

**Updated:** 

**7/23/18 @ 12:15pm Added the following:** 

Communication for Item 2 - Conditional Use Permit for Wakarusa Boat & RV Storage Communication for Item 4 - Final Development Plan for Alvamar; 1809 Crossgate

7/19/18 @ 12:30pm
Added the following items:
Revised Mid-Month Agenda
Draft June Planning Commission Minutes
Item 4 - Final Development Plan for Alvamar; 1809 Crossgate

7/17/18 @ 2:00pm
The following items will be added when available:
Draft May & June Planning Commission Minutes

Item 4 - Final Development Plan for Alvamar; 1809 Crossgate

LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION CITY HALL, 6 EAST 6<sup>TH</sup> STREET, CITY COMMISSION MEETING ROOM AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS WEDNESDAY, JULY 25, 2018 6:30PM - 10:30PM

#### **GENERAL BUSINESS:**

#### PLANNING COMMISSION ACTION SUMMARY

Receive and amend or approve the action summary (minutes) from the Planning Commission meeting of June 27, 2018.

#### **COMMITTEE REPORTS**

Receive reports from any committees that met over the past month.

#### **COMMUNICATIONS**

- a) Receive written communications from the public.
- b) Receive written communications from staff, Planning Commissioners, or other commissioners.
- c) Receive written action of any waiver requests/determinations made by the City Engineer.
- d) Disclosure of ex parte communications.
- e) Declaration of abstentions from specific agenda items by commissioners.
- f) General public comment.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE COMMISSION'S DISCRETION

REGULAR AGENDA (JULY 25, 2018) MEETING NON-PUBLIC HEARING ITEM:

# ITEM NO. 1 FINAL DEVELOPMENT PLAN FOR OREAD WEST OFFICE PARK; NW OF BOB BILLINGS PKWY & WAKARUSA DR (KEW)

**FDP-18-00245**: Consider a Final Development Plan for Oread West Office Park, located northwest of the intersection of Bob Billings Pkwy & Wakarusa Dr. Submitted by BG Consultants for Oread West Office Park Owner's Association Inc. and Six Pack LLC, property owners of record.

#### **PUBLIC HEARING ITEMS:**

# ITEM NO. 2 CONDITIONAL USE PERMIT FOR WAKARUSA BOAT & RV STORAGE; E 550 RD & N 1190 RD (BJP)

**CUP-18-00239**: Consider a Conditional Use Permit for Wakarusa Boat & RV Storage LLC, located at E 550 Rd & N 1190 Rd. Submitted by Jason Fike on behalf of Sharon Anderson, property owner of record.

# ITEM NO. 3A REZONING .27 ACRES FROM RSO TO CS; 1710 W $7^{TH}$ ST & 1711 W $6^{TH}$ ST (SLD)

**Z-18-00242**: Consider a request to rezone approximately 0.27 acres from RSO (Single-Dwelling Residential-Office) District to CS (Commercial Strip) District, located at 1710 W 7<sup>th</sup> St and 1711 W 6<sup>th</sup> St. Submitted by Casey's Retail Company on behalf of Harold Shephard and James W Vantuyl, property owners of record.

### ITEM NO. 3B VARIANCE; 1703, 1711, 1717 W 6<sup>TH</sup> ST & 1710 W 7<sup>TH</sup> ST (SLD)

Consider a variance from the right-of-way width for a Principle Arterial Street from 150' to 100' for a Minor Subdivision, **MS-18-00243**, for Casey's Subdivision, located at 1703, 1711, 1717 W 6<sup>th</sup> St & 1710 W 7<sup>th</sup> St. Submitted by Casey's Retail Company on behalf of Lonnie J, and Geneva J. Blackburn, Harold Shephard, Marla Webster, Caroline B. Shephard, and James W. Vantuyl and Brenda S. Vantuyl, property owners of record.

#### **NON-PUBLIC HEARING ITEM:**

# ITEM NO. 4 FINAL DEVELOPMENT PLAN FOR ALVAMAR LOT 1; 1809 CROSSGATE DR (SLD)

**FDP-18-00254**: Consider a revised Final Development Plan for Alvamar Lot 1, located at 1809 Crossgate Drive (also known as Birdie Way) for the change of use of a 6,300 SF multi-purpose building from a primarily golf cart storage building to a secondary event center/golf cart storage building and exterior patio area. Submitted by Paul Werner Architects, for Eagle 1968 LC, property owner of record.

#### **RESUME PUBLIC HEARING:**

#### \*\*DEFERRED\*\*

#### ITEM NO. 5A ANNEX 34.2 ACRES; W OF HUNTERS HILL DR & HILL SONG CIR (BJP)

**A-18-00246**: Consider the annexation of approximately 34.2 acres located west of Hunters Hill Dr & Hill Song Cir. Submitted by BG Consultants, for DFC Company of Lawrence LC, property owner of record. *Initiated by City Commission on 6/19/18*.

#### \*\*DEFERRED\*\*

ITEM NO. 5B REZONE 34.2 ACRES FROM COUNTY R-1 TO RS10; W OF HUNTERS HILL DR & HILL SONG CIR (BJP)

**Z-18-00247**: Consider a request to rezone approximately 34.2 acres from County R-1 (Single-Family Residential) District to RS10 (Single-Dwelling Residential) District, located west of Hunters Hill Dr & Hill Song Cir. Submitted by BG Consultants, for DFC Company of Lawrence LC, property owner of record. *Initiated by City Commission on 6/19/18*.

#### **MISCELLANEOUS NEW OR OLD BUSINESS**

Consideration of any other business to come before the Commission.

#### MISC NO. 1 PLANNING COMMISSION ORIENTATION SUB-COMMITTEE

Establish a sub-committee for the October 19, 2018 Planning Commission Orientation/Training Day.

#### MISC NO. 2 PLANNING COMMISSION MID-MONTH & HOLIDAY SCHEDULE

Receive revised Planning Commission Mid-Month Schedule and discuss Planning Commission meeting dates of November 12 & 14 and December 17 & 19.

#### **ADJOURN**

#### **CALENDAR**

June 2018							
Sun	Mon	Tue	Wed	Thu	Fri	Sat	
					1	2	
3	4	5	6	7	8	9	
10	11	12	13	14	15	16	
17	18	19	20	21	22	23	
24	25	26	27	28	29	30	

July			201	8		
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Mon 6	Tue 7	Wed 1 8	Thu 2	Fri 3	Sat 4 11
6	7	_		_	•
6	7	8	9	10	11
			_	10	11
13	14	15	16	17	18
20	21	22	23	24	25
27	28	29	30	31	
	20	20 21	20 21 22	20 21 22 23	20 21 22 23 24

#### **PCCM Meeting:**

(Generally 2<sup>nd</sup> Wednesday of each month, 7:30am-9:00am)

Sign up to receive the Planning Commission agenda or weekly Planning Submittals via email: <a href="http://www.lawrenceks.org/subscriptions">http://www.lawrenceks.org/subscriptions</a>

# 2018 LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION MID-MONTH & REGULAR MEETING DATES

Mid-Month Meetings, Wednesdays	Mid-Mont	th Topics	Mee 6:30	ng Commission Meetings 6:30 PM,			
7:30 – 9:00 AM			Monday and	Wednesday			
Jan 10	Strategic Plan	Jan 22	Jan 24				
Feb 7	Annexatio	n Process		Feb 21			
Mar 14	Bufferyard & Sensitive	Land Code Standards	Mar 26	Mar 28			
Apr 11	Canc	relled	Apr 23	Apr 25			
May 9	Community Design Man	May 21	May 23				
Jun 13	Residential L	Jun 25	Jun 27				
<del>Jul 11</del>	Canc	Jul 23	Jul 25				
Aug 8	Condition	Aug 20	Aug 22				
Sep 12	Downtown Master Plan Scope	Housing Study	Sep 24	Sep 26			
Oct 19 *Friday	PC Orientati	ion – all day	Oct 22	Oct 24			
Nov 7	Canc	relled	Nov 12	Nov 14			
<del>Dec 5</del>	Canc	relled	Dec 17	Dec 19			
	Suggested topics for future meetings: New County Zoning Codes Water Resources	Retail Market Bus Tour – Development Patte	erns				
Meeting Locations	_						

Revised 7/19/18

	Jan 24	Feb 21	Mar 28	April 23	April 25	May 23	June 27	July 25			
	2018	2018	2018	2018	2018	2018	2018	2018			
Butler	No	No	Yes	Yes	Yes	Yes	Yes				
Carttar							Yes				
Carpenter	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Culver	Yes	Yes	Yes	Yes	Yes	Yes					
Kelly	No	Yes	Yes	Yes	Yes	No	Yes				
Paden	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Sands	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Sinclair	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Struckhoff	Yes	Yes	Yes	No*	Yes	Yes	Yes				
Weaver	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Willey	Yes	Yes	Yes	No*	Yes	Yes	Yes				
•											*APA Con
	201	8 MID-N	HTNON	ATTENE	ANCE						
	Jan 10	Feb 7	May 14	April 11	Mary	June 13	1b. 4.4	A 0			
	2018	2018	2018	2018	May 9 2018	2018	July 11 2018	Aug 8 2018			
	2018	2018	2018	2018	2018	2018	2018	2018			
Butler	Yes	Yes	Yes	-	No	Yes	-	-			
Carttar						No	-	-			
Carpenter	Yes	Yes	Yes	-	Yes	Yes	-	•			
Culver	Yes	Yes	Yes	-	Yes						
Kelly	Yes	Yes	Yes	-	Yes	Yes	-	•			
Paden	Yes	Yes	Yes	-	Yes	No	-	-			
Sands	Yes	Yes	Yes	-	No	Yes	-				
Sinclair	Yes	No	Yes	-	Yes	No	-	-			
	Yes	Yes	Yes	-	Yes	Yes	-				
Struckhoff	1	Yes	No	-	Yes	Yes	-	-			
Struckhoff Weaver	Yes	1 63									



### PLANNING COMMISSION MEETING June 27, 2018 Meeting Action Summary

June 27, 2018 - 6:30 p.m.

Commissioners present: Butler, Carpenter, Carttar, Kelly, Paden, Sands, Sinclair, Struckhoff, Weaver,

Willey

Staff present: McCullough, Crick, Day, Ewert, Larkin, Myers

**GENERAL BUSINESS** 

#### **ELECTION OF OFFICERS FOR 2018-2019**

Accept nominations for and elect Chair and Vice-Chair for the coming year.

Commissioner Sands nominated Commissioner Willey for Chair. Seconded by Commissioner Kelly.

Motion carried 10-0.

Commissioner Sands nominated Commissioner Carpenter for Vice-Chair. Seconded by Commissioner Willey.

Motion carried 10-0.

Commissioner Willey thanked Commissioner Struckhoff for his service and presented him with a plaque.

#### PLANNING COMMISSION ACTION SUMMARY

No action summary (minutes) to receive.

#### **COMMITTEE REPORTS**

No reports to receive from any committees that met over the past month.

#### **EX PARTE / ABSTENTIONS / DEFERRAL REQUEST**

- No ex parte.
- No abstentions.

### **GENERAL PUBLIC COMMENT**

No general public comment.

PC Minutes 6/27/18

### ITEM NO. 1A ANNEX 16.8 ACRES; 1691 E 902 RD (MKM)

**A-18-00182**: Consider the annexation of approximately 16.8 acres located to the west of E 902 Road, north of Rock Chalk Drive. Submitted by BG Consultants, for Fairway LC, property owner of record. *Initiated by City Commission on 5/8/18.* 

### ITEM NO. 1B REZONING 16.8 ACRES FROM A TO RMO; 1691 E 902 RD (MKM)

**Z-18-00183**: Consider a request to rezone approximately 16.8 acres from A (Agricultural) District to RMO (Multi-Dwelling Residential-Office) District, located at 1691 E 902 Rd. Submitted by BG Consultants, for Fairway LC, property owner of record.

#### STAFF PRESENTATION

Ms. Mary Miller presented items 1A-1B together.

#### **APPLICANT PRESENTATION**

Mr. David Hamby, BG Consultants, intent is along road with office uses and remaining lot would be duplex development. Agreed road financing be worked out. We've looked at funding methods and still working on that.

#### **PUBLIC COMMENT**

No public comment.

#### **COMMISSION DISCUSSION**

Commissioner Sands inquired about the dashed line along the west platting line of the proposed concept plan. He asked if that was additional offset for K-10.

Ms. Miller said that was the South Lawrence Trafficway/K-10 overlay district. She said there were special setbacks and special landscaping requirements in that area.

Mr. McCullough said it was 500' from center line.

Mr. Hamby said there would be a 50' building setback.

Ms. Miller said the 500' included landscape requirements.

Commissioner Struckhoff asked what a looped water system was.

Ms. Miller said the Utilities Department does not like a water line that ends because it doesn't get flushed out and doesn't have enough pressure so the water gets stale. She said Utilities wants the lines to be looped so the water is continuously moving through it.

Mr. McCullough said it would have multiple sources of feed. He said generally a water tower would serve a certain area and have enough water pressure to push water out. He said the Utilities Department reviews development in terms of whether there is enough water pressure to serve fire code requirements and enough pressure for a home to function properly.

Commissioner Kelly asked the applicant why the concept plan showed a cul-de-sac.

Complete audio & video from this meeting can be found online: https://lawrenceks.org/boards/lawrence-douglas-county-metropolitan-planning-commission/ Mr. Hamby said the area is such that trying to bring a road in and back out again is difficult. He said the cul-de-sac worked for circulation and pedestrian access. He said the nature of the triangle site was difficult.

Mr. McCullough said staff had not reviewed the plan for design yet.

Commissioner Sands asked if there would be two points of finance agreements; one for the road system and one for water.

Ms. Miller said it would be just one.

Mr. McCullough said the developer had options on how to fund those. He said there were onsite utilities and other utilities could be pulled from other private properties. He said options included private funding, benefit districts, and pulling utilities from other sites. He said it would be worked out later through the subdivision process.

Commissioner Willey inquired about the next steps if this were to pass.

Mr. McCullough said it would depend on the applicant working with stakeholders and presenting that to plan to the city. He said there was more work to do on that component.

Commissioner Kelly inquired about the RMO zoning when recent requests have been to zone out of the RMO district.

Mr. Hamby said the area plan talks about Residential Office. He said straight RM was not an acceptable use. He said they felt they could get the most RM with some office to get staff recommendation for approval. He said RMO was not the ideal zoning for the property but it was a fallback to get staff approval.

Mr. McCullough said there was a property to the north that presented a comprehensive plan amendment to revise the Comprehensive Plan designation from RMO to RS and that was not supported by staff. He said as the West of K-10 and Farmers Turnpike sector plans developed staff saw a need for some office uses as the area develops.

Commissioner Willey asked if the intention was to use the existing agriculture buildings as office type structures.

Mr. Hamby said he was unsure.

Commissioner Sands said he was comfortable with this since it followed what Horizon 2020 called for.

#### **ACTION TAKEN on Item 1A**

Motioned by Commissioner Sands, seconded by Commissioner Struckhoff, to approve the requested annexation of approximately 16.8 acres to the City Commission with a recommendation for approval based on the findings in the body of the staff report subject to the following condition:

1. The means of financing the improvement of E. 902 Road to city collector street standards shall be determined and accepted by the city prior to the publication of the annexation ordinance.

Commissioner Kelly expressed concern that they may have to come back later and ask for zoning to something other than RMO. He hoped it would be used for mixed use. He said he would support the motion but was hesitant.

Unanimously approved 10-0.

Commissioner Sands said short of placing a condition on this he hoped future Commissions would consult the minutes. He said he shared Commissioner Kelly's reservations.

#### **ACTION TAKEN on Item 1B**

Motioned by Commissioner Sands, seconded by Commissioner Struckhoff, to approve the rezoning request for approximately 16.8 acres from A (Agricultural) District to RMO (Multi-Dwelling Residential-Office) District, upon annexation, and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report.

Unanimously approved 10-0.

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# ITEM NO. 2 TEXT AMENDMENT TO LAND DEVELOPMENT CODE; STORAGE USES IN IBP DISTRICT (SLD)

**TA-18-00150**: Consider a Text Amendment to the City of Lawrence Land Development Code, Articles 4, 5, 9 and 17 to define certain types of storage uses; *Mini-Warehouse, self-storage, climate controlled self-storage and similar uses* and to permit some uses in the IBP (Industrial/Business Park) District. *Initiated by City Commission on 4/17/18.* 

#### **STAFF PRESENTATION**

Ms. Sandra Day presented the item.

#### **PUBLIC COMMENT**

No public comment.

#### **COMMISSION DISCUSSION**

Commissioner Carpenter said he appreciated the information in the staff report. He felt it solved an issue that required bending the rules. He said he would be happy to support recommending approval.

Commissioner Struckhoff felt the amendment did a great job of making expectations clear.

Commissioner Willey agreed with Carpenter that the staff report was thorough. She inquired about shipping container storage units being allowed in the same zoning districts that other outdoor storage uses were allowed.

Ms. Day said almost all industrial districts and many commercial districts were adjacent to residential in one way or another so it would be hard to avoid that conflict. She said requirements for buffer yards and screening requirements would help tremendously but that it would be a case-by-case situation. She said additional landscaping could be added if necessary. She said the use of shipping containers was not common.

Mr. McCullough said he was starting to see some demand for it. He said there were ways the Code could protect adjacent neighbors from the aesthetics of the use.

Commissioner Butler said there were shipping containers in the neighborhood she lived in that were an eyesore.

Mr. McCullough said moving pods were a different use and staff were proposing a property maintenance code amendment to address that. He said staff deal with them on a complaint basis and they were not allowed as a permanent structure.

Commissioner Kelly said there were ways to use shipping containers that look nice.

Commissioner Willey said the pod type moving containers were not included in the text amendment.

Mr. McCullough said that was correct.

#### **ACTION TAKEN**

Motioned by Commissioner Struckhoff, seconded by Commissioner Carpenter, to approve a Text Amendment (TA-18-00150) to Articles, 4, 5, 9, and 17 of the Lawrence Land Development Code defining certain types of storage uses; Mini-Warehouse, self-storage, climate-controlled self-storage and similar uses, and permitting some uses in the IBP (Industrial/Business Park) District and forwarding to the Lawrence City Commission with a recommendation for approval.

Unanimously approved 10-0.



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# ITEM NO. 3 TEXT AMENDMENT TO LAND DEVELOPMENT CODE; RECORDING SUBDIVISION DOCUMENTS WITH REGISTER OF DEEDS (SLD)

**TA-18-00199**: Consider a Text Amendment to the City of Lawrence Land Development Code, Articles 8 and 13, to update requirements for recording subdivision documents with the Douglas County Register of Deeds Office. *Initiated by Planning Commission on 5/23/18.* 

#### STAFF PRESENTATION

Ms. Sandra Day presented the item.

#### **PUBLIC COMMENT**

No public comment.

#### **COMMISSION DISCUSSION**

Commissioner Carttar inquired about the reason for switching from mylar to paper.

Ms. Day said mylar was a more durable material than paper but that paper documents were no longer stored. She said it was costly to reproduce mylars and that stamps could smear.

#### **ACTION TAKEN**

Motioned by Commissioner Struckhoff, seconded by Commissioner Sands, to approve Text Amendment, TA-18-00199, amending the *Land Development Code*, Article 8/ Chapter 11, Article 1 of the *Douglas County Code*, *Joint Subdivision Regulations for Lawrence and the Unincorporated Areas of Douglas County KS*. and the corresponding *Douglas County Code* sections and Article 13 of the Lawrence *Land Development Code* to permit the submission of final documents for recording purposes to be printed on any media that will reproduce a clear image for scanning and microfilming in accordance with Resolution No. 17-31 to align the requirement and current practices related to record documents with the Douglas County Register of Deeds office, and forwarding a recommendation of approval to the Lawrence City Commission and Board of Douglas County Commission.

Commissioner Carpenter said he was happy the Register of Deeds office was going from a non-renewable source to a renewable source.

Unanimously approved 10-0.

PC Minutes 6/27/18

# ITEM NO. 4 COMPREHENSIVE PLAN AMENDMENT TO H2020, CHAPTER 8, TRANSPORTATION (JSC)

**CPA-18-00168**: Consider a Comprehensive Plan Amendment to Horizon 2020, Chapter 8, Transportation.

#### **STAFF PRESENTATION**

Mr. Jeff Crick and Ms. Ashley Myers presented the item.

#### **PUBLIC COMMENT**

Mr. Michael Almon spoke about the interrelationship of Transportation 2040 and the new Comprehensive Plan. He said both plans have the same map for future land use growth. He said Tier 2 was for annexation and growth within the plan. He was concerned it was making a major change compared to the previous Comprehensive Plan. He said what they do with the Comprehensive Plan ties in to how it will appear in Transportation 2040. He felt the area south of K-10 and north of the Wakarusa River be removed from the Tier 2 growth map.

#### **COMMISSION DISCUSSION**

Commissioner Kelly asked staff to address Mr. Almon's comments.

Mr. McCullough said Transportation 2040 beat the Comprehensive Plan 2040 in the process. He said the maps were doing different things. He said the proposed Comprehensive Plan was trying to lay out areas of potential development. He stated it did not change the urban growth area but was intended to point out areas that could be served with infrastructure. He said the revised Southern Development Plan, a specific sector plan, was under review with the K-10 Crossing project. He said the specific plan was where the designation of land use applied. He said the idea in Transportation 2040 was to reflect the general area planned to be urbanized.

Commissioner Willey said just because it was included in Tier 2 doesn't mean it's slated for a specific type of development.

Mr. McCullough said that was correct. He said it was an area that could be annexed and receive urban services.

Commissioner Willey said the revised Southern Development Plan would include more detailed.

Mr. McCullough said the revised Southern Development Plan looked at more layers of development components than just a potential boundary for the area. He said the intent of the Tiers was how to manage growth and how to review and address requests for annexation. He said Transportation 2040 was doing different things than what the new Comprehensive Plan would do.

Commissioner Kelly said the concept of Tier 1, 2, and 3 was new in the Comprehensive Plan.

Mr. McCullough said correct.

Commissioner Kelly said that hasn't been authorized by Planning Commission, City Commission, or County Commission.

Mr. McCullough said correct.

Commissioner Kelly said this sort of validates the idea of Tier 1, 2, and 3 by including it in the Transportation 2040. He said it would be overlapping the two plans, which was a new concept for the Comprehensive Plan.

Commissioner Paden wondered about protecting sensitive lands and what was available to do that.

Mr. McCullough said gave the example of the Links development east of Rock Chalk Park, which included a 20% requirement to protect and preserve sensitive lands through the platting process. He said there was an incentive density bonus that preserved more than 20%. He said there was an annexation and development at 31<sup>st</sup> and Michigan Street, with a little bit of floodplain, that was put into a subdivision tract. He said the Code does allow some development in the floodplain so there was a little bit of fill in the floodplain to square off the line and the majority of that was preserved through platting. He said Comprehensive Plan policies and sector plans distinguish where floodplain and open space is located and that gets implemented through platting and rezoning. He said the map they were discussing simply lays out the potential to urbanize in some way and in some manner.

Commissioner Carttar said Tier's 1, 2, and 3 were just a conceptual model at this point to illustrate potential growth. He said it seemed some form of amendment to this document may be called for because the conceptual plan was not approved by the governing bodies yet.

Mr. McCullough said it would be amended as needed. He said that was why they were amending Horizon 2020 because of the new Transportation 2040 plan. He said if the Comprehensive Plan changed then revisions would be made to the transportation plan. He said staff was hoping for a better marriage of the two plans which had gotten off track a bit.

Commissioner Carpenter felt this was a good discussion about how to mesh multiple plans.

Commissioner Willey said it did not bother her knowing how much time goes into the plans with accepting the Transportation 2040 including tiers and then having a full-bodied discussion about the Comprehensive Plan. She said the Comprehensive Plan would trump what was in the transportation plan.

Commissioner Kelly asked about the ramifications of not approving the comprehensive plan amendment.

Mr. McCullough said it had already been approved by the Metropolitan Planning Organization Policy Board and it was the document used for transportation planning. He stated if it doesn't get put into the Comprehensive Plan staff would still use it for recommendations but it wouldn't have the support of an approval. He said there is a link in the major thoroughfares map that provides legal support to tell developers the street classification that is expected with development. He said the Subdivision Regulations state the map has to be approved by the governing bodies.

#### **ACTION TAKEN**

Motioned by Commissioner Sinclair, seconded by Commissioner Struckhoff, to approve the *Horizon 2020* comprehensive plan amendment, incorporating the new *Transportation 2040* metropolitan transportation plan, and forwarding it to the County and City Commissions with a recommendation

for approval, and approve and authorize the Planning Commission Chair to sign Planning Commission Resolution PCR-18-00189.

