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PUBLIC HEARING ITEM:

COMPREHENSIVE PLAN AMENDMENT TO COMMERCIAL LAND USE CHAPTER (BPD)

SUMMARY

CPA-2003-2: An amendment to Chapter 6, the Commercial Land Use Chapter of Horizon 2020, updating the review criteria and establishing new standards for commercial land use (development and redevelopment) in Lawrence and the unincorporated areas of Douglas County. **The public hearing for this item was held at the April 23, 2003 Planning Commission meeting. This item was tabled from the April 23, 2003, Planning Commission meeting.*

Please note that the Commercial Chapter amendment has been modified to include the changes approved by the Planning Commission on May 28, 2003. The changes are denoted by italicization and/or strikethrough.

Changes have also been made to the Commercial Chapter to reflect the comments made by the City Commissioners at their July 9, 2003, study session. Those changes are shown in red text.

Changes were made to the draft of the Commercial Chapter and approved (4-1) by the City Commission at their September 9, 2003, regular meeting. Those changes are shown in blue text and ~~strikethrough~~.

TEXT AMENDMENT

Attached to this staff report is the proposed amendment and format changes to Chapter Six - Commercial Land Use in Horizon 2020. This amendment replaces all of Chapter Six.

The Comprehensive Plans Committee (CPC) held its first meeting in October 2001 and has met more than 22 times since that date. The CPC has heard from the general public, business owners, realtors, land owners, and commercial real estate experts. Mid-month meetings were held on this Chapter. At those meetings the Planning Commissioners suggested a number of changes that have been incorporated into this draft of the Chapter. This text amendment was forwarded to the Planning Commission with the full support of the Comprehensive Plans Committee (CPC).

STAFF REVIEW

As stated in Chapter 13 Horizon 2020, all proposed amendments to the plan shall consider the following:

A. The proposed amendment results from changed circumstances or unforeseen conditions not understood or addressed at the time the Plan was adopted.

This amendment to Horizon 2020 addresses the unforeseen circumstance of the comprehensive plan not adequately addressing the changing commercial needs of the community and retailers.

Currently, the commercial chapter in the comprehensive plan sets acreage maximums for commercial areas. The acreage maximums were adopted before the City established higher standards for greenspace requirements and stormwater detention. The CPC found that the acreage maximums in the comprehensive plan are not realistic when compared with the amount of commercial square footage that is allowed in commercial developments.

It has also become clear that commercial developments needed larger land areas (sites) for the layout of buildings and open spaces and to accommodate adequate access separation onto major thoroughfares. Additionally, larger commercial sites are more easily redeveloped. This amendment to the commercial chapter addresses the need for larger commercial sites by eliminating the maximum acreage limits and establishing minimum acreage requirements for new commercial developments, as it has become clear though study of retail developments that minimum acreages are the more important site factor.

When the Census 2000 data was released it became apparent that Horizon 2020's population projections underestimated the population growth of both the City and County. Horizon 2020 projected the City's population for 2000 to be 73,025 and the County's to be 90,714. Census 2000 put the City's population at 80,098 and the County's at 99,962. In the Summer of 2001, Horizon 2020's population projections were revised to reflect the new population information provided by Census 2000. The population projections show a significantly higher level of population growth when compared with the original population projections that were included in Horizon 2020.

The underestimation of the area's population growth may have resulted in an under estimation of the area's demand for commercial space, when the square footage maximums in the commercial chapter were established. The CPC also looked at retailing trends of stores that display and warehouse their goods in the same building and how that has caused the square footage of commercial buildings to increase. After reviewing these factors, the Committee recommends increasing the maximum square footage amounts for commercial centers.

This amendment also looks at the projected growth of the City in both population and area (sq. miles) and identifies a number of possible new Neighborhood Commercial Centers and two new Community Commercial Centers outside the current City limits.

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

There are two parts to this criterion. The first part asks if the amendment advances a clear public purpose. This amendment does advance a clear public purpose by providing specificity to design criteria for commercial centers.

The second part of this criterion asks if the proposed amendment is consistent with the long-range goals and policies of the plan.

In Chapter One – Horizon 2020 states,

General Goal
"The overall community goal for planning is to provide, within the range of democratic and constitutional processes, for the optimum in public health, safety, convenience, general social and physical environment ..." (pg. 3)

Establishing clear criteria for the size, location, design, and appearance of commercial centers will assist the public and elected and appointed officials in their deliberations and consideration of commercial development proposals. The criteria for commercial development in this amendment will help provide for the community's public health, safety, convenience, and general social and physical environment.

Planned and Managed Growth
"Douglas County will experience growth. We will remain a separate and identifiable community, and face the challenge of encouraging growth in a planned and responsible manner." (pg. 3)

The goals and policies in this amendment will help ensure that new commercial developments and the redevelopment of existing commercial areas will occur in a planned and responsible manner.

Compatibility
"We will work to ensure that development is compatible with its surroundings and the community." (pg. 3)

The design criteria established by this amendment will ensure that commercial development or redevelopment with be compatible with the surrounding neighborhood.

