

**SITE PLAN REVIEW
CITY COMMISSION
April 2, 2013**

A. SUMMARY

SP-13-00054: A site plan for sidewalk hospitality area for Chutney's located at 918 Massachusetts Street. Submitted by Schneider & Associates for Yuba City LLC, property owners of record.

B. GENERAL INFORMATION

Current Zoning and Land Use: CD (Downtown Commercial District); Eating & Drinking Establishment.

Surrounding Zoning and Land Use: To the north, south, and east: CD (Downtown Commercial District); Eating and Drinking Establishments, Retail Sales, and Office.
To the west: CD (Downtown Commercial District); City owned parking garage.

Site Summary:

Building	3890 Sq. Ft.
Proposed Sidewalk Dining Area:	132 Sq. Ft.
Off-Street Parking Required:	Not required in Downtown Commercial District.

Staff Recommendation: Staff recommends approval of SP-13-00054, a site plan for sidewalk hospitality area, subject to the following conditions:

1. Execution of a sidewalk dining license from the City prior to occupying the public right-of-way per Chapter 6-1202 of the City Code.
2. Execution of an agreement with the City of Lawrence for use of the right-of-way per Chapter 6-12 of the City Code.

C. STAFF REVIEW

The applicant proposes to construct a 132 square-foot sidewalk area for dining and alcohol beverage service. The sidewalk dining area will extend outward from the west face of the building 6' 6" and will be 21'4" long from north to south. The sidewalk dining area leaves an unobstructed clear space of 6 feet of the Massachusetts Street sidewalk. The proposed outdoor area will accommodate seating at tables with outdoor seating available for up to 6 people. The area will be separated from the pedestrian sidewalk with a railing 3' high.

Historic Resources Commission (DR-13-00055)

918 Massachusetts Street; Sidewalk Dining; State Preservation Law Review, Certificate of Appropriateness Review and Downtown Urban Conservation Overlay Review. The property is listed as a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. The property is in the environs of the North Rhode Island Street Residential Historic District, National Register of Historic Places; Shalor Eldridge Residence (945 Rhode Island),

Register of Historic Kansas Places; and the Hanna Building (933 Massachusetts), Lawrence Register of Historic Places. The property is also within the Downtown Urban Conservation Overlay District. and the United States Post Office (645 New Hampshire), National Register of Historic Places; the House Building (729 Massachusetts), Register of Historic Kansas Places and Lawrence Register of Historic Places; and Miller's Hall (723-725 Massachusetts), Lawrence Register of Historic Places. It is also located in the Downtown Urban Conservation Overlay District.

In accordance with the Secretary of the Interior's Standards, Chapter 22 of the Code of the City of Lawrence, and the *Downtown Design Guidelines*, the standards of evaluation, the Historic Resources Administrator approved the proposed project and made the determination that the proposed project does not encroach upon, damage, or destroy listed historic properties or their environs.

The Historic Resources Commission will confirmed the administrative approval of this project on March 21, 2013.



D. Findings

Per Section 20-1305(j) staff shall first find that the following conditions have been met:

(1) The site plan shall contain only platted land;

The site is platted as south half Lot 78, Massachusetts Street, Original Townsite, Lawrence, Douglas

County, Kansas.

- (2) The site plan shall comply with all standards of the City Code, this Development Code and other adopted City policies and adopted neighborhood or area plans;**

As conditioned, the site plan complies with all standards of the City Code and Development Code.

- (3) The proposed use shall be allowed in the district in which it is located or be an allowed nonconforming use;**

The subject property is zoned CD (Downtown Commercial) District. Eating & Drinking Establishments are permitted in this District.

- (4) Vehicular ingress and egress to and from the site and circulation within the site shall provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well and shall also conform with adopted corridor or access management policies; and**

No changes are proposed that would affect vehicular access to this property. No off-street parking is required or proposed with this project due to its location in the CD (Downtown Commercial) District.

- (5) The site plan shall provide for the safe movement of pedestrians on the subject site.**

Six feet of unobstructed public sidewalk area is preserved along Massachusetts Street for safe pedestrian movement to and from the subject business.