney

MJS:hkm
cc: Scott McCullough, Director, Planning and Development Services,
via e-mail smccullough@lawrenceks.org

PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
7/21/2014

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

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

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone 46.10 acres from RS10 (Single-Dwelling Residential) District, County A (Agricultural) District, and County VC (Valley Channel) District to OS-FP (Open Space-Floodplain Overlay), located at the SE corner of the South Lawrence Trafficway and US-59 Hwy based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval and subject to the following condition:

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

Reason for Request: *This rezoning request is part of a package of development applications, including an annexation request and a comprehensive plan amendment, which propose the development of a retail/commercial center at this location.*

KEY POINTS
- Property includes areas encumbered by regulatory floodplain.
- Upon annexation, the current county zoning designation is no longer appropriate for portion of property included in request.

ASSOCIATED CASES/OTHER ACTION REQUIRED
- CPA-14-00107
- A-14-00104: annexation of 21.7 acres
- Z-14-00105: 122 AC to CR/CR-FP

PLANS AND STUDIES REQUIRED

- *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 request

Note regarding development study requirements: Traffic study, drainage study and sanitary sewer studies have been discussed with the applicant. These studies will be provided with the submission of a preliminary plat and will be considered throughout the development process as the detail of the project is defined.

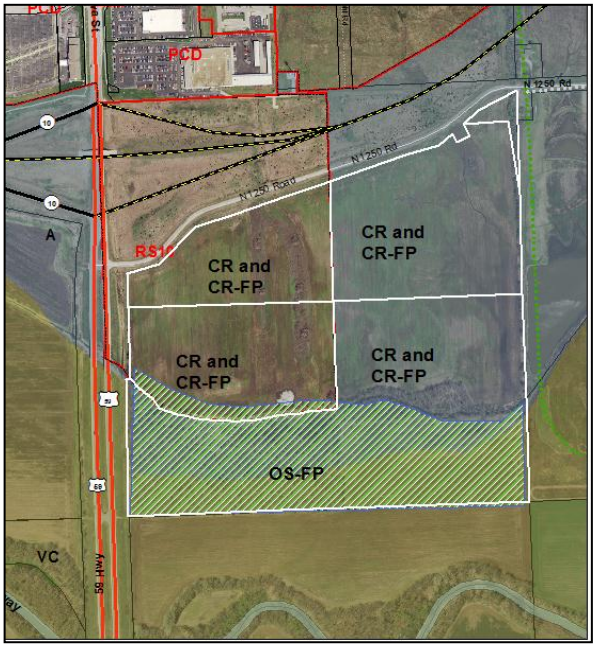
ATTACHMENTS

1. Area map
2. Zoning Exhibit submitted by applicant
3. Mitigation Map
4. List of permitted Uses

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- General inquiries from public regarding scope of development requests. Staff has clarified for callers that the current requests are for the Comprehensive Plan Amendment, annexation and zoning. A concept plan has been submitted with the development package. Specific development proposals are not available at this time.

Project Summary:
Proposed request is for the south portion of the development known as Southpoint Center. This area of the development has the most substantial encumbrance of floodplain and floodway within the immediate area. The map to the right shows the various parcels and intended zoning districts. This staff report addresses the proposed Open Space-Floodplain Overlay District proposed.



1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *This request generally conforms to the land use recommendations of the Revised Southern Development Plan (incorporated into H2020 as part of Chapter 14) by reserving land encumbered by regulatory floodway and floodway fringe for open space land uses.*

A Key feature of the plan (Chapter 3, Horizon 2020) states: *The plan recommends the protection and preservation of the extensive floodplains and riparian ways throughout the planning areas. These resources often are a constraint to urban development.*

The Wakarusa River and its attendant floodplain establish an edge to the southern development of the current urban area for the City of Lawrence. The subject property is sandwiched between the boundary of the South Lawrence Trafficway (Highway K-10) and the Wakarusa River. The proposed development maximizes and leverages the developable area within these boundaries.

Development south of the Wakarusa River at this time would be considered leapfrog development and is not supported by the Comprehensive Plan.

The proposed zoning designation, OS-FP, will protect the floodplain in this area and establishes a buffer between development and the Wakarusa Drive. A map of the mitigation areas related to the South Lawrence Trafficway project is attached to this report.

Horizon 2020: Chapter 9 Parks, Recreation, Open Space Ares and Facilities:

Chapter 9 lists several key strategies that are applicable to the proposed development and support the proposed request.

STRATEGIES: PARK, RECREATION, OPEN SPACE AREAS AND FACILITIES

The principal strategies for the development and maintenance of park, recreation, and open space areas and facilities are:

- *Continue to develop and improve the community's park, recreation, and open space system, building upon the existing system and integrating recommendations and direction from the PRCMP, this Comprehensive Plan, and relevant area and neighborhood plans.*
- *Preserve, protect and utilize natural and environmental features as focal points for new development areas and to the extent possible, new parks and recreational facilities should extend and enhance the existing and/or future open space system.*
- *Coordinate parks, recreation, and open space planning and development between the City of Lawrence and unincorporated Douglas County to provide overlapping and connecting park and recreation opportunities. Additionally, the City and County should more carefully coordinate park and open space acquisition in the Lawrence Urban Growth Area.*
- *Development of the park, recreation, and open space system for the City of Lawrence should be based on priorities contained within the PRCMP.*
- *Improve coordinated planning efforts between the Park and Recreation Department/Advisory Board and the Lawrence/Douglas County Metropolitan Planning Office/Commission in recommendations involving the location and features of future park, recreation, and open space sites.*
- *Develop a communication network between all city and county departments, the partners who aide in parks and recreation, and the community to increase awareness, understanding, and advocacy.*
- *Create a better understanding and support of operational costs and funding with key city and county leaders during the design of all capital projects to ensure the operational and maintenance dollars are available prior to construction.*
- *Develop regional parks that create a strong sense of community pride and livability.*
- *Coordinate with private property owners to provide additional opportunities for open space preservation beyond publicly owned parks, such as, through agricultural use, land trusts, buffers, and easements.*

Page 9-2 Horizon 2020

This chapter predominantly focuses on public parks. Open space preservation can occur within a park as well as through private designations such as is being proposed with this application.

The South Lawrence Trafficway project includes many connecting links for non-motorized access (bike lanes, bike routes, and recreation paths) that will extend the network east of Highway 59. As development plans become defined with this application, additional links and connections between the proposed open space area and the existing/planned open space areas to the east can be considered.

Approval of this request will facilitate these stated interests.

Horizon 2020: Chapter 16 Environment:

This chapter of *Horizon 2020* addresses several natural environmental issues including Water Resource Management. The plan states that floodplain areas should be protected. This application includes a Floodplain Overlay District designation that will be applied to the entire property rather than only that portion of the property encumbered by the regulatory floodplain.

Staff Finding – The proposed rezoning request conforms with *Horizon 2020* policies related to community facilities/public utilities and open space as well as floodplain.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

Current Zoning and Land Use:	RS10 (Detached Residential Development) A (County-Agricultural), VC (Valley Channel), and FW – FF (County Floodway and Floodway Fringe Overlay) Districts; existing agricultural.
Surrounding Zoning and Land Use:	To the north: Proposed CR (Community Regional) District and CR-FP (Community Regional – Floodplain Overlay) District. Existing use is agricultural. See SP-14-00105 regarding proposed uses. To the east – east side of Michigan Street Extended: A (County-Agricultural), VC (Valley Channel), and FW –FF (County Floodway and Floodway Fringe Overlay) Districts; Wetlands Mitigation Areas/ Baker Wetlands, and Baker Wetlands Visitor Center Complex (SUP-12-00248). To the west – west side of Highway 59: VC (Valley Channel), and FW –FF (County Floodway and Floodway Fringe Overlay) Districts; existing agricultural. To the south: VC (Valley Channel) District and FW –FF (County Floodway and Floodway Fringe Overlay) District. Existing agricultural use.

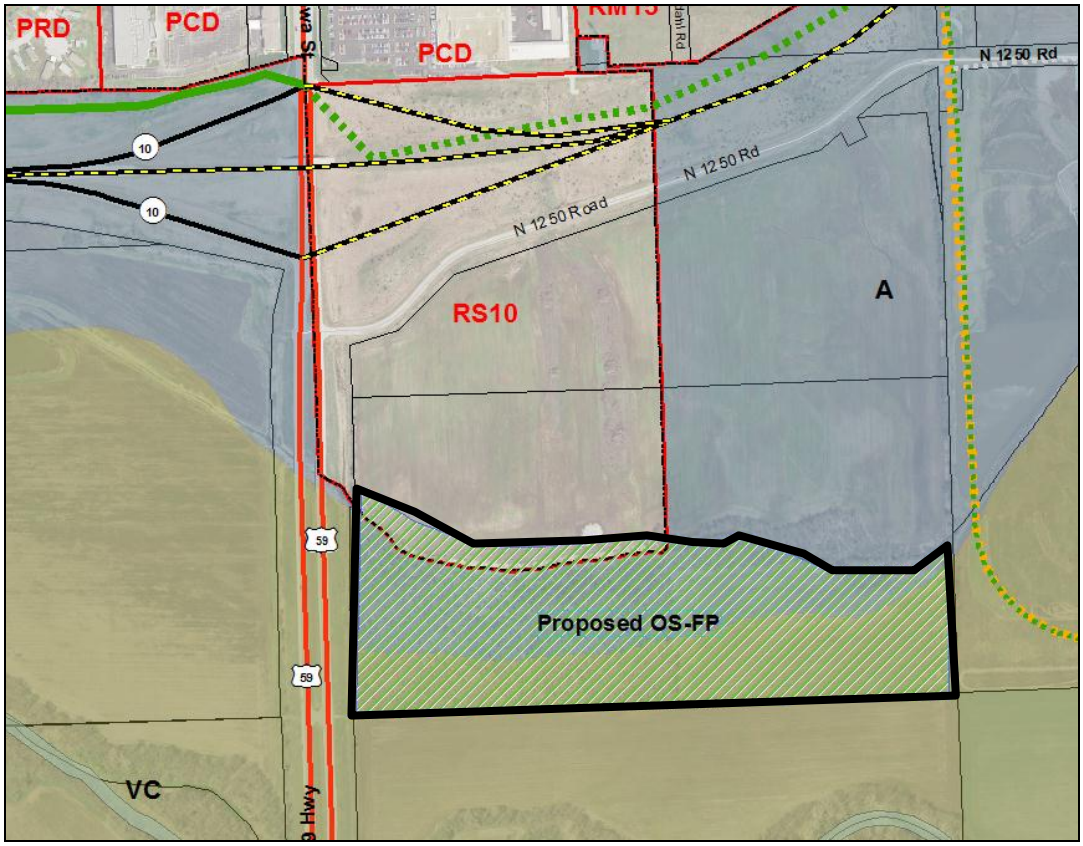


Figure 1: Area to be zoned OS-FP highlighted by back boundary.

