

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, NOVEMBER 18, 2009

4:00 p.m. – County Commission Meeting

-Convene

REGULAR AGENDA

- (1) Reading of Lawrence/Douglas County Census Complete Count Committee resolution and discussion of complete count committee activities (Ken Grotewiel/Emily Jackson)
- (2) Solicitation of bids for roof framing repairs (Jackie Waggoner)
- (3) Consider recommendation for financial audit service contract (Jamie Shew/Paula Gilchrist)
- (4) Approval of refunding of Cottonwood bonds (Sharon Spratt)
- (5) Consider approving applications to KDOT for HRRR federal funding for the following two curve reconstruction projects: (1) Route 6 at N 1150 Road, and (2) Route 1055 at 875 E 1600 Road (Keith Browning)
- (6) Executive Session on an item for the purpose of consultation with County Counselor on matters which would be deemed, privileged under the attorney-client relationship. The justification is to maintain attorney client privilege on a matter involving Douglas County.

RECESS UNTIL 6:35 P.M.

CONSENT AGENDA

- (7)(a) Consider approval of Commission Orders;
- (b) Consider approval Occupational License Application for Little Reno, Inc. DBA Paradise Saloon (Clerk's Office);
- (c) Consider Comprehensive Plan Amendment, **CPA-6-4-09**, to renumber the Implementation Chapter to be 17 and reserve Chapter 13 for future use. Initiated by the Planning Commission on June 24, 2009 as part of the Annual Review of the Comprehensive Plan. Adopt on first reading, **Ordinance No. 8464**, for Comprehensive Plan Amendment (CPA-6-4-09), to renumber the Implementation Chapter to be 17 and reserve Chapter 13 for future use. (PC Item 4; approved 9-0 on 9/21/09) (Michelle Leininger is the Planner)
- (d) Consider approval of Notice to Township Board for Cereal Malt Beverage Licenses for the Clinton Store, 598 N 1190 Rd. (Clerk's Office)

REGULAR AGENDA

- (8) Consider approval of CUP-8-9-09, a Conditional Use Permit for a new booster station for Rural Water District #5, located at 1292 N 1100 Road. Submitted by Bartlett & West, for Rural Water District No. 5, property owner of record. (PC Item 3; approved 8-0 on 10/26/09) (Linda Finger is the Planner Resource Coordinator)
- (9) Recognize volunteers for Emergency Management (Jillian Blair) (At approx. 7:00 p.m.)-No backup
- (10) Consider Comprehensive Plan Amendment, **CPA-6-3-09**, to Chapter 3 to remove the "Table of Land Use Categories & Locational Criteria." Initiated by the Planning Commission on June 24, 2009 as part of the Annual Review of the Comprehensive Plan. Adopt on first reading, **Ordinance No. 8463**,

for Comprehensive Plan Amendment (CPA-6-3-09), to Chapter 3 to remove the "Table of Land Use Categories & Locational Criteria." (PC Item 3; approved 9-0 on 9/21/09) (Michelle Leininger is the Planner)

(11) Other Business

- (a) Consider approval of Accounts Payable (if necessary)
- (b) Appointments
- (c) Miscellaneous
- (d) Public Comment

(12) Adjourn

WEDNESDAY, NOVEMBER 25, 2009

-No Commission Meeting

WEDNESDAY, DECEMBER 2, 2009

-Consider approval resolution for Cereal Malt Beverage Licenses for First Stop, L.L.C. (Clerk's Office)

-Approve Cereal Malt Beverage Licenses

-PP-8-4-09: Consider a 58.99 acre, 1 lot Preliminary Plat of Rockwall Farms Addition, located near the intersection of N 1800 Rd & E 700 Rd and a variance from Section 20-810(j)(1) of the Subdivision Regulations regarding the protection measures for environmental sensitive areas and natural areas. Submitted by Paul Werner Architects, for Rockwall Farms L. C., property owner of record. (PC Item 2; approved 8-0 on 10/26/09) Mary Miller is the Planner.

WEDNESDAY, DECEMBER 23, 2009

-No Commission meeting

Note: The Douglas County Commission meets regularly on Wednesdays at 4:00 P.M. for administrative items and 6:35 P.M. for public items at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.

CITY OF LAWRENCE/DOUGLAS COUNTY

RESOLUTION NO. _____

**A RESOLUTION ESTABLISHING THE LAWRENCE/DOUGLAS COUNTY JOINT
2010 CENSUS COMPLETE COUNT COMMITTEE**

WHEREAS, the United States federal government, through the Department of Commerce and the Bureau of the Census, is required to take a decennial census of the country every ten (10) years; and

WHEREAS, the results of the official census are used by the federal government to allocate more than \$400 billion annually to states and communities like the City of Lawrence and Douglas County, based in part, upon census data; and

WHEREAS, the Lawrence City Commission and Douglas County Board of County Commissioners desire to develop a partnership with the U.S. Census Bureau and community organizations for the 2010 Census to ensure that efforts are made to count every person in Douglas County; and

WHEREAS, the Lawrence City Commission and Douglas County Board of County Commissioners have determined it to be in the best interest of the citizens of Douglas County to establish the 2010 Census Complete Count Committee.

NOW, THEREFORE BE IT RESOLVED BY THE LAWRENCE CITY COMISSION AND THE DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

Section 1. Census Complete Count Committee Established. The 2010 Census Complete Count Committee is hereby established to partner with community organizations, citizens and the Census Bureau to promote the upcoming 2010 Census in Douglas County.

Section 2. Census Complete Count Committee Members. The 2010 Census Complete Count Committee is hereby established and the committee’s Steering Committee includes the following members:

- Ken Grotewiel, Co-Chair, appointed by Douglas County Commission
- Sue Hack, Co-Chair, appointed by Lawrence City Commission
- Baker University
- Centro Hispano Resource Center
- City of Lawrence
- Douglas County
- Douglas County Senior Services Inc.
- Douglas County United Way
- Haskell Indian Nations University
- Lawrence Association of Neighborhoods

Lawrence Chamber of Commerce
Lawrence Journal-World
Lawrence Unified School District #497
University of Kansas
Megan Gilliland, City Staff Liaison
Emily Jackson, County Staff Liaison
Leobardo Prieto, Partnership Specialist, US Census Bureau

Section 3. Formation of Complete Count Committee. The formation of the 2010 Census Complete Count Committee was approved on April 28, 2009 by Lawrence City Commissioners and on May 4, 2009 by the Douglas County Board of County Commissioners.

Section 4. Effective Date. The 2010 Census Complete Count Committee established in Section 1 of this Resolution shall be in full force and effect on the date of passage of this Resolution.

APPROVED BY THE DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS, this _____ day of _____ 2009.

APPROVED BY THE LAWRENCE CITY COMMISSION, this _____ day of _____ 2009.

Robert Chestnut, Mayor

Nancy Thellman, Chair

ATTEST:

Jonathan Douglass, Acting City Clerk

Jameson D. Shew, County Clerk



DOUGLAS COUNTY ADMINISTRATIVE SERVICES

Division of Purchasing

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5286 Fax (785) 838-2480
www.douglas-county.com

MEMO TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Director *JW*
Division of Purchasing

SUBJECT: Solicitation of Bids for Roof Framing Repairs

DATE: November 12, 2009

Last year during our first phase of our restoration project we became aware of skylight and roof frame deficiencies. A change order to our restoration contract was approved to address the immediate repairs.

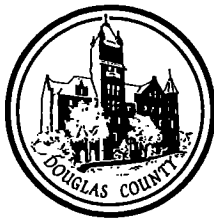
Our contract this year with our structural engineer, Don McMican (DGM Consultants, P.A.), included further evaluating the attic truss & struts. His findings disclosed deficiencies in three locations (two above commission meeting room, and one above east stairwell). The long term effects if the repairs are not made are identified below:

- > Fully loaded there would be some concern with principal truss.
- > Roof purlin has cracked where two members come together which does not provide adequate support. At this location the roof has dropped approximately one inch.

The contract with DGM Consultants also includes development of the scope of work, and provides quality assurance.

We anticipate the repair cost to be in the range of \$25,000 - \$40,000. Funds are allocated for this project. Formal bids will be solicited, and a recommendation will be brought back to you for approval.

Don McMican and I will be available at the commission meeting to discuss the roof framing repairs.



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www.douglas-county.com

MEMO TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Pam Madl, Jamie Shew, Paula Gilchrist, Stacy Kurtz, Marni Penrod,
Debbie Sparkes, Jackie Waggoner

SUBJECT: Consider Recommendation of Contract for Financial Audit Services

DATE: November 12, 2009

Our current contract for financial audit services is expiring and we have solicited proposals to establish a new contract. The contract includes audit services for Douglas County, Fair Board, Extension Council, Bert Nash, and the Health Department.

The following people served on our evaluating committee: Pam Madl, Jamie Shew, Paula Gilchrist, Stacy Kurtz, Marni Penrod, Debbie Sparkes, and Jackie Waggoner. Four firms responded to our solicitation; BT & Co, Cochran Head Vick & Co., RubinBrown, Lowenthal Webb & Odermann. The attached table summarizes their proposals.

After reviewing the proposals, the committee invited Cochran Head Vick, RubinBrown, and Lowenthal Webb & Odermann in for interviews. Following the interview process the committee felt that RubinBrown and Cochran Head Vick both offered features which would be beneficial to County staff, including reporting, training, and staff planning. Lowenthal Webb & Odermann has been our auditor for the past ten years. The committee believes it is good financial practice to contract with new auditors after a period of time to gain new perspectives on our internal processes. We did extensive reference checks on both RubinBrown and Cochran Head Vick.

The consensus of the committee's decision following our evaluation process is to recommend RubinBrown. Although their annual cost is much higher than we have been paying, the committee believes that the services and capabilities available from RubinBrown will be very beneficial not only in providing the audit services and overseeing internal controls, but also in the development of a new and better financial system in the future.

Our recommendation is to negotiate a contract with RubinBrown which pays them their full proposed price in Year 1, and allows us to review the cost with them for the subsequent years based upon experience with the 2009 audit.

Financial Audit Services Summary - RFP No. 09017

	BT & Co.	Cochran Head Vick & Co	RubinBrown	Lowenthal, Webb & Odermann
Year 1 (est. audit cost)	\$85,000	\$65,000	\$74,280	\$49,805
Year 1 (hourly rates for addl. services)	Director \$185 Manager \$140 Supervisor \$100	Blended Rate \$110	Partner \$160 Manager \$122 Supervisor \$83	Partner \$100 Staff \$75
Year 1 (hourly rates for consultation)	Director \$185 Manager \$140 Supervisor \$100	Blended Rate \$120 Year 1 - NC for 1st 20 hours	Partner \$250 Manager \$190 Supervisor \$130	Partner \$100
Annual increase no greater than % or fixed amount in annual audit cost:				
Year 2:	5% or \$4,250	3% or \$77,250	\$2,230	\$50,800
Year 3:	5% or \$4,462	3% or \$79,570	\$2,300	\$51,810
Year 4:	5% or \$4,685	3% or \$81,950	\$2,360	\$52,840
Year 5:	5% or \$4,920	3% or \$84,400	\$2,440	\$53,895
Annual increase no greater than % or fixed amount in hourly rates for addl. services:				
Year 2:	0,3.5,3% or \$185,145,103	0% or \$110	3%	2%
Year 3:	2.7,2.9,3.4% or \$190,150,106	3% or \$113	3%	2%
Year 4:	0,3.3,3.7% or \$190,155,110	3% or \$116	3%	2%
Year 5:	2.6,2.7,3.2% or \$195,160,113	3% or \$120	3%	2%
Annual increase no greater than % or fixed amount in hourly rates for consultation:				
Year 2:	0,3,3.5% or \$185,145,103	0% or \$120	5%	2%
Year 3:	2.7,3.4,2.9% or \$190,150,106	3% or \$124	5%	2%
Year 4:	0,3,3,3.7% or \$190,155,110	3% or \$127	5%	2%
Year 5:	2.6,2.7,3.2% or \$195,160,113	3% or 130	5%	2%
990 Report for Bert Nash Mental Health Center	\$2,000			
Special Consideration		conduct annual in-house training year 1 \$10,000 investment to earn business		
		fees incl. single audit of 2 major programs - \$1,500 addl. program		



2801 West 31st Street
Lawrence, Kansas 66047
785-842-0550
Fax: 785-842-6102

COTTONWOOD
INCORPORATED

November 12, 2009

VIA FACSIMILE TO (913) 279-7960 AND (785) 832-5192 and 832-5148
ORIGINAL TO FOLLOW IN MAIL

Douglas County, Kansas
Attn: Jamie Shew, County Clerk
1100 Massachusetts St.
Lawrence, Kansas 66044

Security Bank of Kansas City
Attn: Matthew McLaughlin, Tracy Rhodes
701 Minnesota Ave., Suite 206
Kansas City, Kansas 66101-2703

RE: \$2,725,000 Douglas County, Kansas Industrial Revenue Refunding and Improvement Bonds, Series 1999, dated December 1, 1999 (Cottonwood, Inc.) (the "1999 Bonds") Redemption Notice and Option to Purchase

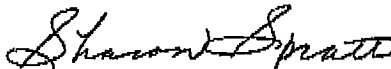
This letter provides all necessary notice pursuant to Section 302(c) of the Trust Indenture for the 1999 Bonds (defined above), that Cottonwood, Inc. (the "Tenant") intends to redeem all of the outstanding 1999 Bonds on January 1, 2010 at a redemption price of par.

This letter also provides all necessary notice, pursuant to Section 17.1 of the Lease Agreement dated as of December 1, 1999, by and between Douglas County, Kansas and the Tenant, that the Tenant intends to purchase the Project effective January 1, 2010. This purchase is conditioned upon the redemption of the 1999 Bonds referred to above and payment by Tenant of \$100.00 to Douglas County, Kansas.

Please notify the Trustee that the 1999 Bonds are to be redeemed on January 1, 2010 and instruct the Trustee to take all action required under the terms of the Indenture to give effect to the redemption. The notice to the Trustee should be faxed and mailed to Security Bank of Kansas City, Attn: Matthew McLaughlin, 701 Minnesota Ave., Suite 206, Kansas City, Kansas 66101-2703, Fax # (913) 279-7960. Please include a copy of this letter.

Thank you for your consideration. Please call me at (785) 842-0550 if you have any questions.

Sincerely,


Sharon Spratt, CEO
Cottonwood, Inc.

cc: Mary Carson, Bond Counsel, 785-840-9241
Craig Weinaug, County Administrator

"We help people with disabilities shape their own futures."

www.cwood.org



DOUGLAS COUNTY PUBLIC WORKS

1242 Massachusetts Street
Lawrence, KS 66044-3350
(785) 832-5293 Fax (785) 841-0943
dgcopubw@douglas-county.com
www.douglas-county.com

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : November 12, 2009

Re : Approval of Request for Construction Project forms for two HRRR projects

- Route 6 at N 1150 Road
- Route 1055 at 875 E 1600 Road

We previously applied to KDOT for High Risk Rural Road (HRRR) federal funding to reconstruct two curves. KDOT still has them on file to consider for future funding. KDOT is accepting another cycle of HRRR project requests, and we wish to update our applications and re-apply for these two curve reconstruction projects. The two horizontal curves are (1) Route 6 at N 1150 Road, and (2) Route 1055 at approximately 875 E 1600 Road.

Both projects are currently listed in the Douglas County CIP assuming HRRR federal funding to cover 90% of construction costs. Douglas County would be responsible for the remaining 10% of construction costs, plus 100% of costs for engineering design, right-of-way acquisition, and utility relocation.

The speed limit for both roads is 55 mph. The Route 6 curve is posted with a 20-mph advisory speed. The Route 1055 curve is posted with a 40-mph advisory speed. Both projects would involve total reconstruction of the curves. The Route 1055 curve reconstruction would be designed for 55 mph, while the Route 6 curve reconstruction would likely be designed for 45 mph. Both curves have significant accident histories.

KDOT requires BOCC signatures on a Request for Construction Project form (DOT form 1302) for each project. These forms must accompany our applications for HRRR funding.

Action Required: Approve applying to KDOT for High Risk Rural Road federal funding for the following two curve reconstruction projects: (1) Route 6 at N 1150 Road, and (2) Route 1055 at 875 E 1600 Road. The BOCC should sign DOT form 1302, Request for Construction Project, for each project.

HIGH RISK RURAL ROADS

Project Funding Application

County Douglas

Project Type: RSA Corridor Improvements Construction

KDOT Project Number (if currently on 5-year plan) _____

Local Route or Road Name Douglas County Route 1055

Federal Route Number (if applicable) RS210

Route Type: Major collector Minor Collector Local Road

Location 1.25 mi. {N~~S~~E-W} of intersection of Route 458 and Route 1055

Township 14S Range 20E Section 4

(Attach map showing project location)

Crash Rate _____ ADT 1883 Vehicle/Day Projected ADT 2410 Year 2018

	2009	2008	2007	2006	2005	2004
Number of Fatal Crashes						
Number of Fatalities						
Number of Disabling Injury Crashes						
Number of Disabling Injuries						
Number of Injury Crashes	1		1			
Number of Injuries	2		1			
Number of PDO Crashes	1	1				

Please provide at least 3 years of data.

Data available from 1-1-2001 to 10-15-2009
mm/yyyy mm/yyyy

See attached accident reports

If an engineering study has been conducted, please attach a copy. Date: November 17, 2007

Road Safety Assessment attached

(continued on back)

KANSAS DEPARTMENT OF TRANSPORTATION
BUREAU OF LOCAL PROJECTS
REQUEST FOR CONSTRUCTION PROJECT

Submit One (1) Copy, With Map

County Douglas

WHEREAS: The Secretary of Transportation of the State of Kansas, hereinafter referred to as the Secretary, has been designated as agent for Douglas County under an agreement dated 11/19/2004, or,

WHEREAS: The Secretary's agency for the City of will be designated under an agreement to be executed, and,

WHEREAS: the Federal-Aid Highway Act of 1956, as amended, and subsequent acts and amendments, provided Federal-Aid funds to assist the counties, cities and other political sub-divisions in improving their roads and streets, and,

WHEREAS: The above-noted county/city desires to improve a certain portion of their road or street system as is more fully described hereinafter, now, therefore,

BE IT RESOLVED: That the Secretary is hereby requested to program, for construction, that portion of road / street which is functionally classified as a Major Collector on Route Number 1055 located: 1.25 miles south of the intersection of Route 458 and Route 1055

Total Project Length (Km) 0.30 (Mi) Est. Let Date February 2011

ESTIMATED costs of such improvements are as follows:

Table with 2 columns: Description and Amount. Rows include Grading / Culverts / Storm Sewer (\$200,000), Surfacing (Type) 10" asphalt (\$200,000), Bridges (Number) none (\$), Seeding, erosion control (\$15,000), Other (\$), and ESTIMATED Total for Project (\$415,000).

Surveys and plans will be prepared by: Douglas County or consultant

BE IT FURTHER RESOLVED: That sufficient funds of Douglas County are now, or will be available and are hereby pledged to the Secretary in the amount and at the time required for the supplementing of federal funds available for the completion of this project. Prior to Federal Authorization, any project expenditures made by the County/City are ineligible for federal funding and remain the responsibility of the County/City. Upon cancellation of the project by the County/City, the County/City shall reimburse the Secretary within thirty (30) days after receipt of statement of cost incurred by the Secretary prior to cancellation.

Day Month Year 2009, at Douglas County, Kansas.

Recommended for Approval:

APPROPRIATE LOCAL OFFICIAL(S)

County/City Engineer or Administrator

Chairperson/Mayor

ATTEST:

Member

County/City Clerk

Member

REQUEST FOR CONSTRUCTION PROJECT

RR within 1/2 mile _____ RR Owner _____ County Douglas

Area Served: General Farming Livestock _____ Oil/Gas _____ Industrial _____ Suburban _____ Urban _____

Others: _____

Utilities to be adjusted: unknown at this time

Environmental Concerns: Parks No Wetlands No Other No

Traffic Data: Present AADT 1,883 Year 2008 Estimated Future AADT 2,410 Year 2018

Existing Facilities:					Curb & Gutter	Storm Sewer		
Roadbed Width	Surface Type	Surface Width	Condition	Surface Thickness				
(M) 25.00	Chip Seal	(M) 24.00	fair		none	culverts		
(Ft)		(Ft)						
Proposed Facilities:					Curb & Gutter	Storm Sewer		
Roadbed Width	Surface Type	Surface Width	Surfacing By:	Surface Thickness or Rate/Km or /Mi				
(M) 40.00	Asphalt	(M) 24.00		10"	none	culverts		
(Ft)		(Ft)						
Existing Bridges:					Safe Load	Suff. Rating	Rating Year	Posted
NBIP Structure Number	Structure Type	Over-all Length		Clear Roadway				
none		(M)	(Ft)	(M)	(Ft)			
		(M)	(Ft)	(M)	(Ft)			
Proposed New Bridges:					Safe Load	Suff. Rating	Rating Year	Posted
Structure Type		Over-all Length		Clear Roadway				
none		(M)	(Ft)	(M)	(Ft)			
		(M)	(Ft)	(M)	(Ft)			
Railroad Crossings:					Avg. Trains Daily	Min. Vis. @ 300'	Present Protection	Proposed Protection
Company Name		No. of Tracks	Main Tracks	Other Tracks				
none		2	2	2	200002	30000'	None	

Comments:

REQUEST FOR CONSTRUCTION PROJECT

In accordance with the Bureau of Local Projects (BLP) Memo 99-11, dated December 16, 1999, we are required, under the Comprehensive Transportation Program (CTP) to collect and record total costs of all work phases of projects. This includes local agency federal-aid and state-aid projects that include any non-participating, pre-construction local agency costs for preliminary engineering (plan design), rights of way and utility adjustments.

Please show below your estimate of the cost of any of the following non-participating work phases for this proposed project.

Preliminary Engineering (PE)

Please estimate the payments you will make to your consultant. If your agency will perform its own PE, include your estimated direct costs plus overhead.

Rights of Way (R/W)

Please estimate the payments you will make to landowners.

Utility Adjustments (UTIL)

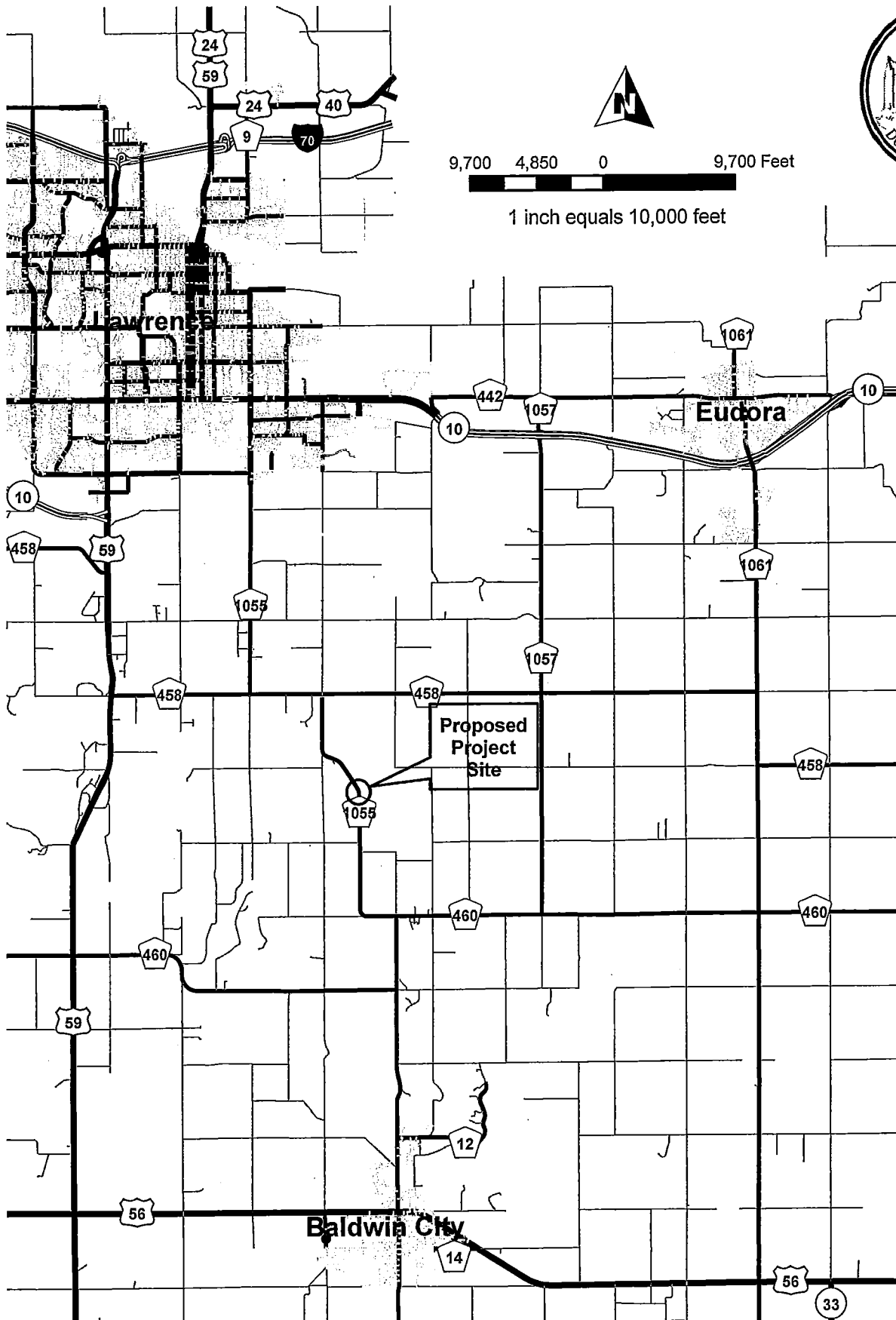
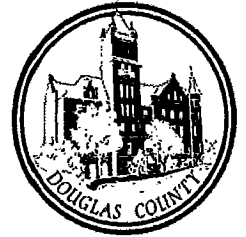
Please estimate the total of any payments you will make to utility companies for adjustments to utilities located on private easements.

ESTIMATED non-construction costs are as follows:

Preliminary Engineering	_____	\$	<u>42,000</u>
Rights of Way	_____	\$	<u>75,000</u>
Utility Adjustments	<u>water line</u>	\$	<u>30,000</u>
Other	_____	\$	_____
ESTIMATED Total for Project		\$	<u><u>147,000</u></u>

High Risk Rural Roads funds request
N875 - E1650 -- General Location Map

Douglas County



HIGH RISK RURAL ROADS

Project Funding Application

County Douglas

Project Type: RSA Corridor Improvements Construction

KDOT Project Number (if currently on 5-year plan) _____

Local Route or Road Name Douglas County Route 6

Federal Route Number (if applicable) RS1273

Route Type: Major collector Minor Collector Local Road

Location 5.5 mi. {N-S E-W} of west Douglas County line and 11.5 miles north of south Douglas County line

Township 13S Range 18E Section 22

(Attach map showing project location) Curve at N1150-E550

Crash Rate _____ ADT 399 Vehicle/Day Projected ADT 486 Year 2018

	2009	2008	2007	2006	2005	2004
Number of Fatal Crashes						
Number of Fatalities						
Number of Disabling Injury Crashes						
Number of Disabling Injuries						
Number of Injury Crashes	1					2
Number of Injuries	2					2
Number of PDO Crashes			1		1	1

Please provide at least 3 years of data.

Data available from 1-1-2001 to 10-15-2009
mm/yyyy mm/yyyy

see attached accident reports

If an engineering study has been conducted, please attach a copy. Date: November 2007

Road Safety Assessment attached

(continued on back)

KANSAS DEPARTMENT OF TRANSPORTATION
BUREAU OF LOCAL PROJECTS
REQUEST FOR CONSTRUCTION PROJECT

Submit One (1) Copy, With Map

County Douglas County

WHEREAS: The Secretary of Transportation of the State of Kansas, hereinafter referred to as the Secretary, has been designated as agent for Douglas County under an agreement dated 11/19/2004, or,

WHEREAS: The Secretary's agency for the City of will be designated under an agreement to be executed, and,

WHEREAS: the Federal-Aid Highway Act of 1956, as amended, and subsequent acts and amendments, provided Federal-Aid funds to assist the counties, cities and other political sub-divisions in improving their roads and streets, and,

WHEREAS: The above-noted county/city desires to improve a certain portion of their road or street system as is more fully described hereinafter, now, therefore,

BE IT RESOLVED: That the Secretary is hereby requested to program, for construction, that portion of road / street which is functionally classified as a Major Collector on Route Number 6 located: 5.5 miles east of west Douglas County line and 11.5 miles north of south Douglas County line

Total Project Length (Km) 0.35 (Mi) Est. Let Date February 2011

ESTIMATED costs of such improvements are as follows:

Table with 2 columns: Description and Amount. Rows include Grading / Culverts / Storm Sewer (\$250,000), Surfacing (Type) 8" Asphalt (\$200,000), Bridges (Number) none (\$), Seeding, erosion control (\$20,000), Other (\$), and ESTIMATED Total for Project (\$470,000).

