

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
5/21/14

ITEM NO. 7: IG TO IL; 701 E 19TH STREET (MKM)

Z-14-00097: Consider a request to rezone approximately 1.7 acres from IG (General Industrial) District to IL (Limited Industrial) District, located at 701 E 19th St. Submitted by Zach Stoltenberg on behalf of Silverback Enterprises LLC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request for approximately 1.7 acres at 701 E 19th Street from IG (General Industrial) District to IL (Limited Industrial) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report with the following conditions to restrict uses and insure compatibility with the nearby residential uses:

1. The following uses shall be permitted in the District only when approved as Special Uses through the SUP process:
*Lodge, Fraternal & Civic Assembly,
Fast Order Food with Drive-In, and
Participant Sports & Recreation (Outdoor)*
2. The following uses shall be prohibited in the District:
*Livestock Sales, and
Large Collection Recycling Center.*

REASON FOR REQUEST

Applicant's Response:

"Change in the property's primary commercial use."

KEY POINT

- The property is located within the boundaries of the Burroughs Creek Corridor Plan.

ASSOCIATED CASES

SP-14-00169: Site Plan to City Commission for use of artificial turf.

OTHER ACTION REQUIRED

- City Commission approval of rezoning request and adoption/publication of ordinance.
- Application and release of building permits prior to development.
- City Commission approval required prior to installation of artificial turf.

ATTACHMENTS

Attachment A: Use Group Tables for IG and IL

PUBLIC COMMENT

No public comment was received for this item prior to the printing of this staff report.

Project Summary

The property at 701 E 19th Street contains approximately 1.7 acres and was platted as Lot 2 Industrial Square Addition in 1965. The property is developed with a building, constructed in 1966, that formerly housed the Zimmerman Steel Company and a detached dwelling that was constructed in 1940. The Zimmerman Steel building was recently converted to a warehouse/office use when it was purchased by Silverback Enterprises, LLC. Silverback Enterprises is a sports event production company that specializes in producing sporting events. Rezoning is being requested to accommodate the development of a fitness center in the building. A fitness center is categorized as an *Indoor Participant Sports and Recreation* use. This use is permitted in the IL District but not in the IG. The use is not permitted in the IG District due to concern with mixing customers with heavy industrial traffic and uses but is appropriate in the IL District given the less intense industrial uses and increased retail uses which are permitted in that district.

An accessory outside exercise area is also proposed and a request to install artificial turf has been submitted. Per Code, this request is to be reviewed by Planning Staff and provided to the City Commission for action. This request is contingent upon the rezoning of the property.

There are no plans to change the use of the residence, which is a nonconforming use per Section 20-1502 of the Development Code. A nonconforming use is one which was legally established but is no longer allowed due to a change in the zoning district or regulations. The residence was constructed in 1940, prior to zoning of the property to an urban zoning district.

REVIEW & DECISION-MAKING CRITERIA

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response:

"Rezoning allows us to provide a new service to our neighborhood and a greater diversity of use to our region."

A review of the Comprehensive Plan recommendations follows with staff's comments in red.

The subject property is located within an area identified by the Comprehensive Plan as an existing industrial area, the Burroughs Creek Corridor.

"This corridor stretches from E 31st Street to the Kansas River in East Lawrence. Parts of the corridor area offer smaller land parcels and provides opportunities for small business owners to coexist with neighboring residential uses. Future development of this area should be in