Staff Finding – Nearby properties are zoned V-C (Valley Channel) and A (Agricultural) with F-F (Floodway Fringe) and F-W (Floodway) Overlay Districts. Agriculture and open space are the principal land uses in the area.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The subject property lies at the southeast corner of the interchange between Kansas Highway 10, a.k.a. the South Lawrence Trafficway, or SLT, and U.S. Highway 59, a.k.a. S. Iowa Street. The property is bounded to the north by N 1250 Road and SLT right-of-way. The property is bounded to the west by Hwy 59 right-of-way. Nearby properties to the west and south are generally located within the Wakarusa River floodplain and are actively farmed. The property to the east, generally known as the Baker Wetlands, is owned by the State and is the location for wetland mitigation associated with SLT construction. As part of SLT construction, a stretch of Louisiana Street will be relocated one quarter-mile west and constructed immediately east of the subject property. This new street will form the eastern boundary of the subject property, thereby separating it from the Baker Wetlands.*

The subject property is located south of the City of Lawrence within Service Area 4 of the Urban Growth Area. This is a rural area with agriculture and open space being the primary land uses. Natural features in the area include the Wakarusa River, south of the subject property; riparian woodlands along the Wakarusa River; floodplain; and wetlands. A major thoroughfare, the South Lawrence Trafficway, will be constructed north of the subject property.

A dominating feature in the area is the Baker Wetlands and the Baker Wetlands Visitor Center to the east of the proposed OS district area.

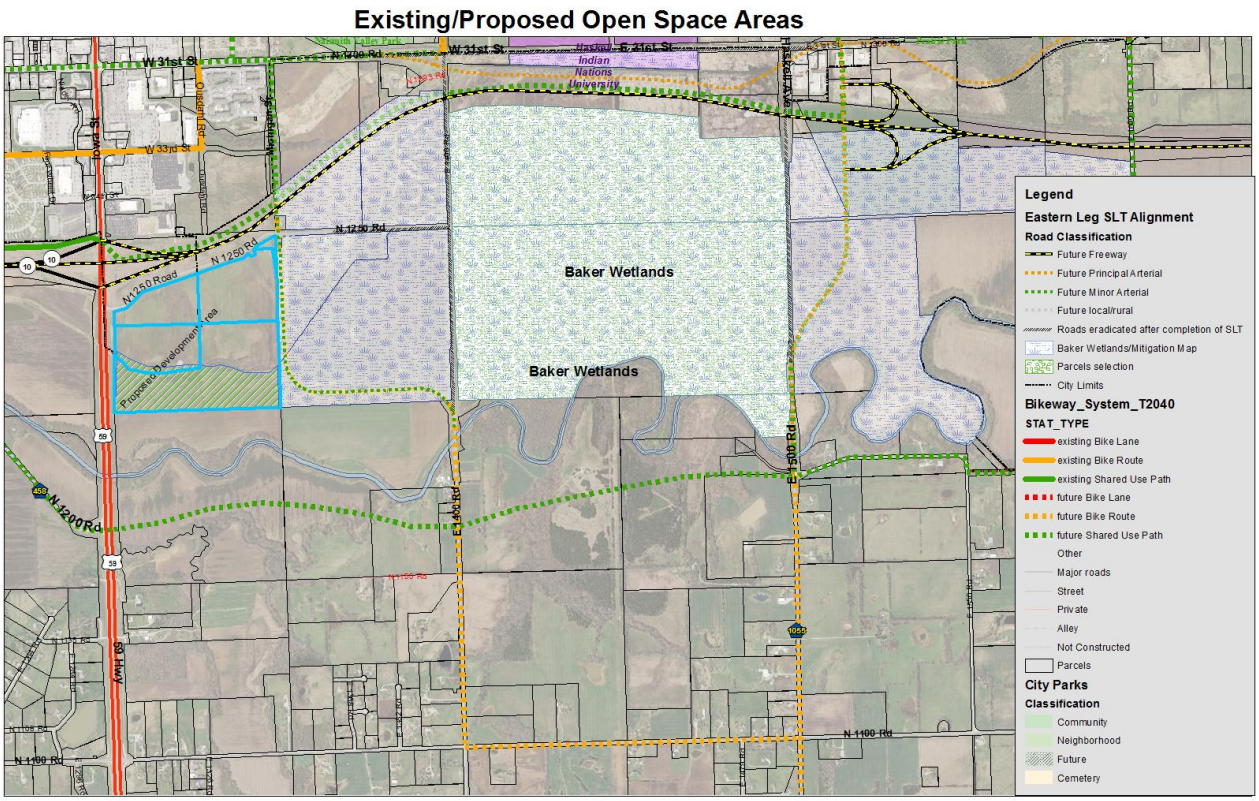


Figure 2: Existing and proposed open space areas. Proposed OS District extends open space uses to Highway 59.

Staff Finding – The area contains primarily open space and agricultural land uses. The subject property is located adjacent to a major transportation corridor within the Lawrence Urban Growth Area. There are no specific established neighborhoods in this area. The proposed Open Space zoning is consistent with the planned land use for the area regardless of any additional consideration of the proposed commercial development to the north.

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.* An application for a Comprehensive Plan Amendment was submitted concurrently with the commercial rezoning (Z-14-00105). The proposed changes do not impact the approved open space recommendations included in the Revised Southern Development Plan. This proposed request for Open Space with a Floodplain Overlay District can be evaluated independently of the commercial request.

The plan identifies existing floodplain areas as appropriate for open space. This plan identifies the area along the Wakarusa River and its attendant floodplain as suitable for open space uses. The proposed request is consistent with recommended land use noted in the Plan. The proposed FP Overlay District reflects the existing floodplain encumbrance of this property as a recognized land use within the Plan and is intended to be applied to the entire property. These Open Space and Floodplain uses will implement the land use recommendations of the *Revised Southern Development Plan*.

Revised Southern Development Plan – Land Use Map

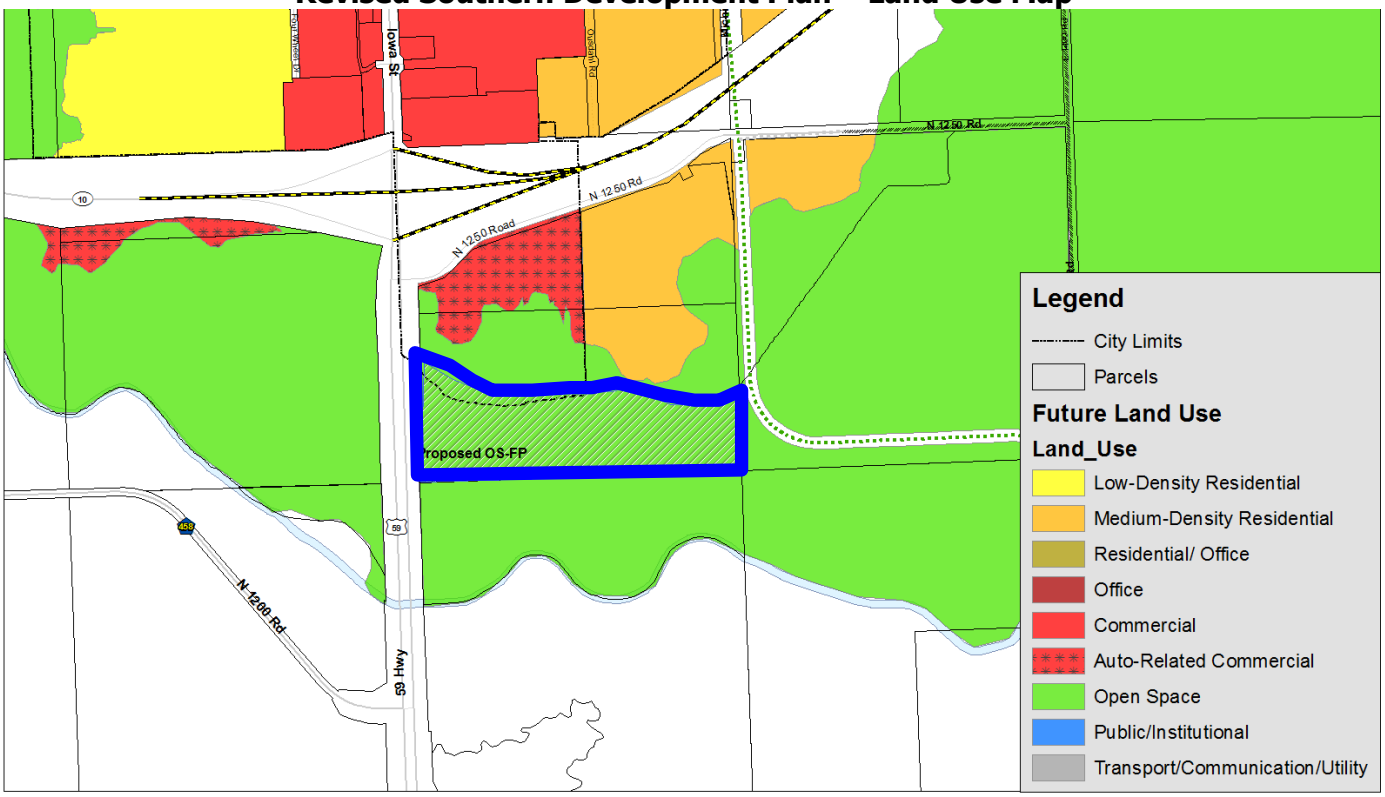


Figure 3: *Subject property is outlined in blue.*

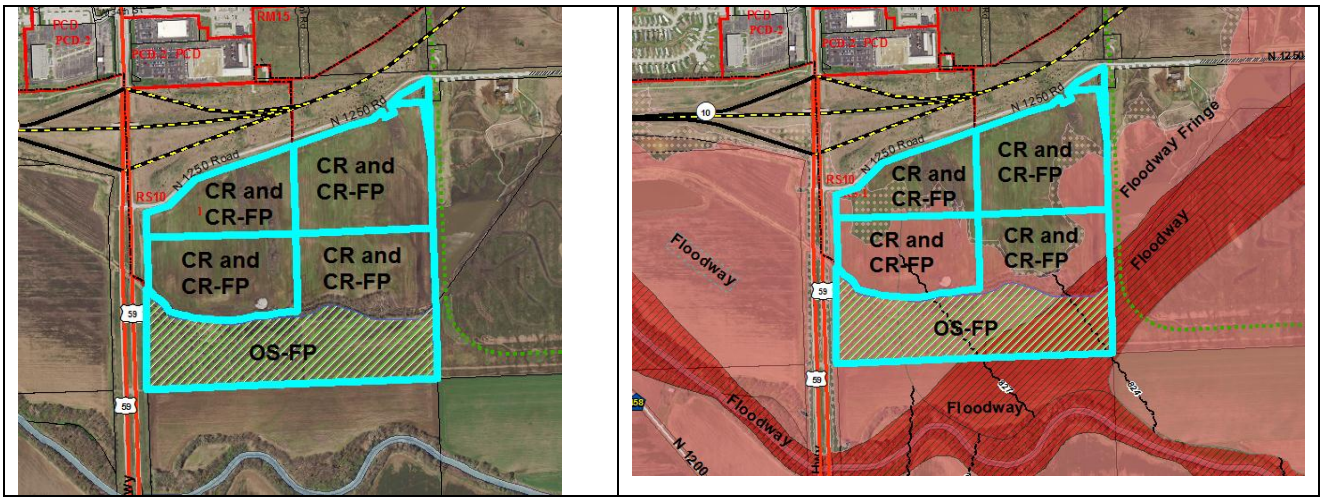
Staff Finding – The proposed open space – floodplain rezoning conforms to land use recommendations in the *Revised Southern Development Plan*. These land use recommendations are not altered by the proposed Comprehensive Plan Amendment (CPA-14-00107).

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response: *The subject property straddles the existing City limits line. An annexation request is being submitted concurrent with this rezoning request. The portion of the property located inside the City is zoned RS10, a district which will not permit the commercial or open space development being proposed. The portion that lies in the unincorporated area of the County is zoned A and VC. Upon annexation, those current zoning districts will no longer be appropriate.*

Prior to 2006 this property was zoned RS-1. As properties were annexed into the City Limits, the RS-1 district was commonly used as a holding zone. In 2006, a new zoning district was developed for this purpose – UR (Urban Reserve). This purpose of the UR district is to accommodate annexed property with its attendant land uses prior to establishing a final land use and zoning designation.