Surveys and plans will be prepared by: Douglas County or consultant

BE IT FURTHER RESOLVED: That sufficient funds of Douglas County are now, or will be available and are hereby pledged to the Secretary in the amount and at the time required for the supplementing of federal funds available for the completion of this project.

Day Month Year 2009, at Douglas County, Kansas.

Recommended for Approval: APPROPRIATE LOCAL OFFICIAL(S)

Signatures for County/City Engineer or Administrator, Chairperson/Mayor, Member, County/City Clerk, and Member.

REQUEST FOR CONSTRUCTION PROJECT

RR within 1/2 mile _____ RR Owner _____ County Douglas

Area Served: General Farming Livestock _____ Oil/Gas _____ Industrial _____ Suburban _____ Urban _____
 Others: Recreational areas for Clinton Lake

Utilities to be adjusted: Unknown at this time

Environmental Concerns: Parks No Wetlands No Other No

Traffic Data: Present AADT 399 Year 2008 Estimated Future AADT 486 Year 2018

Existing Facilities:					Curb & Gutter	Storm Sewer		
Roadbed Width	Surface Type	Surface Width	Condition	Surface Thickness				
(M) 26.00	Asphalt - Chip Seal	(M) 24.00	fair	4"	none	culverts		
(Ft)		(Ft)						
Proposed Facilities:				Surface Thickness or Rate/Km or /Mi	Curb & Gutter	Storm Sewer		
Roadbed Width	Surface Type	Surface Width	Surfacing By:					
(M) 36.00	Asphalt	(M) 24.00		8" Asphalt	none	culverts		
(Ft)		(Ft)						
Existing Bridges:					Safe Load	Suff. Rating	Rating Year	Posted
NBIP Structure Number	Structure Type	Over-all Length		Clear Roadway				
none		(M)	(Ft)	(M)	(Ft)			
		(M)	(Ft)	(M)	(Ft)			
Proposed New Bridges:					Clear Roadway			
Structure Type		Over-all Length						
none		(M)	(Ft)	(M)	(Ft)			
		(M)	(Ft)	(M)	(Ft)			
Railroad Crossings:		No. of Tracks	Main Tracks	Other Tracks	Avg. Trains Daily	Min. Vis. @ 300'	Present Protection	Proposed Protection
Company Name								
none		2	2	2	200002	30000'	None	

Comments:

REQUEST FOR CONSTRUCTION PROJECT

In accordance with the Bureau of Local Projects (BLP) Memo 99-11, dated December 16, 1999, we are required, under the Comprehensive Transportation Program (CTP) to collect and record total costs of all work phases of projects. This includes local agency federal-aid and state-aid projects that include any non-participating, pre-construction local agency costs for preliminary engineering (plan design), rights of way and utility adjustments.

Please show below your estimate of the cost of any of the following non-participating work phases for this proposed project.

Preliminary Engineering (PE)

Please estimate the payments you will make to your consultant. If your agency will perform its own PE, include your estimated direct costs plus overhead.

Rights of Way (R/W)

Please estimate the payments you will make to landowners.

Utility Adjustments (UTIL)

Please estimate the total of any payments you will make to utility companies for adjustments to utilities located on private easements.

ESTIMATED non-construction costs are as follows:

Preliminary Engineering	_____	\$	<u>47,000</u>
Rights of Way	_____	\$	<u>20,000</u>
Utility Adjustments	<u>water line</u>	\$	<u>3,000</u>
Other	_____	\$	_____
ESTIMATED Total for Project		\$	<u><u>70,000</u></u>

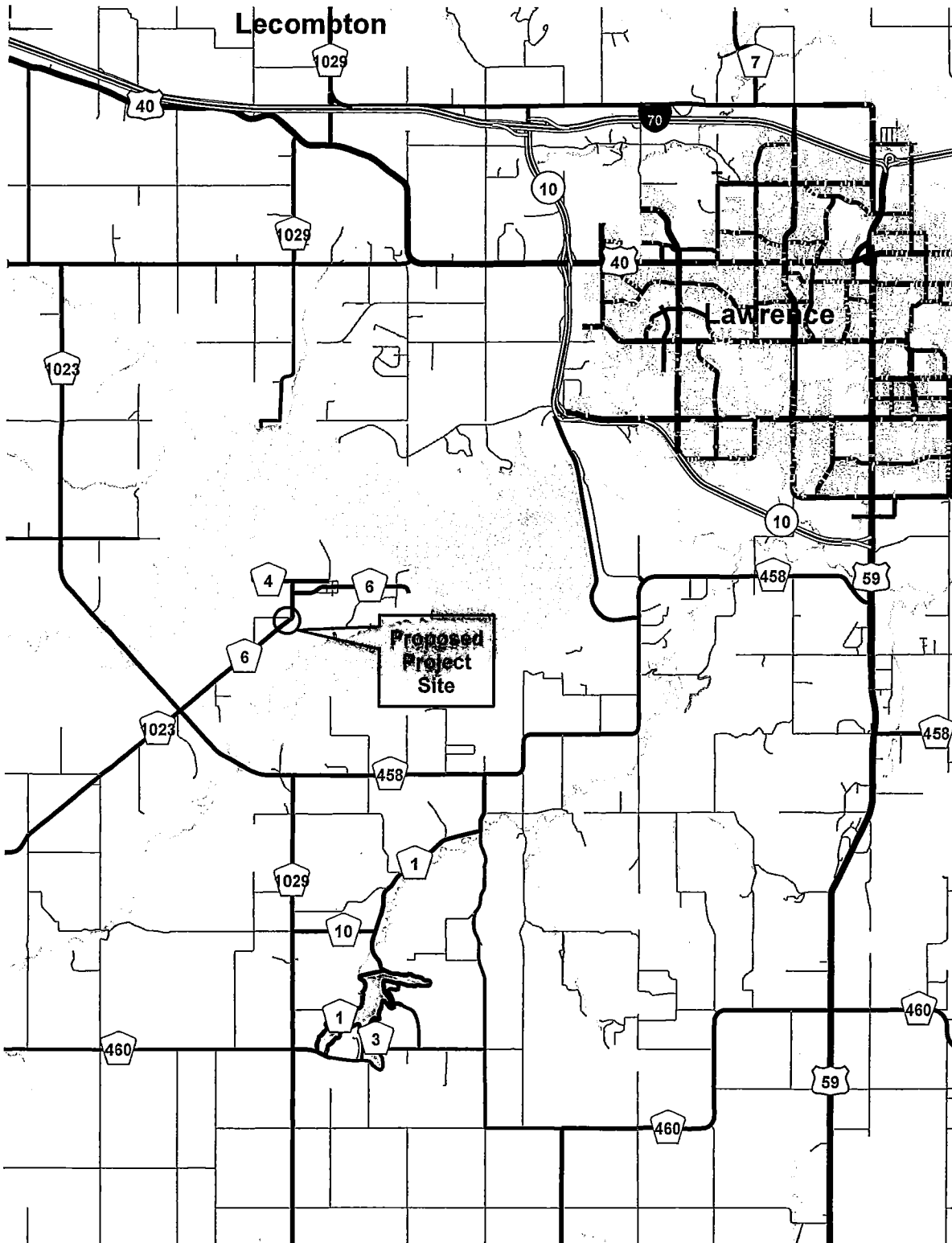
High Risk Rural Roads funds request
N1150 - E550 -- General Location Map

Douglas County

10,000 5,000 0 10,000 Feet



1 inch equals 10,000 feet



7(b)



JAMIE SHEW
DOUGLAS COUNTY CLERK

1100 Massachusetts
Lawrence, KS 66044

Phone: 785-832-5182
Fax: 785-832-5192

Marni D. Penrod
Chief Deputy Clerk

Keith D. Campbell
Deputy Clerk-Elections

2010

DOUGLAS COUNTY KANSAS OCCUPATIONAL LICENSE APPLICATION

DATE: 11/2/09

APPLICANT: Little Reno, Inc. DBA Paradise Saloon

APPLICANT'S REPRESENTATIVE: Jason R. McDanel

BUSINESS ADDRESS: 1697 Highway 40 (PO Box 442082) Lawrence KS

STATE LIQUOR LICENSE NUMBER: 09-016-0134-00

BUSINESS PHONE: 785.843.9601

DOUGLAS COUNTY USE LOCATION: Above

APPLICANT'S SIGNATURE

COUNTY FEE \$150.00

COUNTY LICENSE NUMBER 1

DATE ISSUED _____

KEEP THIS LICENSE POSTED CONSPICUOUSLY AT ALL TIMES

Fee: \$ 150.00 (original)

LICENSE TAX NO. 1

2010

TO WHOM IT MAY CONCERN:

Occupational License is hereby granted to Little Reno, Inc DBA Paradise Saloon

of CLASS "B" CLUB LICENSE NO. 09-016-0134-00 for the year beginning **January 1, 2010**
at **1697 Highway 40, PO Box 442082, LAWRENCE, KS 66044** in the Township of **GRANT** in **DOUGLAS COUNTY, KANSAS**

Same having been approved by the governing body of said County as provided by the Laws of Kansas, K.S.A.41-2622, and the regulations of the Board of County Commissioners.

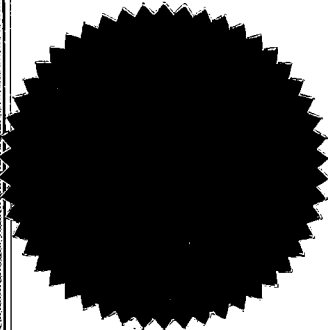
This License will expire DECEMBER 31, 2010 unless sooner revoked, is not transferable, nor will any refund of the fee be allowed thereon.

Done by the Board of County Commissioners of DOUGLAS County, Kansas

this 18th day of November 2009.

Attest: _____
County Clerk

Chairman



**PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item**

PC Staff Report
9/21/09

ITEM NO. 4 COMPREHENSIVE PLAN AMENDMENT (MJL)

CPA-6-4-09: CONSIDER COMPREHENSIVE PLAN AMENDMENT TO RENUMBER THE IMPLEMENTATION CHAPTER TO BE 17 AND RESERVE CHAPTER 13 FOR FUTURE USE. INITIATED BY THE PLANNING COMMISSION ON JUNE 24, 2009 AS PART OF THE ANNUAL REVIEW OF THE COMPREHENSIVE PLAN.

STAFF RECOMMENDATION: Staff recommends approval of the comprehensive plan amendment to change the current Chapter 13 – Implementation to be Chapter 17 - Implementation and reserve Chapter 13 for a future use, and forwarding the recommendation to the governing bodies.

SUMMARY

As part of the annual review of the comprehensive plan, it was identified that the implementation chapter (Chapter 13) should be the last chapter of the plan. Two new chapters have been added and a third is in the process of being drafted. This makes the implementation chapter no longer located at the end of the plan where it makes the most sense to be located. The vacant Chapter 13 space would be reserved for a future chapter.

STAFF REVIEW

It makes most sense to have the implementation chapter located at the end of the plan and reserve Chapter 13 for future use.

COMPREHENSIVE PLAN AMENDMENT REVIEW

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

At the time the plan was adopted, space for new chapters was not reserved. Two chapters have been added and a third chapter is being worked on. Moving the implementation chapter to the end of the plan is a logical step. If another chapter is to be added in the future, a reserved chapter will be available (Chapter 13) as to not have to move the implementation chapter again.

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

The proposed change helps to keep a logical flow of the plan and does not affect the goals and policies.

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

The change is to maintain a logical flow of the plan and does not change policy.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends renumbering the Implementation Chapter to be Chapter 17 – Implementation and reserving Chapter 13 for future use.

ITEM NO. 4 COMPREHENSIVE PLAN AMENDMENT (MJL)

CPA-6-4-09: Consider Comprehensive Plan Amendment to renumber the Implementation Chapter to be 17 and reserve Chapter 13 for future use. Initiated by the Planning Commission on June 24, 2009 as part of the Annual Review of the Comprehensive Plan.

STAFF PRESENTATION

Ms. Michelle Leininger presented the item.

PUBLIC HEARING

No public comment.

ACTION TAKEN

Motioned by Commissioner Hird, seconded by Commissioner Chaney, to approve the comprehensive plan amendment to change the current Chapter 13 – Implementation to be Chapter 17 - Implementation and reserve Chapter 13 for a future use, and forwarding the recommendation to the governing bodies, and authorize Planning Commission Chair to sign PC Resolution 9-6-09.

Unanimously approved 9-0, with Student Commissioner Shelton voting in favor.

A RESOLUTION ADOPTING AMENDMENTS TO HORIZON 2020, THE COMPREHENSIVE PLAN FOR THE CITY OF LAWRENCE AND UNINCORPORATED DOUGLAS COUNTY, KANSAS PERTAINING TO THE IMPLEMENTATION CHAPTER.

WHEREAS, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas, for the purpose of promoting the public health, safety, morals, comfort and general welfare, conserving and protecting property values throughout Lawrence and Douglas County, are authorized by K.S.A. 12-741 *et seq.* to provide for the preparation, adoption, amendment, extension and carrying out of a comprehensive plan; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas have adopted an official comprehensive plan for the coordination of development in accordance with the present and future needs and to conserve the natural resources of the City and County, ensure efficient expenditure of public funds and promote the health, safety, convenience, prosperity and general welfare of the citizens of Lawrence and Douglas County; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission held a public hearing on September 21, 2009, for the proposed amendments to Horizon 2020, the comprehensive plan, to repeal Chapter 13 and reserve the same for future use and adopt Chapter 17 – Implementation, after notice by publication in the official city and county newspaper.

BE IT RESOLVED BY THE LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION:

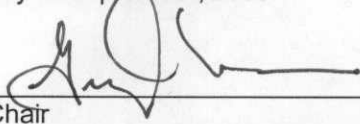
SECTION ONE: The above stated recitals are by reference incorporated herein, and shall be as effective as if repeated verbatim.

SECTION TWO: Pursuant to K.S.A. 12-747, the Lawrence-Douglas County Metropolitan Planning Commission adopts and recommends for approval the amendments to Horizon 2020, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, to repeal Chapter 13 and reserve the same for future use and adopt Chapter 17 - Implementation.

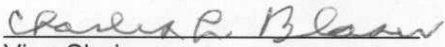
SECTION THREE: The amendment to *Horizon 2020*, Chapter 17 – Implementation, attached as Exhibit 1.

SECTION FOUR: This resolution together with a certified copy of the amendments to Horizon 2020, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, and a written summary of the public hearing shall be submitted to the City Commission and the Board of County Commissioners.

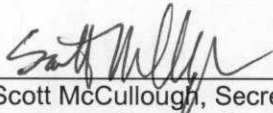
Adopted by the Lawrence-Douglas County Metropolitan Planning Commission on this, the 21st day of September, 2009.



Chair
Lawrence-Douglas County Metropolitan
Planning Commission



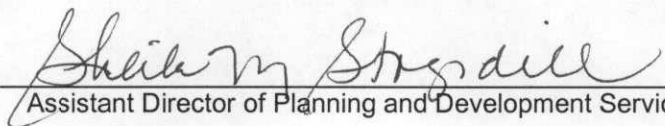
Vice-Chair
Lawrence-Douglas County Metropolitan
Planning Commission



Scott McCullough, Secretary
Lawrence-Douglas County Metropolitan
Planning Commission

Implementation

I hereby certify that this is a true and correct copy of the comprehensive plan or part of the plan; that the Lawrence-Douglas County Metropolitan Planning Commission adopted said comprehensive plan or part of the plan on September 21, 2009.


Assistant Director of Planning and Development Services.

CHAPTER SEVENTEEN - IMPLEMENTATION

This phase of the planning process in Lawrence and Douglas County is ongoing. In many ways, formal adoption of the Comprehensive Plan is the first step, not the last. Without continuing action to implement and update the Plan, efforts up to this point will have little lasting impact.

The Comprehensive Plan sets forth an agreed-upon "road map" for the next 20-25 years. It is the product of considerable effort on the part of the citizens of Lawrence and Douglas County, the HORIZON 2020 Steering Committee, city and county governing bodies and staff. The Plan presents a strategy for retaining and enhancing those characteristics seen as most important to the community, including sound neighborhoods, a strong and vital downtown, a quality park and recreational system, continued economic development, good schools and a strong, positive physical identity. The Plan also promotes responsible growth and development to protect the city's investment in high quality community facilities and services.

This section presents several key actions which the city, county and others should undertake to implement the Plan. It should be noted that no attempt was made to document all actions that might be undertaken to implement the Plan. Since the "community" is not static and conditions will change over time, the Plan should be amended as needed to respond to changes in the local community, public policy, and citizen attitudes and intentions.

There are a number of actions which should be undertaken to implement the plan. Many of these actions are the responsibility of or require the leadership of Lawrence and Douglas County.

ADMINISTRATIVE ACTIONS

1. Continue to fund and support the Planning Commission and the Lawrence/Douglas County Metropolitan Planning Office as a joint planning agency for the city and unincorporated Douglas County. The implementation and success of the Comprehensive Plan relies on this governing structure.
2. Seek informal agreements and cooperation between Lawrence, Baldwin City, Eudora, Lecompton and Douglas County to utilize a standard budgetary format.
3. Provide funding for additional technical, professional and enforcement personnel. Specifically, there is a need to:
 - Develop and implement a geographic information system.
 - Support the planning process in a manner that allows the Lawrence/Douglas County Metropolitan Planning staff and other local governmental agencies to be proactive, not reactive, with a constant focus on the long-range goals of this plan.
 - Develop a land use inventory and data base to be maintained by the Planning Office which should include:
 - Existing acreage zoned for residential, commercial, and industrial uses;

- Gross square feet of existing residential, commercial, and industrial space, by location; and
 - Vacant acreage zoned for residential, commercial, and industrial use.
- Maintain an inventory and database to assist the community in monitoring changes and patterns related to land use development. An information system, continually updated, will provide a mechanism to evaluate the economic health of the community and assist citizens and community leaders in making decisions related to land use issues.
 - Undertake an impact study of requests for development of community and/or regional commercial centers to ensure that such development does not have a negative impact on the primary Regional Retail Commercial Center (Downtown Lawrence). This analysis would be used to evaluate the potential impact on the future viability of Downtown Lawrence as a whole and not the potential impact on individual businesses or properties.
 - Develop measurement techniques to gauge the community's ability to absorb and support new commercial development. Evaluate the need to amend the Comprehensive Plan to include adopted measurement techniques.
 - Implement a "certified" housing program in collaboration with local universities. Certification would provide a voluntary incentive for property owners to maintain a specified minimum level of maintenance in exchange for inclusion in lists of certified properties provided to new residents in the community.
 - Increase enforcement efforts throughout the community to ensure that developments are constructed and maintained as planned.

DEVELOPMENT CONTROLS UPDATE

The city and the county's development regulations represent important tools for the implementation of many recommendations contained in the Plan. While the regulations should be frequently reviewed to respond to changing conditions, unforeseen needs, or new policies, the Plan has identified a variety of actions required to implement the new Plan which should be undertaken in the early years of Plan implementation. These are briefly summarized in this section.

City of Lawrence

- ***Zoning Regulations***
 1. Throughout the planning process, public comment has sought improved landscaping and site development requirements, particularly in non-residential areas of the city. Site development plan and landscape plan approval, procedures and standards should be formally incorporated into the Zoning regulations. Site plan requirements should encompass all site development features and improvements, and require site designs to demonstrate proper access and circulation, pedestrian access, and relationship to buildings and adjoining sites. Public sector and private sector projects should be developed to similar standards.

2. The structure of the current zoning districts should be reviewed to reflect the general intent of the Land Use Plan. For example, the Plan calls for the creation of an office-research district of a low-density "campus-like" setting, as well as a new very low-density (large-lot) residential classification. These new distinctions are required to carry out the intent of the Land Use Plan.
3. The zoning regulations should establish transition yard requirements where non-residential uses adjoin low-density residential areas. A transition yard would require increased yard depths and landscaping and screening improvements to soften the potential negative effects of development.
4. The planned unit development standards and procedures should be amended to clarify development plan requirements, update development standards, and streamline procedures.
5. The city should review and update its development performance standards, as appropriate.
6. The zoning regulations should be modified to include clustered development regulations as a voluntary option to development permitted by right within the residential zoning districts.
7. In the site development review process, new development or redevelopment should require architectural elevations illustrating spacing and massing to assist in determining the compatibility of the project design with surrounding land uses, the neighborhood plan and the Comprehensive Plan.
8. For large non-residential developments, an impact analysis should be required. The city should develop a tailor-made analysis model and require it be uniformly applied to all developments.
9. Over time, land should be rezoned to achieve consistency with the land use plan. The Planning Commission should initiate cases where rezoning is needed.
10. An Original Townsite Ordinance should be adopted which recognizes the development pattern existing on platted lots in many of the older areas of the city. Setback and development regulations should be considered which permits the continuation of established patterns.

- ***Subdivision Regulations***

1. The city should develop park and school land dedication provisions, with options for land acquisition and development, for incorporation in the subdivision regulations consistent with the recommendations for parks and recreation in the Plan.
2. The city should establish requirements consistent with the sidewalk improvement policy.

3. The city should amend its subdivision regulations to apply within the UGA. These would include the public improvement standards and dedication requirements normally imposed within the corporate limits (or modified standards as appropriate), except it would provide for public water and wastewater extensions consistent with the policies established in the utilities section of this plan.

- ***Building Regulations***

1. The city should update its minimum property maintenance code for residential, commercial and industrial areas.
2. The city's building codes should be reviewed to:
 - Meet objectives in allowing the economical conversion of existing historic buildings through special building code provisions for the adaptation of existing structures.
 - Respond to technological advances in new types of building construction materials which reduce construction costs and yet maintain the overall quality and safety in construction and design.

The city should compile all separate codes and ordinances relating to development into a single unified development code. This could include regulations regarding subdivision, zoning, housing, building, traffic and access and other related codes.

Douglas County

- ***Zoning Regulations***

1. The regulations should be amended to provide for minimum lot size and frontage requirements recommended in the Plan.
2. New site plan regulations should be prepared for the review of development applications in natural or environmentally sensitive locations and for all non-residential development in the county.
3. The zoning regulations should include a system using land evaluation and site assessment as evaluation tools to identify prime agricultural lands.

FOLLOW-UP STUDIES

Through the planning process, many issues/topics have been discussed which need additional in-depth study. As studies are prepared, additional emphasis should be given to the accessibility of information in a variety of formats to meet the changing needs of the community. This section provides an overview of key projects which could significantly augment the ongoing planning program.

Joint Lawrence/Douglas County Studies

While the following studies need not necessarily be completed as joint studies, conducting a combined effort would provide a more coordinated and comprehensive strategy to deal with long-term needs important to both Lawrence and Douglas County.

Historic Resources Survey and Plan. The Plan has identified the need to complete a historic resources inventory and prepare a historic preservation plan for Douglas County. This preservation plan should include a number of governmental agencies. Because of overlapping jurisdictions, this project should be organized through the Lawrence/Douglas County Metropolitan Planning Commission and the Planning Office.

Intergovernmental Services and Facilities Study. Citizens of Lawrence and Douglas County recommended a county-wide study be undertaken to identify services which could be consolidated, reorganized, or eliminated because of duplication. A study group should be formed to investigate, analyze and recommend actions which might be undertaken to increase efficiency and reduce service costs.

Law Enforcement and Fire Protection Study. The potential for coordinated and combined emergency and public safety services has been identified as an area of further study. The potential to enhance urban and rural services through combined resources would be one objective of the study.

City and County Bicycle and Pedestrian Facilities. Once needs are identified on a neighborhood level within Lawrence, plans for these facilities on a county-wide basis should be re-evaluated and confirmed. Because the improvements represent substantial capital investments, they should be carefully coordinated.

Stormwater Management Study. As the city and unincorporated Douglas County continue to grow in the future, proper stormwater improvements will be required to minimize flood hazards in existing developed portions of the county and to provide for proper improvements to new areas. These include the management of natural stream corridors, wetlands and floodplains. In order to provide properly sized and located stormwater drainage improvements, a stormwater management study of all drainage basins within the Lawrence UGA should be undertaken and include select areas of unincorporated Douglas County. Based on the study, the city and county should evaluate its engineering, zoning and other requirements to ensure system implementation in the future. *[This study is underway and a draft report was presented to the City Commission in November 1995.]*

Growth and Industries Opportunity Study. This study will provide an understanding of those prospective firms which will have a natural fit in the Lawrence/Douglas County

community. Specific anchor firms will be identified to help strengthen industry and employment "clusters". [The draft *Strengths and Weaknesses Report*, the first product of this study, was released in October 1995.]

Create an Economic Development Board. The primary purpose of this board is to implement the economic development recommendations of the Comprehensive Plan. The ongoing work of this board is critical to continued momentum in the business community to carry out the Plan. [The *Economic Development Board* was created in 1994.]

City of Lawrence

Major Street Corridor Studies. Throughout the HORIZON 2020 process many concerns and improvement needs of the community have been raised which, directly or indirectly, relate to key land use and transportation corridors. These corridors include, but are not limited to: Iowa Street, 23rd Street, 6th Street, N. 2nd Street and 9th Street. A much more specific improvement program should be developed, uniquely tailored to each corridor to specifically address land use and density, environmental conditions, traffic circulation improvements, parking improvements, gateway areas, pedestrian and open space improvements, site and building development and urban design.

Urban Design Guidelines. Lawrence maintains a variety of architectural styles within its neighborhoods. Locations which may be subject to change or new development in the future would benefit from urban design guidelines reflecting existing neighborhood conditions. Guidelines would serve to enhance the values of both historic and non-historically significant areas of the community. Design guidelines could also address other site improvement or public facilities improvement features as well.

Update and Complete Neighborhood Plans. The adoption of the Comprehensive Plan has put in place a new planning framework that represents an ideal time to re-examine existing neighborhood plans and prepare plans for new or developing areas.

Amend Transportation 2025. The more specific transportation plan should be included as an amendment to the Comprehensive Plan. Because land use and transportation are inextricably intertwined, Transportation 2025 should be included in the Comprehensive Plan to ensure consistency in major land use and transportation policy decisions.

Review and Update the Downtown Lawrence Comprehensive Plan. The Comprehensive Plan identifies the need for a strong and vital downtown. However, more specific needs and potentials of Downtown Lawrence should be examined. The Plan has identified the need to examine the potential for new development and redevelopment, including the potential expansion of the downtown boundaries, the location of new and reorganized off-street parking and many other factors. A focused study should consider these needs in the context of plans for the greater Lawrence community.

Douglas County

Undertake a Transportation Improvement Program for the County and its Townships. The planning and program needs of the county road system would be better understood if a comprehensive transportation plan was prepared for the unincorporated county. Initially, this could include the collection of current traffic operational data for county and township roads to better grasp the functional operations of the existing system.

Study the Potential for a County Unit Road System. The Plan identifies the need to study the feasibility of a County Unit Road system. The potential costs and benefits of such a system should be evaluated with respect to the current individual township road systems and the impacts such a system would have for Douglas County residents.

CAPITAL IMPROVEMENTS PLAN

A Capital Improvements Plan (CIP) is a critically important mechanism to implement key aspects of the Plan. Lawrence/Douglas County's fiscal resources will always be limited, and public dollars must be spent wisely. An important recommendation of the Comprehensive Plan is to include plan recommendations as part of the city and county's long-range capital improvements programs. A CIP which annually evaluates all of the community's needs, including establishing priorities and determining funding sources, will enable the city and county to systematically appraise, coordinate and monitor improvement needs. Even though the Comprehensive Plan recommends a number of improvement needs, the CIP should include and prioritize all anticipated capital improvements for the budget period. The CIP can then become an important tool in the annual budget process and the allocation of local funds.

IMPLEMENTATION PRIORITIES

The implementation of the Comprehensive Plan will involve many Douglas County citizens and organizations. Initially, among the many projects and programs planned, there are a few projects which should be considered priorities and acted upon within the very near future for the Plan to influence desired change. While all projects and programs are important, the following actions and projects (in no rank or specific order) should be pursued in advance of all other recommendations contained in the plan.

- ***Amend Transportation 2025.*** Transportation 2025 should be integrated into the Comprehensive Plan to firmly establish the most fundamental program elements of the new plan.
- ***Development Controls Regulations Update.*** This will embrace important land use and development aspects of the new plan. Because the update is a legislative act directly under the control of the governing bodies, this process should begin immediately.
- ***Historic Resources Comprehensive Plan.*** Many strategies in the Plan relate to the historic resources of the city and unincorporated county. These include tourism, image and identity. Because the resources are many, and will continue to be threatened by development and the lack of a focused policy, these studies should be undertaken as soon as possible.

- **Update the Downtown Lawrence Comprehensive Plan.** Continued preservation and enhancement of Downtown Lawrence is a commonly shared goal in the community.
- **Examine the Roadway Improvement Needs of Unincorporated Douglas County.** As growth and development continues in unincorporated Douglas County, it will be important to properly plan for the most extensive and expensive facilities - the road system.
- **Implementation Resources.** Plan implementation is broadly shared and will require many citizens and organizations to collaborate for successful change in the community. As an early step in plan implementation, it will be important for the city and county to identify and mobilize as many resources as possible toward realization of plan goals and policies.

