

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

ADDRESSING THE COMMISSION: Public comment will be taken for each regular agenda item as each item is discussed. Individuals will be limited to one comment per agenda item.

Individuals are asked to come to the microphone, sign in, and state their name. We ask that you sign in so that we can get the spelling of your name correct in the minutes of the meeting. Speakers should address all comments/questions to the Commission.

WEDNESDAY, JULY 17, 2019

5:30 p.m. BUSINESS MEETING

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
- (b) Consider approval of the minutes for June 12, 2019; and
- (c) Accounts payable.

REGULAR AGENDA

- (2) **CUP-19-00219**: Consider a Conditional Use Permit for EZ Storage, a Boat Storage and Mini-Storage facility, located at 1803 E 1200 Rd. Submitted by Anthony Fanello, property owner of record.(Mary Miller)
- (3) Continued discussion on the 2020 Budget. *No backup material provided.*
- (4) Executive session to discuss personnel matters of non-elected personnel.
- (5) General Public Comment
General Public Comment will be at the end of each meeting with a limit of one comment per person and keep their comments brief. Individuals may not give unused time to other speakers. As a general practice, the Commission will not discuss/debate these items, nor will the Commission make decisions on items presented during this time, rather they will refer the items to staff for follow up, if necessary.
- (6) Committee Reports
- (7) Commissioner and/or Administrator Miscellaneous
- (8) Adjourn

WEDNESDAY, JULY 24, 2019

- No Work Session
- Township for Cereal Malt Beverage License

WEDNESDAY, JULY 31, 2019

WEDNESDAY, AUGUST 7, 2019 - cancelled

WEDNESDAY, AUGUST 14, 2019

- Cereal Malt Beverage Resolution for License

WEDNESDAY, AUGUST 21, 2019

WEDNESDAY, AUGUST 28, 2019

- Proclamation for "First Responders Appreciation Month"

WEDNESDAY, OCTOBER 2, 2019- cancelled

Note: *The Douglas County Commission meets regularly on Wednesdays at 5:30 p.m., and at 4:00 p.m. for Work Sessions as needed. Meetings are held at the Douglas County Courthouse (2nd Floor) at 1100 Massachusetts Street, Lawrence, KS 66044. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
6/26/2019

CONDITIONAL USE PERMIT FOR EZ STORAGE; 1803 E. 1200 ROAD

CUP-19-00219: Consider a conditional use permit for a *Boat Storage* and *Mini-Storage* facility, located on approximately 28.68 acres at 1803 E. 1200 Road. Submitted by Anthony Fanello, property owner of record.

STAFF RECOMMENDATION: Staff recommends forwarding the conditional use permit for a *Boat Storage* and *Mini-Storage* facility to the Board of County Commissioners with a recommendation for approval based on the findings of fact found in the body of the staff report and subject to the following conditions:

- 1) The applicant shall provide an executed annexation agreement, including consent to annexation, to the Planning Office prior to the release of the conditional use site plan to the Zoning and Codes Office for processing of building permits.
- 2) The access point on E. 1200 Road will be revised, if necessary, to meet Wakarusa Township requirements and a revised plan reflecting these changes will be provided to the Planning Office prior to the release of the plan to the Zoning and Codes Office.

Applicant's reason for request:

"Owner was unable to construct a second home on the property per Horizon 2020 and future zoning. Owners desire to still use property and meet future zoning established for the site. The owner determined that a mini-storage facility would meet all of these requirements."

KEY POINT

- The property is located within the urban growth area (UGA) of the City of Lawrence. Land divisions for residential development in the UGA require approval of a Cluster Development Certificate of Survey, Section 20-804 of the Subdivision Regulations. One of the criteria for review of a cluster certificate of survey is: *"The proposed residential development parcels and all other aspects of the proposed certificate of survey conform with the current comprehensive plan of Lawrence and Douglas County, or, where applicable, the comprehensive plan of another city in Douglas County."*

The property is located within the boundary of the *K-10 and Farmer's Turnpike Plan*, included with this report as Attachment A. The plan recommends 'Office/Research' as a future land use for the subject property and lists the following as appropriate uses: offices, research services, manufacturing and production limited and technology, light wholesale, storage, and distribution. The property cannot be developed with a residence, as that would require a land division and a finding that the proposed residential use is in compliance with the comprehensive plan. The proposed uses: *Boat Storage* and *Mini- or Self-Storage*, are seen as transitional or placeholder uses as their infrastructure requirements are limited and they could be converted to a more intensive office, manufacturing, research, or storage use when the property is annexed into the city. These uses would be compliant with the recommendations in the *K-10 and Farmer's Turnpike Plan*.

OTHER ACTION REQUIRED

- Approval of conditional use permit by the Board of County Commissioners.
- Applicant shall obtain a permit for the conditional use and a building permit for the new building from the Zoning and Codes Office prior to construction.

PUBLIC COMMENT

- Relatives of the property owner to the north stopped in to discuss the proposed facility to determine if there would be a negative impact on her parents. They were concerned primarily with lights and increased traffic on E. 1200 Road.
- A letter provided to the Planning Office expressed opposition to the project based on concerns with the impact on the rural character of the area and the increase in traffic on N. 1800 Road. This letter is included with this report as Attachment A.

Project Summary:

The subject property contains approximately 28.68 acres. The western portion of the property contains floodway, floodplain, and high quality agricultural soils while the eastern portion contains a residence and agricultural uses. The storage facility would be located in the southeast corner of the property and would not impact the environmentally sensitive lands or the high quality agricultural soils. The storage facility would be located approximately 121 feet from the south property line adjacent to N. 1800 Road/Farmer's Turnpike and approximately 47 feet from E. 1200 Road right-of-way. The conditional use permit will apply to approximately 9 acres of the property, as shown in Figure 1.



Figure 1a. General outline of storage areas in red. Current area is dotted. Yellow highlighted area denotes high quality soils.



Figure 1b. Red area is floodway and pink is floodplain.

The plan shows three buildings (40 feet by 200 feet or 8,000 square feet) for the mini- or self-storage facility and a total of 76 boat and RV spaces in the first phase: 6 spaces (15 feet by 30 feet), 15 spaces (14 feet by 30 feet) and 55 spaces (10 feet by 20 feet). Three additional 40 foot x 200 foot (8,000 square feet) self-storage buildings are shown as phase two. The second phase is included on this conditional use permit; however, a site plan would need to be submitted prior to the construction of the additional buildings to insure compliance with code and compatibility with nearby land uses.

The property currently has 2 access points serving a circular driveway. These access points will be closed with this application and a new, wider access point will be installed in the same general location to serve the property.

I. ZONING AND LAND USES OF SURROUNDING PROPERTIES

Current Zoning and Land use

A (Agricultural) District with F-W (Floodway) and F-F (Floodway Fringe) Overlay Districts; *Residential Detached Dwelling, Agriculture*, and wooded stream corridor.

Surrounding Zoning and Land Use

To the north, west, and south: A (Agricultural) District with F-W (Floodway) and F-F (Floodway Fringe) Overlay Districts; *Residential Detached Dwelling, Agriculture*, and wooded stream corridor.

To the east: A-1 (Suburban Home Residential) District with the F-F (Floodway Fringe Overlay) District to the west; *Single Family Dwellings* and woodland.

To the east: I-3 (*Heavy Industrial*) District; *Agriculture, Public Utility*, Rural Water District Pump Station, and wooded stream corridor (Figure 2)

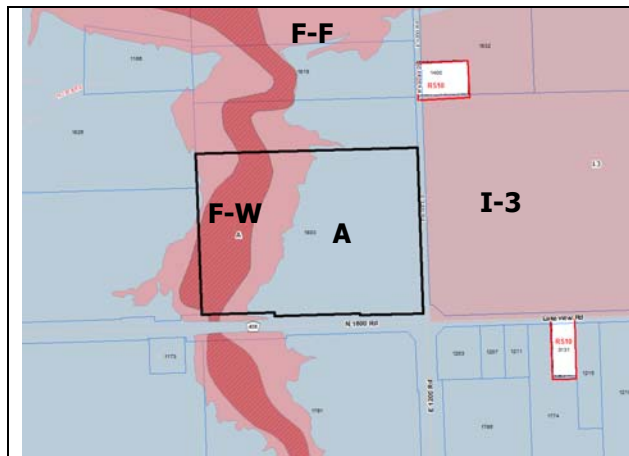


Figure 2a. Zoning in the area. White areas have been annexed into the city limits and are zoned RS10 (City-Single-Dwelling Residential) District. (Subject property outlined)



Figure 2b. Land use/development in the area.

Staff Finding – Zoning in the area is split, with agricultural zoning west of E. 1200 Road and industrial zoning to the east. Two nearby residential properties which were annexed into the City of Lawrence were assigned single dwelling residential zoning until development is proposed. The floodplain overlay district cuts through the area north/south along the west

border of the subject property. The area is primarily agricultural in nature, with small rural residential parcels located along N. 1800 Road/ County Route 438. The proposed use would be compatible with the industrial and agricultural uses and zoning. The facility could have a visual impact and should be oriented and designed to minimize any negative impacts on nearby residential land uses.

II. CHARACTER OF THE AREA

The area is the N. 1800 Road/County Route 438 corridor, commonly referred to as the Farmer's Turnpike. Interstate 70 makes up the southern boundary of the area; however, access is not provided to the turnpike in this area. The Kansas River makes up the northern boundary and the area ends at E. 1125 Road on the west and N. Iowa Street (extended) on the east. (Figure 3) Industrial uses are located to the east of E. 1200 Road with the Westar facility approved with a conditional use permit in the unincorporated portion of the county and the Lawrence Paper Company and K-Mart Distribution Center approved with site plans within the city limits. Two lots, one on N. 1800 Road/ County Route 438 and one on E. 1200 Road, were annexed into the city limits in 1981. The City Commission minutes do not reflect the reasoning for these annexations.

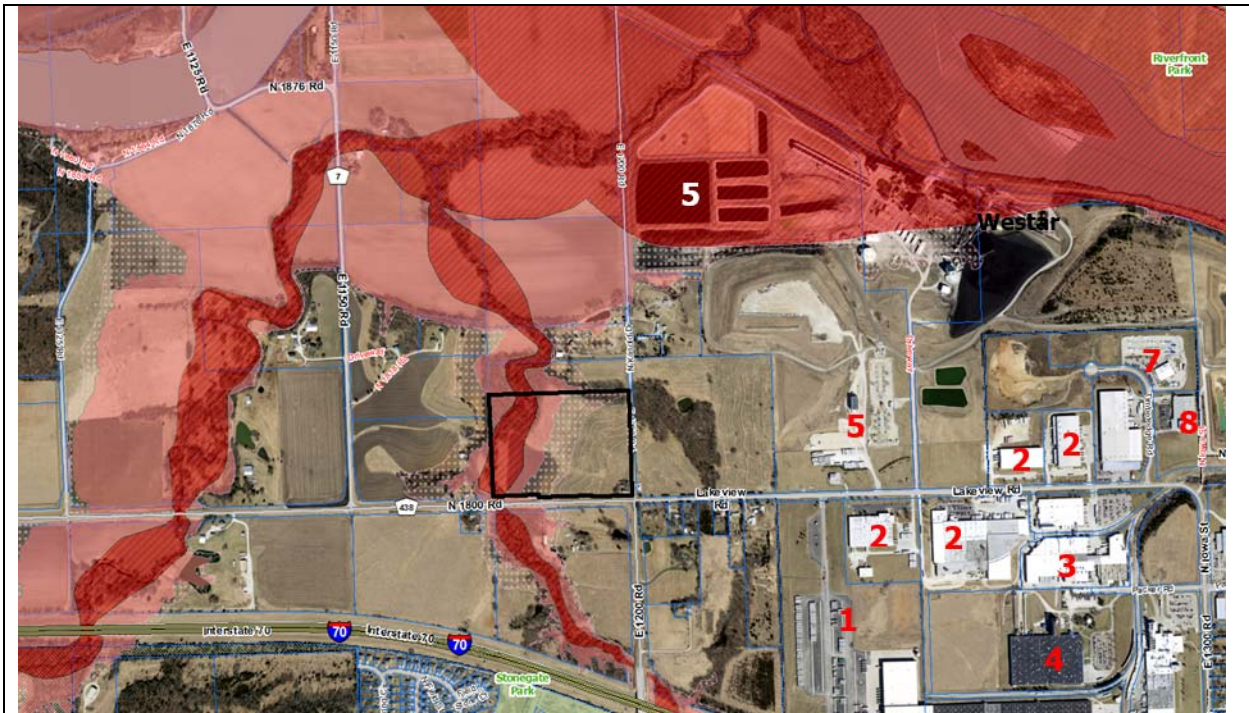


Figure 3. Character of the area. The Kansas River and associated floodplain is located along the north of the area. Streams and floodplain are located west of E. 1200 Road along with agricultural and residential land uses. Industrial uses, listed below, are located east of E. 1200 Road with some rural residences located on the south side of N. 1800 Road/County Route 438.

- | | |
|------------------------------|-------------------------|
| 1. Kmart Distribution Center | 5. Westar Energy |
| 2. Lawrence Paper Company | 6. Standard Beverage |
| 3. Berry Plastics | 7. City/KU Bus Facility |
| 4. Shlumberger Technology | 8. Reuter Pipe Organ |

The area has access to the higher classification road network. It is transacted east/west by N. 1800 Road/County Route 438, a minor arterial commonly known as 'Farmer's Turnpike'. E. 1200

Road, south of N. 1800 Road, is classified as a principal arterial and E. 1150 Road, to the west of the subject property, is classified as a major collector. (Figure 4)

Staff Finding – The area contains a mix of urban and rural uses with the dividing line being generally E. 1200 Road. Industrial zoning and land uses are located to the east of E. 1200 Road, with some residential uses along N. 1800 Road/County Route 438 and agricultural and residential uses are located primarily to the west of E. 1200 Road. Higher classification roadways access this area with N. 1800 Road/County Route 438 providing a connection through the area from east to west and E. 1150 Road and E.1200 Road, south of N. 1800 Road, providing north/south access.

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

Applicant's Response:

"With the site located in the Service Area 4 with a future land use of Office Research per Horizon 2020 the proposed facility will be in line with the City's vision upon annexation of this property."

Staff Finding – The subject property is well suited to agricultural use and has been used for agriculture. The property owner originally inquired about dividing the land and building another residence, but this did not comply with the recommendations in the approved long range plan which will be discussed in Section VII of this report. *Boat Storage* and *Mini- or Self-Storage* uses are permitted in the A District when approved with a conditional use permit. The property, with its access to the higher classification road system, is suitable for the proposed storage use.

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

Staff Finding – This property is not vacant. The Douglas County Appraisers records note that the residence was built in 1900.

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

Applicant's response:

"This property is border property between Residential, Industrial, and Agricultural. The proposed site plan places the mini storage area away from the Agricultural and residential uses with natural boundaries in place. The existing floodway, tree line and contour of the land create these boundaries."

The proposal is evaluated below with the standards for mini-or self-storage facilities provided in Section 12-319-4.34 of the Zoning Regulations.

Mini-or self-storage facility standards with staff discussion following in *italics*:

- a. Must be located in an Urban Growth Area.
 - *The subject property is located within the City of Lawrence's Urban Growth Area.*
- b. Must take direct access from a paved road classified as collector or higher.
 - *The facility will take access to E. 1200 Road, which is classified as a local road in the Douglas County Access Management Map. While the standards were written to encourage direct access to collector or higher classification roads, direct access to N.*

1800 Road is not permitted for safety reasons. Taking access from a local road within close proximity of the intersection of a minor or principal arterial, N. 1800 Road/County Route 438 and E. 1200 Road to the south, provides good transportation network for traffic to the site and also provides an access area that will not result in traffic backing up on N. 1800 Road. Considering that traffic may consist of boats, RVs, or trailers, having an access set back from the main road will allow for turning movements to occur into the facility without creating an issue on the higher classification of roads. Wakarusa Township approved of the use of E. 1200 Road on the condition that the access to the facility was 40 to 50 feet wide to allow turning movements of vehicles without compromising the township road edge. The revised plan shows a 45 foot wide access and has been submitted to the township for review. If the township requires any revisions to the access to accommodate the vehicles without compromising their roadway, these changes will be made prior to the release of the plan to the Zoning and Codes Office.

- c. Security fencing and lighting must be provided for the entire facility. Security fencing is fencing which permits visibility while obstructing access. An example would be a 6 foot high chain link fence.
 - *The facility will be fenced with 6 foot tall chain link fencing and security lighting will be provided.*
- d. All outdoor lights shall, to the maximum extent feasible, confine emitted light on the property on which the light is located and not be directed upwards toward the sky. All lights are to be shielded to reflect or direct light away from adjoining property but may be of sufficient intensity to discourage vandalism and theft.

The following light limits apply:

 - 1. 0.2 foot-candles or less, if adjacent to a residentially zoned property.
 - 2. 3.0 foot-candles or less, if adjacent to a non-residentially zoned property.
 - 3. 1 foot-candle or less, if adjacent to a road right-of-way.
 - *The photometric plan, sheet 2 of the site plan, shows that full cut-off fixtures will be used for both the pole mounted and building mounted lights, which should prevent glare. The lighting levels at the property line comply with these standards.*
- e. Screening must be provided on any side which abuts a residentially zoned district or a property containing a residence with a view reducing wall, fence, berm, landscaping materials, or a combination.
 - *The plan shows existing stands of trees along the north and west side of the property. This should adequately screen the facility from residentially developed properties to the north; however, the plan notes that, in the event that the existing trees and undergrowth shown along the north and west side of the property are damaged or removed to the point that they no longer provide an adequate buffer for the existing residences to the north and west, additional plantings will be added as required by the Director of Zoning and Codes.*
- f. Access way width must be a minimum of 20 feet for one-way traffic and 25 feet for two-way traffic to allow parking within the drive aisles.
 - *All access ways within the facility are 25 feet wide.*

- g. Off-street parking shall be required on the basis of one space for each 8,000 square feet of floor area in the facility, plus one space for each employee; but in no case shall the number be less than five spaces.
- As shown in the following table, the parking provided exceeds that required by Code which will provide additional parking for the boat storage use.

	Requirement	Parking Required	Parking Provided
Mini-Storage	1 space per 8,000 square feet plus 1 space per employee, minimum of 5 spaces	24,000 square feet of floor area= 3 spaces 2 employees=2 spaces Total 5 parking spaces	8 spaces (including one ADA accessible space)
ADA Parking	1 space required for parking areas with up to 25 parking spaces	1 space	1 space

- h. All storage will be kept within an enclosed building, unless a portion is designated for covered (non-enclosed) or exterior vehicle storage. This area may be used for storage of trucks, automobiles, trailers, boats, or RVs. Exterior storage of unregistered and/or disassembled vehicles is prohibited. Access ways and individual spaces must be shown on the plan and designated on the site. One vehicle and trailer will be permitted per stall. Any covered (non-enclosed) or exterior vehicle storage must be screened from adjacent public roads, residentially zoned properties, or a property containing a residence with a view reducing wall, fence, landscaping materials, or a combination of these measures.

- All storage will be within enclosed buildings with the exception of the boat and RV storage marked on the plan. This storage will be located in front of the mini-storage buildings along E. 1200 Road. Landscape screening, in the form of evergreen trees on 8 foot centers, is proposed along the north and east side of this exterior storage area. Landscape screening is also proposed along the southern side of the mini-storage facility which would be visible from N. 1800 Road. Per code, evergreen trees used for landscaping should be 6 to 8 feet (balled and burlapped). Landscaping is not proposed along the south side of the boat/RV storage area as the existing buildings will provide adequate screening from the south. (Figure 4)

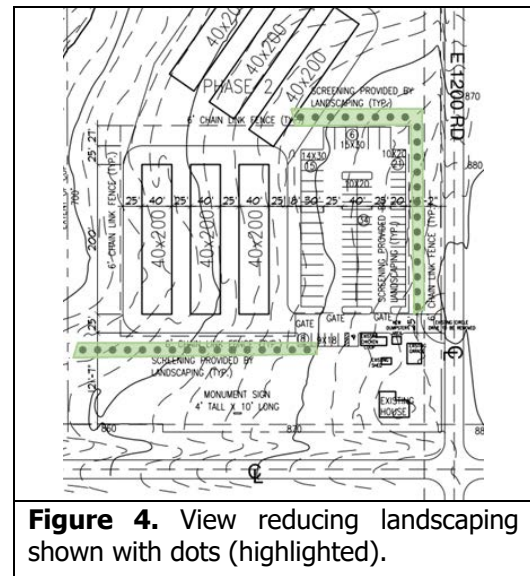


Figure 4. View reducing landscaping shown with dots (highlighted).

- i. Activities which are prohibited on the premises include miscellaneous or garage sales, commercial shipping and receiving, and the servicing or repair of motor vehicles, boats, trailers, lawn mowers, and other similar equipment. Storage spaces shall not be used for storage of commercial or industrial trucks and/or trailers, workshops, hobby shops, manufacturing or similar uses. Human occupancy shall be limited to that required to transport, arrange, and maintain stored materials.
- This requirement is noted on the plan.

- j. The area shall be properly policed by the owner or operator for removal of trash and debris.
 - *This requirement is noted on the plan.*

Staff Finding – The standards for the mini-storage use provided in the Zoning Regulations are intended to facilitate the operation of the facility and to minimize the impact on nearby properties. The proposed facility is compliant with these standards and should not detrimentally affect nearby properties. The visual impact of the exterior boat and RV storage will be reduced with the existing and proposed landscaping.

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

Applicant's response:

"The current home is unoccupied. The project will bring a permanent resident to the property. The mini-storage will provide service to the surrounding residences. The mini-storage facility is also a lesser intense use than those allowed by the Office Research Zoning."

Evaluation of these criteria includes weighing the benefits the denial of the rezoning request would provide for the public versus the hardship the denial would impose on the owner of the subject property. Benefits are measured based on the anticipated impacts of the rezoning request on the public health, safety, and welfare.

Approval of the conditional use permit application would allow the property to be used in accordance with the recommendations of the adopted land use plan for the area, the *K-10 and Farmer's Turnpike Plan*. Denial of the application would require the land owner to pursue other uses that are permitted in the 'Office Research' designation recommended in the plan or to seek an amendment to the *K-10 and Farmer's Turnpike Plan*, which is incorporated in the comprehensive plan, to revise the recommended uses for this property. If the comprehensive plan were amended so that other uses were recommended for this property, the property owner would have other development options.

As the facility is compliant with the standards set for the *Mini- or Self-Storage* use, it is expected to be compatible with the character of the area which contains a mix of agricultural and industrial uses.

Staff Finding – As the facility is compliant with the standards established in the Zoning Regulations for a *Mini- or Self-Storage* use and is compatible with the character of the area, little benefit would be gained from the denial of the application. The hardship for the applicant would be the need to pursue another, perhaps a more intrusive use, permitted in the 'Office/Research' land use category recommended in the *K-10 and Farmer's Turnpike Plan* or to submit an application for an amendment to the plan to revise the land use recommendations.

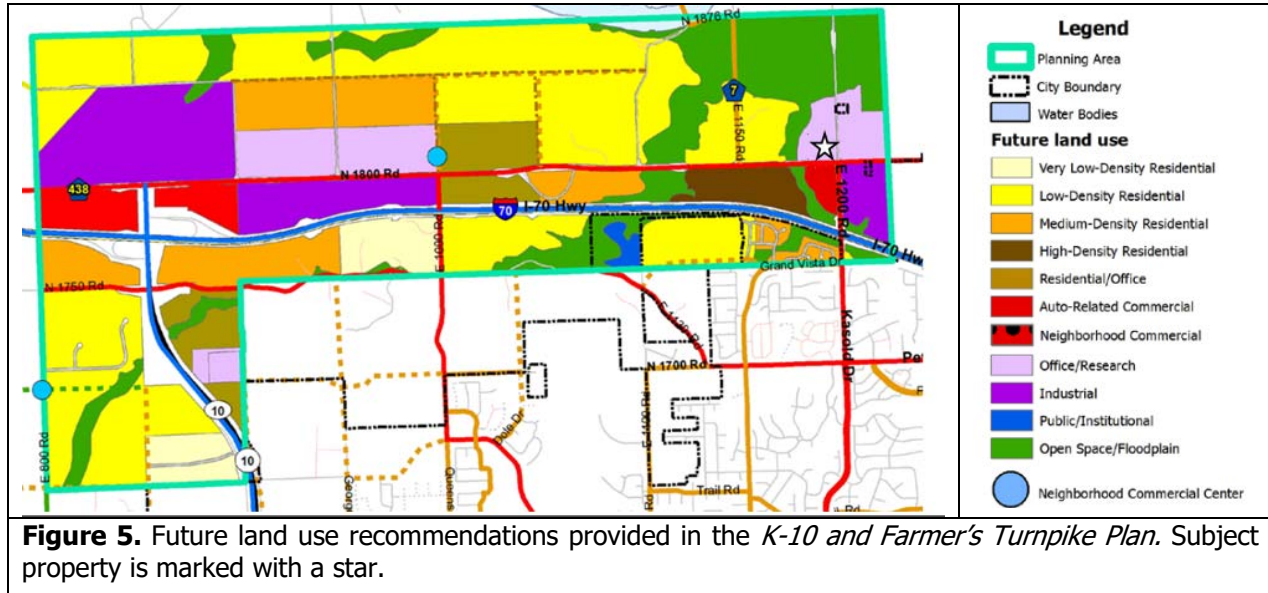
VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response:

"The property will be in line with the proposed use of Office Research."

The adopted long range land use plan for this area, the *K-10 and Farmer's Turnpike Plan*, is incorporated into the comprehensive plan. When property in the urban growth area is located

within an area which has been included in a long range area plan, the proposed uses are evaluated for compliance with the recommendations in the plan. This will prevent the property from being developed prematurely with uses that would become nonconforming when annexed into the city, or that could create discord with other land uses recommended in the plan. The long range plan is a part of *Horizon 2020, the Comprehensive Plan for Lawrence and Unincorporated Douglas County*. Compliance with the comprehensive plan, in this case, includes compliance with the adopted area plan.