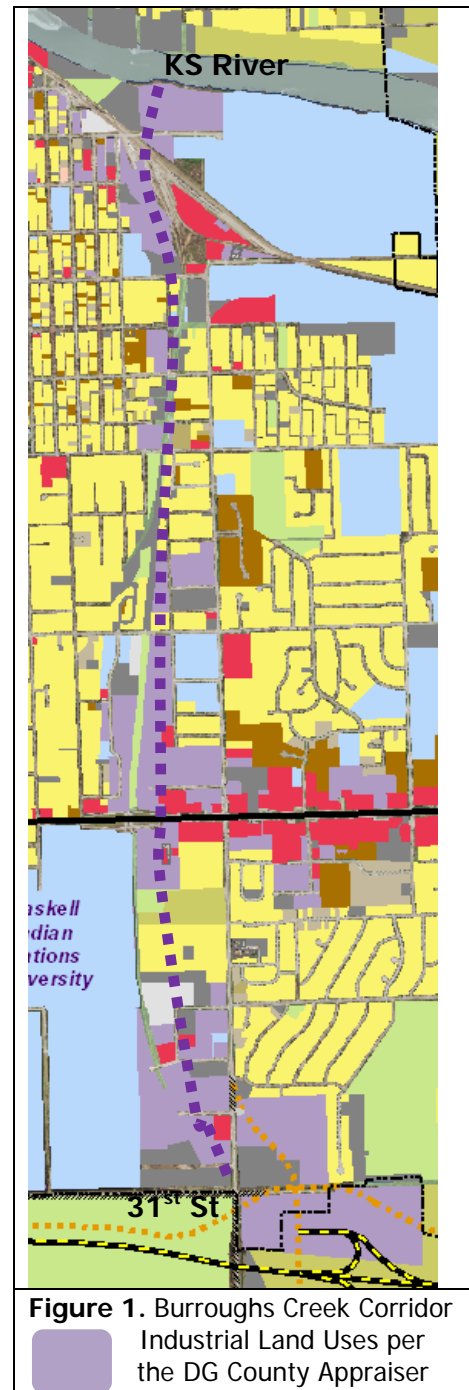


Figure 1. Burroughs Creek Corridor
Industrial Land Uses per
the DG County Appraiser

accordance with the Burroughs Creek Corridor Plan." (Page 7-4, *Horizon 2020*) The industrial nature of the Burroughs Creek Corridor is illustrated in Figure 1. The Burroughs Creek Corridor Plan is discussed in Section 4 of this report.

The rezoning request is for a less intensive industrial district which would restrict the more intensive industrial uses, which create off-site nuisance factors, while allowing more retail and recreational uses. The Limited Industrial District is primarily intended to accommodate low-impact industrial, wholesale and warehouse operations that are employment-intensive and compatible with commercial land uses while the IG District is seen as generally incompatible with residential areas and low-intensity commercial areas. The IL District would maintain the industrial zoning but would restrict the intense industrial uses.

Staff Finding – *Horizon 2020* identifies the property as being within an industrial area, and recommends that redevelopment comply with recommendations of the Burroughs Creek Corridor Plan. The rezoning to an industrial district is compliant with *Horizon 2020*. The redevelopment proposal will be evaluated with the recommendations of the area plan in Section 4 of this report.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING ANY OVERLAY ZONING

Current Zoning and Land Use: IG (General Industrial) District; *Administrative Office, Light Wholesale Storage and Distribution, and Detached Dwelling.*

Surrounding Zoning and Land Use: To the west:
IBP (Industrial Business Park) District; *Passive Recreation, Burroughs Creek Trail and Linear Park. Administrative Offices, Fleet Storage, Heavy Wholesale Storage and Distribution; AT&T facility and yard to the west of the linear park.*

To the north:
IBP (Industrial Business Park) and IG (General Industrial) Districts; *Detached Dwellings**.

To the east:
GPI (General Public and Institutional Use) District; *Heavy Wholesale Storage and Distribution, City Parks and Recreation Storage Facility, and Passive Recreation, City park.*

To the south:
IG (General Industrial) District; *General Industrial, Brewery.*

(Figure 2.)

*These residential uses were identified in the Burroughs Creek Corridor Plan as nonconforming uses.

Staff Finding – The subject property is surrounded by properties that are zoned for industrial uses. The predominate uses in the area are industrial; however, open space and