COMPREHENSIVE PLAN REVIEW AND AMENDMENT PROCESS

The Comprehensive Plan is not a static document; the planning process must be continuous. The Plan should be monitored and updated on a regular basis. The need for Plan amendments is the result of many community influences. Most frequently these are brought about by changes in attitudes, assumptions or emerging needs not foreseen at the time of Plan adoption. The following procedures would apply to any amendment of the Comprehensive Plan.

- **Timing of Plan Review**

Although a proposal to amend the Plan can be brought forth by petition at any time, the Lawrence/Douglas County Metropolitan Planning Commission should undertake a thorough review of the Plan on a regular basis. The continuous nature of the Comprehensive Planning process should be emphasized so that substantial plan review and update occurs at least once every five years. Ideally, the review would coincide with the annual review of anticipated capital improvements planning for both the city and county.

- **Plan Amendment Procedures and Criteria**

I. Amendments

All proposed amendments shall be subject to public hearing by the Lawrence/Douglas County Metropolitan Planning Commission and approved by the appropriate governing body/bodies according to the nature of the amendment:

1. Map amendments for Lawrence and its UGA shall require the approval of the Lawrence City Commission.
2. Map amendments for unincorporated Douglas County and changes to the UGA's shall require approval by the County Commission.
3. All other amendments which clearly affect either the city or unincorporated Douglas County shall require approval by the appropriate governing body. Any other portion of the amendment relating to both the city and county shall require the approval of both the City and County Commissions.

4. In cases where only one of the two governing bodies is required to take action on a proposed amendment, the other governing body may forward comment or make a recommendation to approve, deny or approve with conditions the proposed amendment.

II. All proposed amendments to the Plan shall consider the following:

- A. The proposed amendment results from changed circumstances or unforeseen conditions not understood or addressed at the time the Plan was adopted.
- B. The proposed amendment advances a clear public purpose and is consistent with the long-range goals and policies of the Plan.
- C. The proposed amendment results from a clear change in public policy.

III. Map Amendments

Subject to hearing, review and recommendation of the Planning Commission, the governing bodies may adopt proposed amendments to Lawrence or unincorporated Douglas County Plan Maps upon findings that each of the following additional criteria are met:

- A. The proposed amendment does not affect the adequacy of existing or planned facilities and services;
- B. The proposed change results in reasonably compatible land use relationships; and
- C. The proposed change advances the interests of the citizens of Lawrence and Douglas County as a whole, not solely those having immediate interest in the affected area.

In the Plan review and update process, the Planning Commission may maintain a list of agencies and organizations to be notified of the annual Comprehensive Plan review and the topics subject to discussion and hearing. The Planning Commission should also maintain a list of active projects and accomplishments under the direction of the plan to report on the progress of these implementation steps. This is a useful exercise to continue to test the reasonableness of the Plan and the aggressiveness with which Plan implementation is pursued. This review can be used as a vehicle to engage other agencies and organizations in the implementation of the new Plan.

CPA-6-4-09: CONSIDER COMPREHENSIVE PLAN AMENDMENT TO RENUMBER THE IMPLEMENTATION CHAPTER TO BE 17 AND RESERVE CHAPTER 13 FOR FUTURE USE. INITIATED BY THE PLANNING COMMISSION ON JUNE 24, 2009 AS PART OF THE ANNUAL REVIEW OF THE COMPREHENSIVE PLAN.

Lawrence City Commission Action Summary:

10/27/09

Approved on consent agenda

11/3/09

2nd reading approved on consent agenda

ORDINANCE NO. 8464
RESOLUTION NO. _____

JOINT ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AND RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS AMENDING THE COMPREHENSIVE LAND USE PLAN "HORIZON 2020" BY REPEALING CHAPTER 13 AND RESERVING THE SAME FOR FUTURE USE AND ADOPTING CHAPTER 17 – IMPLEMENTATION.

WHEREAS, pursuant to K.S.A. 12-747, a comprehensive plan or part thereof shall constitute the basis or guide for public action to insure a coordinated and harmonious development or redevelopment which will best promote the health, safety, morals, order, convenience, prosperity and general welfare as well as wise and efficient expenditure of public funds; and

WHEREAS, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas has adopted a comprehensive land use plan labeled "Horizon 2020"; and

WHEREAS, after due and lawful notice and hearing the Lawrence-Douglas County Metropolitan Planning Commission on September 21, 2009, by Resolution No. PCR-9-6-09, recommended the repeal of Chapter 13 and the reservation of the same for future use and the adoption of "Chapter 17 – Implementation"; and

WHEREAS, a certified copy of the Chapter 17– Implementation amendment contained in planning staff report CPA-6-4-09 adopted by the Planning Commission in Resolution No. PCR-9-6-09 on September 21, 2009 together with the written summaries of the public hearings thereon held by the Lawrence-Douglas County Metropolitan Planning Commission on September 21, 2009 has been submitted to the Governing Bodies; and

WHEREAS, pursuant to the provisions of K.S.A. Chapter 12, Article 7, K.S.A. 12-3009 to and including 12-3012, K.S.A. 12-3301 *et seq.*, the Home Rule Authority of the County as granted by K.S.A. 19-101a, and the Home Rule Authority of the City as granted by Article 12, § 5 of the Constitution of Kansas, the Board and the City are authorized to adopt and amend, by resolution and ordinance, respectively, and by incorporation by reference, planning and zoning laws and regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS; AND BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. The above recitals are incorporated by reference as if fully set forth herein and shall be as effective as if repeated verbatim.

Section 2. The Governing Bodies of the City of Lawrence, Kansas, and Douglas County, Kansas, hereby find that the provisions of K.S.A. 12-743 and K.S.A. 12-747 concerning the amendment of comprehensive plans has been fully complied with in consideration and adoption of and amendment to "Horizon 2020".

Section 3. Pursuant to K.S.A. 12-747, the Governing Bodies of Douglas County, Kansas and the City of Lawrence, Kansas do hereby amend "Horizon 2020" by approving the recommendation of the Planning Commission, repealing Chapter 13 and reserving the same for future use and adopting Chapter 17 – Implementation, contained in Resolution No. PCR-9-6-09 and adopted by the Planning Commission on September 21, 2009.

Section 4. That "Chapter 17 – Implementation" in *Horizon 2020* approved by section 3 above, prepared compiled, published and promulgated by the Lawrence-Douglas County Metropolitan Planning Office is hereby adopted and incorporated by reference as if fully set forth herein, and shall be known as the "Chapter 17 – Implementation". One copy of said plan shall be marked or stamped as "Official Copy as Adopted by Ordinance No. 8464 and Resolution 09-____" and to which shall be attached a copy of this

joint resolution and ordinance, and filed with each of the County Clerk and City Clerk, to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such "Chapter 17 – Implementation" marked as may be deemed expedient.

Section 5. Severability. If any section, clause, sentence, or phrase of this joint ordinance or resolution is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this joint ordinance and resolution.

Section 6. This Joint Ordinance and Resolution shall be in full force and effect upon its adoption by the Governing Bodies of the City of Lawrence and Douglas County, Kansas and publication as provided by law.

Passed by the Governing Body of the City of Lawrence this ____ day of October, 2009.

APPROVED:

Robert Chestnut, Mayor.

ATTEST:

Jonathan M. Douglass, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler, Director of Legal Services

Adopted by the Board of County Commissioners of Douglas County, Kansas, this ____ day of November, 2009.

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Nancy Thellman
Chair

Mike Gaughan
Commissioner

Jim Flory
Commissioner

ATTEST:

/s/ Jameson D. Shew
Jameson D. Shew
County Clerk

NOTICE TO THE TOWNSHIP BOARD

STATE OF KANSAS DOUGLAS COUNTY, ss

TO THE TOWNSHIP CLERK, CLINTON TOWNSHIP

This is to notify the members of your Township Board that application has been filed with the Douglas County Commission for **The Clinton Store** to sell Cereal Malt Beverages at retail for consumption off the premises: **598 N 1190 Rd.**

The Township Board may within (10) days file an advisory recommendation as to the granting of such a license and such advisory recommendation shall be considered by the Board of County Commissioners before such license is issued KSA 41-2702.

Done by the Board of County Commissioners this **18th day of November, 2009.**

CHAIRMAN

COUNTY CLERK

(SEAL)

The board of county commissions in any county shall not issue a license without giving the clerk of the township board in the township where the applicant desires to locate, written notice by registered mail, of the filing of the application.

Sales Tax Number:004K13320721F01

Renewal: Valid From _____ to _____

(This form prepared by the Attorney General's Office)
(Individual Application Form)

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES

_____, Douglas COUNTY, KANSAS _____,
TO THE GOVERNING BODY OF THE CITY OF _____, KANSAS
or

THE BOARD OF COUNTY COMMISSIONERS OF Douglas COUNTY, KANSAS

I hereby apply for a license to retail cereal malt beverages in conformity with the laws of the State of Kansas and the rules and regulations prescribed and hereafter to be prescribed by you relating to the sale or distribution or cereal malt beverages; for the purpose of securing such license, I make the following statements under oath:

- 1. (a) Name of proposed licensee
Michael A. Well
- (b) Age 68
- (c) Place and date of birth DOB 09/24/1941 Hannibal, MO
- (d) Residence address 1135 E 1400 Rd Lawrence, KS 66046
- (e) I have been a resident of the State of Kansas 35 years years.

2. The premises for which the license is desired are located at 598 N 1190 Rd Lawrence, KS

- (a) The legal description of said property is 22-18-13 Clinton Township
- (b) The street number is 598 N. 1190 Rd
- (c) The building to be used is 598 N. 1190 Rd
- (d) The business will be conducted under the following name:
The Clinton Store

3. The name and address of the owner or owners of the premises upon which the proposed business will be located is Michael A. Well Lawrence, KS

4. I am a citizen of the United States. Yes (), No ().

- (a) My citizenship arises by birth (), Naturalization ().
- (b) My place of naturalization and the date thereof is as follows:

5. I have (), have not (), been convicted of a felony within two years immediately preceding the date of this application.

6. I have (), have not (X), been convicted of a crime involving moral turpitude within two years immediately preceding the date of the application.

7. I have (), have not (X), been adjudged guilty of drunkenness within two years immediately preceding the date of this application.

8. I have (), have not (X), been adjudged guilty or entered a plea, or forfeited bond to a charge of driving a motor vehicle while under the influence of intoxicating, liquors within two years immediately preceding the date of this application.

9. I have (), have not (X), been convicted of a violation of any state or federal intoxicating liquor law within two years immediately preceding the date of this application.

10. My place of business will be conducted by a manager or agent -
Yes (X), No ()

a. If the answer above is yes, the name, age, and residence of manager or agent is Marilyn Stone - 56 - 1183 E 550 Rd - Lawrence, KS 66047
Said manager or agent does (), does not (), have the qualifications to have a license issued in his own name. The same to be determined by reference to K.S.A. 41-2703, K.S.A. 41-2702. Specifics concerning his residence, citizenship, and the answers to questions 5 through 9 are as follows:

11. I have (X), have not (), been a resident of this State for at least one year immediately preceding making this application.

12. My Spouse would (X), would not (), be eligible to receive a retailer's license.

13. This application is for a license to retail cereal malt beverages for consumption on the premises (). For a license to retail cereal malt beverages in original and unopened containers and not for consumption on the premises (X).

A license fee of \$ 75 is enclosed herewith.

I, Michael A Well, the above-named applicant, hereby agree to comply with all of the laws of the State of Kansas, and all rules and regulations prescribed by you, and hereafter to be prescribed by you, relating to the sale or distribution of cereal malt beverages, and do hereby agree to purchase all cereal malt beverages from a wholesaler licensed and bonded under the laws of the State of Kansas, and do hereby consent to the immediate revocation of my cereal malt beverage license, by the proper officials, for the violation of such laws, rules or regulations.

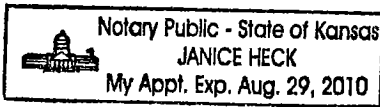
[Signature]
(Signature of Applicant)

STATE OF KANSAS, COUNTY OF Douglas, ss.

I, Michael A Well, the above-named applicant, do solemnly swear that I have read the contents of this application, and that all information and answers herein contained are complete and true. So help me God.

[Signature]
(Signature of Applicant)

SUBSCRIBED AND ^{affirmed} SWORN TO before me this 27th day of Oct., 2009



Notary
(Character of official administering oath)

My commission expires on the 29th day of Aug, 2010

APPLICATION APPROVED this _____ day of _____,

By _____
(Official position)

of _____, Kansas
(City or county)

Recorded in Volume _____, at page _____

NOTE: A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE APPLICATION FEE REQUIRED BY K.S.A. 2001 SUPP. 41-2702(e), MUST BE SUBMITTED TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL BUREAU, KANSAS DEPARTMENT OF REVENUE.

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
10/26/09

ITEM NO. 3: CONDITIONAL USE PERMIT FOR CONSTRUCTION OF A BOOSTER PUMP STATION FACILITY TO SERVE BOTH RURAL WATER DISTRICTS 2 & 5, LOCATED AT 1292 N 1100 ROAD. (LMF)

CUP-8-9-09: Consider a Conditional Use Permit for a new booster station for Rural Water Districts #2 & #5, located at 1292 N 1100 Road. Submitted by Bartlett & West, for Rural Water District No. 5, property owner of record.

STAFF RECOMMENDATION: Staff recommends the Planning Commission forward a recommendation for approval of this Conditional Use Permit to the Board of County Commissioners based on the findings of fact in this staff report and subject to the following conditions:

1. Revising the site plan to provide: dimensions and type of materials for parking area & drive, entrance cut (width), sidewalk, landscape screening; removal of existing road cut, and pre-fabricated building entry points and dimensions. Show evergreen trees, tall deciduous shrubs or a mix to create a visual screen on the north, east and west sides of the site to minimize the visual impact of the structure on the adjoining residential subdivision;
2. Dedication, by separate instrument, of an additional 20' of road right-of-way for N 1100 Road;
3. The existing access point onto N 1100 Road be closed; and,
4. Approval of the necessary front and rear setback variances by the Board of Zoning Appeals.

Reason for Request: Applicant response: *"A new booster station needs to be constructed where an original station was located from 1973 to 2003. This booster station is needed to pump adequate water to the water district patrons. "*

KEY POINTS

- There was a booster pump station approved for this site in 1975. The station was abandoned in 2002.
- The booster station is being constructed as part of an ARRA funding stimulus project. To stay within the funding schedule, the station project needs to be bid in October and with a construction contract issued in November 2009.
- The booster pump station provides for RWD #2 improvements on RWD #5's land and the infrastructure installed will also improve RWD #5 ability to serve customers in the immediate area.

This property is located within the Urban Growth Area of the city of Lawrence.

ASSOCIATED CASES/OTHER ACTION REQUIRED

A Conditional Use Permit (CUP-7-9-75) was approved for this site in September 1975. The site was abandoned in 2002.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

Public comment was received from a property owner in Oakwood Estates Subdivision. His comments were based on the size of request (erroneously) shown on map accompanying property

owner notice letter and on the restrictive covenants that are part of Oakwood Estates development standards. A revised notice letter with a corrected map was subsequently sent to property owners.

GENERAL INFORMATION

Current Zoning and Land Use: A-1 (Suburban Home Residential) District; abandoned booster pump station (underground site).

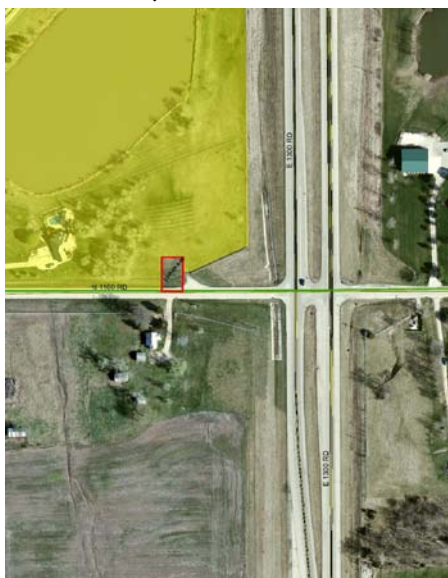
Surrounding Zoning and Land Use: A-1 (Suburban Home Residential) Zoning District; residential buildings to the north, west.
 A (Agricultural) Zoning District to the east and south;
 U.S. Hwy 59 right-of-way to the east and east across U.S. Hwy 59 are rural residences. To the south, is a rural residence that will be removed or relocated as part of the Hwy 59 project.

<p>Site Summary: Subject Property dimensions: Proposed Buildings: Existing Buildings: Required Parking: Required ADA accessible Parking: Parking Provided:</p>	<p>50' X 80', including 30' of right-of-way for N 1100 Road one, pre-fabricated 15.5' X 21.5' none none; no on-site personnel 2 spaces; there is no required parking</p>
---	--

I. ZONING AND USES OF PROPERTY NEARBY

Staff Finding –

The subject property is located on the southern side of Lawrence's Urban Growth Area. The property was developed to meet infrastructure needs of Rural Water District (RWD) #5 before development of the residential subdivision to the north. There are six residences within 1000' of the request on the east side of U.S. Hwy 59 and five within the 1000' notification area on the west side of U. S. Hwy 59. The residence directly south of the RWD site will be removed or relocated as part of the U.S. Hwy 59 improvement project. The subject property and properties to the east and south are zoned A (Agricultural). Oakwood Estates, to the north and west, is zoned A-1 (Suburban Home Residential).



II. CHARACTER OF THE AREA



Staff Finding – The character of the area is sprawling urban/rural uses. Predominate land use in the area is rural residential.

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

Applicant response:

"The property size and location is adequate for the new booster station. The property has existing underground facilities on it."

Staff Finding – A Conditional Use Permit (CUP) does not change the base, underlying zoning designation. The proposed use is an enhancement of previous RWD use of the property and is a necessary infrastructure use to serve rural residential uses in the Urban Growth Area.

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

Staff Finding –County Zoning Regulations were adopted in 1966; this property has been zoned "A (Agricultural)" since that adoption. The property is used for RWD needs today and that type of use is not proposed to change.

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

Applicant Response:

"This property is very close to the Highway 59 corridor and should not have any negative effect on nearby properties."

Section 12-319-01 of the County Zoning Regulations recognize that "*certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a district...when found to be in the interest of the public health, safety, morals and general welfare of the community may be permitted, except as otherwise specified in any district from which they are prohibited.*"

The proposed use falls under section 12-319-4.10 of Chapter XII, (Zoning Regulations) of the County Code. The use enumerated in this section is:

"10. Public Utilities; construction, maintenance and repair businesses that provide services primarily to utility companies; or public service uses, buildings, structures or appurtenances thereto."

Approval of a Conditional Use Permit does not remove any restrictions imposed by the A (Agricultural) zoning of the property. Approval of this application would allow the applicant to take the water processed by the city of Lawrence and distribute it through the rural water district lines, increasing the water treatment plan water pumped.

Staff Finding – Several residents in Oakwood Estates have requested additional information about this project. Aesthetic and screening concerns have been raised. These can be addressed through conditions placed on the site plan, which is part of the Conditional Use Permit approval process. The use is a compatible use in the Urban Growth Area of a city.

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 Response:

"The booster station is needed to serve water from the city of Lawrence to existing rural water customers in Douglas County."

This factor is a balancing test where the relative gain to the public of approving this CUP request is weighed against the hardship that denial of the request would impose on the property owner/applicant. The proposed use is made to improve the capacity and delivery system for water processed by the city of Lawrence for rural water districts 2 & 5. Denial of the request would retain a status quo of existing service by both rural water districts. Relative gain to the public, in the form of customers of RWD #2 and #5, is the increased capacity of water supply to each home served.

Staff Finding – Rural residences that exist would be provided with an improved service and the additional water capacity would make it more feasible for RWDs #2 & #5 to serve the needs of new customers within each of their districts.

VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN OF DOUGLAS COUNTY

Applicant Response—

"The booster station will allow more water to be pumped, in turn allowing the potential for growth in the county."

HORIZON 2020:

An evaluation of the conformance of a Conditional Use Permit request with *Horizon 2020's* strategies, goals, policies and recommendations finds that the comprehensive plan does not address special or conditional use permits. The Plan does address water as a public utility service in the unincorporated area of the County. *Horizon 2020* recommends: "*The rural water districts and Lawrence should collaborate in efforts to maintain adequate accessibility to this important resource [re: Chapter 10, Community Facilities]*". Goal 1 in this chapter is to "*Provide Facilities and Services to Meet the Needs of the Community*". Policies 1.1(b) and 1.3(b) under this goal are:

" 1.1(b) Maintain or upgrade existing facilities and service where necessary to serve existing development.

"1.3(b) Encourage the coordination of services and facilities among those municipal services providers engaged in similar services in the county."

Staff Finding – The issuance of special or conditional use permits is not discussed in *Horizon 2020*, however, the provision of community facilities and service is addressed in Chapter 10. All new property divisions within the Urban Growth Area of Lawrence are required to be serviced by a rural water meter. This request is consistent with the implementation of goals and policies in the Comprehensive Plan cited above and with the County's Zoning & Subdivision Regulations.

STAFF REVIEW

The application for this upgrade to existing rural water district facilities is directly related to the availability of federal funding through the American Recovery and Reinvestment Act (ARRA), which is part of the Federal government's economic stimulus package. There is a tight timeline for qualifying and applying for the stimulus funding, and it is for this reason that the applicant is pursuing a parallel path in approvals, rather than consecutive path. They have filed applications for both a Conditional Use Permit and a Board of Zoning Appeals variance from setbacks. The Conditional Use Permit request cannot be approved without approval of building setback variances by the County's Board of Zoning Appeals.

The subject property currently takes access from N 1100 Road. As part of the Highway 59 corridor improvement, the existing access to this property will be removed and relocated to the west in the location shown for the new entry drive on the site plan.

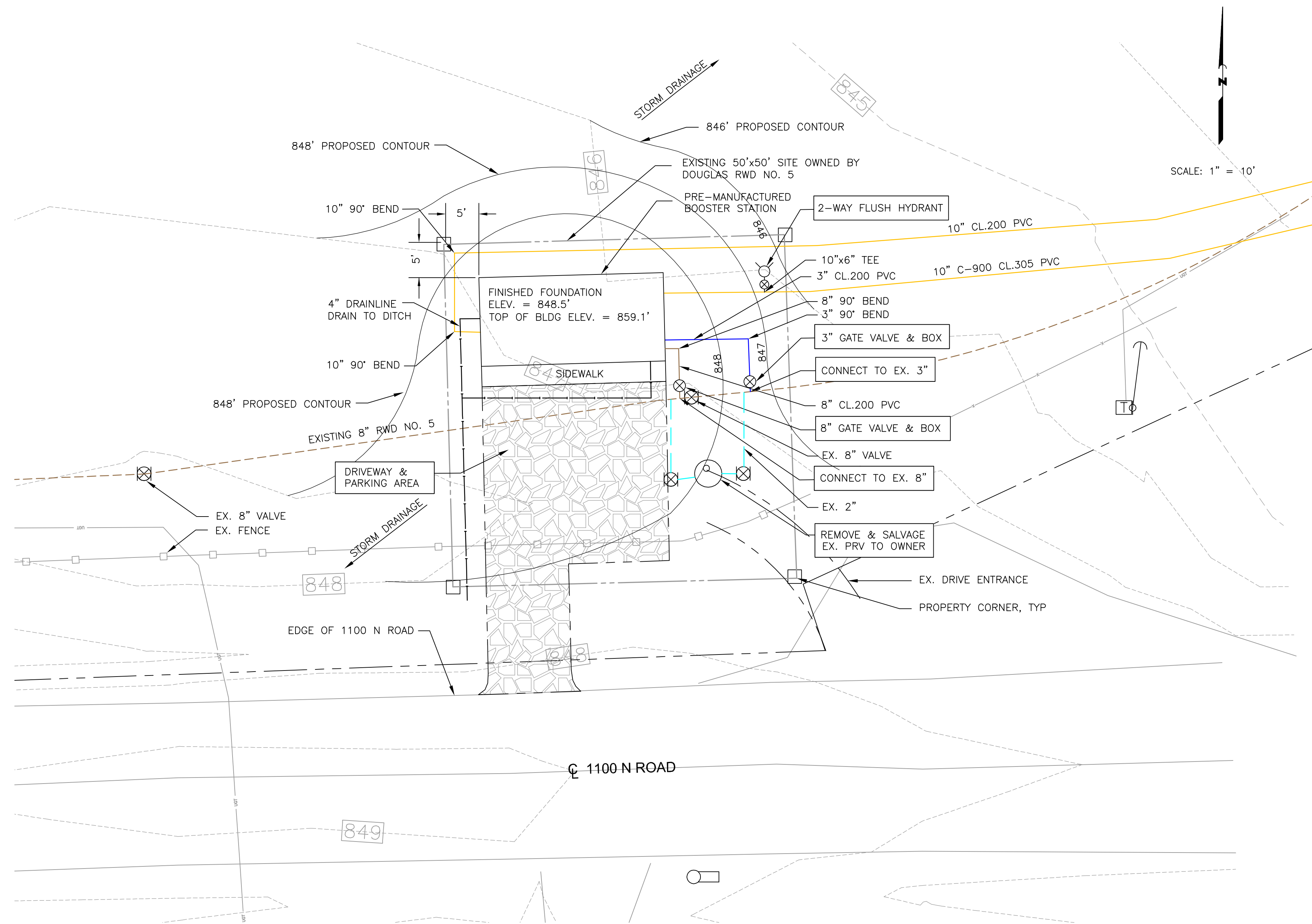
N 1100 Road was classified as a Minor Arterial Road in Douglas County in October 2006 when the Access Management Standards were amended into Chapter IX of the County Code. In December 2006, the minimum setbacks for a structure from road right-of-way were revised in Article 12-318 of the County Zoning Regulations (Chapter XII of the County Code). This revision increased the minimum setback along N 1100 Road for structures from 90' to 140' from the centerline of the road easement/right-of-way. The northern property line of the subject site is 80' from the south section line of Section 23, which is also the centerline of N 1100 Rd. Taken together, the minimum setback requirements in Article 12-318 and the existing property dimensions, would not permit a structure to be constructed on the site without a zoning variance. The County Commission partially addressed the issue created for property owners by adoption of the new road right-of-way requirements (and setbacks) by amendments adopted in September 2008 to section 12-320-2 of the Zoning Regulations. These amendments created a provision in the regulations that waived the non-conforming status created for structures in existence prior to December 2006, when the application of the new minimum building setbacks created setback compliance issues. The amendments did not address existing properties that were either in agricultural use or that had no existing structures constructed on them. The applicant's find themselves in this situation. Variances from the minimum front yard setback from N 1100 Road and from the 30' rear yard setback are needed for the subject property to be developed as proposed on the site plan that accompanies this CUP request.

The site plan, as submitted, requires additional notes and dimensions to address setbacks, building location and dimensions, location from property lines, paving and landscaping materials. The right-of-way requirement for N 1100 Road has also changed and an additional 20' of road right-of-way has been requested to be dedicated by the Public Works Director.

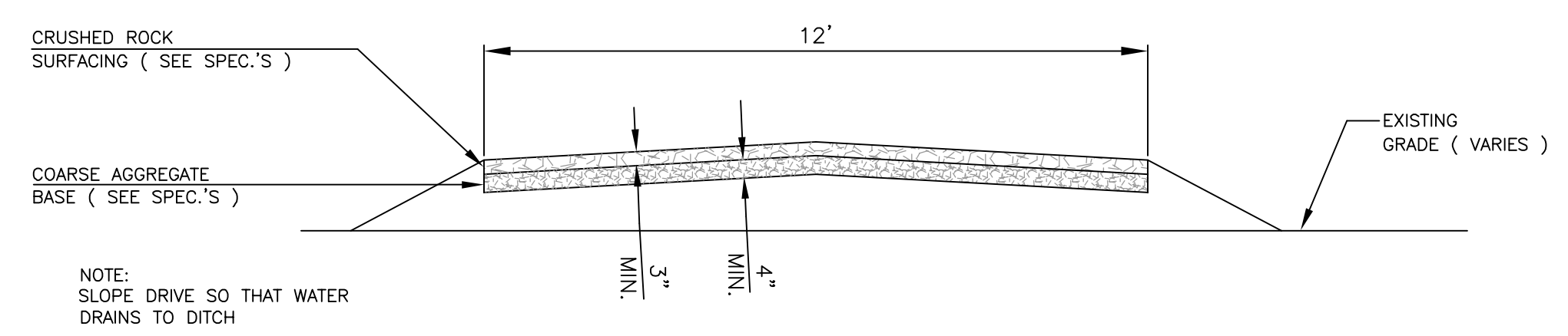
Conditions to satisfy these deficiencies on the site plan have been recommended as conditions of the Conditional Use Permit approval.

No time frame is recommended for the approval of this Conditional Use Permit. At some future point, when the city of Lawrence annexes the subject property, state law requires that compensation be made to the rural water districts for the infrastructure that is in existence within the area of annexation.

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Last edit on: May 29, 2009



LEGAL DESCRIPTION
 A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 19 EAST IN DOUGLAS COUNTY, KANSAS. SAID TRACT OF LAND DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23; THENCE WEST ALONG SOUTH LINE OF SAID SECTION 23, A DISTANCE OF 360.00 FEET TO A POINT, WHICH POINT IS THE POINT OF BEGINNING; THENCE NORTH 80.00 FEET; THENCE WEST 50.00 FEET; THENCE SOUTH 80.00 FEET; THENCE EAST 50.00 FEET; TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 4,000 SQUARE FEET (0.09 ACRES, MORE OR LESS).