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

The proposed amendment is in response to the need for Horizon 2020 to provide public officials with clear criteria for the review and consideration of commercial development proposals.

DISCUSSION

The proposed revision of Chapter Six - Commercial Land Use is part of the regular update process of Horizon 2020. Many parts of the chapter have been identified as being out of date and not reflective of the changes in consumer demand for retail and how commercial development addresses that demand.

This amendment proposes a number of changes to the Commercial Land Use chapter, however, many of the original goals and policies remain. Two of the most significant concepts that remain are the "nodal concept" for commercial development and maintaining the uniqueness of Downtown Lawrence. The proposed amendment maintains the concept of commercial development occurring in a nodal fashion centered around the intersection of two major roads and not in a linear or strip pattern.

The proposed amendment recognizes that the S. Iowa area has developed into a Regional Commercial Center. By identifying two Regional Commercial Centers (Downtown and S. Iowa)

the proposed amendment acknowledges the change in Downtown's status as the "primary regional commercial center". However, this amendment re-emphasizes and stresses the need to maintain and protect Downtown's larger community role as a "regional retail commercial/office/culture center".

The proposed amendment does increase the recommended amount of square footage for Community and Regional Commercial Centers. However, the amendment only identifies two new possible locations for a Community Commercial Center and states that a Regional Commercial Center "is not anticipated to be needed within the community within the planning period." The amendment recommends that the majority of new commercial nodes be Neighborhood Commercial Centers.

Currently, the Commercial Chapter recommends that *"a technique to monitor gross leasable area of commercial developments within the community and formulate a method to evaluate the need to pursue or the capacity of the community to accommodate additional commercial development"* be developed. A number of different techniques have been presented to the Planning Commission including the Retail Sales Tax model which was presented to both the City and Planning Commissions. The City and Planning Commissions have not approved the use of any of the modeling techniques presented thus far.

The CPC recognized the difficulty both Commissions were having in finding a commercial space monitoring technique that would account for all the factors involved in evaluating the commercial property market. Finding no adequate process to address this issue, the CPC recommended eliminating the requirement of developing a technique to monitor commercial space and replaced it with a requirement for a commercial space matrix that looks at commercial property based upon vacancy rates, the condition, and the location of the retail space. This matrix would be maintained by staff.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends approval of the text amendment to *Horizon 2020* updating the Commercial Land Use Chapter and forwarding a recommendation for approval to the City Commission and the Douglas County Board of County Commissioners.

CHAPTER SIX - COMMERCIAL LAND USE

The Plan 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 plans and accessibility 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 and the definitions of the four different categories of commercial nodes: Neighborhood, CC-200, ~~CC-500~~ CC-350, 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. This chapter is centered on the concept of nodal development for new commercial development. 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 the development of high-intensity, auto oriented uses shallow in depth, 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. These methods include: 1) using 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 ~~"village plazas"~~ compact, pedestrian-oriented centers versus the 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 event to be enjoyed.

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 near. They should include ~~criteria for assuring that pedestrians and bicyclists can easily get to, and move around within, these centers. Parking should be behind the buildings and "divided up" by areas of increased landscaping~~ 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, and 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 and 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 areas 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 amount of commercial gross square footage that is 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 that is 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 that sell goods and services on-site for which sales tax is collected. This definition does not include offices or other similar uses. ~~While banks are included in the definition of "commercial" they are still an allowable use in non-retail zoning districts.~~

■ *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 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, such as 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 centers shall contain no more than a total of ~~125,000~~ 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.

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 and depth ratio between 1 to 1 and 3 to 2.

In order to facilitate the orderly development of future commercial nodes; the City of 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 shall be "triggered" by the first development request (re-zoning, 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.

- ***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: the southeast corner of 12th Street and Connecticut Street, the west side of the intersection of 14th Street and Massachusetts Street, the intersection of N. 7th Street and Locust Street, 6th Street between Indiana Street and Mississippi Street, the E. 9th Street corridor starting at Rhode Island and going east, the northeast corner of Barker Street and 23rd Street, and 7th Street and Michigan Street. Redevelopment of these areas 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. New Inner-Neighborhood Centers shall be allowed if the Center is part of an overall planned neighborhood development or if the Center 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, ~~restaurants~~, or any drive-thru or drive-up facilities. The Center shall be pedestrian oriented and have no more than ~~750~~ 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 store, dry cleaning, food store, beauty salon, 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.

- ***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 Centers 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) CC-200

The primary purpose of the CC-200 category is to provide for the expansion and redevelopment of existing Community Commercial Centers. However, a new CC-200 Center can be designated. Expansion of an existing CC-200 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 CC-200 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 CC-200 Centers intersection should not be devoted to commercial uses. CC-200 Center should have a variety of uses such as office, employment-relate 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 CC-200 Center, no individual or single store should 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 Community Commercial 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, CC-200 Centers shall be located at an arterial/collector street intersection or arterial/arterial street intersection.

CC-200 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; the City of 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 ~~500,000~~ 350,000 square feet) ~~CC-500~~ CC-350

The second category of Community Commercial Centers is the ~~CC-500~~ CC-350 Center, which may include up to ~~500,000~~ 350,000 gross square feet of commercial space. ~~CC-500~~ CC-350 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.