The plan identifies this area for 'Office/Research' land uses. The floodplain and stream corridor to the west provide a natural division between the industrial and commercial land uses and the residential uses recommended to the west. (Figure y)

Section 3.2.1.7 of the *K-10 and Farmer's Turnpike Plan* notes the type of businesses that are recommended for the 'Office/Research' use. These include businesses that are involved in technology, research, and scientific-related activities and/or office, office research activities. Light manufacturing and production uses are also acceptable within this category. The plan recommends the property be zoned IBP (Industrial Business Park) or IL (Limited Industrial) when it is annexed into the city and recommends the following primary uses: Professional offices, research services, manufacturing and production limited and technology, light wholesale, storage and distribution. The City of Lawrence's Land Development Code defines *Light Wholesale, Storage, and Distribution* as "Wholesaling, storage, and warehousing services within enclosed structures. Typical uses include wholesale distributors, storage warehouses and moving and storage firms."

The mini-storage facility meets this definition. The boat storage use does not meet this definition; however, as few improvements are required to accommodate the boat storage use, it could be a temporary use that would be changed when the property is annexed into the city. Boat and RV storage is a permitted use in the city IL (Limited Industrial) District so the use could also remain following annexation.

The comprehensive plan recommends the protection of high quality agricultural soils (Chapter 16, Policy 2.7; page 16-15) and floodplain (Chapter 16, Policy 1.6, Page 16-6). High quality

agricultural soils and floodplain are present on the western portion of this property, which is not included in the conditional use permit application (Figure 1).

The Growth Management policies in Chapter 4 of *Horizon 2020* encourage annexation of land prior to urban densities of development but notes that annexation should occur only when infrastructure is in place to serve the development. A use that is permitted in the rural portion of the county is being proposed for this property because infrastructure necessary to accommodate annexation is not currently in place. Additional development in the area may result in the extension of infrastructure and it may be appropriate for the property to annex into the city at that time. An annexation agreement and consent to annex should be executed for the subject property with this conditional use permit.

Staff Finding –The conditional use permit is in conformance with the recommendations in the comprehensive plan, including the specific future land use recommendations in the adopted area plan.

VIII. PROFESSIONAL STAFF RECOMENDATION

Staff recommends approval of the conditional use permit subject to the condition that an annexation agreement and consent to annex be executed and submitted to the Planning Office. This will facilitate annexation when infrastructure has been extended to the area and annexation is desired and determined to be appropriate.

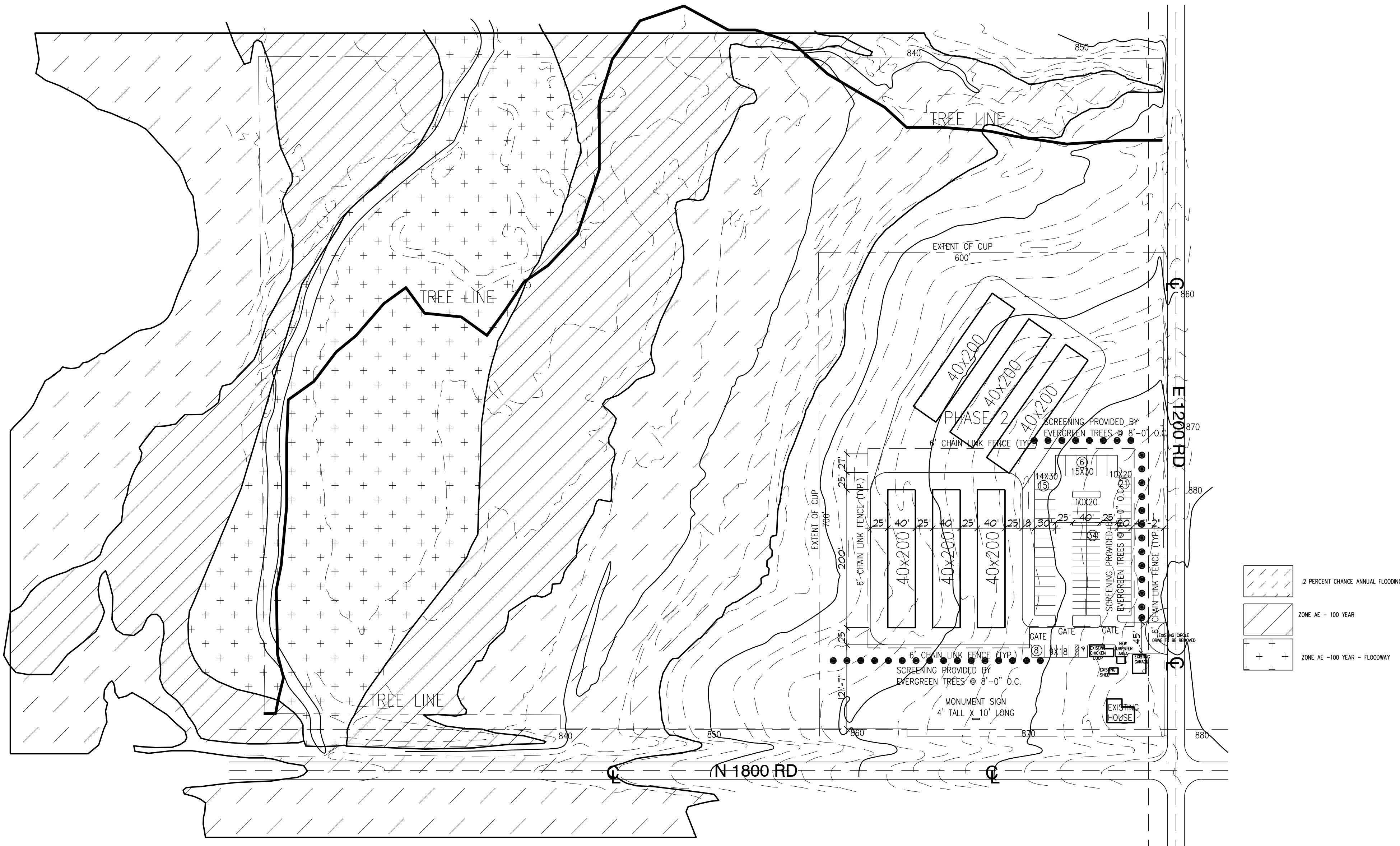
DATE PRINTED: Wednesday, June 12, 2019
LAST SAVED: Wednesday, June 12, 2019
PRINTED BY: Adams Architects pc

D

C

B

A



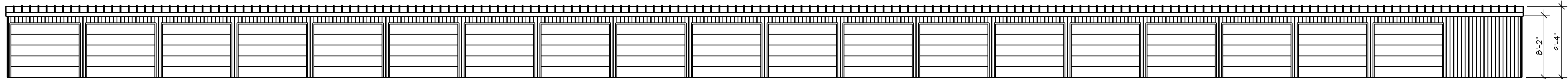
Site Plan

Scale : 1" = 100'

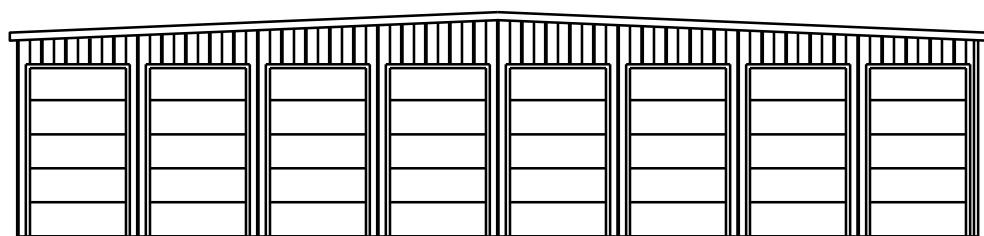


Vicinity Map

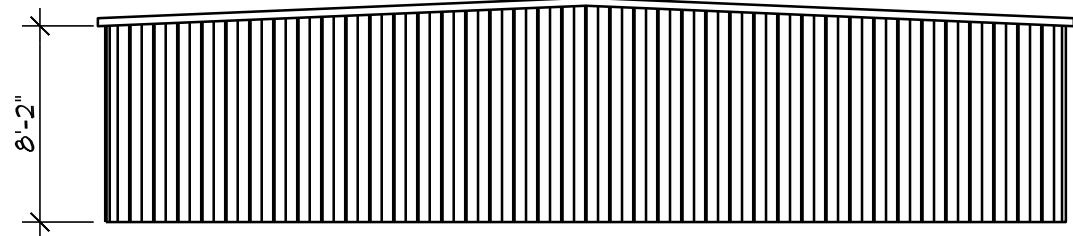
Scale : 1" = 500'



BUILDING ELEVATION (TYP.)



BUILDING END ELEVATION (TYP.)



BUILDING ELEVATION TO 1800 RD (TYP.)

BUILDING ELEVATIONS

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

GENERAL NOTES:

1. TOPOGRAPHIC INFORMATION SHOWN HEREON WAS DERIVED FROM DOUGLAS COUNTY AERIAL PHOTOGRAPHY AND LIDAR DATA.
2. THIS DOCUMENT IS FOR PLAN APPROVAL ONLY, NOT FOR CONSTRUCTION.
3. ACTIVITIES WHICH ARE PROHIBITED ON THE PREMISES INCLUDE MISCELLANEOUS OR GARAGE SALES, COMMERCIAL SHIPPING AND OR RECEIVING, AND THE SERVICING OR REPAIR OF MOTOR VEHICLES, BOATS, TRAILERS, LAWN MOWERS AND OTHER SIMILAR EQUIPMENT. STORAGE SPACES SHALL NOT BE USED FOR STORAGE OF COMMERCIAL OR INDUSTRIAL TRUCKS AND /OR TRAILERS, WORKSHOPS, HOBBY SHOPS, MANUFACTURING OR SIMILAR USES. HUMAN OCCUPANCY SHALL BE LIMITED TO THAT REQUIRED TO TRANSPORT, ARRANGE, AND MAINTAIN STORED MATERIALS EXCEPT FOR THE OFFICE/EXISTING HOME.
4. THE AREA SHALL BE PROPERLY POLICED BY THE OWNER OR OPERATOR FOR THE REMOVAL OF TRASH AND DEBRIS.
5. THE EXTERIOR STORAGE AREA PORTION IS DESIGNATED FOR VEHICLE STORAGE. THIS AREA MAY BE USED FOR STORAGE OF TRUCKS, AUTOMOBILES, TRAILERS, BOATS, PERSONAL WATERCRAFTS AND RVs. EXTERIOR STORAGE OF UNREGISTERED AND/OR DISASSEMBLED VEHICLES IS PROHIBITED.. ACCESS WAYS AND INDIVIDUAL SPACES MUST BE DESIGNATED ON THE SITE. ONE VEHICLE AND TRAILER WILL BE PERMITTED PER STALL. ANY EXTERIOR VEHICLE STORAGE MUST BE SCREENED FROM ADJACENT PUBLIC ROADS, RESIDENTIALLY ZONED PROPERTIES OR A COMBINATION OF THESE MEASURES.
6. ENTRY/EXIT GATES WILL BE CONTROLLED BY A KEYLESS KEYPAD ENTRY AND EXIT SYSTEM.
7. SIGNAGE WILL BE APPROVED BY A SEPARATE PERMIT AND IS NOT PART OF THIS CUP PROCESS.
8. ACCESS WAY WIDTHS MUST BE 20' FOR ONE-WAY TRAFFIC AND 25' FOR TWO-WAY TRAFFIC (TO ALLOW PARKING WITH IN DRIVE AISLES)
9. SCREENING MUST BE PROVIDED ON ANY SIDE WHICH ABUTS A RESIDENTIALLY ZONED DISTRICT OR A PROPERTY CONTAINING A RESIDENCE WITH IN A VIEW REDUCING WALL, FENCE, BERM, LANDSCAPING MATERIALS OR A COMBINATION.
10. DUMPSTER ENCLOSURE IS 10' X 10' AND IS DEFINED BY A 6' WOOD FENCE.
11. IN THE EVENT THAT THE EXISTING TREES AND UNDERGROWTH SHOWN ALONG THE NORTH AND WEST SIDE OF THE PROPERTY ARE DAMAGED OR REMOVED TO THE POINT THAT THEY NO LONGER PROVIDE AN ADEQUATE BUFFER FOR THE EXISTING RESIDENCES TO THE NORTH AND WEST, ADDITIONAL PLANTINGS WILL BE ADDED AS REQUIRED BY THE DIRECTOR OF ZONING AND CODES.

BUILDING INFORMATION:

EXISTING HOME AND OUT BUILDINGS TO REMAIN.
EXISTING GARAGE TO BE CONVERTED TO AN OFFICE STRUCTURE FOR THE MINI STORAGE.
THE EXISTING HOUSE WILL BE USED AS THE RESIDENCE FOR THE MANAGER.
MINI STORAGE BUILDINGS WILL BE BUILT IN PHASES.
PHASE 1 CONTAINS 3 BUILDINGS AND EXTERIOR PARKING SPACES.
EACH BUILDING IS 40' X 200' = 8,000 SQ. FEET.
THE TOTAL PARKING REQUIRED IS 1 SPACE FOR EACH 8,000 SQUARE FEET OF FLOOR AREA IN THE FACILITY, PLUS ONE SPACE FOR EACH EMPLOYEE, BUT IN NO CASE SHALL THE PARKING BE LESS THAN 5 SPACES.
PARKING SPACES REQUIRED = 8 SPACES. ON SPACE SHALL BE HANDICAP ACCESSIBLE.

LEGAL DESCRIPTION:

28.88 ACRES TRACT IN SE/4 15-12-19 DESCRIBED AS: BEG AT SE CORNER SE 1/4 SD SEC, THEN N80DEG00'00"W ALONG S LINE OF SE 1/4 SEC 15 1318.64 FT TO SW CORNER SE 1/4 SE, 1/4 OF SD SEC, THEN N00DEG34'48"W ALONG W LINE SE 1/4 SE 1/4 SD SEC 1024.77 FT, THEN S80DEG56'58"E 119.97 FT TO E LINE SE 1/4 SEC 15, THEN S00DEG30'22"E ALONG E LINE OF SE 1/4 SD SEC 1023.58 FT TO POINT BEGINNING (800567 SPLIT 2016)

C19.028.03
CONDITIONAL
USE
PERMIT
EZ Storage
1803 E 1200 Road
Lawrence, Kansas

ADAMS
ARCHITECTS
700 Massachusetts St.
Suite 202
Lawrence, Kansas 66044
(785) 218-3980
www.adamsarchs.com

APPROVED BY:

Name: - - - Date: - - - - -
Name: - - - Date: - - - - -
Name: - - - Date: - - - - -

UNLESS A
PROFESSIONAL
SEAL WITH
SIGNATURE AND
DATE IS AFFIXED,
THIS DOCUMENT IS
PRELIMINARY AND
IS NOT INTENDED
FOR CONSTRUCTION.

REVISIONS

x	Comment: Per County Review
Date:	6-4-19
Comment: Per County Review	
Date:	6-12-19
Comment:	
Date:	
Comment:	
Date:	

Rel. Date: 4-22-19

CONDITIONAL
USE PERMIT
DOCUMENT

C100

© 2019 Adams Architects, LLC

K-10 & Farmer's Turnpike Plan

Lawrence-Douglas County Planning Office

Adopted:	Lawrence-Douglas County Planning Commission	11/17/08
	Lawrence City Commission	12/9/08
	Douglas County Board of County Commissioners	1/7/09

Amended:	Lawrence-Douglas County Planning Commission	3/21/16
	Lawrence City Commission	4/19/16
	Douglas County Board of County Commissioners	4/20/16



Table of Contents

	Page
Section 1 Introduction	
Purpose	1-1
Description of Planning Area	1-2
Background.....	1-5
Industrial and Employment Related Development.....	1-6
Policy Framework	1-7
Section 2 Existing Conditions	
Land Uses.....	2-1
Zoning Patterns.....	2-4
Infrastructure.....	2-6
Environmental Conditions	2-14
Community Facilities.....	2-19
Section 3 Recommendations	
Goals and Policies	3-1
Land Use	3-6
Implementation.....	3-12

List of Tables

Table 2-1	Existing Land Use Summary	2-1
Table 2-2	County Zoning Classifications	2-4
Table 2-3	City Zoning Classifications.....	2-4

List of Maps

Map 1-1	Planning Area Boundary in Relation to Lawrence	1-3
Map 1-2	Planning Area Boundary and Parcels.....	1-4
Map 2-1	Existing Land Use	2-2
Map 2-2	Existing Zoning	2-5
Map 2-3	Existing Water Facilities	2-7
Map 2-4	Existing Wastewater & Stormwater Infrastructure	2-8
Map 2-5	Existing Gas & Electric Utilities Infrastructure	2-9
Map 2-6	Existing Street Classifications	2-12
Map 2-7	Existing and Future Bicycle Facilities	2-13
Map 2-8	Watersheds, Streams & Floodplain	2-15
Map 2-9	Land Cover	2-16
Map 2-10	Contours.....	2-17
Map 2-11	Steep Slopes.....	2-18
Map 2-12	Community Facilities.....	2-20
Map 3-1	Future Land Use.....	3-11

Section 1: Introduction

1.1 Purpose

The purpose of the *K-10 & Farmer's Turnpike Plan* is to outline specific land use goals, policies and recommendations for the planning area shown on Map 1-1, while being consistent with the overall adopted comprehensive plan for the community. Portions of the planning area are adjacent to the city of Lawrence and because of its proximity to the city and interstate highways, it is likely to be an area of intense development pressure. The plan outlines future land uses for the planning area to be used as a guide for urban development only after annexation into the city of Lawrence occurs. This plan does not annex property nor does it rezone property upon adoption. These types of requests are typically requested by the property owners and/or developers that have stake in such property and wish to develop within the city of Lawrence.

The plan should fit like a puzzle piece into the larger context of the surrounding street, utility, and land use network of the entire community. Logical connections between the planning area and adjacent neighborhoods are a key factor in the development of the plan. The recommendations contained within this plan are intended to guide the area's growth patterns as the development of the K-10 Highway and Farmer's Turnpike area occurs within the city of Lawrence. The plan identifies appropriate land uses along an arterial road corridor and a highway interchange that aid in meeting a recognized need for industrial/employment center opportunities that will support the general health and prosperity of the region.

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

1.2 Description of Planning Area

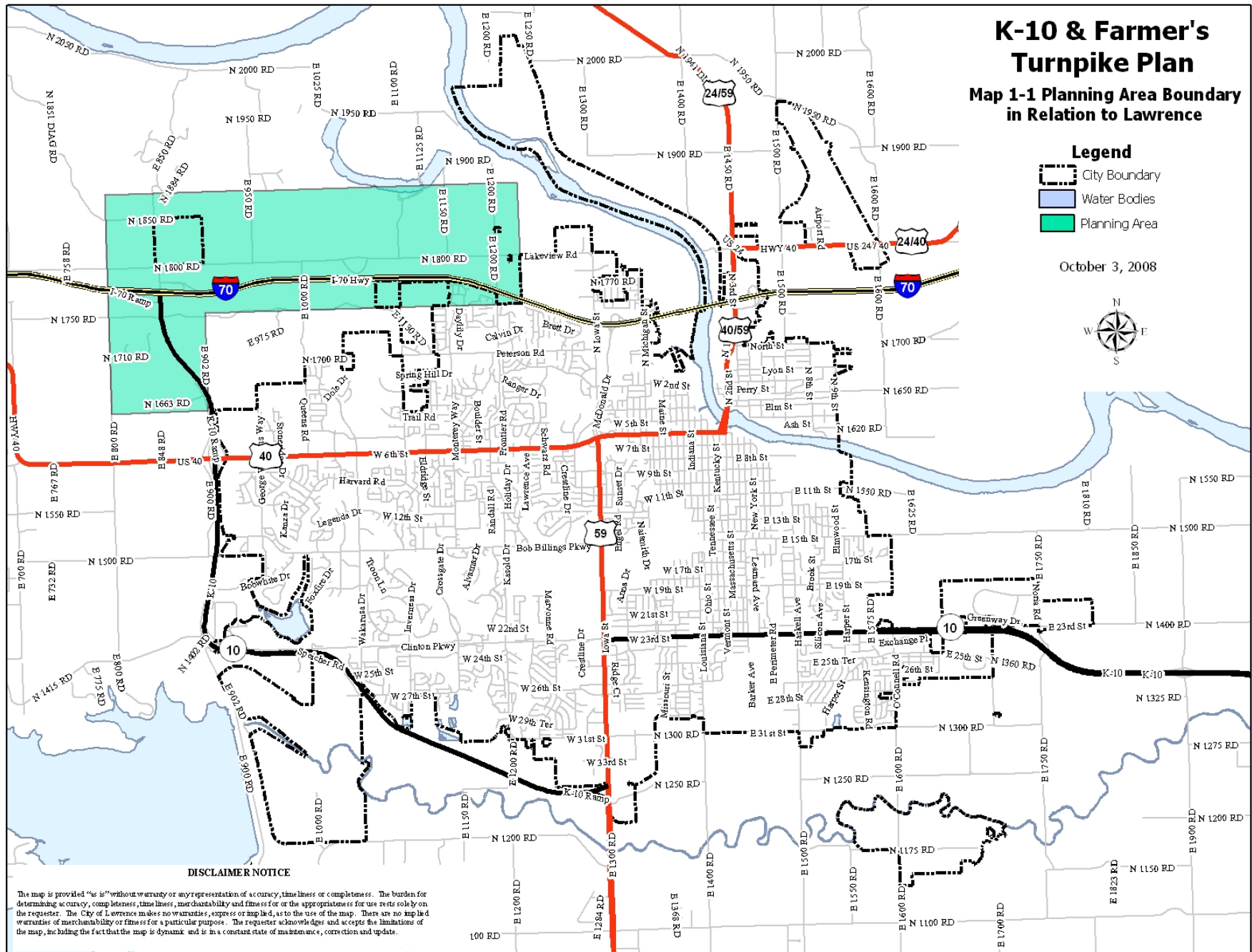
The *K-10 and Farmer's Turnpike Plan* planning area is located northwest of the city of Lawrence (see Map 1-1) and southeast of the city of Lecompton, in northern Douglas County, Kansas. The planning area contains approximately 4,075 acres and encompasses portions of Sections 17 and 18 of the Lecompton Township, portions of Sections 14, 15, 16, 21, 22, and 23 of the Wakarusa Township, and portions of Sections 19, 20, and 30 of the Kanwaka Township.

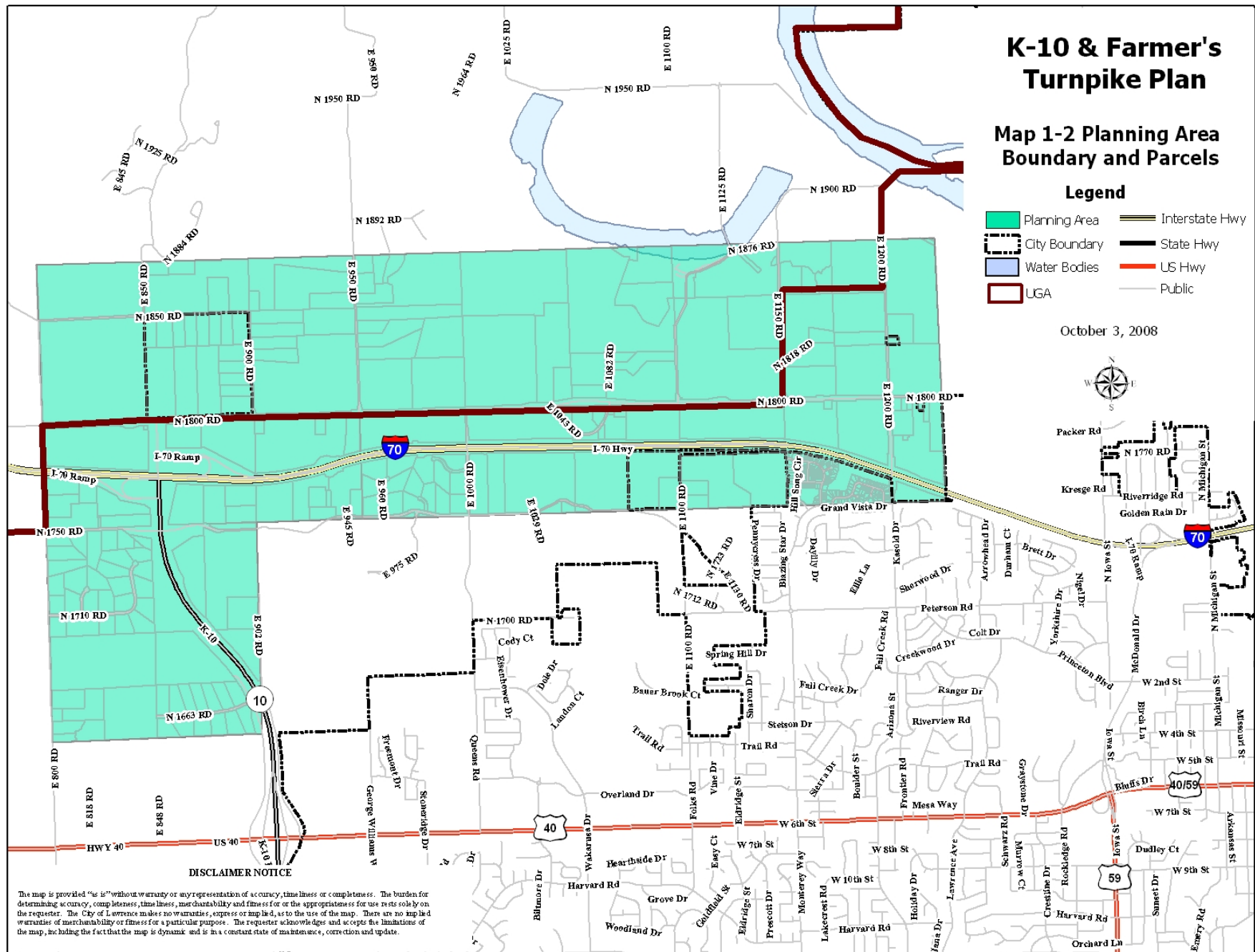
The planning area boundaries are: E 800 Road on the west, approximately $\frac{3}{4}$ of a mile north of the Farmer's Turnpike (N 1800 Road/County Hwy 438) on the north, approximately $\frac{1}{4}$ of a mile east of E 1200 Road from the north boundary to Grand Vista Drive extended on the east and E 902 Road from approximately N 1750 Road to approximately $\frac{1}{2}$ of a mile north of W. 6th Street (Hwy 40), and approximately N 1750 Road from E 902 Road to approximately $\frac{1}{4}$ of a mile east of E 1200 Road and approximately $\frac{1}{2}$ of a mile north of W. 6th Street (Hwy 40) from E 800 Road to E 900 Road on the south. See Map 1-1. Approximately half of the planning area is located outside the Lawrence Urban Growth Area (UGA), as currently identified in *Horizon 2020*. Those portions of the planning area that are located within the UGA, are located in service area 4 which is the outer most service area in *Horizon 2020*.



