

Downtown Lawrence Inc. Response to North Mass Development Zoning Request

Downtown Lawrence Inc. (DLI) supports the rezoning request by the North Mass Development project except the request to exempt the proposed North Mass Development from the current requirement that individual stores in the Downtown Commercial Center have a maximum footprint of no more than 25,000 square feet. The City Commission should approve the requested rezoning without the exemption.

Background

The members of DLI are very interested in the proposed North Mass Development and the possibilities it brings to Downtown Lawrence. While many members see the development as a boon to downtown that will bring additional residents and shoppers to the city's central district, others have strong reservations about the size and amount of retail spaces in the proposed development.

In order to better educate members and its board about the proposed development, DLI held three meetings in January and February. DLI hosted an all-member meeting with North Mass Development representatives Rick Renfro, Jon Davis and Paul Werner on January 30th at the Lawrence Public Library. Members were given an opportunity to ask questions and were encouraged to provide comments to DLI board members.

Following the all-member meeting, the DLI board met with Amy Miller, a long range planner with the City of Lawrence, on February 14th to gain an understanding of the city zoning options for the project. On February 21st, DLI board members met with North Mass Development representatives Jon Davis and Paul Werner to ask follow-up questions about the development.

Comments

- DLI supports a healthy balance of residential and commercial uses for the property. Our organization strongly supports using the North Mass property for residential purposes. DLI remains concerned about the size of retail spaces and amount of retail spaces proposed for the North Mass Development.
- DLI strongly supports a grocery store or movie theatre for the larger retail spaces in the North Mass Development.
- DLI supports CD zoning over mixed use zoning for the property for these reasons:
 - CD zoning allows for a higher residential use of the property.
 - CD zoning retains the same food – alcohol sales ratio required in Downtown Lawrence.
 - CD zoning requires stricter architectural guidelines.
- DLI supports the development of a strong link between the North Mass Development and Downtown Lawrence. Possibilities include an attractive and safe pedestrian walkway across the Kansas River bridge and/or a trolley to transport shoppers between the two areas.

----- Forwarded message -----

From: "Arch N" <arch@sunflower.com>

To: "Scott McCullough" <smccullough@lawrenceks.org>

Cc: "gradually@hotmail.com" <gradually@hotmail.com>, "bruce@kansascitysailing.com" <bruce@kansascitysailing.com>, "rhirid@pihhlawyer.com" <rhirid@pihhlawyer.com>

Subject: North mass development

Date: Tue, Jan 24, 2012 8:02 am

Mr. McCullough,

Please share this with the planning commission for the agenda of the 23rd and 25th of January.

This land that is being considered behind Johnny's Tavern, and belonging to the city of Lawrence and the the Douglas County Drainage District was promised by the mayor John Emick to be a park. See final environmental impact statement for the Kansas River exhibit 1a.

The sale Of this land is circumspect. There is a project cooperation agreement that was signed by the city and the Corp of engineers that deals with how land taken for a public purpose should be dealt with if the city decides to consider it excess. It is illegal to offer this land without an open bidding process which seems to have been done. Since the public good was the purpose of building the levee system and this land was promised as a park by the City of Lawrence it would be better if the planning commission looked at the legality of the land issue.

Arch Naramore
1204 New York
842-4912

2-12-36-11
NORTH LAWRENCE IMPROVEMENT ASSOCIATION

LAWRENCE, KANSAS

RECEIVED

JAN 25 2012

City County Planning Office
Lawrence, Kansas

January 24, 2012

City of Lawrence Kansas
Planning Commission

To Whom It May Concern:

As President of The North Lawrence Improvement Association and on behalf of its members, I would like to encourage the Planning Commission to approve the zoning change to "downtown commercial" for the proposed North Massachusetts Development.

We believe this project will continue to improve the quality of life for the North Lawrence Community and its residents.

Thank you for your consideration. Please contact me if you should have questions.

Sincerely,



Ted Boyle, President

North Lawrence Improvement Association
310 Elm Street
Lawrence KS 66044

Kirk McClure
707 Tennessee Street
Lawrence, Kansas 66044

January 20, 2012

Lawrence Douglas County Planning Commission
City Hall
6 East 6th Street
Lawrence, KS 66044

RE: COMPREHENSIVE PLAN AMENDMENT TO H2020 - CHP 6
NORTH MASS DEVELOPMENT

The comprehensive plan amendment seeks changes to expand the boundaries of Downtown in order to accommodate a new mixed-use development north of the Kansas River. It seeks to raise the building footprint limitation in the area to 50,000 square feet. The market study indicates that this request is to add roughly 230,000 square feet of retail, office and hotel space.