~~CC-500~~ CC-350 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 ~~CC-500~~ CC-350 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; such as, extensive landscaping and berming; grouping of lower-intensity uses; incorporation of existing natural land features into site layout and design, such as open space along a creek; or a combination of these methods.

To insure that a specific intersection complies with the ~~CC-500~~ CC-350 Center nodal standards, a nodal plan for each new ~~CC-500~~ CC-350 Center must be created. The nodal plan will define the area of the node and designate the appropriate uses for each specific corner. Details to be included in the nodal plan are: 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. The designation of the appropriate uses for a specific corner 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; the City of 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.

At least 95 percent of the commercial gross square footage in a new ~~CC-500~~ CC-350 Center shall be located on two corners of the intersection. The remaining 5 percent shall be located on one of the remaining two corners. To comply with the square footage maximum for a Community Commercial 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 and depth ratio between 1 to 1 and 3 to 2 and be a minimum of 20 acres in size. Proposals in which the commercial gross square footage is less than 10 percent of the total square footage of the proposals do not have to meet the minimum acreage and lot length and depth ratio requirements.

No one store in a ~~CC-500~~ CC-350 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.

- ***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, furniture stores, and 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. To ensure a new Regional Commercial Center is capable of development with the critical mass mixture includes sites for multiple big box buildings, required parking, stormwater detention, and open space areas, the minimum area for a commercial development plan, on any corner, is 40 acres and the minimum street frontage is 1,400 linear feet. 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 upon the Lawrence/Douglas County community. A Regional Commercial Center will impact with the community's 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, 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.

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 Commercial Center shall be created. The nodal plan shall define the area of the node and designate the appropriate uses for each specific corner. Details to be included in the nodal plan are: 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. The designation of the appropriate uses for a specific corner will 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.

In the absence of a City created nodal plan, the need to create a nodal plan for a specific intersection shall be "triggered" by the first development request (re-zoning, 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 & 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, multiple access points from a site to an arterial street, and when traffic impact studies were not required prior to development. These strip commercial development areas have become obsolete as a result of their inability to adjust to increased traffic volumes & 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 the 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 redevelopment into surrounding lower intensity zoned areas. The redevelopment within these strip commercial 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 may include auto sales and repair, truck stops, restaurants, hotels, and other similar uses. 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.

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 definitions for 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 federal 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 3 to 2 ratio in lot length and depth 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 ~~courts~~ arenas, soccer arenas, putt-putt 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. Proposal 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.

~~Recreational Uses that are in an enclosed building are allowable in a Neighborhood Commercial Center. Any Recreational Use that includes outdoor activities must be located in a new Neighborhood Center, or a CC-200, CC-500, or Regional Commercial Center.~~

If a Recreational Use is proposed in a Neighborhood *or CC-200* 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 CC-200 can occupy up to 50,000 gross square feet. *The purpose of regulating the size of Recreational Uses in Neighborhood and CC-200 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 ~~CC-500~~ CC-350 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 Recreational Uses is not included in the total commercial square footage because ~~CC-500~~ CC-350 and Regional Commercial Centers are typically larger scale commercial developments; thus, reducing the impact that the size of a Recreational Use will have on the scale and massing of a ~~CC-500~~ CC-350 or Regional Center.*

However, 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 by the issuance of a special permit such as a Use Permitted upon Review.

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 appearance 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 planning process in 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; governmental offices and facilities; health services; convention and hotel facilities; and "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 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 ~~a~~ the viable regional retail commercial center.

For Downtown Lawrence to remain economically stable and vital there is a likely need to expand the boundaries of the downtown beyond the current configuration illustrated in the adopted Comprehensive Downtown Plan. This is anticipated as a result of the need to provide additional parking areas and locations for commercial and public-related development in the future. The Comprehensive Plan does not at this time recommend areas for the expansion of the downtown. Opportunities for expansion and redevelopment exist within the within the current boundaries of Downtown Lawrence. Action to expand Downtown 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. Restudy of the 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 provide an enhanced role in the community as a commercial corridor. N. 2nd Street and N. 3rd Street act as an important entryway/gateway to the City of Lawrence. This corridor is considered to be an Existing Strip Commercial area. The Comprehensive Plan identifies the intersection of the N. 3rd Street and Interstate 70 to be 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 , as soon as possible and before any additional new development occurs along the N. 2nd Street and N. 3rd Street corridor, a comprehensive drainage study be completed. 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.

- ***Iowa Street (Harvard Road to W. 6th Street)***

North Iowa Street is considered an existing Community Commercial Center limited to 200,000 square feet of commercial gross square footage (CC-200). The North 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.

- ***South Iowa Street (23rd Street to K-10 Highway)***

South Iowa Street is considered an existing Regional Commercial Center. South Iowa is a strip development that is intensely development between 23rd Street and K-10 Highway. 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.

The K-10 Highway 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.

Commercial property exists both east and west of South Iowa Street along 31st Street. Emphasis shall be given to maintaining this commercial node and requests to extend the commercial corridor for additional retail development shall not be considered; however office and office research activities would be appropriate land uses along this arterial corridor.

