

League of Women Voters of Lawrence-Douglas County
P.O. Box 1072, Lawrence, Kansas 66044

RECEIVED

June 17, 2012

JUN 18 2012

Mr. Bob Schumm, Mayor
Lawrence City Commission
City Hall
Lawrence, KS 66044

CITY MANAGERS OFFICE
LAWRENCE, KS

RE: REGULAR AGENDA ITEM NO. 4; RECEIVE UPDATE ON REGIONAL RECREATION FACILITY ITEMS.

Dear Mayor Schumm and City Commissioners:

The attached letter was sent to the Planning Commission regarding issues that had not been properly resolved when the public hearing for these issues took place at their meeting on May 21, 2012. The following is a brief summary of our letter.


We asked that the Planning Commission deny all three items 5, 6, and 7 of the Planning Commission Agenda. Our reasons were as follows:

- A. The proper procedures of adoption of the various changes to the Horizon 2020, its Commercial Chapter 6, its Specific Plans Chapter 14, and the Text Amendment to the Development Code for the CC600 District had not been approved, adopted and published as proper ordinances and/or resolutions before the public hearing on the rezoning of the 146 acres to CC600 was taking place.
- B. The issue of the effect of the location and intensity of the recreation center, but more importantly, the impact on the Downtown of the 100 or more acres of intensive and concentrated commercial zoning was not adequately studied by proper consultants as an independent market analysis, as dictated by Horizon 2020. It has the potential for becoming another major regional shopping center.
- C. The question of the effect on the city of losing this prime location for an industrial-business employment center was not considered. This area had been designated for industrial in the Horizon 2020 West of K-10 Plan. We asked if it wouldn't be better to preserve this area as an employment related industrial-business center.
- D. The effect on the traffic intensity of the two different uses should be carefully studied by unbiased consultants.
- E. When the final version of the CC600 District is written, we suggested that in order to actually be able to control the land uses to prevent the area from becoming another regional retail center that it also require a PD Overlay District or be given Special Use status.

We asked that the Planning Commission carefully consider these points.

Sincerely yours,

Milton Scott
Vice President

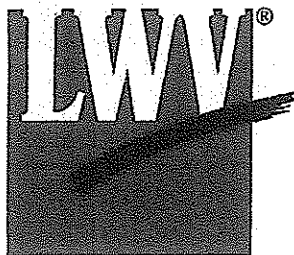
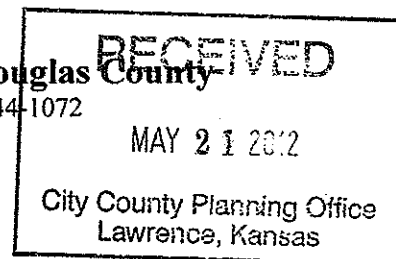

Alan Black, Chairman
Land Use Committee

Attachment

ATTACHMENT

League of Women Voters Lawrence-Douglas County
P.O. Box 1072 • Lawrence, Kansas 66044-1072

May 20, 2012



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Web sites

LOCAL:

www.lawrenceleague.com

STATE:

www.lwvk.org

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Email:

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Mr. Richard Hird, Chairman
Members
Lawrence-Douglas County Metropolitan Planning Commission
City Hall
Lawrence, Kansas 66044

RE: Item No. 5: Comprehensive Plan Amendment to H2020 – Chp. 6 And Chp. 14; CC600
Item No. 6: Text Amendment to City Of Lawrence Development Code; Amending Various
Sections to Add A CC600 District
Item No. 7: A & B1 To Cc600; 146 Acres; W 6th St & K-10

Dear Chairman Hird and Planning Commissioners:

We urge you to deny all of Items No. 5, 6, and 7.

We are asking this for the following reasons:

1. There are some serious procedural problems occurring here. First, the comprehensive plan (Item 5) needs to be officially amended and approved, not only by the Planning Commission but also by both the City and County Commissions. Only then should zoning text amendments be adopted that are dependent on the comprehensive plan, as is Item No. 6, the new CC600 District. Following the adoption and official incorporation of the new CC600 District into the City Code, only then should the process for a public hearing to amend the zoning district properly proceed (Item No. 7).

2. A major consideration that is driving all of these deliberations is whether the city should actually approve the location for and participate in building a recreational facility of the proposed intensity in the suggested location. *The issue is not whether the facility is needed or appropriate, but whether that particular location for that facility is appropriate.*

Furthermore, it would be surrounded by 100 or more acres of unplanned commercial land. If the proposed development were to occur in that location the traffic impact on 6th Street, and the potential effect of shifting the “center of activity” from the Downtown to that location, could have a very negative impact on the city as a whole.

3. Horizon 2020 should be followed, and the city should consider hiring a consultant to do an independent market analysis of the impact that this use in this location would have on the city as a whole, especially the Downtown. (Horizon 2020, Chapter 6, **policy 3.13**)

- a. City staff analysis is not a proper substitution for an “independent market analysis. [...performed by an] **independent consultant** chosen by the city...” The analysis is **supposed to be** unbiased and done by qualified professional consultants. The planning staff has seemingly justified the additional commercial land that would be added to the currently overstocked inventory of available commercial area and vacant buildings.

The thought seems to be, *don't worry, no one will use the land unless there is a demand (which admittedly doesn't exist)*. **Wouldn't it be better to preserve the land for an employment-related and manufacturing use that the studies up to now have proposed for the area?**



4. We request that an independent traffic analysis also be undertaken:

a. The Staff Report (Item No. 5) states that "Commercial uses are generally viewed by the Development Code as equal to or lesser uses compared to industrial uses and so the project can feasibly be viewed as compatible with the comprehensive plan designation." The traffic impact analysis that the staff report mentioned indicating that industrial and commercial traffic impacts are interchangeable, or commercial uses are lesser in intensity than industrial uses, may have come from the Lesser Change Table. In this table the three categories of Residential, Commercial and Industrial cannot be compared with each other in intensity. Only within each category is this comparison intended. (20-1301(k)). Therefore, based on the source in the Staff Report, it is not a valid comparison to say that the traffic intensity of commercial land use and industrial land use are the same

b. According to a study that was made in 2006 by the consultants, TischlerBise, hired by the City for their study, "The Cost of Land Uses and Fiscal Impact Analysis," the uses of manufacturing and commercial retail are **quite different in their impact** on traffic intensity. The vehicle trip rates per 1000 square feet are **much higher with commercial land use than with industrial land use** (page 11, Figure 4, TischlerBise).

c. Consider that the Transportation Plan for that node, which was recently presented to you by the MPO (Lawrence-Douglas County Metropolitan Planning Organization), must be studied by them before any changes to it are considered. Also, all of the other considerations that need to be made regarding the improvements to that intersection, to 6th Street, and to Highway 40 extended, must take into consideration the increased traffic intensity that will occur with the change in use from manufacturing to recreation and commercial uses.

5. Once the CC600 District is actually incorporated into the zoning text (assuming that it is), it should have some method to actually control the maximum size and use of retail buildings. We suggest that any retail establishment that meets the requirement for a CC600 should also require a Special Use Permit or a Planned Development Overlay District.

Thank you for your patience in reading this material. We hope that you will carefully consider these points.

Sincerely yours,

A handwritten signature in cursive script that reads "Carrie Lindsey".

Carrie Lindsey
President

A handwritten signature in cursive script that reads "Alan Black".

Alan Black, Chairman
Land Use Committee