The dominant character of the planning area is rural in nature although a variety of uses surround the planning area. I-70 and a toll plaza are major elements within the area. North of the planning area is predominantly rural in nature with some rural residential uses and agriculture crop uses. East of the planning area is primarily industrial along with the Westar power plant. Urban density residential uses are south of the planning area, but mainly to the east. Rural uses are also south of the planning area, but the area is urbanizing from the south towards the planning area. West of the planning area is rural in nature. While the areas described are outside of the planning area boundaries, they can influence the land use development patterns within the K-10 Highway and Farmer's Turnpike area.

The planning area contains a wide range of ownership parcel sizes with the largest being approximately 186 acres to approximately 1,378 square feet. The planning area boundaries and parcel composition are illustrated in Map 1-2.





1.3 Background

The Kansas Turnpike travels through the planning area as it travels through Lawrence and Douglas County. The Kansas Turnpike is 50 years old and extends 236 miles from Kansas City, Kansas to the Oklahoma border south of Wichita. 32,755,932 vehicles traveled the Turnpike in 2006.¹ The Lecompton, Lawrence: K-10 interchange (Exit 197) opened in November of 1996 and is the western Kansas Turnpike interchange in Douglas County that serves the planning area. It connects the Kansas Turnpike to K-10 Highway which was also completed in November of 1996. K-10 Highway, also known as the South Lawrence Trafficway (SLT), takes traffic from the Kansas Turnpike and from US Hwy 40, south to US Hwy 59, south of Lawrence.

The city of Lecompton is a destination located approximately 3 miles northwest of the planning area. Lecompton has a long history beginning in 1854 when it was founded and originally called "Bald Eagle". Lecompton became the capital of the Kansas Territory in 1855. Its early history as the territorial capital revolved around gaining Kansas' entrance into the Union as a pro-slave state. That effort failed as the free-state supporters ultimately prevailed and lead to the political birth of the Civil War. The free-state leaders moved the capital to Topeka when Kansas became a state in 1861. Much of that early history is on display in Lecompton². Farmer's Turnpike (N 1800 Road) and the Lecompton interchange play an important role in directing tourists to Lecompton. The Farmer's Turnpike was the original highway between Lecompton and Lawrence before I-70 (Kansas Turnpike) was completed in 1956.

The Kansas Territory was opened to settlement in May of 1854. Soon after the territory was opened, abolitionists from New England rushed to the area in an effort to keep the territory from becoming pro-slavery. Lawrence is said to be one of the few cities founded purely for political reasons. The founding group named the town after the financier of the expedition, Amos Lawrence. Lawrence also acted as an important stop on the Underground Railroad, helping escaped slaves reach freedom safely. On August 21, 1863, William Quantrill assembled a group of men in Missouri and rode into Lawrence. The raiders entered the city "to burn every house and kill every man." Additionally, Lawrence is located between the two trails, the Oregon and the Santa Fe Trails. After the Civil War ended in 1865, railroads rapidly pushed across the Great Plains and wagon trails became obsolete³.

Most recently the city of Lawrence has been growing and developing to the south and west of the central city. Development proposals to the north and west of the city of Lawrence, within the Urban Growth Area (UGA), have become more frequent in recent years. The completion of Free State High School in 1997 also spurred development on the west side of Lawrence. *Horizon 2020* includes policies that encourage development to city standards within the UGA.

¹ Kansas Turnpike Authority, <http://ksturnpike.com/history.shtml>

² Lecompton Kansas Historical Society, <http://lecomptonkansas.com/>

³ Lawrence Convention and Visitor's Bureau, <http://www.visitlawrence.com/>

1.4 Industrial and Employment Related Development

There is a recognized need to foster job creation and industrial space in the community, with a particular deficiency of large tract industrial space (approximately 100 acres and greater). *Horizon 2020*, the city and county's comprehensive long-range plan, identifies many goals, policies and strategies as to how to grow and develop the city of Lawrence and Douglas County as a whole. Chapter 7 – Industrial and Employment-Related Land Use of *Horizon 2020* lists a strategy of “increasing the community's involvement in economic development in order to secure a job growth goal of 20,000 total new jobs in Douglas County by the year 2020”. The K-10 & Farmer's Turnpike area can assist in reaching this goal by supporting areas for potential industrial and office/research development. The area lends itself as an ideal location for industrial and employment center development because of the access to both a federal interstate and a state highway. Additionally, there is an opportunity to develop large parcels on land that contains minimal slopes. The intent is not to locate all of those potential jobs within the planning area but to spread them out across the city and county in existing and new industrial areas to address the different needs of the potential employers.

Historically, industry has developed in clusters throughout the city. Some examples of existing industrial areas are the Santa Fe Industrial area, the Burroughs Creek Corridor, the Union Pacific Railroad Corridor and the East Hills Business Park. The East Hills Business Park specifically was developed in the 1980's by a partnership between the city of Lawrence, Douglas County and the Chamber of Commerce as a way to fulfill the need for industrial space. Presently, East Hills is almost fully built out, with only a few small lots available for development along with one large tract consisting of approximately 87 acres on the east side of the park.

ECO² is an advisory board to the Lawrence City Commission and Board of County Commissioners of Douglas County created in order to develop a long-term plan for the identification, evaluation and selection of land for both industrial/business parks and open space preservation. They presented their report in 2007 which outlines a long-term plan of public/private partnership that satisfies their goals of the advancement of industrial/business park and open space preservation. The ECO² report, in conjunction with *Horizon 2020* provides a methodology to weigh specific criteria to identify and recommend a number of new business and industrial development locations in the city of Lawrence and unincorporated Douglas County. Some of the criteria used to identify and recommend locations for industrial development include being generally located in close proximity to major transportation networks, contains land that has minimal average slope, be in an area that lies outside of the regulatory floodplain, and have the potential for large tract development.

1.5 Policy Framework

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

- *Horizon 2020*, the Comprehensive Plan for Lawrence and Unincorporated Douglas County. Lawrence-Douglas County Metropolitan Planning Office. 1998 as amended.
- *Transportation 2030*, Lawrence/Douglas County Long Range Transportation Plan. Lawrence/ Douglas County Metropolitan Planning Office and Parsons Brinkerhoff. March 26, 2008.
- *Lawrence-Douglas County Bicycle Plan*, Lawrence/Douglas County Metropolitan Planning Office. May 2004.
- *Northwest Plan*, Lawrence/Douglas County Metropolitan Planning Office. January, 1997.
- *Lawrence Parks & Recreation Department A Comprehensive Master Plan*. Leon Younger & PROS. 2000.
- *City of Lawrence, Kansas Water Master Plan*. Black & Veatch. December 2003.
- *City of Lawrence, Kansas Wastewater Master Plan*. Black & Veatch. December 2003.
- *2008-2013 Capital Improvement Plan*. City of Lawrence. June 26, 2007.

Section 2 - Existing Conditions

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

2.1 Land Uses

2.1.1 Existing Land Uses

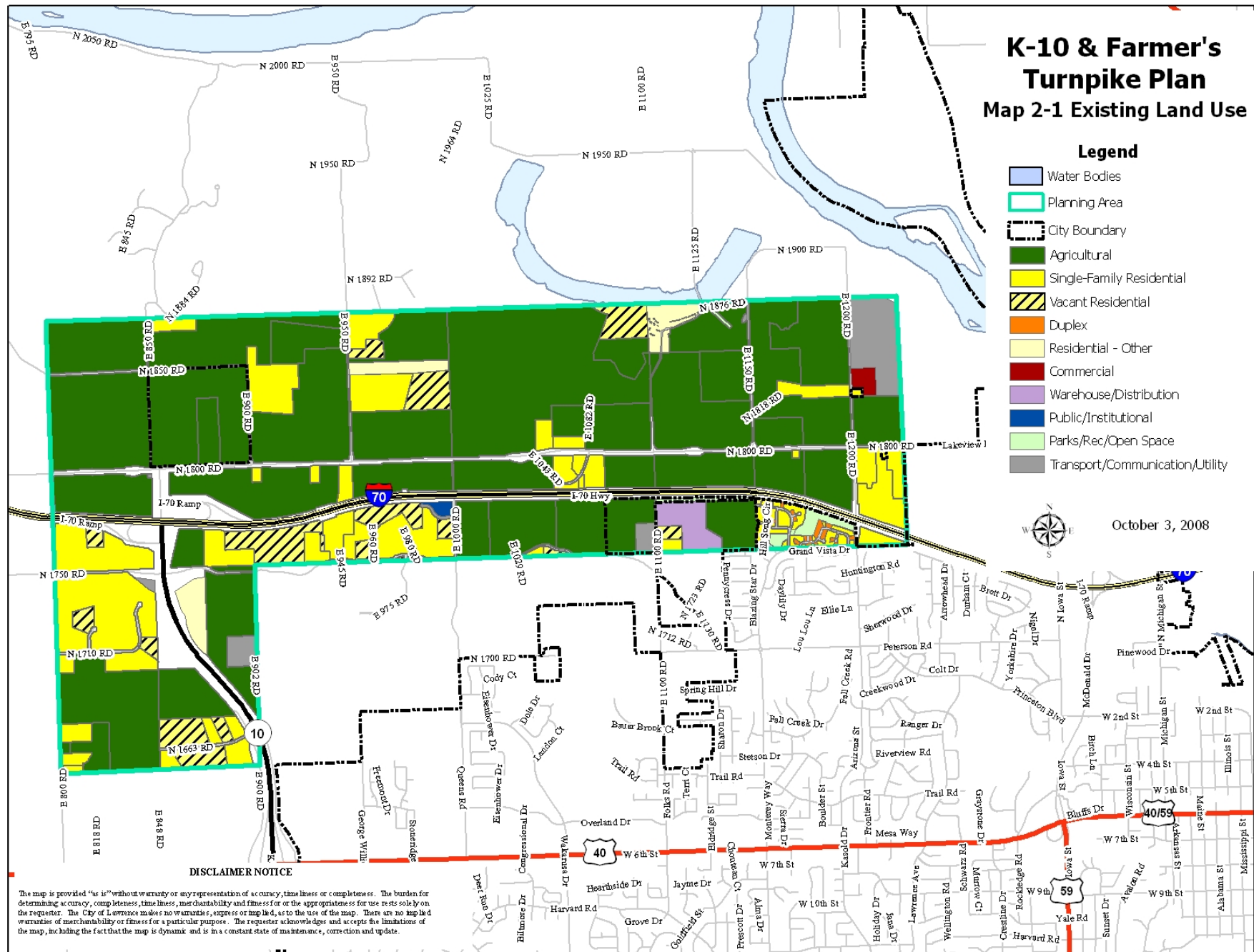
There are currently a variety of land uses within the planning area. The planning area has approximately 3,609 acres of land dedicated to uses other than public rights-of-way. The source information for the existing land use summary and map are based on the County Appraisers' land use code and updated by planning staff. Agricultural uses, in the form of row crops, pasturelands, and farms are the prominent land uses and encompass approximately 2,569 acres of land. As the area urbanizes, these agricultural uses will be reused for more urban uses and this category is not carried forward to the future land use map. Remaining open spaces in an urbanized environment are referred to as park or open space.

The second largest land use category is single-family residential use with approximately 593 acres. The single-family residential use category is property with one dwelling unit located on it. The *Land Development Code* defines a dwelling unit as, "one room, or a suite of two or more rooms, designed for or used by one family or housekeeping unit for living and sleeping purposes and having only one kitchen or kitchenette". The single-family residential use is seen within the planning area in both the rural and urban form. There are three rural subdivisions and two urban subdivisions platted within the planning area. The urban subdivisions are a mix of single-family and duplex residential uses.

The remaining land is designated a variety of uses ranging from open space to public/institutional uses. The category identified as residential-other is mainly used to identify a situation near Lakeview Lake where the property is owned by a homeowners association but the individual homes are privately owned. The existing land uses are shown on Map 2-1 and the planning area breakdown is described in Table 2-1.

TABLE 2-1: EXISTING LAND USE SUMMARY

Land use	Acres
Agricultural	2,568.60
Single-Family Residential	593.57
Vacant Residential	203.83
Duplex	6.00
Residential - Other	69.58
Commercial	9.980
Warehouse/Distribution	33.998
Public/Institutional	4.972
Parks/Rec/Open Space	22.69
Transport/Communication/Utility	95.72
TOTAL	3,608.94



2.1.1 Historic Resources

Currently, there are no sites or structures listed on the National, State or Local Register of Historic Places within the planning area. However some resources have been identified as having the potential to qualify for listing. At the time that these sites or structures are listed, those resources should be protected and preserved in accordance with local, state and national preservation law.

The planning area is located within the Freedom Frontier National Heritage Area. This is an area encompassing 41 counties in Kansas and Missouri. A National Heritage Area, as defined by the National Parks Service, U.S. Department of Interiors, is “a place designated by the United States Congress where natural, cultural, historic and recreational resources combine to form a cohesive, nationally-distinctive landscape arising from patterns of human activity shaped by geography. These areas tell nationally important stories about our nation and are representative of the national experience through both the physical features that remain and the traditions that have evolved within them.” Currently the Freedom Frontier National Heritage Area is in the process of completing a management plan to set out goals, objectives, suggest alternative approaches for development, management, preservation, conservation, interpretation, and/or marketing for the area.

The Lawrence-Douglas County region has been the epicenter of conflicts that still define American values, and its struggles to achieve them. The issues of slavery's abolition, the forced immigration of Native American nations and the inspiring resilience of those nations in the face of oppression, the voluntary immigration of settlers along the Santa Fe and Oregon Trails, and the final resolution of racial segregation in our public schools a century later – all these belong to the story of the Freedom's Frontier National Heritage Area. This story continues to evolve, to define and influence who we are today, in the region and as a nation.⁴

⁴ Freedom's Frontier National Heritage Area, <http://www.freedomsfrontier.org>

2.2 Zoning Patterns

The planning area encompasses approximately 4,075 acres of land including public rights-of-ways and most of which is located within the unincorporated area of Douglas County. The majority of the planning area that is located within unincorporated Douglas County is zoned A (Agriculture District). This is mainly used for row crops, pasture land and farm purposes. There are four areas zoned A-1 (Suburban Homes District) which are mainly large lot residential subdivisions. The remainder of the planning area within unincorporated Douglas County is zoned R-1 (Single-Family Residential), I-3 (Heavy Industrial) and VC (Valley Channel) Districts. See Map 2-2.

The planning area also includes three areas that are within the city of Lawrence. One area is developed with single-dwelling and multi-dwelling zoning districts. A second area is zoned GPI (General Public and Institutional) and OS (Open Space). These areas include park space and a sanitary sewer pump station. The third area within the city limits is located in the northwest portion of the planning area and is zoned for industrial uses. This area is not yet developed.

Table 2-2 County Zoning Classifications

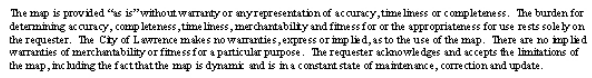
County Zoning	District Name	Comprehensive Plan Designation
A	Agricultural	Agriculture
A-1	Suburban Homes	Very Low-Density Residential
R-1	Single-Family Residential	Low-Density Residential
I-3	Heavy Industrial	Industrial
VC	Valley Channel	N/A

Table 2-3 City Zoning Classifications

City Zoning	District Name	Comprehensive Plan Designation
RS10	Single-Dwelling Residential (10,000 sq. feet per dwelling unit)	Low-Density Residential
RS7	Single-Dwelling Residential (7,000 sq. feet per dwelling unit)	Low-Density Residential
RM12D	Multi-Dwelling Residential Duplex (12 dwelling units per acre)	Medium-Density Residential
IG	General Industrial	Warehouse and Distribution or Industrial
GPI	General Public and Institutional	N/A
OS	Open Space	N/A

Map 2-2 Existing Zoning

 Planning Area  City Zoning
 City Boundary  County Zoning
 Water Bodies

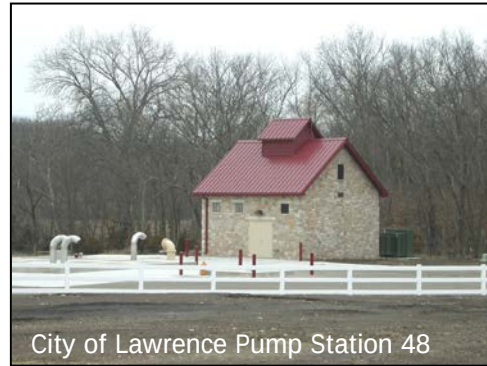


2.3 Infrastructure

2.3.1 Water and Wastewater Infrastructure

A summary of the existing water utilities is shown on Map 2-3 and wastewater utilities (sanitary sewer) is shown on Map 2-4. Municipal water and wastewater is provided to those properties that are within the current city limits. Properties that are within the planning area, but outside the city limits, are served by Douglas County Rural Water District #1, #6 or private wells, and private septic systems.

The city of Lawrence sanitary sewer infrastructure does not extend outside the current city limits. Pump Station 48 (PS 48) was recently completed to provide for growth in the northwest area of Lawrence and is located just south of E 1100 Road and I-70. The Department of Utilities is currently underway with a project to extend a gravity interceptor line west from PS 48 to the area within the city limits, north of W. 6th Street, between Queens Road and K-10 Highway. Based on the adopted sanitary sewer master plan, this interceptor line is being designed to allow for future service to the I-70 corridor within the current urban growth area (UGA) as identified in *Horizon 2020*. The currently adopted 2003 Water and Wastewater Master Plans do not address areas outside of the UGA. As such, the majority of the area north of N 1800 Road within the planning area has not yet been evaluated for water and sanitary sewer service as a part of utilities master plan. An update to the sanitary sewer master plan is in the preliminary stages at this time. The plan update will address the areas within the planning area that have not previously been evaluated.



The majority of the planning area, which is located outside of the Lawrence city limits, is currently served by Douglas County Rural Water District's #1 and #6. The city of Lawrence water distribution mains currently extend to the intersection of E 1200 Road (Kasold Drive) and N 1800 Road (Lakeview Road); Wakarusa Drive and E 1000 Road (Queens Road) and US Hwy 40 (W. 6th Street) and K-10 Highway.

2.3.2 Stormwater Infrastructure

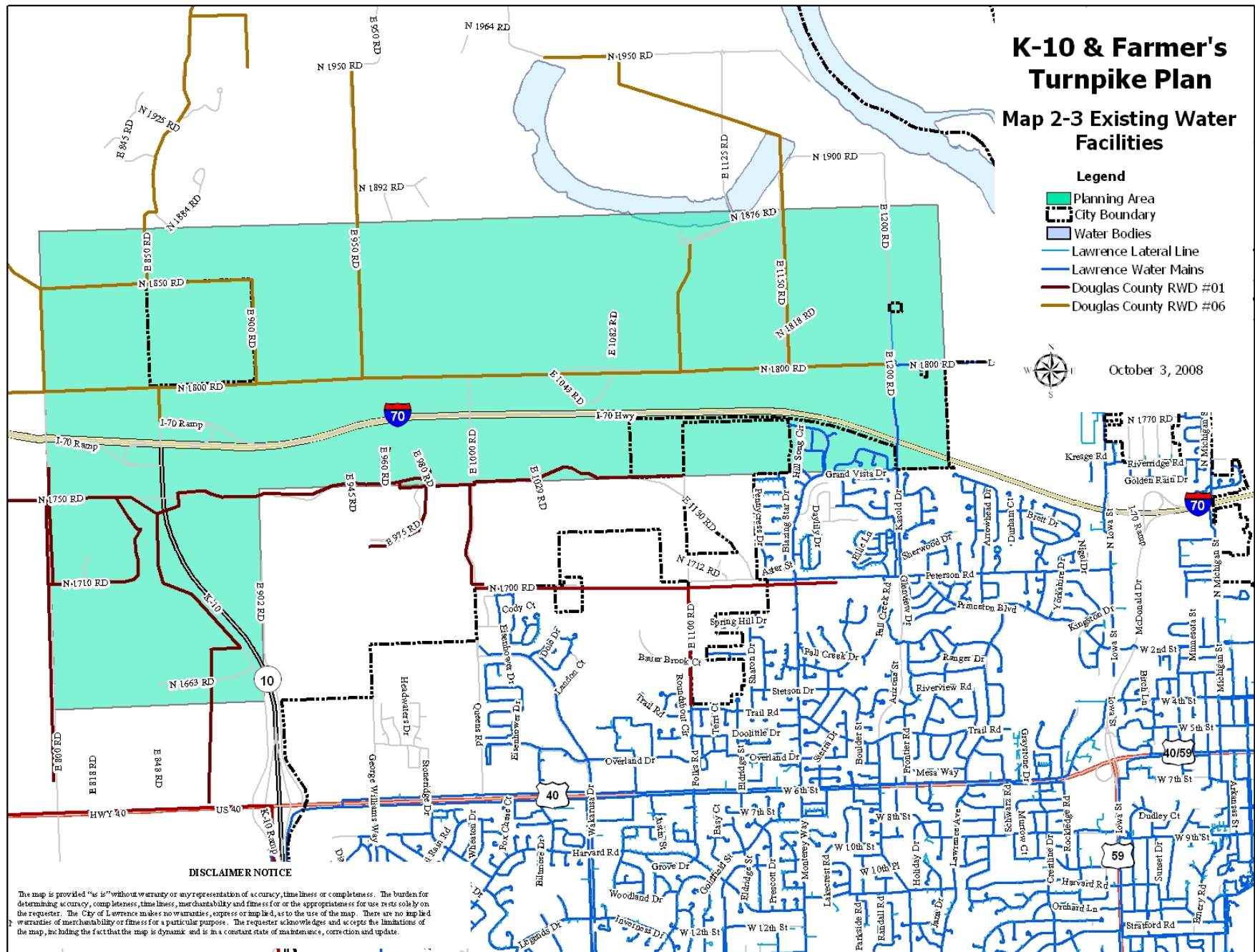
A summary of the existing stormwater utilities, channels, and natural streams are shown on Map 2-4. There is a small amount of stormwater collected by an enclosed stormwater pipe system within portions of the planning area that are within the city limits. The majority of the stormwater is handled by open channels and streams. The stormwater drains to the north, by way of the tributaries, to Lake View Lake and the Kansas River.