Upon annexation, the portion of land with existing County zoning is no longer appropriate. The existing A (Agricultural) and VC (Valley Channel Zoning) are consistent with current land use and floodplain encumbrance. The proposed OS –FP zoning accommodates the anticipated use as an open space and facilitates the protection of floodplain areas.



Staff Finding – The current zoning is no longer appropriate for the existing RS10 and upon annexation of majority of this property into the Lawrence city limits. The proposed OS-FP District accommodates the anticipated use as continued open space and provides protections (by limiting uses) to the designated floodplain in this area.

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

Applicant's Response: *This property has never been developed beyond agricultural uses.*

The RS portion of the property was annexed in 1979 per Ordinance No. 5026. At that time when county properties were annexed into the City of Lawrence, a zoning designation of RS-1 was applied automatically. The RS-1 zoning converted to RS10 upon the adoption of the Land Development code.

The portions of this property zoned A (Agricultural) and VC (Valley Channel are undeveloped and has been zoned A (Agricultural) and VC (Valley Channel) District since 1966.

Staff Finding – This property is undeveloped since 1966. The portion currently zoned RS10 has been undeveloped since the adoption of the Land Development Code in 2006 and zoned RS-1 since the 1979 annexation.

7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicant's Response: *Approval of this rezoning will provide tangible benefits to nearby properties. This request will facilitate the preservation of low-lying floodplain-impacted ground located immediately upstream from a neighboring wetland mitigation project. The request conforms to land use recommendations of the Revised Southern Development Plan by generally protecting from development land located within regulatory floodway and floodway fringe.*

Nearby properties include the Baker Wetlands Visitor Center and Baker Wetlands to the east, agricultural land to the south and the Highway 59 right-of-way to the immediate west. Commercial development is proposed to the north. The OS district includes a limited number of uses and is generally considered low-impact. *Community Facilities*, *Utilities, Recreational Facilities*, Campgrounds, and *Communication Facilities* are allowed uses in the OS district. Some of these uses are allowed by right and some require a Special Use Permit such as a cell tower,

campground, some utilities, recreation facilities and community facilities. Uses included in these groups are Cultural Center/library, Active Recreation, Entertainment & Spector Sports, Limited, and Campground. A complete list of uses is found in Article 4 of the Land Development Code. These uses are specifically defined in Article 17.

The applicant has expressed a desire to align the OS District request with the development intent thus has included the following list of uses that would be restricted within this district. If approved the zoning district would be mapped as a conditional zoning district. Restricted uses would be included in an ordinance for this property.

Uses listed in Section 20-404

- Public and Civic Use Groups:
  - Community Facilities,
    - Cemetery
    - Cultural Center/Library
  - Funeral and Interment
  - Recreation Facilities
    - Active Recreation
    - Entertainment & Spectator Sports, Limited
- Commercial Use Groups
  - Transient Accommodation
    - Campground
- Other Use Groups
  - Communication Facilities
    - Amateur & Receive-Only Antennas
    - Telecommunications Antenna
    - Telecommunications Tower
    - Satellite Dish
  - Recycling Facilities
    - Small Collection Recycling Facilities

Staff Finding – Zoning this property to OS-FP for low impact, passive recreation uses will not generate detrimental effects to adjacent property resulting from this proposed OS-FP zoning application. Development of a substantial facility such as a recreation center would require significant mitigation in design because of the presence of the floodplain. Staff supports restricting the allowed uses to ensure low-impact use of the 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: *Approval of this request will facilitate development at this highway interchange location at a scale similar to that recommended by the revised southern Development Plan. Such development includes the preservation of floodway and floodway fringe immediately upstream from the Baker Wetlands. Denial of the request would require the application and/or future applicants to see a different mix of commercial, retail and open space zoning. .*

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 request includes an FP (Floodplain Overlay) District that directly correlates to the encumbrance of regulatory floodplain in this area. This characteristic makes intensive development on this part of the property impactful.

Approval of the request allows the open space to be extended in this area. The FP designation is required by the Land Development Code for that portion of the property that is within the regulatory floodplain per Section 20-1201.

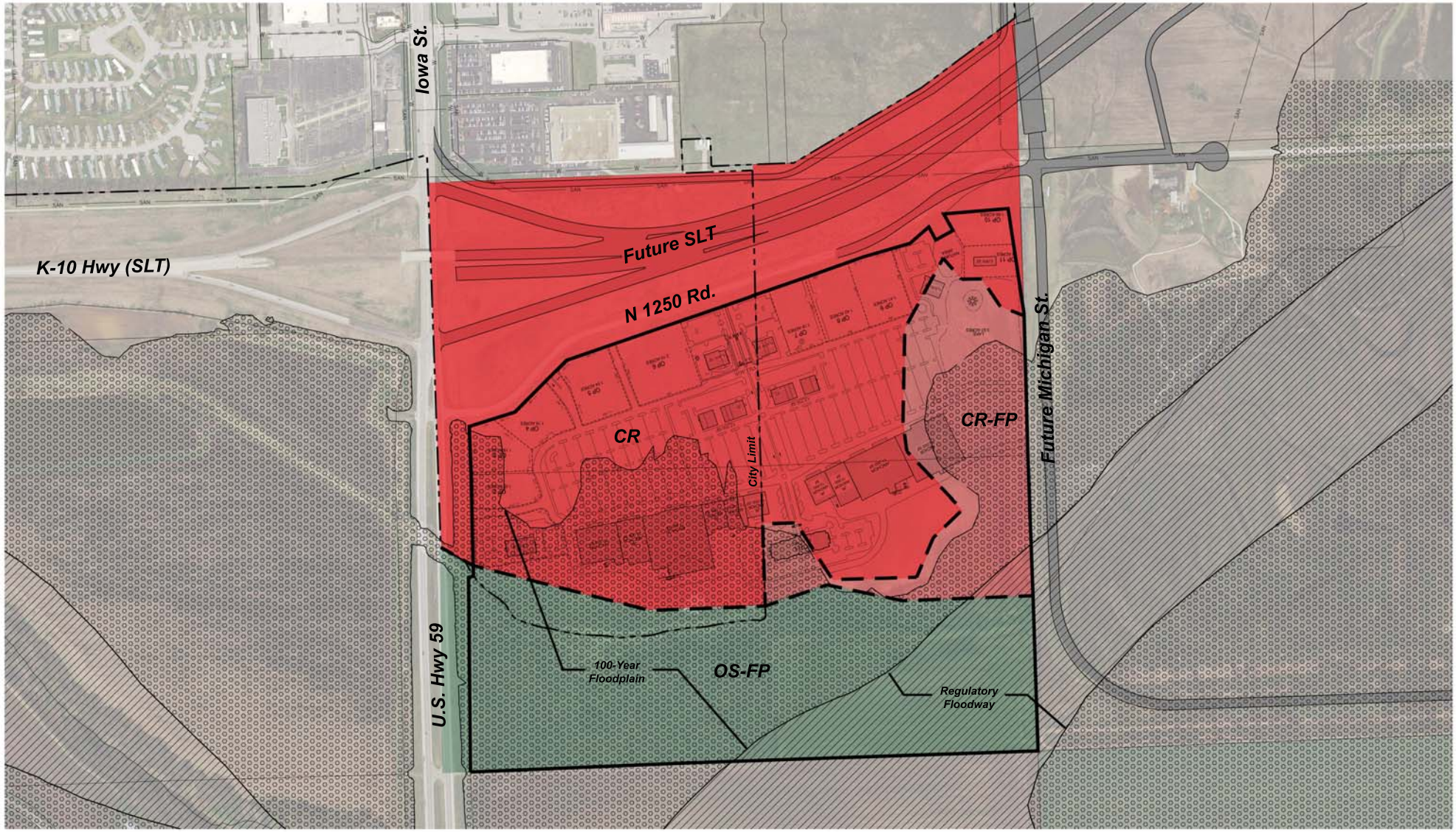
Staff Finding – The proposed rezoning facilitates public purposes by protecting designated floodplain.

9. PROFESSIONAL STAFF RECOMMENDATION

This application facilitates the protection of designated floodplain areas along the Wakarusa River. The OS zoning designation is consistent with land use recommendations for the area. Restriction of uses using conditional zoning further mitigates the potential impact of development on the surrounding area. This recommendation is independent of the proposed commercial development included in the application for CR/CR-FP (Z-14-00105).

CONCLUSION

The proposed rezoning is consistent with the planned land use development anticipated for this area. Staff recommends approval of the proposed OS-FP district for this property.



SOUTHPOINT CENTER
REZONING EXHIBIT
PREPARED FOR SLT, LLC
MARCH, 2014

ZONING DISTRICT SUMMARY:

OPEN SPACE (OS)
TOTAL AREA: 46.10 AC.

REGIONAL COMMERCIAL (CR)
TOTAL AREA: 122.96 AC.

LANDPLAN ENGINEERING PA

SCALE: 1" = 200'

200 100 0 200 400

SOUTH LAWRENCE TRAFFICWAY MITIGATION AREAS			
MITIGATION TYPE	LOCATION	CALCULATED AREA (ACRES)	MITIGATION REQUIREMENTS † (ACRES)
WETLANDS	1	11.99	---
WETLANDS	2	29.30	---
WETLANDS	3	115.10	---
WETLANDS	4	8.29	---
WETLANDS	5	5.39	---
WETLANDS	6	20.74 ✳	---
WETLANDS	7	18.82	---
WETLANDS	8	72.68	---
WETLANDS	9B	6.40	---
WETLANDS	10A	16.01	---
BASE WETLANDS		304.72	304
WETLANDS	11	22.36 ✳✳	---
ADDITIONAL WETLANDS		22.36	13
TOTAL WETLANDS		327.08	317
UPLAND PRAIRIE	10B	23.62	---
UPLAND PRAIRIE	12A	2.34	---
UPLAND PRAIRIE	12B	9.26	---
UPLAND PRAIRIE	12C	7.20	---
UPLAND PRAIRIE	13	7.14	---
UPLAND PRAIRIE	14	24.22	---
TOTAL UPLAND PRAIRIE		73.78	37
RIPARIAN	10C	27.47 ✳✳✳	---
TOTAL RIPARIAN		27.47	16
GRAND TOTAL		428.33	370

† Based on the FHWA ROD (May 2008) Section IV.A

✳ Santa Fe Site

✳✳ Optional Potential Mitigation to be coordinated with Haskell Indian Nations upon vacation of Existing 31st St.

Ø 9A includes 4.0 acres of wetland mitigation for Project 23 U-2117-01.

✳✳✳ 10C includes 7 acres of riparian mitigation for Project 23 U-2117-01.

Exist. 23rd St.

E. 1750 Rd.

Relocated E. 31st St.

N. Louisiana St.

Reloc. 31st St.

Proposed K-10

11

12B

12A

12C

1

2

3

4

5

6

7

8

9A Ø

9B

10A

10B

10C

14

13

Iowa St./U.S. 59

Reloc. Louisiana St.

Reloc. Haskell Ave.

