

March 18, 2003

To see if the Lawrence City Council will act to amend Chapter 29, City of Lawrence Zoning Ordinance, as follows:

**Part 1 Amend Article VII by adding the following subsection**

**29-24A Reviviendo Gateway Overlay District**

- (1) **Statement of Purpose:** The Reviviendo Gateway Overlay District is designed to permit economically sustainable development, unlock the potential of historic land use patterns and buildings, and provide the foundation for long term private re-investment in the Reviviendo Gateway District.
- (2) **Boundaries**
  - (a) The boundary of the Reviviendo Gateway Overlay District is shown on the Zoning Map, which map is hereby incorporated and made part of this ordinance.
- (3) **Existing Zoning**
  - (a) The Reviviendo Gateway Overlay District shall be overlaid over the Residence-3, Business-2, Business-3, and Industrial-2 Districts, within the boundaries shown on the Lawrence Zoning Map. The owners of property shall maintain all zoning rights consistent with said districts. However, if an owner elects to develop consistent with the Reviviendo Gateway Overlay District, the rules and regulations of the Reviviendo Gateway Overlay District shall apply. Where the Reviviendo Gateway Overlay District provisions are silent on a zoning regulation the requirements of the underlying zoning shall apply.
- (4) **Permitted uses.** Uses in the Reviviendo Gateway Overlay District shall be linked to the individual underlying zoning district as follows.
  - (a) In the Residence 3 Zoning District the uses listed in Section 29-11 Table 1 Schedule of Requirements shall apply as indicated except that the following uses shall be permitted as of right.
    - (i) Rehabilitation of multi-family structures.
    - (ii) Multi-family residential.
    - (iii) Townhouses; subject to section 29-23 (aaa).
  - (b) In the Business 2 and Business 3 Districts the uses listed in Section 29-11 Table 1 Schedule of Requirements shall apply as indicated except that the following uses shall be permitted as of right.
    - (i) Rehabilitation of multi-family structures.

- (ii) Rehabilitation of commercial uses and mixed use development.
- (iii) Mixed-use development including residential uses, subject to section 29-23 (bbb).
- (iv) Artist Live / Work Units; subject to section 29-23 (ddd)

(c) In the Industrial 2 Districts the uses listed in Section 29-11 Table 1 Schedule of Requirements shall apply as indicated except that the following use shall be permitted as of right.

- (i) Research and development facility, research laboratory or research facilities for scientific or medical research.
- (ii) Publishing establishment and / or printing establishment
- (iii) Sign making establishment.
- (iv) Restaurants; subject to section 29-23 (ccc).
- (v) Bar and café; subject to section 29-23 (ccc).
- (vi) Rehabilitation of commercial uses and mixed use development.
- (vii) Artist Live / Work Units; subject to section 29-23 (ddd).
- (viii) Mixed-use development including residential uses; subject to section 29-23 (bbb).

(5) **Dimensional Regulations.** Dimensional Regulations in the Reviviendo Gateway Overlay District shall be linked to the individual underlying zoning district as follows:

(a) For the Residence 3 Zoning District the Dimensional Regulations listed in Section 29-15 Table 2 Schedule of Dimensional Requirements Within Residential Districts shall not apply, rather the following shall apply:

- (i) Minimum Lot Area; 5,000 square feet
- (ii) Minimum Lot Frontage; 50 feet
- (iii) Minimum Lot Area per Dwelling Unit: 2,500 square feet
- (iv) Yards, Minimum in feet: (see section 29-23 (bbb))
 

|       |    |
|-------|----|
| Front | 12 |
| Side  | 10 |
| Rear  | 15 |
- (v) Lot Coverage (maximum in percent)
 

|                         |     |
|-------------------------|-----|
| Dwelling                | 40% |
| Accessory structures    | 10% |
| Max. impervious surface | 75% |
- (vi) Height of Structures (maximum in feet)

(b) For the Business 2 and Business 3 Zoning Districts the Dimensional Regulations listed in Section 29-15 Table 2 Schedule of Dimensional Requirements Within Non-Residential Districts shall apply to all Reviviendo Gateway Overlay District related development where the underlying Zoning District is Business 2 and Business 3.

(c) For the Industrial 2 Zoning Districts the Dimensional Regulations listed in Section 29-15 Table 2 Schedule of Dimensional Requirements Within Non-Residential Districts shall apply to all Reviviendo Gateway Overlay District related development where the underlying zoning is Industrial 2.