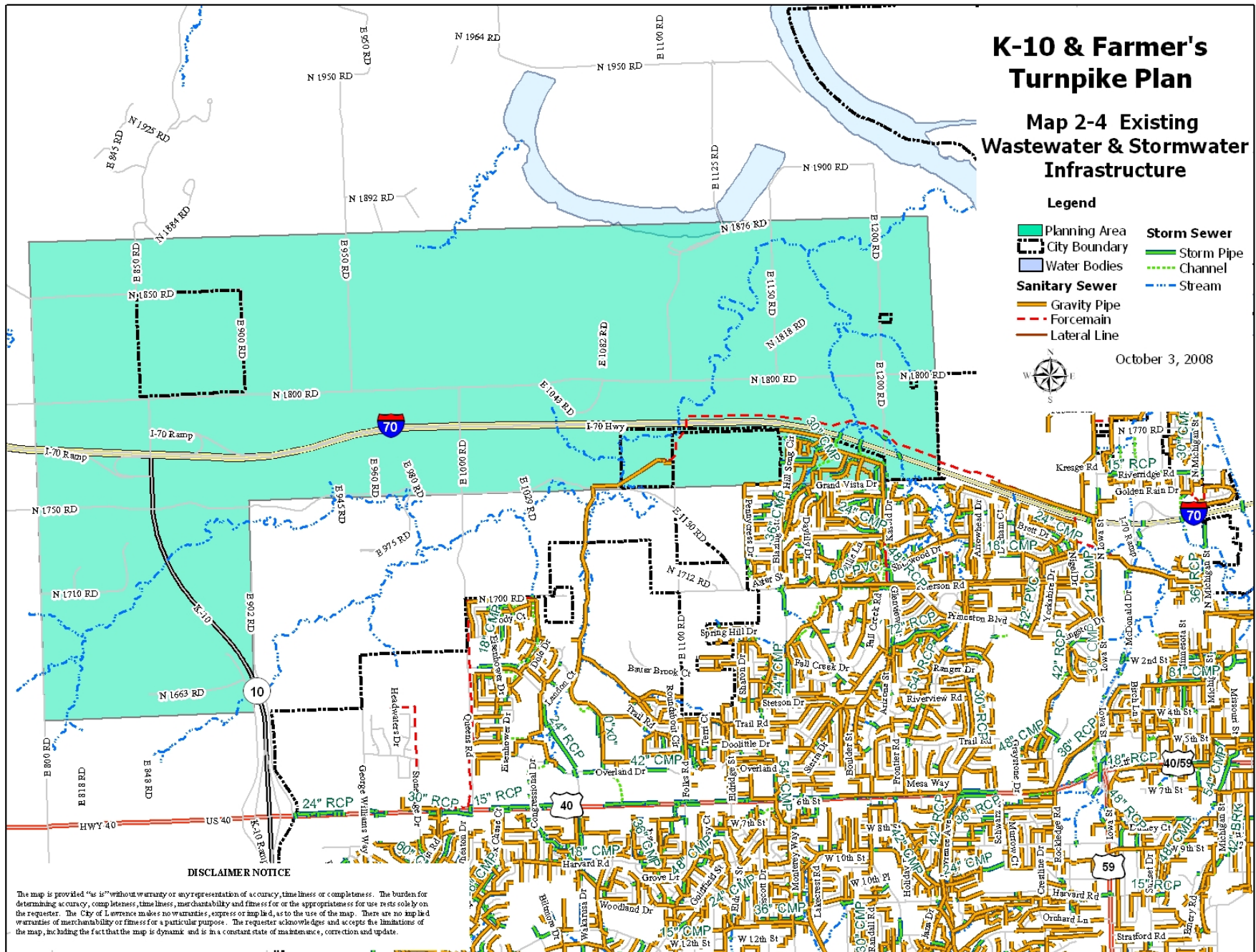
2.3.3 Gas Infrastructure

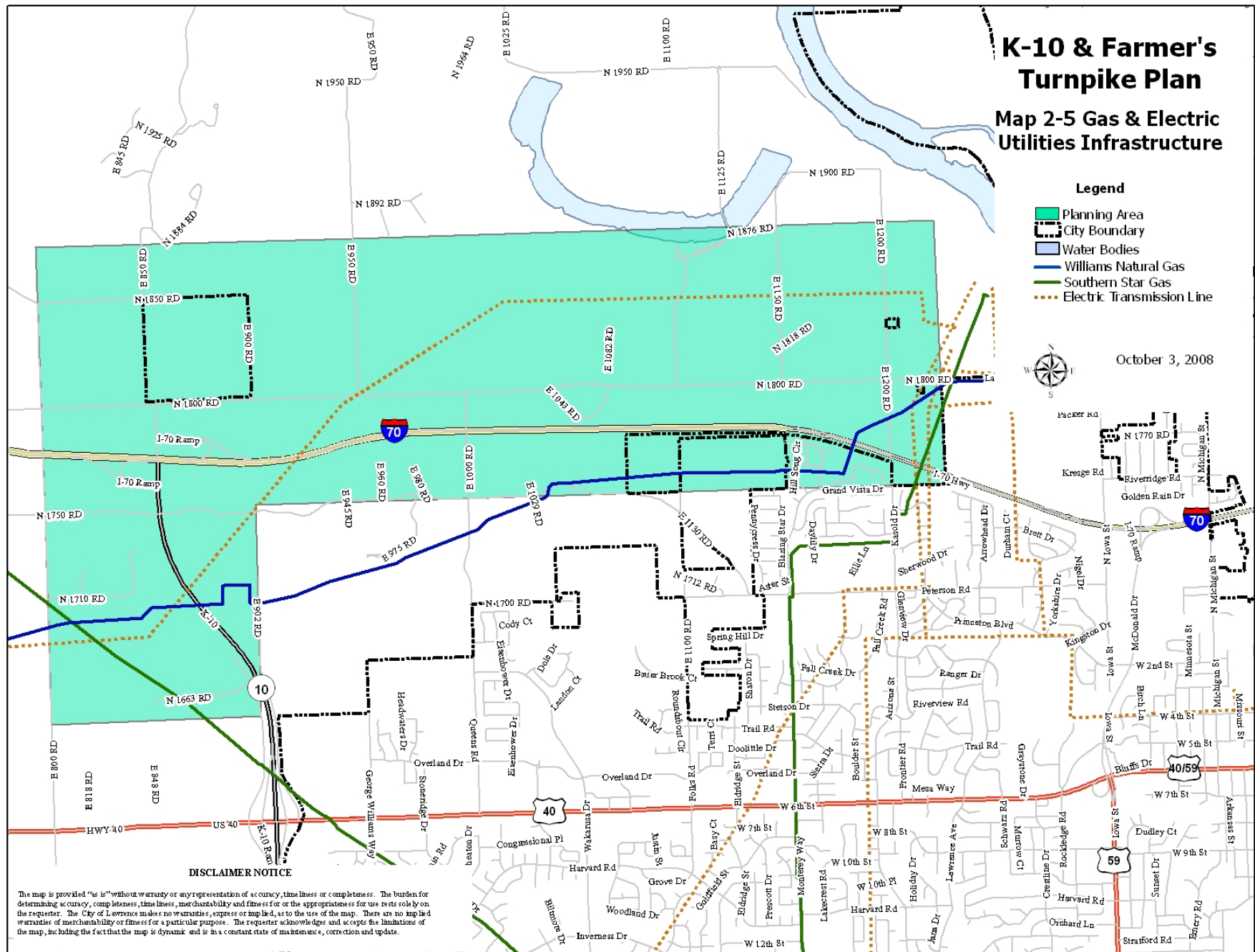
The planning area includes two natural gas lines. One is owned by Southern Star Gas and it crosses the southwestern portion of the planning area. The second is owned by Williams Natural Gas and it crosses the planning area on the southwest portion and crosses again on the eastern portion of the planning area. See Map 2-5.

2.3.4 Electric Infrastructure

There are currently two electric companies that service the planning area. Generally, Kaw Valley Electric services the western side of the planning area and Westar services the eastern side. Large electric transmission lines also travel through the planning area. See Map 2-5.







2.3.3 Transportation

2.3.3.1 Streets

Transportation 2030 (T2030) is the comprehensive, long-range transportation plan for the metropolitan area. T2030 designates streets according to their functional classification or their primary purpose. These functional classifications are shown on Map 2-6. The classification system can be described as a hierarchy from the lowest order, (local streets) that serve to provide direct access to adjacent property, to (collector streets) that carry traffic from local streets, to major thoroughfares (arterial streets) that carry traffic across the entire city. Freeways and expressways are the highest order of streets and are designed with limited access to provide the highest degree of mobility to serve large traffic volumes with long trip lengths.



T2030 does not identify collector streets for the entire planning area. T2030 is updated at least every 5 years. This area should be fully studied during the next update to address the future street network.

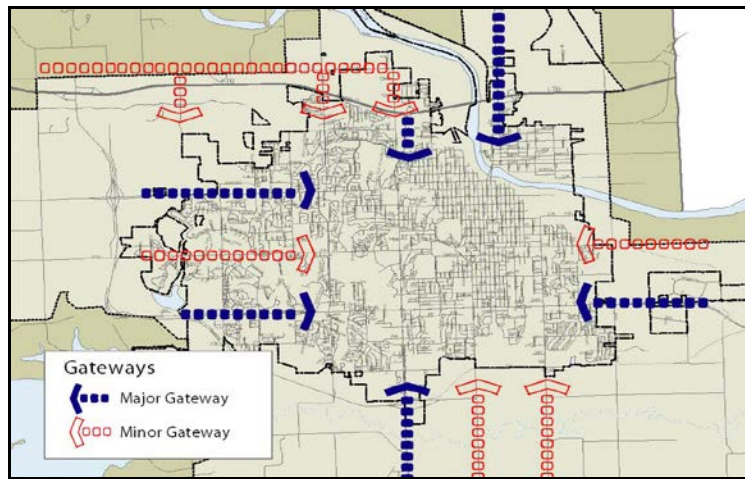
2.3.3.2 Gateways

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

T2030 identifies Farmer's Turnpike (N 1800 Road/County Hwy 438) and E 1000 Road (Queen's Road) as minor gateways into Lawrence based on the corporate boundaries shown in Figure 2.4 of T2030. The interchange of K-10 Highway and I-70 will be a gateway into Lawrence when and as development occurs within the city, and provides the greatest opportunity to develop with quality site planning, building materials, signs and other elements that create a sense of place. Also, K-10 Highway and I-70 are identified as truck routes into and out of Lawrence.

Additionally the I-70/K-10 Highway interchange is a gateway into Lecompton. The "Lecompton Interchange", as it is referred to by the Kansas Turnpike Authority, is the only gateway into the city of Lecompton from I-70.

Lawrence Gateways



2.3.3.3 Transit



Lawrence has a public transportation system (The T) which operates throughout the city. This system allows people to travel to other areas of the city without relying on a personal automobile. There are currently no transit routes that travel into the planning area.

2.3.3.4 Bicycle Facilities

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

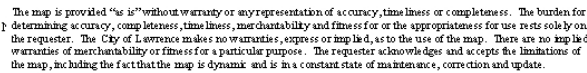


Currently, there is only one existing bicycle facility within the planning area. There is an existing multi-use path along the east side of K-10 Highway to E 1130 Road. There is a future bike lane identified to connect E 1100 Road (Folks Road) to Monterey Way by way of Hunters Hill Drive. Existing bike routes are identified along N 1800 Road (Farmer's Turnpike/County Hwy 438 and Lakeview Road) through the planning area and from N 1800 Road (Farmer's Turnpike and Lakeview Road) along E 1200 Road (Kasold Drive) to I-70. Future multi-use paths are identified along E 1130 Road, E 1000 Road (Queens Road) and Kasold Drive from I-70 to the south, out of the planning area. These facilities are shown on Map 2-7.

Map 2-6 Existing Street Classifications

 Planning Area
 City Boundary
 Water Bodies

 Freeway
 Principal Arterial
 Collector
 Minor Collector
 Minor Arterial
 Street



Map 2-7 Existing and Future Bicycle Facilities

 Planning Area  Existing Bike Lane
 City Boundary  Existing Bike Route
 Water Bodies  Existing Rec Path
  Future Bike Lane
  Future Bike Route
  Future Rec Path



The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

2.4 Environmental Conditions

The planning area is made up of several drainage basins. The drainage basins drain into the Kansas River or Lake View Lake. There is Federal Emergency Management Agency (FEMA) designated floodplain and floodway located within the planning area. These are areas around Baldwin Creek, Deerfield Creek, Lake View Lake and the Kansas River. See Map 2-8. The floodplain is any land area susceptible to being inundated by flood waters from any source. The floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Developing in the floodplain is allowed both in the city and in the county based on the corresponding regulations. No development is allowed in the floodway except for flood control structures, road improvements, easements and rights-of-way, or structures for bridging the floodway. This helps to protect drainage ways that lead to Lake View Lake and the Kansas River and wetland areas such as Lake View Lake.

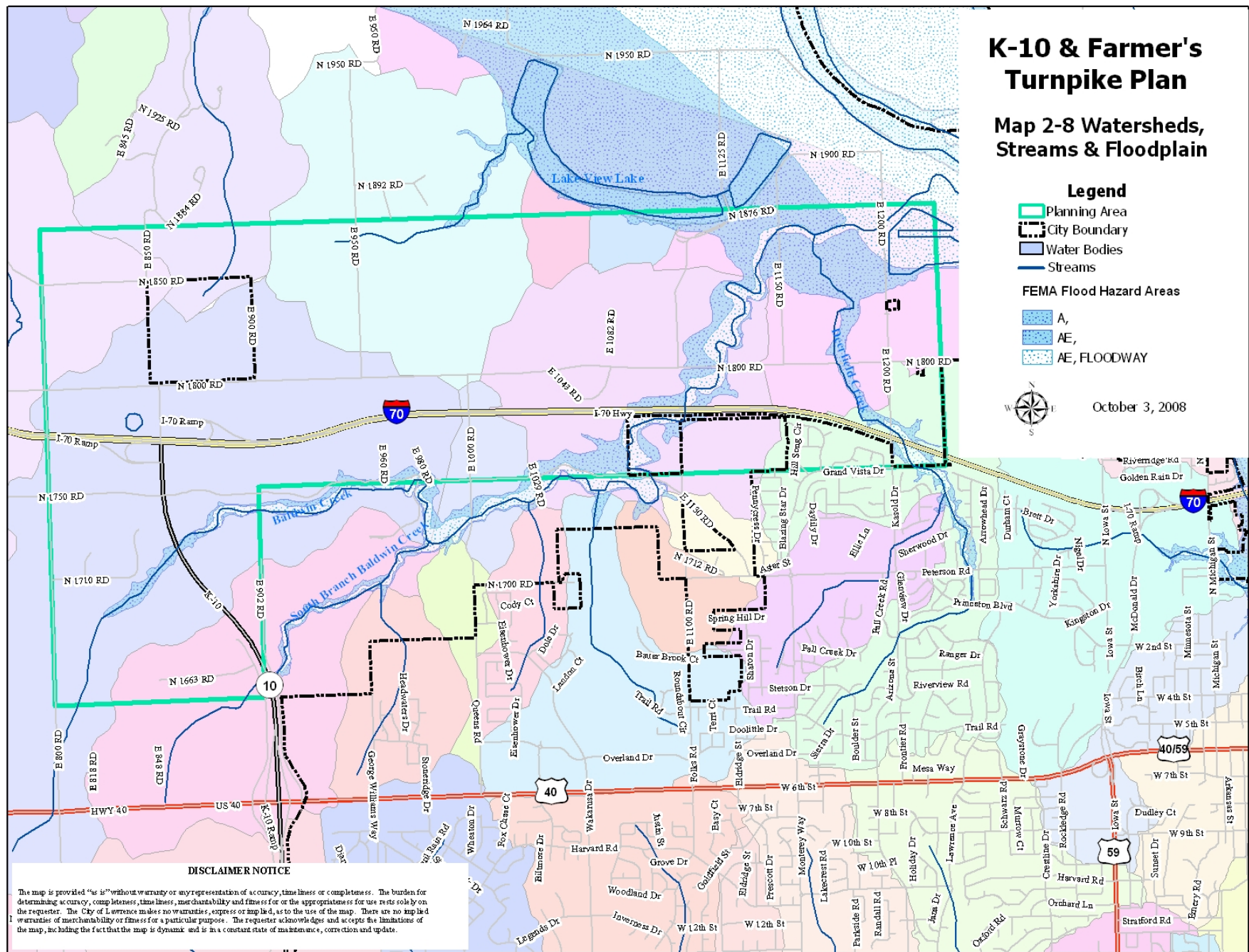
Three significant water features either run through or are in portions of the planning area. Lakeview Lake, a privately owned lake located in the northeast portion of the planning area, is an old oxbow of the Kansas River and one of Kansas's only naturally created lakes. This lake is shallow and contains areas of wetlands. Baldwin Creek and Deerfield Creek are both creeks that drain into the Kansas River and help take stormwater out of the planning area.

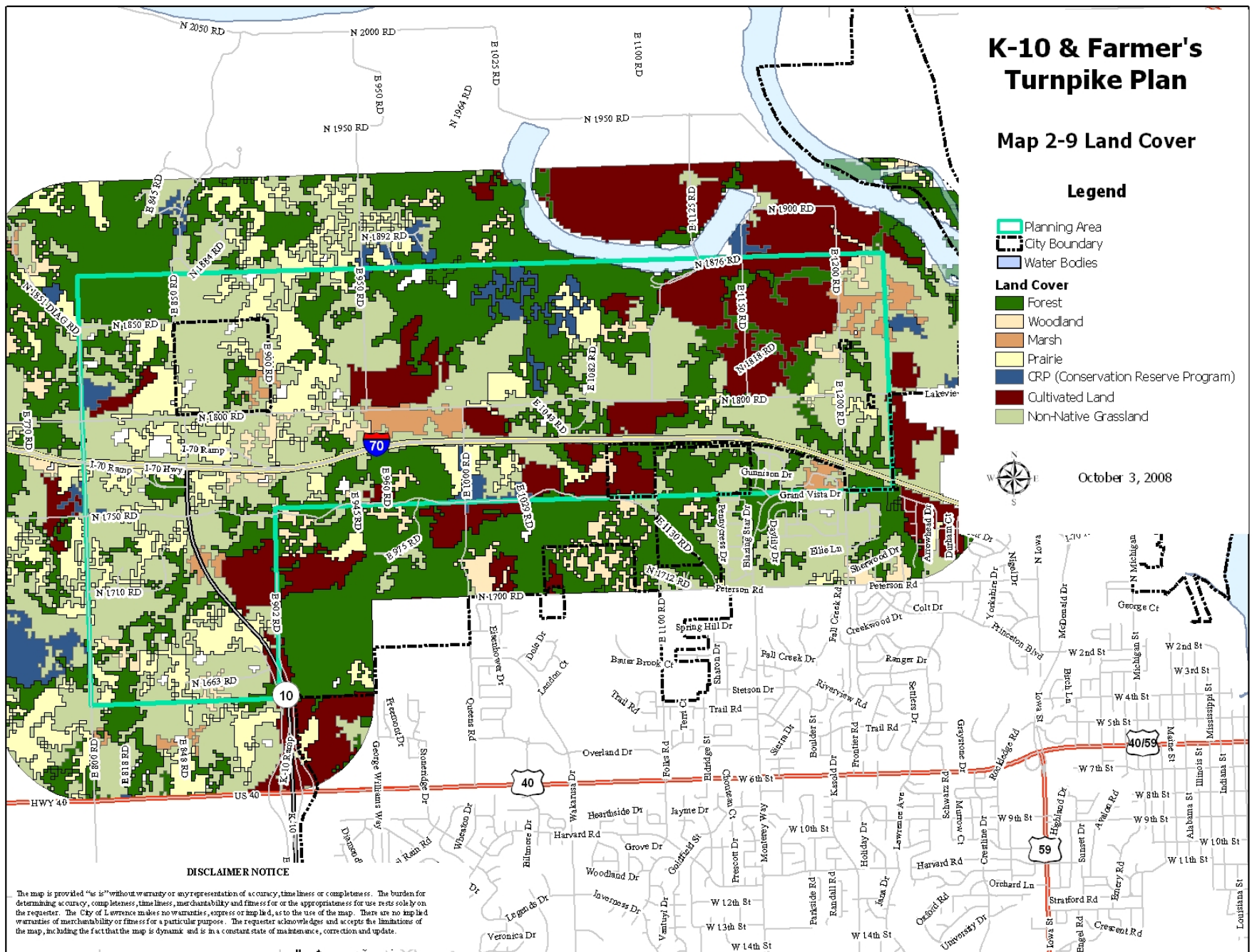
The majority of the undeveloped land within the planning area is either forest land or non-native grass land which is mainly used for cattle grazing. The planning area also contains areas of prairie, cultivated land and areas of land that are a part of the Conservation Reserve Program. See Map 2-9 for a summary and locations.

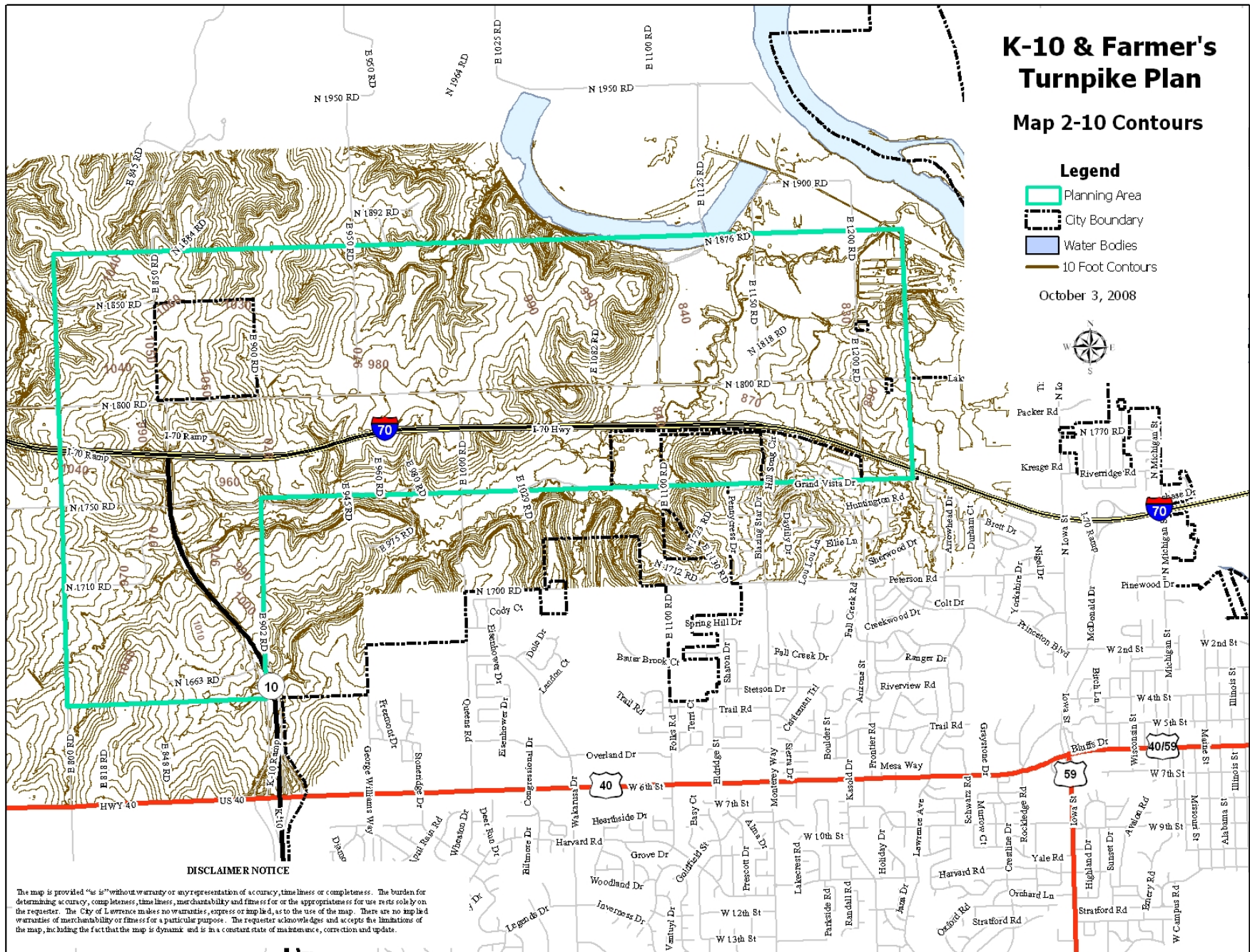


There is a wide range of topography within the planning area. The high points are along the western side of the planning area north of I-70 and in the southwestern portion around K-10 Highway. The low points are along the eastern side of the planning area where Baldwin Creek cuts through the planning area. The northeast corner of the planning area, which is also encumbered by floodplain, is relatively flat. The area in the middle contains the most abrupt grade change which continues with rolling hills to the west. A lack of steep slopes is

considered to be a beneficial factor for urban and industrial/employment center development. See Map 2-10 and Map 2-11. Detailed topographic surveys will be required as individual properties are developed.







2.5 Community Facilities

Community facilities are services provided either by government or non-government agencies for the benefit of, and use of, the community. Most of the community facilities including urban public services, schools, fire/medical, law enforcement, developed parks, etc., are located to the east and south of the planning area within the city of Lawrence. See Map 2-12.



Free State High School

The planning area is located within the Lawrence Public School District (USD 497) and the Perry-Lecompton School District (USD 343). The Lawrence School District covers the southwest portion and the northeast portion of the planning area. The students currently within the Lawrence School District attend either Langston

Hughes Elementary or Deerfield Elementary for elementary school; West Junior High or Central Junior High for junior high; and Free State High for high school. The students currently within the Perry-Lecompton school district attend Lecompton Elementary School, Perry-Lecompton Middle School and Perry-Lecompton High School.

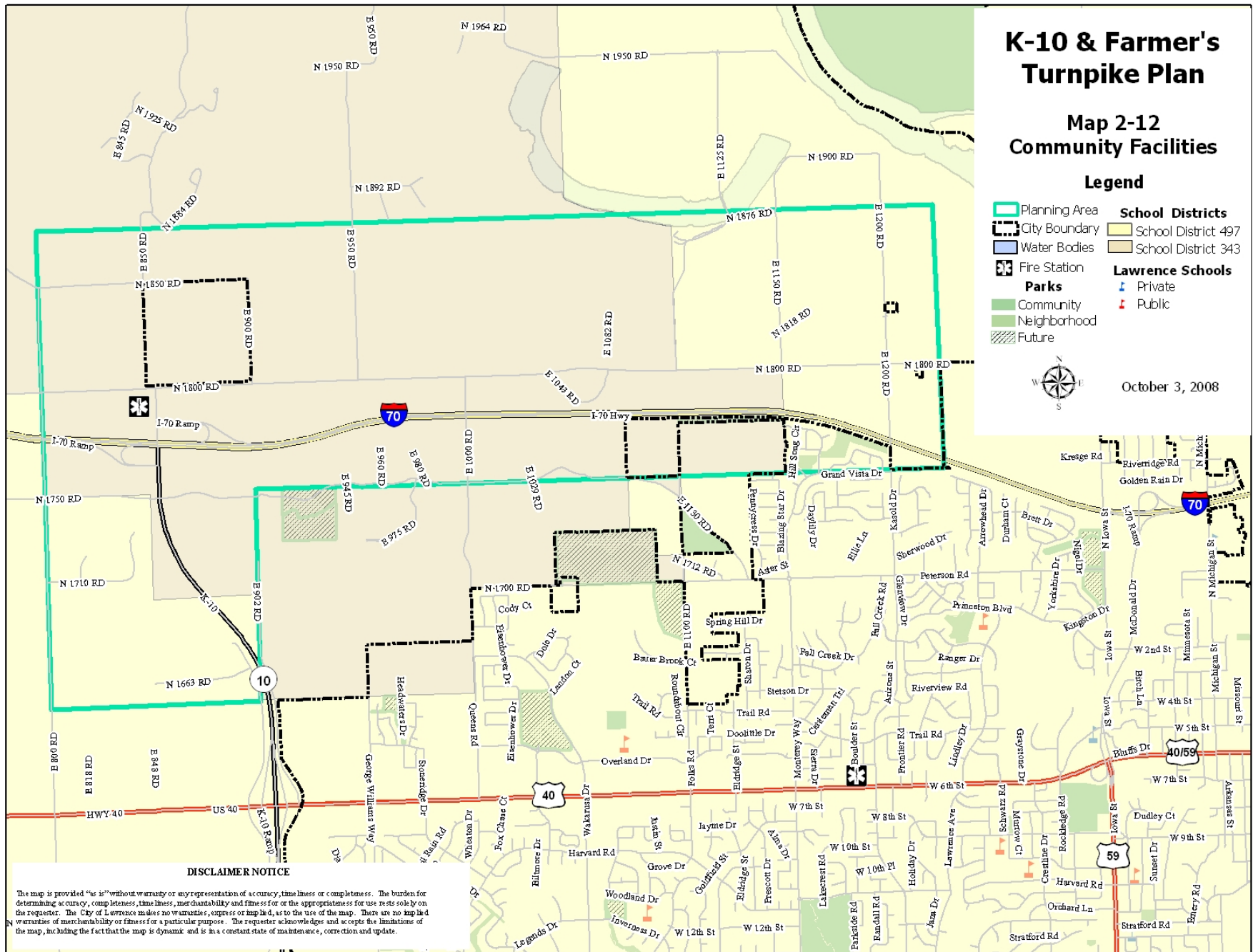
Currently, there are three public or institutional land uses within the planning area. These uses include Stonegate Park, Lecompton Township fire department and Morning Star Christian Church. It is anticipated that additional park areas will be developed within the planning area, as the area urbanizes. There is currently land adjacent to the planning area to the south, along N 1750 Road which is owned by the city. This land is undeveloped and identified as a future park. This park would serve the planning area once developed.