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 nonresidential 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 continue to remain an important commercial location in the City. For the segment of the corridor between South 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 that occurs along this corridor shall be required to consolidated 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 area. 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, and 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 area. 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 existing property that is zoned commercial or office. All new development or redevelopment that occurs along this corridor shall be required to consolidated 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 area. The development patterns along this section of W. 6th Street are newer than eastern portion of W. 6th Street. However, the commercial development is still a "strip development" characterized by numerous curb cuts and intensive retail development fronting the majority of the W. 6th Street. The Comprehensive Plan does not recommend the expansion of this area beyond the existing property that is zoned commercial or office. All new development or redevelopment that occurs along this corridor shall be required to consolidated 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 200,000 square feet of commercial gross square footage (CC-200) with a nodal development pattern. While this intersection is designated a CC-200 Center, there is already exists more commercial gross square footage at the intersection then what is recommended for a CC-200 Center~~. Because the intersection already exceeds the recommended square footage, the Comprehensive Plan recommends that the amount of commercial gross square footage for the intersection not exceed 380,000 gross square feet, which is the total amount of square footage that has been approved for the intersection.~~

Portions of the intersection of W. 6th Street and Wakarusa Drive are still developing; however, the southern half of the intersection is completely developed and shall not be expanded beyond the current commercially zoned property. 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. Development proposals for the northern portions of the intersection shall include not only commercial uses, but also a variety of uses including office, community, recreational, and multi-family uses.

- ***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 for 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 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. This area is one of the least developed existing commercial areas within the current Lawrence City limits. The southeast corner is commercially zoned. Currently, the only use located at the corner is a bank and office building and office building. 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. This area 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 that is similar to Downtown Lawrence. The majority of the development along this corridor is characterized by stand-alone structures that have 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, the "Downtown Architectural Design Guidelines" should be amended to include design guidelines that are specific to this area.

Existing Commercial Areas	Strip	Nodal	Approximate Built Square Footage*	Neighborhood Commercial	Existing Strip Commercial	CC-200	~~CC-500~~ CC-350	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 Hwy)	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	400,000			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	0	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, CC-200, ~~CC-500~~ CC-350, and Regional Commercial Center are on pages 6-3 through 6-8.

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. These additional uses include: satellite post offices; police, fire and emergency services; religious, community centers and other services and institutions. Inclusion of these uses assists the integration of the commercial area into the overall neighborhood, serve multiple communities and service needs in a single location, and create 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 locational and/or size change of the Commercial Center will be reviewed. The review will be based on the effects the change will have on the immediate surrounding land uses and neighborhood, the entire community, and infrastructure systems.

The Comprehensive Plan does not support increasing the size or number of new Commercial Centers.

- ***Neighborhood Commercial Centers***

The Comprehensive Plan recommends the following intersections as potential locations for new Neighborhood Commercial Centers.

1. E. 23rd Street and O'Connell Road
2. Franklin Road (extended) and N 1300 Rd
3. E 1500 Rd and N 1100 Rd
4. E 1000 Rd and N 1000 Rd
5. E 1000 Rd and N 1200 Rd
6. Clinton Parkway and K-10
7. W. 15th Street and K-10
8. E 800 Rd and at the potential east/west arterial 2 miles north of US Hwy 40
9. E 700 Rd and US Hwy 40
10. E 800 Rd and N 1750 Rd
11. E 1000 Rd and N 1750 Rd
12. E 1500 Rd and US Hwy 24/40

These areas are all intended to be developed 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 (CC-200 and ~~CC-500~~ CC-350)***

The Comprehensive Plan recommends the following intersections as potential locations for new CC-350 Centers. ~~While the Comprehensive Plan does not provide locations for new CC-200 Centers, a site that is recommended for a new CC-500 Center can be downgraded to a CC-200 Center with an amendment to the Comprehensive Plan.~~

1. Eastern leg of the South Lawrence Trafficway and K-10 (southeast of the intersection of E 1750 Rd and K-10)
2. ~~US Hwy 59 and N 1000 Rd~~
3. W. 6th Street and K-10

The Comprehensive Plan recommends also the US Hwy 59 and N 1000 Rd intersection as a potential location for a new CC-200 Center.

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 ~~physically "leapfrog" out from contiguous urbanized areas of the City~~ *occur in a manner that is contrary to adopted City infrastructure plans.*

- ***Auto-Related Commercial Centers***

The Comprehensive Plan recommends the following intersections as potential locations for new Auto-Related Centers.

1. US Interstate 70 and K-10
2. US Hwy 59/40 and US Interstate 70
3. US Hwy 59 and K-10

- ***Regional Commercial Centers***

The development of a new regional commercial center is not anticipated to be needed within the community 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 within the community. The need for additional regional commercial development within the community shall be evaluated based upon updated land use and population data on a regular basis. 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, 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 commercial and located at the intersection of a hard surfaced County Route and state or federally designated highway should be expanded to serve any increase in demand for commercial space in the county. Comprehensive Plan only recommends that 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 Hwy 56 and Ks Hwy 33 or US Hwy 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. Because of the lack of sanitary sewer facilities in unincorporated Douglas County and access considerations, commercial development shall be limited to a total of 10,000 gross square feet and shall be located at one corner of the intersection.