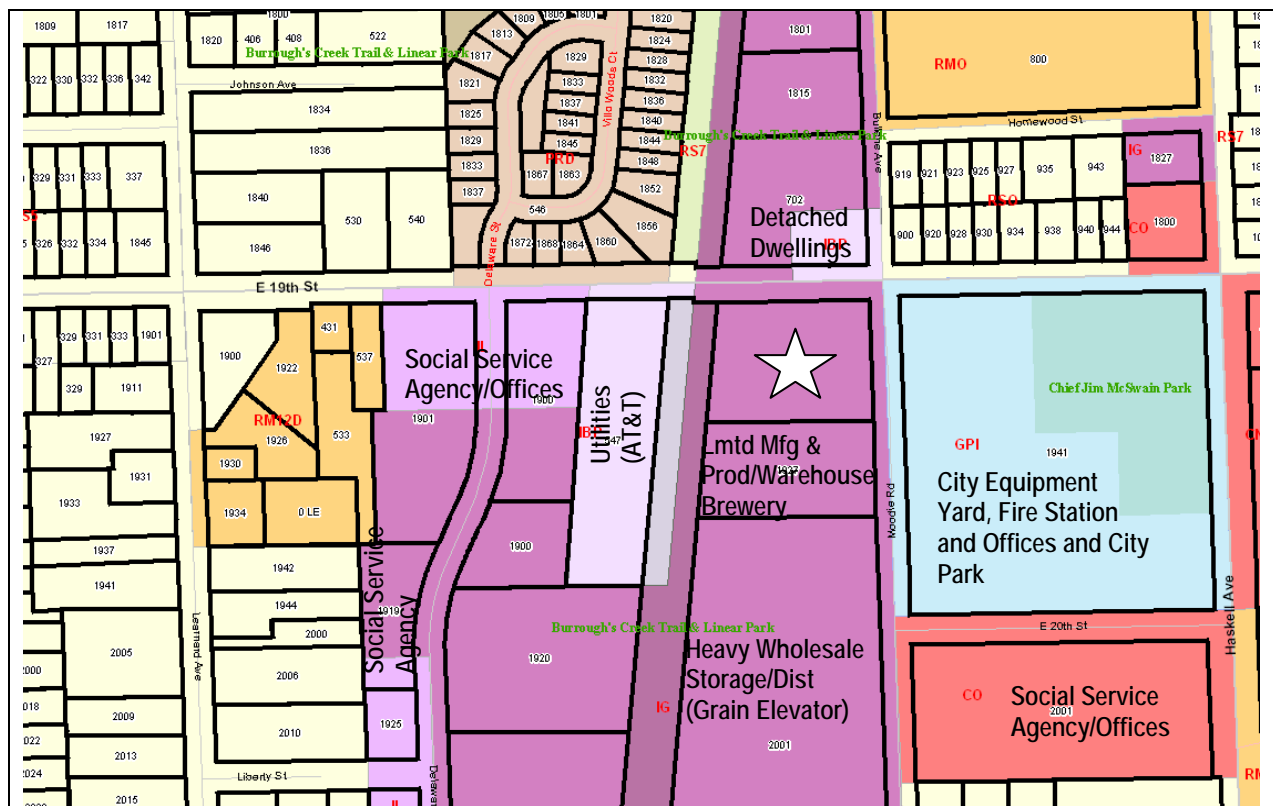
residential uses are present in the immediate area as well. The rezoning is consistent with the zonings in the area and compatible with the existing land uses.



Figure 2a. Zoning in the area. (Subject property outlined.)



Figure 2b. Land use in the area.



Zoning of the area:


 Single-Dwelling Residential	 General Public & Institutional
 Multi-Dwelling Residential	 Limited Industrial, Industrial Business Park
 Commercial Office, Neighborhood Commercial	 General Industrial

Figure 2c. General Zoning Categories and land uses.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response:

"It is largely industrial/commercial, abutting several residences."

The subject property is located on E 19th Street which is classified as a minor arterial in the Future Thoroughfares Map. Burroughs Creek Trail and Linear Park is located to the west of the property on the vacated railroad right-of-way. The railroad provided access to this area which led to the development of industrial uses that form the Burroughs Creek Corridor Industrial Area. E 19th Street is the dividing line between industrial and residential uses in the immediate area, with residential uses being located to the north.

South of E 19th Street there is a variety of uses, including industrial uses, social service agencies, and wholesale storage and distribution yards and offices. There is one residence which is located on the subject property.

Staff Finding –E 19th Street demarcates the land uses in the neighborhood with residential uses being located to the north and industrial, community facilities, and wholesale storage and distribution uses to the south. The Burroughs Creek Trail and Linear Park provides open space in the area. The proposed rezoning to a less intense industrial district is compatible with the character of the neighborhood.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

The Burroughs Creek Corridor Plan analyzes the existing uses in the area and provided recommendations to revise rezonings to match the existing uses. The plan did not recommend specific changes to existing uses but did provide the following guidance for redevelopment:

"..it is recommended that when redevelopment of industrially zoned areas is proposed in the future, these areas should be scrutinized for neighborhood compatibility."