LEGEND

- Wetlands
- Optional Additional Wetlands
- Upland Prairie
- Riparian Habitat
- Wetlands - Project 23 U-2117-01

SCALE

500' 0 500' 1000'

April, 2013

MITIGATION AREAS

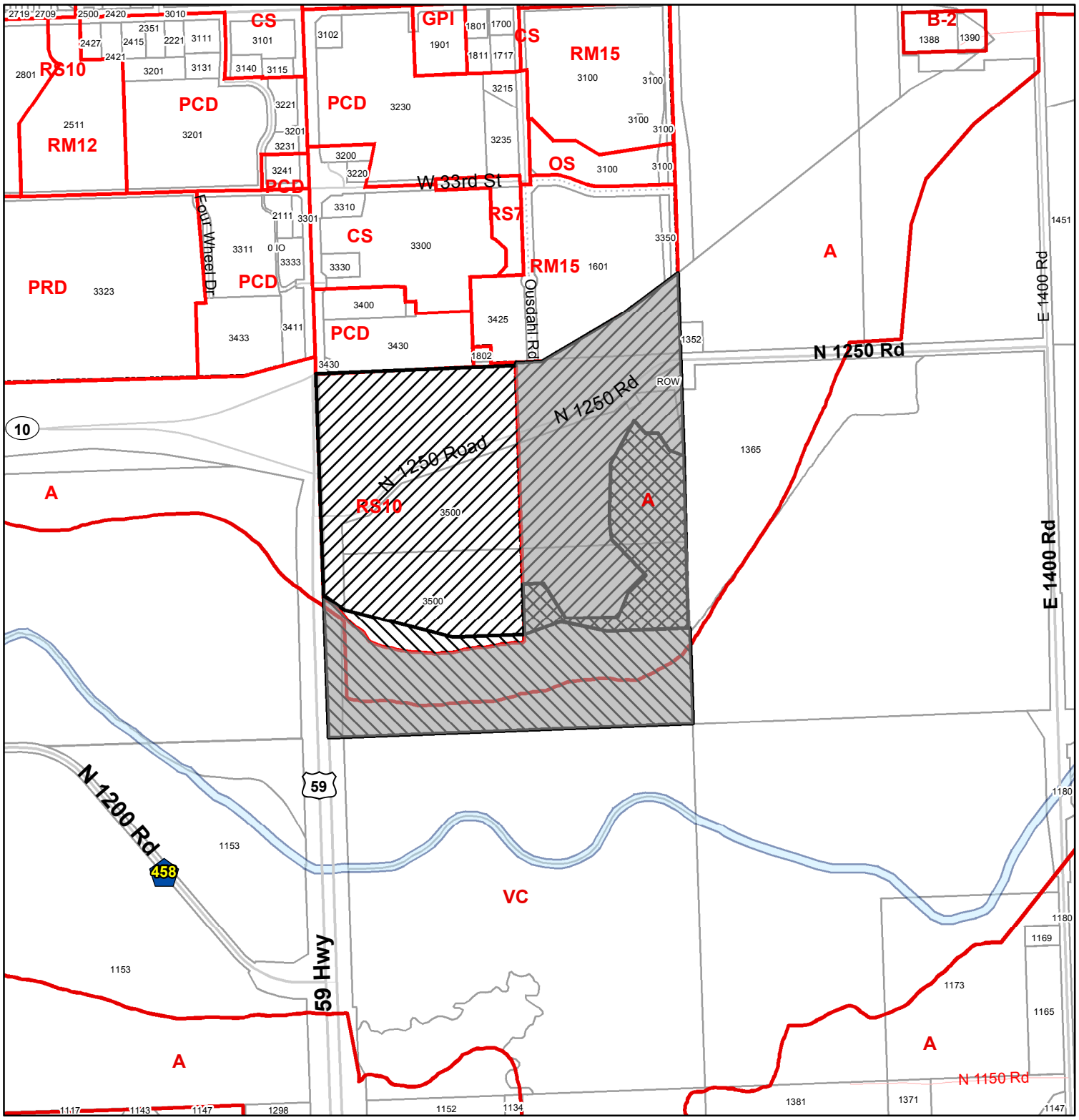
SOUTH LAWRENCE TRAFFICWAY

KDOT PROJECT NO. 10-23 K-8392-04

Use Group Table per Section 20-402

The following Use Groups are permitted in the OS District except as shown with a strike through. **Highlighted uses are proposed to be restricted by applicant are shown with a double strike**
Use Groups
RESIDENTIAL USE GROUP
Household Living
Group Living
Not permitted in the OS district .
PUBLIC AND CIVIC USE GROUP
Community Facilities
~~Cemetery~~
~~College/University~~
~~Cultural Center/ Library~~
~~Day Care Center~~
~~Day Care Home Class A~~
~~Day Care Home Class B~~
~~Detention Facility~~
~~Lodge, Fraternal and Civic Assembly~~
~~Postal and Parcel Service~~
~~Public Safety~~
~~School~~
Funeral and Internment (Accessory)
~~Temporary Shelter (SUP)~~
~~Social Service Agency~~
~~Community Meal Program (SUP)~~
Utility Minor (P or SUP)
Utility Major (SUP)
Medical Facilities
Not permitted in the OS District
Recreational Facilities
Active Recreation (SUP)
~~Entertainment & Spectator sports, General~~
Entertainment & spectator sports, Limited (SUP)
~~Participant Sports & Recreation, Indoor~~
~~Participant Sports & Recreation, Outdoor~~
Passive Recreation
Nature Preserve/Undeveloped
Passive Recreation
Religious Assembly
Not permitted in the OS District
COMMERCIAL USE GROUP
Animal Services
Not permitted in the OS District
Eating and Drinking Establishments
Not permitted in the OS District
Office
Not permitted in the OS District
Parking Facilities
Accessory (Accessory)
~~Commercial~~
Retail Sales and Service
Not permitted in the OS District
Sexually Oriented Businesses
Not permitted in the OS District

Transient Accommodations
~~Bed and Breakfast~~
~~Campground (SUP)~~
~~Hotel, Motel, Extended Stay~~
Vehicle Sales & Service
Not permitted in the OS District
INDUSTRIAL USE GROUP
Industrial Facilities
Not permitted in the OS District
Wholesale, Storage & Distribution
Not permitted in the OS District
OTHER USE GROUP
Adaptive Reuse
Designated Historic Property (SUP)
~~Greek Housing Unit~~
Agricultural
Not permitted in the OS District
Communications Facilities
~~Amateur & receive-only antennas (Accessory)~~
~~Broadcasting Tower~~
~~Communications Service Establishment~~
~~Telecommunication antenna (Accessory)~~
~~Telecommunications Tower (SUP)~~
~~Satellite Dish (Accessory)~~
Mining
Not permitted in the OS District
Recycling Facilities
Not permitted in the OS District



A-14-00104: Annex approximately 102.64 acres
Z-14-00105: Rezone 122.96 acres from RS10 District and A District to CR/CR-FP District &
Z-14-00106: Rezone 46.1 acres from RS10 District, A District and VC District to OS-FP District
Located at Southeast Corner of US 59 Highway (Iowa Street) & East Leg of K 10 Highway

A-14-00104

Z-14-00105: A to CR-FP

Z-14-00105: RS10 & A to CR

Z-14-00106: A & VC to OS-FP

Lawrence-Douglas County Planning Office
June 2014

Memorandum
City of Lawrence / Douglas County
Planning and Development Services

TO: **Planning Commission**

FROM: **Jeff Crick, AICP, Planner II**

CC: **Scott McCullough, Planning and Development Services Director**

Date: **For the July 21, 2014 Planning Commission Meeting**

RE: **Requested Additional Information for CPA-14-00107, A-14-00104, Z-14-00105, and Z-14-00106**

At the request of Commissioner Josserand, staff is providing information regarding traffic counts at the intersections of K-10/South Lawrence Trafficway & 6th Street and K-10/South Lawrence Trafficway & South Iowa Street. The following data is the Annual Average Daily Traffic for both directions, which is available from the Kansas Department of Transportation:

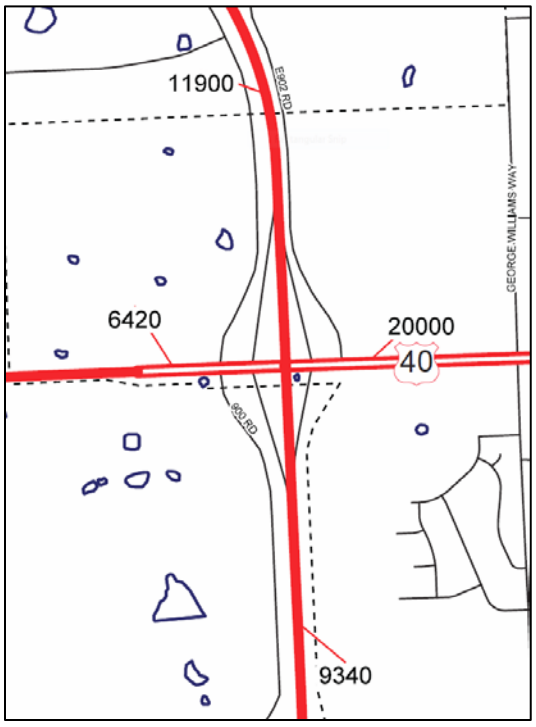


Figure 1: KDOT Traffic Counts (2013) for 6th St. at K-10

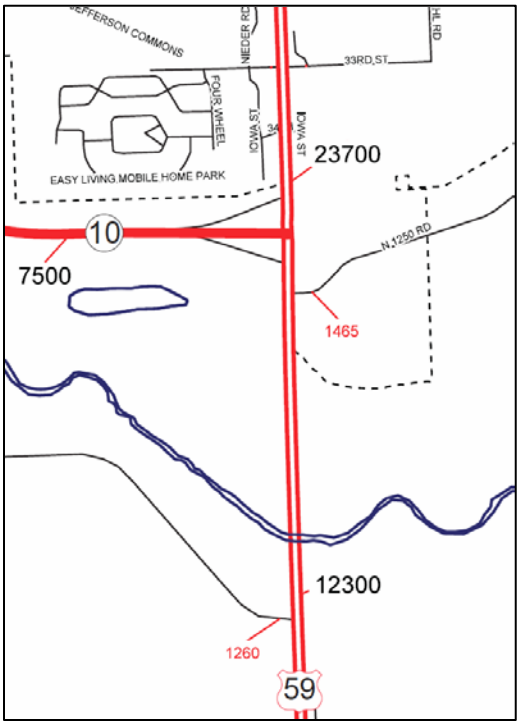


Figure 2: KDOT Traffic Counts (2013) for South Iowa St. at K-10

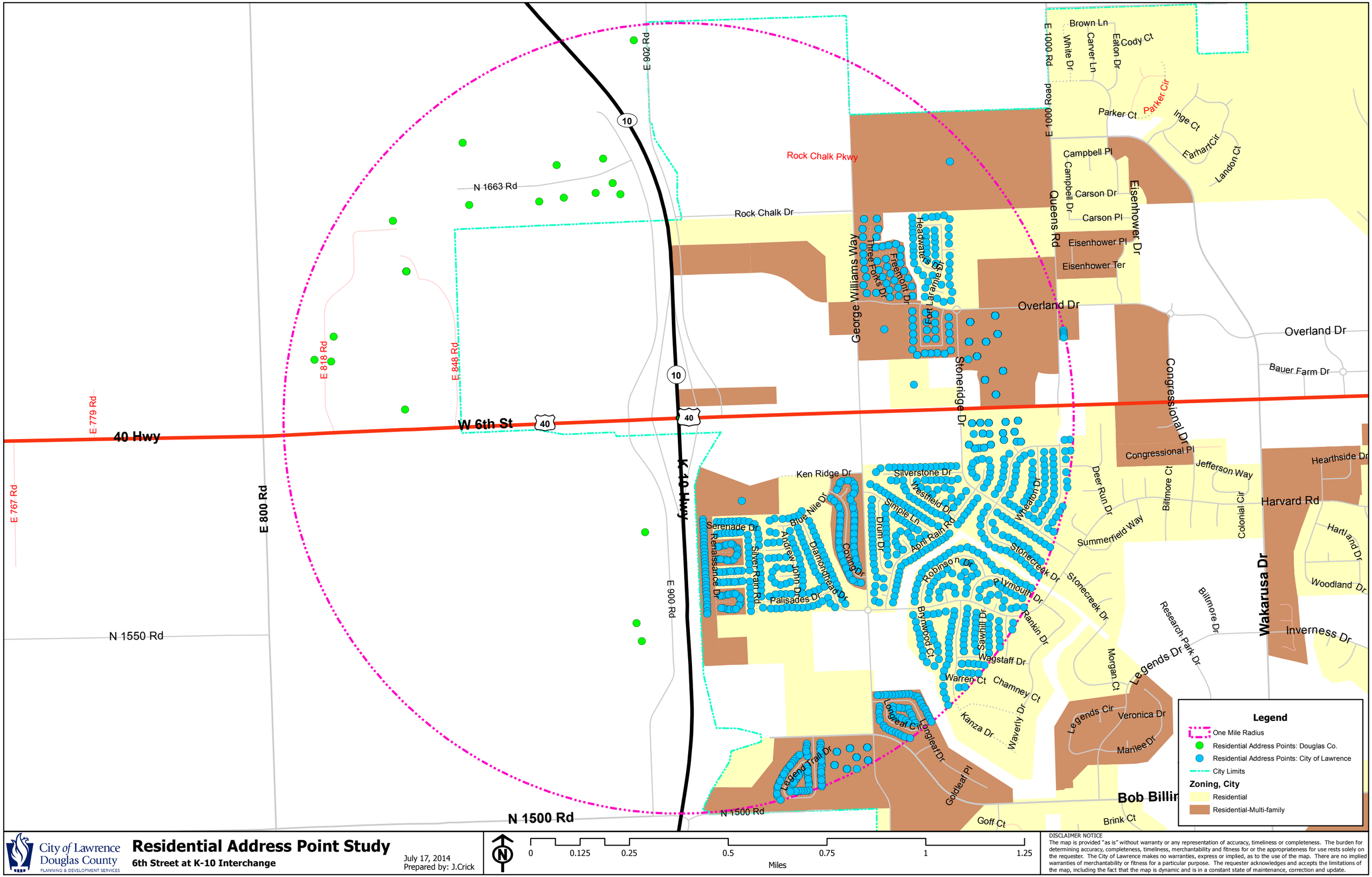
Staff was also asked to study the amounts of residentially zoned property within 1 mile of those intersections. Using the U.S. Census Bureau value for average household size (2.3 people per household) for the community, staff was able to approximate the populations living within a 1 mile radius of the these two locations.

Location	Estimated Households		Total Households	Total Population (2.3 people per Household)
	City	County		
6th St. at K-10	1,472	21	1,493	3,434
S. Iowa St. at K-10	1,449	4	1,453	3,342

Attached are the maps from the study of the two locations.

Some points on the maps are stacked and/or overlap, so they do not indicate amount/intensity of households (multi-family projects). Also, some points indicated on the maps are properties that are either currently under construction, or are anticipated to be constructed within 3 to 5 years.

Aerial maps are provided to reflect the actual units currently constructed.



City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

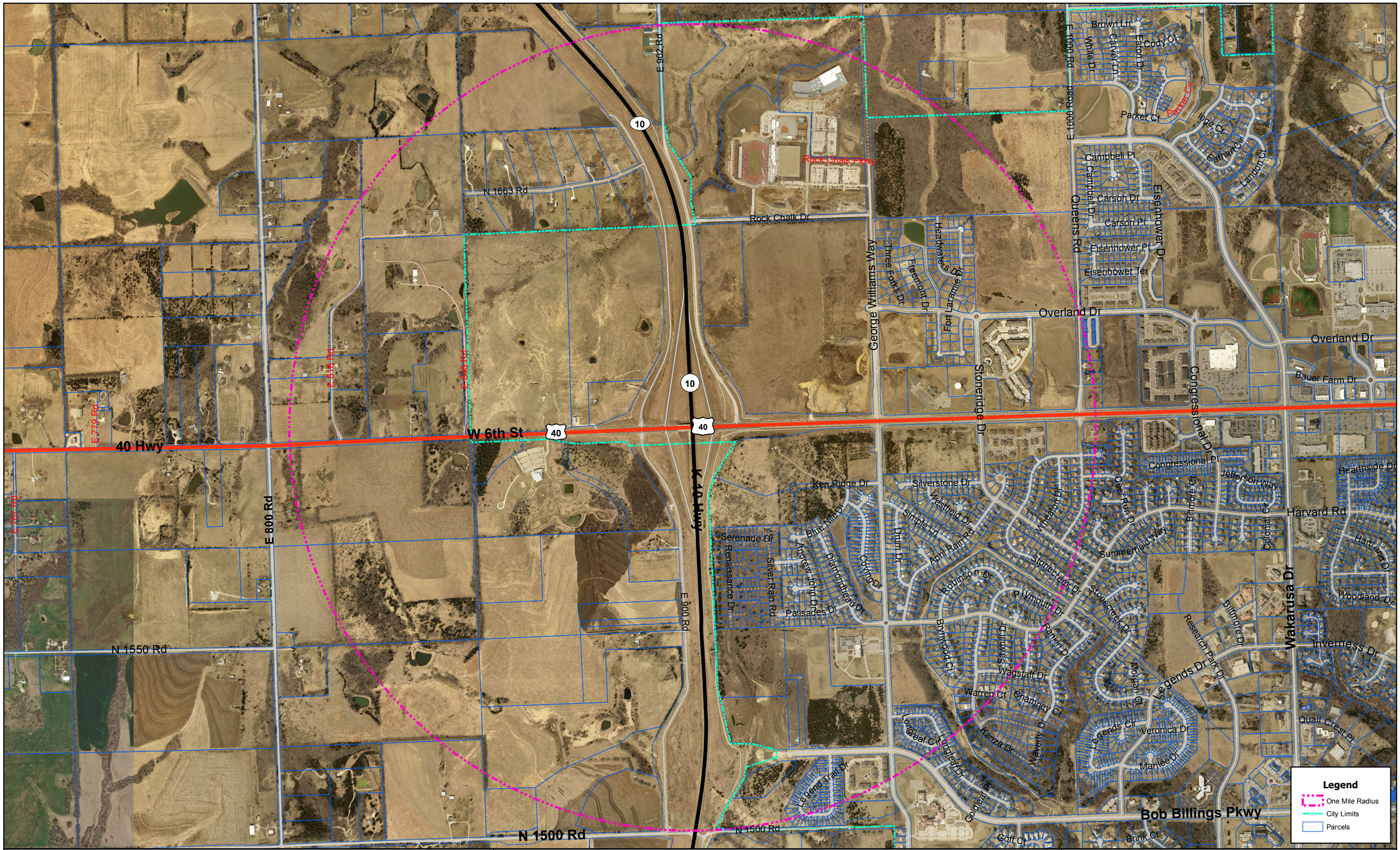
Residential Address Point Study

6th Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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.



City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

2014 Aerial Photograph

6th Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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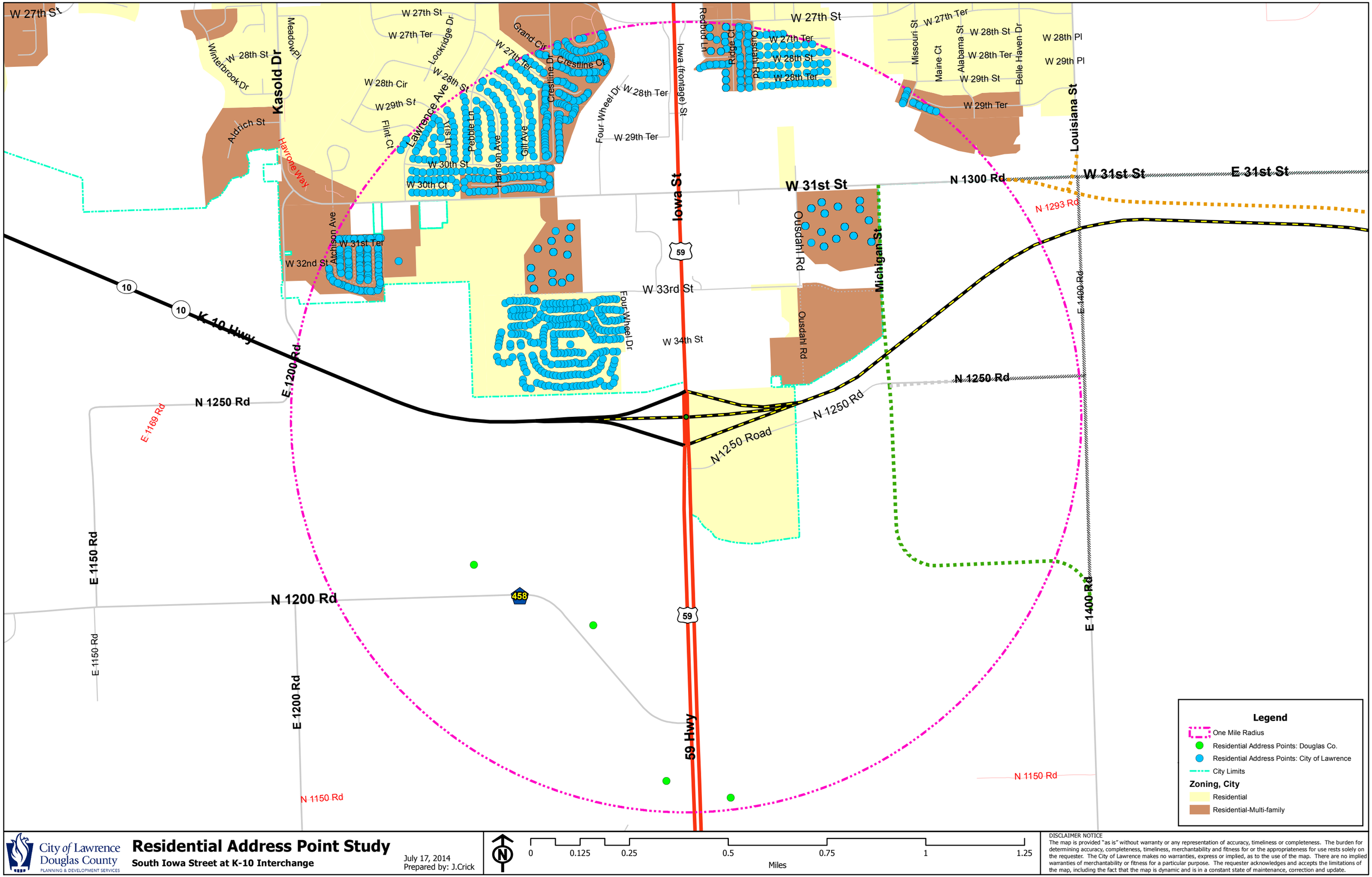