The planning area will be served partially by Lawrence-Douglas County Fire & Medical Station Number 3, an existing facility located on W. 6th Street between Kasold and Monterey Way and partially by township fire departments. The Lecompton Township Fire Department has a station on N 1800 Road, northwest of the I-70/K-10 Highway interchange. A future Fire & Medical station location west of the intersection of K-10 Highway and W. 6th Street is identified for 2009-2010 in the city of Lawrence *2008-2013 Capital Improvement Plan*. A more in depth study will need to be conducted to ultimately locate the facility and to address emergency response time issues as the city grows and develops to the west.



Fire Station 3

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



Section 3 – Recommendations

The K-10 & Farmer's Turnpike planning area is anticipated to develop with a wide range of uses and intensities that extend from very low-density residential to industrial uses. The more intensive industrial and commercial use areas are recommended where they are in close proximity to K-10 Highway, I-70 and Farmer's Turnpike, and arterial and collector streets. Residential uses are generally located in the southern and northern portions of the planning area.

3.1 Goals and Policies

Goals are broad statements of ideal future conditions that are desired by the community. Policies are guiding principles that provide direction for decisions to be made regarding the planning area in order to meet the goals. These policies are in addition to the policies in *Horizon 2020* and are only applicable to the property within the *K-10 & Farmer's Turnpike Plan* planning area.

3.1.1 Goals

- Goal 1:** Create quality development that will further support the city's efforts to promote additional employment opportunities for economic development and tax base expansion and diversification.
- Goal 2:** Maintain the rural character in existing areas until the time that municipal services allow urban densities to develop.
- Goal 3:** Create quality, mixed-use areas that encourage pedestrian friendly, work-live neighborhoods where appropriate.
- Goal 4:** Develop to urban densities over time while taking care to respect and protect the natural systems currently in place.
- Goal 5:** Provide ongoing infrastructure and public facilities improvements as the area develops.
- Goal 6:** Create viable and unique urban residential neighborhoods; develop sound commercial nodes, develop strong park/trail systems that are sustainable and remain viable over the long-term.

3.1.2 Policies

The following policy statements are for the development of the K-10 & Farmer's Turnpike area. "Shall" statements identify the items that are expected to be incorporated into development within the planning area. "Should" and "encouraged" statements identify the items that are strongly recommended to be incorporated into development within the planning area. "Shall" statements are stronger than "should" and "encouraged" statements.

3.1.2.1 General

1. Encourage maximum efficiency, low wattage, downward directional exterior lighting. The point source shall be screened from view off-site. Encourage limiting exterior lighting at night.
2. Quality, aesthetically pleasing building materials and quality architectural elements should be used.
3. Pedestrian friendly connectivity between land uses and properties should be incorporated.
4. Sensitive lands, as designated by the *Land Development Code* shall be preserved and protected per those standards identified in the code.
5. Landscaping that includes native and drought resistant materials is strongly encouraged to create a rural feel and to conserve water.

3.1.2.2 Residential Land Uses

1. Residential uses shall maintain a "back-to-back" relationship to more intense uses. Buffering shall include use of green space as a primary transition tool.
2. Residential streets shall be extended to undeveloped property and shall use a grid or modified grid pattern.
3. The medium-density residential use is not intended to provide for large-scale apartment type development but instead take the form of small lot, detached, attached, cluster type housing, or small scale multi-dwelling structures, such as two-story, 4-6-plexes containing residential architectural elements.
4. Transitioning should be accomplished by buffer yards, landscaping, setbacks and progression of use intensities.
5. Cluster development is strongly encouraged where environmentally sensitive areas are present.
6. Residential developments are encouraged to create a sense of rural living while achieving the designated density identified on the future land use map.

3.1.2.3 Residential/Office Land Use

1. Development shall include a residential use.
2. The residential/office use is not intended to provide for large-scale apartment type development.
3. Traditional Neighborhood Development (TND)/mixed use is encouraged.

3.1.2.4 Commercial Land Use

1. The neighborhood commercial centers shall be designed in accordance with policies and standards of *Horizon 2020*.
2. Commercial development shall be designed to facilitate pedestrian and non-motorized access from abutting areas.
3. The auto-related commercial center is intended to serve the immediate employment center area and passenger vehicles from I-70. It is not intended to

serve a significant amount of large truck traffic from the interstate as there are larger service facilities that exist along I-70.

4. The auto-related commercial center should include amenities that support tourism. Elements such as way finding signs, informational signs noting the history of the area, and a tourist information booth are strongly encouraged to be incorporated as amenities.
5. Transitioning should be accomplished by buffer yards, landscaping, setbacks and progression of use intensities.
6. Commercial development is intended to be nodal type development at the identified intersections. Areas identified for office/research uses along the N 1800 Road (Farmer's Turnpike) corridor are intended to support employment center type uses and discourage strip-type commercial development.
7. Native and drought resistant landscaping materials are strongly encouraged be utilized to filter drainage and stormwater runoff from large areas of pavement, conserve water, and to create a rural feeling.

3.1.2.5 Industrial/Office/Research Land Uses

1. Structures should be aesthetically pleasing from all sides and should incorporate quality building materials and quality architectural elements.
2. Transitions between uses should be accomplished by buffer yards, landscaping, setbacks, scale and massing, and transition of uses to include low-intensity industrial uses along the perimeter of the areas identified as industrial or office/research.
3. Sites should incorporate a variety of landscaping treatments to alleviate the potential for monotonous perimeter buffering.
4. Structures along N 1800 Road (Farmer's Turnpike) should present a front face to N 1800 Road (Farmer's Turnpike) to add to the high quality aesthetics encouraged in the gateway.
5. Structures with visible façades from K-10/South Lawrence Trafficway shall have high quality architecture to enhance and support the gateway entries of this plan, as well as adjacent sector and area plans.
6. Access to major roads from the industrial or office/research development lots shall be limited. However, industrial users on large lots that are significant generators of traffic may directly access arterial roads if the size of the site is such that it allows internal circulation without the necessity of constructing local roads to direct that circulation to the arterial road. Such access shall be based on sound traffic engineering principles and shall be properly controlled with appropriate signalization and turn lanes. Smaller lots shall take access from local roads. Additional local roads that serve the site should be arranged to minimize development lot access to the future major roads.
7. Commercial uses shall not be permitted along the frontage of N 1800 Road (Farmer's Turnpike) except where commercial centers are identified in this plan. Areas identified for office/research uses along this corridor are intended to support employment center type uses and discourage strip-type commercial development.
8. Native and drought resistant landscaping materials are strongly encouraged be utilized to filter drainage and stormwater runoff from large areas of pavement, conserve water, and to create a rural feeling.
9. Exterior storage, fleet storage, and other similar exposed storage shall not be permitted.

3.1.2.6 Public Facility/Open Space/ Floodplain Land Uses

1. Smaller parks should be located throughout the planning area as outlined in Chapter 9 of *Horizon 2020*.
2. Open space areas should be provided and/or acquired along major thoroughfares and along drainage ways for development of pedestrian and bicycle trails.
3. Regional detention should be utilized when possible within each corresponding watershed.
4. Streams should follow their natural paths and should not be rerouted or straightened.
5. Environmentally sensitive lands should be protected and maintained as natural areas per the *Land Development Code* standards.
6. Restrict uses within the regulatory floodplain that are dangerous to health, safety or property in times of flooding or that cause undue increases in flood heights or velocities.
7. Additional property should be obtained wherever possible for parks purposes when acquiring property or easements for utility use.

3.1.2.7 Gateways

1. The intersection of I-70/K-10 Highway/N 1800 Road (Farmer's Turnpike) shall be identified as a gateway to the city of Lawrence as the area urbanizes.
2. The intersection of K-10 Highway/South Lawrence Trafficway and W. 6th Street/US-40 shall be identified as a gateway to the City of Lawrence as the area urbanizes.
3. Development shall enhance the gateway at the intersection of I-70/K-10 Highway/N 1800 Road (Farmer's Turnpike) by creating an aesthetically pleasing corridor.
4. Gateway treatments shall be a priority in development and redevelopment of the area around the intersection of I-70/K-10 Highway/N 1800 Road (Farmer's Turnpike) and shall reflect the goals and policies stated in *Horizon 2020*.
5. Aesthetically pleasing landscaped entryways should be required. Both public and private property owners are responsible for achieving and maintaining this aesthetically pleasing landscaping.
6. Gateway development should include amenities that support tourism. Elements such as way finding signs, informational signs noting the history of the area, and a tourist information booth are strongly encouraged to be incorporated as amenities.

3.1.2.8 Transportation Facilities and Corridors

1. Sufficient area, outside of the required street rights-of-way, should be required to provide and shall be restricted in use to provide for: utility, berming, and landscaping needs.
2. No additional access to K-10, except as identified in *Transportation 2030*, shall be permitted.
3. Street networks should be interconnected through and beyond the planning area wherever possible.
4. Truck routes shall not be designated through areas identified for residential land uses and should be limited to N 1800 Road (Farmer's Turnpike), K-10 Highway and I-70 or as otherwise designated by the city.
5. Adequate rights-of-way shall be obtained at the time of platting to ensure for sufficient space for roads, utility and landscaping easement needs.
6. Topography should be taken into account when comparing different alignments for future roads.

7. Master planning areas identified as industrial and office/research is encouraged to provide an adequate street network that limits the number of access points to N 1800 Road (Farmer's Turnpike).

3.1.2.9 Utilities

1. The area north of N 1800 Road (Farmer's Turnpike) has not been evaluated in the currently adopted 2003 Water and Wastewater Master Plans. This area should be evaluated on a watershed basis with the upcoming plan update and an overall service plan developed with project costs for water and sanitary service prior to development requiring urban services.
2. Extension of water and sewer infrastructure should be coordinated with ultimate street right-of-way acquisition and construction to avoid reconstructing water and sewer lines as streets are improved to city standards.
3. Extension of water and sewer services to the area should follow adopted city policies for such.
4. Additional property should be obtained wherever possible for parks purposes when acquiring property or easements for utility use.

3.1.2.10 Traditional Neighborhood Design (TND)

1. Development under the *Lawrence SmartCode* is encouraged throughout the planning area wherever industrial or office/research is not designated. TND development can be used upon annexation and through the process outlined in the *Lawrence SmartCode*.
2. Development under the *Lawrence SmartCode*, Landowners/developers shall develop their own plans that conform to the *Lawrence SmartCode* in order to develop TND neighborhoods.
3. Development shall be developed as either a Cluster Land Development (CLD) or a Traditional Neighborhood Development (TND) community type as outlined in the *Lawrence SmartCode* in a Greenfield development situation. A minimum of 40 acres is required to develop a CLD neighborhood and a minimum of 60 acres is required to develop a new TND neighborhood.
4. A range of transects shall be incorporated into a CLD or TND community type.

3.1.2.11 Environmentally Sensitive Lands

1. Environmentally sensitive lands shall be protected as outline in the *Land Development Code*.
2. Street rights-of-way, public utility corridors and building sites should be located so as to minimize their impact on environmentally sensitive areas.
3. Where possible, environmentally sensitive areas to be protected should be located within designated public or private open space, either through dedication, a conservation easement, or control by a homeowner's association.
4. If a review indicates that it is not possible or reasonable to protect sensitive features, mitigation should be incorporated.

3.2 Land Use

This section outlines the recommended land uses for the planning area. The future land use maps (Map 3-1) and land use descriptions are explained on the subsequent pages. The map is an illustration to help visually identify the recommended land uses in the K-10 & Farmer's Turnpike planning area. The land use descriptions are more detailed information regarding the different land use categories. The official definitions and the permitted uses within each zoning district are outlined in the use tables that are located in the *Land Development Code* for the City of Lawrence. The map and text descriptions must be used in conjunction with one another in order to obtain the complete recommendation for each particular area. The map is not intended to provide a scaleable map for determining specific land use/zoning boundaries within this area.

3.2.1 Land Use Descriptions

3.2.1.1 Very Low-Density Residential

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

Density: 1 or fewer dwelling units per acre

Intensity: Very low

Applicable Area:

- Ranch Estates Subdivision, west of the intersection of N 1663 Road and E 900 Road.
- Oak Ridge Estates, area bounded to the north by I-70, to the south by N 1750 Road, to the west by E 950 Road extended and to the east by E 1000 Road.

Zoning Districts: RS40 (Single-Dwelling Residential), PD (Planned Development Overlay)

Primary Uses: Detached dwellings, cluster dwellings, manufactured home residential-design, zero lot line dwellings, group home, public and civic uses

3.2.1.2 Low-Density Residential

The intent of the low-density residential use is to allow for single-dwelling, duplex, and attached dwellings but emphasis is placed on residential type uses.

Density: 6 or fewer dwelling units per acre

Intensity: Low

Applicable Areas:

- Area bounded by the planning area boundary on the north and west, N 1850 Road and N 1850 Road extended on the south and the FEMA designated floodplain on the east.
- Area generally southeast of the intersection of N 1850 Road and E 800 Road.
- Area bounded by N 1750 Road on the north, the southern boundary of the planning area on the south, E 800 Road on the west and K-10 Highway on the east; excluding Ranch Estates Subdivision.
- Area bounded by N 1850 Road extended on the north, N 1800 Road (Farmer's Turnpike) on the south, E 1000 Road extended on the west and the FEMA designated floodplain to the east; excluding the area bound approximately $\frac{1}{4}$ mile north of N 1800 Road (Farmer's Turnpike) on the north, N 1800 Road (Farmer's Turnpike) on the south, E 1000 Road on the west and approximately $\frac{1}{2}$ mile east of E 1000 Road on the east.

- Area bound by I-70 on the north, N 1750 Road on the south, E 1000 Road on the west and the FEMA designated floodplain west of E 1100 Road on the east.
 - Area north of the intersection of N 1800 Road (Farmer's Turnpike) and E 1150 Road, and bound to the north by the FEMA designated floodplain.
 - Area bound by I-70 to the north, N 1750 Road extended on the south, E 1100 Road on the west and the west side of Stonegate III Addition on the east.
 - Area generally south of I-70 and east of Kasold Drive.
- Zoning Districts: RS10 (Single-Dwelling Residential), RS7 (Single-Dwelling Residential), RS5 (Single-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), PD (Planned Development Overlay)
- Primary Uses: Detached dwellings, attached dwellings, cluster dwellings, manufactured home residential-design, zero lot line dwellings, duplex, group home, public and civic uses

3.2.1.3 Medium-Density Residential

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

Density: 7-15 dwelling units per acre

Intensity: Medium

Applicable Areas:

- Area bound by I-70 on the north, N 1750 Road on the south, E 800 Road on the west and K-10 Highway on the east.
- Area bound by I-70 on the north, N 1750 Road on the south, K-10 Highway on the west, and George Williams Way extended on the east.
- Area bound by N 1850 Road extended on the north, approximately 1/4 mile north of N 1800 Road (Farmer's Turnpike) on the south, E 900 Road on the west and E 1000 Road extended on the east.
- Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 1043 Road on the west and the FEMA designated floodplain on the east.
- Area bound by I-70 on the north, Grand Vista Drive on the south, just west of Gunnison Way on the west and Kasold Drive on the east.

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

Primary Uses: Detached dwellings, attached dwellings, cluster dwellings, manufactured home residential-design, zero lot line dwellings, duplex, multi-dwelling structures, boarding houses, group home, civic and public uses

3.2.1.4 High-Density Residential

The intent of the high-density residential use is to allow for compact residential development.

Density: 16+ dwelling units per acre

Intensity: High

Applicable Areas:

- Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, and the FEMA designated floodplain on both the west and east.

Zoning Districts: RM12 (Multiple-Dwelling Residential), RM12D (Multi-Dwelling Duplex Residential), RM15 (Multi-Dwelling Residential), RM24 (Multi-Dwelling Residential), RM32 (Multi-Dwelling Residential), PD (Planned Development Overlay)

Primary Uses: Attached dwellings, zero lot line dwellings, duplex, boarding houses, multi-dwelling structures, group home, civic and public uses

3.2.1.5 Residential/Office

The intent of the residential/office use is to accommodate mixed use development of administrative and professional offices with varying degrees of residential. This may be achieved by the use of work/live units.

Density: 6-22 dwelling units per acre

Intensity: Medium-high

Applicable Areas:

- Area bound by N 1750 Road on the north, K-10 highway on the west, and E 902 Road on the east.
- Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 1000 Road on the west and E 1043 Road on the east.
- Area bound approximately $\frac{1}{4}$ mile north of N 1800 Road (Farmer's Turnpike) on the north, N 1800 Road (Farmer's Turnpike) on the south, E 1000 Road on the west and approximately $\frac{1}{2}$ mile east of E 1000 Road on the east.

Zoning Districts: RSO (Single-Dwelling Residential-Office), RMO (Multi-Dwelling Residential-Office), MU (Mixed Use), PD (Planned Development Overlay)

Primary Uses: Detached Dwellings, work/live units, non-ground floor dwellings, attached dwellings, multi-dwelling structures, civic and public uses, veterinary office, administrative and professional offices, financial, insurance and real estate services, personal improvement, health care office, health care clinic, health care center

3.2.1.6 Commercial

The intent of the commercial use is to allow for retail and service uses. A Neighborhood Commercial Center provides for the sale of goods and services at the neighborhood level. An auto-related commercial center provides goods and services aimed toward those traveling by an auto. This commercial center is intended to serve the surrounding employment center area in addition to tourists traveling along I-70 and/or visiting Lecompton and Lawrence tourist attractions. *Horizon 2020*, Chapter 6 – Commercial Land Use offers more specific language regarding each commercial center.

Intensity: Medium-High

Applicable Areas:

- Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 800 Road on the west and E 900 Road on the east. (Auto-Related Commercial Center)
- Area bound by N 1800 Road (Farmer's Turnpike) on the north, FEMA designated floodplain on the south and west and E 1200 Road on the east. (Neighborhood Commercial Center)
- One of the northern corners of the intersection of N 1800 Road (Farmer's Turnpike) and E 1000 Road. (Neighborhood Commercial Center)
- One corner of the intersection of N 1700 Road extended and E 800 Road. (Neighborhood Commercial Center)

Zoning Districts: MU (Mixed Use), CN1 (Inner Neighborhood Commercial District), CN2 (Neighborhood Commercial Center District), CC200 (Community Commercial

District) (auto-related commercial center only), PD (Planned Development Overlay)

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

3.2.1.7 Office/Research

The office/research use is characterized by businesses involved in technology, research and scientific-related activities and/or office, office research activities that are designed in a campus like setting. Light manufacturing and production uses are also acceptable within this use category. Areas identified for office/research uses along N 1800 Road (Farmer's Turnpike) are intended to support employment center type uses and not strip-type commercial development.

Intensity: Medium

Applicable Area:

- Area bound by approximately 1/4 mile north of N 1800 Road (Farmer's Turnpike) on the north, N 1800 Road (Farmer's Turnpike) on the south, E 900 Road on the west and E 1000 Road extended on the east.
- Area bound by the FEMA designated floodplain on the north, west and east and N 1800 Road (Farmer's Turnpike) on the south.
- Area bound by K-10 to the west, E.902 Road to the east, approximately the future crossing near N. 1700 Road to the south.

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

Primary Uses: Professional offices, research services, manufacturing and production limited and technology, light wholesale, storage and distribution

3.2.1.8 Industrial

The intent of the industrial use is to allow for moderate to high-impact uses including large scale or specialized industrial uses geared toward utilizing K-10 Highway and I-70 for materials transportation.

Intensity: Medium-High

Applicable Area:

- Area generally bound by N 1850 Road on the north, N 1800 Road (Farmer's Turnpike) on the south, E 800 Road on the west and E 950 Road on the east; excluding an area generally southeast of the intersection of N 1850 Road and E 800 Road .
- Area bound by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 900 Road extended on the west and E 1000 Road on the east.
- Area bordered by N 1800 Road (Farmer's Turnpike) on the north, I-70 on the south, E 1200 Road on the west and the eastern boundary of the planning area on the east.

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

Primary Uses: Utility facilities, building maintenance services, fleet storage, business support services, construction sales and service, industrial facilities, wholesale, distribution, and storage, research services, manufacturing and production limited and technology

3.2.1.9 Public/Institutional

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

Intensity: Variable

Applicable Area:

- Area bound by the FEMA designated floodplain on the north and west, N 1750 Road extended on the south and E 1100 Road on the east.

Zoning Districts: GPI (General Public and Institutional)

Primary Uses: Cultural center/library, school, utilities, recreational facilities, utility services

3.2.1.10 Open Space/Floodplain

The intent of the open space/floodplain use is to provide space for public recreational facilities and natural area preservation.

Intensity: Low

Applicable Areas:

- Regulatory floodplain and floodway.
- Tributaries along the northern area of the planning area.

Zoning Districts: GPI (General Public and Institutional District), OS (Open Space), UR (Urban Reserve),

Primary Uses: crop agricultural, cultural center, schools, active recreation, passive recreation, nature preserve, entertainment and spectator sports, participant sports and recreation outdoor, private recreation

Please note: This map is intended to be used in conjunction with the plan text. The map is not scaleable.

K-10 & Farmer's Turnpike Plan

Map 3-1 Future Land Use

Legend

- Planning Area
- City Boundary
- Water Bodies
- Future land use**
 - Very Low-Density Residential
 - Low-Density Residential
 - Medium-Density Residential
 - High-Density Residential
 - Residential/Office
 - Auto-Related Commercial
 - Neighborhood Commercial
 - Office/Research
 - Industrial
 - Public/Institutional
 - Open Space/Floodplain
- Neighborhood Commercial Center

T2040 Future Thoroughfares

- Future Freeway
- Future Principal Arterial
- Future Minor Arterial
- Future Collector
- Future Local
- Freeway
- Principal Arterial
- Minor Arterial
- Minor Collector
- Collector
- Street

Plan Identified Thoroughfares

- Future Collector

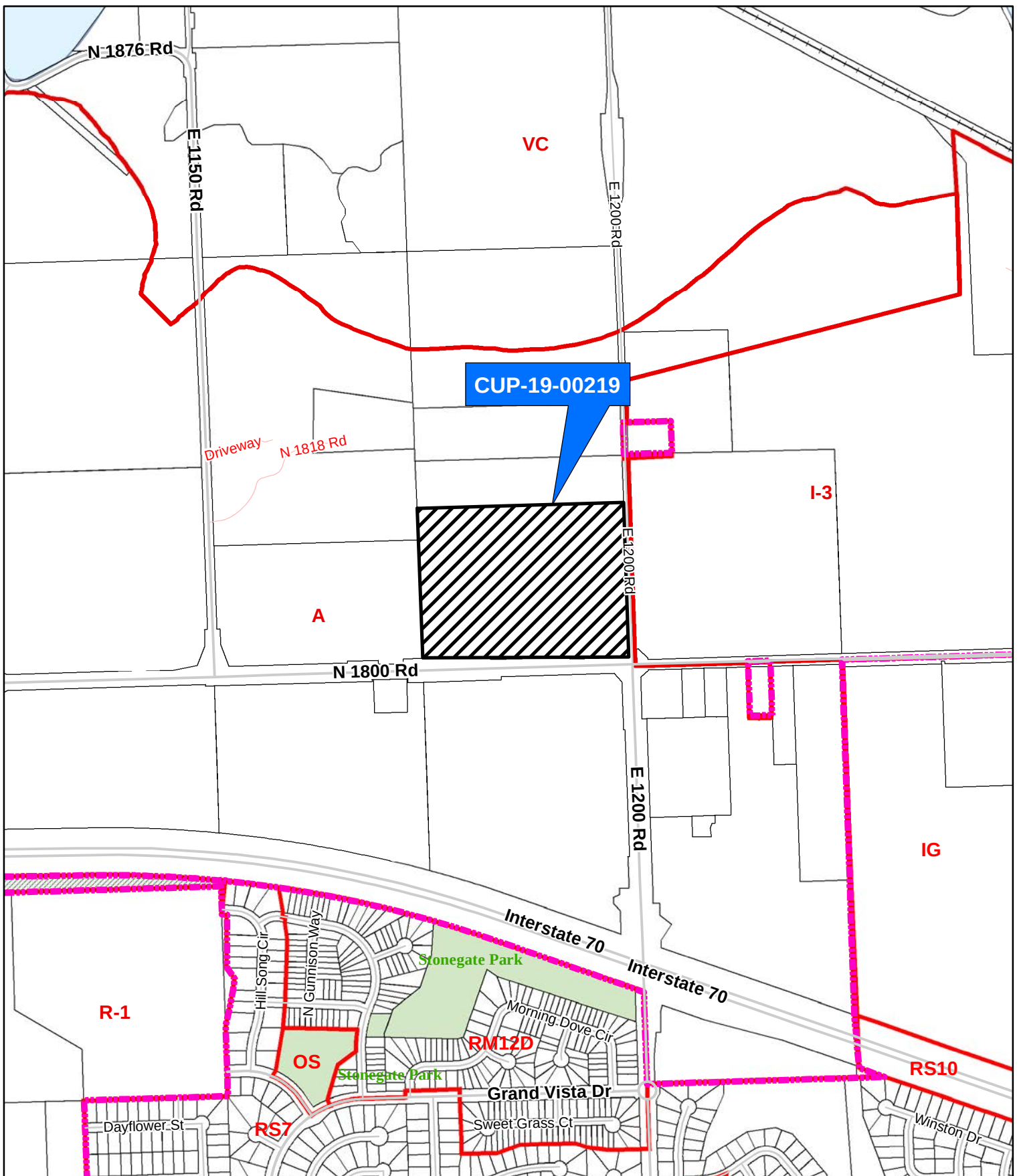


March 1, 2016

DISCLAIMER NOTICE
The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

3.3 Implementation

1. Amend *Horizon 2020* Chapter 6 - Commercial Land Use to add a Neighborhood Commercial Center at the southwest corner of the intersection of N 1800 Road (Farmer's Turnpike) and E 1200 Road.
2. Amend *Horizon 2020* Chapter 6 - Commercial Land Use relocate the Neighborhood Commercial Center at the intersection of N 1750 Road and E 1000 Road to the northern portion of the intersection of N 1800 Road (Farmer's Turnpike) and E 1000 Road.
3. Update *Horizon 2020*, Chapter 7 – Industrial Land Use to reflect industrial land use locations as identified in this plan.
4. Reevaluate and update the Urban Growth Area (UGA) in *Horizon 2020*.
5. Adopt industrial design guidelines for industrially zoned areas to provide high quality, aesthetically pleasing industrial development.
6. Include the planning area in the future wastewater and water master plan updates.
7. Amend plan identified future streets into the future thoroughfares map in *Transportation 2030*.
8. Include the planning area in future long-range transportation plan updates.