The exemption to the locational criteria for a new commercial area or the expansion of an existing commercial area is a commercial activity that is related to recreational uses associated with Clinton Lake, Lone Star Lake or Douglas County Lake. 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.

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 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 the Downtown.

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; and 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 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. Over all storm water management, vehicular and pedestrian access, and site maintenance shall be under taken.

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. Commercial development in the urban growth areas shall be annexed into the City Limits.

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.

Policy1.7 ~~Monitor Commercial Growth~~ Monitor Economic Impact of Commercial Growth

A. The amount of commercial space, the quality of commercial space, commercial space vacancy rates, and the size of commercial space shall be monitored for each quadrant of the City (15th Street shall be the north-south dividing line and Iowa Street the east-west dividing line). Each matrix cell shall include the total gross square footage of all the buildings in each respective size range and condition grade. Each cell shall also include the vacancy rate for buildings of each respective size and condition.

B. These variables shall be placed in a matrix and used in analyzing any commercial rezoning request and/or development plan.

C. All five tables 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.

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 - 120,000	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 - 200,000	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 not adversely impact 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 nonresidential 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 that are 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 required setbacks 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, 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 property 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 and 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:** 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 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;
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 improvement program.

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;
4. Required lot size.

B. Do not encourage the expansion of existing Inner-Neighborhood Commercial Centers.

C. 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, ~~restaurants~~, or any drive-thru or drive-up facilities.
3. Centers shall no more than ~~750~~ 3,000 gross square feet of commercial space.
4. Centers shall be designed as an intergrated part of the surrounding neighborhood so that the appearance does not detract from the character of the neighborhood.

Policy 3.4: 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 with less than 100,000 gross square feet of commercial space shall be at least one (1) mile from any existing or new Commercial Center.

D. New Neighborhood Commercial Centers with more than 100,001 gross square feet of commercial space shall be at least 1.75 miles from any other existing or new Commercial Center.

E. Neighborhood Commercial Centers shall contain no more than ~~125,000~~ 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 40,000 gross square feet of additional commercial space in addition to the grocery store use.

F. 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.

G. A "nodal plan" shall be completed before a proposal for a Neighborhood Commercial Center goes before the Planning Commission.

H. 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.

I. Low-density residential uses may be located at the remaining corners if sufficient screening measures to offset noise and views of the intersection are provided.

J. 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.

K. 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.

L. Facades shall have a variety of texture, colors, shapes, etc. such that the buildings in a Neighborhood Center do not have a single uniform appearance.

M. Neighborhood Centers should have dedicated open space areas that useable by the Center's employees and shoppers.

N. Neighborhood Commercial Centers shall not expand into the surrounding portions of the neighborhood.

O. Any commercial development proposal for a corner in a new Neighborhood Commercial Center shall have a length and depth ratio between 1 to 1 and 3 to 2.

P. Neighborhood Commercial Centers shall development in a manner that is consistent with the City's adopted design guidelines.

Policy 3.5: Criteria for Existing Strip Commercial areas

A. A redevelopment plan should be made for each Existing Commercial Center

B. Tools such as public/private partnerships, special overlay districts and 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.

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 that is consistent with the City's adopted design guidelines.

Policy 3.6: Criteria for Community Commercial Centers (under 200,000 square feet) CC-200

A. CC-200 Centers shall be located at the intersection of arterial/arterial streets.

B. CC-200 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 that are not developed with commercial uses shall be utilized for office, employment-related uses, public and semi-public uses, parks and recreation, and with extensive on-site screening, 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 CC-200 Centers shall not intrude or expand into the surrounding residential or lower-intensity uses.

H. A proposal requiring a revised or new site plan for property in a CC-200 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 CC-200 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 CC-200 Center that includes 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 or commercial space.

K. A "nodal plan" shall be completed before a proposal for a new CC-200 Center goes before the Planning Commission.

L. Proposals for a new CC-200 Center shall include a building with at least 40,000 gross square feet or commercial space.

M. CC-200 Centers shall develop or redevelop in a manner that is consistent with the City's adopted design guidelines.

Policy 3.7: Criteria for Community Commercial Centers (under ~~500,000~~ 350,000 square feet) ~~CC-500~~ CC-350

A. ~~CC-500~~ CC-350 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 federal designated highway.

B. ~~CC-500~~ CC-350 must be a minimum of 3.75 miles apart.

C ~~CC-500~~ CC-350 Centers shall have a maximum of ~~500,000~~ 350,000 gross square feet of commercial space.

D. At least 95 percent of the commercial gross square footage in a new ~~CC-500~~ CC-350 Center shall be located on two corners of the intersection. The remaining 5 percent shall be located on one of the remaining two corners.