The Retail Market of Lawrence is Overbuilt

From 1997 to 2010, the growth in retail spending was only 26 percent. (Data taken from the Douglas County Tax Assessor.) During the same time period, retail space grew by 36 percent, adding over 500,000 square feet more than spending would support. (Data from the Kansas Department of Revenue and the Consumer Price Index.) At this pace of growth in spending and if no additional square feet of space are added to the stock, it will take about 6 years for the market to return to the level of equilibrium found in 1997, the last year that the supply of retail space was balanced with the demand for retail space.

The City has very little influence on the number of people who choose to live in Lawrence, nor can it do much about the income of that population. This means that Lawrence has little influence on the level of retail spending in Lawrence. However, Lawrence can influence the amount of retail and other commercial space that exists in the market. Adjusting the size and location of the space is a critical part of keeping a market healthy.

Lawrence should attempt to seek a balance between supply and demand. This promotes the overall health of the market, and it protects the financial health of the existing retail districts. Our Downtown is the most important of these districts because it is the one district that can attract shoppers from outside of town.

The Ability of Lawrence to Attract Shoppers to Town Depends upon the Downtown

The market analysis for this proposal correctly states that the retail pull factor is lower now than in the past. (The pull factor is the ratio of our retail spending per capita to the state average retail spending per capita.) The market analysis incorrectly suggests that the way to raise the pull factor is to add more space to an already overbuilt market. This will add to our current problems.

The Downtown is the only shopping opportunity in Lawrence that is truly unique to the region and appeals to shoppers from outside of Lawrence. Out of town shoppers will not come to Lawrence for its 23rd Street shops; these shoppers have commercial strips where they live. They will not come to Lawrence for its South Iowa Street; these shoppers have big boxes where they live. Out of town shoppers will come to our historic Downtown Lawrence if it provides an attractive shopping experience. Empty stores and deteriorated buildings do not provide an attractive shopping experience.

Adding new space in North Lawrence will only serve to dilute the available demand for Downtown. Conceivably, this space could attract new shoppers, but this will occur only if the space complements and enhances the offerings in the Downtown and does not compete with the Downtown. It is extremely unlikely that the proposed development will achieve this stature.

Shoppers from Johnson County will not be interested in a Dick's Sporting Goods store; they have sporting goods stores at home, and it competes with the sporting goods stores now in the Downtown. Shoppers from Johnson County will not be interested in chain restaurants; they have these chain restaurants at home, and they compete with the locally owned restaurants Downtown. Tourists already have many hotel options. We should protect our downtown hotels, especially our historic Eldridge Hotel, and not add competing options, especially while occupancy rates are low as they are now.

The experience of Lawrence in building unique commercial centers is instructive. The Riverfront Mall was supposed to be an anchor retail center that would attract bus loads of out of town shoppers. What we got is a tourist caliber hotel. The Bauer Farms was supposed to be new urbanism. What we got was a drive-through drug store, a drive-through Taco Bell, and an attempt to build an unneeded home improvement center. Lawrence should have learned that very high quality retail space requires public participation with well administered controls on the process from the start of the development process through operation of the property. Granting a comprehensive plan amendment permits high-quality development. Unfortunately, it does nothing to

insure that only high-quality development happens or that it happens only when it is needed.

Without proper controls on the development process, the resulting space is likely to compete with our Downtown and not enhance it.

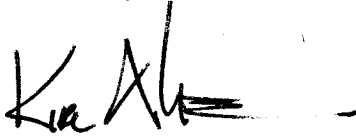
Recommendation

Our retail market is overbuilt. We have too much space competing for too little spending. Adding space now only worsens the problem.

Our historic Downtown is a unique attraction. The proposed development will only serve to compete with the Downtown, diluting the demand that it needs.

The Planning Commission should deny the proposed Comprehensive Plan Amendment.

Yours truly,

A handwritten signature in black ink, appearing to read "Kirk McClure". The signature is stylized with a large initial "K" and a long horizontal stroke at the end.

Kirk McClure

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

From: Dan's E-mail [mailto:dhughes101@sunflower.com]

Sent: Sunday, January 22, 2012 8:08 PM

To: Rick Hird

Subject: North Mass Development

Mr. Hird,

I've been following the progression of the North Mass Development, and in my conversations with many of the stakeholders in Downtown, most are completely unaware of the project. Several have expressed a desire to speak at the Planning Commission Meeting, but are unable to attend on short notice.

With this in mind, I would like to request the deferring of this item to the next meeting so that those folks can have their voices heard.