(Recommendation 2II(A) Page viii, *Burroughs Creek Corridor Plan*)

Per the definition in Section 20-1702, a fitness center is classified as an *Indoor Participant Sports and Recreation* use. This use is permitted in some industrial districts, the IL (Limited Industrial) and the IBP (Industrial Business Park) Districts but is not permitted in the IG (General Industrial) District.

The reason for this can be found in the intent/purpose of the IG District:

"The IG, General Industrial District, is primarily intended to accommodate moderate- and high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation access and public facilities and services. The District is generally incompatible with residential areas and low-intensity commercial areas." (Section 20-217, Development Code)

The industrial uses permitted in the IG and IL Districts are basically the same except that IG also allows for *Explosive Storage* and *Intensive Industrial* uses.

Intensive Industrial Uses are the production, processing, or packaging of products that create nuisance conditions that are detectable from the boundaries of the subject property. For this reason, the General Industrial District is seen as being incompatible with residential and light commercial uses. Rezoning to the IL would result in a district which permits industrial uses which would have less of an impact on adjacent properties and would be more appropriate given the proximity of residences to the subject property.

While rezoning the property to the Limited Industrial district would prohibit *Intensive Industrial* and *Explosive Storage* uses, it would permit a variety of other uses.

Per the Burroughs Creek Corridor Plan, future development should be scrutinized for neighborhood compatibility. Evaluating the uses permitted within the IL District for compatibility requires determining if the use is similar or compatible with the industrial uses currently in the area south of 19th Street and if the use could be compatible with the nearby residences. This is discussed in detail in Section 7 of this report. Industrial Design Standards have been adopted into the Community Design Manual. The Manual notes that one purpose of the guidelines is to ensure compatibility with surrounding uses. (Page 3-1, Community Design Manual). The guidelines are meant to be administered most strictly in high visibility or sensitive areas which include properties located along arterial streets or properties located adjacent to residential development. (Page 3-2, Community Design Manual). Strict adherence to the Design Standards and application of sound planning principles through the site planning process would insure compatibility with the neighborhood.

Staff Finding – The property is located within the limits of the Burroughs Creek Corridor Plan which recommends that neighborhood compatibility should be a prime consideration when industrially zoned property redevelops. Any redevelopment of the property should receive stringent review with the Industrial Design Standards and Guidelines to insure compatibility with the neighborhood.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response:

"As a flexible site in a diverse region of town, the property is well suited for its current zoning as well as the proposed classification."

The property is currently zoned IG which permits industrial uses, including high intensity industrial uses with off-site nuisance impacts. The IG District allows limited Community Facilities, Recreational Facilities, and Retail Sales and Services Uses. The District allows for a greater range of Animal Services, Office, Vehicle Sales and Service Uses, and Wholesale Storage and Distribution.

The uses which are permitted in the IG (existing) and IL (proposed) Districts are compared in Attachment A.

The property is suitable for industrial uses, but the close proximity of residences, see Figure 2, makes the site unsuitable for explosive storage and the intense industrial uses which could have negative off-site impacts. Given the proximity of these residences, the subject property is not well suited for the uses to which it is restricted with the IG Zoning.

Staff Finding – As the property is located on a minor arterial in an area identified as an industrial area, industrial uses and zoning are appropriate. Given the proximity of residential uses, the property is not well suited for the uses to which it is restricted with the current IG Zoning (particularly the *Intensive Industrial* uses and *Explosive Storage*); however, the property is well suited for the uses to which it would be restricted with the proposed IL Zoning.

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

Applicant's Response:

"Never fully vacated."

The property is not currently vacant. It had been developed with a residence in 1940 and an industrial use, the Zimmerman Steel Company, in 1966 which was in active use until 2011 (per the Douglas County Appraiser's records). The new property owner converted it to its current use of administrative offices and storage area earlier this year.

Staff Finding – The property is not vacant. Rezoning is being requested to allow a change of use on a developed property.

7. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicants Response:

"It will not."

The removal of restrictions will allow a fitness center to be developed on the property. It will also open up the property for other uses permitted in the IL District in the future.

FITNESS CENTER

The fitness center will likely have more customers than the previous Zimmerman Steel Company or the current office/storage use. The use would have limited deliveries so the truck traffic could be less than with other industrial uses. The outdoor activity associated with this use is an accessory exercise area. If any exterior lighting is proposed, a photometric plan would be required to insure the lighting fixtures would be full-cut off to prevent off-site glare or light trespass. The proposed use should have no negative impact on the nearby properties. The applicant indicated that the proposed use would provide a recreation/fitness center for residents in the area.

OTHER USES PERMITTED IN THE IL DISTRICT

Other uses permitted in the IL Zoning District, such as retail or restaurant uses, may have greater traffic than the uses permitted in the IG District and may have later hours; however, the property is surrounded on the north, west, and south with industrial zoning and with industrial uses in all directions, except for the residences to the north. The impact of future development on these residences, and other residential development in the area would need to be evaluated with any future site plans for the subject property.

Attachment A, Table 1 compares the uses permitted in the IL and the IG District. The additional uses which would be permitted with the IL Zoning are evaluated in Table 2 of the attachment for compatibility with nearby residential uses.

Maintaining the industrial uses is consistent with the Burroughs Creek Industrial Corridor, however some uses may not be considered appropriate given the visibility from E 19th Street and the proximity of nearby residential uses.

Uses which are permitted in the RSO (Single-Dwelling Residential Office), CN1 (Inner-Neighborhood Commercial Center), or CN2 (Neighborhood Commercial Center) Districts are considered compatible with residential uses. As noted in Table 2 of Appendix A, uses in the IL District which are also permitted in these districts include: *Work/Live Unit, Cemetery, Funeral & Interment, Health Care Office, Participant Sports and Recreation (Indoor), Religious Assembly, Eating and Drinking Establishments* (with exception of *Fast Order Food with Drive-In*), *Financial, Insurance & Real Estate Office, Business Equipment, Food & Beverage, Mixed Media Store, Personal Convenience, Personal Improvement, Repair Service Consumer and General*, and *General Retail Sales*.

The uses that are permitted in the IL District but are not included in the RSO, CN1, or CN2 zoning districts are evaluated further below:

Lodge, Fraternal & Civic Assembly	This use includes uses such as 4-H clubs, bridge clubs, as well as veteran organizations. This use is permitted in the RS7, RSO, and CN1 Districts as a Special Use. It may be appropriate to require a SUP with this use as the types of assembly could vary and have differing characteristics and impacts on the neighborhood.
Participant Sports & Recreation (Outdoor)	<p>Typical uses include swimming pools, driving ranges, and miniature golf courses. These uses could have negative impacts on adjacent residences due to the intensity of outdoor activities. A SUP would be appropriate to insure compatibility.</p> <p>The outside activity associated with this project is an accessory area for outdoor calisthenics. This would be permitted as an accessory use to the fitness center. If the turf area were to be used as a play field for other users, not associated with the fitness center, it would require approval through the SUP process as a <i>Participant Sports and Recreation (Outdoor)</i> use.</p>
Fast-Order Food with Drive-In	Fast order food with a drive-in (drive-through) would probably not meet the requirements for access. A coffee shop with a drive-through window is one example of this type of use which might be compatible with the surrounding area; however, a fast food franchise would also be an example of this use. Depending on the nature and intensity of the drive-through use, this use could be incompatible with the nearby residential uses; therefore, restricting this use to approval as a SUP would be appropriate.
Hotel/Motel/Extended Stay	The size of a facility would be limited by the site's size and the ability to provide the required off-street parking while maintaining the required bufferyards as well as the 45 ft height limit in the IL District. In staff's opinion, the provisions of the Development Code should be adequate to minimize any negative impacts.

Livestock Sales	This use is permitted in both the IL and IG District; however, the noise and odor associated with livestock sales may not be compatible with nearby residential uses.
Large Collection Recycling Center	While processing would not occur, the noise and activity associated with a large collection recycling center may not be compatible with nearby residential uses.