TYPICAL GRAVEL DRIVE SECTION
 NOT TO SCALE

#	DATE	DESCRIPTION	BY

DESIGNED BY: BAF
 DRAWN BY: JRB
 CHECKED BY: BAF
 PROJECT ENGR: J. Ruckman

BARTLETT & WEST
 1200 SW EXECUTIVE DRIVE • TOPEKA KS 66618-3850
 PHONE 785.273.2252 • FAX 785.273.8735
 WWW.BARTWEST.COM

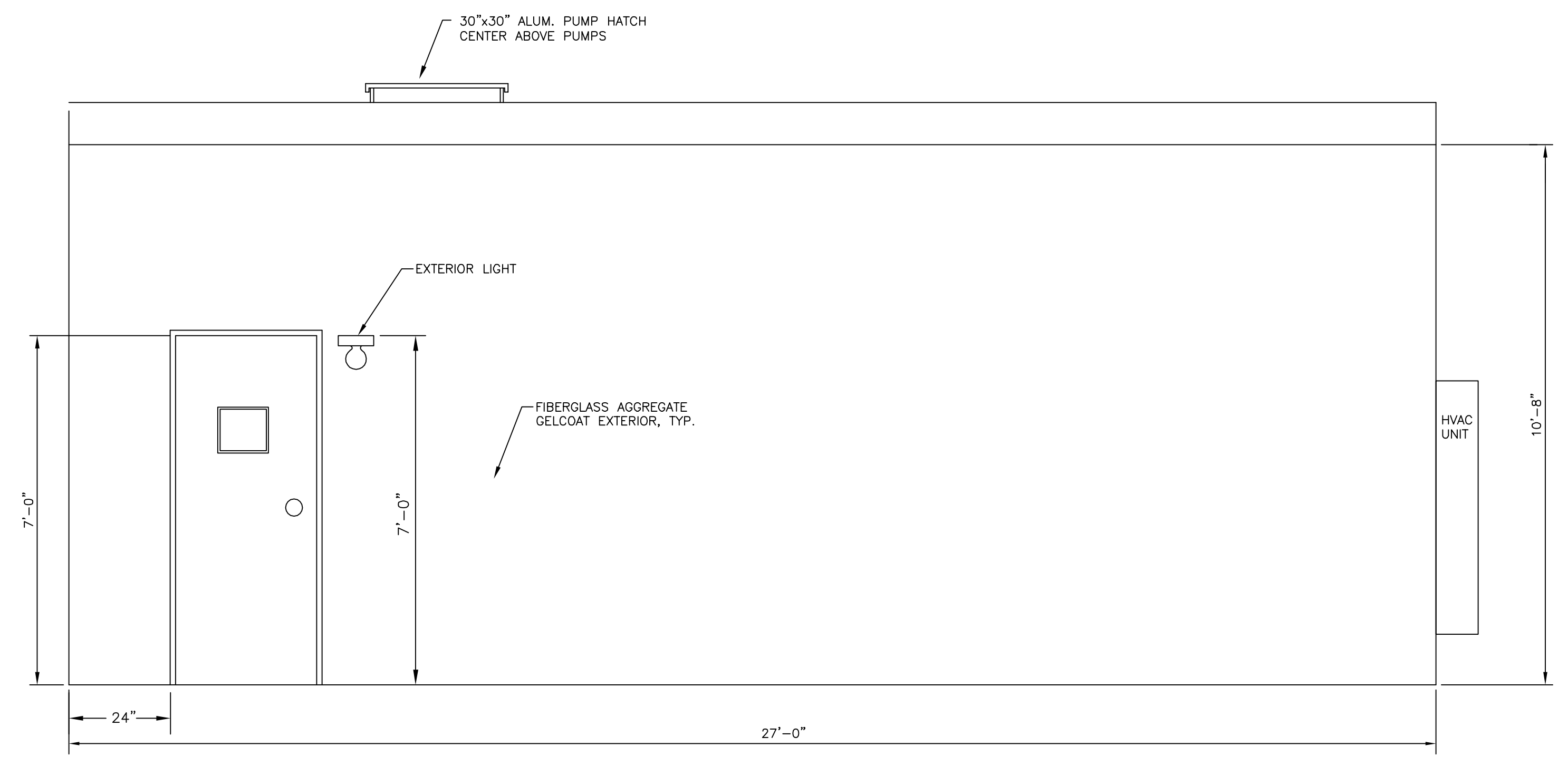
RURAL WATER DISTRICT NO. 2
DOUGLAS COUNTY, KANSAS

BOOSTER STATION
SITE PLAN

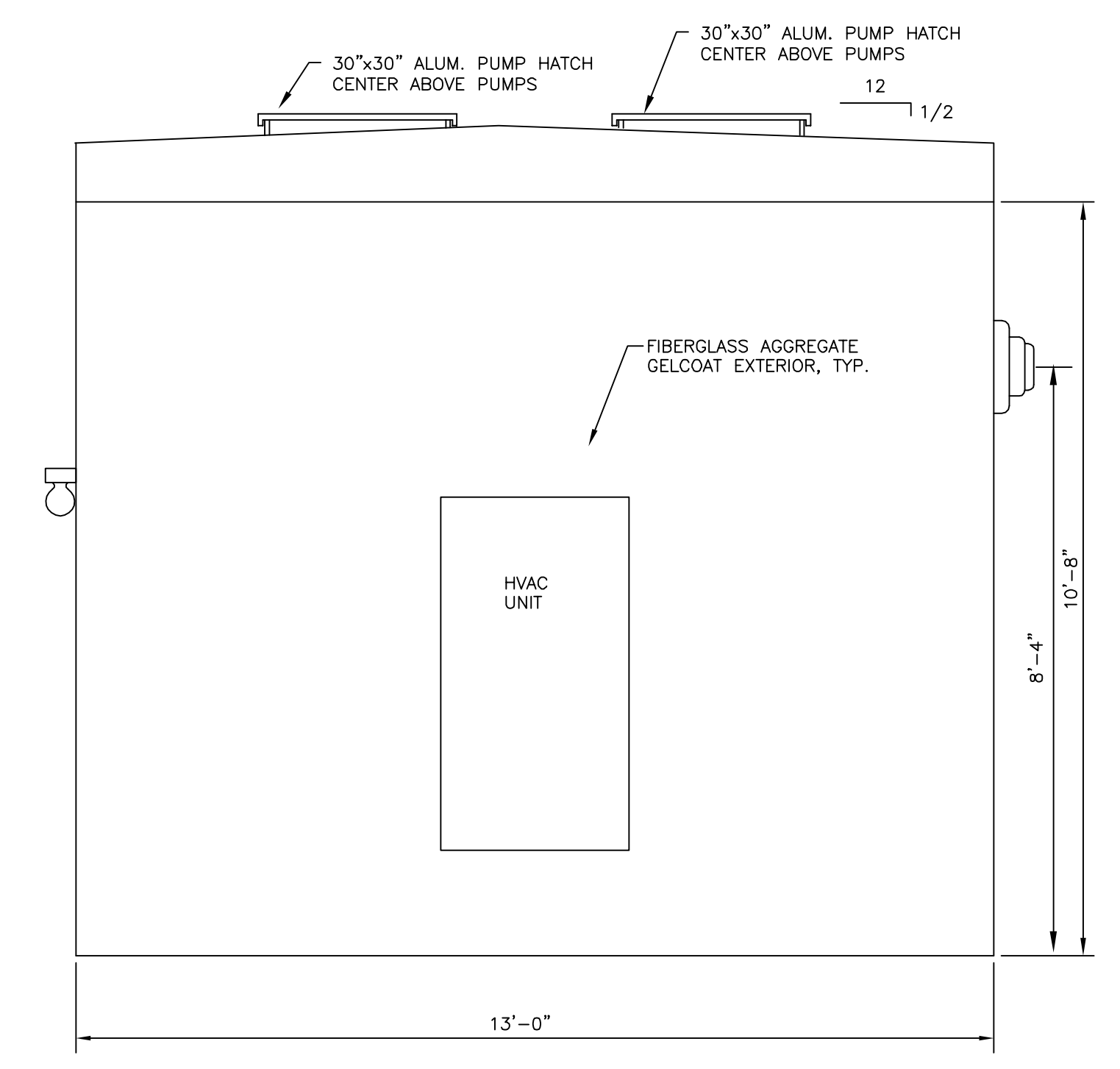
PROJ NO: 4005.108	DRAWING NO: 11
SCALE: AS NOTED	SHEET NO: 11 of 24
DATE: July 2009	

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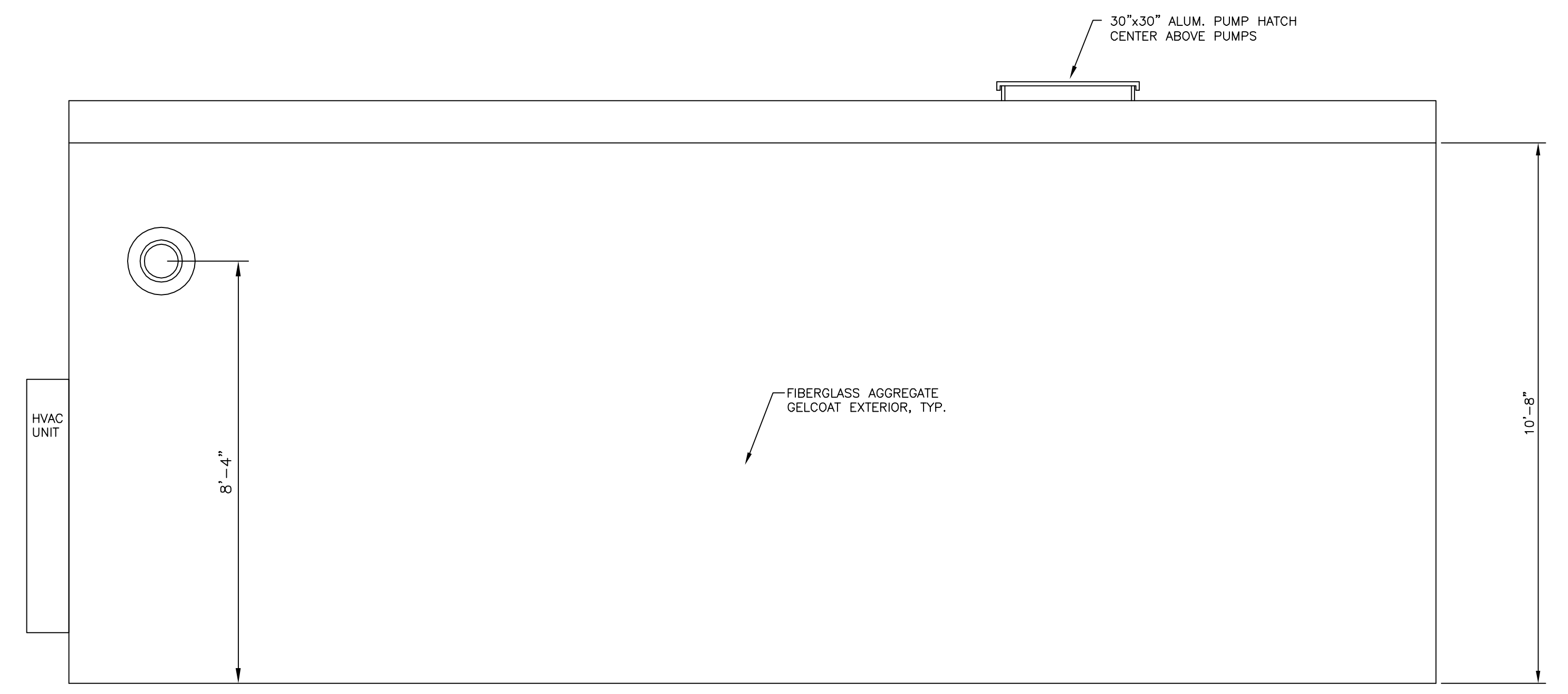
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 Last edit on: May 29, 2009



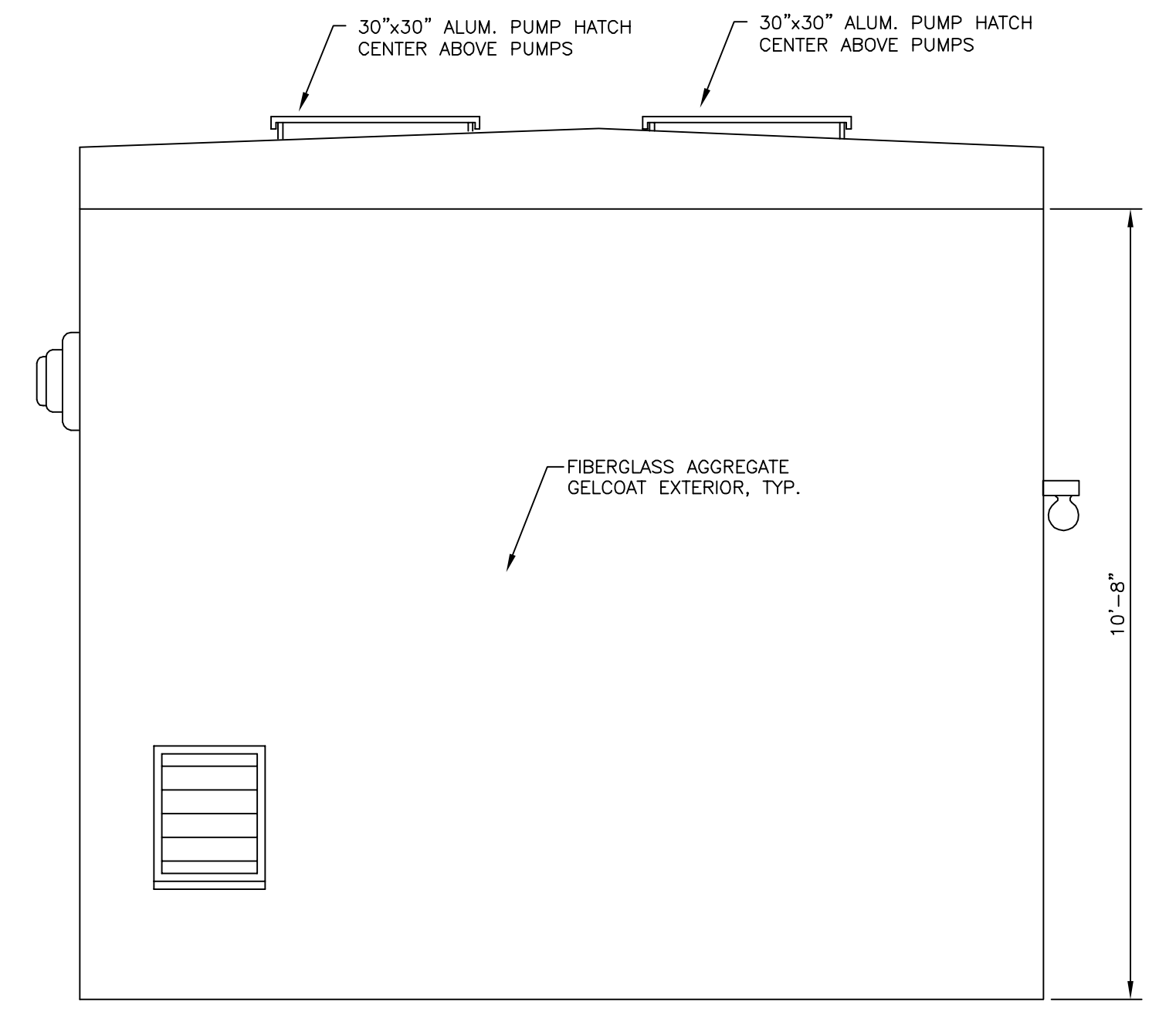
SOUTH ELEVATION
1/2"=1'-0"



EAST ELEVATION
1/2"=1'-0"



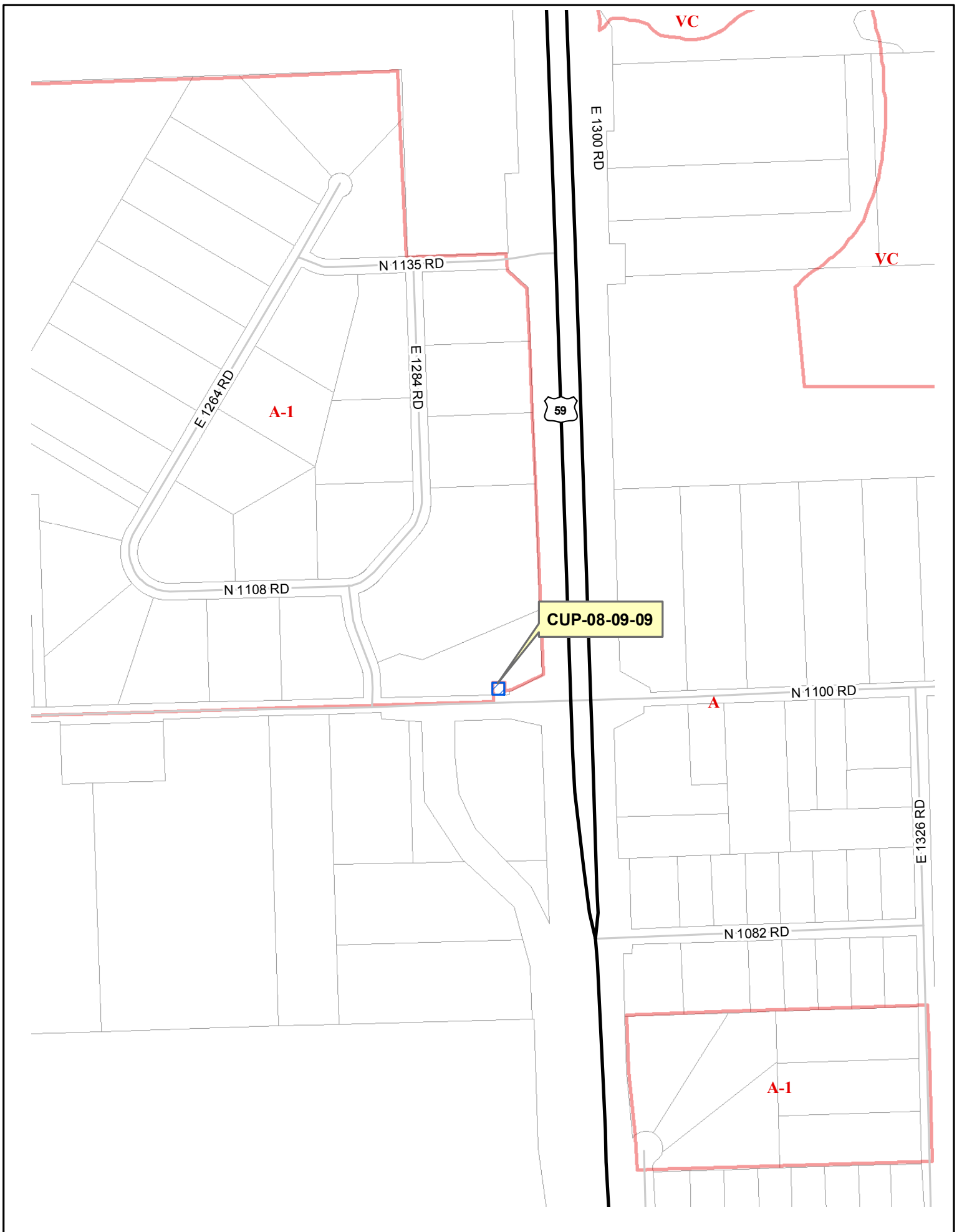
NORTH ELEVATION
1/2"=1'-0"



WEST ELEVATION
1/2"=1'-0"

#	DATE	DESCRIPTION	BY	DESIGNED BY:	PROJECT ENGR:	BARTLETT & WEST 1200 SW EXECUTIVE DRIVE • TOPEKA KS 66615-3850 PHONE 785.273.2252 • FAX 785.273.8735 WWW.BARTWEST.COM	RURAL WATER DISTRICT NO. 2 DOUGLAS COUNTY, KANSAS	BOOSTER STATION BUILDING DETAILS	PROJ NO:	DRAWING NO:
				BAF	J. Ruckman				4005.108	12
				JRB					SCALE:	1/2" = 1'
				BAF					DATE:	July 2009
										SHEET NO:

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RESPONSES TO THE QUESTIONS AND COMMENTS SUBMITTED BY OAKWOOD ESTATES HAVE BEEN PROVIDED BY THE ENGINEERING FIRM FOR RWDs 2 & 5 IN red. RESPONSES FROM COUNTY STAFF HAVE BEEN PROVIDED IN blue.

We wish to made the following points and ask the following questions:

1) Is this facility for RWD 5's current use? The facility will be used by RWD No. 5 and RWD No. 2 of Douglas County. The RWD's decided it was appropriate for them to assist each other and the community by building one facility that they can both use, instead of two separate facilities.

RWD No. 2 is using the facility to pump water to their storage tank south along Highway 59. For RWD No. 2 the station is needed so that their aging and inadequate existing pump station can be abandoned.

RWD No. 5 is using the facility so that the existing underground facility at the site can be abandoned. They are also using the facility for a redundant supply. The facility will allow RWD No. 5 to receive water from RWD No. 2 in emergency situations, which will increase RWD No. 5's ability to provide quality service to its patrons.

2) Must the faculty be located at the planned site? The booster pump station is located at the most feasible location for both RWD's to use it. RWD No. 5 has an 8-inch waterline at the site that can be used to supply water into their system. RWD No. 2 has a 10-inch waterline located at the site which they will use to supply water from Lawrence down HWY 59 to their existing water storage tank.

3) No provision has been stated for landscaping or screening, especially on the north and west. If required, the RWD would be willing to provide screening around the booster station. [This is a recommended by staff as a condition on the conditional use permit approval.]

4) No provision has been stated for the visual blending with the adjoining Oakwood residential requirements. The exterior and roof of the booster station can be modified, although this would increase the cost of the station, which would in turn increase the cost of water to the patrons.

5) The site plan indicates that the building will set five feet from the north and west property lines. If this is within code or variance it does not provide room for adequate visual barriers of the building from Oakwood properties. Linda can you answer this question? If screening is required it would appear that the building could be moved to have a maximum of a 10' setback. However a 10' setback would require the existing waterlines on the site to be relocated.[Per Article 12-318 of the County Zoning Regulations, the minimum width of a side yard in the "A" zoning district is 10'. This would be the minimum setback required unless a variance is granted by the Board of Zoning Appeals.]

6) A new drive is shown but no note of removal of the current drive is stated. The current drive entrance and access is being relocated by the State.

7) Will the building of a new facility provide or allow for better fire protection in our area in the form of fire hydrants? The waterlines within Oakwood Estates are not hydraulically sized to provide fire flow or the use of fire hydrants. However, a flush hydrant device will be installed at the facility site. This device should increase the townships ability to provide fire protection in the area.

We would like to request the following:

- 1) Locate the new facility at another location if it does not replace the current RWD 5 equipment. As mentioned above, this facility will replace the existing underground facilities at the site.
- 2) Place the new building totally underground as is the current facility. The Kansas Department of Health and Environment will not allow a new facility, like the one that is needed for the RWDs, to be located underground.
- 2) If a total under ground facility is not feasible could it be partially below ground allowing for easier seclusion? See response to item 2 above.
- 3) Provide a hard surfaced driveway as required in the Oakwood area. The existing drive entrance is gravel, and it is the RWD's intention to follow the appropriate county and township requirements for the new drive entrance.
- 4) Provide and maintain adequate screening and landscaping on all sides. See comments above.
- 5) Provide a residential vs. a commercial appearance to the building. See comments above.
- 6) Prevent exterior lights from being visible from the north or west of the building. The building lights are located on the south side of the building. [The Zoning Regulations require that all site lights be shielded, directed down and away from public rights-of-way.]
- 7) Provide fire hydrants in the Oakwood area. See comments above.

-----Original Message-----

From: Rick & Glenna [mailto:rlezzz@sunflower.com]

Sent: Wednesday, October 21, 2009 8:13 PM

To: AD - Finger, Linda

Subject: CUP-08-09-09, statement from the Oakwood Homeowners Association.

Linda, the following is a letter from the Oakwood Homeowners Association pertaining to the proposed new building on the RWD5's property at 1292 N 1100 Rd.

To: Linda M. Finger
Planning Resource Coordinator

From: Rick Edmonds,
Representative of Oakwood Estates

Subject: Comments on the proposed new booster station located at 1292 N. 1100 Rd.; CUP-08-09-09

I have been asked by the Board of Directors to write this letter on behalf of the 29 members of the Oakwood Estates. Oakwood is the property adjoining the RWD 5 property at the above location. We, as a body, are very discouraged with the proposed new above ground building currently planned. The building site is located at the entrance to a residential area and the south gateway to the city of Lawrence. The proposed building has a very commercial appearance and will not blend well with the residential area surrounding it. Currently and prior to Oakwood's existence, the facility at the site has been located under ground and has been visually acceptable.

We wish to made the following points and ask the following questions:

- 1) Is this facility for RWD 5's current use?
- 2) Must the faculty be located at the planned site?
- 3) No provision has been stated for landscaping or screening, especially on the north and west.
- 4) No provision has been stated for the visual blending with the adjoining Oakwood residential requirements.
- 5) The site plan indicates that the building will set five feet from the north and west property lines. If this is within code or variance it does not provide room for adequate visual barriers of the building from Oakwood properties.
- 6) A new drive is shown but no note of removal of the current drive is stated.
- 7) Will the building of a new facility provide or allow for better fire protection in our area in the form of fire hydrants?

We would like to request the following:

- 1) Locate the new facility at another location if it does not replace the current RWD 5 equipment.
- 2) Place the new building totally underground as is the current facility.
- 2) If a total under ground facility is not feasible could it be partially below ground allowing for easier seclusion?
- 3) Provide a hard surfaced driveway as required in the Oakwood area.
- 4) Provide and maintain adequate screening and landscaping on all sides.
- 5) Provide a residential vs. a commercial appearance to the building.
- 6) Prevent exterior lights from being visible from the north or west of the building.
- 7) Provide fire hydrants in the Oakwood area.

Sincerely,
Rick Edmonds
On behalf of the Oakwood home owners.

From: lfinger@douglas-county.com
Sent: Tuesday, October 20, 2009 10:32 AM
To: Sheila Stogsdill
Subject: FW: Plans for RWD #5 -- Conditional Use Permit [CUP-08-11-09]
Sheila,

Please include this in communications for Item #3 on the October Planning Commission Agenda. Thank you.

Linda M. Finger
Planning Resource Coordinator

(785)832-5377 [Monday & Tuesdays] Douglas County Public Works Dept.
(785)841-0943 fax at County Public Works
(785)331-1343 [Thursdays & Fridays] Douglas County Zoning & Codes Dept.
(785)331-1347 fax at Zoning & Codes
Wednesdays – my location varies, please call ahead for appointments
lfinger@douglas-county.com

-----Original Message-----

From: AD - Finger, Linda
Sent: Tuesday, October 20, 2009 10:30 AM
To: 'standingwater@networksplus.net'
Cc: Larry Wray (DG5larry@aol.com)
Subject: RE: Plans for RWD #5 -- Conditional Use Permit [CUP-08-11-09]

Thank you for your email. I have provided answers to your questions in the body of your email. Please see below. I will include this completed correspondence as an attachment to the staff report for the RWD #5 Conditional Use Permit. You are also welcome to provide in person testimony at the public hearing on October 26th, (as reference in the property owner letter that you received).

Linda M. Finger
Planning Resource Coordinator

(785)832-5377 [Monday & Tuesdays] Douglas County Public Works Dept.
(785)841-0943 fax at County Public Works
(785)331-1343 [Thursdays & Fridays] Douglas County Zoning & Codes Dept.
(785)331-1347 fax at Zoning & Codes
Wednesdays - my location varies, please call ahead for appointments
lfinger@douglas-county.com

-----Original Message-----

From: standingwater [mailto:standingwater@networksplus.net]
Sent: Sunday, October 18, 2009 9:54 AM
To: AD - Finger, Linda
Subject: Re: Plans for RWD #5 -- Conditional Use Permit [CUP-08-11-09]

Rick & Glenna wrote:

...
> Thank you for offering to share this information with your neighbors.
> Please let me know what concerns you and your neighbors have by early
> next week so I may include your comments and concerns in the staff
> report for this request.
>

>
>
> Linda M. Finger
> Planning Resource Coordinator

Linda:

I'm in Oakwood, and have some initial personal comments:

Did the RWD already own all the land? [The Rural Water District has owned the 50' X 80' parcel since 1975 when they received approval for their previous CUP for a utility installation on this site.](#) I see the small square on our original (1988) plat. Our covenants prohibit subdivision, so land from the neighboring lot cannot be transferred to the RWD, etc. [This property is not part of Oakwood Estates and therefore the covenants adopted for your subdivision do not apply to this property.](#) The HOA would likely legally enforce this, even if a retroactive action is needed.