Commissioner Carttar thanked staff and the public for their participation in the process.

Commissioner Kelly said he would vote against the motion. He expressed concern about leapfrogging plan before plan and validating the idea of Tier 1, 2, and 3. He said he wanted to honor the process and not pre-validate that process before the governing bodies see the plan.

Commissioner Willey said she would vote in favor with the understanding they will have a full discussion of Tier 1, 2, and 3 with the Comprehensive Plan. She said she did not feel overly tied to it by supporting the Transportation 2040.

Commissioner Struckhoff said the Southern Plan needed to be developed and that it would be a critical plan.

Commissioner Paden wondered if changing the map or saying a certain area would not be developed because of sensitive lands was a good idea. She didn't know if there was anything in place to make that viable.

Commissioner Willey said it would be looked at as they move forward with both sector plans and Comprehensive Plan.

Motion carried 9-1, with Commissioner Kelly voting in opposition.

PC Minutes 6/27/18

#### **MISCELLANEOUS NEW OR OLD BUSINESS**

Consideration of any other business to come before the Commission.

#### MISC NO. 1 2018 PLANNING COMMISSION ORIENTATION

Discuss possible dates for annual Planning Commission training.

Mr. McCullough said Planning Commissioners should start thinking about possible dates for their annual orientation/training day, possibly September-October.

#### MISC NO. 2 UPCOMING CALENDAR EVENTS

A possible quorum of the Planning Commission may attend a social gathering at Free State Brewery the evening of June 27, 2018, after the Planning Commission meeting adjourns.

#### MISC NO. 3 2018 PLANNING COMMISSION MEETING CALENDAR

Receive revised 2018 Planning Commission meeting dates and submittal calendar

**ADJOURN 8:14pm** 

# Planning Commission Key Links



#### **Plans & Documents**

- o Horizon 2020
- o Sector/Area Plans
- o Transportation 2040
- o 2015 Retail Market Study

#### **Development Regulations**

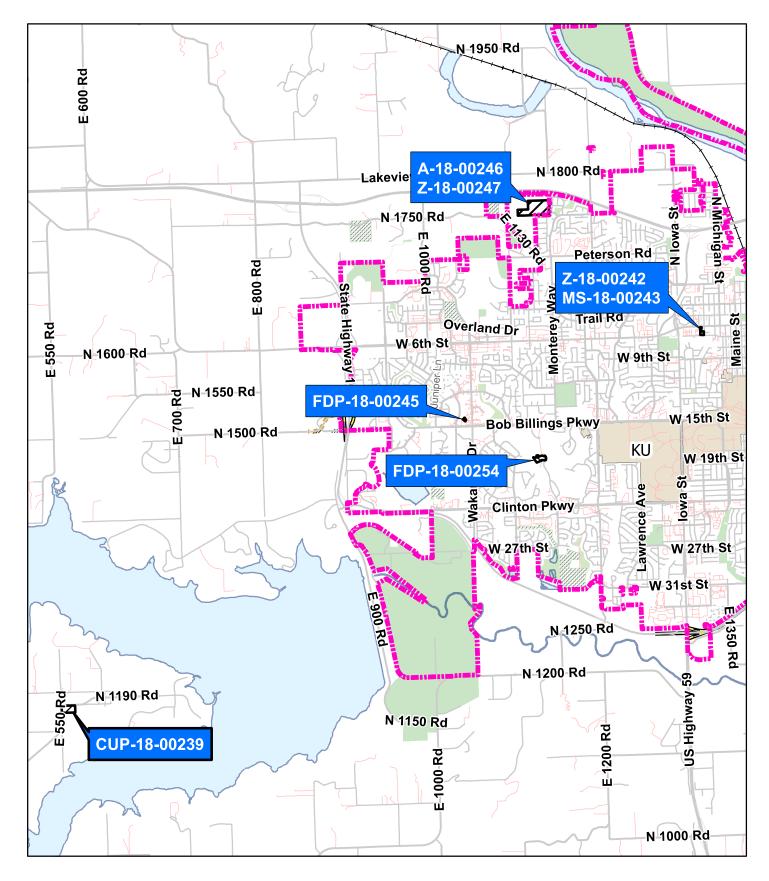
- o Community Design Manual
- o County Zoning Regulations
- o <u>City Land Development Code</u>
- o Subdivision Regulations

### **Online Mapping**

- o City of Lawrence Interactive GIS Map
- o <u>Douglas County Property Viewer</u>
- o Submittals to the Planning Office

### **Planning Commission**

- o <u>Bylaws</u>
- o Mid-Months & Special Meetings
- o <u>Minutes</u>
- o <u>Planning Commission Schedule/Deadlines</u>



Lawrence-Douglas County Planning Commission July 2018 Public & Non-Public Hearing Agenda Items



# PLANNING COMMISSION REPORT Regular Agenda -Public Hearing Item

PC Staff Report 7/25/2018

ITEM NO. 1: FINAL DEVELOPMENT PLAN FOR Oread West Office Park; (KEW)

**FDP-18-00245**: Consider a revised Final Development Plan for Oread West Office Park located northwest of the intersection of Bob Billings Parkway and Wakarusa Drive. Submitted by BG Consultants, Inc. on behalf of Six Pack, LLC and Oread West Office Park Owner's Association, property owners of record.

**PLAN AND STAFF RECOMMENDATION ON FINAL DEVELOPMENT PLAN:** Planning Staff recommends approval of the Final Development Plan for Oread West Office Park based upon the findings of fact presented in the body of the staff report and subject to the following conditions and subject to City Commission approval of the Preliminary Development Plan:

1. Provision of a signed Site Plan Performance Agreement prior to the recording of the Final Development Plan with the Register of Deeds Office.

**Reason for Request:** Construction of a new 11,800+/- square foot commercial building.

Development of a new 11,800+/- square foot commercial building located where Buildings 8 & 13 were shown on the preliminary development plan along with completion of the parking lot on the northwest side of the building.

### **Planning Commission Approval of a Final Development Plan**

Plans submitted for final development approval in Planned Developments established prior to 2006 require Planning Commission approval of a Final Development Plan. This application is submitted as a Final Development Plan for Oread West Office Park Phase III. Final Development Plans must be in substantial conformance with the previously approved Final Development Plan. Plans submitted for final approval must have a hearing for approval if major changes are proposed. Major changes are categorized as follows:

- 1. Increase the proposed gross residential density or intensity of use by more than 5% or involve a reduction in the area set aside for common open space, open air recreation area or non-encroachable area nor the substantial relocation of such areas;
- 2. Increase by more than 10% the total floor area proposed of the non-residential or commercial use
- 3. Increase by more than 5% the total floor area covered by buildings or involve a substantial change in height of buildings.

The review of this project is an assessment of the proposed development as it complies with the approved Final Development Plan for the PID (Planned Industrial Development).

#### **KEY POINTS**

- The subject property was previously approved under a Planned Development for the Oread West Office Park in 2004.
- The project includes the construction of an 11,800+/- square foot building in the same location as buildings 8 & 13 were shown on the approved Final Development Plan.
- The proposed building does not increase the square footage proposed in the previously approved Final Development Plan. The proposed building is approximately 2,000 square feet less in area than the previously approved buildings.
- This project is a modification to an approved Final Development Plan.
- The proposed request would replace the previously proposed two structures with one new structure and complete the parking lot on the northwest portion of the lot.

#### **FACTORS TO CONSIDER**

- Compliance with Section 20-1013, 1966 Zoning Code for modifications to a Final Development Plan
- Conformance with Horizon 2020.
- Conformance with Subdivision Regulations.

#### **ATTACHMENTS**

- 1. Area map
- 2. Proposed Final Development Plan Drawing
- 3. Previously approved Final Development Plan (2004)

## ASSOCIATED CASES/OTHER ACTION REQUIRED Associated Cases

- Oread West Office Park; Final Development Plan (03-01-96)
- Oread West Office Park; Final Development Plan (03-07-03)
- Oread West Office park; Final Development Plan (Revised) (10-27-04)

#### **Other Action Required**

- Approval of the revised Final Development Plan by the City Commission.
- Provision of a mylar and the appropriate recording fees.
- Submittal of building permit application, construction plans, and issuance of building permits prior to development activity.

#### **PUBLIC COMMENT**

None have been received.

GENERAL INFORMATION								
Current Zoning and	I Land Use:	PID – Oread West Office Park (Planned Industrial) District; Current Use: Administrative and Professional Offices						
Surrounding Zoning	Surrounding Zoning and Land Use: PID (Planned Industrial Development) District							
To the north:	IBP (Indust	trial/Business Pa	ark) Dist	trict; <i>Office</i>	e Structu	res		
To the west:	IBP (Indu Structures	strial/Business	Park)	District;	vacant	parcel	and	Office

To the south:	IBP (Industrial/Business Park) District; Office Structures
To the east:	IBP (Industrial/Business Park) District; Office Structures
Legal Description	OREAD WEST OFFICE PARK – BUILDING 8 (& 13)
	BUILDING PARCEL LEGAL DESCRIPTION:
	A TRACT OF LAND IN LOT 1, OREAD WEST NO. 11, A REPLAT OF LOTS 1 AND 2, BLOCK THREE, UNIVERSITY CORPORATE AND RESEARCH PARK NO. 2 (AMENDED); AND LOT 6, BLOCK THREE, OREAD WEST NO. 10; IN THE CITY OF LAWRENCE DOUGLAS COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
	COMMENCING AT THE SOUTHEAST CORNER OF SAID OREAD WEST NO. 11 SUBDIVISION; THENCE NORTH 89°57'32" WEST (BEARING BASED ON PLAT OF SAID OREAD WEST NO. 11), 659.83 FEET ALONG THE SOUTH LINE OF SAID OREAD WEST NO. 11; THENCE NORTH 00°02'28" EAST, 351.21 FEET ALONG THE WESTERLY LINE AND ITS NORTHERN EXTENSION OF SAID OREAD WEST NO. 11; THENCE NORTH 90°00'00" EAST, 29.94 FEET; THENCE NORTH 00°00'00" EAST, 49.78 FEET; THENCE NORTH 90°00'00" EAST, 37.13 FEET; THENCE NORTH 43°13'07" EAST, 29.65 FEET; THENCE SOUTH 46'46'53" EAST, 50.71 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 46°46'53" EAST 181.29 FEET; THENCE NORTH 43°13'07" EAST 82.48 FEET; THENCE ON A 63.00 FEET RADIUS CURVE TO THE RIGHT, WITH 72.91 FOOT CHORD BEARING NORTH 0°40'17" WEST, AN ARC DISTANCE OF 77.75 FEET; THENCE NORTH 46°46'53" WEST 132.28 FEET; THENCE SOUTH 42°34'16" WEST 135.03 FEET TO THE POINT OF BEGINNING.

**Table 1: Site Summary** 

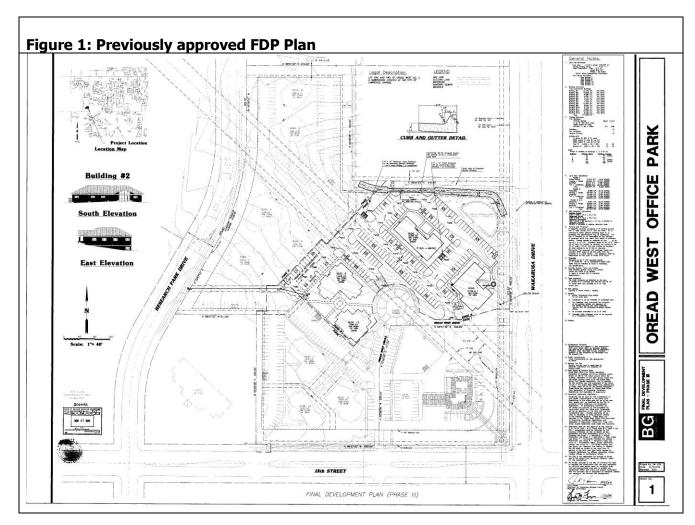
SITE SUMMARY							
	Approved Plan (Existing)	Proposed Plan					
Land Use	Office/Business	Office/Business					
Land Area	578,358 square feet (13.71 acres)	578,358 square feet (13.71 acres)					
Buildings	111,639 square feet (existing)	106,375 square feet (.01% decrease)					
Total Impervious	339,514 square feet	334,250 square feet (.01 % decrease)					
Total Pervious	238,621 square feet	243,885 square feet (.01 % increase)					
Greenspace	238,621 square feet	243,885 square feet (.01 % increase)					
Lot Coverage	19%	18%					
Impervious Lot Coverage	58%	57%					

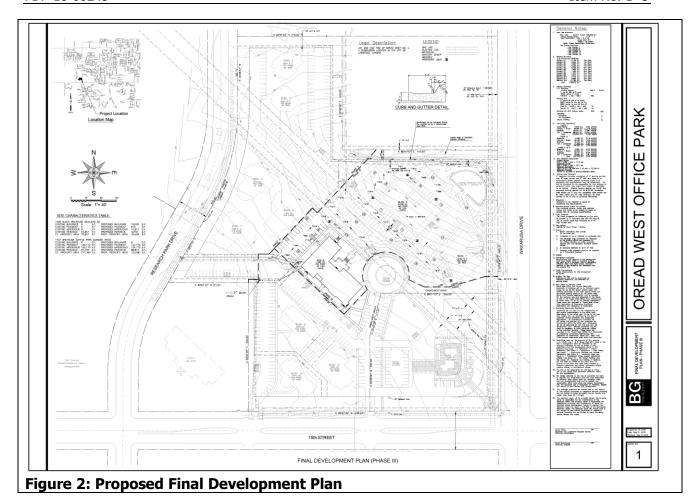
<sup>\*</sup>The coverage area has been modified from the approved Final Development Plan to show the change in area based on the proposed new building being constructed instead of the previous buildings numbered as 8 & 13.

#### **STAFF ANALYSIS**

This application is a modification of an approved Final Development Plan for the Oread West Office Park. The plan proposes to develop the vacant parcel with a new 11,800 square foot structure where the previous Final Development Plan had noted two structure numbered 8 & 13. This plan also proposes to complete the interior parking lot at the northwest portion of the

development. Access points are not changing with this proposal. The lot size and dimensions are not changing. The lot and parking area will be identical to what was platted in the previously approved Final Development Plan.





### **DENSITY/INTENSITY REVIEW**

Per Section 20-701(f) (3), density within a Planned Development is calculated based on the number of bedrooms rather than the number of dwelling units. There are no residential uses associated with this development application.

The proposed change is for a single office building (building #12) in place of two previously approved office buildings. The proposed square footage of 11,800 +/- square feet is approximately 2,000 square feet less that the previously proposed combined square footage of building #8 & building # 13. The change to the previously approved Final Development Plan, which was approved prior to the effective date of the Land Development Code, and modifications require a hearing before the Planning Commission.

**Table 2: Parking Summary** 

PARKING SUMMARY	PARKING SUMMARY								
Proposed Use	Req. per Sec 20-1212 [1966 Codel	Parking Required	Parking Provided						
Office	1/300 square feet per Public Use Floor Area (80% usable floor area) Use Groups 7 Use Groups 8 Use Groups 9 Use Groups 10 Use Groups 17 Use Groups 18 Per previously approved FDP	Office; 11 buildings 1/300 (.80 usable floor area) = 284 106,375 X .80/300 = 284  Building 12 1/300 (.80 usable second floor area)(.65 usable first floor area) 5,328 X .65 /300 = 12 4,857 X .80/300 = 13  Total buildings 1 through 12 = 284 + 12 + 13 = 309							
	106,375+/- square feet X .80 Public Use Area/300 square feet = 284	incl. 5 ADA space and 7 van ADA spaces.	329						
Bicycle Parking		0	10						

#### LANDSCAPE AND OPEN SPACE REVIEW

The redevelopment must meet the minimum landscape and open space design standards. These standards address common open space, street trees, parking lot landscaping, and parking lot screening.

*Common Open Space:* The project as proposed exceeds the minimum required open space. Open Space is provided throughout the site.

**★** The proposed development complies with this design standard.

**Table 3: Common Open Space** 

•	Required Open Space at 15% = 86,753	•	
	square feet		feet

Street Trees: Street Trees are required along the public streets Wakarusa Drive and Bob Billings Parkway. The proposed development plan is for an interior lot in the development area. All street trees are currently installed per the previously approved Final Development Plan.

**↓** The proposed development complies with this design standard.

Interior green space: A landscaping plan has been included with this application. Parking areas are not being increased with this plan. The northwest parking area is being completed per the previously approved Final Development Plan. All interior parking lot landscaping is shown to be installed per the included landscaping plan. Landscaping requirements remain the same under the approved plan. A total of 6 trees are being shown to be dispersed in the newly completed parking area.

♣ The proposed development meets the design standard.

*Perimeter Parking Lot landscaping:* Parking lots are required to be screened from adjacent public rights-of-way. This design standard does not apply to the parking area being completed on the northwest side of the proposed building. This parking area is an interior parking area is not adjacent to a public right-of-way.

♣ The proposed development complies with this design standard.

*Bufferyard landscaping:* A bufferyard is not applicable. Bufferyards were not required when the planned development was approved. The Final Development plan does meet all setback requirements.

#### **ACCESS**

The previously approved Final Development Plan included access points off of Wakarusa Drive and Bob Billings Parkway. This Final Development Plan does not include proposed changes to access. All site access will remain the same.

Internal access will also remain the same. The plan proposes to complete the parking area on the northwest side of the proposed building. This parking area was in the previous approved development plan as a future improvement.

#### **LIGHTING**

There are no proposed changes to site lighting with this Final Development Plan. All site lighting is noted to be as approved in Phase I on the previous Final Development Plan. Any exterior building lighting will be submitted and reviewed to be in compliance with the Land Development Code during building permit submittals.

#### **INDUSTRIAL DESIGN GUIDELINES**

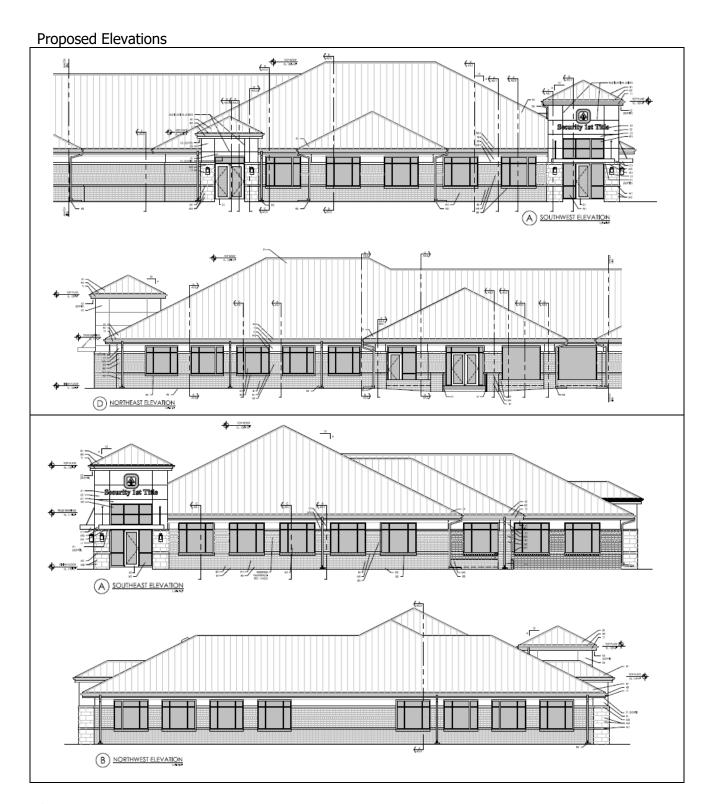
This project is subject to compliance with the adopted Industrial Design Guidelines.

The proposed Final Development Plan addresses the Industrial Design Guidelines and meets the intent for General Design Objectives. Building siting, vehicular access, circulation, and parking have all been designed to be functional and appropriate for its context. Loading areas and trash enclosures have incorporated into the site layout and designed to minimize visual and noise impacts. Lighting has been designed to mitigate impact to surrounding properties.

Architectural elements have been added to visually articulate the roofline as well as break up the overall massing of the building. Windows are proportional to the overall structure and the entry is easily identifiable with storefront glass. Building materials are suitable for the industrial district and visual interest has been added to the façade through pattern.

Landscaping has been provided to enhance the overall site, define entrances, parking areas, as well as articulate open space.

The Industrial Design Guidelines will continue to be reviewed for compliance through the building permit process and submission of construction documents.



### **Summary**

In reviewing and making decisions on the proposed Final Development Plan per Section 20-1304(e)(2)((ii), review shall ensure that the plan submitted for final approval be in substantial compliance with the plan previously given preliminary approval and any modification of the plan as preliminarily approved may not:

- a. Increase the proposed gross residential Density or intensity of use by more than five percent (5%) or involve a reduction in the area set aside for Common Open Space, open air recreation area or Non-encroachable Area, nor substantial relocation of such area; nor,
- b. Increase by more than ten percent (10%) the total Floor Area proposed for non-residential or commercial uses; nor,
- c. Increase by more than five percent (5%) the total ground area covered by Buildings nor involve a substantial change in the Height of Buildings.

The proposed Final Development Plan meets the thresholds listed above for review as a modification to the previously approved Final Development Plan. This Final Development Plan is contingent upon approval by the Planning Commission.

#### Conclusion

This Final Development Plan complies with Section 20-1304 of the Land Development Code and with the Industrial Design Guidelines. The Final Development Plan varies from the previously approved Final Development Plan as noted in the above discussion and has been reviewed as a modification to a previously approved Final Development Project. The proposed plan is consistent with the intent of the overall development plan for the Oread West Office Park.

- 1. The plan proposes construction of a new office building where two buildings were previously approved. The new building at 11,800 +/- square feet will be less than the combined square footage of the two buildings on the previously approved Final Development Plan.
- 2. The proposed Final Development Plan will meet the requirements in the Land Development Code as a modification to a previously approved Final Development Plan.
- 3. The proposed changes are consistent with the previously approved Final Development Plan and PID (Planned Industrial Development) District.

\_\_\_ 25' D/E & U/E

General Notes:

FINAL DEVELOPMENT PLAN - PHASE III

CONSUITANTS

Project No. 04-105L Date: 10/21/04 Revised: N/A

T NO.

INAL DEVELOPMENT PLAN - PHASE III

Project No. 18-1195L Date: May 21, 2018 Revised: July 12, 2018

EET NO.





FDP-18-00245: Consider a Final Development Plan for Oread West Office Park, located northwest of the intersection of Bob Billings Pkwy & Wakarusa Dr.



### PLANNING COMMISSION REPORT Regular Agenda —Public Hearing Item

PC Staff Report 07/25/2018

# ITEM NO. 2 CONDITIONAL USE PERMIT FOR WAKARUSA BOAT & RV STORAGE; E. 550 RD & N. 1190 RD (BJP)

**CUP-18-00239**: Consider a Conditional Use Permit for Wakarusa Boat & RV Storage LLC, located at E. 550 Rd & N. 1190 Rd. Submitted by Jason Fike on behalf of Sharon Anderson, property owner of record.

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit for a boat and RV storage at E. 550 Road and N. 1190 Road, subject to the following conditions:

- 1. The applicant will provide a revised site plan to include the following changes:
  - a. Remove open storage from the required front and rear yard setbacks.
  - b. Relocate the street trees so that they are on the street side of the fence.
  - c. Add the following note, "The CUP shall be administratively reviewed every 5 years by the Douglas County Zoning and Codes Department".
  - d. Add the following note, "Douglas County Public Works entrance permit required prior to work in public road right-of-way."
  - e. Add the following note, "The site may only be used for the storage of boats and recreational vehicles. No other types of storage is permitted."
  - f. Add the following note, "Owners or operators of any project who engage in construction activities which will disturb one (1) or more acres must have authorization to discharge stormwater under the Stormwater Runoff from Construction Activities General Permit S-MCST-1703-1 with KDHE.
  - g. Add the following note, "A sign permit is required by Zoning & Codes per 12-306-2.18 prior to sign placement."

#### **Reason for Request:**

Applicant's Response: "Seeking CUP to create a boat and RV storage facility on property."

#### **ATTACHMENTS**

A. Conditional Use Permit Site Plan

#### **KEY POINTS**

- Section 12-319.4.11 of the County Zoning Regulations for the Unincorporated Territory of Douglas County lists *Boat Storage* as a use which may be approved as a Conditional Use. The regulations do not specifically mention the storage of recreational vehicles (RVs). The Planning Director and Director of Zoning and Codes determined that the storage of RVs would be similar to the storage of boats, and made the interpretation that the enumerated use in Section 12-319-4.23 of the Zoning Regulations of *Boat Storage* would include the storage of other recreational vehicles such as trailers, campers, pop-up tents, etc.
- The term "RV storage" includes the storage of trailers, campers, and other recreational vehicles.