Staff Finding – Uses permitted within the IL District are compatible with the nearby industrial uses; however, some uses could have a detrimental impact on the nearby residential areas. To minimize any negative impacts, the rezoning should be conditioned to prohibit *Livestock Sales* and *Large Collection Recycling Center* and to allow the following as Special Uses through the SUP process: *Lodge, Fraternal & Civic Assembly, Fast Order Food with Drive-In*, and *Participant Sports & Recreation (Outdoor)*. The SUP process would allow the additional review to insure compatibility as recommended in the Burroughs Creek Corridor Plan.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Applicants Response:

"Besides the health benefits of a fitness facility, our new use engages pedestrian traffic and brings a new service to residents."

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

Denial of the rezoning would leave the area open for development of the uses permitted within the IG District which would include the *Intensive Industrial* and *Explosive Storage* uses. The public health, safety, and welfare would benefit from the approval of the IL zoning request by removal of the more intense industrial uses. The IL District would allow additional uses which are considered to be compatible with light intensity commercial zoning.

The proposed use would provide a fitness center as an amenity to the neighborhood which can be accessed by car or by the adjacent pedestrian/bike trail.

Staff Finding – The rezoning request would benefit the public health, safety, and welfare by removing the potential for high intensity industrial uses on the subject property which is in close proximity to E 19th Street and the nearby residential developments. The rezoning would allow the development of a fitness center at this location which could be an amenity to the neighborhood.

PROFESSIONAL STAFF RECOMMENDATION

This staff report reviews the proposed rezoning request for its compliance with the Comprehensive Plan, the Golden Factors, and compatibility with surrounding development. The rezoning request is compliant with recommendations for industrial development in *Horizon 2020* (which refers to the Burroughs Creek Corridor Plan). Staff recommends approval of the rezoning request for approximately 1.7 acres from IG (General Industrial)

District to IL (Limited Industrial) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report and subject to the following conditions to restrict uses and insure compatibility with the nearby residential uses:

1. The following uses shall be permitted in the District when approved as Special Uses through the SUP process:
Lodge, Fraternal & Civic Assembly,
Fast Order Food with Drive-In, and
Participant Sports & Recreation (Outdoor)
2. The following uses shall be prohibited in the District:
Livestock Sales, and
Large Collection Recycling Center.

TABLE 1. COMPARISON OF PERMITTED USES: IL and IG

To illustrate the differences between the IL and IG Districts, the uses which are not permitted in both districts are shown in **bold print**. These are evaluated in Table 2.

USE GROUPS	IL	IG
Household Living	Mobile Home	Mobile Home
	Work/Live Unit	
Community Facilities	Cemetery	
	College/University	College/University
	Day Care Center	Day Care Center
	Detention Facilities (SUP)	Detention Facilities (SUP)
	Lodge Fraternal & Civic Assembly	
	Postal & Parcel Service	Postal & Parcel Service
	Public Safety	Public Safety
	Funeral & Interment	
	Temporary Shelter (A/SUP)	Temporary Shelter (SUP)
	Social Service Agency	Social Service Agency
	Community Meal Program (A/SUP)	Community Meal Program (SUP)
	Utilities, Minor	Utilities, Minor
	Utilities, Major (SUP)	Utilities, Major
Medical Facilities	Health Care Office	
Recreational Uses	Active Recreation	Active Recreation (SUP)
	Participant Sports & Recreation (Indoor and Outdoor)	
	Passive Recreation	Passive Recreation
	Nature Preserve/Undeveloped	Nature Preserve/Undeveloped
Religious Assembly	Campus/Community & Neighborhood Institution	
Animal Services	Kennel	Kennel
	Livestock Sale	Livestock Sale
	Sales and Grooming	Sales and Grooming
	Veterinary	Veterinary
Eating & Drinking Est.	Accessory Bar (A)	
	Fast Order Food	
	Fast Order Food/Drive-In	
	Quality Restaurant	
Office	Administrative and Professional	Administrative and Professional
	Financial, Insurance & Real Estate	
	Other	Other
Parking Facilities	Accessory (A)	Accessory (A)
	Commercial	Commercial
Retail Sales & Service	Building Maintenance	Building Maintenance
	Business Equipment	