Doesn't the County require a minimum 15 foot lot-line setback for buildings and other construction? [Side yard setbacks are 10' in both A \(Agricultural\) zoning district and A-1 \(Suburban Home Residential\) zoning district.](#) [The RWD property is zoned A and Oakwood Estates is zoned A-1.](#) If so, this must be enforced (the 5 foot-only variance denied). It's 75 feet in Oakwood (with exceptions), but on the 1988 plat it appears the RWD's land is just outside Oakwood.

What about the likely widening of N 1100 Road in the not-to-distant future? The traffic-people may want all the RWD's land for a turn lane and a traffic controller. Hmmm ... does the RWD own, or lease/use, that land? [The Rural Water District has owned the land since 1975.](#) From the appearance on the plat, the turn lane and space for a traffic controller (where the building is proposed) seemed preplanned (by you or your predecessors, maybe?) for there. [N 1100 Road was designated as a minor arterial road in October 2006. Based on that designation, an additional 20' of road right-of-way is required to be dedicated as a condition of this Conditional Use Permit application. KDOT has acquired right-of-way to the east that should be sufficient for the long-term future of traffic control at the intersection to the east.](#) The land in question, and everything north of N 1100 is in Lawrence's relatively near-term designated growth area, so widening/upgrading for safety N 1100 and the intersection with US-59 is very likely. [That is correct. The Urban Growth Area extends from the Wakarusa River south to N 950 Road, including this property.](#) County roads are constructed and developed different than city roads (re: ditch and side slopes for drainage versus curb cuts with gutters and storm drain inlets). Road improvements are not automatic with annexation of property. They are generally generated as part of a development/redevelopment project or through scheduling of road improvements on the 5 year Capital Improvements Planning document. If additional right-of-way is required, it would generally affect all properties within the boundaries of the improvement district.

Does the County only allow one ditch-crossing ("curb-cut") per owner? If so, then the existing access would need to be eliminated (the deep, non-crossable ditch restored). [The existing road cut to the east is scheduled to be removed as part of the US 59 Corridor project. The removal of this access point has also been recommended as a condition of approval of the Conditional Use Permit.](#)

I'm not opposed to a nice pump building. But the prefab one is, sorry for my bluntness, "butt-ugly" and sets a bad example for future construction by others in the County. Instead, how 'bout they built an insulated stick-built garage with a very desirable-for-maintenance-access overhead door, according to Oakwood's appearance standards, finished inside with fire-rated drywall, and surrounded by plantings and a concrete driveway? [The type of building construction is not a minimum requirement in the Zoning Regulations.](#) However, mediating the appearance with landscaping or addressing the aesthetics (visual appearance) are attributes of site development that can be addressed through the Conditional Use Permit (CUP) process. Conditions of approval of the CUP include landscaping be installed on the north, west and east sides of the property to provide a visual screen and to minimize the building's appearance from Oakwood Estates. I have passed on to the RWD #5 manager, Larry Wray, your concerns with the building's appearance. RWD #5 is sharing this project and pump station with RWD #2. It is RWD#2 who will be paying for the building and so Mr. Wray is trying to contact their engineer to confirm what the exterior appearance of the building will be. It was his understanding that a brick façade or similar treatment was going to be provided. The draft staff report has been submitted to the Assistant Planning Director for her review. I will find out how similar aesthetic concerns have been addressed in staff reports. If staff does not typically recommend aesthetic building treatments, this would be the type of stipulation or condition that can be recommended by the Planning Commission at the public hearing. It might even be cheaper overall than the trucked-in prefab, except for the driveway. I'd volunteer to work with the RWD on the exterior design/materials/colors/etc. issues with Oakwood (I have personal

experience with a very similar addition).

-Brian A. Rock, Ph.D., P.E., 1143 E 1264 Rd. W:785-864-3603

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CUP-8-9-09: Consider a Conditional Use Permit for a new booster station for Rural Water District #5, located at 1292 N 1100 Road. Submitted by Bartlett & West, for Rural Water District No. 5, property owner of record.

STAFF PRESENTATION

Ms. Linda Finger presented the item. She stated that staff met with the applicants and agreed on 10' R-O-W rather than the full 20' of R-O-W so condition number 2 has been updated to reflect that change. She said the 10' R-O-W would be consistent with the Oakwood Estates dedication. She showed two example pictures on the overhead of what the building could look like.

No disclosure of ex parte by the Commissioners.

Commissioner Harris asked if Planning Commission could regulate the appearance of the building.

Ms. Finger said there is no regulatory authority for the Planning Commission to address that, it is really more of a good faith effort of the applicants wanting to work with the neighbors to come up with something that is more compatible.

Commissioner Carter asked if perhaps brick could be used.

Ms. Finger said brick might be a possible option.

Mr. McCullough said that as part of the Conditional Use Permit, Planning Commission can recommend aesthetic design solutions as a way to mitigate issues with adjacent property owners.

APPLICANT PRESENTATION

Mr. Alan Soelter, Bartlett & West, said that the pump station is a joint effort with Rural Water District 2 and 5. He said there are a number of options on the aesthetics and they hope to come up with a pleasing option for the neighbors.

Commissioner Moore asked Mr. Soelter to discuss a possible underground facility.

Mr. Soelter said underground facilities are discouraged because of the environmental requirements and having electrical equipment underground, which can be difficult to maintain. He said there will be a lot going on in this pump station and they want to keep flexibility in the station so that it can be relocated in the future if needed. He stated the underground option for this type of facility is not really practical. He said they are willing to work on the aesthetics of the building but are limited by space. Landscaping will also be planted to buffer the building from the neighborhood.

Commissioner Harris inquired about the driveway surface.

Mr. Soelter said whatever the requirement is. He said they are willing to have a small drive just to the east big enough to pull a truck off the road.

Commissioner Rasmussen inquired about the Kansas Department Health and Environment (KDHE) not allowing the facility to be placed underground. He asked what was not allowed.

Mr. Soelter said there will be pumps, lighting, switch gear, and electrical equipment that will be in this facility that over the years KDHE has discourage putting underground. He stated as a rule they do not like pump stations of this nature placed underground. He said the facility is larger and more complex and if it floods it could become a problem. He said it is a safety concern. He said the environmental concern is regarding water getting into the station.

Commissioner Rasmussen said he was trying to figure out what the environmental concern is.

Mr. Soelter said that KDHE approves all installations like this from a design standpoint. He said it was not a contamination issue, but rather a safety concern because of all the electrical equipment underground in a steel vault and KDHE regulates the design aspects of that and issue a public water supply permit.

PUBLIC HEARING

Mr. Brian Rock, resident of Oakwood Estates, expressed concern about the appearance of the pump station. He felt as proposed it is terrible. He would like the building to meet the Oakwood Estate appearance requirements, such as a pitched roof and a percentage of stone used. He said he would prefer that it was stick built using local labor instead of a prefabricated building.

Commissioner Finkeldei asked if the Oakwood Estates has an architectural review committee.

Mr. Rock said yes, but because the development is already fully developed, except for one lot, the committee has been merged into the board, but he said he was willing to volunteer to be the liaison and was familiar with the process.

Commissioner Blaser asked what percentage of the building has to be stone.

Mr. Rock said 25% has to be stone and can be imitation stone.

Commissioner Singleton asked Mr. Rock if he had seen the two pictures that Ms. Finger showed before today.

Mr. Rock said no. He suggested the building look like a two car garage with no air conditioner unit in the window.

Mr. Rick Edmonds asked if the pump station would have overhead or buried electrical supply. He wondered if there has been any attempt to buy more land from the Grovers, adjacent property owners. He asked if it is a dollar amount that prevents fire hydrants in the area. He said fire protection is a big concern.

Commissioner Moore asked if Mr. Edmonds meant by additional land purchase to expand the site.

Mr. Edmonds said yes.

APPLICANT CLOSING COMMENTS

Mr. Soelter said regarding the stick build versus prefabricated, the ultimate goal is to be able to relocate the building in the future so if it were stick build it could not be moved. He said at this time there has been no attempt to purchase more land for the site.

Commissioner Singleton asked what Mr. Soelter is suggesting the building look like.

Mr. Soelter said they are committed to going with a much more attractive roof scheme. He said as far as façade there is additional cost and he was not sure it would improve the overall look of the facility.

Commissioner Singleton asked if the only difference between the two pictures that Ms. Finger showed is the roof.

Mr. Soelter said yes, he believed so.

Commissioner Singleton asked if the electrical supply would be underground or overhead.

Mr. Soelter said he did not think it would be a big issue to bring the power supply from the pole to the station

underground.

Commissioner Carter asked if stone could be used with a prefabricated building.

Mr. Soelter said that it will be a small building so they cannot do very many different materials so it would probably have to be one solid exterior.

Commissioner Blaser asked what the outside of the building would be made of.

Mr. Soelter said it is basically a fiberglass aggregate gel coat exterior.

Commissioner Carter inquired what the additional cost would be to make it stone or brick.

Mr. Soelter said he would have to check on the cost of stone but brick would be about \$10,000.

Commissioner Moore inquired about the HVAC system.

Mr. Soelter said it will be standard installation but the air conditioning unit will be screened. He said it would not be as intrusive as the picture seems.

COMMISSION DISCUSSION

Commissioner Finkeldei asked who approves county site plans.

Mr. McCullough said the site plan is a vehicle for adopting the Conditional Use Permit but that the County Commission approves county site plans.

Commissioner Harris recommending adding language to condition 1 so that it would say *'Revising the site plan to provide: aesthetic building and driveway design compatible with the adjacent residential area..'* She said she did not go as far to say it had to meet the standards of the subdivision but she did think it would be in the best interest of the neighbors and the project to have the building and driveway be compatible with the residential area adjacent to it.

Commissioner Moore said he agreed with Commissioner Harris.

Commissioner Carter asked how close the pump station would be to the Grover property.

Mr. Soelter said about 200'-250'.

Ms. Finger said the aerial map in the staff report shows the Grover house in relation to the pump station.

Commissioner Rasmussen said he would not be in favor of adding more impervious surface to the area. He said he would be more in favor of an aggregate surface driveway because it fits with the rural character of the area and it is not impervious.

Commissioner Carter said he was okay with the driveway not being paved. He said as close as the other residences are he would at least like to make the effort to come closer to the neighborhood design requirements.

Commissioner Singleton said there are other utility structures at the intersection, such as poles and transformers. She said she was comfortable with the facility being built as is and felt that if the homeowners wanted to contribute the money for the appearance of the building they could do that.

Commissioner Blaser did not feel the driveway needed to be concrete. He said for probably not much more money the building could add 25% brick or stone.

Commissioner Finkeldei asked for Commissioner Harris to repeat the language she suggested for condition 1.

Commissioner Harris repeated what she suggested earlier *'Revising the site plan to provide: aesthetic building and driveway design compatible with the adjacent residential area...'*

Commissioner Finkeldei asked who would enforce that language.

Mr. McCullough said staff would want to see the new design first before releasing to the county for building permits. He said he would prefer to have a little more consensus on the some of the design elements such as a certain type of residential roof line, a certain ratio of material on the façade, and the driveway material. He said the proposed landscaping will help buffer the building.

Commissioner Finkeldei asked what most of the driveways are made of in Oakwood Estates.

Mr. Rock said there are a mixture of driveways but most are asphalt. He was not opposed to the packed pea gravel type driveway. He said there is a roofline minimum slope, wood shake singles or better requirement, and 25% stone façade requirement.

Commissioner Finkeldei said he could see how the roofline is important, 25% rock or equivalent material made sense, and pea gravel was fine for the driveway. He said he liked the language of being consistent with the neighborhood.

Commissioner Moore agreed that a pea gravel drive was fine. He suggested that no lighting be shining toward the neighbors.

Commissioner Finkeldei said he would prefer to keep the language as Commissioner Harris proposed to provide flexibility in working out the details.

ACTION TAKEN

Motioned by Commissioner Harris, seconded by Commissioner Carter, to approve the Conditional Use Permit for a new booster station for Rural Water District #5, located at 1292 N 1100 Road, and forwarded it to the County Commission with a recommendation for approval based upon the findings of fact in the staff report and the following conditions:

1. Revising the site plan to provide: aesthetic building and driveway design compatible with the adjacent residential area; dimensions and type of materials for parking area, drive, entrance cut (width), sidewalk, and landscape screening; note regarding removal of existing road cut; and, pre-fabricated building entry points and dimensions. Show evergreen trees, tall deciduous shrubs and/or a mix to create a visual screen on the north, east and west sides of the site to minimize the visual impact of the structure on the adjoining residential subdivision;
2. Dedication, by separate instrument, of an additional 10' of road right-of-way for N 1100 Road;
3. The existing access point onto N 1100 Road be closed; and,
4. Approval of the necessary front and rear setback variances by the Board of Zoning Appeals.

Unanimously approved 8-0. (Commissioner Dominguez was not present for the vote.)

**PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item**

PC Staff Report
9/21/09

ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT (MJL)

CPA-6-3-09: CONSIDER COMPREHENSIVE PLAN AMENDMENT TO CHAPTER 3 TO REMOVE THE “TABLE OF LAND USE CATEGORIES & LOCATIONAL CRITERIA.” INITIATED BY THE PLANNING COMMISSION ON JUNE 24, 2009 AS PART OF THE ANNUAL REVIEW OF THE COMPREHENSIVE PLAN.

STAFF RECOMMENDATION: Staff recommends approval of the comprehensive plan amendment to Chapter 3 to remove the “Table of Land Use Categories & Locational Criteria” and forwarding the recommendation to the governing bodies.

SUMMARY

As part of the annual review of the comprehensive plan, it was identified that the Table of Land Use Categories & Locational Criteria located in Chapter 3 – General Plan Overview had not been updated when amendments to *Horizon 2020* were approved and amended. The table was originally put into the plan right before approval to meet state statute K.S.A 12-747 because the plan originally did not have a future land use map. The statute generally states that a comprehensive plan must have a land use map or a table outlining the land use categories and where they are located. This was a place holder until a future land use map could be completed. A future land use map was completed in February 1998 and the table is no longer needed because the future land use map has been incorporated into the plan. The table was never removed after the future land use map was added. The table is attached at the end of the staff report for reference.

STAFF REVIEW

The text was placed in the plan to meet statutory requirements while a future land use map was being completed. The text has not been updated as the plan has been amended and it is no longer applicable.

COMPREHENSIVE PLAN AMENDMENT REVIEW

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

At the time of adoption, this table was added to satisfy statutory requirements. A future land use map was adopted shortly after the original plan was adopted. The map was to identify the location of the different land uses and take the place of the table. The table was never removed from the plan after the map was adopted.

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

The use of the future land use map is preferred by most users of the plan. The table is not up to date with the amendments that have been approved since the adoption of the plan.

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

People will tend to use maps more than they would tend to read text. The text is a duplication of the map and the text is out of date and should not be used. There is no change in policy as the table was a summary of the plan.

PROFESSIONAL STAFF RECOMMENDATION

Staff recommends removal of the "Table of Land Use Categories & Locational Criteria" located in Chapter 3 – General Plan Overview.

**Table of Land Use Categories
& Locational Criteria**
[per KSA 12-747]

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
AGRICULTURE	<p>Agricultural uses should continue to be the predominant land use within the areas of the county beyond the designated urban growth/service areas (rural area.). [p. 5-5]</p> <p>Clustering of residential development is a consideration that is encouraged in the unincorporated portions of the County to preserve the rural character. [p.5-1, p.5-5 and p.5-13]</p>	<p>New residential development in the county should protect & enhance the rural character & quality of the unincorporated portions of Douglas County. [p.5-1]</p> <p>Residential development should be limited to areas that do not remove productive land from agricultural use. [p.5-5]</p> <p>New growth is anticipated to include a range of residential development options from cluster developments to traditional subdivision areas. [p.5-5]</p> <p>The rural area includes all unincorporated areas except those within the designated UGA and the existing non-residential development locations. [p.5-5]</p> <p>The majority of subdivisions should be directed to the designated UGA and not scattered through the rural growth area. [p.5-5]</p> <p>A subdivision in a rural area could be supported if contiguous to an existing platted development. Grouping is encouraged to reduce acreages being removed from agricultural uses. [p.5-5]</p>
RESIDENTIAL: General Information	Figure 5-1 provides a graphic illustration of general land use relationships, as they should occur using a one-mile square grid as a framework. [p.5-2]	This planning concept is applicable to general neighborhood areas within the city which are bounded by arterial streets.
VERY-LOW DENSITY RESIDENTIAL:	This land use category is recommended in the fringe areas of the city. [p.5-3]	One-acre minimum development sites should be utilized in areas to be annexed which may have natural features that pose development challenges but do not preclude the delivery of urban services. Development of one or fewer dwelling units per acre may occur in various parts of the UGA. [p.5-2 & 5-6]

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
LOW DENSITY RESIDENTIAL:	<p>This is the predominating existing land use within the city.</p> <p>New areas for low-density residential land use are generally located in the southern and western portions of Lawrence and within the UGA. [p.5-3]</p> <p>Large-scale, new low-density single-family residential development is recommended to the west of the city. [p.5-3]</p>	<p>Density for this land use is 6 or fewer dwelling units per acre. [p.5-3]</p> <p>Compatible densities and housing types are encouraged in residential neighborhoods through the provision of transitional zones (areas) between low-density residential and more intensive residential land use categories; and, between higher density residential and non-residential uses. [p.5-1]</p> <p>In general, the area west of the SLT should not be developed until comparable areas east of the Trafficway are largely developed. [p.5-3]</p> <p>Areas planned for residential development east of the SLT [generally between Wakarusa Drive and the SLT] should be substantially complete (developed) prior to development of additional residential areas west of the Trafficway. [p.5-3]</p> <p>The SLT should be completed prior to development to the west to ensure the proper functioning of the planned street network. [Staging development to coincide with the provision of municipal services is discussed in detail in the, Growth Management section.] [p.5-3]</p> <p>New in-fill, single-family development should be of a scale and character similar to & compatible with existing homes in the immediate area. [p.5-3]</p>

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
MEDIUM-DENSITY RESIDENTIAL:	<p>This land use category is recommended for development along major roadways -- near high intensity activity areas; and when adjacent to natural amenities, in the form of cluster development. [p.5-3 - 5-4]</p> <p>Most of the recommended sites occupy transitional locations between single-family neighborhoods and office/commercial areas; or near large open space or natural areas. [p.5-3 - 5-4]</p>	<p>Density for this land use is 7-15 dwelling units per acre. [p. 5-3 - 5-4]</p> <p>This land use category is intended to promote a mix of housing types within a planned development area. Mix of housing types should include: single-family detached and attached; cluster homes, townhomes and similar types. [p.5-3 - 5-4]</p> <p>Medium-Density residential is a likely choice of land use for cluster developments. [p.5-3 - 5-4]</p> <p>Extreme concentrations of the same housing type or development patterns should be avoided. [p.5-3 - 5-4]</p>
HIGH-DENSITY RESIDENTIAL:	<p>This land use category is recommended for location near high-intensity activity areas and near existing high-density residential developments. Primary site locations for new high-density residential land uses would be along the SLT and the (proposed) Eastern Parkway. [p.5-4]</p>	<p>Density for this land use is 16-21 dwelling units per acre. [p.5-8]</p> <p>Large concentrations of high-density housing are not compatible with the overall character and pattern of city's development and should not be permitted. [p.5-4]</p> <p>Careful control exerted over this high-density residential use is needed to ensure compatibility with surrounding land uses, provision of adequate screening & buffering, and an attractive appearance near roadways. [p.5-4]</p>

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
AREA SPECIFIC LAND USE RECOMMENDATIONS:	<p>NORTH LAWRENCE - This area of the city has developed in two distinct residential land use patterns east of N. 2nd Street; these differentiate along N. 7th Street. Residential in-fill of vacant lots is recommended for the lots and parcels west of N. 7th Street. Larger vacant sites east of N. 8th Street should be maintained for larger lot single-family detached development. [p.5-7]</p> <p>RIVERRIDGE AREA - This area is adjacent to the city limits and has two unincorporated residential subdivisions [Miller & Wells Acres] developed along its' northern border along Riverridge Road. The unincorporated, residentially developed areas are recognized as needing to have city utilities extended and areas incorporated into city when extension of utilities can/does occur. The Plan identifies the need to provide city utility services to the unincorporated areas & to improve streets serving the residential areas to enable continued & orderly development in this neighborhood. [p.5-7]</p> <p>Alternative Residential Land Use Areas: <u>South of Wakarusa River</u> : The area south of the Wakarusa River, which is within Service Area 4, is bounded by the: Wakarusa River on the north, Douglas N 1000 Rd. on the south, E 1600 Rd, and E 750 Road. This area is approximately 3,800 acres in size. It is intended this area be considered part of the Douglas County rural area unless conditions for urban development described in Growth Management are met. [p.5-7]</p> <p><u>Northwest Lawrence Area</u>: This area is generally described as being north of US-40/W. 6th Street and west of E 1100 Rd. It includes approximately 900 acres. Urban growth in this area (in Service Areas 2 & 4) should be phased in accordance with the ability to provide sanitary sewer service to the area. Very low-density residential land use development is appropriate in this area at a density of one or fewer dwellings per acre until sanitary sewer service is available. Until this area is endorsed for urban development (through a commitment to extend municipal utilities & services to the area), residential lots shall be a minimum of five acres in this area, and non-residential development will not be permitted. [p.5-8]</p> <p><u>Unincorporated Douglas County natural & environmentally sensitive areas</u>: Development is not precluded nor is it encouraged within natural areas or environmentally sensitive areas due to severe slopes, the presence of floodplain, lakes, streams, ponds, forestation, or natural/wildlife habitat. [p.5-8]</p> <p>If residential development occurs in this area, it is more suitable in large lot or appropriately designed cluster development patterns rather than in the traditional subdivision pattern. [p.5-9]</p>	

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
<p>COMMERCIAL: All Commercial Categories -</p>	<p>Development of new commercial areas should not occur in advance of market conditions which would support such development nor should it be permitted to physically leap-frog out of contiguous urbanized areas of the city. [p.6-19]</p> <p>GENERAL LOCATIONAL CRITERIA for Commercial Development:</p> <p>Commercial nodes - Should occur at arterial and collector street intersections and should be designed so no direct vehicular access is provided between them and abutting residential areas.</p> <p>Strip Commercial - This land use pattern is discouraged by directing the formation or expansion of existing areas to occur in a more clustered pattern.</p> <p>Assembling of land - The land assembly of small tracts into larger tracts is promoted so that more cohesive parcels and well-planned, orderly developments occur.</p> <p>Vehicular access - Principal vehicular access is from arterial, collector or frontage (access) roads adjacent to the site.</p> <p>Site Layout - Development of commercial sites should be located to avoid substantial disruption of natural drainage and vegetation.</p> <p>Compatibility with Adjacent Land Uses - The location of commercial nodes is encouraged where they can efficiently utilize local resources and where adverse impacts on adjacent uses are minimized.[p.6-27]</p>	<p>New commercial development is required to occur in nodes to avoid continuous lineal commercial development along the city's street corridors and Douglas County roads. [p.6-18]</p> <p>Downtown Lawrence is designated as the Regional Retail/Commercial/Office/Cultural Center. [p.6-3]</p> <p>In-fill development and redevelopment of existing commercial areas is encouraged with an emphasis on downtown Lawrence and the existing commercial gateways. [p.6-1]</p> <p>The focus in the unincorporated portions of Douglas County is to build on the key existing commercial areas that provide day-to-day goods and services to the rural community. [p.6-19 - 6-20]</p> <p>New commercial and office development should be clustered in small groupings or nodes with shared parking areas, common access drives & related design & appearance. Development should be oriented to the primary street intersections, avoiding a strip pattern created by extension of the area from where nodes originate (at street intersections) along the street corridors. [p.6-24 - 6-25]</p>

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<p>COMMERCIAL: All Commercial Categories -</p>		<p>Visual or physical buffering may serve as boundaries between different intensities of land uses. Back-to-back use relationships are preferred between different land uses. [p.6-24 - 6-25]</p> <p>High-density residential is considered a transitional land use between commercial and surrounding low-density residential neighborhoods. [p.6-25]</p> <p>Low-intensity office, research and semi-public developments are considered transitional uses between commercial and low-density residential neighborhoods. [p.6-25]</p> <p>Provide medium to low intensity recreational facilities such as neighborhood parks, bike/hike trails, and natural areas as transitional land uses. [p.6-26]</p>
<p>NEIGHBORHOOD COMMERCIAL CENTERS DEVELOPMENT:</p>	<p>This category of land use is appropriately located on one corner of the intersection of arterials streets or arterial and collector streets. [p.6-28]</p> <p><i>Map 8-1, the Street Classification and Function Map, identifies the designated arterial and collector streets within Lawrence. [p.8-5]</i></p> <p>The Plan anticipates new neighborhood commercial developments (based upon undeveloped existing commercially zoned property) will occur at: [p.6-30]</p> <ol style="list-style-type: none"> 1. E. 23rd Street and O'Connell Road 2. Franklin Road (extended) and N 1300 Rd 3. E 1500 Rd and N 1100 Rd 4. E 1000 Rd and N 1000 Rd 5. E 1000 Rd and N 1200 Rd 6. Clinton Parkway and K-10 7. W. 15th Street and K-10 8. E 800 Rd and at the potential east/west arterial two miles north of US-40 9. E 700 Rd and US-40 10. E 800 Rd and N 1750 Rd 11. E 1000 Rd and N 1750 Rd 12. E 1500 Rd and US-24/40 	<p>Limit gross square footage to 100,000 except for centers with a grocery store - those centers may have up to 125,000 gross square feet. [p.6-28]</p> <p>Limit neighborhood commercial center development to one corner per intersection of arterial and collector streets. [p.6-28]</p> <p>Locate office, public & semi-public, parks and recreation, or medium & high-density residential developments on the remaining corners of the intersection. [p.6-28]</p>

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COMMUNITY COMMERCIAL CENTER (CC-200) DEVELOPMENT:	<p>This land use category is appropriately located at the designated intersections of arterial streets. [p.6-30]</p> <p>Map 8-1 graphically illustrates the street classifications and functions within Lawrence. [p.8-5]</p>	<p>Limit site size to 200,000 gross square feet. [p.6-30]</p> <p>Limit development to designated intersections of arterial & collector streets [p.6-30]</p> <p>This land use should not extend deeper into neighborhoods than adjacent, non-residential development. [p.6-30]</p>
COMMUNITY COMMERCIAL CENTER (CC-400) DEVELOPMENT:	<p>This land use category is appropriately located at the designated intersections of four-lane arterials and state or federally designated highway. [p.6-31]</p> <p>The Plan anticipates the possibility of new CC400 Centers at the following intersections: [p. 6-19]</p> <ol style="list-style-type: none"> 1. Eastern leg of the SLT and K-10 (southeast of the intersection of E 1750 Rd and K-10) 2. W. 6th Street and K-10 3. US-59 and N 1000 Rd <p>Map 8-1 graphically illustrates the street classifications and functions within Lawrence. [p.8-5]</p>	<p>Limit site size to 400,000 gross square feet. [p.6-31]</p> <p>Limit development to designated intersections of a four-lane arterial and a state or federally designated highway. [p.6-31]</p> <p>Utilize remaining corners of the intersection for office, employee related uses, public & semi-public uses, parks and recreation, or high-density residential. [p.6-32]</p>

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REGIONAL COMMERCIAL NODAL DEVELOPMENT:	<p>This land use is appropriately located at the intersection of two principal arterial streets or at the intersection of a principal arterial and a state or federally designated highway. [p.6-13]</p> <p>Downtown Lawrence is designated as the Regional Retail/Commercial/Office/Cultural Center. [p.6-3]</p> <p>The need for development of a Regional Commercial Center in the community is not anticipated within this planning period. [p.6-19]</p>	<p>Limit site size to 1.5 million gross square feet. [p.92 and 108]</p> <p>The Regional Retail/Commercial/Office/Cultural Center is an intensely developed, large-scale, mixed use location that also serves as an activity center for community social functions. [p.6-3]</p>
EXISTING COMMERCIAL AREAS IN LAWRENCE:	<p>Downtown Lawrence: Boundaries given are the Kansas River, East Lawrence, South Park, the Oread Neighborhood and Old West Lawrence Neighborhood. [p.6-3]</p> <hr/> <p>North 2nd Street Corridor: Extends from the Kansas River to I-70/Kansas Turnpike. [p.6-13]</p>	<p><u>Downtown Lawrence:</u> 9th Street is a gateway to downtown but should not be developed to the same commercial intensity as the downtown. [p.6-13]</p> <hr/> <p><u>North 2nd Street Corridor:</u> The existing industrial uses should be relocated outside of the corridor and sites redeveloped with compatible commercial, service and retail uses. [p.6-12]</p> <p>This is a gateway to the city and to the downtown. [p.6-12]</p>

