

**PLANNING COMMISSION REPORT**  
**Regular Agenda – Action Item**

PC Staff Report  
2/27/08

**ITEM NO. 12:           COMPREHENSIVE PLAN AMENDMENT TO HORIZON 2020;  
CHAPTER 6 (DDW)**

**CPA-2007-02:** Hold public hearing on Comprehensive Plan Amendment (CPA) to Horizon 2020, **Chapter 6** --- to address mixed use development. This item was initiated by the Planning Commission at their June 27, 2007, meeting.

**STAFF RECOMMENDATION:** Staff recommends approval of this comprehensive plan amendment to *Horizon 2020* by amending Chapter 6 to add policy language in support of a mixed use district in the Land Development Code and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval.

**STAFF RECOMMENDATION:** If appropriate, approve and sign Planning Commission Resolution 2007-04.

**SUMMARY**

**CPA-2007-2:** An amendment to *Horizon 2020* to include a classification of mixed-use development areas in Chapter 6 Commercial Land Use. This amendment was initiated by the Planning Commission at their June 27, 2007 regular meeting. Subsequently, the Planning Commission has reviewed drafts of CPA-2007-2 at meetings on July 27, 2007 and November 28, 2007.

**STAFF REVIEW**

Included as part of this staff report is the proposed amendment to Chapter 6 (Commercial Land Use). This amendment is to be located in Chapter 6 in the Commercial Center Categories between the Mixed-Use Redevelopment Center (pg 6-6) and the Inner-Neighborhood Commercial Centers (pg 6-6). Staff reviewed this amendment based upon the comprehensive plan amendment review criteria listed below [identified in Chapter 13 (Implementation) of *Horizon 2020*].

The draft has been changed since the last Planning Commission review on November 28, 2007. Strikethrough language is language proposed for removal and bold language is proposed language added since November 28, 2007.

This item, along with Item 13 which proposes the creation of a mixed-use zoning district, are action items.

## **COMPREHENSIVE PLAN AMENDMENT REVIEW**

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

The proposed amendment is a result of the changing circumstances that have occurred since the comprehensive plan was first written. At the time *Horizon 2020* was written, it relied on the suburban node model for new commercial development and did not contemplate mixed-use development and redevelopment. The proposed text amendment identifies the potential for new development and redevelopment of suitable sites into mixed use districts. This type of development does not fit into any of the current commercial center categories.

### **B. Does the proposed amendment advance a clear public purpose and is it consistent with the long-range goals and policies of the plan?**

The proposed amendment is an advancement of a clear public purpose and is consistent with the long-range planning goals and policies of the community. The proposed amendment helps further the goals and policies for commercial land use while staying consistent with the overall intent of *Horizon 2020* and the goals and policies relating to residential land use, economic development, parks and recreation, and the various other components of the comprehensive plan.

### **C. Is the proposed amendment a result of a clear change in public policy?**

As the City of Lawrence and unincorporated Douglas County continue to grow and expand, there is a need to include the opportunity for development and redevelopment of areas into mixed-use districts. These developments can offer the opportunity for a traditional type of mixed-use development in existing neighborhoods and greenfield areas. The opportunity for traditional mixed-use development supports this shift in public policy from when *Horizon 2020* was initially adopted in the late 1990s.

## **PROFESSIONAL STAFF RECOMMENDATION**

Staff recommends approval of this comprehensive plan amendment to *Horizon 2020* by amending Chapter 6 to add policy language in support of a mixed use district in the Land Development Code and recommends forwarding this comprehensive plan amendment to the Lawrence City Commission and the Douglas County Board of County Commissioners with a recommendation for approval.

## **Description inserted in Horizon 2020 Text, shown in italics:**

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, civic, office, small-scale commercial, and open space uses and **non-residential uses**. This mixed use is encouraged in individual structures as well as throughout the area.*

*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 shall **may** also be accomplished by providing transitions through alleyways, **variation among development intensity, implementation of** ~~and use~~ landscaping buffers, ~~and~~ **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, ~~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~~ **public spaces** shall be **planned to 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.

#### ■ 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 12<sup>th</sup> Street and Connecticut Street
- West side of the intersection of 14<sup>th</sup> Street and Massachusetts Street
- Intersection of N. 7<sup>th</sup> Street and Locust Street
- 6<sup>th</sup> Street between Indiana Street and Mississippi Street
- E. 9<sup>th</sup> Street corridor starting at Rhode Island and going east
- Northeast corner of Barker Street and 23<sup>rd</sup> Street
- 7<sup>th</sup> Street and Michigan Street.

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

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 collector or arterial street. Inner-Neighborhood Commercial Center uses may include book stores, dry cleaning services, food stores, beauty salons, etc.

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.

**Description inserted in *Horizon 2020* Policy, shown in italics:**

**Policy 3.10: 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 3.11: 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 3.12: Criteria for Mixed-Use Districts**

- A. *Encourage development and redevelopment of areas with vacant land, and 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. ~~*Civic;*~~
  - c. ~~*Office;*~~
  - d. ~~*Commercial;*~~
  - e. ~~*Open space.*~~
  - 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**, ~~between uses through alleyways and implementation~~ use 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 and gathering spaces;~~*
  - b. *Bicycle, including bicycle parking;*
  - c. *Vehicular; and*
  - d. *Transit; if available.*