#### **ASSOCIATED CASES**

No active cases

#### **OTHER ACTION REQUIRED**

• Approval of the Conditional Use Permit by the Board of County Commissioners.

- Release of the Conditional Use Permit Plan by the Lawrence-Douglas County Planning Office to the Douglas County Zoning and Codes Office.
- Issuance of the permit for the Conditional Use by the Zoning and Codes Department following application and determination that all conditions have been met.
- Submittal of building plans by the property owner for approval and issuance of building permit from the Douglas County Zoning and Codes Department prior to development.

#### **PUBLIC COMMUNICATION**

Staff received comments from two property owners within the unincorporated town of Clinton regarding the following concerns: increased traffic and roadway safety; the possibility of creating a hardship for other boat storage facilities; lack of aesthetics; loss of agriculture land.

#### **GENERAL INFORMATION**

A (Agricultural) District; agriculture land Current Zoning and Land Use:

A (Agriculture) District in all directions; agriculture land, Surrounding land use:

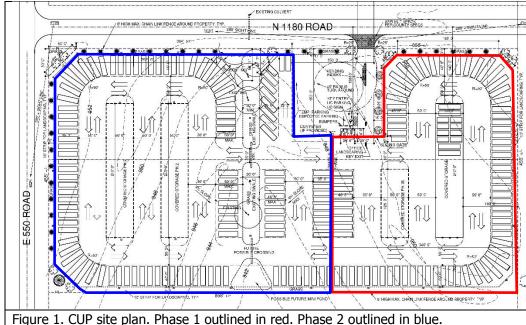
rural residences, and the unincorporated town of Clinton to

the northeast.

### **Summary of Request**

The Conditional Use Permit is requested to accommodate a boat and recreational vehicles (RVs) storage facility on the subject property which will include open and covered storage. The proposed use is permitted in the unincorporated portion of the county when approved as a Conditional Use by the Board of County Commissioners.

The proposed storage facility would be developed in two phases. The first phase would include development of the east portion of the property with uncovered boat and RV parking, two coverage parking structures, and a 364 square foot office building. The second phase would entail developing the west portion of the property with additional uncovered boat and RV parking and two additional covered parking structures. (Figure 1)



### I. ZONING AND USES OF PROPERTY NEARBY

The subject property is located at the southeast corner of E. 550 Road and N. 1190 Road, on a peninsula surrounded by Clinton Lake. The unincorporated town of Clinton is located to the east of the subject property. Agricultural zoning and related land uses surround the subject property.



Figure 2. Zoning in the area. Subject property outlined in blue.



Figure 3. Land use/development in the area. Subject property outlined in blue.

**Staff Finding** – Nearby properties are zoned agricultural and contain agricultural and residential land uses.

#### II. CHARACTER OF THE AREA

The subject property is approximately 10 acres and is located at the southeast corner of E. 550 Road and N. 1190 Road, which are classified as Major Collectors in the Douglas County Access Management Map. (Figure 4)



**Figure 4.** Transportation network in the area (location of subject property identified with the blue dot).

The subject property is located in an agricultural area with rural residences and areas of wooded open space. The unincorporated town of Clinton is located to the east. The subject property is located on a peninsula that is surrounded by Clinton Lake. According to the FEMA Floodplain map, the property is not within the regulatory floodplain or flood hazard area; however, floodplain associated with Clinton Lake is located along the edges of the peninsula. Natural features in the area include Clinton Lake, woodlands, floodplain, and high quality agricultural soils. (Figure 5)



**Figure 5.** Floodplain and high quality soils in the area (subject property outlined in black).

**Staff Finding** — The area is rural in nature, with rural residences, woodlands, floodplain, agricultural lands, the unincorporated town of Clinton, and Clinton Lake being predominate features.

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

Applicant's Response: "The property is highly suitable for a boat and RV storage facility. The property is located near Clinton Lake and is an ideal location for marine and RV equipment storage. An architect has also found the land to be suitable for development according to the Douglas County regulations."

The subject property is zoned A (Agricultural) District. A Conditional Use Permit does not change the underlying zoning and as such, the suitability of the property for agricultural uses will not be altered. Uses allowed in the A District include farms, truck gardens, orchards, or nurseries for the growing or propagation of plants, trees, and shrubs in addition to other types of open land uses. It also includes residential detached dwellings, churches, hospitals and clinics for large and small animals, commercial dog kennels, and rural home occupations. In addition, uses enumerated in Section 12-319 which are not listed as permitted uses in the A District, may be permitted when approved as Conditional Uses.

The subject property is located adjacent to, and will take access from N. 1190 Road, which is classified as a Major Collector in the Douglas County Access Management Map. The property is also located near Clinton Lake. The proposed request does not alter the base zoning request. The proposed use, *Boat Storage*, is a permitted use in the A (Agricultural), B-1 (Neighborhood Business), and I-1 (Limited Industrial) Districts subject to approval of a Conditional Use Permit. The property is well suited for uses which are permitted in the A District, as well as the proposed *Boat Storage* use.

**Staff Finding** —The property is suitable for the uses which are permitted within the A (Agricultural) District. The property is also well suited for a *Boat Storage* use.

#### 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) District since that adoption. Aerial photography indicate that the property has been vacant since at least 1937.

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

Applicant's Response: "The removal of current restrictions will not negatively affect the area or neighboring community. The property will be free and clear of trash and debris. Any security lighting will be directed away from any neighbors. All development of land, fencing, buildings and boundaries will strictly adhere to Douglas County regulations."

Approval of the request will not alter the base zoning district as A (Agricultural) District. Section 12-319-1.01 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 12-319-4.23 *Boat Storage* of the County Zoning Regulations for the Unincorporated Territory of Douglas County. The *Boat Storage* use is not expressly prohibited in the A District. This district does allow "accessory open or enclosed storage of farm materials, products, or equipment."

One impact may include increased traffic; however, given the nature of the use, increased traffic will be seasonal with peak months and weekends. Individuals storing their boats and/or RVs will most likely access the site between late May and early September. Further, the frequency of trips generated during those months is not anticipated to be high. According to *the ITE Trip Generation Manual, 10<sup>th</sup> Edition,* the peak traffic generated with a mini-storage facility on a Saturday is 16.29 trips all day per 100 storage units and 3.7 trips in the highest peak hour per 100 storage units. The manual does not provide specific information related to the *Boat Storage* use; however, given that they are similar uses, the information is provided for context. There will also be long periods of the year when the boats and RVs are stored and access to and from the site will be minimal.

Another potential impact is inadequate property maintenance. Examples of this could include the storage of items other than boats and RVs, allowing boats and RVs to deteriorate, and allowing the property to become overgrown. The Conditional Use Permit (CUP) process provides an enforceable tool to address the use and the continued maintenance of the property. Staff recommends that the CUP be re-evaluated by the County Commission every 5 years.

**Staff Finding** — The proposed use is compatible with the surrounding area and will not detrimentally affect nearby properties.

# 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's Response: "Individual boat and RV owners need more storage facilities to house their equipment. City and county policies for residential boat and RV parking are becoming increasingly more restrictive. There is a shortage of storage and parking areas for surrounding communities and I believe this facility would benefit the community by creating additional storage areas."

Evaluation of the relative gain weighs the benefits to the community-at-large versus the benefit of the owners of the subject property.

Approval of this request would allow the property to be developed with a *Boat Storage* use. Denial of the request would benefit the general welfare and safety if there were negative impacts associated with the proposed use; however, negative impacts are expected to be minimal.

**Staff Finding** – In staff's opinion, the approval of this request will result in a compatible project that will not harm the public health, safety or welfare; therefore, denial of the request would provide no benefit to the public health, safety or welfare.

## VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN

An evaluation of the conformance of a Conditional Use Permit request with the comprehensive plan is based on the strategies, goals, policies and recommendations contained within *Horizon 2020*. A Conditional Use Permit provides additional review for uses which may be desirable in an area, but could have negative impacts. This tool allows development to occur in harmony with the surrounding area and to address specific land use concerns associated with the proposed use.

The subject property is not located within an identified urban growth area. The comprehensive plan recommends that agricultural uses continue to be the predominant land use within the areas of the county beyond the designated urban growth areas. Uses permitted in the rural area should continue to be limited to those which are compatible with agricultural production and uses.

**Staff Finding** – The comprehensive plan recommends that uses in the rural area be limited to those compatible with agricultural uses and that the design should be consistent with the rural character. A Conditional Use Permit can be used to allow specific non-residential uses subject to approval of a site plan. This tool allows proportional development in harmony with the surrounding area. As recommended by *Horizon 2020*, the proposed request is consistent with the comprehensive plan.

## **STAFF REVIEW**

This use is subject to a specific design standard (Section 12-319-4.23). The design standard addresses the location and screening requirements of open storage. The proposed development includes open and enclosed storage areas. Per the standard, "open storage must meet the minimum yard requirements of the district in which it is located and must be screened by a view reducing wall, fence or landscaping material from adjacent public roads and residentially zoned property." A review of compliance with this standard is provided below.

## LOCATION

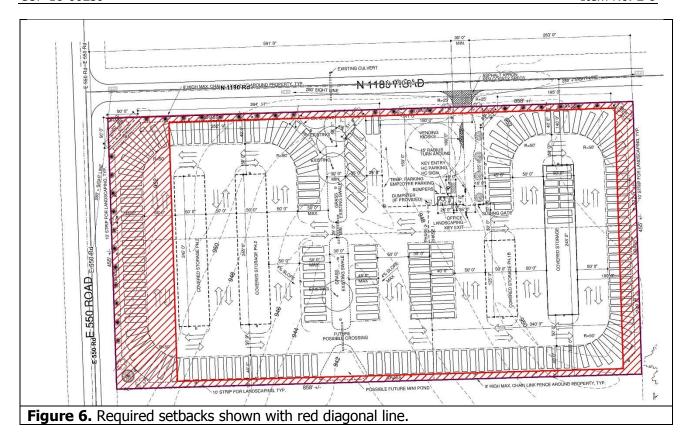
The setback requirements are provided in Section 12-318 and Section 12-305-1.01 of the Zoning Regulations. The required setbacks for the subject property are as follows:

- Front (west)\*\* = 140 feet (40 feet plus 100 feet)\*
- Side (north) = 50 feet (40 feet plus 10 feet)\*
- Side (south) = 10 feet
- Rear (east) = 30 feet

\*The west and north sides of the property are adjacent to roadways classified as Major Collectors in the Douglas County Access Management Map. Section 12-305-1.01 establishes a base setback line of 40 feet from the roadway centerline for this type of street. From the baseline setback the required front and side yard setbacks (Section 12-318) are then added to create the total setback requirement. For example, the front setback is 40 feet from the centerline of E. 550 Road, plus 100 feet from that point, for a total setback of 140 feet measured from the road centerline.

\*\*Section 12-303.188 of the Zoning Regulations provides a definition for the front yard. That standard states, "On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension." Given this definition, the west side of the property is considered the front even though access to the property will be provided via E. 1190 Road.

As mentioned above, the design standard related to the *Boat Storage* use prohibits open storage in the minimum yard setbacks. The proposed site plan provided with the Conditional Use Permit shows open storage in the front and rear setback, as shown in Figure 6. Staff identified this requirement late in the review process and the applicant was unable to revise the site plan to remove the open storage from the setbacks prior to the posting of the staff report. However, staff did address the design standard with the applicant and they indicated that they are amenable to removing the open storage from the setback and providing a plan that is compliant with the *Boat Storage* design standard. Staff recommends that a condition of approval be that the site plan is revised to remove the open storage from the setbacks.



## **SCREENING**

Per the design standard, the use must be screened by a view reducing wall, fence or landscaping material from adjacent public roads and residentially zoned property. The site plan shows the addition of street trees along E. 550 Road and N. 1180 Road. The plan also shows an 8 foot tall chain link fence surrounding the property, located along the property lines. The proposed street trees are shown to be located on the inside of the fence. Staff recommends that the site plan be revised to show the street trees planted on the outside of the fence, between the roadway and the fence.

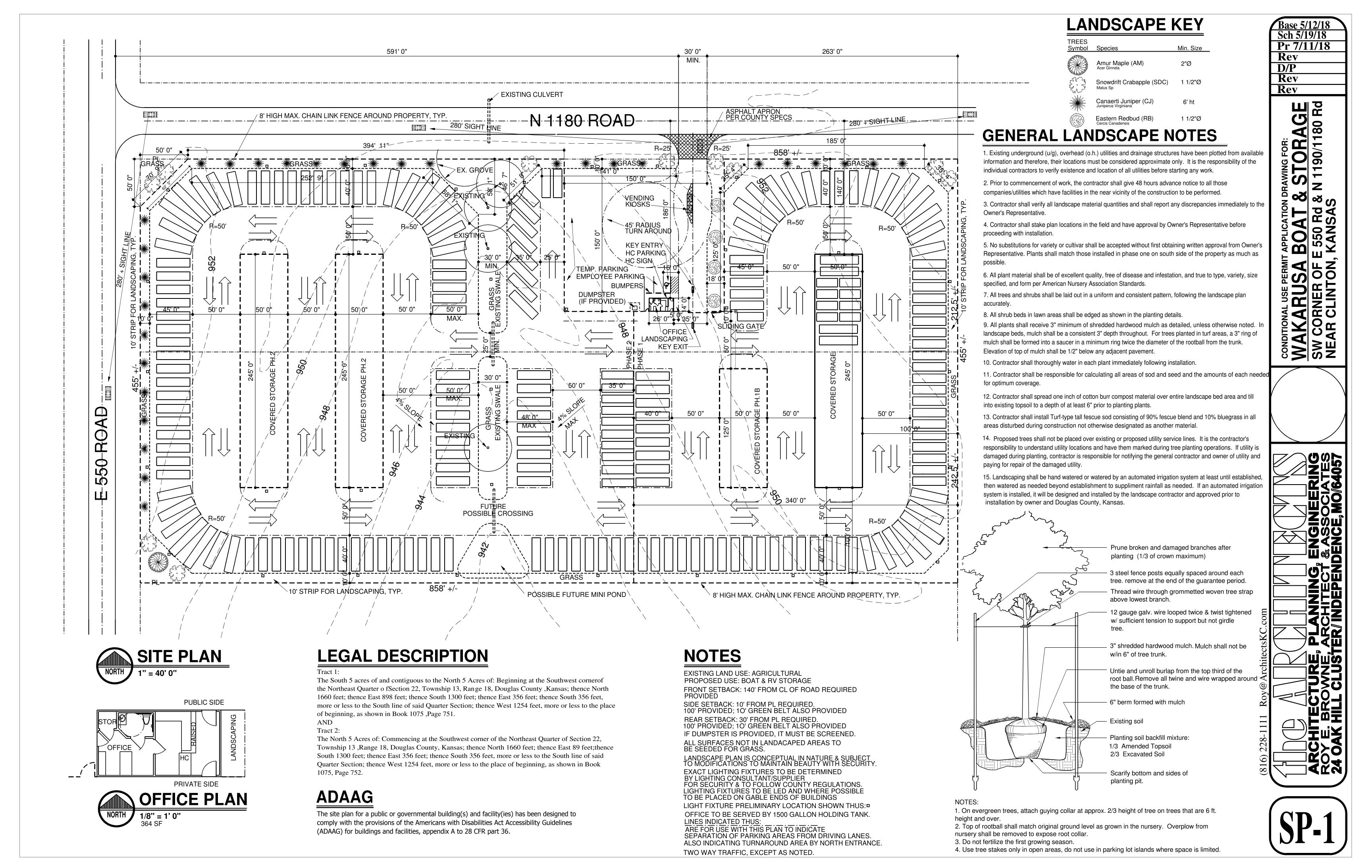
## **Limits and Conditions:**

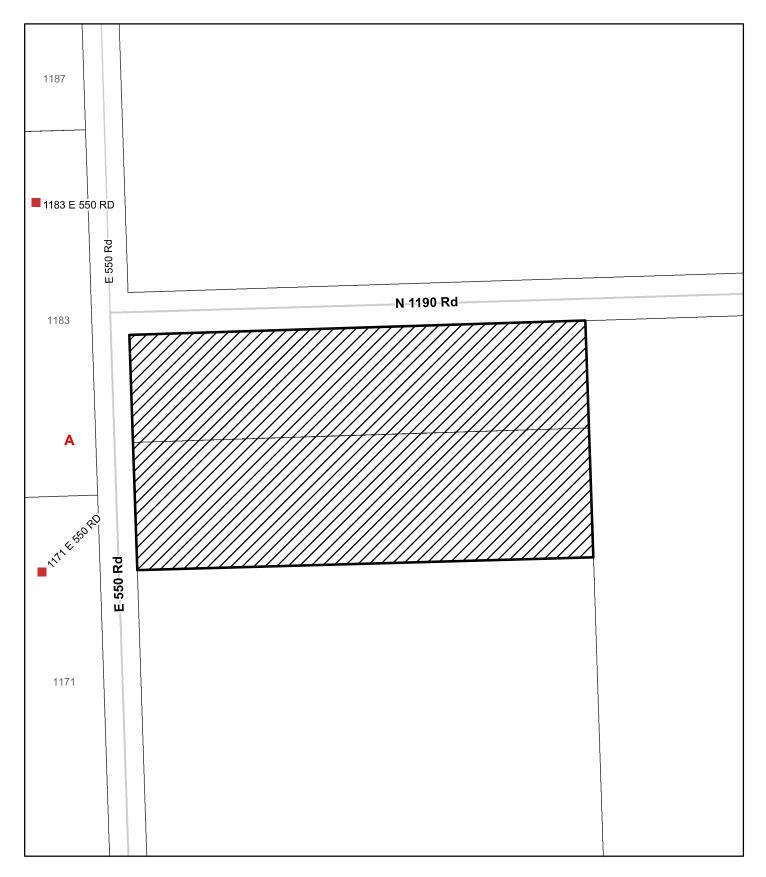
Five year administrative reviews are recommended to provide regular opportunities to assess changes in operation. This condition will be noted on the plan as a condition of approval.

## Conclusion

Approval of a Conditional Use Permit can be tailored to address specific issues such as intensity or frequency of use, include time limitations, and provide screening requirements. This Conditional Use Permit will allow development of a boat and RV storage facility that would include open and enclosed storage.

Staff recommends approval of the Conditional Use Permit for a boat and RV storage at E. 550 Road and N. 1190 Road, as conditioned.





CUP-18-00239: Consider a Conditional Use Permit for Wakarusa Boat & RV Storage LLC, located at E 550 Rd & N 1190 Rd.



## [Loren Baldwin letterhead]

RECEIVED

July \_\_\_, 2018

City of Lawrence Douglas County Planning & Development Services 6 East 6th St. P.O. Box 708 Lawrence, KS 66044 JUL 23 2018

City County Planning Office Lawrence, Kansas

Attention:

Ms. Becky Pepper, Planner II bpepper@lawrenceks.org

RE: CUP-18-00239: Consider a Conditional Use Permit for Wakarusa Boat & RV Storage LLC, located at E. 550 Rd. & N. 1190 Rd.

Dear Sir or Madam:

This letter is to present the opposition of the undersigned and the signatories to the attached petition to the above referenced Conditional Use Permit for an industrial warehouse in the farming community of Clinton, Kansas. As set out below, it is the community's view that the proposed conditional industrial use (moving, storage and transfer) is neither compatible with surrounding uses nor one that is suitable for the property in question. Please consider the following:

- 1. In the simplest terms, a boat and recreational vehicle storage facility is inherently incompatible with the use and character of a residential farming community, such as Clinton. A boat and RV storage facility is an industrial use where a large area of farmland is paved over for long-term storage of rows and rows of large, unattractive, aluminum-clad, wheeled boxes whose constant ingress and egress to the site will frequently obstruct existing residential, farming and lake access traffic. On the other hand, farming and residential use is both peaceful and productive in its natural beauty, with a strong sense of community among the residents as a result. A warehouse facility of this kind, owned by an absentee LLC, is no more "compatible" with a farming community than a race track or high-rise office building would be or, conversely, than a small farmstead would be in the midst of the vast sea of warehouses, shipping containers and 18-wheelers that form Los Angeles' industrial "Inland Empire." [or Kansas City's warehouse district???] The image that brings to mind demonstrates the stark contrast posed by this CUP application.
- 2. The intersection of E. 550<sup>th</sup> Road and N. 1190 Road is the literal and figurative gateway to Clinton. Virtually all residential and recreational lake use traffic flows through this intersection. As you approach, you see primarily cropland, a beautiful farmhouse, and several horses grazing in the field at the intersection. It needs to be maintained in the rural character of its current aesthetic form, as well as to keep the traffic flow at a smooth and peaceful pace.

- 3. The intersection is already stressed by the summer traffic flow from recreational users. In the period between Memorial Day and July 4th 2018, there were three separate accidents where speeding vehicles veered off N. 1190 Road between the intersection in question and East 596th Road. To introduce the behemoth recreational vehicles and boats constantly pulling in and out of the site will obstruct traffic, increase congestion and test the patience of other drivers, resulting in more speeding cars and more accidents, all in an area where young children ride their bicycles and play.
- 4. The owners of the facility are both absentee and solely focused on the lake's recreational market not the Clinton community. They will not care at all about anything but rents and operating costs. Yes; they may plant landscape screens initially to the minimum degree required by their permit. We can be absolutely certain that the screens will be both inadequate and not maintained beyond the first season.
- 5. The facility is unnecessary in market terms. Other similar facilities in closest proximity to the Clinton boat ramps and RV communities are reported to be no more than [\_\_%] occupied. Building another facility of this kind may attract users because of its location, but it will only be a substitute for the existing facilities and is not needed to satisfy pent up demand. Market demand does not justify this facility.
- 6. The facility will disrupt the good watershed stewardship practices that have been introduced at this property. [PROVIDE DETAILS]
- 7. The property in question is perfectly suitable for the current use to which it is restricted. It is productive farmland, having been improved with appropriate watershed infrastructure and used consistently over the years as such. It has not been held vacant except in connection with the current sale. Moreover, surrounding properties are dependent on this infrastructure being maintained.
- 8. We also believe that the site plan submitted for this CUP is insufficient and disingenuous in that it only shows use of one half of the land area as a first phase, counting on the initial approval to, in effect, "grandfather" phase two. To demonstrate the full impact of this incompatible use on our community, the site plan should show what is also contemplated by phase two, which will double the size of pavement, covered storage, vehicles, traffic and, simply put, overall ugliness.

We urge you to vote against this Conditional Use Permit.

Respectfully yours,

Loren Baldwin

## Outline:

- 1. Incompatibility
  - a. Traffic
  - b. Gateway
  - c. Aesthetic/community
  - d. Absentee owner
- 2. unsuitable
  - a. Environmental/watershed stewardship
  - b. traffic

## 12-319-1. CONDITIONAL USES AND CONDITIONAL USE PERMITS 12-319-1.01.

Recognizing 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, certain conditional uses listed in section 12-319-4 below, 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.

12-319-1.02. Before the establishment of, or before any changes in a conditional use, the application shall be filed with the Planning Commission requesting such establishment or change. The Planning Commission shall hold a public hearing as provided for in section 12-324, and shall review such plans and statements and shall, after a careful study thereof, and the effect that such buildings, structures, or uses will have upon the surrounding territory, submit a recommendation with findings of fact to the Board of County Commissioners within thirty days following said hearing, which shall include, but not be limited to, the following criteria: a. Zoning and Uses of Properties Nearby; b. Character of the Area; c. Suitability of Subject Property for the Uses to Which It has been Restricted d. Length of Time Subject Property has Remained Vacant as Zoned; e. Extent to Which Removal of Restrictions will detrimentally affect Nearby Property; f. 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; g. Conformance with the Comprehensive Plan; and, h. Professional Staff recommendation.

Following receipt of the Planning Commission's recommendation and Findings of Fact, the Board of County Commissioners may within the specifications herein provided, permit such buildings, structures, or uses, with or without conditions, provided that the public health, safety, morals, and general welfare will not be adversely affected, that ample off-street parking facilities

will be provided, and that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood valued.

12-319-1.05. Regardless of whether or not the Planning Commission approves or disapproves a Conditional Use Permit, if a protest petition against such amendment is filed in the office of the County Clerk within 14 days after the date of the conclusion of the public hearing pursuant to the publication notice, signed by the owners of record of 20% or more of any real property proposed for a Conditional Use Permit or by the owners of record of 20% or more of the total area required to be notified by this act of the proposed Conditional Use Permit for a specific property, excluding streets and public ways, the Conditional Use Permit shall not be approved except by at least a 3/4 vote of all the members of the Board of County Commissioners.