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<p>EXISTING COMMERCIAL AREAS IN LAWRENCE</p>	<p>IOWA STREET CORRIDOR: [p.6-13]</p> <p><u>Northern end</u> -- This is a mixed use corridor with concentrations of commercial development in the northern portion near the intersection with 9th Street. The Hillcrest Shopping Center at 9th & Iowa is an existing neighborhood commercial center. Future development and redevelopment should occur within the existing commercially zoned areas.</p>	<p><u>Northern end</u> -- In the northern area of this corridor, most of the parcels are already developed. An emphasis is placed on coordination of access control and transition yard improvements with adjacent residential areas. [p.6-13]</p>
	<p><u>Southern end</u> -- This portion of the corridor extends from the University of Kansas property at 23rd Street south to the SLT. [p.6-13]</p>	<p><u>Southern end</u> -- This portion functions as a large community commercial center between 23rd Street and 31st Street. 31st & S. Iowa has recently developed into a regional commercial center.</p> <p>Emphasis is given to maintaining the commercial node at 31st & S. Iowa. Extending the commercial corridor for additional retail uses should not be considered. Office and office/research uses would be appropriate along this arterial corridor. [p6-13]</p>

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<p>EXISTING COMMERCIAL AREAS IN LAWRENCE</p>	<p><u>23rd Street Corridor:</u> This corridor extends from S. Iowa to Tennessee Street, redevelopment and in-fill sites are available along the entire corridor. [p.6-13 - 6-14]</p>	<p><u>23rd Street Corridor</u> -- Redevelopment and in-fill are emphasized along the older commercial segment of 23rd, east of the AT&SF Railroad tracks.</p> <ul style="list-style-type: none"> - This corridor should maintain a community commercial focus. - Between Haskell and Harper, redevelopment should occur to geographically balance commercial development that occurs in other parts of the community. This area should become more retail and office oriented. - Future development and redevelopment should include parcel consolidation and re-subdivision to establish viable commercial development sites. [p.6-13 - 6-14]
	<p><u>6th Street Corridor:</u> This corridor extends from Alabama Street on the east to K-10 on the west. [p.6-14 - 6-15]</p>	<p><u>6th Street Corridor</u> -- Between Alabama Street to K-10. Terminate the linear strip development of this corridor at Monterey Way.</p> <ul style="list-style-type: none"> - Redevelopment opportunities may occur for older commercially zoned properties east of Monterey Way, should pursue internal & coordinated (cross) access. - West of Monterey Way, distinct commercial nodes are anticipated only at W. 6th & Wakarusa Drive and at W. 6th & K-10. [p.6-14 - 6-15]
	<p><u>W. 15th Street & Kasold Drive:</u> There is a neighborhood commercial development at the northeast corner of 15th Street and Kasold Drive. [p.6-16]</p>	<p><u>W. 15th Street & Kasold Drive</u> -- It is unlikely this commercial area will expand in the future. It should continue to serve the immediate area as a neighborhood center. [p.6-16]</p>
	<p><u>S. Massachusetts Street Area:</u> Several neighborhood commercial areas exist along this corridor. A commercial area is located at the 14th Street intersection. [p.6-15]</p> <ul style="list-style-type: none"> - A neighborhood commercial node is located near 19th Street, primarily to the north of the intersection with 19th Street. [p.6-15] 	<p><u>S. Massachusetts Street Area</u> -- The scale and character are compatible with surrounding land uses. The Plan emphasizes preservation and re-use of existing development. [6-15]</p> <ul style="list-style-type: none"> - Redevelopment of the area near the 19th Street intersection can improve visual image by additional landscaping and shared accessways. [p.6-15]

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EXISTING COMMERCIAL AREAS IN LAWRENCE	<p><u>19th Street and Haskell Avenue Commercial Area</u>: The southeast corner of this intersection is an older neighborhood commercial center. Future redevelopment of this center could enhance the visual character of the area. [p.6-15]</p>	<p><u>19th Street and Haskell Avenue Commercial Area</u> -- Future redevelopment of the center should be designed to enhance the visual character of area. [p.6-15]</p>
	<p><u>Clinton Parkway at Kasold Drive</u>: This area has developed as a neighborhood commercial node with retail uses on the northwest corner and office uses on the other three corners. [p.6-15]</p>	<p><u>Clinton Parkway at Kasold Drive</u> -- The area is surrounded by urban development and floodplain areas. Expansion beyond the planned uses is unlikely. [p.6-15]</p>
EXISTING AND PROPOSED COMMERCIAL DEVELOPMENT IN UNINCORPORATED AREAS OF COUNTY:	<p>The only new commercial area shall be located at either the intersection of either US-56 and K-33 or US-56 and County Route 1061. [p.6-34]</p> <p>Existing commercial areas that are located at the intersection of a hard surfaced County Route and a state or federally designated highway should be allowed to expand if the necessary infrastructure (water, road, approved wastewater treatment facility, etc.) is available. [p.6-34]</p>	<p>Douglas County's focus in the unincorporated areas is to build on the key existing commercial areas that provide day-to-day goods and services to the rural community. [p.6-19]</p> <p>Existing commercial areas provide neighborhood level retail goods & services to both farm and non-farm residents. [p.6-19]</p> <p>The Plan recommends these existing locations develop as small convenience service nodes providing products to meet day-to-day requirements of rural residents. [p.6-19]</p> <p>Any new or expanded development should utilize treatment systems which minimize potential environmental impacts. [p.6-19]</p> <p>Design of development should be consistent with rural character of the county. [p.6-20]</p>

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<p>INDUSTRIAL & EMPLOYMENT-RELATED USES [Office, Office Research, Warehouse/Distribution]:</p>	<p>The Plan's strategy is to make available a number of locations in an adequate amount of land to meet diverse development needs. [p.7-1]</p> <p>Maintain existing industrial/employment related uses. New development is encouraged to occur in existing industrial/employment-related areas. [p.7-7]</p> <p>Concentrate industrial development together as a land use. Encourage redevelopment and limit expansion of existing industrial/employment-related areas. [p.7-7]</p> <p>Less compatible uses or higher intensity uses should be located in the interior of the development site or adjacent to arterial streets rather than in close proximity to residential neighborhoods. [p.7-9]</p> <p>Ensure new development within the UGA occurs where adequate services and facilities can be provided. [p.7-11]</p> <p>Industrial development is encouraged to locate on sites having a minimal slope to avoid substantial disruption of natural drainage and vegetation. [p.7-11]</p> <p>Light industrial developments should be located along arterial streets. Unified light industrial corridors are encouraged through infill development of existing industrial areas. [p.7-11]</p> <p>Large-scale industrial & employment-related centers should locate in planned parks to help ensure coordination or circulation systems, configuration, site layout, and environmental amenities. [p.7-13]</p> <p>UNINCORPORATED AREAS OF THE COUNTY: Encourage the development of planned industrial, office research, and warehouse distribution facilities within the UGA's of unincorporated Douglas County. [p.7-11]</p>	<p>The four types of industrial and employment-related uses described in the Plan are:</p> <p><u>Office</u> - a commercial area in which office and service uses predominate.</p> <p><u>Office Research</u> - an area characterized primarily by businesses involved in technology, research, and scientific-related activities, although it may also include traditional business park uses, such as manufacturing.</p> <p><u>Warehouse and Distribution</u> - an area generally intended for the warehousing and distribution of wholesale goods and supplies.</p> <p><u>Industrial</u> - an area which includes manufacturing, assembly, processing and similar operations. New and redeveloped industrial areas are encouraged to be compatible with existing development. [p.7-7, policy 1.3]</p> <p>Appropriate transition methods between Future Land Use Categories is encouraged. Building relationships should be back-to-back between industrial and residential land uses. Perimeter setbacks for parking and buildings should be greater where sites are abutting residential uses. Height & massing of industrial buildings and accessory buildings should be oriented away from residential neighborhoods. [p.7-12 - 7-13]</p> <p>Less compatible uses or higher intensity uses should be located in the interior of the development site or adjacent to arterial streets rather than in close proximity to residential neighborhoods. [p.7-13]</p> <p>Low intensity commercial or office development should be used as a transition between industrial development and low-density residential neighborhoods. [p.7-13]</p> <p>Encourage integration of high-density residential development through compatible design with industrial developments and surrounding low-density residential neighborhoods. [p.7-10]</p> <p>Use medium or high intensity recreational facilities as a transitional use to less intense uses.[p.7-10]</p> <p>The assembly of small tracts to form larger, more cohesive parcels is recommended. [p.7-7]</p>

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<p>INDUSTRIAL & EMPLOYMENT-RELATED USES [Office, Office Research, Warehouse/Distribution]:</p>	<p>Existing industrial and employment-related areas within Lawrence: The smaller industrial locations are scattered throughout the city. The larger areas are concentrated in:</p> <ul style="list-style-type: none"> - Santa Fe Industrial area - Oread West Research Park - East Hills Business Park - Santa Fe Railroad Corridor [in east & southeast Lawrence] - the Union Pacific Railroad Corridor (in north Lawrence) [p. 7-2 - 7-3] <p>Santa Fe Industrial area: This industrial area is located north of I-70 (the Kansas Turnpike) [p.7-2]</p> <p>The Oread West Research Park: This industrial/office/office research area is located at the intersection of Wakarusa Drive and W. 15th Street. [p.7-2]</p> <p>The East Hills Business Park: This industrial area is located on the north side of K-10, at the planned interchange with the SLT, K-10, and the Eastern Parkway. [p.7-3]</p> <p>Santa Fe Railroad Corridor: This corridor is split by E. 23rd. Portions extend to both the north and south of E. 23rd Street. The north portion lies between E. 15th St. and E. 23rd Street. It is undergoing development and redevelopment, and has smaller land parcels than in East Hills & Oread West Research Parks. The area south of E. 23rd Street extends to 31st Street. [p.7-3]</p>	<p>Access to individual building sites within business parks should be from an interior circulation system. [p.7-14]</p> <p><u>Santa Fe Industrial area</u> - This area is a large warehouse & distribution location. As additional industrial/employment-related uses develop, impacts on nearby residential uses along Riverridge Road need to be considered. Land use transition areas may need to be established. [p.7-2]</p> <p><u>The Oread West Research Park</u> - Development in this area should be in the form of an industrial cluster. [p.7-2]</p> <p><u>The East Hills Business Park</u> - This area serves as a community gateway to Lawrence and Douglas County. Future development plans needs careful examination to ensure they reflect the image and quality the community seeks in new development. [p.7-3]</p> <p><u>North Portion of Santa Fe Railroad Corridor</u> -- The Plan seeks to minimize traffic conflicts with surrounding residential areas. [p.7-3]</p> <p><u>South Portion of Santa Fe Railroad Corridor</u> -- New development and redevelopment should emphasize quality improvements to enhance image and service future private investments in the area. [p.7-3]</p>

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INDUSTRIAL & EMPLOYMENT-RELATED USES [Office, Office Research, Warehouse/Distribution]:	<p>Union Pacific Railroad Corridor: This is located in north Lawrence along the Union Pacific Railroad tracks. [p.7-3]</p>	<p><u>Union Pacific Railroad Corridor</u> -- Historically, this is an industrial corridor interspersed with residential development or vacant lots. New development and redevelopment in the area should establish standard size development parcels and upgrade and improve the appearance and image of the area. [p.7-3]</p> <p>Locust, Maple, and Lincoln, west of N. 7th Street, should continue to serve as industrial collector streets. Non-residential traffic is discouraged in other parts of the neighborhood. [p.7-3]</p>
	<p>Office Land Use: Three areas are identified as suitable for new office development -- one site is at the intersection of K-10 and the SLT, east of Lawrence. Another site appropriate for office or office/research uses is at the intersection of the SLT and S. Iowa Street. A third site identified as suitable for a large planned office development is at the intersection of Clinton Parkway and Wakarusa Drive. [p.7-4]</p> <p>Office Research/Planned Industrial Land Uses: These types of land uses are recommended: - south of 23rd street and east of E 1600 Road; - north of 23rd Street, along E. 15th Street and extending to an area west of the planned interchange with the Eastern Parkway; - at the intersection of US-24/40 and N. 3rd Street in North Lawrence. [p.7-4]</p>	<p><u>Intersection of Clinton Parkway and Wakarusa Drive</u> -- Desirable at this location is a mix of uses which may include medium to high density residential uses in a planned arrangement. [p.7-4]</p> <p><u>Office Research/Planned Industrial Land Uses</u> -- These types of uses are appropriate at gateways to the community. [p.7-5]</p> <p>Employment-related land uses: <u>University of Kansas</u> -- The main and west campuses are major employment sites. [p.7-2]</p> <p><u>Downtown Lawrence</u>-- The area encompasses a significant number of non-retail employees and a substantial number of office and service employees. Development of major new office employment areas need to be evaluated based upon the potential effect on downtown Lawrence and the vitality to the mix of uses in this area. [p.7-2]</p> <p><u>Industrial and Employment-related in the unincorporated areas</u> -- The Plan recommends limiting industrial uses in this area with the exception of industrial areas adjacent to north Lawrence. All other industrial areas are within the Lawrence UGA. [p.7-5]</p>

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<p>PARKS, RECREATION & OPEN SPACE:</p>	<p><u>Within Lawrence</u> -- Parks and Open Space Recreation areas maintained by the city account for over 1,400 acres. The city has a Comprehensive Parks plan which delineates the city's recreation needs. [p.9-1]</p> <p>NEIGHBORHOOD PARKS are intended to serve approximately 1,500 - 2,000 households. [p.9-2]</p> <p>COMMUNITY PARKS are larger in scale and in the facilities they provide and are intended to serve 5,000 households. [p.9-2]</p> <p>The ultimate size, number and location of future park sites will vary depending upon the type and intensity of development nearby, the presence of existing facilities and the recreational needs identified for the area in the Comprehensive Plan for Parks & Recreation. [p.9-1]</p> <p>Site suitability, utilities, access & service, and placement within the service areas are criteria discussed in the plan. [p.9-3]</p> <p>Compatible open space uses are recommended for areas subject to extensive flooding. [p.9-3]</p> <p>Locations of existing parks are found on a map in the Background Studies. [Part of Background Studies]</p> <p><u>Within the unincorporated portions of Douglas County</u> -- Regional recreation areas are identified as: Clinton Lake Recreation Area, Douglas County State Lake, Lone Star Lake, Black Jack/Prairie Park, Broken Arrow Park, and Wells Overlook area. [p.9-2]</p> <p>Other recommended locations for recreational facilities in the county are adjacent to school sites and other Douglas County and townsite locations. [p.9-3]</p>	<p>The four goals for parks, recreation and open space land uses are:</p> <p>Goal 1 is to provide a balance between natural and man-made environments to conserve and protect natural features while allowing new development to occur. [p.9-5]</p> <p>Goal 2 is to protect and expand the system of park, recreation and open space through protection of existing park lands, identification of future park, recreation and open space sites, encouragement of developer participation in park land acquisition, the use of public/private partnerships, preservation of mature trees, continuation of city planting programs, avoiding duplication of services/facilities and development of regional park, recreation and open space facilities. [p.9-7]</p> <p>Goal 3 provides criteria for the location of parks and open space sites. [p.9-8]</p> <p>Goal 4 provides guidelines for a compatible transition of parks, recreation and open space land uses to residential land uses. [p.9-9]</p> <p>Natural areas within Douglas County identified for protection or acquisition due to unique environmental and natural contributions are listed in the Community Facilities Element. [p.9-6]</p> <p>Methods for lands acquisition are discussed in the plan. [p.9-3 - 9-4]</p> <p>Priority natural areas that should be protected or acquired due to unique environmental and natural contributions are: 1) The natural corridors along the Kansas River, the Wakarusa River and the corridor that extends between Douglas County State Lake, Lone Star Lake and Clinton Reservoir [p.9-2]; and 2) The clusters of undisturbed tallgrass prairie in the northwest and southeast portions of Douglas County. [p.9-2]</p>

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<p>PUBLIC BUILDINGS & OTHER COMMUNITY FACILITIES (County): [pp.10-8 - 10-9]</p>	<p>Specific land use recommendations within the unincorporated portions of Douglas County are made for:</p> <p><u>Fire Protection</u>- The optimum service radius for fire stations in rural areas is four (4) miles. Marion Township plans a new fire station on the south side of Lone Star Lake. The Wakarusa Township fire station may require relocation and a site study upon completion of the eastern leg of the SLT.</p> <p><u>Sheriff Department</u> - Additional facilities are not foreseen since the County has recently completed a Juvenile Detention Center in North Lawrence near the east Lawrence KTA exit. The county has also completed site selection for a new County Jail on the far southeast side of Lawrence, south of K-10.</p> <p><u>Public Works Department</u> - Administrative facilities need to be expanded. A new salt storage site is planned along Route 6, west of Clinton Lake.</p> <p><u>County Courthouse/Administrative Offices</u> - Retaining government offices in downtown Lawrence is important to the vitality of the downtown as a mixed use activity center.</p> <p>OTHER COUNTY FACILITIES -- Douglas County Ambulance Service is anticipated to need additional sites to serve the county population.</p> <p>Facilities scheduled for expansion and improvements which do not require additional land acquisition include: the Fairgrounds; the County Public Health department; the County Senior Services; and Township Maintenance facilities.</p> <p>Library services are provided by Baldwin City, Eudora, and Lawrence to residents of Douglas County. No new library facility is recommended to specifically provide service to the unincorporated area of the county.</p>	<p>The plan recommends townships work with the joint city/county planning commission to require large rural subdivisions to provide on-site detention, which could serve as a resource for fire suppression purposes.</p> <p>Based on current rural fire station locations, portions of the county are not adequately served. The Plan recommends the townships collaborate on future fire service locations to reduce this problem and ensure improved response times. Access to public water supplies is another problem faced by rural fire departments.</p> <p>Clinton Lake Historical Society Museum is located south of Clinton Lake in the unincorporated community of Clinton.</p> <p>Historical sites and markers are located across the county.</p>

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

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<p>PUBLIC BUILDINGS & OTHER COMMUNITY FACILITIES (City):</p>	<p>SPECIFIC LAND USE RECOMMENDATIONS WITHIN Lawrence are: [pp 10-5 - 10-7]</p> <p><u>Lawrence City Hall</u> - to maintain centralized administrative facilities. City Hall will need expansion in the next 10-15 years. Maintaining municipal offices downtown is vital to maintaining Downtown Lawrence as a mixed-use activity center.</p> <p><u>Lawrence Public Library</u> - The existing library contains 46,000 square feet and is located in the 700 block of Vermont Street. [p. 10-7 and Background Studies] Satellite locations throughout the community are recommended, perhaps in conjunction with new school facilities.</p> <p><u>Art Center & Museums</u> - The Plan identifies the Lawrence Arts Center, The Watkins Community Museum, and three museums on the University of Kansas campus: the Museum of Natural History, the Museum of Anthropology, and the Spencer Art Museum. New or expanded sites are not anticipated for any of these public buildings.</p> <p><u>Health Services</u> - The city and county's efforts to provide new facilities for these public agencies is recognized in the Plan. The need for additional facilities is anticipated to be based on health and medical demands as the community continues to grow.</p> <p>It is difficult to project the need for semi-public land uses because they fall under several jurisdictions. All entities are encouraged to work with the city and/or county in identifying sites for future facilities. [p.10-15]</p> <p>Public and semi-public uses are appropriate in proximity to various residential uses if appropriate consideration has been given to the provision of safe access and adequate buffering for the location selected. [p.10-16]</p>	<p>Strategies for location, site development and needs assessment for the location of public buildings and facilities are provided in part under Municipal Buildings and Facilities</p> <p>Three goals provide direction in the plan for community facilities:</p> <p>Goal 1 provides guidelines for the efficient provision of these services and facilities. [p.10-15]</p> <p>Goal 2 provides the criteria for locating community facilities in a manner ensuring they are compatibly designed and operated with neighboring uses. [p.10-16]</p> <p>Goal 3 addresses the transportation considerations that are a major element in choosing the location of a large-scale community facility, such as the provision of access and circulation to meet facility and neighborhood needs. [p.10-17]</p>

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
EDUCATIONAL:	<p>Strategies for the cooperation of independent entities and regular meetings to discuss needs and issues area expressed in the Plan. [p.10-1]</p> <p>The Plan identifies the future need for at least one additional elementary school within the Lawrence UGA. The new site is anticipated to be located west of the SLT alignment, based on the rate of development and growth in that area. The Plan recognizes the existence of an undeveloped school site along the north side of W. 15th Street, west of Wakarusa Drive. This site is anticipated to be developed as the area between Wakarusa Drive and K-10 continues to develop. [p.10-2]</p> <p>Where feasible, new school sites should be jointly developed with other compatible public or private facilities including recreation, library and related facilities. [p.10-2]</p> <p>Additional school facilities in any of the unincorporated areas outside of the Lawrence UGA are not anticipated to be needed as additional school facilities would bring additional pressure for residential development within the unincorporated portions of the county. [p.10-2]</p>	<p>Public and semi-public land uses include municipal facilities, schools, universities, parks, recreation and open space, and a range of institutions. [p.10-1]</p> <p>One area of conflict between the Lawrence UGA boundary and two school district boundaries is identified. City, county, and school districts are encouraged to work together to anticipate impacts of residential development within this area. [p.10-2]</p>

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
<p>MAJOR PUBLIC & PRIVATE UTILITY FACILITIES:</p>	<p><u>Water Supply and Distribution facilities (city)</u> - The city has two water plants - one at 3rd and Indiana Street, and the Clinton Water Plant northwest of Clinton Parkway and Wakarusa Drive. [p.10-12]</p> <p><u>Water Supply and Distribution facilities (county)</u> - The County's rural water supply is provided either by private wells or through one of the rural water districts. In Douglas County there are Rural Water Districts 1, 2, 3, 4, 5, & 6; Jefferson County has Districts 5 and 13 and Osage County has District 5. The locations of the rural water districts in the county are shown on a map in the Background Studies. [Background Studies & p.10-13]</p> <p><u>Natural Gas, Electric, and Telephone Utilities</u> - Underground location of new electric and telephone lines is required in Lawrence unless they are major transmission lines which cannot feasibly be placed underground. [p.10-12]</p> <p>In the unincorporated areas, telephone and electric lines are installed above ground. [p.10-14]</p>	<p><u>Water Supply and Distribution facilities (city)</u> - The water plants in the city provide treated water to the City of Baldwin and, by contract, to rural water districts 1, 2, 4, 5, 6 and Jefferson County RWD 13. [p.10-12]</p> <p>Maintaining access to raw water resources is a city and county challenge. This is important along the Kansas River because other public and private interests claim water rights upstream. Continued involvement at the state level and pursuing other additional regional water resources including Perry Lake is recommended. [p.10-12]</p> <p>The Plan provides strategies for the development of public and private utilities in the county. [p.10-13]</p> <p>The development of natural gas and telephone utility corridors presents opportunities for development of a county trail system for pedestrians which should be pursued. [p.10-14]</p>

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
GROWTH MANAGEMENT:	<p>The Plan establishes three growth management goals for Douglas County and the cities in Douglas County:</p> <p>Goal 1 recommends the establishment of an UGA (UGA) by Lawrence, Eudora, Baldwin City, and Lecompton, around the fringe areas of these cities. [p.4-5]</p> <p>Goal 2 recommends the rural character of Douglas County be preserved for agricultural and natural uses in those areas beyond the UGA's of the incorporated cities. Policies to accomplish this include limiting development that can occur beyond the planned growth areas, directing non-farm residential development to the UGA's, and limiting commercial development to that which is required to serve the rural needs. [p.4-6]</p> <p>Goal 3 recommends each incorporated city adopt an annexation policy to address the areas immediately adjacent to their city limits and the standards needed to permit annexation. [p.4-9]</p> <p>Map 3-1 indicates the general Future Land Use Categories acceptable within service area 1 of the Lawrence UGA. Service Areas 2, 3a & 3b and 4 are identified by a cross-hatch pattern. [p.3-3]</p> <p>Map 3-3 indicates the limits of the UGA boundaries, as they have been adopted by the incorporated cities, Eudora, Lecompton, Baldwin City and Lawrence. [p.3-5]</p>	<p>FUTURE LAND USE, the plan presents the overall development pattern recommendations for Lawrence and Douglas County. [pp.3-1 - 3-2]</p> <p>Within each city's UGA, development standards would be established for residential, commercial and industrial land uses. Traffic impacts would be evaluated, premature development would be limited, a utility extension policy for newly annexed area would be adopted and annexation would be encouraged. [pp.4-1 - 4-10]</p>

ITEM NO. 3 COMPREHENSIVE PLAN AMENDMENT (MJL)

CPA-6-3-09: Consider Comprehensive Plan Amendment to Chapter 3 to remove the "Table of Land Use Categories & Locational Criteria." Initiated by the Planning Commission on June 24, 2009 as part of the Annual Review of the Comprehensive Plan.

STAFF PRESENTATION

Ms. Michelle Leininger presented the item.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Harris asked Ms. Leininger what map she was referring to.

Ms. Leininger said Future Land Use Map 3-2 and showed the map on the overhead projector.

Commissioner Harris asked where all of the information in the table that talks about relationship with land uses would go, if the table is taken away.

Ms. Leininger said all the information is in various places within the Comprehensive Plan. She said when looking at the table, the second category regarding the extent relationship of land uses references different page numbers. She stated the problem was that it described things in the different columns but it may not be what is in the current chapter because the tables were not updated with the chapter updates, so there is a conflict if people are referencing the table.

Commissioner Finkeldei said it is obviously out of date and there are two choices; remove it or update it. He asked why the map could not be updated instead of removing it.

Mr. McCullough said there needed to be a table or map to summarize all of the policies of the comprehensive plan. At one point there was no map, only the table and when the map was brought in the table was not remove. Staff has been updating chapters and policies within those chapters through the years and the map is more reflective through sector planning which has been brought into Chapter 14 so the table has not been updated. Staff does not believe it is valid in the plan because the chapters and policies are updated and there are land use maps that accompany those policies.

Commissioner Harris said that some of the paragraphs do not have citations so she wanted to be sure even though it is not in there that the information will not be lost.

Mr. McCullough said the table and future land use map are not meant to be the end all to the policies in the context of the goals and policies. The comprehensive plan works by going to those chapters and reading the goals and policies in their full depth to understand the value of those goals and policies. He stated the map was meant to pull those all together into one place but all of the information needed in the comprehensive plan is in the appropriate chapters.

Ms. Leininger said the table is lacking a lot of information and to be referencing it would not be using the correct information.

Ms. Stogsdill said that when the comprehensive plan was first adopted the referenced page numbers would direct you to the information. She said it was a directive from the city attorney because staff had not prepared a map so a guide was needed to build a map that could say this is where those areas are in the comprehensive plan. She stated that having this kind of information in two places is

inherently risky because if you update one place and not update the other then it can be confusing. She said the table was a placeholder until a map was developed and for whatever reason it was not removed once the map was created.

ACTION TAKEN

Motioned by Commissioner Finkeldei, seconded by Commissioner Hird, to approve the comprehensive plan amendment to Chapter 3 to remove the "Table of Land Use Categories & Locational Criteria" and forwarding the recommendation to the governing bodies, and authorize Planning Commission Chair to sign PC Resolution 9-5-09.

Unanimously approved 9-0, with Student Commissioner Shelton voting in favor.

A RESOLUTION ADOPTING AN AMENDMENT TO HORIZON 2020, THE COMPREHENSIVE PLAN FOR THE CITY OF LAWRENCE AND UNINCORPORATED DOUGLAS COUNTY, KANSAS; REPEALING THE "TABLE OF LAND USE CATEGORIES & LOCATIONAL CRITERIA" IN CHAPTER 3 – GENERAL PLAN OVERVIEW.

WHEREAS, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas, for the purpose of promoting the public health, safety, morals, comfort and general welfare, conserving and protecting property values throughout Lawrence and Douglas County, are authorized by K.S.A. 12-741 *et seq.* to provide for the preparation, adoption, amendment, extension and carrying out of a comprehensive plan; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas have adopted an official comprehensive plan for the coordination of development in accordance with the present and future needs and to conserve the natural resources of the City and County, ensure efficient expenditure of public funds and promote the health, safety, convenience, prosperity and general welfare of the citizens of Lawrence and Douglas County; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission held a public hearing on September 21, 2009, for the proposed amendment to Chapter 3 – General Plan Overview, Horizon 2020, the comprehensive plan, to repeal the "Table of Land Use Categories & Locational Criteria" after notice by publication in the official city and county newspaper.

BE IT RESOLVED BY THE LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION:

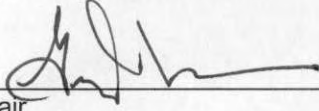
SECTION ONE: The above stated recitals are by reference incorporated herein, and shall be as effective as if repeated verbatim.

SECTION TWO: : Pursuant to K.S.A. 12-747, the Lawrence-Douglas County Metropolitan Planning Commission adopts and recommends for approval the removal of the "Table of Land Use Categories & Locational Criteria" in Chapter 3 – General Plan Overview, as an amendment to Horizon 2020, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County.

SECTION THREE: The amendment to *Horizon 2020*, Chapter 3 – General Plan Overview is attached as Exhibit 1.

SECTION FOUR: This resolution together with a certified copy of the amendment to Horizon 2020, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, and a written summary of the public hearing shall be submitted to the City Commission and the Board of County Commissioners.

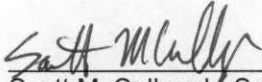
Adopted by the Lawrence-Douglas County Metropolitan Planning Commission on this, the 21st day of September, 2009.