E. No single store in a ~~CC-500~~ CC-350 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. Proposals to create or cause a ~~CC-500~~ CC-350 to have more than 200,000 gross square feet of commercial space must include an independent market study. The market study shall adhere to the following criteria:

1. The entity proposing the ~~CC-500~~ CC-350 Center shall provide the funding for the study.
2. The independent consultant that performs that study shall be chosen by the City and agreed upon by the entity submitting the proposal for a Regional Commercial Center.
3. The study shall analyze the ~~CC-500~~ CC-350 Center proposal and provide the following information:

    a. The overall viability of the proposal;
    b. How the proposal will impact existing Commercial Centers;
    c. A building phasing schedule based upon the Community's ability to absorb the additional commercial square footage;
    d. Any other additional information required by the Planning Commission.

H. 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 building that has at least 40,000 gross square feet of commercial space.

I. Proposals in which the commercial gross square footage is less than 10 percent of the total square footage of the project do not have to meet the minimum acreage and lot depth.

J. Any commercial development proposal for a single corner in a new ~~CC-500~~ CC-350 Center shall be a minimum of 20 acres in size.

K. Any commercial development proposal for a single corner in a new ~~CC-500~~ CC-350 Center shall have a length and depth ratio between 1 to 1 and 3 to 2.

L. Access points into a new ~~CC-500~~ CC-350 Center shall be from the two points that are furthest from the intersection.

M. ~~CC-500~~ CC-350 Centers shall be designed with feeder and/or reverse frontage streets to collect internal traffic and be easily accessible from the surrounding community.

N. ~~CC-500~~ CC-350 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 texture, colors, shapes, etc. such that the buildings in a ~~CC-500~~ CC-350 Center do not have a single uniform appearance.

P. ~~CC-500~~ CC-350 Centers should have dedicated open space areas that useable 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. The majority of parking for the Center shall be behind the front building line.~~

S. Corners of the node that are not developed with commercial uses should be utilized for office, employment-related uses, public and semi-public uses, parks and recreation, and with extensive on-site screening, 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.

T. Existing ~~CC-500~~ CC-350 Centers shall not expand into areas with existing less intensive uses (low-intensity residential, institutional uses, office, multi-family residential, etc.).

U. Before a development proposal for any corner of ~~CC-500~~ CC-350 Center is forwarded to the Planning Commission, a "nodal plan" must be completed.

V. CC-350 Centers shall develop in a manner that is consistent with the City's adopted design guidelines.

Policy 3.8 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.
8. Any and all other necessary information needed to create the nodal plan.

Policy 3.8: 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; a core concentration of governmental, cultural/social facilities and services; and recreation, leisure and community events.

C. Encourage the continuation of community social activities [such as 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 the City 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 3.9: Criteria for Regional Commercial Centers

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

B. Designating a new Regional Commercial Center will require amending the Comprehensive Plan.

C. Design Criteria

1. 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.
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. Before a development proposal for a Regional Commercial Center is forwarded to the Planning Commission, a "nodal plan" shall be completed.

E. An independent market study shall be included as part of any proposal for Regional Commercial Center. The market study shall adhere to the following criteria:

1. The entity proposing the Regional Commercial Center shall provide the funding for the study.
2. The independent consultant that performs that study shall be chosen by the City and agreed upon by the entity submitting the proposal for a Regional Commercial Center.
3. The study shall analyze the Regional Commercial Center proposal and provide the following information:

    a. The overall viability of the proposal;
    b. How the proposal will impact existing Commercial Centers;
    c. A building phasing schedule based upon the Community's ability to absorb the additional commercial square footage;
    d. Any other additional information required by the Planning Commission.
    e. Specifically, the impact the Commercial Center will have on Downtown Lawrence.

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. CC-350 Centers shall develop in a manner that is consistent with the City's adopted design guidelines.

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, sanitary sewer, 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. Commercial development shall be limited to a total of 10,000 gross square feet.

D. The only new commercial area shall be located at either the intersection of either US Hwy 56 and Ks Hwy 33 or US Hwy 56 and County Route 61.

Policy 3.11: Require an Impact Analysis

Determine the impact of requests for development of CC-200 or ~~CC-500~~ CC-350 or a Regional Commercial Center to ensure that such development does not have a negative impact on existing commercial centers. This analysis shall be the City's responsibility to perform and would be used to evaluate the potential impact on the future viability of existing commercial centers as a whole and not the potential impact on individual businesses or properties.

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 and their impact on the existing transportation system and shall be based on planned improvements which are identified in the *Capital Improvement Plan (CIP), the Comprehensive Plan, or the Long-Range Transportation Plan. The Capital Improvement Plan, the Comprehensive Plan, and the Long-Range Transportation Plan* 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 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 KU 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 reasonable safe 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.