## PETITION IN OPPOSITION TO:

CUP-18-00239: Consider a Conditional Use Permit for Wakarusa Boat & RV Storage LLC, located at E. 550 Rd. & N. 1190 Rd.

The undersigned oppose the above referenced CUP in all respects:

Name	Signature	Address	Phone
Benée G	rey Bence ( Den	1191E596Rd	785-393-3129
Janice Pa	1 (0/ 10/	1183 £ 550 Rd	
Jerri Bal	duin Jean Bildin	11718 550Rd	
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Hodney		48 E 550 Rd	785-840-8878
Joshua + A		E.500 Rd.	785 764-6691
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The undersigned oppose the above referenced CUP in all respects:

Name Jintillesheim	Signature With Hellerheim	Address ロジルロ かのRa	785~917-0579
Carlena Hanes		The state of the s	B 785-760-1099
Bernard Han	EV BURT.	# 609 N 1180	R1 785 766-0869
NANCY M HODGE	& Paracum	1 Rodoec 1182 5 6	12RD 785-331-7045
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Amy Smith	Any Fryith	1060 NII TORd	7853934942
Joshin Urban C	in Palite	1092 E. 500 Rd	785-764-669
Donald Baldwin	Kul hill	1202 W 1180 Rd	785-746-7358
Conan Huffing	Ca	493 E 596 RZ	785.550.0059
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## PLANNING COMMISSION REPORT Regular Agenda - Public Hearing Item

PC Staff Report 07/25/2018

ITEM NO. 3A REZONING .27 ACRES FROM RSO TO CS; 1710 W  $7^{TH}$  ST & 1711 W  $6^{TH}$  ST (SLD)

**Z-18-00242**: Consider a request to rezone approximately 0.27 acres from RSO (Single-Dwelling Residential-Office) District to CS (Commercial Strip) District, located at 1710 W 7<sup>th</sup> St and 1711 W 6<sup>th</sup> St. Submitted by Casey's Retail Company on behalf of Harold Shephard and Marla Webster and James W Vantuyl and Brenda S. Vantuyl, property owners of record.

**STAFF RECOMMENDATION:** Staff recommends approval of the request to rezone approximately .27 acres, from RSO (Single-Dwelling Residential Office) District to CS (Commercial Strip) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Applicant's Reason for Request: In order to construct a parking lot with approximately 40 parking spaces.

## **KEY POINTS**

- Request expands the commercial zoning to the south to facilitate redevelopment of property along W. 6<sup>th</sup> Street.
- Redevelopment project includes multiple parcels of land and property owners.
- Redevelopment project includes consolidated access along W. 6<sup>th</sup> Street west of Wisconsin Street.
- Redevelopment will include a new traffic signal at the intersection of Wisconsin Street and W.
   6<sup>th</sup> Street.

## ASSOCIATED CASES/OTHER ACTION REQUIRED

- MS-18-00243: Casey's General Store replaces MS-17-00554
- SP-18-00124: PANDA Pediatrics Office redevelopment; 1803 W. 6<sup>th</sup> Street.
- SP-18-00275: Casey's General Store replaces SP-17-00501

## **Other Action Required**

- City Commission approval of rezoning and adoption of ordinance.
- Publication of rezoning ordinance.
- City Commission acceptance of easements and rights-of-way associated with MS-18--00243
- Recording of the minor subdivision with the Register of Deeds office.

## PLANS AND STUDIES REQUIRED

- Traffic Study Not required for rezoning
- Downstream Sanitary Sewer Analysis not required for rezoning
- *Drainage Study* Not required for rezoning
- Retail Market Study Not applicable to request

## **ATTACHMENTS**

Attachment A: Area Map

Attachment B: Proposed Minor Subdivision

8-00242 Item No. 3A - 2

Attachment C: Proposed Site Plan

Attachment D: HOP District Plan Boundary Map

## PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

None received

## **Project Summary:**

Proposed request is for CS (Commercial Strip) District zoning. The request would extend the district zoning to the south along Wisconsin Street to accommodate an additional commercial development south of the proposed Casey's redevelopment. The applicant (Casey's) has submitted this request because of the need to seek an access solution to gain full access curb cut to W. 6<sup>th</sup> Street.

The proximity of driveways to the constructed Wisconsin Street intersection reduces the opportunity to construct a separate driveway for the Casey's site on their property. The project necessarily has expanded to include additional land (properties) to accommodate their preferred access. This expansion resulted in the expansion of land associated with this project providing parking for Academy Car's site to the south of the Casey's site. Rezoning of the property is necessary to meet the minimum requirements of the proposed use. This application is submitted concurrently with an application for a minor subdivision and site plan for redevelopment.

## 1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: No response provided

The following strategies, goals, and policies discussed below can be found in detail in Chapters 3, 5, and 6 of *Horizon 2020*.

## Key Strategies

- The plan supports infill development and redevelopment
- The plan supports development consistent and compatible with established land use patterns in surrounding areas.
- The plan recognizes area plans.
- The plan encourages the development of neighborhoods with a range of densities.
- The plan encourages the use of progressive land uses to achieve a transition in land use and intensity levels to avoid major or abrupt changes in density and building type.

## Residential Strategies, Goals, and Policies

- Character and appearance of existing neighborhoods should be protected and enhanced infill
  development should reflect architectural qualities and styles of existing neighborhoods.
- Design, site improvements, and infrastructure shall be consistent with adopted neighborhood plans, with the development of a neighborhood concept, and with the area plans and sector plans.

## Commercial Strategies, Goals, and Policies

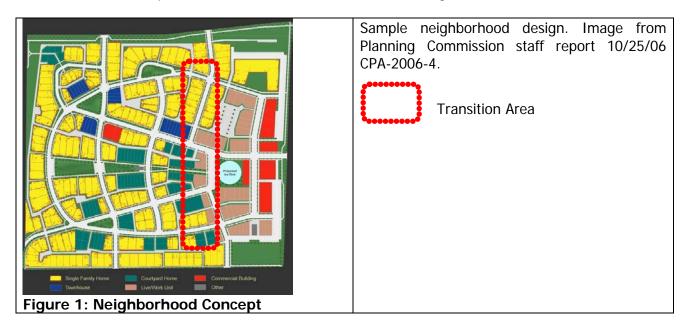
- Establish and maintain commercial development nodes at selected intersections.
- Avoid continuous lineal and shallow depth commercial development.
- Encourage infill development and/or redevelopment of existing commercial areas.
- Improve overall community image through development of site layout and accessibility plans that are compatible with the community's commercial and retail areas.

- Encourage the retention, redevelopment, and expansion of established commercial areas of the community. (Goal 1: Established Commercial Area Development)
  - Existing Commercial areas should be improved and upgraded. Particular emphasis should be given to existing commercial gateways. (Policy 1.4: Redevelopment of Existing Commercial Areas)

This request is located within the area that is part of the W. 6<sup>th</sup> Street corridor. The W. 6<sup>th</sup> Street corridor (Alabama Street to Iowa Street) is part of an existing commercial area described in *Horizon 2020 (page 6-17). Horizon 2020* does not recommend expansion of this area beyond the property currently zoned commercial or office. All new development or redevelopment occurring along this corridor shall be required to consolidate curb cuts and provide access easements to adjoining properties.

*Horizon 2020* defines the neighborhood concept on page 5-2. Neighborhood components may interest and overlap between neighborhoods. Where land uses change from one distinct use to another is where the transition occurs. Figure 2 provides an example of this neighborhood concept. The transition zone is highlighted for context. The area north of W. 7<sup>th</sup> Street is the transition zone between the low-density residential neighborhood and the W. 6<sup>th</sup> Street commercial corridor.

The proposed request rezones a portion of the existing RSO to CS. This change would expand the allowed uses and extend the scope of commercial uses to the south. A portion of the original parcel is retained as RSO and preserved as a buffer along W. 7<sup>th</sup> Street; thereby separating the low-density residential development from the higher-intensity corridor along W. 6<sup>th</sup> Street. The intent of the rezoning is to facilitate the redevelopment of the properties at the corner, remove and combine driveways along W. 6<sup>th</sup> Street, and provide additional off-site parking for an existing automotive dealership in the immediate area east of the rezoning.



**Staff Finding** – The proposed application does not expand the commercial boundary along the corridor linearly, but it does expand the depth. The property currently allows residential and office uses. If approved the possible intensity could be increased by the change in the base district to CS

(Commercial Strip) zoning. This intensity is offset by the intent of the request to facilitate infill development and improve access along the W. 6<sup>th</sup> Street corridor. The proposed request is consistent with the goals and policies related to infill development and retention and improvement of existing commercial areas discussed in *Horizon 2020*.

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

GENERAL INFORMATION	
Current Zoning and Land Use:	RSO (Single-Dwelling Residential Office) District.
	Undeveloped land located along the west side of
	Wisconsin Street, proposed as Lot 2 Casey's Subdivision.
Surrounding Zoning and Land	CS (Commercial Strip) District to the north. Existing vacant
Use:	commercial uses including former hotel and office uses,
	proposed to be redeveloped as gas and fuel sales and
To the north	convenience store (Casey's - SP-18-00275). Proposed as
	Lot 1 Casey's Subdivision
To the south	RSO (Single-Dwelling Residential Office) District.
	Undeveloped land; proposed as Lot 3 Casey's Subdivision.
To the east	RMO (Multi-Dwelling Residential Office) District. Existing
	multi-dwelling residential along the east side of Wisconsin
	Street.
To the west.	RSO (Single-Dwelling Residential Office) District.
	Redeveloping <i>Health Care Office</i> use (1803 W. 6 <sup>th</sup> Street
	SP-18-00124).







Figure 3: Surrounding Land Use

**Staff Finding** – The property to be rezoned abuts existing CS zoning to the north. The intent of the request is to facilitate redevelopment of properties along the corridor and consolidate access driveways to W. 6<sup>th</sup> Street with the least amount of impact to the surrounding neighborhood.

## 3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: Existing vacant hotel property to the north and vacant property to the south. Existing care dealership to the east. Property to the east is being redeveloped.

The applicant's response describes the request as an independent use, *Light Equipment Sales* (automotive sales lot) in relation to the redevelopment of the property to the north (Casey's site). The area located between W. 6<sup>th</sup> Street and W. 7<sup>th</sup> Street is not located in a designated neighborhood. It is included in the HOP area plan and discussed later in this report. The property is generally part of the W. 6<sup>th</sup> Street corridor area, and is part of a transition area between the commercial uses located along the arterial street and the lower density residential neighborhood to the south.

The immediate area includes a mix of uses including high-density residential uses along Iowa Street, medium density residential development along W. 6<sup>th</sup> Terrace, and commercial and industrial uses along W. 6<sup>th</sup> Street and Florida Street.



Figure 4: Neighborhood Area

- Area to be rezoned highlighted in red.
- High-density Multi-Dwelling
- Medium-density Multi-Dwelling (13 DU/Acre)
- Industrial Use.

- Healthcare Office Use.
  - **Existing Retail Commercial Use**

The property to the west is redeveloping from a vacant use to a *Healthcare Office*. This section of W. 6<sup>th</sup> Street has included redevelopment of property on the north side of the corridor at 1716 W. 6<sup>th</sup> Street and 530 Colorado Street in the past several years.

**Staff Finding** – The subject property is located between two established neighborhoods along the W. 6<sup>th</sup> Street corridor. It is part of a transitional area separating the commercial arterial street segment from the low-density residential portion of the neighborhood to the south.

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

This property is located within an area defined as the HOP District. A plan for this area was adopted in May 2005 and included portions of the Hillcrest, Old West Lawrence, and Pinckney Neighborhoods, and where they intersect the W. 6<sup>th</sup> Street corridor. The purpose of the plan was to provide guidance for redevelopment along W. 6<sup>th</sup> Street that "would serve and enhance the

surrounding neighborhood," preserve residential uses, and "revitalize the commercial W. 6<sup>th</sup> Street corridor."

The plan assessed each parcel within the boundary and identified parcels that had conflicting land use and zoning. The focus of the plan was to address specific parcels of land where the land use did not align with the existing zoning district. Three key goals are identified in the plan.

- 1. Preserve and improve commercial urban core and adjacent historic residential neighborhoods by encouraging aesthetically appealing redevelopment through design standards.
- Encourage redevelopment and support compatible mixed-use development through
  preserving residential use and character, which is predominantly single-family
  residential along edges of the district, updating zoning to reflect uses where appropriate
  and requiring reasonable transitions through buffer uses and zoning between singlefamily residential and higher-density uses.
- 3. Promote identification of the district as a gateway to downtown and as a medical entryway for community medical services by incorporating pedestrian friendly design characteristics similar to downtown. Providing incentives for medical uses to locate in the district. Supporting medical uses as acceptable buffers between commercial and residential uses through the district.

Within the plan boundary, three specific areas were identified. The plan did not include specific land use recommendations for these areas. Figure 6 shows the three areas. The subject property is located within area 3. The plan recommended the creation of a "task force" to work with affected prpety onwers in the identified area. To dtae no such group has been formed. These area were identified because "of concerns regarding the compatibility of the existing outdated zoning with the current character and uses, the preservation of single-family homes, and the application of zoning buffers between uses." The plan states; "the identified areas should be revised to reflect these issues where possible." The plan also states; "where possible and consistent with the plans goals, properties abutting the commercial zones should be a form of mixed use, multiple-family residential, and office uses and zonings. This provides a progression from low to medium density residenital to commercial uses."

This rezoning application is a direct result of a proposed redevelopment/infill project along W. 6<sup>th</sup> Street. The project will include required buffering as recommended in the plan. The project will also be subject to compliance with the Community Design Guidelines (commercial design guidelines) as they apply to the physical development of the properties included in the various redevelopment applications.

The request does not extend CS zoning to W. 7<sup>th</sup> Street and retains an area of land zoned RSO (Single-Dwelling Residential Office) District. W. 7<sup>th</sup> Street is the boundary between the low-density residential uses and the transition to the higher intensity land uses along W. 6<sup>th</sup> Street. There is no current development proposal for the parcel along W. 7<sup>th</sup> Street.



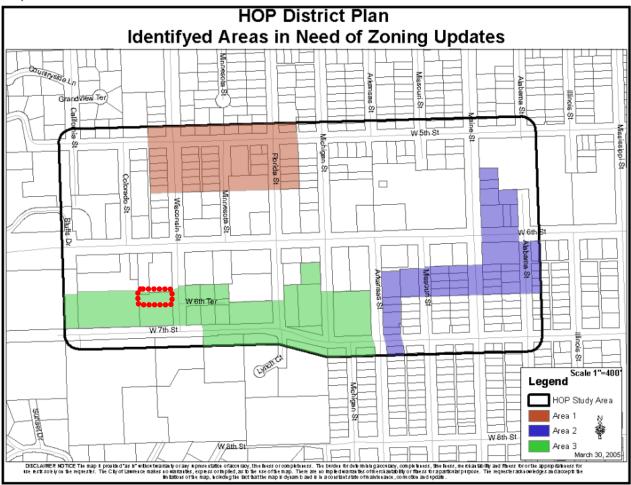


Figure 5: HOP District Plan Zoning Update Areas

**Staff Finding** – The HOP plan does not include specific land use recommendations for the subject property. The plan generally recommends the use of progressive zoning to step down land use intensity from W. 6<sup>th</sup> Street between the corridor and the low-density residential land uses. The plan also recommends and supports redevelopment of the corridor with high-quality pedestrian-oriented development.

Site design elements are subject to the subdivision regulations, site plan, and community design guidelines requirements. These regulations will be used to implement plan recommendations for required buffer yards and transitions appropriate to the site.

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

Applicant's Response: Proposed parking lot is not a permitted use within the current RSO zoning.

The property is current zoned RSO (Single-Dwelling Residential Office) District and is undeveloped. The property is vacant and underutilized. The property abuts commercial zoning to the north and northeast. The property to the west is currently vacant but is being redeveloped for a *Healthcare Office* use. The property to the east includes four-plex and duplex uses along W. 6<sup>th</sup> Terrace.

These residential uses are oriented so that the side property lines adjoin the common street (Wisconsin Street) providing buffering between land uses.

The purpose of the request is for the development of a satellite surface parking lot for Academy Cars (*Light Equipment Sales & Service*). The property as zoned does not permit this use. Rezoning the property will allow the construction of a surface parking lot providing additional off-street parking and preserve the remaining RSO zoned lot located along W. 7<sup>th</sup> Street for a low-intensity land use.

The property is undeveloped and does not actively contribute to the neighborhood. Rezoning the property will provide an opportunity to activate the property by providing necessary off-street parking for an existing commercial use and facilitate redevelopment along the corridor. Sufficient area is included in the request to include an appropriate buffer between the commercial and residential zoning as shown on the attached site plan.



**Figure 6: Surrounding Development Pattern** 

**Staff Finding** – The property as zoned is not suitable for the proposed use. Rezoning the property from RSO to CS is a suitable change to facilitate the redevelopment of property along the corridor, and infill development of the property along Wisconsin Street.

## 6. **LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED** Applicant's Response: *From Aerial photos it has been vacant for a minimum of 23 years.*

The property is currently vacant and zoned RSO (Single-Dwelling Residential Office) District. The property has been zoned RSO since 2006. Prior to 2006 the property was zoned RM-2 (Multidwelling Residential) District. The change in zoning in 2006 substantially changed the development options for the property from high-density (maximum density 24 dwelling units per acre) to a lower density (maximum density 15 dwelling units per acre). The change also altered the type of housing from multi-dwelling form to single-dwelling housing. Office uses are also permitted in the RSO district.

**Staff Finding** – The property is current vacant. It has remained vacant as zoned RSO since 2006. It was vacant and zoned RM-2 between 1995 and 2006 when it would have permitted a more intensive multi-dwelling residential development.

## 7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicant's Response: Do not feel will detrimentally affect nearby properties.

The proposed request exchanges the office component of the RSO district for a range of commercial and retail uses permitted in the CS district. The proposed request extends the CS zoning boundary south to accommodate a single lot. The request excludes the majority of the property on the northwest corner of Wisconsin Street and W. 7<sup>th</sup> Street, which is preserved as RSO for future development.

This application is submitted concurrently with applications for a minor subdivision and a site plan for development of a *Gas Fueling and/ Personal Convenience/Fast Order Food use,* and a lot for the development of a satellite location for off-street parking for a *Light Equipment Sales and Service Use.* These changes will benefit the surrounding area by improving the properties, reducing driveway cuts to W. 6<sup>th</sup> Street, enhancing vehicular circulation to the surrounding street network, with required street and sidewalk improvements and removing on-street parking from Wisconsin Street.

Some area residents may perceive a change to the traffic as detrimental. Required improvements to the street network turn lanes, intersection improvements, and sidewalks should mitigate these impacts. Required buffer yards and landscape standards are applicable to the site development and will further mitigate impacts associated with increased activity resulting from changes in uses along the corridor.

**Staff Finding** – The proposed request does extend commercial zoning an additional 53 feet to the south as shown on the exhibits. The primary change to the area will result from the redevelopment of the Casey's site at the corner of Wisconsin Street and W. 6<sup>th</sup> Street. The proposed request is minor compared to the overall redevelopment application. The impact of the request facilities the redevelopment of the corridor allowing a shared access point to occur and creating a new parking lot providing additional off-street parking for an existing commercial use.

The project includes significant public improvements and on-site buffering to mitigate any detrimental impacts to surrounding property owners.

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

Applicant's Response: Rezoning is necessary to redevelopment the southwest corner of W. 6<sup>th</sup> Street & Wisconsin Street.

Evaluation of this criterion includes weighing the benefits to the public versus the benefit of the owners of the subject property. Benefits are measured based on anticipated impacts of the rezoning request on the public health, safety, and welfare.

This application is the result of a coordinated effort between multiple property owners to facilitate redevelopment of the southwest corner of W. 6<sup>th</sup> Street and Wisconsin Street and meet the

minimum requirements for access management and driveway access along the corridor. The project involves consolidating and reconfiguring property lines along with amending the zoning boundary to accommodate the redevelopment needs of the individuals engaged in the redevelopment process.

The gain to the public is the improved access to W. 6<sup>th</sup> Street and the increased investment in the corridor through redevelopment and infill development of property. The hardship to the developer is the ability to meet the access management requirements without the additional land area subsequently included in the project.

**Staff Finding** – Approval of the rezoning will result in a gain to the public by improving the access management of the corridor and redevelopment of property along the corridor.

## 9. PROFESSIONAL STAFF RECOMMENDATION

The proposed request is part of a larger redevelopment application that includes multiple properties and owners. This application is considered concurrently with the minor subdivision application and is shown on that document as Lot 2. Lot 1 will be developed as the Casey's site. Lot 3 will remain vacant and zoned RSO. A development application has not been submitted for Lot 3 at this time.

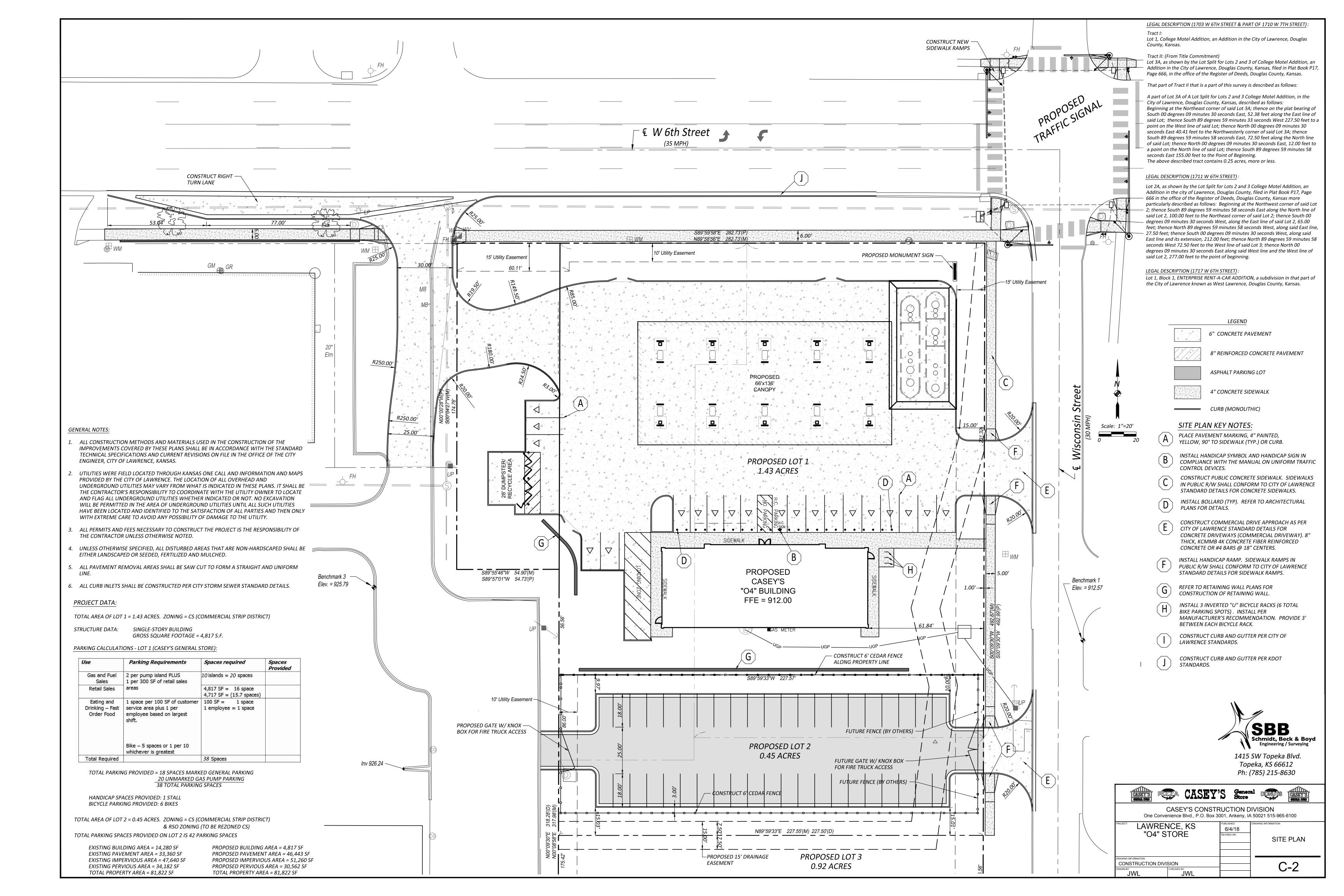
In addition to these applications, a site plan is being processed for a change of use from the former Eagle's Lodge to a medical office use (*Health Care Office*) for the property immediately to the west, 1803 W. 6<sup>th</sup> Street. As the properties redevelop, access to W. 6<sup>th</sup> Street has been a significant review item for City staff. The office use and Casey's will share the access drive that aligns with Colorado Street (to the north). The Casey's site will also be developed with a driveway to Wisconsin Street. Lots 2 and 3 will take access to Wisconsin Street as they develop.