Chair
Lawrence-Douglas County Metropolitan
Planning Commission



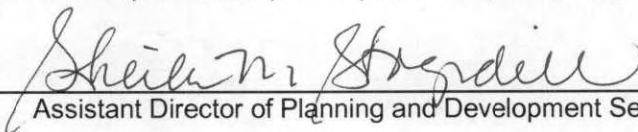
Vice-Chair
Lawrence-Douglas County Metropolitan
Planning Commission



Scott McCullough, Secretary
Lawrence-Douglas County Metropolitan
Planning Commission

General Plan Overview

I hereby certify that this is a true and correct copy of the comprehensive plan or part of the plan; that the Lawrence-Douglas County Metropolitan Planning Commission adopted said comprehensive plan or part of the plan on September 21, 2009.


Assistant Director of Planning and Development Services.

CHAPTER THREE - GENERAL PLAN OVERVIEW

A Comprehensive Plan provides a guide for future land development decisions within the community. It identifies which areas should be utilized for residential, commercial, industrial, open space and public land use activities. The Plan also describes interrelationships between various land use areas, and the types of projects and improvements desirable within each area.

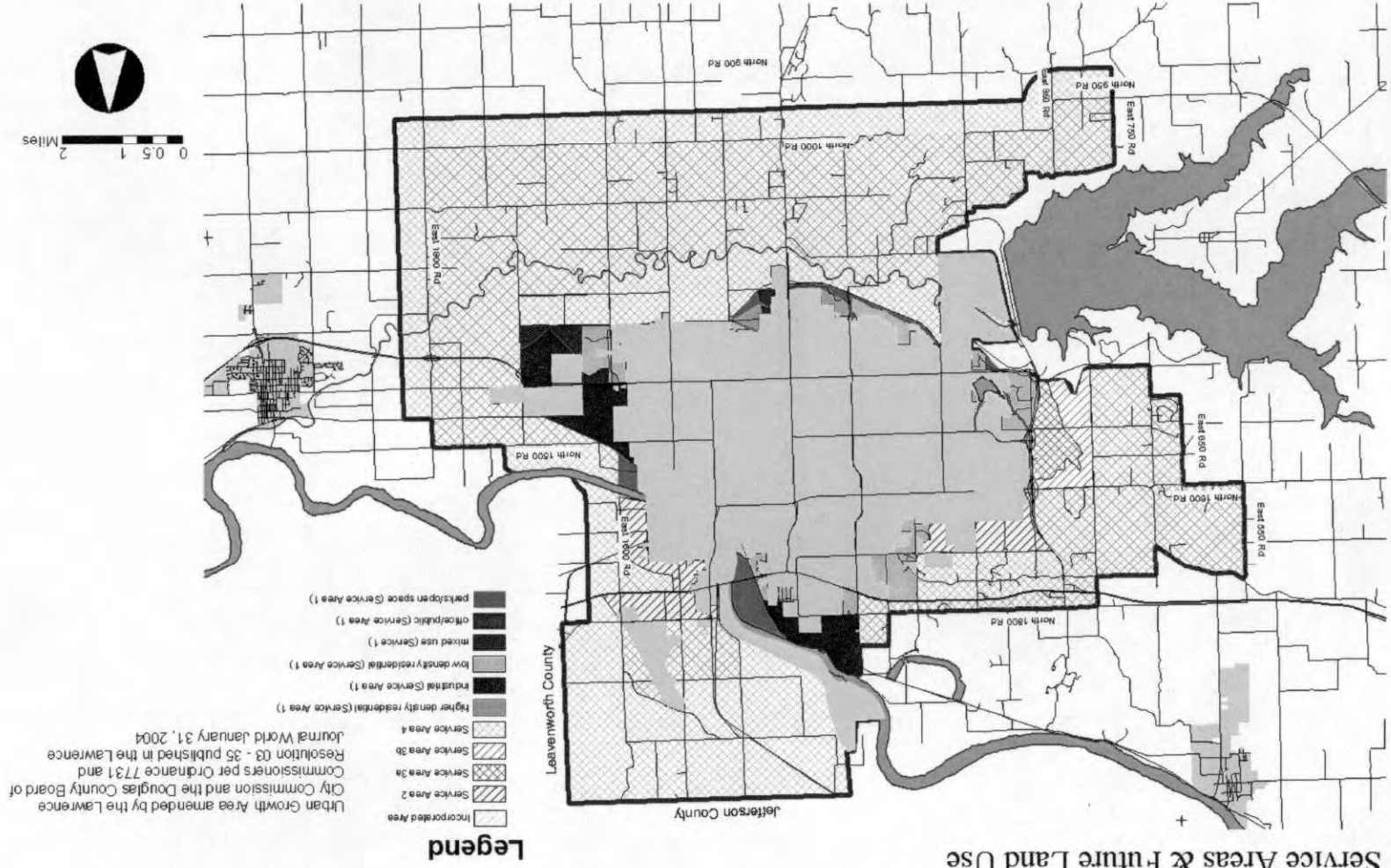
KEY FEATURES OF THE PLAN

Key features of the Plan are listed below. They provide the basic framework for specific land use recommendations found in the plan.

- The Plan supports infill development and redevelopment which provides a range of residential, commercial, office, industrial and public uses within these parcels, consistent and compatible with the established land use pattern in surrounding areas.
- The Plan encompasses goals and policies which are representative of the community's desires for the future. It recognizes the numerous plans and projects that are either underway or pending and anticipates that the Plan will be reviewed when significant land use changes occur within the community.
- The Plan promotes development in the UGA through an adopted annexation policy which anticipates well-planned development of fringe areas.
- The Plan defines the urbanizing areas of the county and directs development to these areas.
- The Plan encourages the development of neighborhoods in a range of densities to provide a sense of community and to complement and preserve natural features in the area.
- The Plan proposes the progression of land uses to help achieve a transition in land use and intensity levels, and to help avoid major or abrupt changes in density and building type.
- The Plan recommends the protection and preservation of the extensive floodplains and riparian ways throughout the planning area. These resources often are a constraint to urban development.
- The Plan encourages the identification, protection and adaptive reuse of the wide diversity of historic buildings, structures, sites and archeological sites that can be found in Lawrence and Douglas County. Considering historic preservation issues in combination with other land use decisions assures the preservation of historic resources but also fosters the image, identity and economic development goals in the Comprehensive Plan.

- The Plan promotes the maintenance of a strong and clear distinction between the urban and rural characters of Lawrence/Douglas County. The Plan defines areas anticipated to receive new urban growth near existing urban areas and establishes parameters for non-farm development in Douglas County.
- The Plan encourages the conservation of sensitive natural and environmental features and discourages development where two or more features exist in combination or would result in costly public improvement projects.
- The Plan defines the limits of the UGA for the planning period. Through adoption of an annexation policy, development can be anticipated to occur in areas most easily served by public facilities and services and future development can be scheduled in concert with planned infrastructure improvements.
- The Plan recommends that the city and county consider utilizing development/performance standards for all major land development projects. Standards would give the community reasonable control over design and development, and provide developers incentives for creative and quality new development.

Map 3 - 1 - Lawrence Urban Growth Area
Service Areas & Future Land Use



Urban Growth Area amended by the Lawrence
City Commission and the Douglas County Board of
Commissioners per Ordinance 7731 and
Resolution 03 - 35 published in the Lawrence
Journal World January 31, 2004

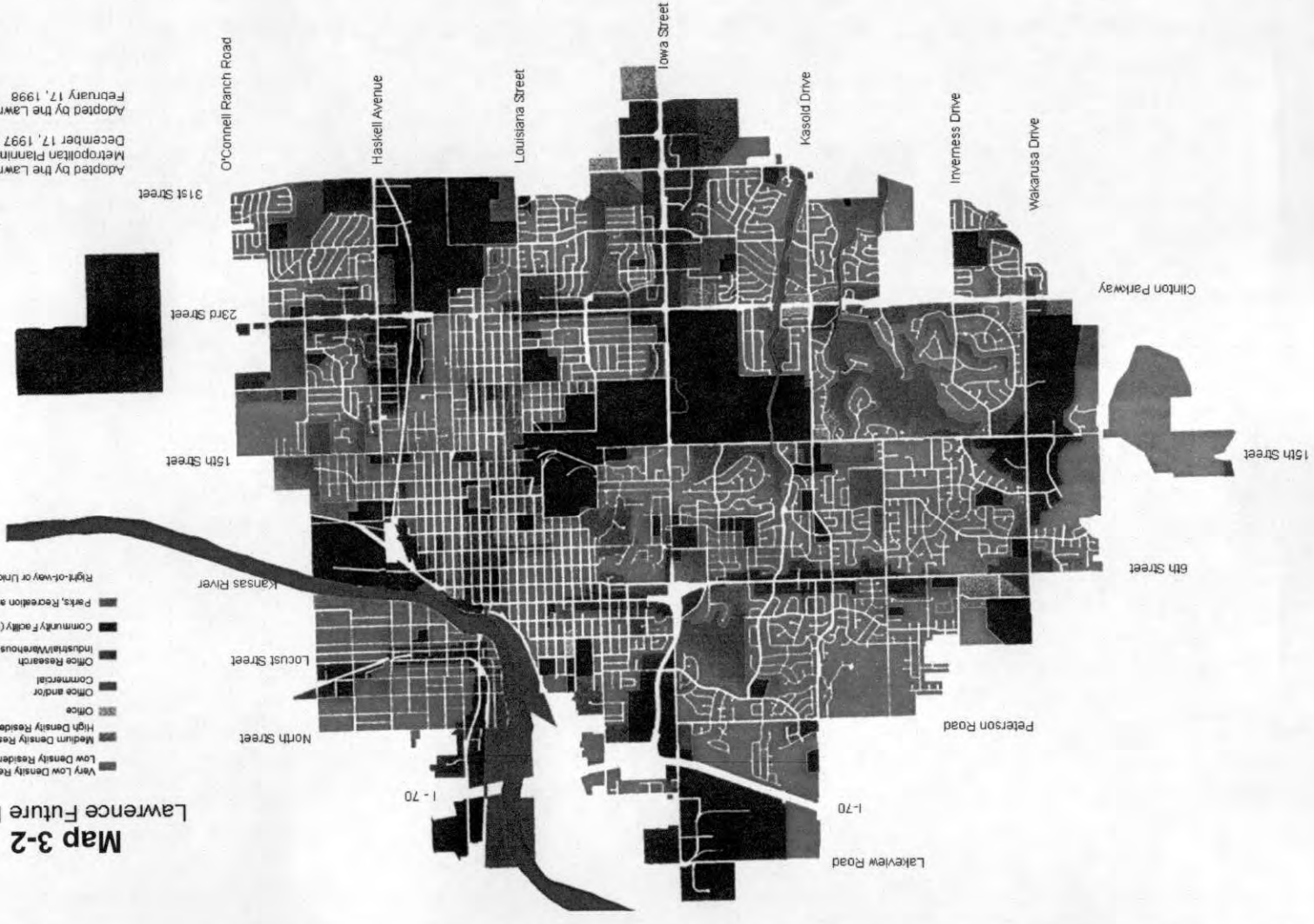
Legend

- Incorporated Area
- ▨ Service Area 2
- ▩ Service Area 3a
- ▧ Service Area 3b
- ▦ Service Area 3c
- ▥ Service Area 4
- Higher density residential (Service Area 1)
- Industrial (Service Area 1)
- Low density residential (Service Area 1)
- Mixed use (Service 1)
- Office/public (Service Area 1)
- Part/open space (Service Area 1)



Map 3-2
Lawrence Future Land Use

- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Office
- Office and/or Commercial
- Office Research
- Industrial/Warehouse/Distribution
- Community Facility (Public/Semi-Public)
- Parks, Recreation and Open Space
- Right-of-way or Unincorporated



Adopted by the Lawrence-Douglas County Metropolitan Planning Commission
December 17, 1997
Adopted by the Lawrence City Commission
February 17, 1998

Note: This map does not depict, nor will it convey zoning. Land use shown is general and only conceptual in nature. Other factors, including development constraints outlined in the text of Horizon 2020, must be consulted for making land use decisions.

Map 3 - 3 - Douglas County Urban Growth Areas

Urban Growth Area for Eudora from Map 10 - Future Land Use shown in the City of Eudora Comprehensive Plan 2003 adopted December 22, 2003

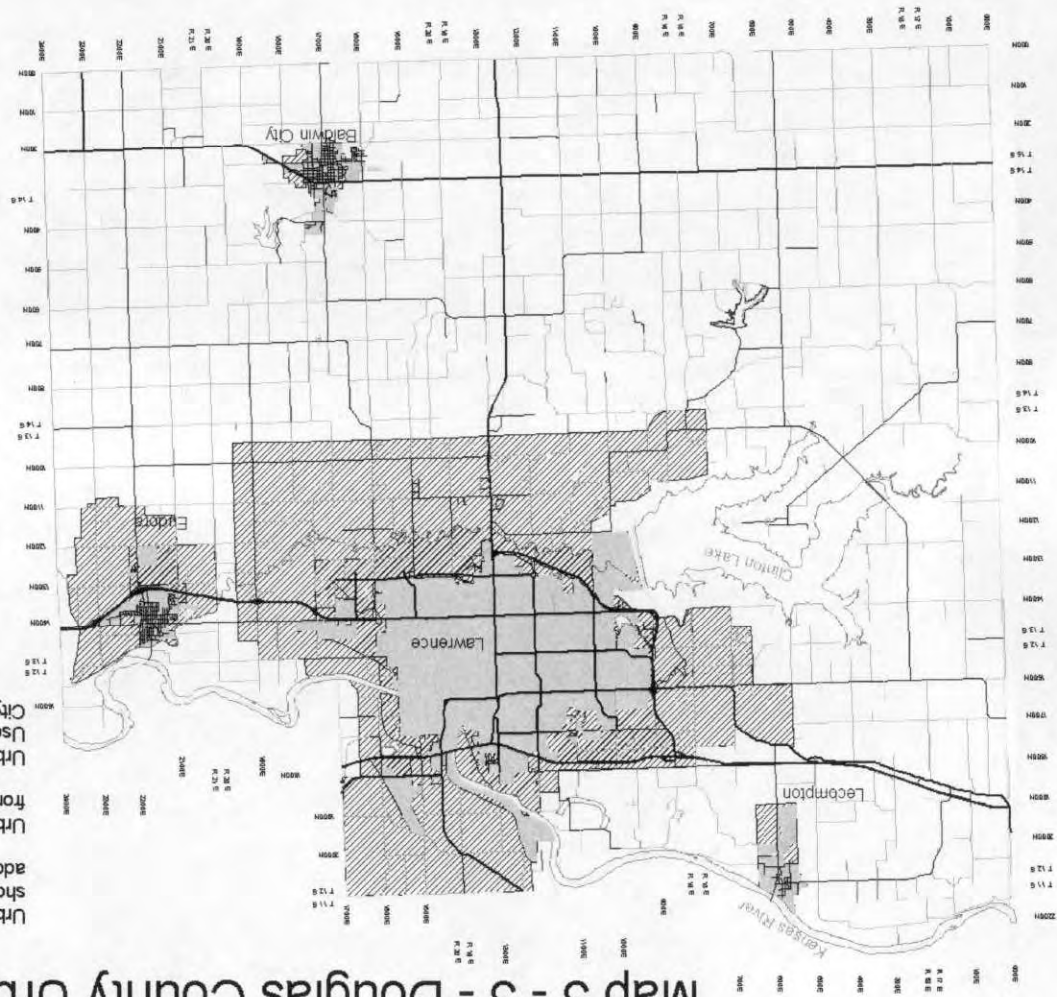
Urban Growth Area for Baldwin City from Comprehensive Plan adopted 1996

Urban Growth Area for Leocompton from Figure 7 - Future Land Use Plan shown in Community Comprehensive Plan for the City of Leocompton adopted February 24, 2003

Legend

- Urban Growth Areas (hatched pattern)
- Incorporated area (solid grey)

Lawrence Urban Growth Area amended by the Lawrence City Commission and Douglas County Board of Commissioners per Ordinance 7731 and Resolution 03-35 published in the Lawrence Journal World January 31, 2004



**Table of Land Use Categories
& Locational Criteria
[per KSA 12-747]**

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

<p align="center">LAND USE CATEGORY</p>	<p align="center">GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]</p>	<p align="center">EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]</p>
<p>AGRICULTURE</p>	<p>Agricultural uses should continue to be the predominant land use within the areas of the county beyond the designated urban growth/service areas (rural area). [p. 5-5]</p> <p>Clustering of residential development is a consideration that is encouraged in the unincorporated portions of the County to preserve the rural character. [p. 5-1, p. 5-5 and p. 5-13]</p>	<p>New residential development in the county should protect & enhance the rural character & quality of the unincorporated portions of Douglas County. [p. 5-1]</p> <p>Residential development should be limited to areas that do not remove productive land from agricultural use. [p. 5-5]</p> <p>New growth is anticipated to include a range of residential development options from cluster developments to traditional subdivision areas. [p. 5-5]</p> <p>The rural area includes all unincorporated areas except those within the designated UGA and the existing non-residential development locations. [p. 5-5]</p> <p>The majority of subdivisions should be directed to the designated UGA and not scattered through the rural growth area. [p. 5-5]</p> <p>A subdivision in a rural area could be supported if contiguous to an existing platted development. Grouping is encouraged to reduce acreages being removed from agricultural uses. [p. 5-5]</p>
<p>RESIDENTIAL: General Information</p> <hr/> <p>VERY-LOW-DENSITY RESIDENTIAL:</p>	<p>Figure 5-1 provides a graphic illustration of general land use relationships, as they should occur using a one-mile square grid as a framework. [p. 5-2]</p> <p>This land use category is recommended in the fringe areas of the city. [p. 5-3]</p>	<p>This planning concept is applicable to general neighborhood areas within the city which are bounded by arterial streets.</p> <hr/> <p>One-acre minimum development sites should be utilized in areas to be annexed which may have natural features that pose development challenges but do not preclude the delivery of urban services. Development of one or fewer dwelling units per acre may occur in various parts of the UGA. [p. 5-2 & 5-6]</p>

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

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<p>LOW-DENSITY RESIDENTIAL:</p>	<p>This is the predominating existing land use within the city. New areas for low density residential land use are generally located in the southern and western portions of Lawrence and within the UGA. [p.5-3]</p> <p>Large scale, new low density single family residential development is recommended to the west of the city. [p.5-3]</p>	<p>Density for this land use is 6 or fewer dwelling units per acre. [p.5-3]</p> <p>Compatible densities and housing types are encouraged in residential neighborhoods through the provision of transitional zones (areas) between low density residential and more intensive residential land use categories; and, between higher density residential and non-residential uses. [p.5-1]</p> <p>In general, the area west of the SLT should not be developed until comparable areas east of the Trafficway are largely developed. [p.5-3]</p> <p>Areas planned for residential development east of the SLT [generally between Wakarusa Drive and the SLT] should be substantially complete (developed) prior to development of additional residential areas west of the Trafficway. [p.5-3]</p> <p>The SLT should be completed prior to development to the west to ensure the proper functioning of the planned street network. [Staging development to coincide with the provision of municipal services is discussed in detail in the, Growth Management section.] [p.5-3]</p> <p>New in-fill, single family development should be of a scale and character similar to & compatible with existing homes in the immediate area. [p.5-3]</p>

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MEDIUM-DENSITY RESIDENTIAL:	<p>This land use category is recommended for development along major roadways — near high intensity activity areas; and when adjacent to natural amenities, in the form of cluster development. [p.5-3—5-4]</p> <p>Most of the recommended sites occupy transitional locations between single family neighborhoods and office/commercial areas; or near large open space or natural areas. [p.5-3—5-4]</p>	<p>Density for this land use is 7-15 dwelling units per acre. [p. 5-3—5-4]</p> <p>This land use category is intended to promote a mix of housing types within a planned development area. Mix of housing types should include: single family detached and attached; cluster homes, townhomes and similar types. [p.5-3—5-4]</p> <p>Medium-Density residential is a likely choice of land use for cluster developments. [p.5-3—5-4]</p> <p>Extreme concentrations of the same housing type or development patterns should be avoided. [p.5-3—5-4]</p>
HIGH-DENSITY RESIDENTIAL:	<p>This land use category is recommended for location near high intensity activity areas and near existing high density residential developments. Primary site locations for new high density residential land uses would be along the SLT and the (proposed) Eastern Parkway. [p.5-4]</p>	<p>Density for this land use is 16-21 dwelling units per acre. [p.5-8]</p> <p>Large concentrations of high density housing are not compatible with the overall character and pattern of city's development and should not be permitted. [p.5-4]</p> <p>Careful control exerted over this high density residential use is needed to ensure compatibility with surrounding land uses, provision of adequate screening & buffering, and an attractive appearance near roadways. [p.5-4]</p>

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<p>AREA-SPECIFIC LAND-USE RECOMMENDATIONS:</p>	<p>NORTH LAWRENCE—This area of the city has developed in two distinct residential land use patterns east of N. 2nd Street; these differentiate along N. 7th Street. Residential in-fill of vacant lots is recommended for the lots and parcels west of N. 7th Street. Larger vacant sites east of N. 8th Street should be maintained for larger lot single family detached development. [p.5-7]</p> <p>RIVERRIDGE AREA—This area is adjacent to the city limits and has two unincorporated residential subdivisions [Miller & Wells Acres] developed along its northern border along Riverridge Road. The unincorporated, residentially developed areas are recognized as needing to have city utilities extended and areas incorporated into city when extension of utilities can/does occur. The Plan identifies the need to provide city utility services to the unincorporated areas & to improve streets serving the residential areas to enable continued & orderly development in this neighborhood. [p.5-7]</p> <p>Alternative Residential Land Use Areas:</p> <p><u>South of Wakarusa River</u> : The area south of the Wakarusa River, which is within Service Area 4, is bounded by the: Wakarusa River on the north, Douglas N 1000 Rd. on the south, E 1600 Rd, and E 750 Road. This area is approximately 3,800 acres in size. It is intended this area be considered part of the Douglas County rural area unless conditions for urban development described in Growth Management are met. [p.5-7]</p> <p><u>Northwest Lawrence Area:</u> This area is generally described as being north of US 40/W. 6th Street and west of E 1100 Rd. It includes approximately 900 acres. Urban growth in this area (in Service Areas 2 & 4) should be phased in accordance with the ability to provide sanitary sewer service to the area. Very low density residential land use development is appropriate in this area at a density of one or fewer dwellings per acre until sanitary sewer service is available. Until this area is endorsed for urban development (through a commitment to extend municipal utilities & services to the area), residential lots shall be a minimum of five acres in this area, and non-residential development will not be permitted. [p.5-8]</p> <p><u>Unincorporated Douglas County natural & environmentally sensitive areas:</u> Development is not precluded nor is it encouraged within natural areas or environmentally sensitive areas due to severe slopes, the presence of floodplain, lakes, streams, ponds, forestation, or natural/wildlife habitat. [p.5-8]</p> <p>If residential development occurs in this area, it is more suitable in large lot or appropriately designed cluster development patterns rather than in the traditional subdivision pattern. [p.5-9]</p>	

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
<p>COMMERCIAL: All Commercial Categories—</p>	<p>Development of new commercial areas should not occur in advance of market conditions which would support such development nor should it be permitted to physically leap-frog out of contiguous urbanized areas of the city. [p.6-19]</p> <p>GENERAL LOCATIONAL CRITERIA for Commercial Development:</p> <p>Commercial nodes — Should occur at arterial and collector street intersections and should be designed so no direct vehicular access is provided between them and abutting residential areas.</p> <p>Strip Commercial — This land use pattern is discouraged by directing the formation or expansion of existing areas to occur in a more clustered pattern.</p> <p>Assembling of land — The land assembly of small tracts into larger tracts is promoted so that more cohesive parcels and well-planned, orderly developments occur.</p> <p>Vehicular access — Principal vehicular access is from arterial, collector or frontage (access) roads adjacent to the site.</p> <p>Site Layout — Development of commercial sites should be located to avoid substantial disruption of natural drainage and vegetation.</p> <p>Compatibility with Adjacent Land Uses — The location of commercial nodes is encouraged where they can efficiently utilize local resources</p>	<p>New commercial development is required to occur in nodes to avoid continuous lineal commercial development along the city's street corridors and Douglas County roads. [p.6-18]</p> <p>Downtown Lawrence is designated as the Regional Retail/Commercial/Office/Cultural Center. [p.6-3]</p> <p>In-fill development and redevelopment of existing commercial areas is encouraged with an emphasis on downtown Lawrence and the existing commercial gateways. [p.6-1]</p> <p>The focus in the unincorporated portions of Douglas County is to build on the key existing commercial areas that provide day-to-day goods and services to the rural community. [p.6-19—6-20]</p> <p>New commercial and office development should be clustered in small groupings or nodes with shared parking areas, common access drives & related design & appearance. Development should be oriented to the primary street intersections, avoiding a strip pattern created by extension of the area from where nodes originate (at street intersections) along the street corridors. [p.6-24—6-25]</p>

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LAND-USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
	and where adverse impacts on adjacent uses are minimized. [p.6-27]	

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<p>COMMERCIAL: All Commercial Categories—</p>		<p>Visual or physical buffering may serve as boundaries between different intensities of land uses. Back to back use relationships are preferred between different land uses. [p.6-24—6-25]</p> <p>High density residential is considered a transitional land use between commercial and surrounding low density residential neighborhoods. [p.6-25]</p> <p>Low intensity office, research and semi-public developments are considered transitional uses between commercial and low density residential neighborhoods. [p.6-25]</p> <p>Provide medium to low intensity recreational facilities such as neighborhood parks, bike/hike trails, and natural areas as transitional land uses. [p.6-26]</p>

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LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
NEIGHBORHOOD COMMERCIAL CENTERS DEVELOPMENT:	<p>This category of land use is appropriately located on one corner of the intersection of arterials streets or arterial and collector streets. [p.6-28]</p> <p><i>Map 8-1, the Street Classification and Function Map, identifies the designated arterial and collector streets within Lawrence. [p.8-5]</i></p> <p>The Plan anticipates new neighborhood commercial developments (based upon undeveloped existing commercially zoned property) will occur at: [p.6-30]</p> <ol style="list-style-type: none"> 1. E. 23rd Street and O'Connell Road 2. Franklin Road (extended) and N 1300 Rd 3. E 1500 Rd and N 1100 Rd 4. E 1000 Rd and N 1000 Rd 5. E 1000 Rd and N 1200 Rd 6. Clinton Parkway and K 10 7. W. 15th Street and K 10 8. E 800 Rd and at the potential east/west arterial two miles north of US 40 9. E 700 Rd and US 40 10. E 800 Rd and N 1750 Rd 11. E 1000 Rd and N 1750 Rd 12. E 1500 Rd and US 24/40 	<p>Limit gross square footage to 100,000 except for centers with a grocery store—those centers may have up to 125,000 gross square feet. [p.6-28]</p> <p>Limit neighborhood commercial center development to one corner per intersection of arterial and collector streets. [p.6-28]</p> <p>Locate office, public & semi-public, parks and recreation, or medium & high density residential developments on the remaining corners of the intersection. [p.6-28]</p>

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LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
COMMUNITY COMMERCIAL CENTER (CC-200) DEVELOPMENT:	<p>This land use category is appropriately located at the designated intersections of arterial streets. [p.6-30]</p> <p>Map 8-1 graphically illustrates the street classifications and functions within Lawrence. [p.8-5]</p>	<p>Limit site size to 200,000 gross square feet. [p.6-30]</p> <p>Limit development to designated intersections of arterial & collector streets [p.6-30]</p> <p>This land use should not extend deeper into neighborhoods</p>

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LAND USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
		than adjacent, non-residential development. [p.6-30]
COMMUNITY COMMERCIAL CENTER (CC-400) DEVELOPMENT:	<p>This land use category is appropriately located at the designated intersections of four-lane arterials and state or federally designated highway. [p.6-31]</p> <p>The Plan anticipates the possibility of new CC400 Centers at the following intersections: [p.6-19]</p> <ol style="list-style-type: none"> 1. Eastern leg of the SLT and K-10 (southeast of the intersection of E-1750 Rd and K-10) 2. W. 6th Street and K-10 3. US-59 and N-1000 Rd <p>Map 8-1 graphically illustrates the street classifications and functions within Lawrence. [p.8-5]</p>	<p>Limit site size to 400,000 gross square feet. [p.6-31]</p> <p>Limit development to designated intersections of a four-lane arterial and a state or federally designated highway. [p.6-31]</p> <p>Utilize remaining corners of the intersection for office, employee-related uses, public & semi-public uses, parks and recreation, or high-density residential. [p.6-32]</p>