City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

Residential Address Point Study

South Iowa Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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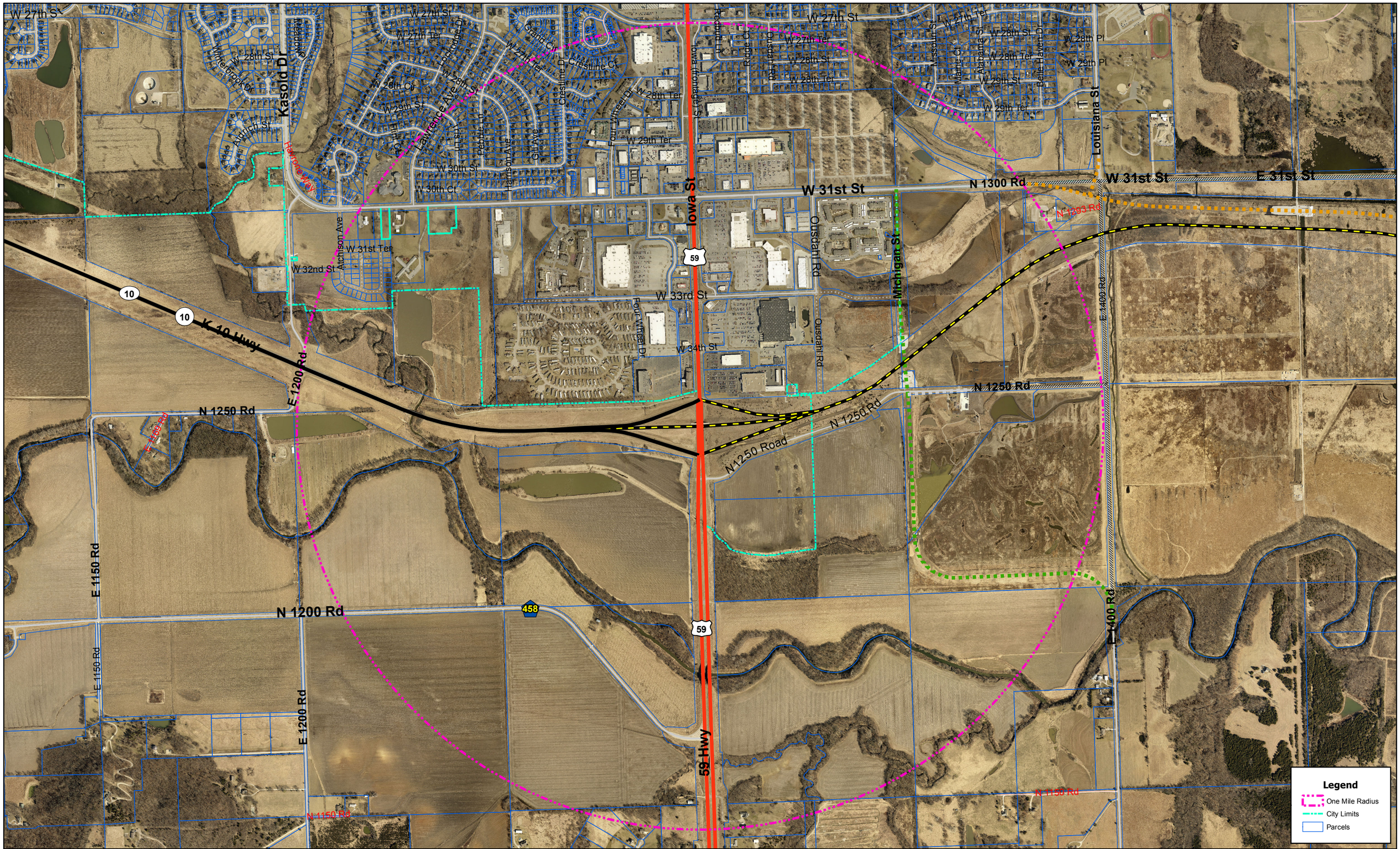

City of Lawrence Douglas County
PLANNING & DEVELOPMENT SERVICES

2014 Aerial Photograph

South Iowa Street at K-10 Interchange

July 17, 2014
Prepared by: J.Crick

0 0.125 0.25 0.5 0.75 1 1.25
Miles

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From: <Bolick>, Zak <Zak.Bolick@INTRUSTBANK.COM>
Date: Tuesday, July 15, 2014 at 3:19 PM
To: USD497 USD497 <pkelly@usd497.org>
Subject: Southpoint Retail Development

Good afternoon Patrick,

I wanted to reach out to you this afternoon to voice my support for the Southpoint Retail Development that comes before you this coming Monday, July 21st where I understand you will weigh in on the requested annexation, rezoning, and amendment to the Comprehensive Plan as it relates to this development. As a business professional, homeowner, and graduate of Leadership Lawrence, I understand the tax burden that the residents of Lawrence, Kansas carry due to our wonderful city amenities and services, alongside of our lack of enough commercial and industrial developments to support it what we have.

With that said, I would ask that you pave the way for this development, which among many things will:

- Be an obvious and much needed gateway to our community from the South, along a much improved 59 Highway and finally to be completed SLT;
- Be a buffer to protect and enhance the Baker wetlands;
- Provide much needed sales and property tax dollars to our community;
- Prevent some existing spending dollars being spent outside of our community from continuing to do so.

We are blessed in this case with a developer who has spent time in our market, who has a history across the Southern half of our country doing like developments, and who believes in his development enough that he is not asking for any special financial incentives from the City, saying that the retail demand in our community is such that the development can be successful without them. This development should not negatively affect our amazing downtown, and was designed such that it is a regional retail destination feel rather than a walkable downtown look and feel, as to not compete with downtown Lawrence. Furthermore, thanks in part to the development at 9th & New Hampshire, as well as the new library and parking garage, and other downtown infill, there are more people living, working, and playing in downtown than perhaps ever before. It is clear to me that the retail demand and natural future growth is South, while the natural residential growth is West. As more and more people move farther West, and when Rock Chalk Park opens and is as popular as we all know it will be, there will be retail demand in that area. But before us today, we have an opportunity to welcome the right developer and the right tenants to our community, and reap the benefits of them being there in as short as a couple of years.

I urge you to consider this project for what it is, and what it means for our community, and support the annexation, rezoning, and amendment to the Comprehensive Plan this coming Monday, July 21st at your meeting.

Thank you for taking the time to read my email. I hope that it finds you doing well.

Best,

Zak Bolick, Commercial Relationship Manager
INTRUST Bank | 901 Vermont Street | Lawrence, KS 66044
Phone: 785-830-2616 | Mobile: 785-766-3836 | Fax: 785-830-2636
zak.bolick@intrustbank.com
www.intrustbank.com
I trust INTRUST.

Please consider the environment before printing this email.

From: "Dan Chavez" <Danc@chavezrestoration.com>
Date: Jul 15, 2014 5:32 PM
Subject: "Southpoint"
To: "montanastan62@gmail.com" <montanastan62@gmail.com>
Cc:

Stan,

My name is Dan Chavez; I am a local business owner and a Lawrence resident for the past 11 years. I am contacting you in regard to the Southpoint Development. I am one of many that believe in the Southpoint Development. I do not have a vested interest in the project, or know anyone that does. However, as a Lawrence resident, I am encouraged by such a project, and I think it will help keep tax dollars in Douglas County, as well as attract surrounding retail dollars from neighboring communities.

There have been times in the past that I felt the commission has looked for reasons not to approve such a project, listening to those afraid of too much change or growth. There will always be naysayers with whatever project is placed before the planning commission, some with great passion. I would ask you simply to weight the logic of those that oppose this project. I would challenge you to look at the merits of the Southpoint Development for what it can offer Lawrence and its residents.

I think in years passed; there were times when quality projects were more plentiful, when missing one opportunity only meant waiting on the next one. I wonder from a retail dollars standpoint if we can afford to miss the potential that this project offers Lawrence residents. Please consider the value that Southpoint offers to Lawrence, and vote accordingly. Thank you, Dan Chavez

DIAMOND REALTY INVESTMENTS, INC.

5215 N. O'Connor Blvd, Suite #670
Irving, TX 75039

July 16th, 2014

Planning Commission
City Hall – 1st Floor
6 East 6th Street
PO Box 708
Lawrence, KS 66044

Dear Planning Commission members:

Diamond URS Lawrence, LLC, also known as The Connection at Lawrence, is a 324 unit, 888 bed class A off campus student housing multifamily property located at 3100 Ousdahl Road in Lawrence.

As an established business and tax paying entity, we are writing to express our full support for the proposed Southpoint Retail Development on the SE corner of Iowa St and K-10 (SLT).

As a business and property owner in Lawrence, we've been pleased to see positive signs of economic growth in the city and the area near our property (e.g. Menards and the K-10 SLT most recently.) We believe further developments will have a positive impact on the city, fellow property owners, and retail customers.

We are sorry that we will not be in attendance for the meeting on Monday July 21st, so we wanted to express our support for this project.

Sincerely,

Mark Stinger
Vice President & Chief Asset Manger
Diamond Realty Investments, Inc.

From: "Jones, Claudia K" <Claudia.Jones@intrustbank.com>
Date: Jul 16, 2014 8:31 AM
Subject: FW: Southpoint Retail Development
To: "montanastan62@gmail.com" <montanastan62@gmail.com>
Cc:

I just wanted to send this e-mail letting you know that from what I have read, I am in support of this project. I am uncertain as to why we would not want a project like this to come to Lawrence. It will bring more jobs, more retail sales for Lawrence, which in turn will increase the City's sales tax revenues. I was born and raised in Lawrence, KS and have lived here for almost 60 years and get tired of driving to Topeka or KC to shop at stores that Lawrence does not offer. I do shop downtown but the stores that are anticipated to be in this project would not interfere with the type of stores that Downtown Lawrence has to offer.

It is my understanding that Southpoint will not need any special taxing districts, tax rebates or other financial incentives from the City. This is even a larger bonus for Lawrence, a company wanting to locate in our city and not asking for any incentives to come.

I hope you will support the annexation, rezoning and amendment to the comprehensive plan to allow this project to move forward.

Claudia Jones

Southpoint Retail Development is important for our community, and I support the annexation, rezoning, and comprehensive plan amendment as the first steps in getting it built.

I also support the Family Fun Center that I have seen occasionally in the news. I know that there are protests to putting it out by Raintree, and as a former Raintree parent, I don't personally see the issue; however, there are plenty of other locations where something like this could go. North Lawrence (Tanger outlet area), West Lawrence (near the new Rock Chalk Park area - I just know that there is a place for this in our community. I have two children – 6 & 11, and have to go to Topeka or Kansas City to do anything other than swimming, bowling, or a movie. I am very concerned about the lack of fun activities available to kids and teens, and as a Lawrence native, I know the kinds of trouble bored kids get in. My hangout as a teenager was a restaurant – that's pretty sad.

Thank you for your consideration on these issues.

Heather Brown
Closing Director, McGrew Real Estate

1501 Kasold Drive
Lawrence, KS 66047

Main: (785) 843-2055
Direct: (785) 838-8274
Fax: (785) 843-2466

From: CadreLawrence [mailto:mdfales@silverlakebank.com]
Sent: Wednesday, July 16, 2014 9:49 AM
To: Bryan C. Culver
Subject: CadreLawrence Southpoint Retail Development Data Sheet

CADRELAWRENCENEWS

On behalf of CadreLawrence, thank you for taking the time to read this email. As we hope you know, having provided us with your email address, CadreLawrence is your community kitchen table, with an open invitation to the whole community to engage in thoughtful dialog by voicing support and presenting evidence for the creation of jobs and economic growth in Lawrence. With this email, you have the opportunity to get active in the support of a proposed new retail development which goes before the Planning Commission on Monday, July 21st. Read below to learn more about this proposal, and to identify our ask of you.