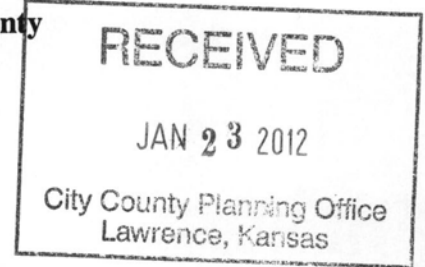
Sincerely,

Dan Hughes
Sunflower Outdoor & Bike Shop
804 Massachusetts St.
Lawrence, KS 66044
(785) 843-5000 work
(785) 393-4992 mobile
dhughes101@sunflower.com

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

January 22, 2012

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



RE: ITEM NO. 11; COMPREHENSIVE PLAN AMENDMENT TO H2020 - CHP 6; NORTH MASS DEVELOPMENT

Dear Chairman Hird and Planning Commissioners:

The developers of the North Lawrence Riverfront development (North Mass Development) are asking to be included in the special provisions of the Comprehensive Plan (CP) for our Downtown. We suggest that the developers of this project are requesting this CP change in order to be able to benefit from the special provisions that our historic Downtown now has. We suggest that adding the North Mass Development is an unfortunate proposal and that should it actually be realized, it will prove to be a burden rather than a benefit to the city. We suggest this for the following reasons:

The location of the project is environmentally hazardous. North Lawrence is subject to severe flooding. Although this area is one of the few locations in North Lawrence that might not flood should the levee be breached, because of its close proximity to the levee, should there be a construction error or unusually high ground water, we question whether developing this area is environmentally safe, or for that matter, wise. There are areas in North Lawrence that periodically flood just from rainwater. Roofing over this location could add to this problem.

The justification for adding this area to the Comprehensive Plan provisions for the Downtown is based on its being a benefit and adding a "pull factor" rather than placing the Downtown at a competitive disadvantage by adding too much unneeded commercial, one opinion voiced by opponents. Because there are widely differing opinions on this, we believe that it would be very unwise to accept the conclusion of only one supporting analysis. There should be another unbiased analysis of this situation, since the staff seems inclined to support changing the CP.

It occurred to us that this Riverfront Development may not be just seeking special opportunities available for downtown development such as reduced requirements for parking, but also the type of support that some of our other Downtown developments have asked for and received, such as Tax Increment Financing and other special financial support. It should be noted that not all of these requests that have been granted have succeeded.

We suggest that rather than allow the Riverfront Development to be included in the Downtown Comprehensive Plan, the City reexamine its policies toward the Downtown, make a thorough study of what it actually needs, and concentrate on helping our historic Downtown succeed even if a new approach is needed. We ask that you not change the CP to include the Riverfront Development, otherwise known as North Mass Development.

Thank you for considering our letter.

Sincerely yours,

Milton Scott
Vice President

Alan Black
Alan Black, Chairman
Land Use Committee

RECEIVED

FEB 23 2012

City County Planning Office
Lawrence, Kansas

Downtown Lawrence Inc. Response to North Mass Development Zoning Request

Downtown Lawrence Inc. (DLI) supports the CD zoning proposal for the North Mass Development, provided that the development has a limited percentage of retail vs. residential space. We support the current CD zoning limit of not more than 25,000 square feet for a single footprint, with some exceptions for appropriate usage (i.e. a grocery store). The DLI board views the development as an exciting and potentially complimentary extension to Downtown Lawrence.

Background

The members of DLI are very interested in the proposed North Mass Development and the possibilities it brings to Downtown Lawrence. While many members see the development as a boon to downtown that will bring additional residents and shoppers to the city's central district, others have strong reservations about the size and amount of retail spaces in the proposed development.

In order to better educate members and its board about the proposed development, DLI held three meetings in January and February. DLI hosted an all-member meeting with North Mass Development representatives Rick Renfro, Jon Davis and Paul Werner on January 30th at the Lawrence Public Library. Members were given an opportunity to ask questions and were encouraged to provide comments to DLI board members.

Following the all-member meeting, the DLI board met with Amy Miller, a long range planner with the City of Lawrence, on February 14th to gain an understanding of the city zoning options for the project. On February 21st, DLI board members met with North Mass Development representatives Jon Davis and Paul Werner to ask follow-up questions about the development.

Comments

- DLI supports a healthy balance of residential and commercial uses for the property. Our organization strongly supports using the North Mass property for residential purposes. DLI remains concerned about the size of retail spaces and amount of retail spaces proposed for the North Mass Development. We would not support this project if the development evolves into a mostly-retail project.
- DLI strongly supports a grocery store or movie theatre for the larger retail spaces in the North Mass Development.
- DLI supports CD zoning over mixed use zoning for the property for these reasons:
 - o CD zoning allows for a higher residential use of the property.
 - o CD zoning retains the same food – alcohol sales ratio required in Downtown Lawrence.
 - o CD zoning requires stricter architectural guidelines.
- DLI supports the development of a strong link between the North Mass Development and Downtown Lawrence. Possibilities include an attractive and safe pedestrian walkway across the Kansas River bridge and/or a trolley to transport shoppers between the two areas.

Thank you for your consideration,
Board of Directors for Downtown Lawrence, Inc.