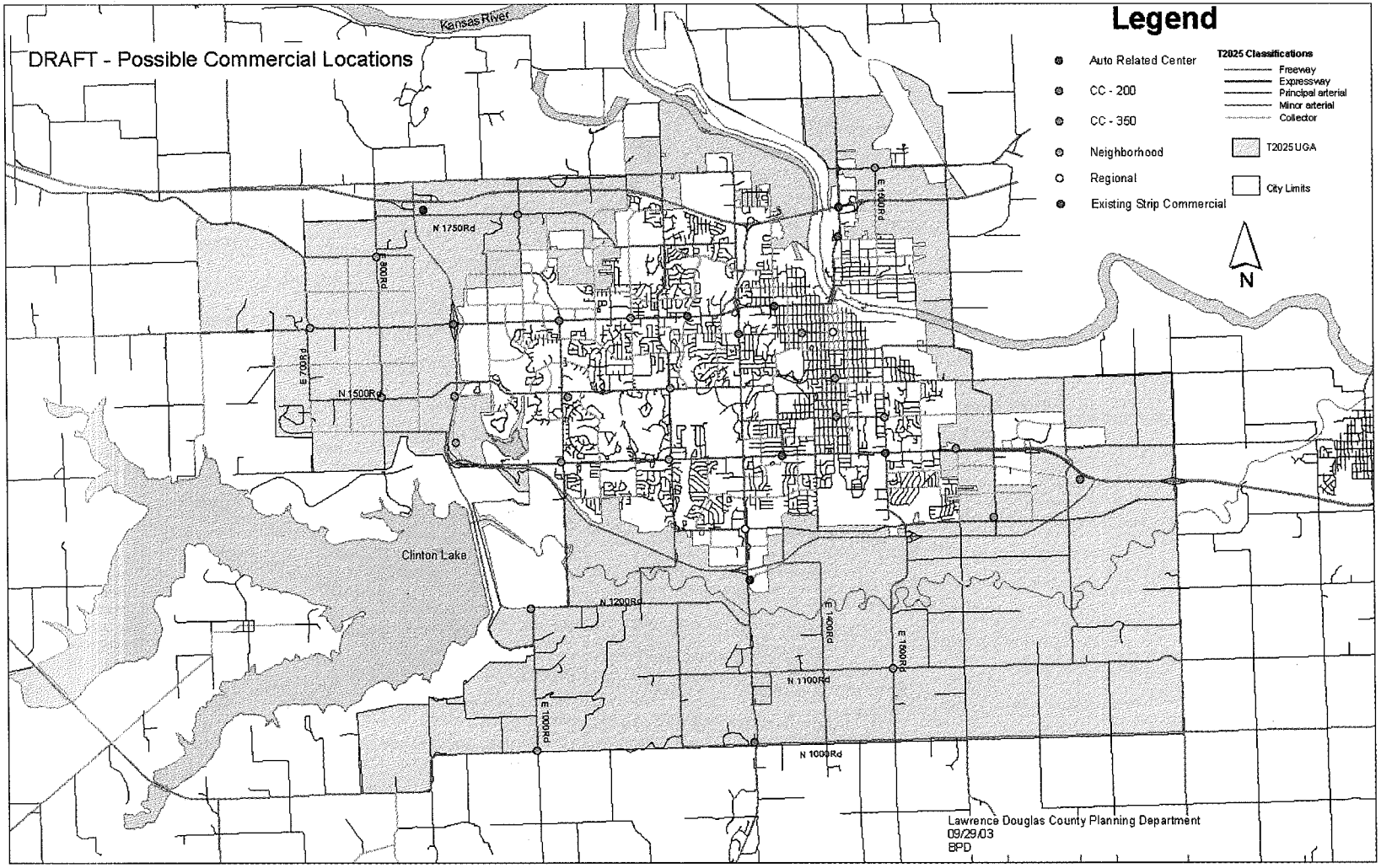
B. The City and property owners should work together to develop convenient parking for short-term visitors and long-term parking areas for employees.

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, in such a way that all storage, standing and maneuvering of trucks will take place solely on private property.


DRAFT - Possible Commercial Locations
Kansas River
Legend
Auto Related Center
CC - 200
CC - 360
Neighborhood
Regional
Existing Strip Commercial
T2025 Classifications
Freeway
Expressway
Principal arterial
Minor arterial
Collector
T2025 UGA
City Limits
N
N 1750Rd
E 800Rd
E 700Rd
N 1500Rd
E 1900Rd
Clinton Lake
N 1200Rd
E 1400Rd
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Lawrence Douglas County Planning Department
09/29/03
BPD

(6)(b)

PUBLIC HEARING ITEM:

ITEM NO. 12: TEXT AMENDMENT TO SECTION 21-104(a), CITY/COUNTY SUBDIVISION REGULATION (BPD)

TA-05-02A-02: Text Amendment to Section 21-104(a) of the Joint City/County Subdivision Regulations to require subdivision plats within the City of Lawrence to include all contiguous land under the same ownership. Originally initiated by the Planning Commission 5/29/02 and revised on 9/25/02 to apply to only incorporated lands. *This item was deferred from the September 2002 Planning Commission Meeting.*

This item was unanimously approved by the Planning Commission on September 30, 2002. The City Commission unanimously approved the item on November 26, 2002 and the Board of County Commissioners unanimously approved it on December 11, 2002. Before the publication of the amendment, concerns were raised regarding the need to clarify what dedications a subdivider will be expected to make under this amendment.

The text in **bold** and underlined was added to the provisions of the amendment to clarify that a subdivider will only be required to dedicate necessary rights-of-way for any roads classified as an arterial, principal arterial or collector (as identified in the Transportation 2025 Major Thoroughfares Map) bordering or passing through the subdivider's property.