The natural topography of W. 7<sup>th</sup> Street prevents direct access from both the office lot and the undeveloped RSO lot (Lot 3, Casey's Subdivision). The zoning combined with the topography provide a buffer between the W. 6<sup>th</sup> Street commercial corridor to the north and the low-density residential uses to the south.

Staff recommends approval of the proposed rezoning as discussed in the body of the staff report.

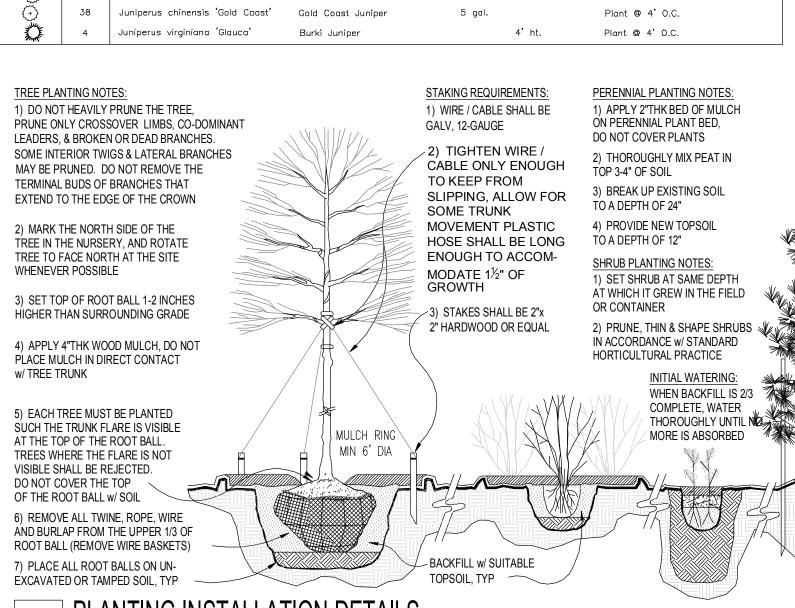
## CONCLUSION

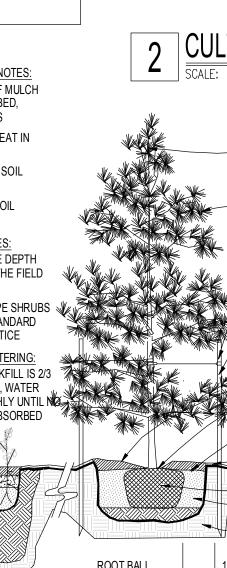
The proposed request is part of a redevelopment/infill project including multiple land parcels. The minor subdivision and site plan drawings are attached for context.



## Planting Notes 1. Location of all existing utilities needs to done before commencing work. 2. The planting plan graphically illustrates overall plant massings. Each plant species massing shall be placed in the SIGHT DISTANCE field to utilize the greatest coverage of ground plane. The following applies for individual plantings: a. Creeping groundcover shall be a minimum of 6" from paving edge. TRIANGLE SIGHT/DISTANCE b. All trees shall be a minimum of 3' from paving edge. c. All plants of the same species shall be equally spaced apart and placed for best aesthetic viewing. TRIANGLES d. All shrubs shall be a minimum of 2' from paved edge. 3. Mulch all planting bed areas to a minimum depth of 3". Mulch individual trees to a minimum depth of 4". 4. Note: If plants are not labeled - they are existing and shall remain. 5. All landscaped areas in ROW shall be sodded and irrigated unless otherwise specified. 1. Plant material shall be healthy, vigorous, and free of disease and insects as per AAN standards. 2. Shredded bark mulch installed at trees shall be finely chipped and shredded hardwood chips, consisting of pure wood products and free of all other foreign substances. Pine bark compost mulch installed at planting bed areas shall be free of all 1. All planting beds shall be amended with 1 cubic yard of peat moss per 1,000 square feet. Till peat moss into soil to a 6" depth. A 10-10-10 fertilizer shall be spread over all planting areas prior to planting, at a rate of 50 pounds per 2,000 square feet. 2. After plants have been installed, all planting beds shall be treated with Dacthal pre-emergent herbicide prior to mulch |3. Plant pit backfill for trees and shrubs shall be 50% peat or well composted manure and 50% topsoil. 4. Plant material shall be maintained and guaranteed for a period of one year after Owner's acceptance of finished job. All dead or damaged plant material shall be replaced at Landscape Contractor's expense. LANDSCAP 6. Landscape contractor shall maintain all plant material until final acceptance, at which point the one year guarantee begins. Landscape Calculations **Street Trees:** One tree per 40 feet of public or private street frontage. REQUIREMENT MET. Parking Lot Interior: LANDSCAP PROPOSED \*At least one Shade Tree and three Shrubs shall be provided per ten Parking Spaces 66'x136' within off-street Parking Areas. One Shade Tree or Ornamental Tree may be CANOPY substituted for three Shrubs, but Shrubs may not be substituted for Shade Trees. \*In addition to required Shade Trees and Shrubs, landscape areas within the interior of off-street Parking Areas shall be planted with turf, Ground Cover, Ornamental Trees, or Shrubs. 므 62 Parking Stalls Provided = 6 Shade trees and 19 Shrubs required. 6 Shade trees and 19 Shrubs Provided. \*Parking Lots shall contain at least 40 sf of Landscaping area per parking space: 2480 SF of interior parking open space required. 2667 SF TOTAL SIGHT DISTANCE 2480 SF of interior parking open space provided. INTERIOR LANDSCAPE REQUIREMENTS MET. TRIANGLES ÆΗ LANDSCAPE Parking Lot Perimeter: A low continuous landscaped hedge at least three feet (3') high, planted in a triangular pattern so as to **LANDSCAPE** achieve full screening at maturity. REQUIREMENT MET. Bufferyard along the south property line: CS zoning adjacent to RSO zoning south of property. Type 2 buffer required. 4 trees and 10 shrubs per 100' Required. 227' of property = 9 Trees Required, 23 Shrubs Required. SIDEWALK 9 Trees and 23 Shrubs Provided. SOD 918 -REQUIREMENT MET. **PROPOSED** S89°54'05"W 54.73' Benchmark 3 CASEY'S Elev. = 925.79 "04" BUILDING FFE = 912.00 Landscape Schedule

Symbol	Qty.	Botanical Name	Common Name	Min.Root	Min.Size	Caliper	Remarks
OVERST	TORY TREE	ES					
	16	Gleditsia triacanthas 'Skyline'	Shademaster Honeylocust			2.5"	6' min. clear., ground to canopy
	2	Ulmus parvifolia	Lacebark Elm			2.5"	6' min. clear., ground to canopy
+ 3	3	Acer x truncatum 'Warrenred'	Pacific Sunset Maple			2.5"	6' min. clear., ground to canopy
EVERGE	REEN TREE	ES					
A STATE OF THE STA	21	Juniperus chinensis 'Keteleeri'	Keteleeri Juniper		6' ht.		symmetrical pyramidal form
	5	Picea abies	Norway Spruce		6' ht.		symmetrical pyramidal form
DECIDU	JOUS SHR	UBS/GRASSES					
$\odot$	48	Liriope muscari 'Varigated'	Varigated Liriope	1 gal.			Plant @ 18" O.C.
	29	Abelia x grandiflora Kaliedoscope	Kaleidoscope Abelia	2 gal.	24" ht. Min		Plant @ 4' O.C.
$\odot$	33	Syringa X 'Penda'	Bloomerang Purple Lilac	3 gal.	24" ht. Min		Plant @ 5' O.C.
EVERG	REEN SHR	UBS					
2	45	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 gal.			Plant @ 4' O.C.
	38	Juniperus chinensis 'Gold Coast'	Gold Coast Juniper	5 gal.			Plant @ 4' O.C.
The state of the s	4	Juniperus virginiana 'Glauca'	Burki Juniper		4'ht.		Plant @ 4' O.C.





LANDSCAPE Prepared Planting CULTIVATED EDGE DETAIL LANDSCAPE DO NOT PRUNE LEADER PRUNE DAMAGED OR DEAD WOOD IMMEDIATELY PRIOR TO PLANTING. NEVER LEAVE LEAVE "V" CROTCHES OR DOUBLE LEADER. TREE TIE SYSTEM, SEE STAKING REQUIREMENTS 3 METAL STAKES. PLACE NEXT TO ROOT BALL AS SHOWN. SPACE EQUIDISTANT AROUND TREE. 4" MIN. SPECIFIED MULCH PLANT ROOT BALL 2" HIGHER THAN GRADE AT WHICH TREE GREW. INSTALL WEED CONTROL FABRIC IF TREE IS IN LANDSCAPE BED CONTINUOUS SAUCER, RIM FOR WATER & MULCH CUT & REMOVE BURLAP FROM TOP 1/3 OF BALL SPECIFIED BACKFILL MIXTURE EXISTING UNDISTURBED SUBSOIL \_\_\_\_\_\_\_1/2 DIAMOF BALL

124 SF LANDSCAP BED S - 26<del>67 SF</del> TOTAL INTERIOR LANDSCAPE 6 TALL WOOD LANDSCAPE BED PRIVACY FENCE-<del>-920-</del> - 921 -922- 923 924 925 Lot 3A Lot Split of Lots 2&3 College Motel Addition LANDSCAPE PLAN

LANDSCAPE ARCHITECTURE 15245 Metcalf Ave. Overland Park, KS 66223 913.787.2817



CLIENT

Street

Wisconsin

CASEY'S CONSTRUCTION DIVISION ONE CONVENIENCE BLVD. ANKENY, IOWA 50021 (515) 965-6100

## **PROJECT**

Casey's General Store 6th and Wisconsin Street Lawrence, KS

SCALE: 1"=20'

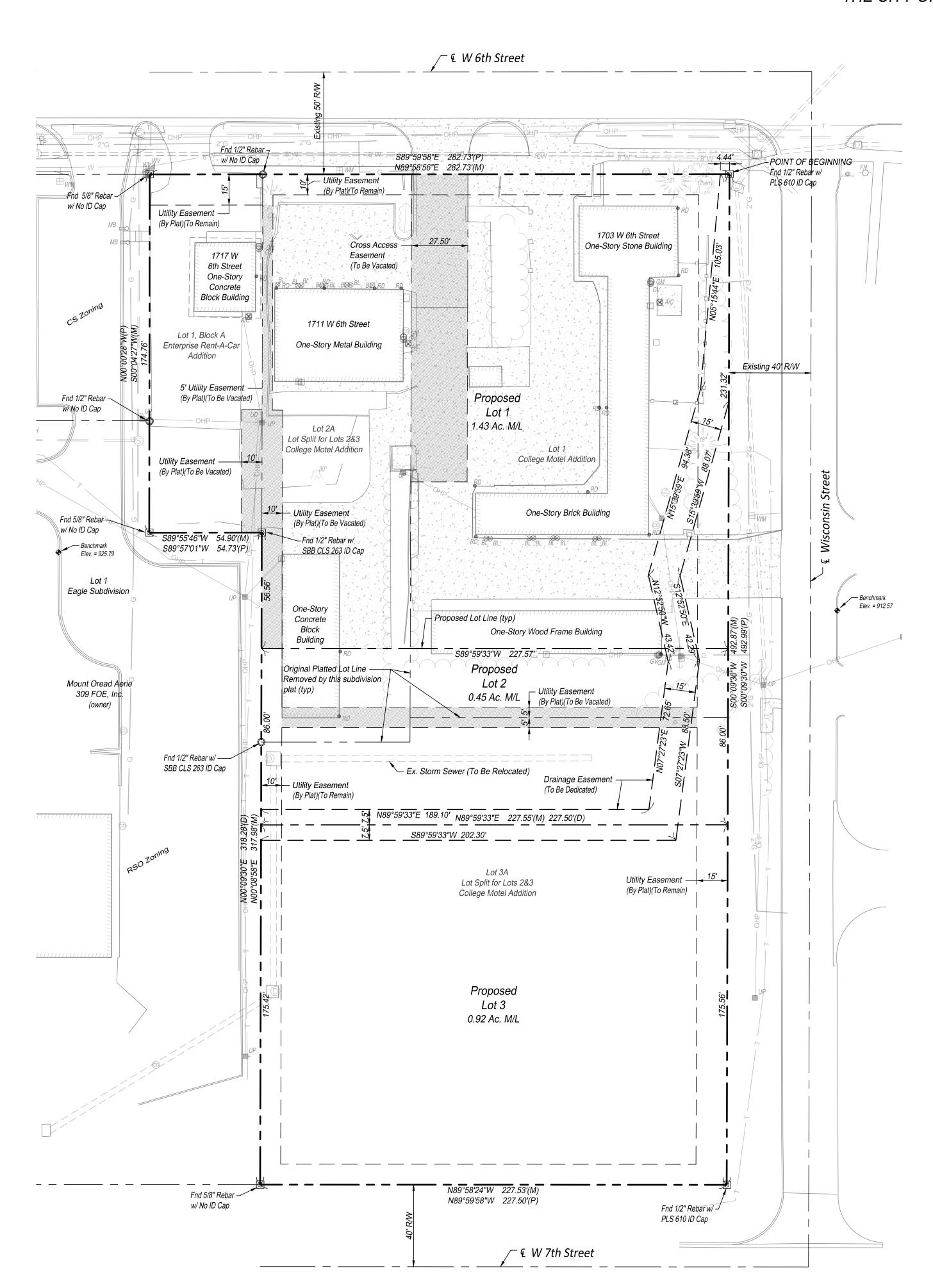
Date: 5.18.18

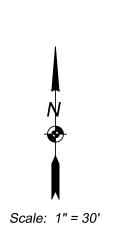
Landscape Plan

PLANTING INSTALLATION DETAILS

# CASEY'S SUBDIVISION

A MINOR SUBDIVISION/REPLAT OF LOT 1, COLLEGE MOTEL ADDITION, LOTS 2A AND 3A OF A LOT SPLIT FOR LOTS 2 AND 3 COLLEGE MOTEL ADDITION AND LOT 1, BLOCK A, ENTERPRISE RENT-A-CAR ADDITION, ALL IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

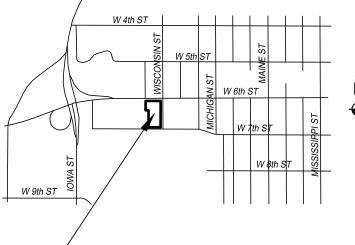




BASIS OF BEARING: The bearings system for this survey is based on the subdivision plat of Motel 6 Addition, holding the East line of the subdivision as S00°09'30"W

## LEGEND

- O Found Rebar as noted (cast in concrete)
- Found Rebar as noted
- (P) Plat
- (M) Measured (D) Described



SUBDIVISION LOCATION

Community features within a mile: Hillcrest Elementary, Water Tower Park, West Middle School, Sunset Hill Elementary, Ludlam Park, Centennial Park, Lawrence Country Club, Kansas National Guard Armory, Lawrence Public Schools Admin., Peterson Park, Lawrence Memorial Hospital, Woody Park, Community Health Building, Kaw Water Treatment Plant, Sandra J. Shaw Community Health Park, Ventas Christian School, Burcham Park, Kansas River, Constant Park, Robinson Park, City Hall, US Post Office, Buford M. Watson Jr. Park, Pinckney Elementary, Clinton Park, Lawrence Public Library, Outdoor Aquatic Center, Fire Station #1, The University of Kansas,

Chiseled Square on top of curb on the East side of Wisconsin Street, located 74.5' North Northeast from the Southeast corner of proposed Lot 1. Elevation = 912.57 (NAVD 88 Datum)

Chiseled Square on top of curb on the West side of the drive entrance to 1803 W 6th Street, located 135.4' North Northwest from the Southwest corner of subject tract. Elevation = 925.79 (NAVD 88 Datum)

## GENERAL NOTES:

- 1. The bearings are based on the Subdivision Plat of College Motel Addition as recorded in
- 2. This Minor Subdivision is a replat of Lot 1. College Motel Addition. Lots 2A and 3A of A Lot Split for Lots 2 and 3 College Motel Addition and Lot 1, Block A, Enterprise Rent-A-Car Addition, all in the City of Lawrence, Douglas County, Kansas. Further division or consolidation of any lots contained in the Minor Subdivision is prohibited, and shall be processed as a Major Subdivision, unless the action meets the exception noted in Section 20-808(c)(5)(i).
- 3. Street trees shall be provided in accordance with the Master Street Tree Plan filed with the Register of Deeds Book \_\_\_\_\_\_, Page \_\_\_\_\_. If street trees die, the property owner is responsible for replanting trees within one year. No trees on the right-of-way can be removed without the permission of the City of Lawrence Parks Department. Trees within the right-of-way require tree root protection within 10' radius of the tree trunk.
- 4. The City is hereby granted a temporary right of entry to plant the required street trees pursuant to Section 20-811(g) of the City Subdivision Regulations.
- 7. According to the City of Lawrence online Interactive Map, Lot 1, Block A, Enterprise Rent-A-Car, Lot 1, College Motel Addition and Lot 2A, Lot Spit for Lots 2 & 3, College Motel Addition, except approximately the South 12 feet is currently zoned "CS" (Commercial Strip District). The South 12 feet of Lot 2A and all of Lot 3A, Lot Split for Lots 2 & 3, College Motel Addition is zoned "RSO" (Single Dwelling Residential-Office). The lots within this Subdivision/Replat shall be rezoned to "CS" (Commercial Strip District). All new construction shall conform to the setback regulations of the "CS" (Commercial Strip District) district as defined by the City of Lawrence Development Code.
- 8. The lots will be pinned prior to recordation of the Subdivision/Replat at the Register of Deeds Office (per Section 20-811(k)).
- 9. No portion of this property is located within a designated "Special Flood Hazard Area" per

APPROVED AS A MINOR SUBDIVISION UNDER THE SUBDIVISION REGULATIONS OF THE CITY OF LAWRENCE & THE UNINCORPORATED AREA OF DOUGLAS COUNTY, THIS \_\_\_\_\_ DAY OF

Scott McCullough, Director of Planning and Development Services

REVIEWED IN COMPLIANCE WITH K.S.A. 58-2005.

Kevin R. Sontag, P.S. #1640 Douglas County Surveyor

FILED FOR RECORD

State of Kansas County of Douglas

This is to certify that this instrument was filed for record in the office of the Douglas County Register of Deeds on this \_\_\_\_\_ day of \_ 2018, an is duly recorded at AM/PM, in plat Book \_\_\_\_\_ Page

Register of Deeds Kay Pesnell

## LEGAL DESCRIPTION:

Lot 1, College Motel Addition, Lots 2A and 3A of A Lot Split for Lots 2 and 3 College Motel Addition and Lot 1, Block A, Enterprise Rent-A-Car Addition, all in the City of Lawrence, Douglas County, Kansas, being more particularly described as follows: BEGINNING at the Northeast corner of said Lot 1, College Motel Addition; thence on the plat bearing of S00°09'30"W, along the East line of said College Motel Addition, 492.99 feet to the Southeast corner of said Lot 3A of A Lot Split of Lots 2A and 3A, College Motel Addition; thence N89°59'58"W, 227.50 feet to the Southwest corner of said Lot 3A; thence N00°09'30"E along the West line of said Lots 2A and 3A, 318.28 feet to the Southeast corner of said Lot 1, Block A, Enterprise Rent-A-Car Addition; thence S89°57'01"W, 54.73 feet to the Southwest corner of said Lot 1; thence N00°00'28"W, 174.76 feet to the Northwest corner of said Lot 1; thence S89°59'58"E, 282.73 feet to the POINT OF BEGINNING. Containing 2.80 acres more or less.

## CERTIFICATE OF SURVEYOR:

I hereby certify that the details of this plat to be correct to the best of my knowledge and belief, that the survey was completed by me or under my direct supervision and that the monuments shown herein actually exist and their positions are correctly shown. This Minor Subdivision/Replat conforms to the Kansas Minimum Standards for boundary surveys.

Date of survey completed in field

RICHARD T. SCHMIDT, P.S. 919 SCHMIDT, BECK & BOYD ENGINEERING, LLC 1415 SW TOPEKA BLVD. TOPEKA, KS 66612 rick.schmidt@sbbeng.com Corporate CLS 263



Be it known to all men that I (we), the undersigned owner(s) of the above described tract of land, have had cause for the same to be surveyed and platted as a Minor Subdivision under the name of "Casey's Subdivision" and have caused the same to be subdivided into lot(s) as shown and fully defined on this plat. Streets as shown and fully defined on this plat and not heretofore dedicated to public use are hereby so dedicated. An Easement is hereby granted to the City of Lawrence and public utility companies to enter upon, over and under those areas outlined on this plat as "Utility Easement" or "U.E."

Casey's Retail Company	
, , , , , , , , , , , , , , , , , , ,	
Harold Shephard	Marla Webster
Caroline B. Shephard	
STATE OF COUNTY OF, SS:	
COUNTY OF, SS:	
Be it remembered that on thisday of undersigned, a notary public in and for the Court	, 2018, before me, the nty and State aforesaid came,
executed, the within instrument of writing.	is personally known to me to be the same person w
IN WITNESS WHEREOF: I have hereunto set last written above.	my hand and affixed my notorial seal the day and ye
	My Commission Expires:
Notary Public	my commission Expires.
STATE OF	
COUNTY OF, SS:	
Be it remembered that on thisday of undersigned, a notary public in and for the Cour personally known to me to be the same person	, 2018, before me, the nty and State aforesaid came Harold Shephard, who executed, the within instrument of writing.
IN WITNESS WHEREOF: I have hereunto set last written above.	my hand and affixed my notorial seal the day and ye
	My Commission Expires:
Notary Public	, <u></u>
STATE OF	
STATE OF, SS:	
Be it remembered that on thisday of	, 2018, before me, the nty and State aforesaid came Marla Webster, who is
undersigned, a notary public in and for the Cou personally known to me to be the same person	nty and State aforesaid came Marla Webster, who is who executed, the within instrument of writing.
IN WITNESS WHEREOF: I have hereunto set last written above.	my hand and affixed my notorial seal the day and ye
Notary Public	My Commission Expires:
STATE OF	
STATE OF, SS:	
	, 2018, before me, the nty and State aforesaid came Caroline B. Shephard, person who executed, the within instrument of writin
IN WITNESS WHEREOF: I have hereunto set last written above.	my hand and affixed my notorial seal the day and ye
	My Commission Evniron



Notary Public

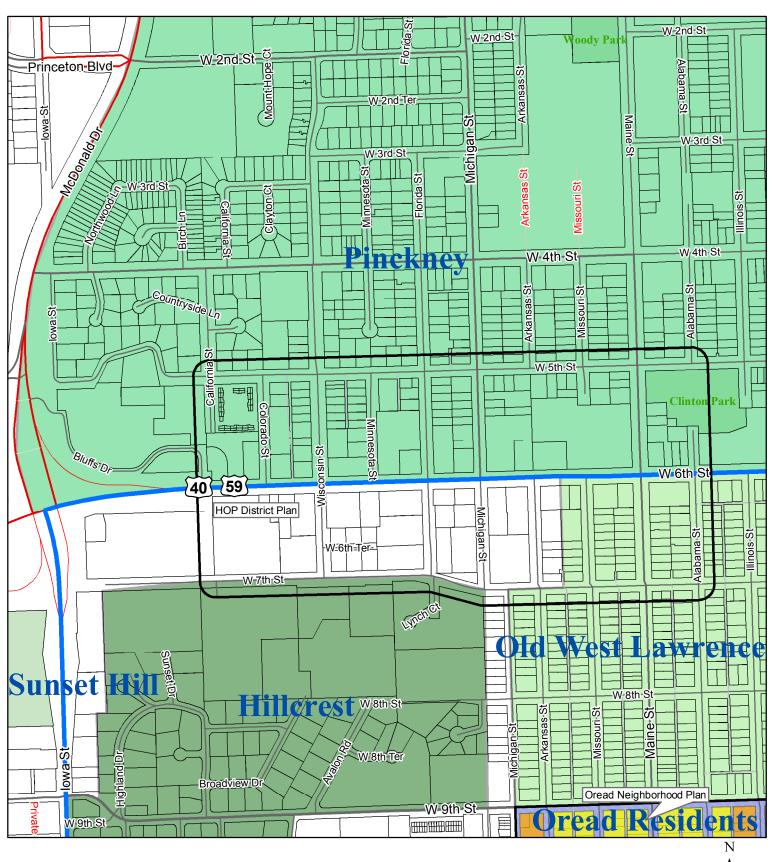
Schmidt, Beck & Boyd

Engineering, LLC Checked by: RS Date: 5/21/2018 1415 SW Topeka Blvd. Scale: | 1" = 30' Topeka, KS 66612

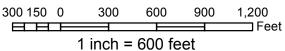
Drawing No.: Ph: (785) 215-8630 Sh. 1 of 1

SBB Proj. No.: 18-080

## **HOP District Plan Boundary Map**



DISCLAIMER NOTICE



DISCLAIMER NOTICE
The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.