CUP-19-00219: Consider a Conditional Use Permit for EZ Storage, a Boat Storage and Mini-Storage Facility, located at 1803 E 1200 Rd.





City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES



City of Lawrence

MINUTES

Planning Commission Meeting
Monday, June 24, 2019 @ 6:30 PM
City Commission Room

PRESENT: Planning Commissioner Struckhoff, Planning Commissioner Ashworth, Planning Commissioner Carpenter, Planning Commissioner Weaver, Planning Commissioner Butler, Planning Commissioner Willey, Planning Commissioner Sinclair, Planning Commissioner Sands, Planning Commissioner Paden, and Planning Commissioner Carttar

STAFF PRESENT: Administrative Support Ewert, Planning Manager Crick, Planner II Miller, Planner II Day, Director McCullough, and Deputy City Attorney Larkin

5. CUP-19-00219: Consider a conditional use permit for a Boat Storage and Mini-Storage facility, located on approximately 28.68 acres at 1803 E. 1200 Road. Submitted by Anthony Fanello, property owner of record. [VIDEO](#)

ACTION: Approve the conditional use permit, CUP-19-00219, and forward to the Board of County Commissioners with a recommendation for approval based on the findings in the staff report and subject to the following conditions:

- 1) The applicant shall provide an executed annexation agreement, including consent to annexation, to the Planning Office prior to the release of the conditional use site plan to the Zoning and Codes Office for processing of building permits.
- 2) The access point on E. 1200 Road will be revised, if necessary, to meet Wakarusa Township requirements and a revised plan reflecting these changes will be provided to the Planning Office prior to the release of the plan to the Zoning and Codes Office.
- 3) Grading to have minimal impact on floodplain.
- 4) Lighting plan to reduce glare.
- 5) Phase two would require amendment to approved Conditional Use Permit or the submission of a new Conditional Use Permit.

Motion: Planning Commissioner Butler
Second: Planning Commissioner Sinclair

RESULT: **DEFEATED. 5-5**

Ayes: Planning Commissioner Struckhoff, Planning Commissioner Butler, Planning Commissioner Willey, Planning Commissioner Sinclair, and Planning Commissioner Carttar

Nays:	Planning Commissioner Ashworth, Planning Commissioner Carpenter, Planning Commissioner Weaver, Planning Commissioner Sands, and Planning Commissioner Paden
-------	---

ACTION: Deny the Conditional Use Permit, CUP-19-00219, and forward to the Board of County Commissioners.

Motion: Planning Commissioner Sands

Second: Planning Commissioner Paden

<u>RESULT:</u>	DEFEATED. 5-5
Ayes:	Planning Commissioner Ashworth, Planning Commissioner Carpenter, Planning Commissioner Weaver, Planning Commissioner Sands, and Planning Commissioner Paden
Nays:	Planning Commissioner Struckhoff, Planning Commissioner Butler, Planning Commissioner Willey, Planning Commissioner Sinclair, and Planning Commissioner Carttar

Neighborhood Opposition To Conditional Use Permit Application 19-00219



June 24, 2019

Prepared and submitted on behalf of:

Larry & Lyric Bartz
1819 E 1200 Rd.
Lawrence, KS 66049

Introduction

The neighbors of 1803 E 1200 Rd are deeply concerned about the proposal to redevelop the Subject Property into a self-storage facility. After receiving the mailed notice of the Conditional Use Permit process, we investigated the proposed site plan submitted by the applicant, as well as the applicable Douglas County Zoning Code, Public Works Code, the *Horizon 2020* Comprehensive Plan, the K-10 & Farmer's Turnpike Plan, and the most current draft of the future *Plan 2040* Comprehensive Plan currently under development. It is clear the proposed use does not fit the current character of the neighborhood, it does not follow the zoning regulations for self-storage facilities' acceptable access roads, and the site plan does not comply with the K-10 & Farmer's Turnpike Plan guidelines regarding commercial development along the Farmer's Turnpike.

We have organized our objections in this document as follows:

- **Part 1:** Issues with applicant's responses to Conditional Use Permit "Sheet A" questions.
- **Part 2:** Other issues with applicant's existing site plan.
- **Part 3:** Errors and inconsistencies in Planning & Development Services report.
- **Part 4:** Protest petition filed in response to Conditional Use Permit request.

It should be noted the neighbors of this property agree to support the applicant's request to bisect the current property plat and allow a second home to be built along with renovations to the original home site. The neighbors are also in agreement that any commercial agricultural business and/or agritourism business would be a mutually beneficial addition to the neighborhood both increasing the rural appeal of the neighborhood and offering new economic growth benefits to the county.

If, however, the Planning Commission and Douglas County Commission insist on approving the Conditional Use over these objections, the applicant should be required – at a minimum - to bring the proposed site plan in compliance with all existing zoning and comprehensive plan regulations on site development and entrance locations. The applicant should further stipulate no excavation will occur in the floodplain on the western edge of applicant's property that would disrupt the current flow of Deerfield Creek and adjacent floodways, and the applicant should provide a detailed plan for excavation at the site plan area before approving the Conditional Use permit.

INTRODUCTION	2
PART 1: ISSUES WITH CONDITIONAL USE PERMIT “SHEET A” QUESTIONS	5
1. What is the suitability of Subject Property for the uses to which it has been restricted?	5
1.1 No existing commercial properties on Farmer’s Turnpike.	5
1.2 Significant investment has been made in adjacent agritourism businesses.	6
1.3 Property sits on Prime Farmland with extensive agricultural improvements.	7
2. To what extent will removal of restrictions detrimentally affect nearby property?	9
2.1 Diminish scenic character of the neighborhood.	9
2.2 Conditional Use will impact Deerfield Creek drainage basin.	10
2.3 Traffic increase on E 1200 Rd.	12
2.4 Illegal dumping and trespassing concerns.	12
2.5 Crime issues at the storage facility and adjacent properties.	13
2.6 Concerns regarding light pollution.	13
2.7 Tax implications of adjacent development.	14
2.8 Impact on utilities.	14
3. What is the relative gain to the public health, safety, and welfare by the destruction of the value of the petitioner’s property as compared to the hardship imposed upon the individual landowners?	15
3.1 Water contamination from rainwater on outdoor vehicle storage.	15
3.2 Lack of fire suppression and fire hydrants at the property.	15
3.3 Already 17 existing self-storage facilities within a 10-mile radius.	16
3.4 Net employment impact of 1 to 2 jobs.	17
4. How does your request conform with the Comprehensive Plan, <i>Horizon 2020</i> ?	17
4.1 Conditional Use does not conform to planned future zoning.	17
4.2 Conditional Use does not conform to existing “K-10 & Farmer’s Turnpike” plan.	18
4.3 Proposed entrance does not comply with Public Road Access Management Standards	19
PART 2: ISSUES NOT ADDRESSED BY APPLICANT’S CONDITIONAL USE PERMIT APPLICATION	21
5. Questions and concerns regarding proposed operations and future expansion.	21
5.1 Types of storage allowed by use permit is unclear.	21
5.2 Proposed hours of operation are not stated in CUP application.	21
5.3 Questions regarding policies to avoid abandoned and junk vehicle storage.	22
5.4 Building design does not fit the character of the neighborhood.	22
5.5 Parking lot layout not adequate for proposed vehicle storage.	22
5.6 No details provided of timeframe for Phase II expansion.	23
5.7 Proposed signage exceeds county regulations.	24
5.8 No details provided of planned landscaping and screening.	24
5.9 Questions regarding future accessory uses such as moving van rental.	24
6. Questions regarding renovation of existing house and outbuildings.	25
6.1 Existing house built in 1900 and no details included of planned renovations.	25
6.2 Garage constructed in 1920 will be turned into office, but no details of renovations.	26
6.3 Site plan does not mention existing water well.	26
7. Concerns regarding owner-operator.	27
7.1 Owner leave vehicles and frequently dumps off-site construction debris at the property.	27
7.2 No indication that owner intends to remain involved in the business after construction.	28

PART 3: ISSUES WITH PLANNING & DEVELOPMENT SERVICES REPORT	29
8. Annexation agreement requirement	29
8.1 Annexation agreement is a slippery slope to forced annexation of neighboring properties.	29
9. Incorrect descriptions in Staff Report	29
9.1 Incorrect description of 'Character Of The Area' in Part II of staff report.	29
9.2 Incorrect description of dividing line between industrial and agricultural areas.	30
9.3 Incorrect description of natural boundaries and visibility off-premises.	30
9.4 Incorrect approval of allowing sole entrance to the property on E 1200 Rd.	31
PART 4: PROTEST PETITION FILED BY NEIGHBORS	32

Part 1: Issues with Conditional Use Permit “Sheet A” questions

We believe the Conditional Use Permit application should be denied based on the criteria outlined in “Sheet A” attached to application CUP-19-00219. To assist the Planning Commission and County Commission in understanding the scope of neighbors’ objections to the proposed use, we have correlated our responses in this section to the questions asked in Sheet A of the Conditional Use Permit application.

1. What is the suitability of Subject Property for the uses to which it has been restricted?

1.1 No existing commercial properties on Farmer’s Turnpike.

The largest reason to deny this Conditional Use Permit is because it would represent the first and only commercial development along Farmer’s Turnpike between the western entrance to the Santa Fe Industrial Area and the intersection of K-10 and Farmer’s Turnpike. Since the original *Horizon 2020* comprehensive plan was created in 1998, which created a variety of proposed future zoning and development guidelines on this area of Douglas County, there have not been any commercial redevelopments that fundamentally changed the rural agricultural character of this neighborhood.



The residents of this neighborhood have made significant investments in their property for personal and agricultural use, which would be diminished if the main thoroughfare through this neighborhood is allowed to commercialize without any regard for the existing neighborhood and its residents.

1.2 Significant investment has been made in adjacent agritourism businesses.

Although the existing residents of this neighborhood have not pursued strictly commercial redevelopment of their property, several residents have made significant investments in creating or maintaining agritourism destinations and specialty-crop farms, including:

Taylor Barn wedding and event venue:

Originally built in 1879, Historic Taylor Barn and farm has been owned by multiple generations of the Taylor family since 1947. Since 2007, Taylor Barn has been made available for weddings and other special events desiring a rural, historic location on a working farm. In 2011, the Taylor Barn and farmstead were listed on the *Kansas State Historical Society Register of Historical Places*. In determining its eligibility for inclusion in the *Register*, it is noted; “Despite extensive rehabilitation, the Gorrill House (Taylor farm) retains sufficient integrity of location, setting, materials, and workmanship to justify its nomination to the Register of Historic Kansas Places. Those aspects of integrity also support the qualities of feeling and association which contribute to its significance. ***The actual location and setting contribute to a sense of its historic agricultural use and its historic place in the rural community of Lecompton Township.***”¹ (emphasis added)

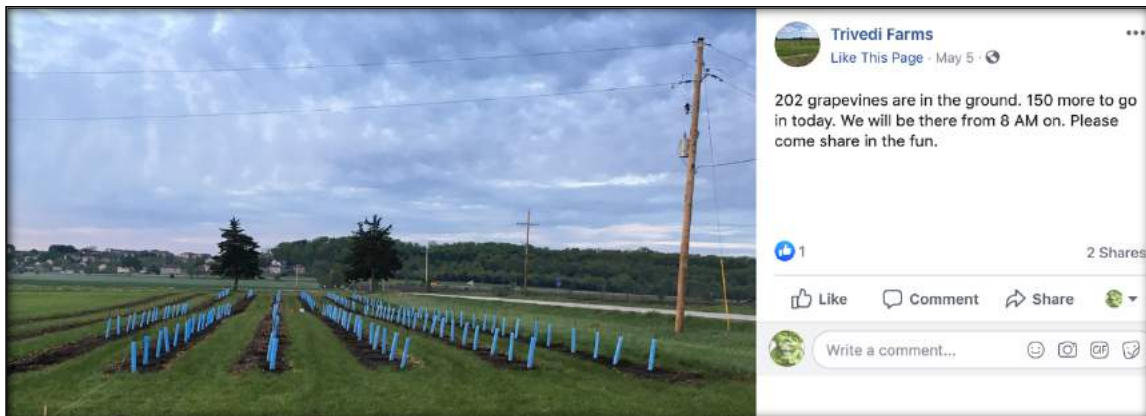


Commercial development not designed to match and complement the current character of the neighborhood threatens to impair the rural appeal of this historic facility in Douglas County.

¹ Kansas State Historical Society, “Robert William and Helen Baldwin Gorrill Farmstead”, site number 045-3837, listed on State Historical Record on 8-13-2011

Trivedi Farms vineyard, winery, and orchard:

After receiving approval from Douglas County in 2018, Trivedi Farms has recently planted over 350 grape vines and an apple orchard and work is underway on a winery and tasting room that will be open to the public. This facility is directly adjacent to the proposed self-storage facility on the west side of the floodplain. Owner Maulik Trivedi has been extremely proactive in meeting with neighbors to discuss his plans for the farm and the neighbors have all been very supportive of Trivedi Farms' plans to develop a public visitor center and winery at his vineyard.



Trivedi Farms and Trivedi Wine offer significant new agritourism benefits to the neighborhood and Douglas County, including long-term investment in vineyards, orchards, and a wine-making facility. This farm is an excellent example of how to boost employment opportunities and economic development within the K-10 & Farmer's Turnpike plan area without degrading the rural character of the neighborhood.

1.3 Property sits on Prime Farmland with extensive agricultural improvements.

The existing farmland above the floodplain consists of Pawnee Clay Loam and Sharpsburg Silt Loam, both considered "Prime Farmland" by the USDA. The proposed self-storage facility would excavate the southeastern corner of the farm, converting virtually all the Sharpsburg Silt Loam soil into buildings and impermeable surfaces. This soil has a USDA "Low" runoff rating and provides >80" of soil depth with a USDA "high" rating for water storage.² This soil is capable of storing 10.2" of rain, equating to 7.65 acre-feet (2.5 million gallons) of water on the roughly 9 acres proposed to be converted to a storage facility.

² "Sharpsburg Silt Loam" soil type, USDA Soil survey, https://websoilsurvey.sc.egov.usda.gov/WssProduct/s3bljaujwnx3p51pmog2my4j/s3bljaujwnx3p51pmog2my4j/20190624_03155503894_69_Map_Unit_Description_Sharpsburg_silt_loam_1_to_4_percent_slopes--Douglas_County_Kansas_and_Jefferson_Co.pdf

The remaining farmland, outside of the current Phase 1 and Phase 2 site plan and above the floodplain, consists of Pawnee Clay Loam which has a USDA “High” runoff classification and “very low to moderately low” (0.00” to 0.06” per hour) capacity to transmit water.³ This field has been extensively terraced to enable active farming on <2% slope and is currently planted with high-quality Brome hay. The terracing was completed in approximately 1949, and the field has been continually planted in the original Brome hay since that time. The terracing and established hay crop work synergistically to trap and absorb rainfall and mitigate the soil’s poor natural water absorption and retention characteristics. Since the field has been allowed to develop for nearly 70 years without tilling, while being regularly cut and baled, the root system is highly developed and the stand “is resistant to temperature extremes and drought.”⁴



Approval of the Conditional Use Permit will irreparably destroy Prime Farmland and significantly alter the rain storage and runoff mitigation characteristics of the property.

³ “Pawnee Clay Loam” soil type, USDA Soil survey, https://websoilsurvey.sc.egov.usda.gov/WssProduct/s3bljaujwnx3p51pmog2my4j/s3bljaujwnx3p51pmog2my4j/20190624_03061503412_69_Map_Unit_Description_Pawnee_clay_loam_1_to_4_percent_slopes--Douglas_County_Kansas_and_Jefferson_County.pdf

⁴ “Smooth Bromegrass”, University of Missouri – Extension, <https://extension2.missouri.edu/g4672>

2. To what extent will removal of restrictions detrimentally affect nearby property?

2.1 Diminish scenic character of the neighborhood.

The greatest immediate detriment is low-quality commercialization of a key gateway from Lawrence into unincorporated Douglas County. This intersection serves as the eastern gateway to the K-10 & Farmer's Turnpike plan area, and is currently populated with long-term family farms and single-family homes. A natural hill to the east of the intersection hides virtually all of the Santa Fe Industrial Area and traffic heading from Kasold or Lakeview Rd towards the K-10 & I-70 interchange have an unobstructed view of farms, woods, and fields. Approving the proposed Conditional Use Permit would represent the first commercial development in this area and creates a slippery slope of encouraging further commercialization along Farmer's Turnpike that is not designed or intended to boost the agricultural aesthetic of the area.



View to the west of Subject Property



View to the south of Subject Property



View to the east of Subject Property



View to the north of Subject Property

2.2 Conditional Use will impact Deerfield Creek drainage basin.

The Subject Property serves as a key drainage basin for Deerfield Creek and over 1,200 acres (1.9 mi²) of residential developments in the Deerfield, Monterey, Hutton Farms, and Lawrence Country Club neighborhoods. Storm runoff from these areas flow through 3 storm sewer lines under the Kansas Turnpike and into Deerfield Creek along the western edge of the Subject Property.



Source: K-10 & Farmer's Turnpike Plan, Map 2-4

Deerfield Creek drainage basin



Source: K-10 & Farmer's Turnpike Plan, Map 2-8; visualizations and acreage by Google Earth Pro

Currently, the Subject Property is planted in established Brome hay with extensive terracing to control water runoff and enable active farming of the land. The current site plan calls for excavating and leveling approximately 9 acres of Sharpsburg Silt Loam at the top of the hill. Creating impermeable surfaces over this site plan area will eliminate natural water storage capacity of over 2.5 million gallons of water, which will instead be routed downhill across soil with poor absorption and high runoff risk. It should also be noted the current site plan does not include any information on drainage infrastructure to be installed at the Subject Property, nor does the site plan include any features to mitigate runoff and flooding from the increase in impermeable surfaces.

In practical terms, this means that each 1" of rainfall on the site plan area creates over 244,000 gallons of runoff water, which would be drained to the adjacent farmland and the floodplain. Furthermore, the current site plan does not include any prohibition against excavation work in the floodplain on the eastern side of the property. If the applicant were allowed to relocate the excavated earth from the construction of the Phase 1 and

Phase 2 facilities into the floodplain area, they could potentially raise the elevation enough to remove up to 17 acres from the existing floodplain. Any modification to the existing floodplain increases downstream flooding risks to adjacent property owners sharing the Deerfield Creek drainage basin.

If the Conditional Use is approved, the applicant should update the site plan to provide clear drainage plans appropriate to collect, channel, store, or divert rainwater on the property and applicant should be prohibited from disposing of excavated dirt elsewhere on the premises or from making any modifications likely to impact the floodplain.

2.3 Traffic increase on E 1200 Rd.

The current site plan proposes to make an existing residential driveway on E 1200 Rd the exclusive customer entrance to the facility. This road dead-ends approximately 1,000' north of the Subject Property and is currently only used by the 2 homes north of the Subject Property on E 1200 Rd. Assuming all 3 residents on this block make an average of 2 trips per day, the existing residents account for approximately 6 trips per day. An average of 2-3 additional visitors use the road each day to access nature walks along the closed section E 1200 Rd. Today, average existing traffic pattern is typically ~10 vehicle trips per day.

The current site plan calls for 276 enclosed self-storage units and 76 outdoor vehicle storage sites, for a total of 352 units. Assuming 70% of renters are private individual renters who visit the unit an average of once per month and the other 30% of renters are commercial tenants who visit their unit an average of once per week, the facility is likely to generate ~23 vehicle trips per day. This represents an increase of 230% above existing traffic patterns on a 20' wide minimum maintenance rural road not designed for frequent use by heavy and oversized vehicles.

2.4 Illegal dumping and trespassing concerns.

Due to its location as the first rural dead-end road outside the city of Lawrence, E 1200 Rd has long attracted illegal dumping of trash and animals (both unwanted pets and wild animals captured within the city) and frequent trespassing concerns. As recently as April 2019, the residents of E 1200 Rd had a man break into a house and a horse trailer on opposite sides of the road dumping suspected stolen property in and around the horse trailer before leading Douglas County Sheriff's Deputies on a foot chase across the Westar power plant property.

If the Conditional Use Permit is approved and the final site plan is allowed to route all traffic to the self-storage facility through E 1200 Rd, the existing residents expect a dramatic increase in dumping along the road, as well as further increased problems with trespassing and petty crime issues from the increased traffic and visibility of the area.

2.5 Crime issues at the storage facility and adjacent properties.

Due to its location outside of the City of Lawrence, the neighbors are concerned the proposed self-storage will attract crime due to its perceived isolation. The current site plan only states that a 6-foot chain link fence will surround the property with a keyless keypad entry/exit gate. The applicant has provided no details regarding anticipated staffing or around-the-clock security personnel nor have they provided any plans regarding video and security systems and automatic police notification of alarms. The proposed access on E 1200 Rd does not have any on-street lighting, and the existing rural water district pumphouse and surrounding vegetation on the NE corner of E 1200 Rd and Farmer's Turnpike restricts visibility of activities on E 1200 Rd from passing vehicles.

If the Conditional Use Permit is going to be approved, Douglas County should engage in proactive discussions between the applicant, county planning officials, and the Douglas County Sheriff's Department to identify additions and modifications to the site plan and the applicant's operating procedures to insure the existing residents do not experience additional crime issues as a result of this facility.

2.6 Concerns regarding light pollution.

The current site photometric plan indicates there will be six 20' light poles with 24-hour lighting of the property. While the photometric plan indicates an intention to use shielded down-facing LED lights to minimize light leakage off-site, the neighbors are highly skeptical these lights will not cause annoyance to surrounding homes. The Subject Property is located at the top of a hill between 10' and 50'+ higher than adjacent homes. After accounting for the height of the light poles, the proposed storage lot is likely to illuminate the entire area. The site plan does include plans for landscaping around the property, but even if 6'-8' evergreen trees are used for screening it is unlikely they would be able to block all light to surrounding properties for at least a decade.

2.7 Tax implications of adjacent development.

The other residents of E 1200 Rd are also concerned the significant improvements to the road surface and county infrastructure along E 1200 Rd could lead to future increases in property taxes for the adjacent parcels. The recent issues surrounding the Queens Road Benefit District in Lawrence illustrate the concerns of existing long-term residents of the neighborhood getting stuck with the bill for infrastructure improvements they neither need nor want triggered by someone else's commercial redevelopment.

2.8 Impact on utilities.

The applicant has not included any information in the site plan to evaluate the impact on utility service to the neighbors. Specifically, the existing farms north of the Subject Property on E 1200 Rd are served by a single power line running north along E 1200 Rd. This existing service serves 2 single family residences and several farm buildings associated with the 2 residences. Despite the proximity to the Westar power plant and extensive high-voltage power transmission lines in the neighborhood, the actual service lines serving E 1200 Rd were all designed for relatively low-impact rural agricultural usage.



Local power line on E 1200 Rd



High amperage power line on Farmer's Turnpike

Prior to approving the Conditional Use Permit, applicant should ascertain the predicted electrical demand of the Phase 1 and Phase 2 proposed development and the existing spare capacity of the power line serving E 1200 Rd. If the proposed facility would constrain the existing service at the existing residents' property, Douglas County should require the applicant to pay for any required upgrades necessary to not constrain the existing residents' electricity capacity. More preferably, the facility should be required to connect to the existing high-capacity power lines adjacent to Farmer's Turnpike. These power lines are intended to serve a large area with sufficient commercial and residential power and would be a more appropriate connection for a new commercial facility.

3. What is the relative gain to the public health, safety, and welfare by the destruction of the value of the petitioner's property as compared to the hardship imposed upon the individual landowners?

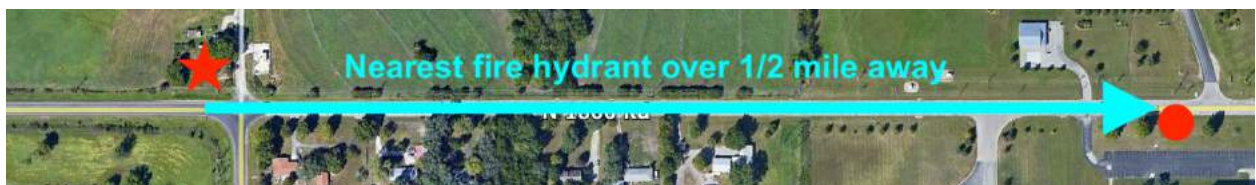
3.1 Water contamination from rainwater on outdoor vehicle storage.

The existing site plan for the proposed self-storage facility does not include any information on measures that will be taken to sequester any oil and chemical pollution from rain water runoff at the outdoor vehicle and boat storage lot. As discussed elsewhere in this document, the proposed excavation and construction at the property will remove the natural rain storage features of the property and redirect all runoff from the approximately 9-acre facility into the adjacent Deerfield Creek on the North and West sides of the property. This creek then flows through adjacent farms before merging with Baldwin Creek which empties into the Kansas River.

The livelihood of neighboring properties is particularly threatened by the risk of oil and chemical runoff at the proposed vehicle storage lot. The neighbors to the North have 6 horses and use their property along Deerfield Creek for riding trails and pasture for their horses. This property is the first downstream property from the proposed facility and stands the greatest risk of issues in the event of oil or chemical contamination from vehicles at the storage facility. On the West side of Deerfield Creek, Trivedi Farms has made significant investment in a vineyard and orchard. Current and future irrigation of this farm could be impaired by contaminated runoff from the vehicle storage lot.