Information contained in this data sheet was gathered from months of research and communication with Chris Challis, developer for Collett, the company proposing the development on South Iowa, as well as data retrieved from the Retail Market Study prepared by Richard Kaplan & Associates. This is not the opinion of CadreLawrence, but more so the data that was reported to CadreLawrence from these sources.

- Planned on South Iowa Street at K-10/South Lawrence Traffic way in Lawrence, Kansas scheduled for opening in 2016.
- Will offer the Lawrence market area at least seven national retail companies that currently do not have a retail outlet in Lawrence.
    - Academy Sports
    - Ulta
    - Designer Shoe Warehouse (DSW)
    - Old Navy
    - Marshall's/Home Goods
    - Others yet to be named, including a specialty grocer
        - These businesses will occupy approximately 40% of the retail space at Southpoint.
- The project also plans to accommodate three existing retail establishments in Lawrence.
    - Their relocation to Southpoint offers these businesses a commercial center and building space more tailored to their operations as well as an easily accessible location to all Douglas County residents.
- Upon full build out in 2020, Southpoint is planned to have 538,550 square feet of commercial use.
    - This includes 18,000 square feet of office users and an 80,000 square foot, 100 room hotel.

Sales Tax Impact Estimate

- Southpoint will provide approximately $132,000,000 in new retail sales in the

Lawrence market upon completion.

- These estimated retail sales will increase the City's sales tax revenues by 5.5% in 2016-17 ($1.13mm annual increase) when the project opens and will increase the City's sales tax revenues by 6.6% in 2020 ($2.18mm annual increase) when the project is fully completed.
- The project is estimated to provide a cumulative $8,883,500 in additional sales tax revenue from 2016-2020, from opening through completion.

Leakage Impact

- The number of retail dollars leaking out of Lawrence to Johnson County or Topeka is estimated to decrease significantly with this new development.
  - Lawrence's drawing power as a retail center currently is about 10 percent less than Olathe's, about 25 percent less than Manhattan's and Topeka's, and about 50 percent less than Lenexa's.
  - For the retail sectors where Lawrence experiences some of the greatest sales leakage to our neighboring communities (e.g., clothing, general merchandise, furniture & home furnishings, and gasoline stations), Southpoint will add new retailers to each of these categories, helping stem the current leakage, and keep Douglas County dollars in Douglas County, and perhaps draw dollars from neighboring counties to Douglas County.

Vacancy Impact

- The addition of this development will be within the City's historic average for new retail development since 2006, and will not materially affect the City's historic vacancy rate over that period.

City Provided Financial Incentives

- Southpoint has been designed so it will not need any special taxing districts, tax rebates or other similar financial incentives from the city.
  - Interest from potential tenants for the center has been high enough that the development group is confident in its success without incentives.

Our ask of you

- Contact your planning commissioners, and use the information from this fact sheet to draft an email or letter to tell them whether or not you support the Southpoint retail development. The action ahead of the Planning Commission on Monday, July 21st includes annexation, rezoning and amending the Comprehensive Plan. The earlier the better, but the deadline for written communication to be included in the Planning Commission packet is 10:00 am on Monday, July 21st.
- Share this information with 3-5 or more people in your own social network, and ask them to get active in the process as well.
- Try to attend the Planning Commission meeting on Monday evening, July

21st to allow the Planning Commissioners to hear your voice.

- Ask questions. If we do not have the answers, we will get the answers directly from Chris Challis of Collett. Direct questions to info@cadrelawrence.com.
- Your Planning Commission contact information:
    - City Appointees:
        - Amalia Graham - amalia.graham@gmail.com
        - Stan Rasmussen - montanastan62@gmail.com
        - Jon Josserand - jonjosserand@gmail.com
        - Patrick Kelly - pkelly@usd497.org
        - Bryan Culver - bculver@bankingunusual.com
    - County Appointees:
        - Jim Denney - denney1@sunflower.com
        - Pennie von Achen - squampva@aol.com
        - Clay Britton - clay.britton@yahoo.com
        - Bruce Liese - bruce@kansascitysailing.com
        - Eric Struckhoff - eric.c.struckhoff@gmail.com

Sincerely,
CadreLawrence

Hello Planning Commissioners,

I am writing to express that I do not support the approval of the Southpoint retail development. I am fully aware of the anticipated economic impact of the development, but want the commission to know that many of us in the community value the preservation of land and natural resources above economic impact *in some cases*. The continued sprawl south of Lawrence is not something that all residents want. Stores like Old Navy have already failed here,perhaps for reasons I am unaware of, but I suggest putting efforts into supporting local small businesses, rather than continuing to develop in natural areas around Lawrence in support of more large, corporate businesses.

Thank you for your time and consideration. I hope you hear from the many other residents I know who are NOT supportive of this development.

Best,
Emily Hampton

From: Karen Lowder [mailto:klowder@cwood.org]
Sent: Tuesday, July 15, 2014 3:28 PM
To: amailia.graham@gmail.com; montanastan62@gmail.com; jonjosserand@gmail.com; pkelly@usd497.org; Bryan C. Culver
Cc: denny1@sunflower.com; squampva@aol.com; clay.britton@yahoo.com; bruce@kansascitysailing.com; eric.c.struckhoff@gmail.com
Subject: Please vote yes!

http://www2.ljworld.com/weblogs/town_talk/2014/jul/7/old-navy-academy-sports-others-announced/

I hope you ladies and gentlemen will consider the financial gain in jobs that many of these new pending properties might be able to provide, not only for our community, but for surrounding communities as well. We have a vibrant downtown with many local businesses that will remain a big draw because of its uniqueness, but I imagine we are losing a lot of sales tax revenue to Kansas City, Topeka and the Legends. My son recently came home for a wedding and needed to pick up a suit for his small son, but refused to even look for clothes in Lawrence because the selection is greater in Kansas City. I couldn't argue with that.

Wages, sales tax revenues, tax incentives…I'm sure there is much more to consider, but Lawrence is expanding its horizons with the Rock Chalk Park and the Warehouse Arts initiative…those visitors will need places to eat, places to stay and places to shop in their down time…it might as well be Lawrence! Let's make it work! Thanks for your consideration.

Karen Lowder
947 New Hampshire
#302
Lawrence, KS 66044

LEAGUE OF WOMEN VOTERS®
OF LAWRENCE/DOUGLAS COUNTY

RECEIVED
JUL 21 2014
City County Planning Office
Lawrence, Kansas

July 20, 2014

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Marlene Merrill

Austin Turney

Mr. Bruce Liese, Chairman, and Planning Commission
Lawrence-Douglas County Metropolitan Planning Commission

RE: ITEM NO. 3: COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTER 6, CHAPTER 14, AND TO THE REVISED SOUTHERN DEVELOPMENT PLAN
ITEM NO. 4A ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD
ITEM NO. 4B RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY
ITEM NO. 4C RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY

Dear Chairman Liese and Planning Commissioners:

We ask the Planning Commission to deny the Comprehensive Plan change, the annexation, and the rezoning requests of the Southpoint proposal for the following reasons:

1. The overriding consideration should be whether the location is appropriate for the proposed use. We answer that it absolutely is not, because:

   a. It is away from population centers and is at the southern entrance to Lawrence where the automobile traffic will be entering and leaving. This location really requires automobile-oriented uses such as a fuel station, quick shop needs, and overnight accommodations. This type of use has been designated in the Comprehensive Plan for this area as an Auto-Oriented Center.

   b. The original concern that this type of use would become a Truck Stop is not warranted for Auto-Oriented centers because they do not require either Regional or General Industrial zoning, the only districts that permit Truck Stops. Truck Stops also require a Special Use Permit.

c. Because of the proposed design of Louisiana Street to bridge the SLT, as well as the Iowa Street connection to the SLT, it would seem to us that the traffic pattern of the area would be especially sensitive to added traffic from shopping-center customers. To add non-essential traffic, such as this leaving and entering slow-moving type would seem to add dangerous and unnecessary traffic connections to the fast-moving through traffic lanes.

d. Shopping centers located in the County (or almost in the County as is this site), have been shown to encourage County sprawl. The future use of a shopping center in this location would, we suggest, encourage County population to develop around it, leading to more non-farm rural residential growth.

e. The proximity of the Southpoint development to the floodplain is also an important argument against

allowing this type of development there. With the necessary modification of the floodplain and the amount of runoff that has to be accommodated, this is a difficult area to develop. In addition, the inevitable runoff directly into the floodplain has a major impact on farmland downstream. We suggest that you talk to the farmers who have already been negatively affected by city runoff, before encouraging more.

2. The major argument given in favor of Southpoint seems to be that this devlopment would positively affect the City's pull factor and tax revenue. We could not find convincing arguments why this would be true. Our reasons are as follows:

a. The stores that Southpoint lists as being future occupants are the same stores that are found in other cities around Lawrence, so there would be no real reason to shop in Lawrence for out-of-town customers (the source of "pull.")

b. The argument that the sales tax revenues will increase as a result of Southpoint depends on an increase in overall sales as a result of the development. The counter argument is that an increase in sales depends on an increase in income, which in turn, is dependent on an increase in employment, which brings the increase in population which brings the increase in overall incomes. Rather than increasing the amount of commercial use and zoning, the answer to this dilemma would be to increase the amount of available employment by supporting more business/industrial and office development. We suggest that the area near the SLT and this intersection outside of the Auto-Oriented area would be an important area to preserve for employment-related uses.

The planning staff method for determining the viability of future zoning by determining the current vacancy rates we find is unconvincing for justifying an increase in zoning, especially where Lawrence is already overzoned (commercial) and overbuilt (apartments). As one citizen/realtor once pointed out, landlords need occupants, if for no other reason than to protect and maintain their property, regardless of whether they pay full rent or not, and occupancy is not necessarily a sign of a healthy business.

For these reasons, and many others, we urge the Planning Commission to deny the Southpoint requests to change the Comprehensive Plan (Item 3), and the requests for Annexation, Rezoning to Regional Commercial, and Open Space (Items 4a,b,and c).

Thank you for considering our concerns.

Sincerely yours,

Cille King

Cille King
President

Alan Black

Alan Black, Chairman
Land Use Committee

From: Candice Davis [mailto:cdavis.chc@gmail.com]
Sent: Monday, July 21, 2014 9:51 AM
To: Scott McCullough
Cc: David L. Corliss
Subject: Fwd: North Carolina retail proposal- letter

Hello Scott. I would like for you to include my letter in the packet for the PC tonight. I did send the e-mail to PC personal e-mails but would also like to have it included in the packet. I know that you are continually in most difficult positions as you try to accommodate many interests. However, sometimes "NO" is the most effective response to end continuous pressure from individual private interests. I believe that our long-range city planning must be forward thinking and reviewed periodically before developers summit their hearts desire. Sticking to such a plan is paramount and might make your job and those of other commissioners much easier. I know you are working hard but I am passionate about this town and will do what I can to see that changes move in a positive direction. The North Carolina group is just now contacting LAN about their proposal. They plan to speak to the group in August but the timing is very late in the city process. Your friendly but concerned neighbor, Candice Davis

Dear Planning Commissioners, 7-19-14

I am aware that you are reviewing a request for rezoning by a development group from North Carolina. They would like to invest in a large retail project south of existing retail on Iowa street that would be 40% as large as our downtown.

Having lived in Lawrence for 30 years, I am concerned about the continuing viability of our downtown retail businesses as well as city planning practices. Who is planning our city? Do the citizens of Lawrence want big developers and their lawyers to plan where projects will be located? A recent Horizon 2020 survey identified protection of our downtown as a top priority.