Z-18-00242: Request to rezone approximately
0.27 acres from RS) (Single-Dwelling Residential-Office) District
to CS (Commercial Strip) District, located at 1710 W 7th St and 1711 W 6th St.

MS-18-00243: Consider a variance from the right-of-way width for a Principle Arterial Street from 150' to 100' for Casey's Subdivision located at 1703, 1711, 1717 W 6th St & 1710 W 7th St.



# Memorandum City of Lawrence Planning and Development Services

TO: Planning Commission

FROM: Planning Staff

CC: Scott McCullough, Planning and Development Services Director

Date: July 25, 2018

**RE:** Item No. 3b: MS-18-00243: Consider a variance from the right-of-way width for

a minor subdivision (lot combination) for Casey's Subdivision, located at 1703, 1711, 1717 W. 6<sup>th</sup> Street, and 1710 W. 7<sup>th</sup> Street. Submitted by Casey's Retail Company on behalf of Lonnie J. and Geneva J. Blackburn, Harold Shephard, Marla J. Webster, Caroline B. Shephard, and James W. Vantuyl and Brenda S. Vantuyl,

property owners of record.

Variance requested:

Reduction of right-of-way for a Principal arterial street from 150 feet to 100 feet.

Attachment A: Minor Subdivision MS-18-00243 Attachment B: Proposed Site Plan SP-18-00275

## **Background**

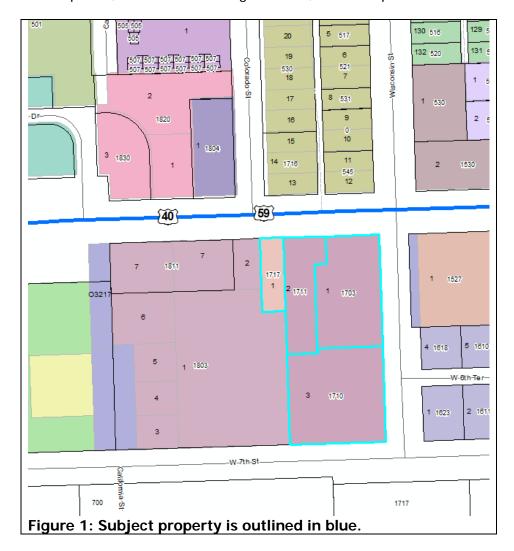
Minor subdivisions are processed administratively; however, the Planning Commission's approval is required for variances from the subdivision design standards. This minor subdivision replaces a previous application (MS-17-00554) that included some of the same property but has been revised to include additional property to accommodate a future shared access drive to W. 6<sup>th</sup> Street. The Planning Commission approved the previous minor subdivision in October 2017. A site plan for this property is under review and included with this memo for context with the variance request. No other Planning Commission action, related to the proposed minor subdivision is required.

The Subdivision Regulations state that an applicant may request a variance from the design standards in accordance with the variance procedures outlined in Section 20-813(g). This memo provides background information on the variance request, evaluates the request for compliance with the approval criteria, and summarizes staff's recommendation.

The standard for the required right-of-way width changed in 2006 from 100 feet to 150 feet with the adoption of the Land Development Code. This property is located on the south side of W. 6<sup>th</sup> Street and on the west side of Wisconsin Street. This segment of W. 6<sup>th</sup> Street is a developed commercial corridor. The property include in the request extends south to W. 7<sup>th</sup> Street.

**VARIANCE:** Reduction in the width of right-of-way from 150 feet to 100 feet as required for a principal arterial street (W. 6<sup>th</sup> Street) per Section 20-810 (e)(5) of the Subdivision Regulations to allow reconfiguration of currently four platted lots into proposed three platted lots to facilitate redevelopment of property located along the W. 6<sup>th</sup> Street corridor.

This segment of W. 6<sup>th</sup> Street is uniform in width. The applicant proposes no additional dedication of right-of-way, keeping the right-of-way width at 100 feet. As noted in previous reports, the 150 feet of required right-of-way is more applicable to new, greenfield development, rather than existing corridors, unless a specific need is identified.



#### **REVIEW CRITERIA:**

**Criteria 1:** Strict application of these regulations will create an unnecessary hardship upon the subdivider.

Development along this segment of the W. 6<sup>th</sup> Street corridor includes non-residential uses with building and parking lot setbacks based on the established property line/right-of-way line. This property is part of a proposed redevelopment project that assumes the same right-of-way as the adjacent properties. This application is the result of additional land area being included in the application addressing access to W. 6<sup>th</sup> Street that changes the boundaries of the original project and expands the number of parcels and property owners included in the application.

Strict application of the regulations would limit the developer's ability to redevelop the property consistent with the existing immediate development pattern. The proposed redevelopment of the site provides a curb line that is 20 feet setback from the property. The typical commercial setback is 15 feet. This application is submitted in response to efforts to consolidate access driveways along W. 6<sup>th</sup> Street.

As properties have redeveloped along W. 6<sup>th</sup> Street, the dedication of additional right-of-way has not been required along this street segment. The right-of-way width is uniform between Colorado Street and Kentucky Street, including this segment of W. 6<sup>th</sup> Street segment

**STAFF FINDING:** Strict application of the regulations would require the property owner to adjust the existing lot line to the south by 25 feet, dedicating additional right-of-way. Additional property has been acquired to the south accommodating an additional commercial lot to facilitate the consolidation of access driveways along W. 6<sup>th</sup> Street. The dedication of additional right-of-way would push the commercial redevelopment further south encroaching into the neighborhood.

The strict application of the regulations will require the developer to alter their plans for redevelopment of the site. This same variance was approved for this project in a previous request in 2017, has been approved for other properties along this corridor, and for similar redevelopment applications along developed arterial streets. Granting this requested variance from the required right-of-way dedication is not opposed to the purpose and intent of the regulations.

**Criteria 2:** The proposed variance is in harmony with the intended purpose of these regulations.

This design standard was adopted in 2006 with the Land Development Code. The wider right-of-way accommodates street designs with boulevards, multiple lanes, and amenities that may or may not exist along developed street segments within the community. A similar variance has been granted for other projects located along developed urban corridors that are designated arterial streets. Such examples include:

- 1. PP-15-00067 Dream Haven regarding Peterson Road (4/20/15).
- 2. PP-14-00303 Schwegler Addition regarding Ousdahl Road, a collector street (9/22/15).
- 3. PP-13-00338 Menards Addition regarding 31st Street (11/8/13 and 10/21/13).
- 4. PP-13-00352 Burrough's Creek Addition regarding Haskell Avenue (10/21/13).
- 5. MS-15-00096 Bella Sera at the Preserve (5/18/15).
- 6. PP-16-00304 Rockledge Addition No. 2 (9/26/16).
- 7. MS-17-00217 Lawrence Industrial Park No. 2 regarding Haskell Ave (6/28/2017).
- 8. MS-17-00390 Sunset Hills Estates regarding W. 6<sup>th</sup> Street (9/27/17).
- 9. MS-17-00554 Casey's Subdivision 1703 and 1111 W. 6<sup>th</sup> Street (10/25/17)
- 10. MS-18-00243 Eagle Subdivision No. 2, 1803 W. 6<sup>th</sup> Street (4/25/18).

The intent of this minor subdivision is to consolidate/establish lots for redevelopment purposes. The change in design requirements in 2006 requires the applicant to seek a variance as part of the subdivision process. Section 20-810(e)(1) provides general design criteria for streets. Subsection iii states, "Arterial and collector streets shall be laid-out, arranged, and designed in accordance with any adopted Major Thoroughfares Map or corridor plan." W. 6<sup>th</sup> Street is:

- A Principal Arterial street
- An existing street
- A developed commercial corridor

Per Section 20-801(a) of the Subdivision Regulations, the purpose of the regulations ensures the division of land will serve the public interest and general welfare. The regulations are intended to, "Provide for the harmonious and orderly development of land within the City by making provisions for adequate open space, continuity of the transportation network, recreation areas, drainage, utilities and related easements, light and air, and other public needs."

The property included in this application is being reconfigured as shown on the attached drawing for redevelopment purposes. This change will not alter the established street network in this area. The preliminary review of the related site plan application shows the proposed building and parking area setbacks are consistent with the base zoning requirements. There are no planned widening projects for this segment of W. 6<sup>th</sup> Street. The reconfigured lots allow for existing driveways to W. 6<sup>th</sup> Street to be closed and an existing driveway that generally aligns with Colorado Street to be retained as a full access driveway to the proposed office use and Casey's use. The remaining two lots would have access to Wisconsin Street.

**STAFF FINDING:** Granting this requested variance from the required right-of-way is not opposed to the purpose and intent of the regulations.

**Criteria 3:** The public health, safety, and welfare will be protected.

W. 6<sup>th</sup> Street is a designated "Principal Arterial Street". Its current width includes 100 feet of public right-of-way along this property. The current subdivision regulations require "Principal Arterial Streets" to include 150 feet of right-of-way. The current right-of-way for W. 6<sup>th</sup> Street is an existing condition of the corridor.

The minor subdivision and related site plan are in process. Part of the review includes the evaluation of a Traffic Impact Study. The applicant has provided a traffic study for staff and Kansas Department of Transportation review. No additional right-of-way has been identified as needed. Geometric (intersection) improvements at Wisconsin Street will be included in the redevelopment of the site as part of the Casey's site. These necessary improvements can be constructed within the existing right-of-way.

A key component of this project is the coordination of shared access between multiple property owners with direct access to W. 6<sup>th</sup> Street and the closure of existing driveways that are too close to the intersection of W. 6<sup>th</sup> Street and Wisconsin Street.

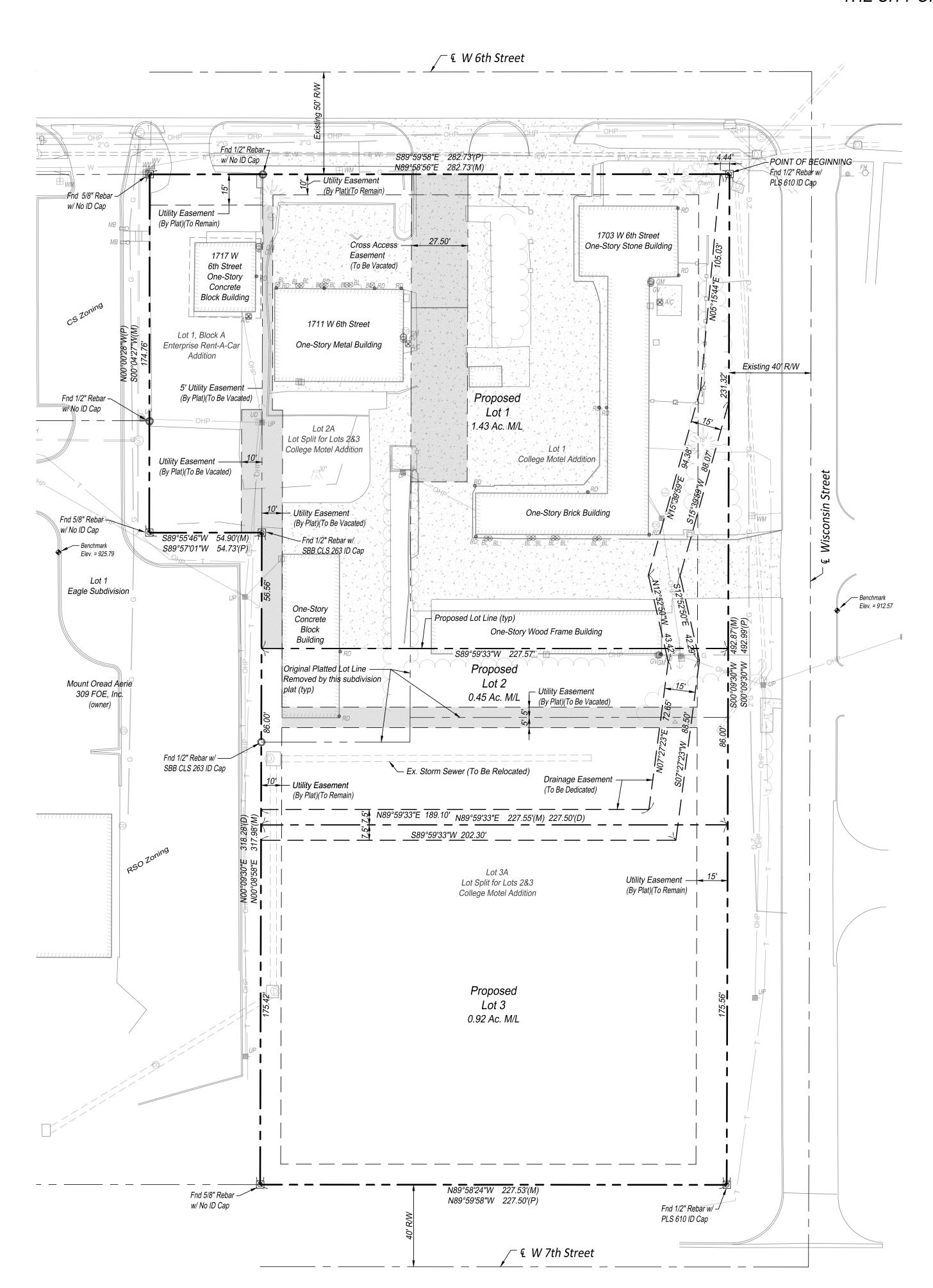
**STAFF FINDING:** Granting this requested variance from the required right-of-way will not harm the public health, safety, or welfare. These public aspirations will continue to be protected though the site development process.

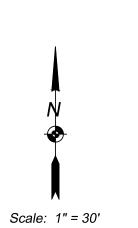
## STAFF RECOMMENDATION

Approval of the variance requested for a minor subdivision, MS-18-00243, to reducing the right-of-way, required per Section 20-810(a)(5) for a principal arterial street, from 150 feet to 100 feet in accordance with the provisions per section 20-813(g) of the Land Development Code for property located at 1703, 1711, 1717 W 6<sup>th</sup> Street, and 1710 W. 7<sup>th</sup> Street.

# CASEY'S SUBDIVISION

A MINOR SUBDIVISION/REPLAT OF LOT 1, COLLEGE MOTEL ADDITION, LOTS 2A AND 3A OF A LOT SPLIT FOR LOTS 2 AND 3 COLLEGE MOTEL ADDITION AND LOT 1, BLOCK A, ENTERPRISE RENT-A-CAR ADDITION, ALL IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

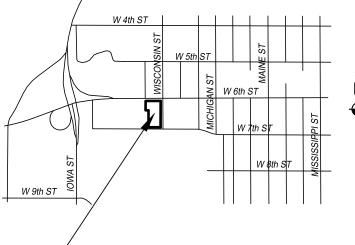




BASIS OF BEARING: The bearings system for this survey is based on the subdivision plat of Motel 6 Addition, holding the East line of the subdivision as S00°09'30"W

## LEGEND

- O Found Rebar as noted (cast in concrete)
- Found Rebar as noted
- (P) Plat
- (M) Measured (D) Described



SUBDIVISION LOCATION

Community features within a mile: Hillcrest Elementary, Water Tower Park, West Middle School, Sunset Hill Elementary, Ludlam Park, Centennial Park, Lawrence Country Club, Kansas National Guard Armory, Lawrence Public Schools Admin., Peterson Park, Lawrence Memorial Hospital, Woody Park, Community Health Building, Kaw Water Treatment Plant, Sandra J. Shaw Community Health Park, Ventas Christian School, Burcham Park, Kansas River, Constant Park, Robinson Park, City Hall, US Post Office, Buford M. Watson Jr. Park, Pinckney Elementary, Clinton Park, Lawrence Public Library, Outdoor Aquatic Center, Fire Station #1, The University of Kansas,

Chiseled Square on top of curb on the East side of Wisconsin Street, located 74.5' North Northeast from the Southeast corner of proposed Lot 1. Elevation = 912.57 (NAVD 88 Datum)

Chiseled Square on top of curb on the West side of the drive entrance to 1803 W 6th Street, located 135.4' North Northwest from the Southwest corner of subject tract. Elevation = 925.79 (NAVD 88 Datum)

## GENERAL NOTES:

- 1. The bearings are based on the Subdivision Plat of College Motel Addition as recorded in
- 2. This Minor Subdivision is a replat of Lot 1. College Motel Addition. Lots 2A and 3A of A Lot Split for Lots 2 and 3 College Motel Addition and Lot 1, Block A, Enterprise Rent-A-Car Addition, all in the City of Lawrence, Douglas County, Kansas. Further division or consolidation of any lots contained in the Minor Subdivision is prohibited, and shall be processed as a Major Subdivision, unless the action meets the exception noted in Section 20-808(c)(5)(i).
- 3. Street trees shall be provided in accordance with the Master Street Tree Plan filed with the Register of Deeds Book \_\_\_\_\_\_, Page \_\_\_\_\_. If street trees die, the property owner is responsible for replanting trees within one year. No trees on the right-of-way can be removed without the permission of the City of Lawrence Parks Department. Trees within the right-of-way require tree root protection within 10' radius of the tree trunk.
- 4. The City is hereby granted a temporary right of entry to plant the required street trees pursuant to Section 20-811(g) of the City Subdivision Regulations.
- 7. According to the City of Lawrence online Interactive Map, Lot 1, Block A, Enterprise Rent-A-Car, Lot 1, College Motel Addition and Lot 2A, Lot Spit for Lots 2 & 3, College Motel Addition, except approximately the South 12 feet is currently zoned "CS" (Commercial Strip District). The South 12 feet of Lot 2A and all of Lot 3A, Lot Split for Lots 2 & 3, College Motel Addition is zoned "RSO" (Single Dwelling Residential-Office). The lots within this Subdivision/Replat shall be rezoned to "CS" (Commercial Strip District). All new construction shall conform to the setback regulations of the "CS" (Commercial Strip District) district as defined by the City of Lawrence Development Code.
- 8. The lots will be pinned prior to recordation of the Subdivision/Replat at the Register of Deeds Office (per Section 20-811(k)).
- 9. No portion of this property is located within a designated "Special Flood Hazard Area" per

APPROVED AS A MINOR SUBDIVISION UNDER THE SUBDIVISION REGULATIONS OF THE CITY OF LAWRENCE & THE UNINCORPORATED AREA OF DOUGLAS COUNTY, THIS \_\_\_\_\_ DAY OF

Scott McCullough, Director of Planning and Development Services

REVIEWED IN COMPLIANCE WITH K.S.A. 58-2005.

Kevin R. Sontag, P.S. #1640 Douglas County Surveyor

FILED FOR RECORD

State of Kansas County of Douglas

This is to certify that this instrument was filed for record in the office of the Douglas County Register of Deeds on this \_\_\_\_\_ day of \_ 2018, an is duly recorded at AM/PM, in plat Book \_\_\_\_\_ Page

Register of Deeds Kay Pesnell

## LEGAL DESCRIPTION:

Lot 1, College Motel Addition, Lots 2A and 3A of A Lot Split for Lots 2 and 3 College Motel Addition and Lot 1, Block A, Enterprise Rent-A-Car Addition, all in the City of Lawrence, Douglas County, Kansas, being more particularly described as follows: BEGINNING at the Northeast corner of said Lot 1, College Motel Addition; thence on the plat bearing of S00°09'30"W, along the East line of said College Motel Addition, 492.99 feet to the Southeast corner of said Lot 3A of A Lot Split of Lots 2A and 3A, College Motel Addition; thence N89°59'58"W, 227.50 feet to the Southwest corner of said Lot 3A; thence N00°09'30"E along the West line of said Lots 2A and 3A, 318.28 feet to the Southeast corner of said Lot 1, Block A, Enterprise Rent-A-Car Addition; thence S89°57'01"W, 54.73 feet to the Southwest corner of said Lot 1; thence N00°00'28"W, 174.76 feet to the Northwest corner of said Lot 1; thence S89°59'58"E, 282.73 feet to the POINT OF BEGINNING. Containing 2.80 acres more or less.

## CERTIFICATE OF SURVEYOR:

I hereby certify that the details of this plat to be correct to the best of my knowledge and belief, that the survey was completed by me or under my direct supervision and that the monuments shown herein actually exist and their positions are correctly shown. This Minor Subdivision/Replat conforms to the Kansas Minimum Standards for boundary surveys.

Date of survey completed in field

RICHARD T. SCHMIDT, P.S. 919 SCHMIDT, BECK & BOYD ENGINEERING, LLC 1415 SW TOPEKA BLVD. TOPEKA, KS 66612 rick.schmidt@sbbeng.com Corporate CLS 263



Be it known to all men that I (we), the undersigned owner(s) of the above described tract of land, have had cause for the same to be surveyed and platted as a Minor Subdivision under the name of "Casey's Subdivision" and have caused the same to be subdivided into lot(s) as shown and fully defined on this plat. Streets as shown and fully defined on this plat and not heretofore dedicated to public use are hereby so dedicated. An Easement is hereby granted to the City of Lawrence and public utility companies to enter upon, over and under those areas outlined on this plat as "Utility Easement" or "U.E."