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REGIONAL COMMERCIAL NODAL DEVELOPMENT:	<p>This land use is appropriately located at the intersection of two principal arterial streets or at the intersection of a principal arterial and a state or federally designated highway. [p.6-13]</p> <p>Downtown Lawrence is designated as the Regional Retail/Commercial/Office/Cultural Center. [p.6-3]</p> <p>The need for development of a Regional Commercial Center in the community is not anticipated within this planning period. [p.6-19]</p>	<p>Limit site size to 1.5 million gross square feet. [p.92 and 108]</p> <hr/> <p>The Regional Retail/Commercial/Office/Cultural Center is an intensely developed, large-scale, mixed use location that also serves as an activity center for community social functions. [p.6-3]</p>
EXISTING COMMERCIAL AREAS IN LAWRENCE:	<p>Downtown Lawrence: Boundaries given are the Kansas River, East Lawrence, South Park, the Oread Neighborhood and Old West Lawrence Neighborhood. [p.6-3]</p> <hr/> <p>North 2nd Street Corridor: Extends from the Kansas River to I-70/Kansas Turnpike. [p.6-13]</p>	<p><u>Downtown Lawrence:</u> 9th Street is a gateway to downtown but should not be developed to the same commercial intensity as the downtown. [p.6-13]</p> <hr/> <p><u>North 2nd Street Corridor:</u> The existing industrial uses should be relocated outside of the corridor and sites redeveloped with compatible commercial, service and retail uses. [p.6-12]</p> <p>This is a gateway to the city and to the downtown. [p.6-12]</p>

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<p>EXISTING COMMERCIAL AREAS IN LAWRENCE</p>	<p>IOWA STREET CORRIDOR: [p.6-13]</p> <p><u>Northern end</u>—This is a mixed-use corridor with concentrations of commercial development in the northern portion near the intersection with 9th Street. The Hillcrest Shopping Center at 9th & Iowa is an existing neighborhood commercial center. Future development and redevelopment should occur within the existing commercially zoned areas.</p>	<p><u>Northern end</u>—In the northern area of this corridor, most of the parcels are already developed. An emphasis is placed on coordination of access control and transition yard improvements with adjacent residential areas. [p.6-13]</p>
	<p><u>Southern end</u>—This portion of the corridor extends from the University of Kansas property at 23rd Street south to the SLT. [p.6-13]</p>	<p><u>Southern end</u>—This portion functions as a large community commercial center between 23rd Street and 31st Street. 31st & S. Iowa has recently developed into a regional commercial center.</p> <p>Emphasis is given to maintaining the commercial node at 31st & S. Iowa. Extending the commercial corridor for additional retail uses should not be considered. Office and office/research uses would be appropriate along this arterial corridor. [p6-13]</p>

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<p>EXISTING COMMERCIAL AREAS IN LAWRENCE</p>	<p><u>23rd Street Corridor:</u> This corridor extends from S. Iowa to Tennessee Street, redevelopment and in-fill sites are available along the entire corridor. [p.6-13-6-14]</p>	<p><u>23rd Street Corridor</u>— Redevelopment and in-fill are emphasized along the older commercial segment of 23rd, east of the AT&SF Railroad tracks. — This corridor should maintain a community commercial focus. — Between Haskell and Harper, redevelopment should occur to geographically balance commercial development that occurs in other parts of the community. This area should become more retail and office oriented. — Future development and redevelopment should include parcel consolidation and re-subdivision to establish viable commercial development sites. [p.6-13-6-14]</p>
	<p><u>6th Street Corridor:</u> This corridor extends from Alabama Street on the east to K-10 on the west. [p.6-14-6-15]</p>	<p><u>6th Street Corridor</u>— Between Alabama Street to K-10. Terminate the linear strip development of this corridor at Monterey Way. — Redevelopment opportunities may occur for older commercially zoned properties east of Monterey Way, should pursue internal & coordinated (cross) access. — West of Monterey Way, distinct commercial nodes are anticipated only at W. 6th & Wakarusa Drive and at W. 6th & K-10. [p.6-14-6-15]</p>
	<p><u>W. 15th Street & Kasold Drive:</u> There is a neighborhood commercial development at the northeast corner of 15th Street and Kasold Drive. [p.6-16]</p>	<p><u>W. 15th Street & Kasold Drive</u>— It is unlikely this commercial area will expand in the future. It should continue to serve the immediate area as a neighborhood center. [p.6-16]</p>
	<p><u>S. Massachusetts Street Area:</u> Several neighborhood commercial areas exist along this corridor. A commercial area is located at the 14th Street intersection. [p.6-15]</p> <p>— A neighborhood commercial node is located near 19th Street, primarily to the north of the intersection with 19th</p>	<p><u>S. Massachusetts Street Area</u>— The scale and character are compatible with surrounding land uses. The Plan emphasizes preservation and re-use of existing development. [6-15]</p> <p>— Redevelopment of the area near the 19th Street intersection can improve visual image by additional</p>

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	Street: [p.6-15]	landscaping and shared accessways. [p.6-15]

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EXISTING COMMERICAL AREAS IN LAWRENCE	<u>19th Street and Haskell Avenue Commercial Area:</u> The southeast corner of this intersection is an older neighborhood commercial center. Future redevelopment of this center could enhance the visual character of the area. [p.6-15]	<u>19th Street and Haskell Avenue Commercial Area</u> — Future redevelopment of the center should be designed to enhance the visual character of area. [p.6-15]
	<u>Clinton Parkway at Kasold Drive:</u> This area has developed as a neighborhood commercial node with retail uses on the northwest corner and office uses on the other three corners. [p.6-15]	<u>Clinton Parkway at Kasold Drive</u> — The area is surrounded by urban development and floodplain areas. Expansion beyond the planned uses is unlikely. [p.6-15]

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<p>EXISTING AND PROPOSED COMMERCIAL DEVELOPMENT IN UNINCORPORATED AREAS OF COUNTY:</p>	<p>The only new commercial area shall be located at either the intersection of either US 56 and K 33 or US 56 and County Route 1061. [p.6-34]</p> <p>Existing commercial areas that are located at the intersection of a hard surfaced County Route and a state or federally designated highway should be allowed to expand if the necessary infrastructure (water, road, approved wastewater treatment facility, etc.) is available. [p.6-34]</p>	<p>Douglas County's focus in the unincorporated areas is to build on the key existing commercial areas that provide day-to-day goods and services to the rural community. [p.6-19]</p> <p>Existing commercial areas provide neighborhood level retail goods & services to both farm and non-farm residents. [p.6-19]</p> <p>The Plan recommends these existing locations develop as small convenience service nodes providing products to meet day-to-day requirements of rural residents. [p.6-19]</p> <p>Any new or expanded development should utilize treatment systems which minimize potential environmental impacts. [p.6-19]</p> <p>Design of development should be consistent with rural character of the county. [p.6-20]</p>

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<p>INDUSTRIAL & EMPLOYMENT-RELATED USES [Office, Office-Research, Warehouse/Distribution]:</p>	<p>The Plan's strategy is to make available a number of locations in an adequate amount of land to meet diverse development needs. [p.7-1]</p> <p>Maintain existing industrial/employment related uses. New development is encouraged to occur in existing industrial/employment related areas. [p.7-7]</p> <p>Concentrate industrial development together as a land use. Encourage redevelopment and limit expansion of existing industrial/employment related areas. [p.7-7]</p> <p>Less compatible uses or higher intensity uses should be located in the interior of the development site or adjacent to arterial streets rather than in close proximity to residential neighborhoods. [p.7-9]</p> <p>Ensure new development within the UGA occurs where adequate services and facilities can be provided. [p.7-11]</p> <p>Industrial development is encouraged to locate on sites having a minimal slope to avoid substantial disruption of natural drainage and vegetation. [p.7-11]</p> <p>Light industrial developments should be located along arterial streets. Unified light industrial corridors are encouraged through infill development of existing industrial areas. [p.7-11]</p> <p>Large scale industrial & employment related centers should locate in planned parks to help ensure coordination or circulation systems, configuration, site layout, and environmental amenities. [p.7-13]</p> <p>UNINCORPORATED AREAS OF THE COUNTY: Encourage the development of planned industrial, office research, and warehouse distribution facilities within the UGA's of unincorporated Douglas County. [p.7-11]</p>	<p>The four types of industrial and employment related uses described in the Plan are:</p> <p><u>Office</u>—a commercial area in which office and service uses predominate.</p> <p><u>Office-Research</u>—an area characterized primarily by businesses involved in technology, research, and scientific related activities, although it may also include traditional business park uses, such as manufacturing.</p> <p><u>Warehouse and Distribution</u>—an area generally intended for the warehousing and distribution of wholesale goods and supplies.</p> <p><u>Industrial</u>—an area which includes manufacturing, assembly, processing and similar operations. New and redeveloped industrial areas are encouraged to be compatible with existing development. [p.7-7, policy 1.3]</p> <p>Appropriate transition methods between Future Land Use Categories is encouraged. Building relationships should be back-to-back between industrial and residential land uses. Perimeter setbacks for parking and buildings should be greater where sites are abutting residential uses. Height & massing of industrial buildings and accessory buildings should be oriented away from residential neighborhoods. [p.7-12-7-13]</p> <p>Less compatible uses or higher intensity uses should be located in the interior of the development site or adjacent to arterial streets rather than in close proximity to residential neighborhoods. [p.7-13]</p> <p>Low intensity commercial or office development should be used as a transition between industrial development and low density residential neighborhoods. [p.7-13]</p> <p>Encourage integration of high density residential development through compatible design with industrial developments and surrounding low density residential neighborhoods. [p.7-10]</p> <p>Use medium or high intensity recreational facilities as a</p>

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<p>LAND-USE CATEGORY</p>	<p>GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]</p>	<p>EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]</p>
		<p>transitional use to less intense uses.[p.7-10] The assembly of small tracts to form larger, more cohesive parcels is recommended. [p.7-7]</p>
<p>INDUSTRIAL & EMPLOYMENT-RELATED USES [Office, Office Research, Warehouse/Distribution]</p>	<p>Existing industrial and employment-related areas within Lawrence: The smaller industrial locations are scattered throughout the city. The larger areas are concentrated in: –Santa Fe Industrial area –Oread West Research Park –East Hills Business Park –Santa Fe Railroad Corridor [in east & southeast Lawrence] –the Union Pacific Railroad Corridor (in north Lawrence) [p. 7-2 – 7-3]</p> <p>Santa Fe Industrial area: This industrial area is located north of I-70 (the Kansas Turnpike) [p.7-2]</p> <p>The Oread West Research Park: This industrial/office/office research area is located at the intersection of Wakarusa Drive and W. 15th Street. [p.7-2]</p> <p>The East Hills Business Park: This industrial area is located on the north side of K-10, at the planned interchange with the SLT, K-10, and the Eastern Parkway. [p.7-3]</p> <p>Santa Fe Railroad Corridor: This corridor is split by E. 23rd. Portions extend to both the north and south of E. 23rd Street. The north portion lies between E. 15th St. and E. 23rd Street. It is undergoing development and redevelopment, and has</p>	<p>Access to individual building sites within business parks should be from an interior circulation system. [p.7-14]</p> <p><u>Santa Fe Industrial area</u>—This area is a large warehouse & distribution location. As additional industrial/employment-related uses develop, impacts on nearby residential uses along Riverridge Road need to be considered. Land use transition areas may need to be established. [p.7-2]</p> <p><u>The Oread West Research Park</u>—Development in this area should be in the form of an industrial cluster. [p.7-2]</p> <p><u>The East Hills Business Park</u>—This area serves as a community gateway to Lawrence and Douglas County. Future development plans needs careful examination to ensure they reflect the image and quality the community seeks in new development. [p.7-3]</p> <p><u>North Portion of Santa Fe Railroad Corridor</u>—The Plan seeks to minimize traffic conflicts with surrounding residential areas. [p.7-3]</p> <p><u>South Portion of Santa Fe Railroad Corridor</u>—New development and redevelopment should emphasize quality improvements to enhance image and service future private investments in the area. [p.7-3]</p>

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	smaller land parcels than in East Hills & Oread West Research Parks. The area south of E. 23rd Street extends to 31st Street. [p.7-3]	

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<p>INDUSTRIAL & EMPLOYMENT-RELATED USES [Office, Office-Research, Warehouse/Distribution]:</p>	<p>Union Pacific Railroad Corridor: This is located in north Lawrence along the Union Pacific Railroad tracks. [p.7-3]</p> <hr/> <p>Office Land Use: Three areas are identified as suitable for new office development—one site is at the intersection of K-10 and the SLT, east of Lawrence. Another site appropriate for office or office/research uses is at the intersection of the SLT and S. Iowa Street. A third site identified as suitable for a large planned office development is at the intersection of Clinton Parkway and Wakarusa Drive. [p.7-4]</p> <p>Office Research/Planned Industrial Land Uses: These types of land uses are recommended: —south of 23rd street and east of E-1600 Road; —north of 23rd Street, along E. 15th Street and extending to an area west of the planned interchange with the Eastern Parkway; —at the intersection of US-24/40 and N. 3rd Street in North Lawrence. [p.7-4]</p>	<p><u>Union Pacific Railroad Corridor</u>—Historically, this is an industrial corridor interspersed with residential development or vacant lots. New development and redevelopment in the area should establish standard size development parcels and upgrade and improve the appearance and image of the area. [p.7-3]</p> <p>Locust, Maple, and Lincoln, west of N. 7th Street, should continue to serve as industrial collector streets. Non-residential traffic is discouraged in other parts of the neighborhood. [p.7-3]</p> <hr/> <p><u>Intersection of Clinton Parkway and Wakarusa Drive</u>—Desirable at this location is a mix of uses which may include medium to high density residential uses in a planned arrangement. [p.7-4]</p> <p><u>Office Research/Planned Industrial Land Uses</u>—These types of uses are appropriate at gateways to the community. [p.7-5]</p> <p>Employment-related land uses: <u>University of Kansas</u>—The main and west campuses are major employment sites. [p.7-2]</p> <p><u>Downtown Lawrence</u>—The area encompasses a significant number of non-retail employees and a substantial number of office and service employees. Development of major new office employment areas need to be evaluated based upon the potential effect on downtown Lawrence and the vitality to the mix of uses in this area. [p.7-2]</p> <p><u>Industrial and Employment-related in the unincorporated areas</u>—The Plan recommends limiting industrial uses in this</p>

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		area with the exception of industrial areas adjacent to north Lawrence. All other industrial areas are within the Lawrence UGA. — [p.7-5]

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<p>PARKS, RECREATION & OPEN SPACE:</p>	<p><u>Within Lawrence</u> — Parks and Open Space Recreation areas maintained by the city account for over 1,400 acres. The city has a Comprehensive Parks plan which delineates the city's recreation needs. [p.9-1]</p> <p>NEIGHBORHOOD PARKS are intended to serve approximately 1,500—2,000 households. [p.9-2]</p> <p>COMMUNITY PARKS are larger in scale and in the facilities they provide and are intended to serve 5,000 households. [p.9-2]</p> <p>The ultimate size, number and location of future park sites will vary depending upon the type and intensity of development nearby, the presence of existing facilities and the recreational needs identified for the area in the Comprehensive Plan for Parks & Recreation. [p.9-1]</p> <p>Site suitability, utilities, access & service, and placement within the service areas are criteria discussed in the plan. [p.9-3]</p> <p>Compatible open space uses are recommended for areas subject to extensive flooding. [p.9-3]</p> <p>Locations of existing parks are found on a map in the Background Studies. [Part of Background Studies]</p> <p><u>Within the unincorporated portions of Douglas County</u> — Regional recreation areas are identified as: Clinton Lake Recreation Area, Douglas County State Lake, Lone Star Lake, Black Jack/Prairie Park, Broken Arrow Park, and Wells Overlook area. [p.9-2]</p> <p>Other recommended locations for recreational facilities in the county are adjacent to school sites and other Douglas County and townsite locations. [p.9-3]</p>	<p>The four goals for parks, recreation and open space land uses are:</p> <p>Goal 1 is to provide a balance between natural and man-made environments to conserve and protect natural features while allowing new development to occur. [p.9-5]</p> <p>Goal 2 is to protect and expand the system of park, recreation and open space through protection of existing park lands, identification of future park, recreation and open space sites, encouragement of developer participation in park land acquisition, the use of public/private partnerships, preservation of mature trees, continuation of city planting programs, avoiding duplication of services/facilities and development of regional park, recreation and open space facilities. [p.9-7]</p> <p>Goal 3 provides criteria for the location of parks and open space sites. [p.9-8]</p> <p>Goal 4 provides guidelines for a compatible transition of parks, recreation and open space land uses to residential land uses. [p.9-9]</p> <p>Natural areas within Douglas County identified for protection or acquisition due to unique environmental and natural contributions are listed in the Community Facilities Element. [p.9-6]</p> <p>Methods for lands acquisition are discussed in the plan. [p.9-3-9-4]</p> <p>Priority natural areas that should be protected or acquired due to unique environmental and natural contributions are: 1) The natural corridors along the Kansas River, the Wakarusa River and the corridor that extends between Douglas County State Lake, Lone Star Lake and Clinton Reservoir [p.9-2]; and</p>

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		2) The clusters of undisturbed tallgrass prairie in the northwest and southeast portions of Douglas County. [p.9-2]

GENERAL LOCATIONAL & RELATIONAL INFORMATION PER LAND USE AS REQUIRED BY KSA 12-747

<p align="center">LAND USE CATEGORY</p>	<p align="center">GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]</p>	<p align="center">EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]</p>
<p>PUBLIC BUILDINGS & OTHER COMMUNITY FACILITIES (County): [pp.10-8-10-9]</p>	<p>Specific land use recommendations within the unincorporated portions of Douglas County are made for:</p> <p><u>Fire Protection</u>—The optimum service radius for fire stations in rural areas is four (4) miles. Marion Township plans a new fire station on the south side of Lone Star Lake. The Wakarusa Township fire station may require relocation and a site study upon completion of the eastern leg of the SLT.</p> <p><u>Sheriff Department</u>—Additional facilities are not foreseen since the County has recently completed a Juvenile Detention Center in North Lawrence near the east Lawrence KTA exit. The county has also completed site selection for a new County Jail on the far southeast side of Lawrence, south of K-10.</p> <p><u>Public Works Department</u>—Administrative facilities need to be expanded. A new salt storage site is planned along Route 6, west of Clinton Lake.</p> <p><u>County Courthouse/Administrative Offices</u>—Retaining government offices in downtown Lawrence is important to the vitality of the downtown as a mixed-use activity center.</p> <p><u>OTHER COUNTY FACILITIES</u>—Douglas County Ambulance Service is anticipated to need additional sites to serve the county population.</p> <p>Facilities scheduled for expansion and improvements which do not require additional land acquisition include: the Fairgrounds; the County Public Health department; the County Senior Services; and Township Maintenance facilities.</p>	<p>The plan recommends townships work with the joint city/county planning commission to require large rural subdivisions to provide on-site detention, which could serve as a resource for fire suppression purposes.</p> <p>Based on current rural fire station locations, portions of the county are not adequately served. The Plan recommends the townships collaborate on future fire service locations to reduce this problem and ensure improved response times. Access to public water supplies is another problem faced by rural fire departments.</p> <p>Clinton Lake Historical Society Museum is located south of Clinton Lake in the unincorporated community of Clinton.</p> <p>Historical sites and markers are located across the county.</p>

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	Library services are provided by Baldwin City, Eudora, and Lawrence to residents of Douglas County. No new library facility is recommended to specifically provide service to the unincorporated area of the county.	

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<p>PUBLIC BUILDINGS & OTHER COMMUNITY FACILITIES (City):</p>	<p>SPECIFIC LAND USE RECOMMENDATIONS WITHIN Lawrence are: [pp 10-5—10-7]</p> <p><u>Lawrence City Hall</u>—to maintain centralized administrative facilities. City Hall will need expansion in the next 10-15 years. Maintaining municipal offices downtown is vital to maintaining Downtown Lawrence as a mixed-use activity center.</p> <p><u>Lawrence Public Library</u>—The existing library contains 46,000 square feet and is located in the 700 block of Vermont Street. [p. 10-7 and Background Studies] Satellite locations throughout the community are recommended, perhaps in conjunction with new school facilities.</p> <p><u>Art Center & Museums</u>—The Plan identifies the Lawrence Arts Center, The Watkins Community Museum, and three museums on the University of Kansas campus: the Museum of Natural History, the Museum of Anthropology, and the Spencer Art Museum. New or expanded sites are not anticipated for any of these public buildings.</p> <p><u>Health Services</u>—The city and county's efforts to provide new facilities for these public agencies is recognized in the Plan. The need for additional facilities is anticipated to be based on health and medical demands as the community continues to grow.</p> <p>It is difficult to project the need for semi-public land uses because they fall under several jurisdictions. All entities are encouraged to work with the city and/or county in identifying sites for future facilities. [p.10-15]</p>	<p>Strategies for location, site development and needs assessment for the location of public buildings and facilities are provided in part under Municipal Buildings and Facilities</p> <p>Three goals provide direction in the plan for community facilities:</p> <p>Goal 1 provides guidelines for the efficient provision of these services and facilities. [p.10-15]</p> <p>Goal 2 provides the criteria for locating community facilities in a manner ensuring they are compatibly designed and operated with neighboring uses. [p.10-16]</p> <p>Goal 3 addresses the transportation considerations that are a major element in choosing the location of a large scale community facility, such as the provision of access and circulation to meet facility and neighborhood needs. [p.10-17]</p>

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LAND-USE CATEGORY	GENERAL LOCATION [Identification of general locations of land use categories information within HORIZON 2020]	EXTENT & RELATIONSHIP OF LAND USES [Identification of information regarding relationship of land uses in HORIZON 2020]
	Public and semi-public uses are appropriate in proximity to various residential uses if appropriate consideration has been given to the provision of safe access and adequate buffering for the location selected. [p.10-16]	

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EDUCATIONAL:	<p>Strategies for the cooperation of independent entities and regular meetings to discuss needs and issues area expressed in the Plan. [p.10-1]</p> <p>The Plan identifies the future need for at least one additional elementary school within the Lawrence UGA. The new site is anticipated to be located west of the SLT alignment, based on the rate of development and growth in that area. The Plan recognizes the existence of an undeveloped school site along the north side of W. 15th Street, west of Wakarusa Drive. This site is anticipated to be developed as the area between Wakarusa Drive and K-10 continues to develop. [p.10-2]</p> <p>Where feasible, new school sites should be jointly developed with other compatible public or private facilities including recreation, library and related facilities. [p.10-2]</p> <p>Additional school facilities in any of the unincorporated areas outside of the Lawrence UGA are not anticipated to be needed as additional school facilities would bring additional pressure for residential development within the unincorporated portions of the county. [p.10-2]</p>	<p>Public and semi-public land uses include municipal facilities, schools, universities, parks, recreation and open space, and a range of institutions. [p.10-1]</p> <p>One area of conflict between the Lawrence UGA boundary and two school district boundaries is identified. City, county, and school districts are encouraged to work together to anticipate impacts of residential development within this area. [p.10-2]</p>

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<p>MAJOR PUBLIC & PRIVATE UTILITY FACILITIES:</p>	<p><u>Water Supply and Distribution facilities (city)</u>— The city has two water plants—one at 3rd and Indiana Street, and the Clinton Water Plant northwest of Clinton Parkway and Wakarusa Drive. [p.10-12]</p> <p><u>Water Supply and Distribution facilities (county)</u>—The County's rural water supply is provided either by private wells or through one of the rural water districts. In Douglas County there are Rural Water Districts 1, 2, 3, 4, 5, & 6; Jefferson County has Districts 5 and 13 and Osage County has District 5. The locations of the rural water districts in the county are shown on a map in the Background Studies. [Background Studies & p.10-13]</p> <p><u>Natural Gas, Electric, and Telephone Utilities</u>— Underground location of new electric and telephone lines is required in Lawrence unless they are major transmission lines which cannot feasibly be placed underground. [p.10-12]</p> <p>In the unincorporated areas, telephone and electric lines are installed above ground. [p.10-14]</p>	<p><u>Water Supply and Distribution facilities (city)</u>— The water plants in the city provide treated water to the City of Baldwin and, by contract, to rural water districts 1, 2, 4, 5, 6 and Jefferson County RWD 13. [p.10-12]</p> <p>Maintaining access to raw water resources is a city and county challenge. This is important along the Kansas River because other public and private interests claim water rights upstream. Continued involvement at the state level and pursuing other additional regional water resources including Perry Lake is recommended. [p.10-12]</p> <p>The Plan provides strategies for the development of public and private utilities in the county. [p.10-13]</p> <p>The development of natural gas and telephone utility corridors presents opportunities for development of a county trail system for pedestrians which should be pursued. [p.10-14]</p>

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GROWTH MANAGEMENT:	<p>The Plan establishes three growth management goals for Douglas County and the cities in Douglas County:</p> <p>Goal 1 recommends the establishment of an UGA (UGA) by Lawrence, Eudora, Baldwin City, and Lecompton, around the fringe areas of these cities. [p.4-5]</p> <p>Goal 2 recommends the rural character of Douglas County be preserved for agricultural and natural uses in those areas beyond the UGA's of the incorporated cities. Policies to accomplish this include limiting development that can occur beyond the planned growth areas, directing non-farm residential development to the UGA's, and limiting commercial development to that which is required to serve the rural needs. [p.4-6]</p> <p>Goal 3 recommends each incorporated city adopt an annexation policy to address the areas immediately adjacent to their city limits and the standards needed to permit annexation. [p.4-9]</p> <p>Map 3-1 indicates the general Future Land Use Categories acceptable within service area 1 of the Lawrence UGA. Service Areas 2, 3a & 3b and 4 are identified by a cross-hatch pattern. [p.3-3]</p> <p>Map 3-3 indicates the limits of the UGA boundaries, as they have been adopted by the incorporated cities, Eudora, Lecompton, Baldwin City and Lawrence. [p.3-5]</p>	<p>FUTURE LAND-USE, the plan presents the overall development pattern recommendations for Lawrence and Douglas County. [pp.3-1—3-2]</p> <p>Within each city's UGA, development standards would be established for residential, commercial and industrial land uses. Traffic impacts would be evaluated, premature development would be limited, a utility extension policy for newly annexed area would be adopted and annexation would be encouraged. [pp.4-1—4-10]</p>

CPA-6-3-09: CONSIDER COMPREHENSIVE PLAN AMENDMENT TO CHAPTER 3 TO REMOVE THE "TABLE OF LAND USE CATEGORIES & LOCATIONAL CRITERIA." INITIATED BY THE PLANNING COMMISSION ON JUNE 24, 2009 AS PART OF THE ANNUAL REVIEW OF THE COMPREHENSIVE PLAN.

Lawrence City Commission Action Summary:

10/27/09

Approved on consent agenda

11/3/09

2nd reading approved on consent agenda

ORDINANCE NO. 8463
RESOLUTION NO. _____

JOINT ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AND RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS AMENDING THE COMPREHENSIVE LAND USE PLAN "HORIZON 2020" BY REPEALING THE "TABLE OF LAND USE CATEGORIES & LOCATIONAL CRITERIA" IN CHAPTER 3 – GENERAL PLAN OVERVIEW.

WHEREAS, pursuant to K.S.A. 12-747, a comprehensive plan or part thereof shall constitute the basis or guide for public action to insure a coordinated and harmonious development or redevelopment which will best promote the health, safety, morals, order, convenience, prosperity and general welfare as well as wise and efficient expenditure of public funds; and

WHEREAS, the City Commission of Lawrence, Kansas and the Board of County Commissioners of Douglas County, Kansas has adopted a comprehensive land use plan labeled "Horizon 2020"; and

WHEREAS, after due and lawful notice and hearing the Lawrence-Douglas County Metropolitan Planning Commission on September 21, 2009, by Resolution No. PCR-9-5-09, recommended the adoption of the amendment to Chapter 3 – General Plan Overview to repeal the "Table of Land Use Categories & Locational Criteria"; and

WHEREAS, a certified copy of the Chapter 3 – General Plan Overview amendment contained in planning staff report CPA-6-3-09 and adopted by the Planning Commission in Resolution No. PCR-9-5-09 on September 21, 2009 together with the written summaries of the public hearings thereon held by the Lawrence-Douglas County Metropolitan Planning Commission on September 21, 2009 has been submitted to the Governing Bodies.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS; AND BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. The above recitals are incorporated by reference as if fully set forth herein and shall be as effective as if repeated verbatim.

Section 2. The Governing Bodies of the City of Lawrence, Kansas, and Douglas County, Kansas, hereby find that the provisions of K.S.A. 12-743 and K.S.A. 12-747 concerning the amendment of comprehensive plans has been fully complied with in consideration and adoption of and amendment to "Horizon 2020".

Section 3. Pursuant to K.S.A. 12-747, the Governing Bodies of Douglas County, Kansas and the City of Lawrence, Kansas do hereby amend "Horizon 2020" by approving the recommendation of the Planning Commission, and repealing the "Table of Land Use Categories & Locational Criteria" in Chapter 3 – General Plan Overview, contained in and adopted by the Planning Commission in Resolution No. PCR-9-5-09 on September 21, 2009.

Section 4. Severability. If any section, clause, sentence, or phrase of this joint ordinance or resolution is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this joint ordinance and resolution.

Section 5. This Joint Ordinance and Resolution shall be in full force and effect upon its adoption by the Governing Bodies of the City of Lawrence and Douglas County, Kansas and publication as provided by law.

Passed by the Governing Body of the City of Lawrence this _____ day of October, 2009.

APPROVED:

Robert Chestnut, Mayor.

ATTEST:

Frank S. Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler, Director of Legal Services

Adopted by the Board of County Commissioners of Douglas County, Kansas, this ____ day of November, 2009.

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Nancy Thellman
Chair

Mike Gaughan
Commissioner

Jim Flory
Commissioner

ATTEST:

/s/ Jameson D. Shew
Jameson D. Shew
County Clerk