The text is *italicized* and **bold** has been added to the proposed text amendment after discussions with Phil Struble of Landplan Engineering, Dave Corliss - City of Lawrence Assistant City Manager, and Linda M. Finger - Lawrence Douglas County Planning Director.

PROPOSED TEXT AMENDMENTS

Proposed additions to the regulations are in bold.

21-104. APPLICABILITY.

(a) **For property in the unincorporated area of Douglas County,** after the effective date of these regulations, any owner (or owners) subdividing land or establishing any alley, street, or other property intended for public use or for the use of purchasers or owners of lots, tracts, or parcels of land fronting on or adjacent thereto, shall cause a subdivision plat to be made in accordance with these regulations unless exempted under Section 21-105 of this article. The Register of Deeds of Douglas County shall not record any plat of a subdivision until such plat bears the endorsement of the Planning Commission.

(b) For property within the incorporated city limits of Lawrence, ***no building permit shall be issued unless the property is platted. If subdivision is required then the subdividers shall plat all of their contiguously owned lands that are not platted.*** ~~***subdividing land for development that requires a building permit or for the establishment of any public street, alley, or easement, after [insert jt. Ord/Res. Number and publication date], shall be cause for the platting of all contiguously owned lands of the subdivider that are not platted***~~

~~*or were platted but are now in ownership patterns that are not congruent with the existing platted lot lines.*~~

The subdivider shall be required to provide the necessary rights-of-way *or other property interests* for any roads classified as arterials, principal arterials, or collectors as identified in the Transportation 2025 Major Thoroughfares Map that border or pass through the subdivider's property. ~~*Any additional easements and/or rights-of-way shall be provided when deemed necessary by either the subdivider or the City.*~~

This provision shall apply to all property divisions that are not exempt from the subdivision regulations, regardless of their current state of development or lack of development. Plats submitted for review shall cover all contiguously owned lands that are under the subdivider's ownership at the time of plat submittal to the Lawrence/Douglas County Planning Office for review and recommendation. The Register of Deeds of Douglas County shall not record any plat of a subdivision until such plat bears the endorsement of the Planning Commission.

(c) Article 12 of these regulations shall apply to any new building located within the plat approval jurisdiction of the City of Lawrence or Douglas County, Kansas. (Ord. 6146)

STAFF REVIEW

The proposed amendment to Section 21-104 of the joint City-County Subdivision Regulations addresses how much land a property owner in the City of Lawrence is required to plat. The proposed amendment requires a property owner to plat their entire parcel of land instead of simply platting small pieces of the property over an extended period of time.

Only property within the incorporated City Limits will be affected by the proposed amendment.

Analysis

This amendment promotes good planning practices by allowing the City to take a long-range look at the needs of the community in relation to large parcels of property. By requiring property owners to plat their entire parcel of land, the City will be able to obtain the additional rights-of-way and easements required to plan for and expand services to accommodate the growth of the community.

Property owners wishing to develop a portion of their larger parcel will still be able to do so by simply final platting one or two smaller lots and placing the larger portion of their property into a "tract" of land. By doing this the City will obtain the necessary rights-of-way and easements for infrastructure improvements and the land owner will retain the ability to reserve development of the larger property while obtaining permission to develop smaller sections of their property. When the property owner is ready to develop the remainder of the larger portions of property, that portion platted as a "tract" of land, the property owner will be required to replat the tract into a buildable lot(s).

This amendment to the Subdivision Regulations is necessary to ensure that developing areas have been planned for public infrastructure and services necessary to support the ultimate/future growth and development of the area they are located in. Monterey Way north of Stetson Drive is a good example of where lack of a requirement to plat an entire contiguous parcel can hinder good planning and provision of services to an area. The east side of Monterey Way, though preliminarily platted, has not been final platted meaning additional road right-of-way dedication has not occurred. Development on the west side of the road significantly increases traffic on that road and therefore was required to improve the road to city standards. Without full right-of-way dedication [both sides of road], fulfilling this City requirement has delayed development of the west side of Monterey Way for nearly two years and required the city to intercede to move beyond stalemate.

Having to plat contiguous parcels or an entire tract of land under the same ownership could place a greater burden on individual property owners who are not interested in developing all of what they own at one time. However, the benefits of this approach from a City planning perspective may outweigh the increased burden to individual property owners by providing for more efficient planning and timely installations of improvements. Platting of the entire property allows the necessary infrastructure to be put in place to facilitate the continued growth of the community in an orderly fashion. The planning and platting of larger tracts of land under the same ownership would be beneficial to the long range planning for street, sewer and water line extensions as well as parks and municipal services, particularly schools and fire stations.

Currently, a number of land transfers are occurring that are in violation of the Subdivision Regulations (Sect. 21-104). This proposed amendment may increase the number of non-conforming land transfers by causing property owners to transfer ownership of large contiguous tracts to individual family members or business partners, to avoid compliance with the proposed amendment.

However, the benefits of the proposed text amendment outweigh the possible negative outcomes that may occur if this text amendment is adopted.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends forwarding a recommendation for approval of the proposed text amendment to County Commission and the City Commission.