Casey's Retail Company	
, , , , , , , , , , , , , , , , , , ,	
Harold Shephard	Marla Webster
Caroline B. Shephard	
STATE OF COUNTY OF, SS:	
COUNTY OF, SS:	
Be it remembered that on thisday of undersigned, a notary public in and for the Court	, 2018, before me, the nty and State aforesaid came,
executed, the within instrument of writing.	is personally known to me to be the same person w
IN WITNESS WHEREOF: I have hereunto set last written above.	my hand and affixed my notorial seal the day and ye
	My Commission Expires:
Notary Public	my commission Expires.
STATE OF	
COUNTY OF, SS:	
Be it remembered that on thisday of undersigned, a notary public in and for the Cour personally known to me to be the same person	, 2018, before me, the nty and State aforesaid came Harold Shephard, who executed, the within instrument of writing.
IN WITNESS WHEREOF: I have hereunto set last written above.	my hand and affixed my notorial seal the day and ye
	My Commission Expires:
Notary Public	, <u></u>
STATE OF	
STATE OF, SS:	
Be it remembered that on thisday of	, 2018, before me, the nty and State aforesaid came Marla Webster, who is
undersigned, a notary public in and for the Cou personally known to me to be the same person	nty and State aforesaid came Marla Webster, who is who executed, the within instrument of writing.
IN WITNESS WHEREOF: I have hereunto set last written above.	my hand and affixed my notorial seal the day and ye
Notary Public	My Commission Expires:
STATE OF	
STATE OF, SS:	
	, 2018, before me, the nty and State aforesaid came Caroline B. Shephard, person who executed, the within instrument of writin
IN WITNESS WHEREOF: I have hereunto set last written above.	my hand and affixed my notorial seal the day and ye
	My Commission Evniron



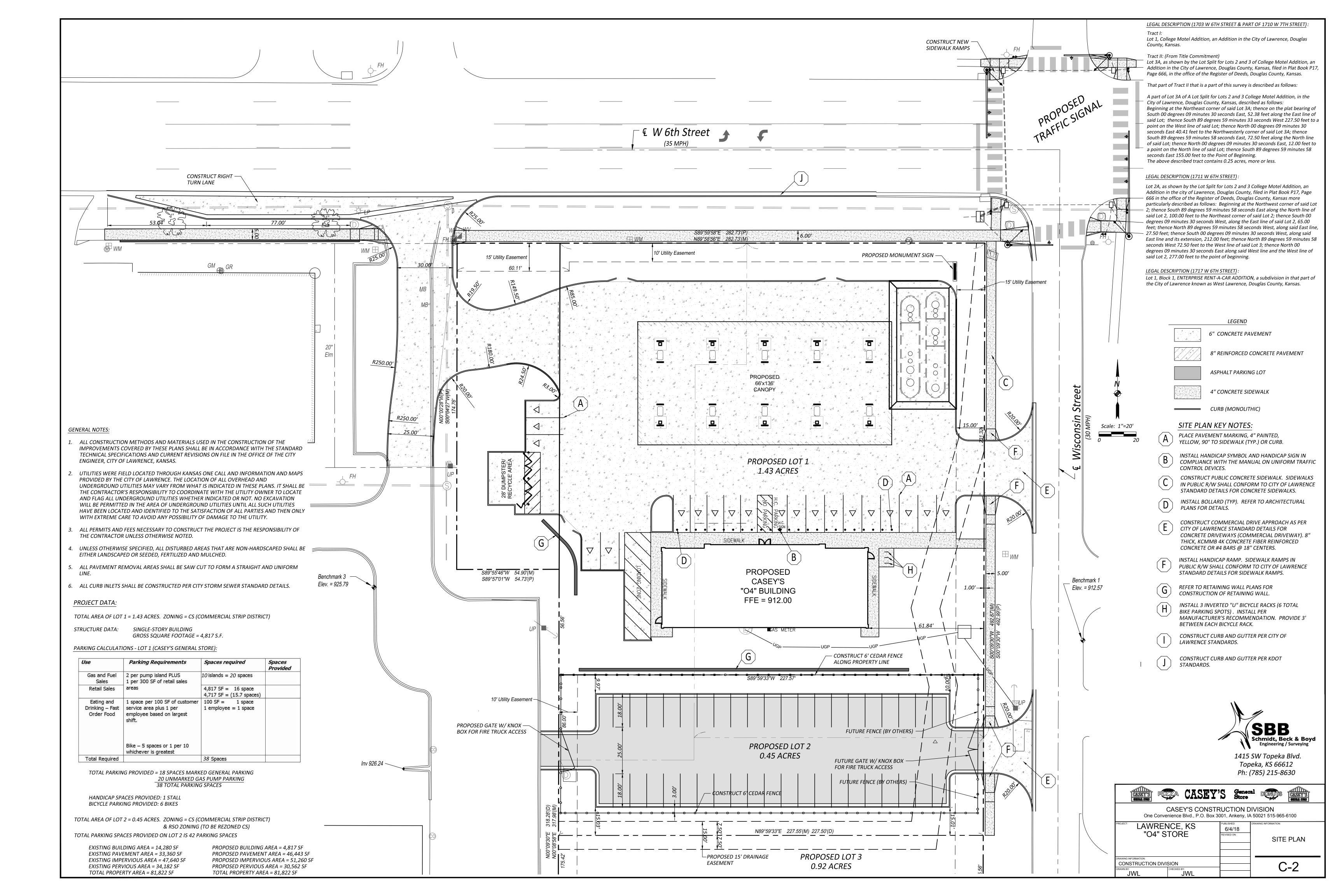
Notary Public

Schmidt, Beck & Boyd

Engineering, LLC Checked by: RS Date: 5/21/2018 1415 SW Topeka Blvd. Scale: | 1" = 30' Topeka, KS 66612

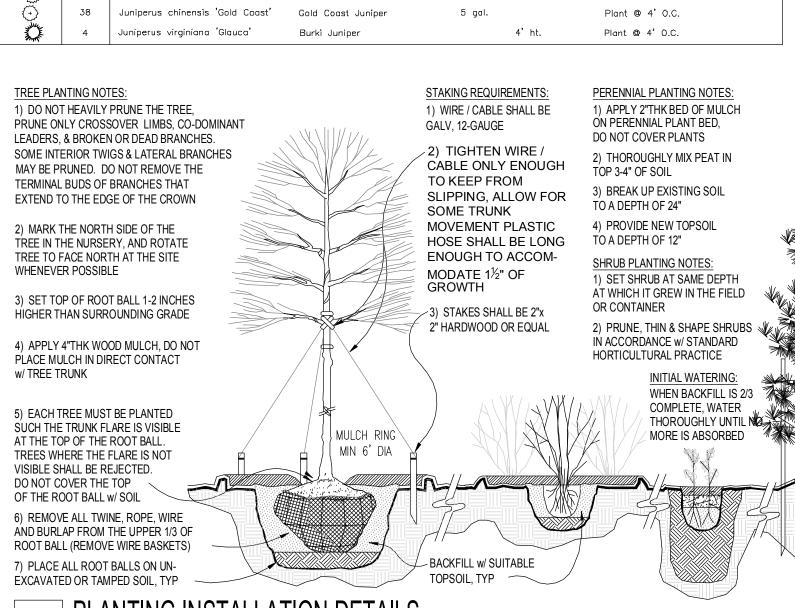
Drawing No.: Ph: (785) 215-8630 Sh. 1 of 1

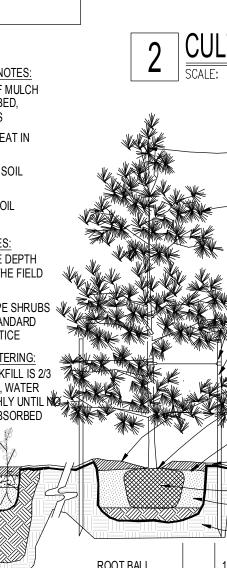
SBB Proj. No.: | 18-080



## Planting Notes 1. Location of all existing utilities needs to done before commencing work. 2. The planting plan graphically illustrates overall plant massings. Each plant species massing shall be placed in the SIGHT DISTANCE field to utilize the greatest coverage of ground plane. The following applies for individual plantings: a. Creeping groundcover shall be a minimum of 6" from paving edge. TRIANGLE SIGHT/DISTANCE b. All trees shall be a minimum of 3' from paving edge. c. All plants of the same species shall be equally spaced apart and placed for best aesthetic viewing. TRIANGLES d. All shrubs shall be a minimum of 2' from paved edge. 3. Mulch all planting bed areas to a minimum depth of 3". Mulch individual trees to a minimum depth of 4". 4. Note: If plants are not labeled - they are existing and shall remain. 5. All landscaped areas in ROW shall be sodded and irrigated unless otherwise specified. 1. Plant material shall be healthy, vigorous, and free of disease and insects as per AAN standards. 2. Shredded bark mulch installed at trees shall be finely chipped and shredded hardwood chips, consisting of pure wood products and free of all other foreign substances. Pine bark compost mulch installed at planting bed areas shall be free of all 1. All planting beds shall be amended with 1 cubic yard of peat moss per 1,000 square feet. Till peat moss into soil to a 6" depth. A 10-10-10 fertilizer shall be spread over all planting areas prior to planting, at a rate of 50 pounds per 2,000 square feet. 2. After plants have been installed, all planting beds shall be treated with Dacthal pre-emergent herbicide prior to mulch |3. Plant pit backfill for trees and shrubs shall be 50% peat or well composted manure and 50% topsoil. 4. Plant material shall be maintained and guaranteed for a period of one year after Owner's acceptance of finished job. All dead or damaged plant material shall be replaced at Landscape Contractor's expense. LANDSCAP 6. Landscape contractor shall maintain all plant material until final acceptance, at which point the one year guarantee begins. Landscape Calculations **Street Trees:** One tree per 40 feet of public or private street frontage. REQUIREMENT MET. Parking Lot Interior: LANDSCAP PROPOSED \*At least one Shade Tree and three Shrubs shall be provided per ten Parking Spaces 66'x136' within off-street Parking Areas. One Shade Tree or Ornamental Tree may be CANOPY substituted for three Shrubs, but Shrubs may not be substituted for Shade Trees. \*In addition to required Shade Trees and Shrubs, landscape areas within the interior of off-street Parking Areas shall be planted with turf, Ground Cover, Ornamental Trees, or Shrubs. 므 62 Parking Stalls Provided = 6 Shade trees and 19 Shrubs required. 6 Shade trees and 19 Shrubs Provided. \*Parking Lots shall contain at least 40 sf of Landscaping area per parking space: 2480 SF of interior parking open space required. 2667 SF TOTAL SIGHT DISTANCE 2480 SF of interior parking open space provided. INTERIOR LANDSCAPE REQUIREMENTS MET. TRIANGLES ÆΗ LANDSCAPE Parking Lot Perimeter: A low continuous landscaped hedge at least three feet (3') high, planted in a triangular pattern so as to **LANDSCAPE** achieve full screening at maturity. REQUIREMENT MET. Bufferyard along the south property line: CS zoning adjacent to RSO zoning south of property. Type 2 buffer required. 4 trees and 10 shrubs per 100' Required. 227' of property = 9 Trees Required, 23 Shrubs Required. SIDEWALK 9 Trees and 23 Shrubs Provided. SOD 918 -REQUIREMENT MET. **PROPOSED** S89°54'05"W 54.73' Benchmark 3 CASEY'S Elev. = 925.79 "04" BUILDING FFE = 912.00 Landscape Schedule

Symbol	Qty.	Botanical Name	Common Name	Min.Root	Min.Size	Caliper	Remarks
OVERST	TORY TREE	ES					
	16	Gleditsia triacanthas 'Skyline'	Shademaster Honeylocust			2.5"	6' min. clear., ground to canopy
	2	Ulmus parvifolia	Lacebark Elm			2.5"	6' min. clear., ground to canopy
+ 3	3	Acer x truncatum 'Warrenred'	Pacific Sunset Maple			2.5"	6' min. clear., ground to canopy
EVERGE	REEN TREE	ES					
A STATE OF THE STA	21	Juniperus chinensis 'Keteleeri'	Keteleeri Juniper		6' ht.		symmetrical pyramidal form
	5	Picea abies	Norway Spruce		6' ht.		symmetrical pyramidal form
DECIDU	JOUS SHR	UBS/GRASSES					
$\odot$	48	Liriope muscari 'Varigated'	Varigated Liriope	1 gal.			Plant @ 18" O.C.
	29	Abelia x grandiflora Kaliedoscope	Kaleidoscope Abelia	2 gal.	24" ht. Min		Plant @ 4' O.C.
$\odot$	33	Syringa X 'Penda'	Bloomerang Purple Lilac	3 gal.	24" ht. Min		Plant @ 5' O.C.
EVERG	REEN SHR	UBS					
2	45	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 gal.			Plant @ 4' O.C.
	38	Juniperus chinensis 'Gold Coast'	Gold Coast Juniper	5 gal.			Plant @ 4' O.C.
The state of the s	4	Juniperus virginiana 'Glauca'	Burki Juniper		4'ht.		Plant @ 4' O.C.





LANDSCAPE Prepared Planting CULTIVATED EDGE DETAIL LANDSCAPE DO NOT PRUNE LEADER PRUNE DAMAGED OR DEAD WOOD IMMEDIATELY PRIOR TO PLANTING. NEVER LEAVE LEAVE "V" CROTCHES OR DOUBLE LEADER. TREE TIE SYSTEM, SEE STAKING REQUIREMENTS 3 METAL STAKES. PLACE NEXT TO ROOT BALL AS SHOWN. SPACE EQUIDISTANT AROUND TREE. 4" MIN. SPECIFIED MULCH PLANT ROOT BALL 2" HIGHER THAN GRADE AT WHICH TREE GREW. INSTALL WEED CONTROL FABRIC IF TREE IS IN LANDSCAPE BED CONTINUOUS SAUCER, RIM FOR WATER & MULCH CUT & REMOVE BURLAP FROM TOP 1/3 OF BALL SPECIFIED BACKFILL MIXTURE EXISTING UNDISTURBED SUBSOIL \_\_\_\_\_\_1/2 DIAMOF BALL

124 SF LANDSCAP BED S - 26<del>67 SF</del> TOTAL INTERIOR LANDSCAPE 6 TALL WOOD LANDSCAPE BED PRIVACY FENCE-<del>-920-</del> - 921 -922- 923 924 925 Lot 3A Lot Split of Lots 2&3 College Motel Addition LANDSCAPE PLAN

LANDSCAPE ARCHITECTURE 15245 Metcalf Ave. Overland Park, KS 66223 913.787.2817



CLIENT

Street

Wisconsin

CASEY'S CONSTRUCTION DIVISION ONE CONVENIENCE BLVD. ANKENY, IOWA 50021 (515) 965-6100

## **PROJECT**

Casey's General Store 6th and Wisconsin Street Lawrence, KS

SCALE: 1"=20'

Date: 5.18.18

Landscape Plan

PLANTING INSTALLATION DETAILS



Z-18-00242: Request to rezone approximately
0.27 acres from RS) (Single-Dwelling Residential-Office) District
to CS (Commercial Strip) District, located at 1710 W 7th St and 1711 W 6th St.

MS-18-00243: Consider a variance from the right-of-way width for a Principle Arterial Street from 150' to 100' for Casey's Subdivision located at 1703, 1711, 1717 W 6th St & 1710 W 7th St.



## PLANNING COMMISSION REPORT Regular Agenda -Public Hearing Item

PC Staff Report 7/25/2018

ITEM NO. 4 FINAL DEVELOPMENT PLAN FOR ALVAMAR LOT 1; 1809 CROSSGATE DR (SLD)

**FDP-18-00254**: Consider a revised Final Development Plan for Alvamar Lot 1, located at 1809 Crossgate Drive (also known as Birdie Way) for the change of use of a 6,300 SF multi-purpose building from a primarily golf cart storage building to a secondary event center/golf cart storage building and exterior patio area. Submitted by Paul Werner Architects, for Eagle 1968 LC, property owner of record.

**STAFF RECOMMENDATION ON PRELIMINARY DEVELOPMENT PLAN:** Planning Staff recommends approval of Alvamar Lot 1 Revised Final Development Plan based upon the findings of fact presented in the body of the staff report.

Reason for Request:" Update footprint with multi-purpose elevation."

## BACKGROUND/SUMMARY

This application is submitted as a revision to the approved 2017 application revising the multipurpose building to include an outdoor patio space. This change reflects the change in use of the building from primarily a cart storage building to a secondary event center building. The building does not include a kitchen. The approved Final Development Plan, FDP-17-00028, showed a 9,020 square feet building. This revised Final Development, FDP-18-00254, shows a 6,300 square feet building with a 56 foot by 80-foot outdoor patio area.

This report provides a summary and update of the changes since the 2017 approval. The intention of this review and public hearing is to provide transparency for the change in use regarding the the multi-purpose building. The original application described the purpose of the building as a cart barn that would "double as an alternative event location in case of rain to prevent outdoor even cancellations."

During construction, it was noted that in addition to the revisions to specific building elevations, an outdoor patio area was also being constructed. Construction was halted on the patio while a revised plan and necessary revised permits were required for submission and review to Planning and Development Services. This application represents change to the project that includes the reduced multi-purpose building with the addition of an exterior patio area for the event center use.

This process also provides notice to property owners within 400 feet of the change of use and the addition of an outdoor event area that was not part of the original approved project.

#### **KEY POINTS**

- Preliminary Development Plan was approved on May 10, 2016.
- The multi-purpose building will provide a second Event Center space on Lot 1.

- The site will continue to share off-street parking with Lot 1 and on-street parking along Birdie Way.
- The patio space is accessed from the building on the north side and is bounded on the east and west by retaining walls.
- Portions of the patio have been constructed.

## **FACTORS TO CONSIDER**

- Conformance with the approved Preliminary Development Plan.
- Compliance with Land Development Code Section 20-1304 (e) (iv).

## **ATTACHMENTS**

- 1. Approved Final Development Plan
- 2. Proposed Final Development Plan
- 3. Building Elevations
- 4. Original Staff Report FDP-17-00028
- 5. Parking Summary

## **PUBLIC COMMENT**

Staff has received multiple comments from residents adjacent to the golf course regarding
grading and development activity that have impacted existing landscape. Staff has
consulted with residents and the developer as needed to ensure that regulatory floodplain
issues are addressed, downstream stormwater runoff is properly handled, and nuisances
are abated during construction.

## ASSOCIATED CASES/OTHER ACTION REQUIRED

## **Associated Cases**

- Z-14-00552; RM24-PD; Ordinance 9154.
- PDP-16-00052: Approved by the City Commission on May 10, 2016.
- PF-16-00051: Final Plat of Alvamar Inc One Addition.
- FDP-16-00342: Lot 4 pool, wellness center and amenities.
- Z-17-00009: 1.418 acres addition of land area to Lot 1.
- FDP-17-00028: Lot 1, Clubhouse/event center.
- FDP-18-00333: Lot 4, parking lot expansion, administrative review in process.

## **Other Action Required**

• Recording of Final Development Plan with the Douglas County Register of Deeds.

## **GENERAL INFORMATION**

SITE SUMMARY							
numbers report in square feet unless noted otherwise							
	Approved PDP	FDP -2017	FDP-2018				
Land Use:	Passive Recreation and accessory uses to golf course/Event Center	Passive Recreation and accessory uses to golf course/Event Center Multi-use building/cart storage	No change				
Land Area:			No change				
square feet	158,111	220,100					
acres	3.633	5.051					
Building Footprint:	21,721 square feet	29,047 square feet	24,747 square feet				

square feet	14,060 Existing 19,321 Proposed 2,400 Chapel	14,668 Existing 18,447 Proposed 8,200 Multi-use building	18,447 Proposed 6,300 Multi-use building 4,480 Outdoor patio area
Total Pavement:	133,735 square feet	63,273 square feet	77,439 square feet
Total Impervious Area:	196,743 square feet	92,320 square feet	102,186 square feet
Total Pervious Area:	137,589 square feet	127,692 square feet	113,914 square feet

The site summary above shows 52% of the site is retained as open space. This site exceeds the minimum required open space standard for a planned development. The plan does not indicate the surface material for the patio space. The developer indicated that the area would be unpaved. The plan represents the maximum exterior dimensions. As the space is constructed the developer plans to utilize and contour the existing terrain to provide a picturesque setting viewed from the clubhouse and from the multi-purpose building.

Construction will be somewhat limited by the improvements that have already been made to the area and will be restricted by the parameters shown on the plan to account for the increase in intensity of use and necessary supportive off-street parking needed to meet the demand for the use.

#### **STAFF ANALYSIS**

This application has been evaluated based upon the application requirements per Section 20-1304(e) of the Land Development Code for the City of Lawrence, requiring consideration of the following items:

The preliminary development plan was approved on May 10, 2016. An application for a final development plan may be submitted for an area with an approved preliminary development plan. Plans submitted for final review must be substantially in compliance with the approved preliminary development plan.

Fina	al Development Plan May Not	Staff Analysis
a.	Increase the proposed gross residential density or intensity of use by more than 5%;	This phase does not include a residential component
b.	Involves a reduction in the area set aside of common open space in general, or recreational open space or natural open space in particular, or the substantial relocation of such areas;	The project includes the same area as the previously approved final development plan that was a modification to, and an increase from, the the original approval.
C.	Increase by more than 10% the total floor area proposed for non-residential use;	This development project has included numerous changes to both the size of the clubhouse and the multipurpose building in various iterations of plans. This application shows a smaller building that has been constructed, but the addition of an outdoor patio space that was not included in any of the original plans.
d.	Increase by more than 5% the total ground area coved by buildings;	The total area covered by building within this phase has technically decreased. However, the use of the buildings has been altered as described in the body of the report.
e.	Changes a residential use or building type;	This phase does not include a residential component.
f.	Increases the height of buildings by more than 5%;	The overall height of the building is less than 25 feet. The maximum district height is 45 feet.
g.	Represents a new change to the PDP that creates a substantial adverse impact on surrounding land owners; or	The proposed change adds an exterior use not previously approved and may have an impact to adjacent property owners.
h.	Changes a residential building type or a nonresidential structure by more than 10% in size.	This phase does not include a residential component

#### Landscape Review

Section 20-701(d) states that all of the standards of the Land Development Code apply to developments within a PD District except as expressly authorized by regulations of Section 20-701. The proposed plan shows street trees along Birdie Way consistent with the approved preliminary development plan. This project does not alter the parking lot arrangement or the interior or perimeter landscape plan as approved with the preliminary development plan. The plan provides more than the required interior landscape for a parking lot of this size and provides more landscape plants and trees than required.

The plan shows the addition of landscape and evergreen trees located at the south end of the patio space, (See figure 3). These plans provide screening and buffering between the outdoor patio area and the residents to the south. The open space located near the clubhouse has likewise been landscaped with plants that provide additional screening buffering the clubhouse from the residential uses to the south. This landscaping is not required. It is visible in aerial photography (see figure 1) and demonstrates buffering that has been installed between the clubhouse and the residents to the south, (See figure 2).



Figure 1: Aerial view



Figure 2: Google view looking west



**Figure 3: Portion of Proposed Final Development Plan** 

#### **Building Height and Use**

The maximum building height of the base district is 45 feet. The proposed building is a single story building and has an overall gross height of less than 25 feet. The calculated height of the building is 19 feet 5 inches as measured per section 20-601 of the Land Development Code.



Figure 4: Approved Building Elevation - 2017

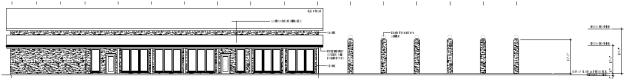


Figure 5: Existing Building Elevation - 2018

The primary use for this building will be an *Event Center* with cart storage being a secondary use. The overall building height did not substantively change and complies with the base-zoning district.

#### **PARKING**

The original approval calculated parking for the building to include its use as an event center. The constructed building is smaller than the one shown on the approved Final Development Plan. The overall maximum occupancy has not been revised with this application and would be applicable to the combined multi-purpose structure, including the indoor and outdoor areas of the facility as one *event center* use. The applicant has submitted a separate application for a revised Final Development Plan for the addition of 39 parking spaces to Lot 4. This will increase the overall shared parking for the facility. That application meets the provisions of an administrative change and is being processed. The required off-street parking for the combined uses for Lot 1 including the golf course, clubhouse, event center, and associated accessory uses is 299 spaces. Lot 1 accommodates 93 spaces in the existing parking lot. The remaining parking spaces are accommodated on Lot 4 and along Birdie Way (a private street) designed to accommodate shared parking, and a few spaces on Lot 2.

#### **Staff Review and Conclusion**

This revised final development plan is consistent with the approved preliminary development plan for the area. This phase and revision do not add any residential density to the development. This revision extends the use to include a second *Event Center* space on Lot 1 and includes an outdoor patio area.

			APARTMENTS	DUPLEX	INDEPEN -DENT/ ASSISTED LIVING	GOLF CART STORAGE/ MULTI-PURPOSE	FITNESS/WELL -NESS AREA	POOL AREA	GOLF COURSE/ CLUBHOUSE KU GOLF FACILITY (K)	BANQUET FACILITY AREA	OUTDOOR GRILLE BY POOL (ACCESSORY)			
	Vac Cata	USE CALEGORY	MULTI-DWELLING STRUC-TURE	DUPLEX	INDEPEN -DENT/ ASSISTED LIVING	EVENT CENTER, SMALL/ FLEET STORAGE	PERSONAL IMPROVE-ME NT/ACT-IVE REC.	ACTIVE RECREATION	PASSIVE RECREATION	EVENT CENTER, LARGE	FAST ORDER FOOD OR QUALITY RESTAURANT			
PARKING SUMMARY	DADVINO CDACE DEOLIDED	KNING OFACEO KEQUIKED	PER BDRM (500   BEDS) +   PER   0   UNITS (280)	I PER BDRM (I 2 BEDS)	I PER INDEPENDENT LIVING UNIT (100) + 0.5 PER ASSISTED LIVING UNIT (0)	I SPACE PER 3 PERSONS BASED ON MAX OCCUPANCY OF 246 BIKE PARKING - I PER 10 BASED ON MAXIMUM OCCUPANCY	67% @ 1/500 (19,734 5.F.) 33% @ 1/200 (9,928 5.F.) BIKE PARKING - 1 PER 10 AUTO	I PER 500 S.F. OF CUSTOMER SERVICE AREA, OUTDOOR POOL (40,267 S.F.) INDOOR POOL (4,680 S.F.) BIKE PARKING - I PER 10 AUTO	4 SPACES PER HOLE (27 HOLES) + 22 FOR UNIVERSITY GOLF PRACTICE FACILITY BIKE PARKING- I PER IO AUTO SPACES	I SPACE PER 4 PERSONS BASED ON MAX OCCUPANCY OF 480 BIKE PARKING - I PER IO AUTO SPACES		TOTAL USED	EXCESS SPACES	TOTAL PROVIDED
PAR	q	₹	<b>528</b> [A][B][C]	12	100	<b>82</b> BIKE - 24	90	91	<b>130</b> [H] BIKE - I2	<b>120</b> BIKE - 12	17			
		LOT I				18			43	35		96	0	96
	Ð	LOT 2	329 [A]			3				4		336	0	336
	PARKING PROVIDED	LOT 3 [J]	200 [B][C]	12 [E]	100 [D]							312	0	312
	) PR(	LOT 4				8	81	82	74		5	250	11	261
	SKING	LOT 5										0		0
	₹	BIRDIE				45				69		114	0	114
	_	WAY [1]				, 0				00				

A LOT 2A: BLDGS - A, B, C = 168 UNITS - 312 BEDS; INTERIOR PARKING = 146, EXTERIOR PARKING 183; TOTAL = 329 SPACES REQUIRED. PARKING HAS BEEN REQUIRED & PROVIDED ON LOT 2, EXCLUDING PARKING ON BIRDIE WAY
B LOT 2B: BLDGS - H, 16 - I BED UNITS = 18 SPACES REQUIRED. PARKING HAS BEEN REQUIRED & PROVIDED ON LOT 3, EXCLUDING PARKING ON BIRDIE WAY

C LOT 2B: BLDGS - K, 96 UNITS - 172 BEDS; 182 SPACES REQUIRED. PARKING HAS BEEN REQUIRED & PROVIDED ON LOT 3, EXCLUDING PARKING ON BIRDIE WAY

D LOT 2B: BLDGS - J, ASSISTED/INDEPENDENT LIVING - 100 UNITS - 100 SPACES REQUIRED: DENSITY = (24 STUDIO X .4 = 9.6; 56 - 1 BED UNITS X .4 = 22.4; 20 - 2 BED UNITS X .6 = 12) 100 SPACES REQUIRED

ELOT 2B; DUPLEX D&E - (4 BEDS); DUPLEX F&G - (8 BEDS) = I SPACE PER BEDROOM = 12 SPACES REQUIRED
OFF STREET PARKING FOR NON-RESIDENTIAL USES HAS BEEN REDUCED TO 90% OF THE REQUIRED AMOUNT PER THE APPROVED PRELIMINARY DEVELOPMENT PLAN.