3.2 Lack of fire suppression and fire hydrants at the property.

The nearest fire hydrant is approximately ½ mile east of the proposed facility - east of the Wakarusa Fire Station. In the event of a fire, tanker trucks would be required to bring all fire suppression water on-site. This raises the importance of proper site design to ensure that emergency personnel can easily reach all units to contain the spread of any fires.



The current site plan does not include any information about fire suppression plans nor does the current layout take into consideration minimum widths for emergency vehicles to access the facility in the event of a fire in an enclosed storage unit. Although zoning code only requires a minimum of 25' between buildings, self-storage facility best practices recommend $\geq 30'$ of clearance in fire lanes and a minimum of 2 entry/exit points to the property. The current site plan fails both recommendations.

The site plan also does not include any information regarding building design, sprinkler systems, or standpipe connections to contain and extinguish any potential fires. Although storage of flammable gases and liquids is prohibited, self-storage managers have little to no ability to monitor and police violations of this policy. Also, due to the wide variety of products which may be stored and the extreme density that many units are packed ("floor to ceiling, wall to wall"), fires pose unique hazards to first responders and other tenants of a storage facility. If Douglas County decides to approve this facility, management should be required to include appropriate fire suppression technologies and design features to contain fires to a specific unit without quickly spreading through the whole building.

3.3 Already 17 existing self-storage facilities within a 10-mile radius.

There is not a demonstrated need for additional self-storage in the Lawrence area. Based on a search in Google Maps, there are at least 17 existing self-storage facilities within a 10-mile radius of the Subject Property.

	Distance	Business Name	open	close	Address
1	1.8 miles	Ertl Self Storage	6:30am	10pm	412 N Iowa, Lawrence, KS 66044
2	2.4 miles	Space Saver Storage	6am	10pm	3707 W. 6th, Lawrence, KS 66049
3	5.4 miles	LLI Storage	24 hrs	24 hrs	615 Maple St, Lawrence, KS 66044
4	5.6 miles	Parkway Storage	6am	11pm	4921 Wakarusa Ct, Lawrence, Kansas 66047
5	5.6 miles	University Storage	6am	10pm	1601 W 23rd St., Lawrence, KS 66046
6	6.1 miles	A1 Mini Storage			2910 Iowa St, Lawrence, KS 66046
7	6.1 miles	Plaza Storage of Lawrence	6am	10pm	2300 W 31st St, Lawrence, KS 66047
8	6.1 miles	Lawrence RV and Boat Storage	24 hrs	24 hrs	1473 US-40, Lawrence, KS 66044
9	6.5 miles	A1 Self Storage	24 hrs	24 hrs	1717 W 31st St, Lawrence, KS 66046
10	6.5 miles	A1 Self Storage	24 hrs	24 hrs	816 Lynn St, Lawrence, KS 66044
11	7.0 miles	Public Storage	6am	9pm	2223 Haskell Ave, Lawrence, KS 66046
12	7.2 miles	23rd Street Advantage Storage	24 hrs	24 hrs	1104 E 23rd St, Lawrence, KS 66046
13	7.3 miles	Clinton Self Storage	24 hrs	24 hrs	1423 East 900 Rd, Lawrence, KS 66049
14	7.4 miles	Space Place			1201 E 24th St, Lawrence, KS 66046
15	7.4 miles	Lawrence Storage	7am	10pm	2201 St James Ct, Lawrence, KS 66046
16	7.5 miles	Climate Storage	6am	11pm	1547 E 23rd St, Lawrence, KS 66046
17	8.8 miles	Ace Self-Storage	24 hrs	24 hrs	2400 Franklin Rd, Lawrence, KS 66046

3.4 Net employment impact of 1 to 2 jobs.

The proposed facility will have virtually no impact on employment in Douglas County. The current site plan includes an on-site caretaker residence, but does not include any other information regarding hours of operation or expected staffing at the facility. However, it is reasonable to assume that the net employment impact is likely to be 1 full-time caretaker and possibly 1 additional part-time employee to fill-in as needed. This is a negligible increase to the employment base of Douglas County and represents an extremely low-value redevelopment opportunity from a jobs and economic impact perspective.

4. How does your request conform with the Comprehensive Plan, *Horizon 2020*?

4.1 Conditional Use does not conform to planned future zoning.

The current version of the *Horizon 2020* Comprehensive Plan designates the Subject Property as having “Office/Research” zoning in the future. The plan states:

*“Office research uses have been recommended as an appropriate land use activity at gateways into the community. **Developments occurring at gateways to the community are required to be of high-quality design and visual character** utilizing best management practices for site planning and design. **Such developments are intended to promote an integrated and contextual design approach that minimizes unnecessary impacts, such as noise, odor, glare, or other similar intrusions to the community and surrounding neighborhoods.**”⁵ (emphasis added)*

The proposed use does not fit within the planned development for this area nor does it offer the “high-quality design and visual character” expected from the first commercial development in this neighborhood. Furthermore, allowing this self-storage facility to be built on the intersection of E 1200 Rd and Farmer’s Turnpike would impair future efforts to redevelop the whole area west of the Westar power plant. The currently proposed use would be right in the middle of a 130+ acre contiguous area adjacent to the Westar plant that could be master planned as a research park or employment center use.

The *Horizon 2020* Comprehensive Plan also includes guidelines for future Industrial & Employment uses that call for developers to “minimize impacts to the natural environment” and a “reduction of visual impacts on surrounding areas.” It continues, “as new areas evolve, encourage development proposals to employ sound site planning and

⁵ *Horizon 2020* Comprehensive Plan, page 7-10

design principles. Interfacings with surrounding properties and neighborhoods are also encouraged to minimize negative impacts and employ appropriate and compatible industrial and business activities.”⁶

The proposed self-storage facility is not compatible with planned “Office/Research” uses, it is not compatible with the surrounding area, and it does not increase employment.

4.2 Conditional Use does not conform to existing “K-10 & Farmer’s Turnpike” plan.

The Future Land Use Map 3-1 in the K-10 & Farmer’s Turnpike Plan designates the Subject Property as having an “Office/Research” future land use.⁷ Section 3.2.1.7 of the plan defines Office/Research uses as **“characterized by businesses involved in technology, research and scientific-related activities and/or office, office research activities that are designed in a campus like setting.** Light manufacturing and production uses are also acceptable within this use category. Areas identified as office/research uses along N 1800 Road (Farmer’s Turnpike) are **intended to support employment center type uses and not strip-type commercial development.”**⁸ (emphasis added)

The K-10 & Farmer’s Turnpike Plan outlines 6 goals that are intended to be “broad statements of ideal future conditions that are desired by the community.”⁹ The proposed Conditional Use fails to meet a single one of the stated goals. It does not promote employment opportunities for economic development (Goal 1), it would destroy the rural character of the area before any urban density or growth develops (Goal 2), it is not a quality mixed-use area and would impair future development of large-scale mixed use office/research facilities in the future (Goal 3), it fails to respect the natural systems currently in place (Goal 4), the site currently lacks infrastructure and public facilities necessary to develop the area (Goal 5), and it fails to build commercial nodes (Goal 6).

The K-10 & Farmer’s Turnpike Plan also includes a series of guiding principles that provide direction for decisions to be made regarding the planning area in order to meet the goals.¹⁰ Section 3.1.2.5 outlines 9 policy statements regarding development of Industrial / Office / Research land uses.¹¹ The proposed Conditional Use fails to meet at least 3 of these policies. Specifically, policy #4 “structures along N 1800 Road (Farmer’s Turnpike)

⁶ Horizon 2020 Comprehensive Plan, page 7-2

⁷ K-10 & Farmer’s Turnpike Plan, Map 3-1, page 3-11

⁸ K-10 & Farmer’s Turnpike Plan, page 3-9

⁹ K-10 & Farmer’s Turnpike Plan, page 3-1

¹⁰ K-10 & Farmer’s Turnpike Plan, page 3-1

¹¹ K-10 & Farmer’s Turnpike Plan, page 3-3

should present a front face to N 1800 Road (Farmer's Turnpike) to add to the high quality aesthetics encouraged in the gateway," and policy #7 "areas identified for office/research uses along this corridor are intended to support employment center type uses and discourage strip-type commercial development," and policy #9 "exterior storage, fleet storage, and other similar exposed storage shall not be permitted."

The K-10 & Farmer's Turnpike Plan also states, "the plan outlines future land uses for the planning area to be used as a guide for urban development **only after annexation into the city of Lawrence occurs**. [...] The plan should fit like a puzzle piece into the larger context of the surrounding street, utility, and land use network of the entire community. [...] It is expected that development in the planning area will occur within the span of decades as the market demands and **as urban services are able to be provided.**"¹² (emphasis added)

The Subject Property has not been annexed into Lawrence nor has any additional infrastructure been recently added to Farmer's Turnpike to support large-scale annexation and redevelopment of this area. It is the first non-agricultural commercial use to be proposed on the Farmer's Turnpike since the creation of the plan.

The proposed facility fails to meet virtually every goal and criteria for appropriate development of this site. This facility would not boost employment and would be located on the key Farmer's Turnpike and Kasold St intersection at the gateway to a potential 130-acre redevelopment opportunity. As the first new commercial development in the plan area, this could define future redevelopment opportunities for the whole region and potentially discourage the development of the planned research and technology park.

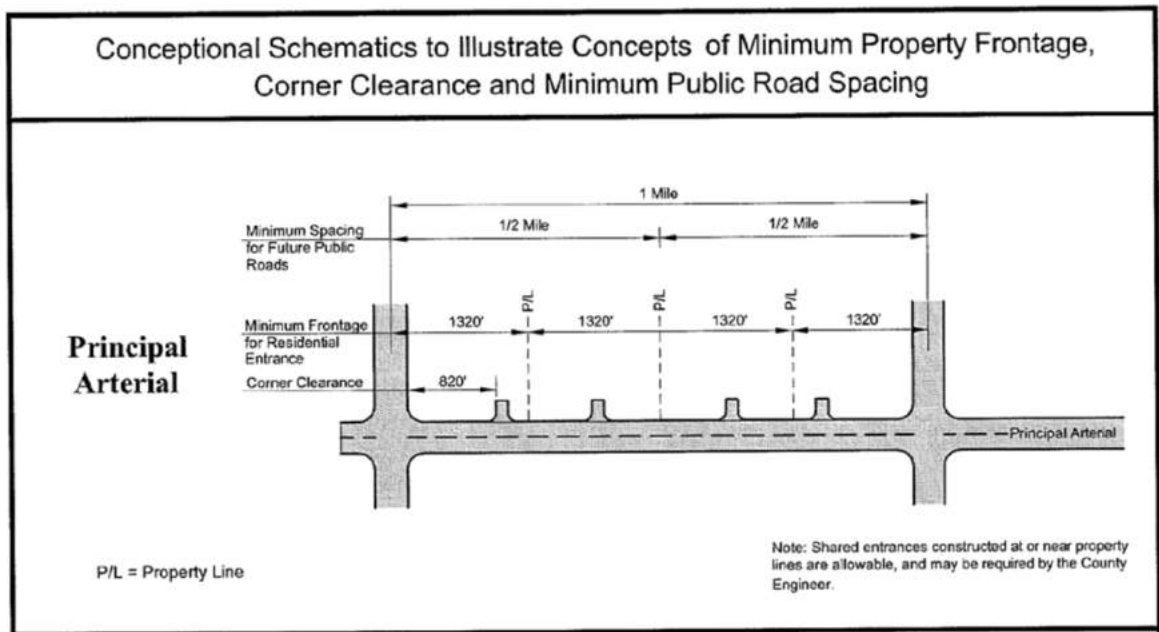
4.3 Proposed entrance does not comply with Public Road Access Management Standards

The current site plan proposes to direct all traffic in and out of the facility through a single entrance located on E 1200 Rd. This entrance is approximately 150' north of the intersection of E 1200 Rd and Farmer's Turnpike. Pursuant to Douglas County Zoning Code 9-501, current Public Works regulations require at least 200' corner clearance from the intersection of a 'local' road.¹³ The current site plan does not meet this requirement, nor does the site plan qualify for grandfather status as it represents a major redevelopment of the property from its existing agricultural use into an unrelated commercial use.

¹² K-10 & Farmer's Turnpike Plan, page 1-1

¹³ Douglas County Code, Chapter 9, Article 5, section 9-501, page 23

Douglas County zoning regulations for self-storage facilities require the facility “must take direct access from a paved road classified as ‘collector’ or higher.”¹⁴ Currently, E 1200 Rd is a ‘local’ road that does not meet the minimum design specifications of a ‘collector’ road in county code 9-203(b)(3)(c).¹⁵ Furthermore, the K-10 & Farmer’s Turnpike Plan requires all Industrial/Office/Research development to “present a front face to N 1800 Rd (Farmer’s Turnpike) to add to the high quality aesthetics encouraged in the gateway.”¹⁶



Source: Douglas County Code Chapter 9 Public Works, page 24

If the Conditional Use is approved, the applicant should be required to bring the site plan in compliance with the terms of existing zoning code and the K-10 & Farmer’s Turnpike Plan. Specifically, the entrance must face Farmer’s Turnpike.¹⁷ Furthermore, since Farmer’s Turnpike (N 1800 Rd) is currently designated a ‘Principal Arterial’ -class road, the entrance should be located no less than 820’ east of the intersection with all vehicle access onto Farmer’s Turnpike.^{18,19}

¹⁴ Douglas County Zoning Code, section 12-319-4.34, page 72 of 148

¹⁵ Douglas County Code, Chapter 9, section 9-203(b)(3)(c), page 16

¹⁶ K-10 & Farmer’s Turnpike Plan, section 3.1.2.5(4), page 3-3

¹⁷ Douglas County Zoning Code, section 12-319-4.32(b), page 72 of 148

¹⁸ K-10 & Farmer’s Turnpike Plan, map 2-6 “Existing Street Classifications”, page 2-12

¹⁹ Douglas County Code, Chapter 9, Article 5, section 9-501, page 23

Part 2: Issues not addressed by Applicant's Conditional Use Permit application

5. Questions and concerns regarding proposed operations and future expansion.

5.1 Types of storage allowed by use permit is unclear.

Applicant has filed for a Conditional Use Permit to allow both “self-storage” and “boat storage,” which have different definitions and regulations in the Douglas County zoning code. When comparing these two use types, there are several significant differences in the applicable criteria and development standards. The regulations for the “boat storage” use type is exclusively limited to boat storage and does not allow any other vehicle or trailer.²⁰ However, the regulations for “Mini- or self-storage” specifically allow outdoor “storage of trucks, automobiles, trailers, boats or RVs” in addition to indoor storage.²¹ As “boat storage” is already included as one of the allowed storage types detailed in the “mini- and self-storage facilities” regulations, and since the applicant has included “trucks, automobiles, trailers, boats, personal watercraft and RVs” in his Conditional Use Permit application, it would seem most appropriate to disregard the “boat storage” zoning use type and evaluate this Conditional Use Permit only against the regulations outlined for “mini- and self-storage facilities” in section 12-319-4.34 of the zoning code.

5.2 Proposed hours of operation are not stated in CUP application.

The existing residents of this area are concerned about the potential around-the-clock traffic to this facility. The current Conditional Use Permit application does not include any information regarding anticipated hours of operation and/or security gate access times. To better understand the typical hours of operation for a self-storage facility, we researched the 17 existing self-storage and boat storage businesses currently open within a 10-mile radius of the subject property. Of the businesses with access hours posted: 47% allow 24-hour access (7 locations), 33% are open until 10pm (5 locations), 7% are open until 11pm (1 location), and 7% close at 9pm (1 location). Among the businesses that are not open 24-hours, all open between 6am and 7am each morning.

²⁰ Douglas County Zoning Code section 12-319-4.23, page 60 of 132

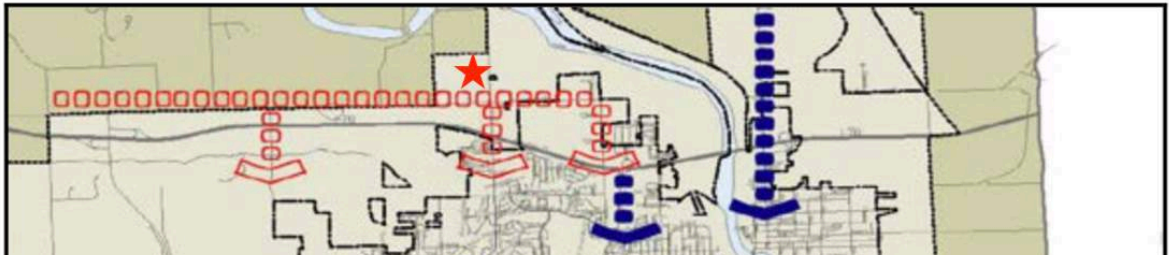
²¹ Douglas County Zoning Code section 12-319-4.34, page 65 of 132

Since there are no other around-the-clock businesses in this neighborhood, we request the County Commission require the applicant to stipulate expected hours of operation and prohibit 24-hour customer access to the storage area.

5.3 Questions regarding policies to avoid abandoned and junk vehicle storage.

Applicant has not included any information indicating their policies and procedures to avoid the vehicle storage lot from looking like a junkyard. Given the prominent location of the subject property on a 'Minor Gateway' into Lawrence, and conversely as the first rural gateway for traffic leaving Lawrence north on Kasold St or west from the Santa Fe Industrial Area, the subject property will be highly visible to everyone passing through the area.

Lawrence Gateways



Source: K-10 & Farmer's Turnpike Plan, page 2-11, original chart from Transportation 2030 figure 2.4

We request that the applicant further stipulate the company's anticipated policies and procedures to avoid the appearance of a junkyard in the exterior vehicle storage area, and require on-going compliance with these procedures after the business opens.

5.4 Building design does not fit the character of the neighborhood.

The current site plan calls for basic corrugated steel buildings with low-rise roofs. No information is provided regarding proposed colors or other decoration to the building façade to more closely match the rural agricultural aesthetic of the neighborhood. If the Conditional Use is approved, the design of storage buildings should be required to look like barns or similar rural buildings that blend in to the neighborhood.

5.5 Parking lot layout not adequate for proposed vehicle storage.

The current site plan calls for a total of 76 outdoor parking spaces for the storage of cars, trucks, trailers, boats, campers, and RVs. The current site plan only calls for the minimum allowed driveway width as articulated in the zoning code without any practical basis on

the specific vehicles intended to be stored in this area. Typical new RVs range from 30' – 42' in length, total combined length for a truck towing a pontoon or speedboat regularly exceeds 45' in length, and travel trailers and 5th wheel campers towed by full-size trucks regularly exceed 50' in length. At a maximum, Kansas law allows non-commercial vehicles to tow up to 65' of combined truck and trailer length and up to 26,000 lbs.²² Since most of the vehicles proposed to be stored in this outdoor lot will have significantly wider turning radii than passenger cars and trucks, the minimum driveway widths outlined in the zoning code are likely inadequate for the proposed use.

If the Conditional Use is going to be approved, the applicant should be required to rework the layout of the outdoor storage lot to adequately allow for maneuverability of the vehicles that will be stored in the lot and/or limit the size and type of vehicles that may be stored in the outdoor storage lot. The current plan includes 34 spaces 10'x20' in two adjacent rows in the middle of the lot. The plan does not include any details on intended dividers or vehicle barriers that would prohibit parking oversized trailers on a double space 10' wide by 40' long. The applicant should either include plans for permanent dividers between the 10'x20' spaces or the driveways surrounding these spaces should be enlarged to enable oversized recreational vehicles and trailers to be stored safely.

The neighbors are concerned that if the proposed outdoor vehicle storage lot is approved, as drawn in the current site plan, the operator will create unsafe conditions for the vehicles being stored on-site with a significant risk of property damage to other tenants from oversized vehicles attempting to maneuver through the lot and into assigned spaces. This is likely to lead the operator to request future expansions to the outdoor lot to rectify the current design flaws which further feeds a slippery slope of incremental expansions to the facility beyond the currently proposed footprint.

5.6 No details provided of timeframe for Phase II expansion.

The applicant seems to be requesting pre-approval for both the "Phase 1" and "Phase 2" portions of the project, but has provided no timeline or other indications of the schedule for this project. If the project is going to be approved, the applicant should first provide more substantive details regarding anticipated excavation and construction schedules and an anticipated opening date for some or all of the facility. In the absence of any additional information, the County Commission should disregard the Phase 1 and Phase 2 designations and consider the project under a single site plan and permitting process.

²² Kansas State Highway Patrol, <https://www.kansashighwaypatrol.org/223/Trailers>

5.7 Proposed signage exceeds county regulations.

The current site plan calls for a 40ft² monument sign facing Farmer's Turnpike. As the current zoning of the property is "A – Agricultural," the signage regulations in Douglas County Zoning Code section 12-306-2.18 would apply to the Conditional Use.²³ Pursuant to the regulations, the sign shall be limited to no more than 30 ft² in area.

If the proposed Conditional Use is going to be approved, the applicant should be required to modify the proposed site plan to bring proposed signage into compliance with all existing zoning regulations. Additionally, the applicant should stipulate the sign will not be illuminated or otherwise be visible off-site at night.

5.8 No details provided of planned landscaping and screening.

The current site plan lists "Landscaping (Typ)" and shows trees spaced 15'-20' on part of the south side of the property, on the whole east side of the site plan facing E 1200 Rd, and on approximately 1/3 of the north side of the Phase 1 plan area. The staff report states the landscape screening shall be 6 to 8-foot-tall evergreen trees on 8' center, although these details are not reflected in the applicant's site plan. While the current plans would offer a small level of screening from adjacent homes and traffic, the applicant falls far short of demonstrating a desire to screen the property from neighbors or exceed the bare minimum requirements outlined in the Conditional Use zoning regulations.

If the Conditional Use is going to be approved, the applicant should be required to use 2 to 3 rows of mature evergreens (8'+ tall at planting) spaced in a manner to provide an immediate screen or hedgerow blocking visibility of the self-storage facility. Furthermore, the applicant should be required to extend the landscaping features around the entire storage area and should be required to maintain similar peripheral landscaping around Phase 2 or any other future expansion at the Subject Property.

5.9 Questions regarding future accessory uses such as moving van rental.

The current site plan does not include any mention of moving van rental; however, this is a typical accessory to many self-storage facilities. Prior to approval of the proposed Conditional Use, applicant should stipulate any future plans to add business lines beyond self-storage. The Conditional Use permit should stipulate that moving van storage and rental is not allowed nor would it be an appropriate future use.

²³ Douglas County Zoning Code, section 12-306-2.18, page 22 of 132

6. Questions regarding renovation of existing house and outbuildings.

6.1 Existing house built in 1900 and no details included of planned renovations.

The site plan states the current home and outbuildings will remain and the garage will be converted into the main office for the storage facility, but it does not include any information about structural or aesthetic improvements planned for the residential piece of the site plan. Before approving the Conditional Use, the applicant should provide more information on how they intended to merge the design and siting of the new storage buildings with the exterior of the house and residential area of the property.



The house was originally built in 1900 and at the time of its sale in 2018 required significant improvements to the septic system and living spaces before it would be appropriate for full-time residential use. As the largest and most visible structure on the property, the house serves as a focal point for northbound traffic on Kasold and eastbound traffic on Farmer's Turnpike. Since the applicant has chosen to retain the house in the site plan, special consideration should be given to ensuring all planned and necessary renovations are carried out in a manner appropriate for a 120-year-old home and in a design that maintains the historic rural character of the property.

Without any details about the plans for the existing residence and outbuildings, it is difficult to predict the final aesthetic of the property. If the Conditional Use permit is going to be approved, it should include stipulations from the applicant regarding the intention for all residential features of the property to maintain their rural historical character and integrated into the overall design aesthetic for the storage facility.

6.2 Garage constructed in 1920 will be turned into office, but no details of renovations.

The site plan states the garage will be converted into the main office for the storage facility. This building was originally built in 1920 and is little more than a wood shell. Significant improvements will be required to bring this building up to modern building and electrical code. The applicant has included no details regarding this planned “conversion.”



The neighbors are concerned the current site plan seeking approval retains these historic buildings in an effort to receive approval from the Planning Committee and County Commission, but once the Conditional Use permit is approved the applicant will attempt to claim unforeseen circumstances and prohibitively high expenses to appropriately rehabilitate and maintain the existing residence and outbuildings. If the Conditional Use is going to be approved, the applicant should first be required to provide details regarding the planned renovation and a commitment to keep the house in place.

6.3 Site plan does not mention existing water well.

The area of the site plan marked “Dumpster Area” is an active water well. The site plan does not include any information on plans to retain, relocate, or decommission the well. The water well is located in the path of the only planned entrance to the facility.



Location of existing water well

Prior to approval, the applicant should be required to provide plans regarding this water well and, if it is to be decommissioned, to demonstrate the well has been properly filled and sealed before the area is used as a driveway. Any potential oil or chemical runoff could quickly contaminate the water table if the well is abandoned improperly.

7. Concerns regarding owner-operator.

7.1 Owner leave vehicles and frequently dumps off-site construction debris at the property.

Since taking possession of the property in October 2018, the applicant has left multiple unattended vehicles at the property and has built a large pile of construction and household debris brought in from off-site. The debris piles have been left unburned for weeks or months at a time with large items like furniture, a mattress and box springs, and a pile of lumber and remodeling debris visible to passing traffic. For the last 3+ months, the owner has kept an apparently non-functional Camaro rolled behind the garage and left to become overgrown with weeds. At one point, a Douglas County Sheriff's came to question the neighbors about the Camaro out of concern the farm was being used to abandon stolen vehicles.



The neighbors are aware the applicant co-owns two used car lots and a leasing company engaged in the business of buying and rehabilitating residential properties in Lawrence. The neighbors are concerned that if the Conditional Use is granted the property will be used to store and dispose of junk from the applicant's other businesses to the detriment of the neighbors and the overall aesthetic of the storage facility.

7.2 No indication that owner intends to remain involved in the business after construction.

Given all the issues outlined in the preceding sections, the neighbors are also very concerned the approval of the current Conditional Use Permit would enable the current owner to make minimal improvements to the property and minimal completion of any future building permits simply to drive up the present value of the property to sell to another entity not involved in this long-term planning process.