**(6) Parking Regulations.** Parking Regulations in the Reviviendo Gateway Overlay District for all underlying districts shall be consistent with the City of Lawrence Zoning Ordinance as indicated in Table 4 Off-Street Parking Requirements, Minimum Off-Street Parking Spaces and the other applicable subsections of Section 29-18 Parking Regulations, except for the following:

- (1) Townhouses with two (2) or fewer bedrooms shall be required to provide one (1) off-street parking space; townhouses with three (3) bedrooms shall be required to provide two (2) off-street parking spaces; and townhouses with four (4) or more bedrooms shall be required to provide one (1) parking space per bedroom.
- (2) Rehabilitation or adaptive reuse projects with two (2) or fewer bedrooms shall be required to provide one (1) off-street parking space; rehabilitation or adaptive reuse projects with three (3) bedrooms shall be required to provide two (2) off-street parking spaces; and rehabilitation or adaptive reuse projects with four (4) or more bedrooms shall be required to provide one (1) parking space per bedroom.
- (3) New residential development with two (2) or fewer bedrooms shall be required to provide one (1) off-street parking space; new residential development with three (3) bedrooms shall be required to provide two (2) off-street parking spaces; and new residential development with four (4) or more bedrooms shall be required to provide one (1) parking space per bedroom.
- (4) Artist live / work units shall require one (1) space per artist live / work unit and no parking requirement for any common gallery or showroom space.
- (5) All or a portion of the off-street parking requirement for any type of Reviviendo Gateway Overlay District development may be met by the presentation of a long term lease of at

least 10 years with the ability to renew, with a private parking facility within 1,000 feet of the property line of the proposed Reviviendo Gateway Overlay District use; or by certification from the Lawrence Office of Planning and Development that a public parking facility within 1,000 feet has the capacity to accommodate the proposed use. For Reviviendo Gateway Overlay District residential uses intending to use public parking supply, the availability of capacity shall be measured between the weekday hours of 5:30 PM to 7:30 AM.

(6) No off-street parking shall be permitted in the required front yard setback of any new residential development using Reviviendo Gateway Overlay District regulations, unless permitted by variance.

(7) **Affordable Housing.** All multi-family housing over 20 units developed consistent with RGO regulations shall provide 10% of all dwelling units, rounded to the closest or larger whole number in instances where 0.50 occurs, as affordable units. For affordable rental or ownership units, the annual rent or mortgage payment shall not exceed 30% the median household income of the City of Lawrence and all affordable units shall be provided on site and in perpetuity. All affordable housing units shall be subject to the rules and regulations of the Lawrence Housing Authority, however, the management of said units shall remain the discretion of the building or project owner.

(8) **Site Plan Review.** All development occurring as a result of the Reviviendo Gateway Overlay District shall be subject to Site Plan Review Section 29-25, as applicable.

## **Part 2 Add the additional subsections**

### **Add to Section 29-23 as follows**

(aaa) Townhouses as permitted in the Reviviendo Gateway Overlay District

- (1) Townhouses that abut a more than one public right of way shall be setback 12 feet from each public right of way.
- (2) All facades of a Townhouse that abut a public right of way shall be designed with windows and other architectural openings.

(bbb) Mixed use development in the Reviviendo Gateway Overlay District

- (7) Mixed use development shall permit residential use with retail, research and development, offices, and similar uses.
- (8) Mixed use development in the Reviviendo Gateway Overlay District shall require residential uses to occur on floors above the ground floor, except for artist live / work units which shall be permitted on any floor. All development, except for artist live / work units, shall provide for a distinct and separate entrance on the ground floor to the upper floors. Further, except for artist live / work units, commercial use of the ground floor shall not exceed 90% of the floor area of the ground floor.
- (3) There shall be no required minimum or maximum percentage of residential or retail, research and development, offices, and similar uses in any type of mixed use development.

(ccc) Restaurants and Outdoor Cafes in the Reviviendo Gateway Overlay District where the underlying Zoning District is Industrial 2.

- (1) Restaurants shall be allowed by right if they are located in whole or in part in an existing building and seat at least 50 persons. In the instance where a restaurant includes a bar or a lounge said facility shall also be permitted as of right if it is designed to seat at least 20 people in addition to the minimum 50 restaurant seats.
- (2) Drive through food service facilities, and stand-alone fast food restaurants of any kind shall not be permitted as of right.
- (3) Outdoor cafes shall also be permitted as of right if they are a subsidiary portion of a restaurant, or as a separate operation if they seat at least 15 people.

(ddd) Artist Live / Work Units in the Reviviendo Gateway Overlay District

- (1) The configuration of artist live / work units can be as separate living and workspace in the same building but on separate floors; or a building where each individual living space can be used for the creation of art or arts and craft products. In either configuration showrooms and other areas for public display and sale shall also be permitted.

### **Part 3 Add the following definitions**

Add the following definitions to Section 29-4 Definitions

After the term Area, building add the definition Artist /Live Unit as follows;

**Artist Live / Work Unit:** A residential use that permits up to 50% of a residential dwelling unit to be used for the production, showing, and sale of arts and crafts made on the premises by the occupant of said unit. Additionally, for the purposes of this ordinance, it shall also be construed to mean a building or buildings where a portion of the total space is used for residential purposes and other portions for the production, showing, and sale of arts and crafts.

After the definition Temporary Mobile Home add the definition Townhouse as follows:

**Townhouse:** One of two or more residential buildings having a common or party wall separating dwelling units.

### **Part 4 Zoning Map Amendment**

Adopt an amendment to the City of Lawrence Zoning Map as shown on a map dated March 2003 and titled Reviviendo Gateway Overlay District, which delineates the boundary of the Reviviendo Gateway Overlay District.