	Business Support	Business Support
	Construction Sales and Service	Construction Sales and Service
	Food and Beverage	
	Mixed Media Store	
	Personal Convenience	
	Personal Improvement	
	Repair Service, Consumer	
	Retail Sales, General	
Transient Accommodations	Hotel, Motel, Extended Stay	
Vehicle Sales & Services	Cleaning (Car Wash)	Cleaning (Car Wash)
	Fleet Storage	Fleet Storage
	Gas and Fuel Sales	Gas and Fuel Sales
		Truck Stop (SUP
	Equipment Repair (Light/Heavy)	Equipment Repair (Light/Heavy)
	Inoperable Vehicles Storage	Inoperable Vehicles Storage
	Equipment Sales/Rentals (Light/Heavy)	Equipment Sales/Rentals (Light/Heavy)
	RV and Boat Storage	RV and Boat Storage
Industrial Facilities		Explosive Storage
	Industrial, General	Industrial, General
		Industrial, Intensive
	Laundry Service	Laundry Service
	Mfg & Production, Ltd.	Mfg & Production, Ltd.
	Mfg & Production, Tech.	Mfg & Production, Tech.
	Research Service	Research Service
	Scrap and Salvage (SUP)	Scrap and Salvage (SUP)
Wholesale Storage & Distribution	Exterior Storage (A)	Exterior Storage (A)
	Heavy (SUP)	Heavy
	Light	Light
	Mini-Warehouse	Mini-Warehouse
Agriculture	Agricultural Sales	Agricultural Sales
	Agriculture, Crop	Agriculture, Crop
Communications Facilities	Amateur & Receive-only Antennas (A)	Amateur & Receive-only Antennas (A)
	Broadcasting Tower	Broadcasting Tower
	Communications Service Establishment	Communications Service Establishment
	Telecommunications Antenna (A)	Telecommunications Antenna (A)
	Telecommunications Tower (SUP	Telecommunications Tower (SUP
	Satellite Dish (A)	Satellite Dish (A)
Mining		Mining (SUP)
Recycling Facilities	Large Collection	Large Collection
	Small Collection	Small Collection
	Processing (SUP)	Processing

TABLE 2. EVALUATION OF ADDITIONAL USES PERMITTED WITH REZONING TO IL

Additional Uses	Discussion	Other Districts
Work/Live Unit	Residential in nature; compatible with uses in area.	Allowed in RSO (Single-Dwelling Residential- Office) and CN1/CN2 (Inner Neighborhood and Neighborhood Commercial) Districts
Cemetery	Compatible with residential uses.	Allowed in residential and CN1/CN2
Lodge, Fraternal & Civic Assembly	Depending on size can be compatible with residential uses.	Permitted in all Residential Districts and CN1/CN2 with SUP
Funeral & interment	Compatible with residential uses.	Permitted in RSO and CN2
Health Care Office	Compatible with residential uses	Permitted in CN1
Participant Sports & Recreation (Indoor)	Compatible with residential uses	Permitted in CN2
Participant Sports & Recreation (Outdoor)	Typical uses are swimming pools, driving ranges, and miniature golf courses. May be incompatible with residential uses.	Not permitted in CN1 or CN2.
Religious Assembly	Compatible with residential uses.	Permitted in residential and CN1 and CN2
Eating and Drinking Establishments; accessory bar, fast order food (w, w/o drive-in), quality restaurant	Given the location on a minor arterial and the proximity of industrial uses eating and drinking establishments would be compatible with the area.	All uses permitted in CN1 and CN2 but fast order food with drive-in. This use is permitted in CN2 with SUP.
Financial, Insurance & Real Estate Office (includes banks)	Compatible with residential uses.	Permitted in RSO, CN1 and CN2
Business Equipment (Retail sales and Services)	Compatible with residential uses.	Permitted in CN2
Food & Beverage, Mixed Media Store, Personal Convenience, Personal Improvement, Repair Service Consumer and General, and Retail Sales, General	Compatible with residential uses.	Permitted in CN1 and CN2
Hotel/Motel/Extended Stay	The maximum height for the IL District is 45 ft. Could be compatible with the nearby residences, given the access onto a minor arterial and limited size possible.	Not permitted in RSO , CN1 or CN2