Good city planning should always consider the over-all health and welfare of the entire city, follow appropriate protocol and use established urban planning principles. This out-of-town firm is requesting rezoning to accommodate their development. Our long-range plan should only be changed to address the projected needs of the city not to address the needs of a developer.

Is this proposal really good city planning, and good for Lawrence?

Thank you for your thoughtful consideration, Candice Davis

Concerns/Questions

1. Is the North Carolina developer aware of our long-term city plan, Horizon 2020? Do they care about the welfare of our community or is this purely business?

2. The latest Horizon 2020 survey placed maintaining a viable downtown as a top priority.

3. Existing downtown retail is already shrinking. Bars and restaurants are tipping the scale.

4. What about existing commitments to Mercado and their plans for retail expansion in west Lawrence?

5. The new city recreation center to the west is promising much city and regional activity. Will this threaten taxpayer investments and hurt the potential retail market in that area?

6. There is already the highest % of retail on South Iowa Street. How will this impact existing city-wide retail businesses?

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

July 20, 2014

Amalia Graham
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Bryan Culver
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Erick Stuckhoff
Eric.c.struckhoff@gmail.com

Re: **ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020 CHAPTERS 6 & 14 CPA-14-00107**
ITEM NO. 4A ANNEX 102.64 ACRES; E SIDE OF S IOWA ST & S SIDE OF N 1250 RD A-14-00104
ITEM NO. 4B RS10 & A TO CR & CR-FP; 122.96 ACRES; SE CORNER SLT & US-59 HWY Z-14-00105
ITEM NO. 4C RS10, A, & VC TO OS-FP; 46.10 ACRES; SE CORNER SLT & US-59 HWY Z-14-00106

Members of the Lawrence Douglas County Planning Commission,

The applicant, Collett and Associates, seeks to develop a parcel on Iowa Street through an amendment to Horizon 2020, annexation of land and rezoning of the land. The proposal, Southpoint, calls for development of: About 460,000 square feet of retail in a first phase; 80,000 square feet for a 100-room hotel; and probably about 70,000 square of additional square feet of retail in a second phase (14 parcels at 5,000 square feet per parcel). The development will contain a total of over 600,000 square feet of commercial space.

This project is large; when fully built it will be the equivalent of 40 percent of our downtown. It will expand the supply of space on South Iowa by about 30 percent. At this scale it has the potential to have a significant negative impact on other retail shopping districts in Lawrence, including the downtown.

Additional Hotel Space:

The issue: Can the community absorb additional hotel space without threatening existing and future taxpayer investment in hotels?

The taxpayers of Lawrence are heavily invested in hotels. The taxpayers invested about $11 million in the Oread Hotel. The taxpayers are investing about $10 million in the 9th and New Hampshire project with a significant portion of that amount serving the new hotel.

Lawrence has zoned multiple parcels for additional hotel space. Hotel zoning was approved in the North Mass development. Hotel zoning was approved in the latest revision of the Bauer Farms development.

Lawrence is about to begin a process that may lead to a new conference center. This center will probably include additional hotel space, and this hotel and conference center will probably include a significant taxpayer contribution.

The Southpoint proposal includes a hotel. The staff report is silent on the hotel issue. It is unknown whether or not the city can absorb an additional hotel without threatening its already large investment in hotels.

The City made the hotel investments without careful study of the city's capacity to absorb new hotel space. The City is about to embark on such a study to guide it to a better decision on the conference center.

Zoning for additional hotel space may hurt an already saturated market. Zoning for additional hotel space may threaten existing taxpayer investment.

Recommendation on the hotel component: Do not approve additional hotel space until the absorption study is complete and it is clear that additional hotel space will not threaten existing, and possibly future, taxpayer investment.

Additional Retail Space:

The Issue: Can the Lawrence retail market absorb the proposed space without significant negative impact upon existing retail districts?

The Economics of Retail Markets: In a well-balanced market, the supply should grow in proportion with growth in demand.

The economics of retail real estate are well established. Demand for retail space is what determines the value of retail space, the number of jobs it will produce and the sales tax revenues that it will generate. The supply of retail space does not drive these outcomes. There are many false beliefs that building real estate grows the economy. It does not. Growth in the economy is a function of growth in the aggregate income of the households within the community because income sets the amount of spending that a market will experience. More stores do not create more spending; rather, only more income to the households in the community can drive growth in the economy. As a result, more stores do not create more spending, more sales taxes, more retail jobs or more value of all retail buildings. If too many

stores are added to a market, the stores vie for the finite amount of spending, driving down the revenue per square foot, hurting all stores.

Retail Demand: The best proxy for demand in a market is the local retail sales tax revenues. They show the actual spending in the market reflecting changes in income, the community's pull factor and the use of on-line shopping.

The City's retail market study shows that inflation adjusted retail sales taxes have been flat from 2000 to 2012. They actually declined very slightly at -.012 percent per year over the last twelve years. However, there has been negligible growth from 1995 to 2014 at +0.40 percent per year. Thus, for a long period of time, retail spending in real terms has not grown for about 20 years. See the table below.

Table: Lawrence Retail Supply and Demand Conditions 1995 to 2012

Year	*Inflation Adjusted Sales Taxes*	*Commercial Square Feet*
2012	$ 13,593,996	9,105,151
2000	$ 13,797,066	5,299,404
1995	$ 12,695,769	4,372,183

Demand Annualized Growth Rate

0.40%	**1995 to 2012**
-0.12%	2000 to 2012

Supply Annualized Growth Rate

4.4%	**1995 to 2012**
4.6%	2000 to 2012

Source: City of Lawrence 2012 Retail Market Report

Demand Conclusion: The city's capacity to support growth in its supply of retail space is non-existent. With no growth in retail spending, the city has no capacity to support additional retail space at this time. The developer is only seeking to capture a share of that spending for the proposed development, taking this demand, and possibly some of the vendors, away from existing shopping districts.

Retail Supply: The stock of retail space has grown dramatically since 1995, which is the last time there seemed to be a balance between the supply of and the demand for retail space. From 1995 to 2012, the stock grew by 4.8 million square feet. This growth translates into a rate of growth of 4.4 percent per year. The City has approved an additional 1.2 million square feet at 6th Street and the SLT, Fairfield Farms, North Mass and 31st and Ousdahl Streets.

Supply conclusion: The supply of retail space is growing rapidly with much more approved for development.

Implications: The supply of retail space is growing rapidly while the retail spending is flat. This means that the revenues per square foot are falling. Reduced revenues lowers property values in existing shopping centers, including the downtown. Reduced revenues threaten the ability of attract investment to older existing properties. This is especially threatening to historic properties such as in our downtown.

If we expect to maintain the condition of our existing shopping centers, and especially if we want out downtown to continue to thrive, the space needs to attract sufficient revenue per square foot to drive sufficient lease rates that attract investment.

Staff report: The staff report on the proposed development concludes that because the vacancy rate has not become terribly bad, that the retail market will not be hurt by this development.

Vacancy is one of many measures of market health, but vacancy is one of the weaker indicators of market health. The notion is that if a market is overbuilt, the vacancy rate will rise proportionately. This is not true. Property owners will fill their space, even if it means granting rent concessions to attract occupants. Even with a rent concession that takes rents below costs, the property owner will lose less with a rent concession than with an empty property.

The staff should expand its analysis to examine the revenues coming into each market segment (defined both spatially and by type of vendor). It is clear from the staff report that the market is suffering from declining revenues per square foot over a long period of time, which leads to poor maintenance and reduced investment in existing properties, both of which are harmful to a retail market.

The Caplan Report: The market analysis provided by the developer contains multiple errors. Probably the most severe is the assumption that sales will rise 4.1 percent per year when they have not even been keeping up with inflation for a long period of time.

The Caplan report uses the argument that the proposed development will improve the Pull Factor of the entire retail market. The report claims that the community will benefit from new spending attracted to the local market. This can be a valid claim in a tourist market or a market with very special tenants that they become a destination shopping location not found in the region nor having any close substitutes elsewhere in the region.

This notion of attracting new spending into the community is simply not plausible with the proposed project. The vendors will not attract shoppers that are not already here. The vendors listed in the development proposal are not unique to the Kansas City-Lawrence-Topeka region. Thus, shoppers from Johnson County will not drive here for these vendors; they already have them in Johnson County. Shoppers from Shawnee County will not drive here for these vendors; they already have them, or have very close substitutes, in Topeka.

The best option to improve the pull factor in Lawrence is to enhance the one unique, destination shopping district that we have, Downtown Lawrence.

Recommendation:

Someday, this site on South Iowa Street may be an appropriate site for additional retail space and even hotel space on the scale proposed. That day is not even in sight.

- Retail spending remains flat while the supply has grown too quickly.
- We want to enhance, not degrade, the condition of our shopping centers and especially our downtown.
- We do not want to jeopardize our current and future hotel investments.

Tell the developer that this proposal is premature and cannot be approved at this time.

Yours truly,

Kirk McClure

WHITE | GOSS
ATTORNEYS AT LAW

MARY JO SHANEY
mshaney@whitegoss.com
816.502.4731

July 21, 2014

VIA ELECTRONIC MAIL

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Lawrence-Douglas County Metropolitan
Planning Commission
City of Lawrence, Kansas
City Hall
6 East 6th Street
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Re: Southpoint Project

Dear Members of the Planning Commission:

I represent K-10/40 Development, L.C., whose managers have an interest in the Mercato retail and commercial development at the northeast corner of Highways 40 (6th St.) and 10 in West Lawrence. Tonight, the Commission will consider a Comprehensive Plan Amendment to Horizon 2020 relating to what has been commonly referred to as the Southpoint Project, along with considering an annexation request and two rezoning requests affecting the same Project (the "Project"). For the reasons outlined here, the Commission should not at the present time recommend approval of the Project.

The Project is the largest commercial land use ever proposed to the City. Staff acknowledges at p. 14 of the Comprehensive Plan Amendment report (Item 3) that the proposed Comprehensive Plan Amendment *does not conform* to certain Horizon 2020 policies. Staff recognizes in multiple places in the Comprehensive Plan Amendment report that a number of retail and commercial developments will be negatively affected. This includes Mercato and a number of other sites mentioned in the report, and businesses and locations that are not mentioned in the report. The pending requests veer from existing policies and implicate significant questions of public policy and planning.

The Comprehensive Plan Amendment staff report includes some of Horizon 2020's goals and criteria for directing land use decisions, but certain policies warrant emphasis. Horizon 2020 does not contemplate the need for a new regional commercial center (Policy 3.13 at p. 15 of the staff report). While the staff report states that the Southpoint location simply would become "appended" to or "expand" the South Iowa Regional Commercial Center, in substance a project of this size does create a regional commercial center. This is a major departure from Horizon 2020.

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

The concern with the Project is not that it proposes retail and commercial development. The critical issue for tonight is whether the City process and directives under Horizon 2020 are being followed. Staff recognizes that there has not been a change in public policy, one of the criteria to be considered in determining whether to amend the Comprehensive Plan (*see* p. 17 of the report). That the City is now working with a task force to amend Horizon 2020 establishes that it is premature to change or gauge public policy.

There has been much discussion of the potential tenants for the Project. It appears this potential has been the driving force in garnering support from certain quarters. But the proper focus for the Southpoint concept plan is against the backdrop of the City's Comprehensive Plan policies and goals. We urge the Commission to adhere strictly to Horizon 2020 and to postpone this Project until the public process has been properly engaged.

Very truly yours,

Mary Jo Shaney

MJS:hkm
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