The neighbors have all made large, long-term investments in their properties and anticipate staying in their homes for the foreseeable future. To whatever extent possible, if the County Commission is going to approve this Conditional Use they should first seek additional information from the applicant regarding their intentions for the property during the permitting and construction process as well as after the facility is open for business. The goals and policies of the *Horizon 2020* plan and the K-10 & Farmer's Turnpike Plan proscribe a comprehensive, long-term approach to master planning commercial development in this agricultural neighborhood. Before approving a Conditional Use for this property, the County should be given assurances of the applicant's long-term intentions to be a positive addition to the neighborhood.

Part 3: Issues with Planning & Development Services report

8. Annexation agreement requirement

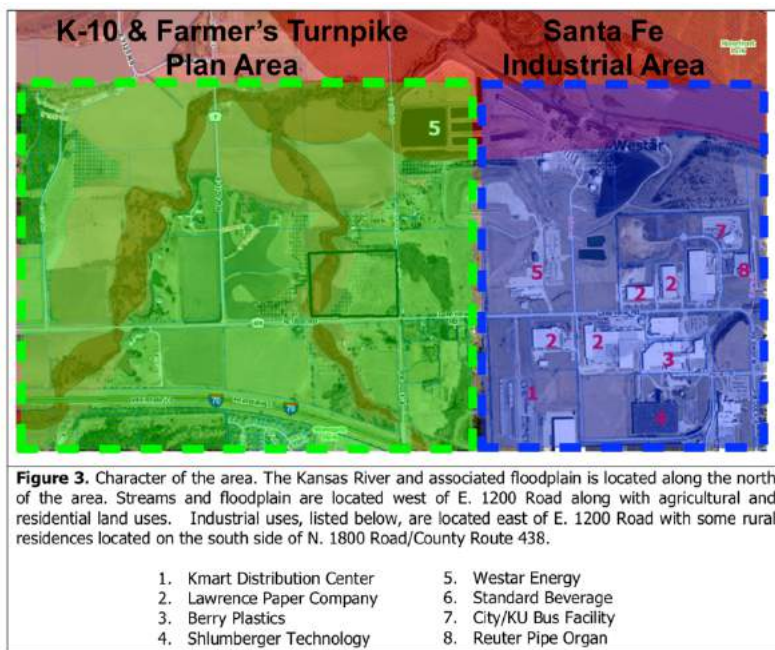
8.1 Annexation agreement is a slippery slope to forced annexation of neighboring properties.

The neighbors do not want to be forced to annex into the City of Lawrence against their wishes. Forcing the current applicant to sign an annexation agreement as a precondition for approving the Conditional Use puts existing residents at a disadvantage if future annexation is proposed for the neighborhood. The existing residents have resisted annexation on several occasions, and do not want to be forced to annex in the future.

9. Incorrect descriptions in Staff Report

9.1 Incorrect description of 'Character Of The Area' in Part II of staff report.

Part II of the staff report on this Conditional Use Permit application incorrectly describes the Subject Property as a part of the Santa Fe Industrial Area, and lists 8 other industrial businesses east of the Subject Property in an attempt to describe the Subject Property as appropriate for commercial development at this time.²⁴ In fact, all the subject businesses listed in the staff report are between ½ and 1 mile east of the Subject Property, in a completely different business district.



Source: Staff Report on CUP-19-00219

²⁴ Planning & Development Services Staff Report on CUP-19-00219, page 6 of 57

This misleading description gives the Planning Commission and County Commissioners the improper impression the proposed use is normal for this neighborhood, when in fact it would be the first non-agricultural commercial redevelopment in the K-10 & Farmer's Turnpike planning area along N 1800 Rd. The K-10 & Farmer's Turnpike plan area and the boundaries of the Santa Fe Industrial Area provide clear delineation between existing industrial uses and existing agricultural areas.

9.2 Incorrect description of dividing line between industrial and agricultural areas.

The staff report incorrectly states E 1200 Rd is the dividing line between the agricultural area covered by the K-10 & Farmer's Turnpike Plan and the Santa Fe Industrial Park.²⁵ **This is not correct.** The actual dividing line between these two distinct areas is approximately one quarter mile east of E 1200 Rd, following the high-voltage power distribution lines running parallel to Kasold Rd.²⁶ All areas west of the industrial park and north of I-70 are distinctly rural agricultural and single-family homes, as enumerated in the K-10 & Farmer's Turnpike Plan.²⁷



Source: Horizon 2020 Comprehensive Plan, Map 7-1

9.3 Incorrect description of natural boundaries and visibility off-premises.

The woods running along the north and west property lines of the Subject Property are deciduous trees and only provide obstruction during the late-spring and summer months. The staff report incorrectly concludes this existing vegetation will prevent light pollution and other nuisance from the Subject Property to neighbors.

If the Conditional Use Permit is going to be approved, the applicant should be required to add additional landscaping either around all sides of the storage area or along the existing tree line on the north side of the property.

²⁵ Planning & Development Services Staff Report on CUP-19-00219, page 7 of 57

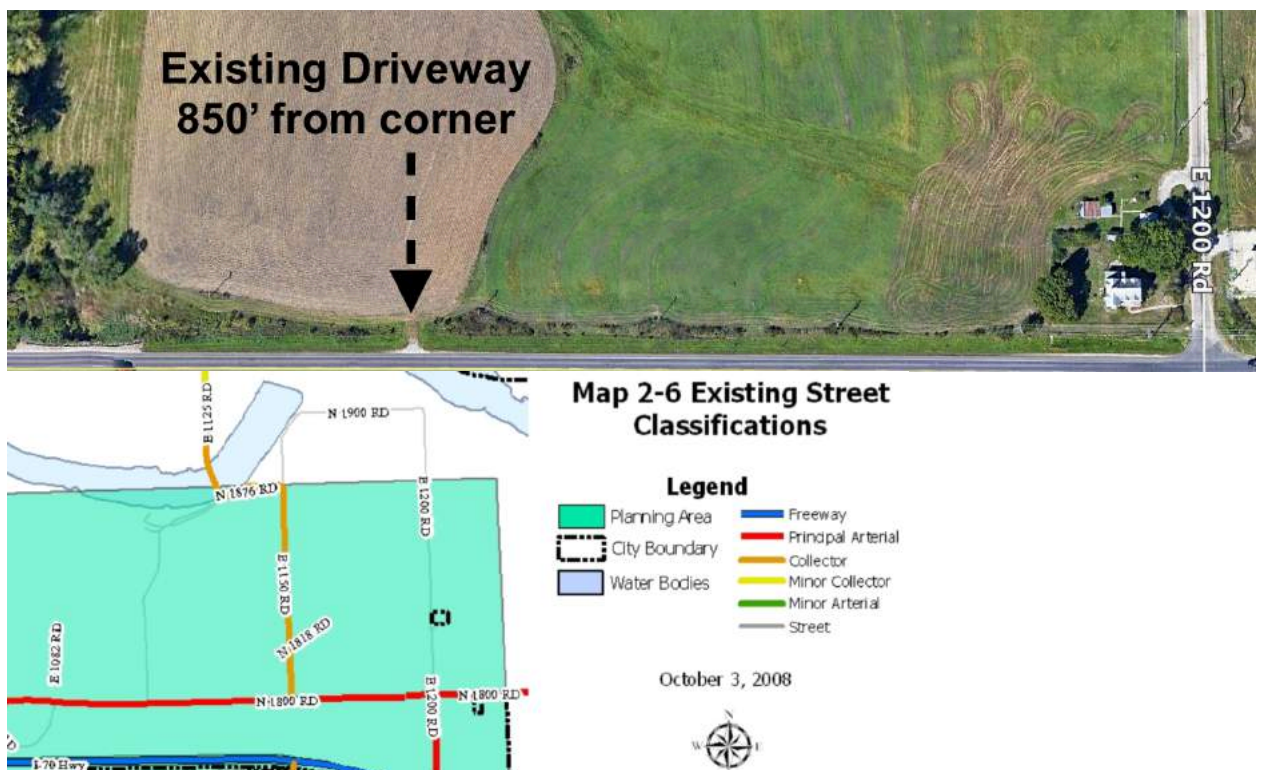
²⁶ Horizon 2020 Comprehensive Plan, Map 7-1, page 7-23

²⁷ K-10 & Farmer's Turnpike Plan, page 1-2

9.4 Incorrect approval of allowing sole entrance to the property on E 1200 Rd.

The the proposed sole entrance to the facility off E 1200 Rd violates existing regulations in the Douglas County Zoning Code and the Public Works regulations, and does not conform with the front-facing requirements of the K-10 & Farmer's Turnpike Plan.

The staff report also incorrectly states "direct access to N. 1800 Road (Farmer's Turnpike) is not permitted for safety reasons."²⁸ The staff report does not indicate what regulation would prohibit this facility from facing Farmer's Turnpike and providing direct access to the facility from the "principal arterial" N 1800 Road, nor does the staff report indicate why a 20' wide local road should be considered appropriate when Wakarusa Township states that the entrance must be 40'-50' wide to allow oversized vehicles. The Subject Property already has a driveway entrance located 850' from the corner and facing Farmer's Turnpike. Neither the applicant nor the Planning & Development Services staff report indicates why the site plan does not use the existing entrance that complies with all guidelines in the Public Works code and the K-10 & Farmer's Turnpike Plan. Finally, the staff report incorrectly labels N 1800 Road (Farmer's Turnpike) as a "minor arterial", when in fact, it is considered a "principal arterial" and is subject to an 820' corner clearance.



Source: K-10 & Farmer's Turnpike Plan, Map 2-6

If the Conditional Use Permit must be approved, the applicant should be required to use the existing compliant driveway facing Farmer's Turnpike instead of the local E 1200 Rd.

²⁸ Staff report on CUP-19-00219, pages 7 & 8

Part 4: Protest Petition filed by neighbors

Pursuant to the authority granted in K.S.A. 12-757(f) and Douglas County Zoning Code section 12-319-1.05, the neighbors of 1803 E 1200 Rd, Lawrence KS 66049 have drafted an official Protest Petition officially objecting to the issuance of the proposed Conditional Use Permit. The Douglas County GIS mapping system and Google Earth were used to identify parcels within 1,000' of the Subject Property. We have identified the following 20 parcels as falling within the statutory notification area.

Neighbors owning properties 1, 2, 3, 4, 5, 8, 10, 12, 14, 15, 16, and 18 have already signed the Protest Petition.



Conditional Use Permit Protest Petition

Protest Petition against Conditional Use Permit 19-00219

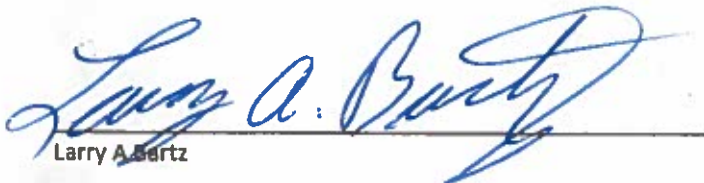
We, the undersigned property owners, do hereby protest the Conditional Use Permit application under consideration by the Lawrence-Douglas County Metropolitan Planning Commission for a boat and self-storage facility at 1803 E 1200 Rd, Lawrence, KS 66049, on property legally described as:

28.68 ACRES TRACK IN SE/4 15-12-19 DESCRIBED AS: BEG AT SE CORNER SE 1/4 SD SEC, THEN N90DEG00'00"W ALONG S LINE OF SE 1/4 SEC 15 1318.64 FT TO SW CORNER SE 1/4 SE 1/4 OF SD SEC, TH N00DEG34'48"W ALONG W LINE SE 1/4 SE 1/4 SD SEC 1024.77 FT, THEN S89DEG56'58"E 1319.97 FT TO E LINE SE 1/4 SEC 15, THEN S00DEG30'22"E ALONG E LINE OF SE 1/4 SD SEC 1023.59 FT TO POINT BEGINNING (800067 SPLIT 2016)

We, the undersigned, are owners of real property located within the statutory area of notification for which the Conditional Use Permit is sought. See K.S.A. 12-757(f).

STATE OF KANSAS)
) ss:
COUNTY OF DOUGLAS)

I am the circulator of this Protest Petition and a resident of the state of Kansas and possess the qualifications of an elector of the State of Kansas. I have personally witnessed the signing of the Protest Petition by each person whose name appears thereon.


Larry A. Bartz

6-24-19
Date

Circulator's Residence and Address: 1819 E 1200 Rd, Lawrence KS 66049

Signed and sworn to (or affirmed) before me on this 24 day of June, 2019,
by Larry A Bartz, circulator of this Protest Petition.


Notary Public

My appointment expires: 7/25/20



The following map is based on information available in the Douglas County Kansas GIS property records system. The numbers added by the petition drafter are provided for organizational and informational purposes only, and are subject to revision by the Lawrence-Douglas County Planning Commission and/or the Douglas County Board of Commissioners.



Protest Petition Signatures

Conditional Use Permit 19-00219

ID #	Signature & Printed Name	Date	Parcel ID	Property Address	Mailing Address	Title	Representing
1	<i>Ida J. Bartz</i> Ida J Bartz	6/14/19	023-065-15-0-00-00-019.00-0	no address assigned	3510 Sweet Grass Ct, Lawrence KS 66049	Trustee	Ida J Bartz Trust
2	<i>Larry A. Bartz</i> Larry A Bartz			1819 E 1200 Rd, Lawrence KS 66049			
	<i>Lyric L Bartz</i> Lyric L Bartz	6-10-19	023-065-15-0-00-00-019.01-0				
3	<i>Larry A. Bartz</i> Larry A Bartz			no address assigned	1819 E 1200 Rd, Lawrence KS 66049		
	<i>Lyric L Bartz</i> Lyric L Bartz	6-10-19	023-065-15-0-00-00-018.01-0				
4	<i>Ellen Bartz</i> Ellen H Bartz		023-066-14-0-00-00-005.00-0	1832 E 1200 Rd, Lawrence KS 66049	1828 E 1200 Rd, Lawrence KS 66049	Trustee	Gary L Bartz Trust
5	<i>Ellen Bartz</i> Ellen H Bartz		023-066-14-0-30-01-004.00-0	1400 N Kasold Dr, Lawrence KS 66049	1828 E 1200 Rd, Lawrence KS 66049	Trustee	Gary L Bartz Trust
6			023-066-14-0-00-00-004.00-0	1250 N 1800 Rd, Lawrence KS 66049	PO Box 889, Topeka, KS 66601		Kansas Power & Light Co
7			023-066-14-0-30-01-006.00-0	no address assigned	1827 E 1150 Rd, Lawrence KS 66049		Taylor Four LLC
8	<i>Michael Cheek</i> Michael R Cheek	6-10-19		1203 N 1800 Rd, Lawrence KS 66049			
	<i>Carol Cheek</i> Carol L Cheek	6-11-19	023-066-23-0-20-03-005.00-0				

ID #	Signature & Printed Name	Date	Parcel ID	Property Address	Mailing Address	Title	Representing
9	Leslie W Blevins, Jr		023-066-23-0-20-03-004.00-0	1207 N 1800 Rd, Lawrence KS 66049			
	Joycelyn Blevins						
10	Willis D Crawford		023-066-23-0-20-03-003.00-0	1211 N 1800 Rd, Lawrence KS 66049			
	 Judy L Crawford	6-11-19					
11	Brian Culliss		023-066-23-0-20-02-001.00-0	3131 Lakeview Rd, Lawrence, KS 66049	28465 W 95th St, De Soto, KS 66018		
	Kim T Culliss						
12	 Everett J Shockley	6-11-19	023-066-23-0-20-03-002.00-0	1215 N 1800 Rd, Lawrence KS 66049			
	 Nancy L Shockley	6-11-19					
13			023-066-23-0-20-03-008.00-0	1774B E 1200 Rd, Lawrence KS 66049	2001 Wyandotte St, Kansas City, MO 64108		MCV Limited
14	 Sherman E Edmondson	6-29-19	023-066-23-0-20-03-006.00-0	1786 E 1200 Rd, Lawrence KS 66049			
	 Janice Edmondson	6-29-19					

ID #	Signature & Printed Name	Date	Parcel ID	Property Address	Mailing Address	Title	Representing
15	<i>Christina Spray</i> CHRISTINA SPRAY	6-14-19	023-065-22-0-00-01-001.00-0	1791 E 1200 Rd, Lawrence KS 66049			Hattchet Farms LLC
16	<i>Wm R Spray</i> WM R SPRAY	6-14-19	023-065-22-0-00-01-003.00-0	no address assigned	1791 E 1200 Rd, Lawrence KS 66049		Hattchet Farms LLC
17	Glennett A Corel		023-065-22-0-00-01-002.00-0	1173 N 1800 Rd, Lawrence KS 66049			
18	<i>Raelynn Moon</i> Raelynn Moon	6/24/19	023-065-15-0-00-00-017.00-0	1812 no address assigned	3105 Sherwood Dr, Lawrence KS 66049		
	<i>Duane Moon</i> Duane R Moon	6/24/19		E 1150			
19			023-065-15-0-00-00-015.00-0	1826 E 1150 Rd, Lawrence KS 66049	3201 Riverview Rd, Lawrence KS 66049		Trivedi Farms LLC
20	Dennis L Meuffel		023-065-15-0-00-00-016.00-0	1166 N 1818 Rd, Lawrence, KS 66049			
	Paula J Meuffel						

1215 North 1800 Road
Lawrence, Kansas 66049
June 7, 2019

RECEIVED

JUN 13 2019

Planning & Development Services
City of Lawrence/Douglas County, KS

Lawrence-Douglas County Metropolitan Planning Commission
1 Riverfront Plaza, Ste 320
P.O. Box 708
Lawrence, Kansas 66044

Commissioners:

Thank you for the notice regarding the request for a Conditional Use Permit for EZ Storage at 1803 E. 1200 Road.

We are firmly opposed to this CUP. Our home sits 870 feet to the east of that location. We have lived here more than 50 years. One of the appeals to us for this location is the fact that it is close to the city yet has managed to maintain the rural atmosphere we have enjoyed all these years. We would like for this neighborhood to retain that identity without fear of encroachment from commercial or industrial facilities.

We are already dealing with a high volume of truck traffic on our road. Any sort of commercial enterprise would raise the nuisance and danger level for all of us who drive on North 1800 Road.

We plan to attend the meeting on June 24th and will express our opposition to this request in person.

Everett and Nancy Shockley



JAMIE SHEW
DOUGLAS COUNTY CLERK
1100 Massachusetts
Lawrence, KS 66044

Marni Penrod-Chief Deputy Clerk
Heather Dill-Deputy Clerk Elections

July 5, 2019

ATTN: DOUGLAS COUNTY COMMISSIONERS

RE: Protest Petition against Conditional Use Permit 19-00219, EZ STORAGE; 1803 E. 1200 ROAD
for Anthony Fanello, property owner of record.

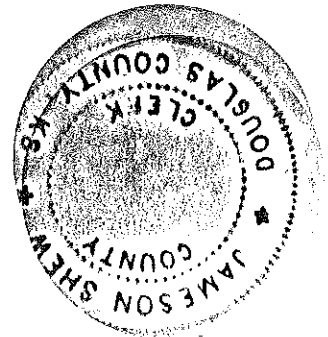
CERTIFICATION

I, JAMIE SHEW, DOUGLAS COUNTY CLERK, DO HEREBY CERTIFY THAT THE ATTACHED
PETITION, RECEIVED JULY 5, 2019, IS A VALID PETITION.



Jamie Shew
Douglas County Clerk

JS/mtb



Conditional Use Permit Protest Petition

Protest Petition against Conditional Use Permit 19-00219

We, the undersigned property owners, do hereby protest the Conditional Use Permit application under consideration by the Lawrence-Douglas County Metropolitan Planning Commission for a boat and self-storage facility at 1803 E 1200 Rd, Lawrence, KS 66049, on property legally described as:

28.68 ACRES TRACK IN SE/4 15-12-19 DESCRIBED AS: BEG AT SE CORNER SE 1/4 SD SEC, THEN N90DEG00'00"W ALONG S LINE OF SE 1/4 SEC 15 1318.64 FT TO SW CORNER SE 1/4 SE 1/4 OF SD SEC, TH N00DEG34'48"W ALONG W LINE SE 1/4 SE 1/4 SD SEC 1024.77 FT, THEN S89DEG56'58"E 1319.97 FT TO E LINE SE 1/4 SEC 15, THEN S00DEG30'22"E ALONG E LINE OF SE 1/4 SD SEC 1023.59 FT TO POINT BEGINNING (800067 SPLIT 2016)

We, the undersigned, are owners of real property located within the statutory area of notification for which the Conditional Use Permit is sought. See K.S.A. 12-757(f).

STATE OF KANSAS)

ss:

COUNTY OF DOUGLAS)

I am the circulator of this Protest Petition and a resident of the state of Kansas and possess the qualifications of an elector of the State of Kansas. I have personally witnessed the signing of the Protest Petition by each person whose name appears thereon.

Larry A. Bartz
Larry A Bartz

6-24-19

Date

Circulator's Residence and Address: 1819 E 1200 Rd, Lawrence KS 66049

Signed and sworn to (or affirmed) before me on this 24 day of June, 2019,
by Larry A Bartz, circulator of this Protest Petition.

Erin Albert
Notary Public

My appointment expires: 7/25/20



The following map is based on information available in the Douglas County Kansas GIS property records system. The numbers added by the petition drafter are provided for organizational and informational purposes only, and are subject to revision by the Lawrence-Douglas County Planning Commission and/or the Douglas County Board of Commissioners.



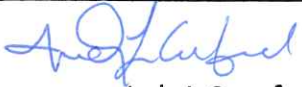
Protest Petition Signatures

Conditional Use Permit 19-00219

ID #	Signature & Printed Name	Date	Parcel ID	Property Address	Mailing Address	Title	Representing
1	<i>Ida J. Bartz</i> Ida J Bartz	6/14/19	023-065-15-0-00-00-019.00-0	no address assigned	3510 Sweet Grass Ct, Lawrence KS 66049	Trustee	Ida J Bartz Trust
2	<i>Larry A. Bartz</i> Larry A Bartz		023-065-15-0-00-00-019.01-0	1819 E 1200 Rd, Lawrence KS 66049			
	<i>Lyrice L Bartz</i> Lyrice L Bartz	6-10-19					
3	<i>Larry A. Bartz</i> Larry A Bartz		023-065-15-0-00-00-018.01-0	no address assigned	1819 E 1200 Rd, Lawrence KS 66049		
	<i>Lyrice L Bartz</i> Lyrice L Bartz	6-10-19					
4	<i>Ellen Bartz</i> Ellen H Bartz		023-066-14-0-00-00-005.00-0	1832 E 1200 Rd, Lawrence KS 66049	1828 E 1200 Rd, Lawrence KS 66049	Trustee	Gary L Bartz Trust
5	<i>Ellen Bartz</i> Ellen H Bartz		023-066-14-0-30-01-004.00-0	1400 N Kasold Dr, Lawrence KS 66049	1828 E 1200 Rd, Lawrence KS 66049	Trustee	Gary L Bartz Trust
6			023-066-14-0-00-00-004.00-0	1250 N 1800 Rd, Lawrence KS 66049	PO Box 889, Topeka, KS 66601		Kansas Power & Light Co
7			023-066-14-0-30-01-006.00-0	no address assigned	1827 E 1150 Rd, Lawrence KS 66049		Taylor Four LLC
8	<i>Michael R Cheek</i> Michael R Cheek	6-10-19	023-066-23-0-20-03-005.00-0	1203 N 1800 Rd, Lawrence KS 66049			
	<i>Carol L Cheek</i> Carol L Cheek	6-11-19					

Protest Petition Signatures

Conditional Use Permit 19-00219

ID #	Signature & Printed Name	Date	Parcel ID	Property Address	Mailing Address	Title	Representing
9	Leslie W Blevins, Jr		023-066-23-0-20-03-004.00-0	1207 N 1800 Rd, Lawrence KS 66049			
	Joycelyn Blevins						
10	Willis D Crawford		023-066-23-0-20-03-003.00-0	1211 N 1800 Rd, Lawrence KS 66049			
	 Judy L Crawford	6-11-19					
11	Brian Culliss		023-066-23-0-20-02-001.00-0	3131 Lakeview Rd, Lawrence, KS 66049	28465 W 95th St, De Soto, KS 66018		
	Kim T Culliss						
12	 Everett J Shockley	6-11-19	023-066-23-0-20-03-002.00-0	1215 N 1800 Rd, Lawrence KS 66049			
	 Nancy L Shockley	6-11-19					
13			023-066-23-0-20-03-008.00-0	1774B E 1200 Rd, Lawrence KS 66049	2001 Wyandotte St, Kansas City, MO 64108		MCV Limited
14	 Sherman E Edmondson	6-29-19	023-066-23-0-20-03-006.00-0	1786 E 1200 Rd, Lawrence KS 66049			
	 Janice Edmondson	6-29-19					

Protest Petition Signatures

Conditional Use Permit 19-00219

ID #	Signature & Printed Name	Date	Parcel ID	Property Address	Mailing Address	Title	Representing
15	<i>Christina Spray</i> CHRISTINA SPRAY	6-14-19	023-065-22-0-00-01-001.00-0	1791 E 1200 Rd, Lawrence KS 66049			Hattchet Farms LLC
16	<i>Wm R Spray</i> WM R SPRAY	6-14-19	023-065-22-0-00-01-003.00-0	no address assigned	1791 E 1200 Rd, Lawrence KS 66049		Hattchet Farms LLC
17	Glennett A Corel		023-065-22-0-00-01-002.00-0	1173 N 1800 Rd, Lawrence KS 66049			
18	<i>Raelynn Moon</i> Raelynn Moon	6/24/19	023-065-15-0-00-00-017.00-0	1812 no address assigned	3105 Sherwood Dr, Lawrence KS 66049		
	<i>Duane R Moon</i> Duane R Moon	6/24/19		E 1150			
19	<i>Maulik Tumbler</i>	07/03/19	023-065-15-0-00-00-015.00-0	1826 E 1150 Rd, Lawrence KS 66049	3201 Riverview Rd, Lawrence KS 66049		Trivedi Farms LLC
20	<i>Dennis L Meuffel</i> Dennis L Meuffel	7-3-19	023-065-15-0-00-00-016.00-0	1166 N 1818 Rd, Lawrence, KS 66049			
	<i>Paula J Meuffel</i> Paula J Meuffel	7/3/19					