G OFF STREET PARKING REDUCED TO 5 SPACES FOR EMPLOYEE PARKING ONLY. PARKING FOR USE SHARED WITH OTHER USES ON SITE.

H OFF STREET PARKING FOR GOLF COURSE, PRACTICE FACILITY, SHARED BETWEEN LOT I AND LOT 4 AND BIRDIE WAY.

PARKING ON BIRDIE WAY - 73 SPACES ON LOT 2 & 41 SPACES ON LOT 3.

FINAL DEVELOPMENT PLAN FOR LOT 3 NOT SUBMITTED. PARKING IS ESTIMATED AT THIS TIME.

# LEGAL DESCRIPTION:

LOT I, ALVAMAR INC. ONE ADDITION NO. 2

# ALLOWED NON RESIDENTIAL USES:

- I. RETAIL USES AS ACCESSORY TO THE GOLF COURSE
- 2. OFFICE USES, ACCESSORY TO THE DIRECT OPERATION OF THE GOLF COURSE AND EVENT CENTER OR MANAGEMENT OF ACCESSORY USES DIRECTLY ASSOCIATED WITH THE GOLF COURSE
- 3. EATING AND DRINKING ESTABLISHMENTS, INCLUDING A NIGHT CLUB (TO BE OPERATED AS A BANQUET/RECEPTION FACILITY ONLY), FAST ORDER FOOD; QUALITY RESTAURANT; AND ACCESSORY BAR USES.
- 4. TRANSIENT ACCOMODATION, INCLUDING A HOTEL WITH NOT MORE THAN TWENTY-FOUR GUEST ROOMS.

# IMPERVIOUS SURFACE SUMMARY:

LOT I: 5.051 ACRES (220	0,012 SQ. FT. +/	/-)			
EXISTING SUMMARY:			POST DEVELOPMENT SUI	MARY:	
	5Q. FT.	%_		SQ. FT.	96
BUILDING FOOTPRINT:	14,668	7%	BUILDING FOOTPRINT:	27,467	13%
PAVEMENT AREAS:	62510	28%	PAVEMENT AREAS:	75,447	35%
TOTAL IMPERVIOUS:	77,178	36%	TOTAL IMPERVIOUS:	102,914	48%
TOTAL PERVIOUS:	138,922	64%	TOTAL PERVIOUS:	113,186	52%
PROPERTY AREA:	216,100	100%	PROPERTY AREA:	216,100	100%

# GENERAL NOTES:

- I.I ALL GROUND MOUNTED MECHANICAL UNITS SHALL BE SCREENED IN ACCORDANCE WITH SECTION 20-1006(b).
- 1.2 ALL REQUIRED ACCESSIBLE SIDEWALK RAMPS PER A.D.A. STANDARDS.
- 1.3 SITE PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES
- (ADAAG) FOR BUILDINGS AND FACILITIES, APPENDIX A TO 28CFR PART 36.

  1.4 THE CITY OF LAWRENCE WILL NOT BE HELD RESPONSIBLE FOR PAVEMENT DAMAGE CAUSED BY TRASH TRUCKS.
- 1.4 THE CITY OF LAWRENCE WILL NOT BE HELD RESPONSIBLE FOR PAVEMENT DAMAGE CAUSED BY TRASH TRUCKS

  1.5 PLAN FOR CITY APPROVAL ONLY! CONSTRUCTION DOCUMENTS TO BE FURNISHED AT THE REQUEST OF OWNER.
- 1.6 INFORMATION TAKEN FROM AERIAL PHOTOS, TOPOGRAPHIC SURVEY, AVAILABLE DOCUMENTS, AND ON SITE INVESTIGATIONS.
- ALL TRAFFIC CONTROL SIGNS PLACED ON PRIVATE PROPERTY OPEN TO THE GENERAL PUBLIC SHALL COMPLY WITH THE "MANUAL ON UNIFORMS TRAFFIC CONTROL DEVICES" AND "STANDARD HIGHWAY SIGNS," PUBLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION, WITH RESPECT TO SIZE, SHAPE, COLOR, RETROFLECTIVITY, AND POSITION.
- B MAXIMUM BUILDING HEIGHT SHALL BE 45 FEET PER CITY CODE 20-601., OR RECEIVE A WAIVER FROM PLANNING COMMISSION.

  GIGN APPROVAL AND PERMITTING IS NOT PART OF THE SITE PLAN APPROVAL. SEPARATE APPROVAL IS REQUIRED THROUGH PLANNING.
- AND DEVELOPMENT SERVICES.

  I 10 NO BUILDING STRUCTURES SHALL BE PLACED WITHIN UTILITY EASEMENTS OR WITHIN 15 FEET OF THE PUBLIC SANITARY SEWER OF PUBLIC WATERLINE, NO OTHER STRUCTURES OR LANDSCAPING SHALL BE PLACED WITHIN UTILITY EASEMENT OR WITHIN & FEET OF THE PUBLIC
- SANITARY SEWER OR PUBLIC WATERLINE

  I.II SLOPE EXTERIOR WALKS A MINIMUM OF 1/4" PER FOOT (BUT NOT GREATER THAN 1:20) SO THAT ALL EXTERIOR DRAINAGE WILL BE AWAY
- FROM STRUCTURE TO EXTERIOR.

  1.12 PROPERTY OWNER WAIVES RIGHTS TO PROTEST CHANGES TO THIS DEVELOPMENT PLAN.
- APPLICANT SHALL SUBMIT A COMPLETE DRAINAGE STUDY FOR REVIEW AND APPROVAL BY THE CITY STORMWATER ENGINEER CONCURRENT WITH EACH FINAL DEVELOPMENT PLAN APPLICATION FOR ANY LOT OR PHASE OF THE DEVELOPMENT. OCCUPANCY PERMITS FOR PROPOSED BUILDINGS WILL NOT BE ISSUED UNTIL THE REQUIRED PUBLIC DRAINAGE IMPROVEMENTS ARE COMPLETE, FINAL INSPECTED AND ACCEPTED BY THE PUBLIC WORKS DEPARTMENT. ALL CURB INLETS WILL BE CONSTRUCTED PER CITY STORM SEWER STANDARD DETAILS.
- I.14 SITE LIGHTING IS NOT BEING ADDED AT THIS TIME. A PHOTOMETRIC PLAN WILL BE PROVIDED IN THE FUTURE, PRIOR TO LIGHT INSTALLATION, IF NEW LIGHTING IS DESIRED.
- 1.15 PROPERTY OWNER SHALL MAINTAIN COMMON OPEN SPACE
- 1.16 SHARED PARKING REVIEW AND FINAL PARKING SPACE REQUIREMENTS WILL OCCUR WITH REVIEW OF EACH FINAL DEVELOPMENT PLAN SUBMISSION.
- PER CITY CODE SECTION 9-902, THE PATIO AREA WILL BE MANAGED TO PREVENT STORMWATER POLLUTION. FOOD WASTE, TRASH, CIGARETTES AND OTHER SOLID WASTES WILL BE COLLECTED AND DISPOSED OF PROPERLY. COLLECTION MUST BE FREQUENT ENOUGH TO PREVENT WASTES CARRIED OFF BY WIND OR STORMWATER RUNOFF. PAVEMENT AND FURNISHINGS MUST BE CLEANED FREQUENTLY ENOUGH TO PREVENT CONTAMINATION OF STORMWATER RUNOFF. FLUID WASTE, INCLUDING WASTEWATER FROM PAVEMENT OR FURNITURE CLEANING, WILL BE COLLECTED AND DISCHARGED TO THE SANITARY SEWER SYSTEM
- TYPICAL DIMENSIONS: REGULAR SPACES 9' X 18' (16.5' + 1.5' OVERHANG AT SIDEWALKS)

ADA SPACES - 9' X 16.5' OR 18' (9' AISLE)

1.19 PAVEMENT: APPROACHES: 7" - 4000 PSI CONC

APPROACHES:

PARKING DRIVES:

PARKING AREAS:

CURB & GUTTER:

T" - 4000 PSI CONCRETE W #5 BARS 12" O.C.B.W.

MIN. 6" ASPHALT ON 4" GRAVEL OR 5" CONCRETE

MIN. 5" ASPHALT ON 4" GRAVEL OR 4" CONCRETE

TYPE I CURB AND GUTTER THROUGHOUT SITE

UNLESS SPECIFIED DIFFERENTLY.

SIDEWALKS: 4" CONCRETE WITH COMPACTED SUBGRADE UNLESS OTHERWISE NOTED

Authorized By Kay Pesnell

# SITE SUMMARY:

		CURRENT	PROPOSED	CURRENT USE	PROPOSED USE	LAND	AREA	PROPOSED UNITS	PROPOSED UNITS PER
5 8		ZONING	ZONING			<b>ACRES</b>	SQUARE FEET		ACRE
ROJEC	LOT I	R57/RM12	RM24-PD	PASSIVE RECREATION	PASSIVE RECREATION \$ CLUBHOUSE	4.961	216,100		
PR US	TOTAL				EVENT CENTER & FLEET STORAGE	4.96	216,100	0	0.00

# LANDSCAPING TABLE:

	Lot I
Parking Stalls Provided	g
Interior Parking Lot Greenspace Provided (SF)	10,27
Interior Parking Lot Greenspace Required (SF)	3,84
Interior Parking Lot Shrubs Provided	Exis
Interior Parking Lot Shrubs Required	2
Interior Parking Lot Trees Provided	
Interior Parking Lot Trees Required	!
Perimeter Parking Lot Frontage (FT)	16
Perimeter Parking Lot Trees Provided	7 (double a street tree
Perimeter Parking Lot Trees Required	
Birdie Way Street Trees Provided	1
Birdie Way Street Trees Required	370 L. /40=1
Common Open Space Provided	46,08
Common Open Space Required (20% of site)	44,00

DESCRIPTION QTY. APPROVED TYPES BOTANICAL NAMES ACER SACCHARUM "LEGACY" 2"-2 I/2" B & B 10 LEGACY SUGAR MAPLE SUMMERSHADE NORWAY MAPLE ACER PLATANOIDES "SUMMERSHADE" LACEBARK ELM ULMUS PARVFOLIA SHUMBARD OAK QUERCUS SHUMARDII GREENSPIRE LINDEN TILIA CORDATA 'GREENSPIRE' LONDON PLANE TREE PLATANUS OCCIDENTALIS 'BLOODGOOD' LEGACY SUGAR PLUM 2"-2 I/2" B ≰ B ACER PLATANOIDES QUERCUS MACROCARPA BUR OAK

LEGACY SUGAR PLUM
BUR OAK
IRONWOOD
OSTYRA V
GOLDEN RAIN TREE
CHINKAPIN OAK
LACEBARK ELM
SKYLINE HONEYLOCUST
ACER PLA
QUERCUS M
QUERCUS M
ULMUS PAR

ACER PLATANOIDES 2"-2 I/2" B & B
QUERCUS MACROCARPA CAL.
OSTYRA VIRGINIANA
KOELREUTERIA PANICULATA
QUERCUS MUEHLENBERGII
ULMUS PARVIFOLIA
GLEDITSIA TRIACANTHOS

123 W. 8TH STREET
SUITE B2
LAWRENCE, KS 66044
OFFICE: 785.832.0804

BUILDER:
GENE FRITZEL CONSTRUCTION
643 MASSACHUSETTS
SUITE 300
LAURENCE, KS 66044
OFFICE: 185.8416355
FAX: 185.8416342

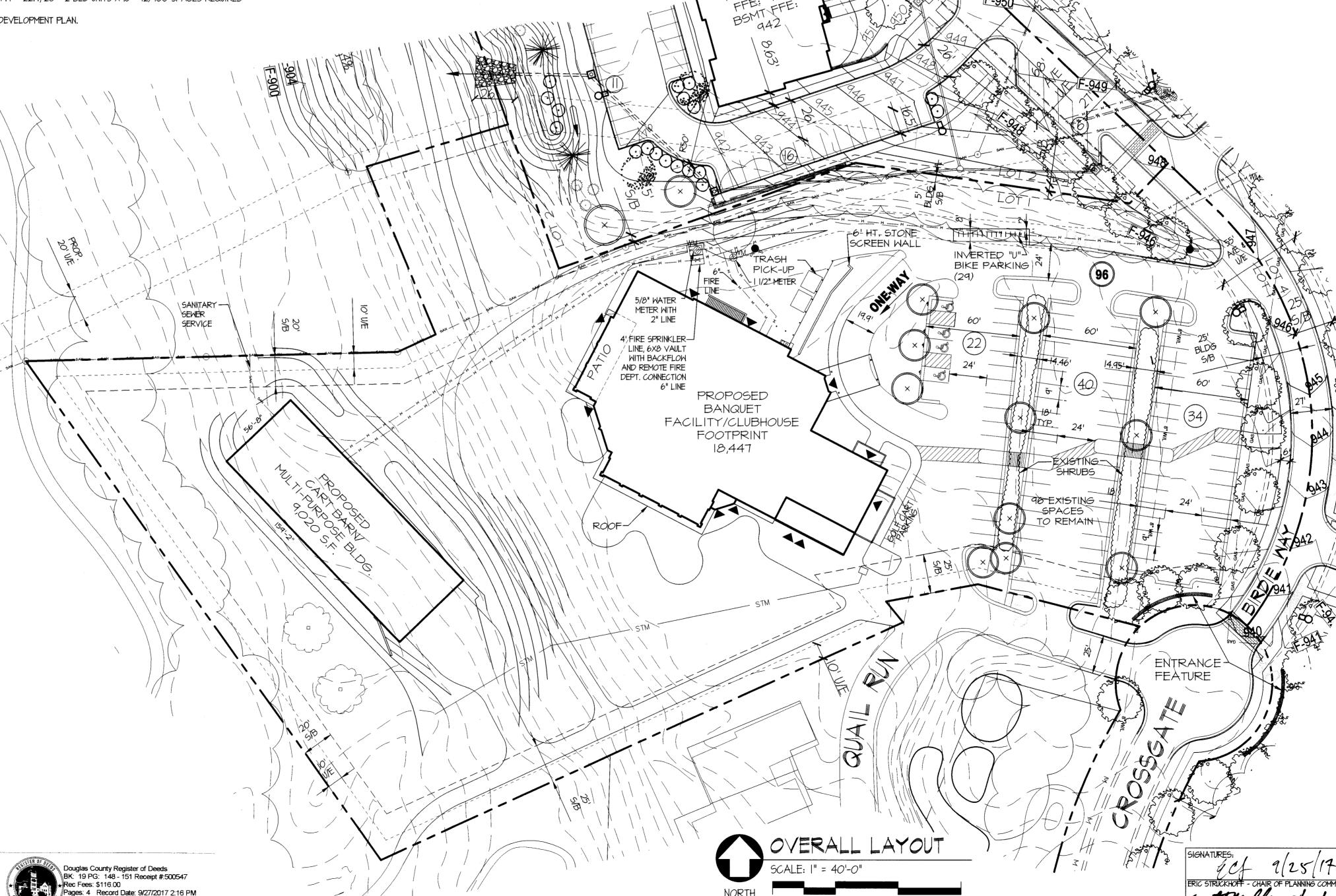
FAX: 785.832.0890 NFO+PAULWERNERARCHITECTS.COM

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ALVAMAK LOT 1 EVELOPMENT PLAN

PROJECT # 213-560

RELEASE: 2.5 2.6 2.7 2.8 2.9	DATE: 4.27.17 5.22.17 8.14.17 8.17.17 9.20.17

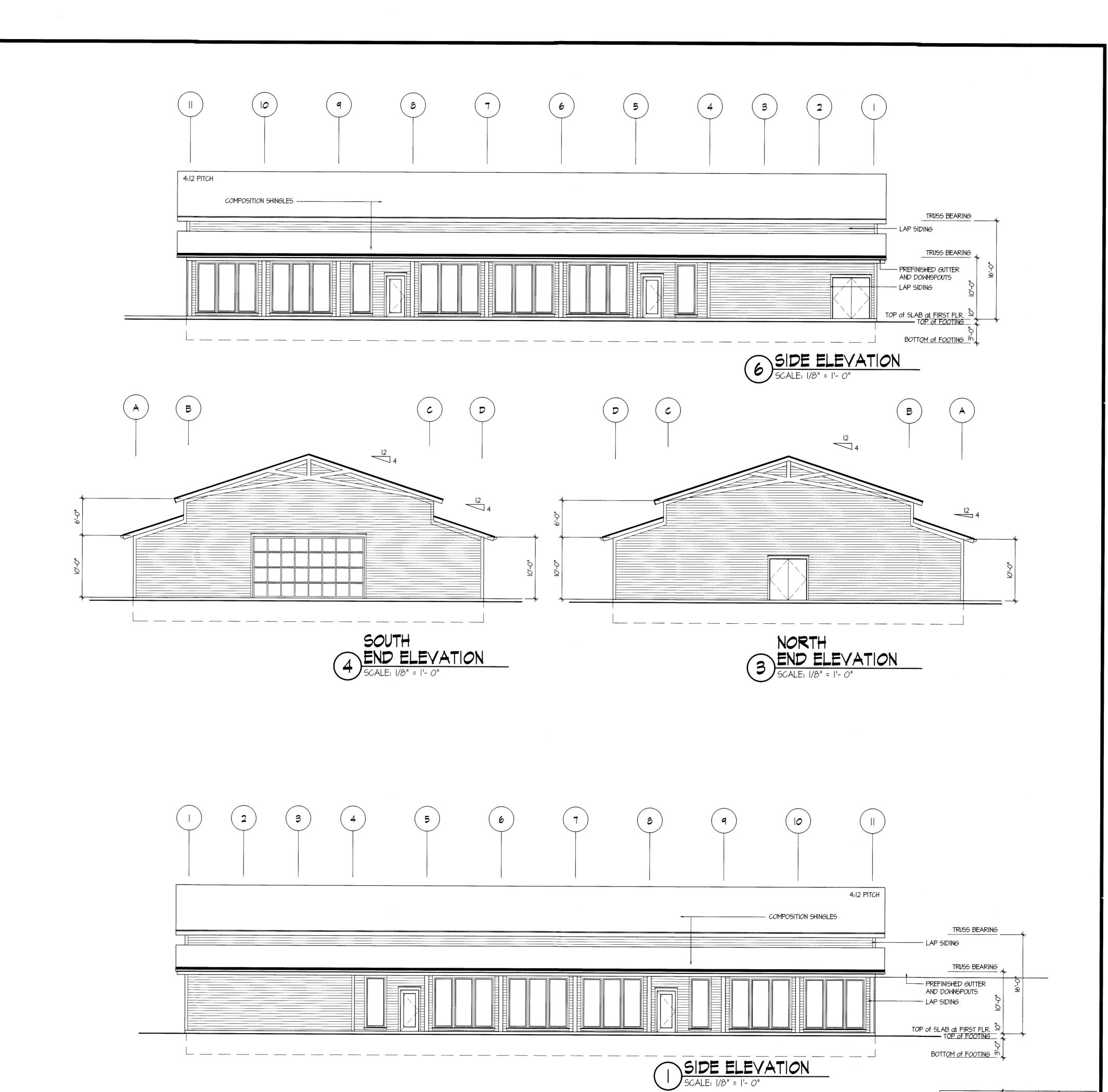


RELEASE: DATE:
REV. 2 8.08.17
REV. 2.1 8.30.17
REV. 2.2 9.06.17
REV. 2.3 9.19.17

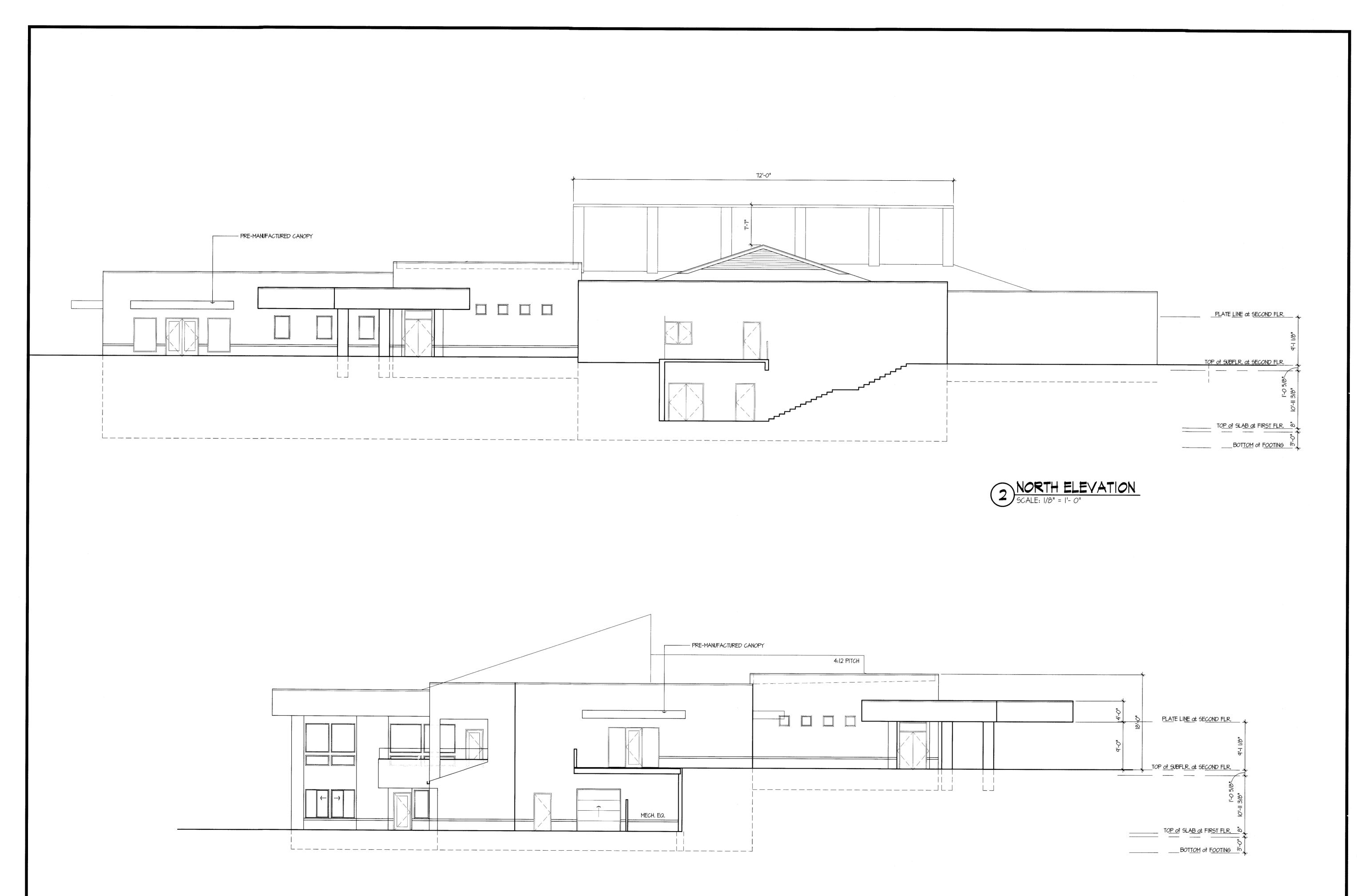
A-200

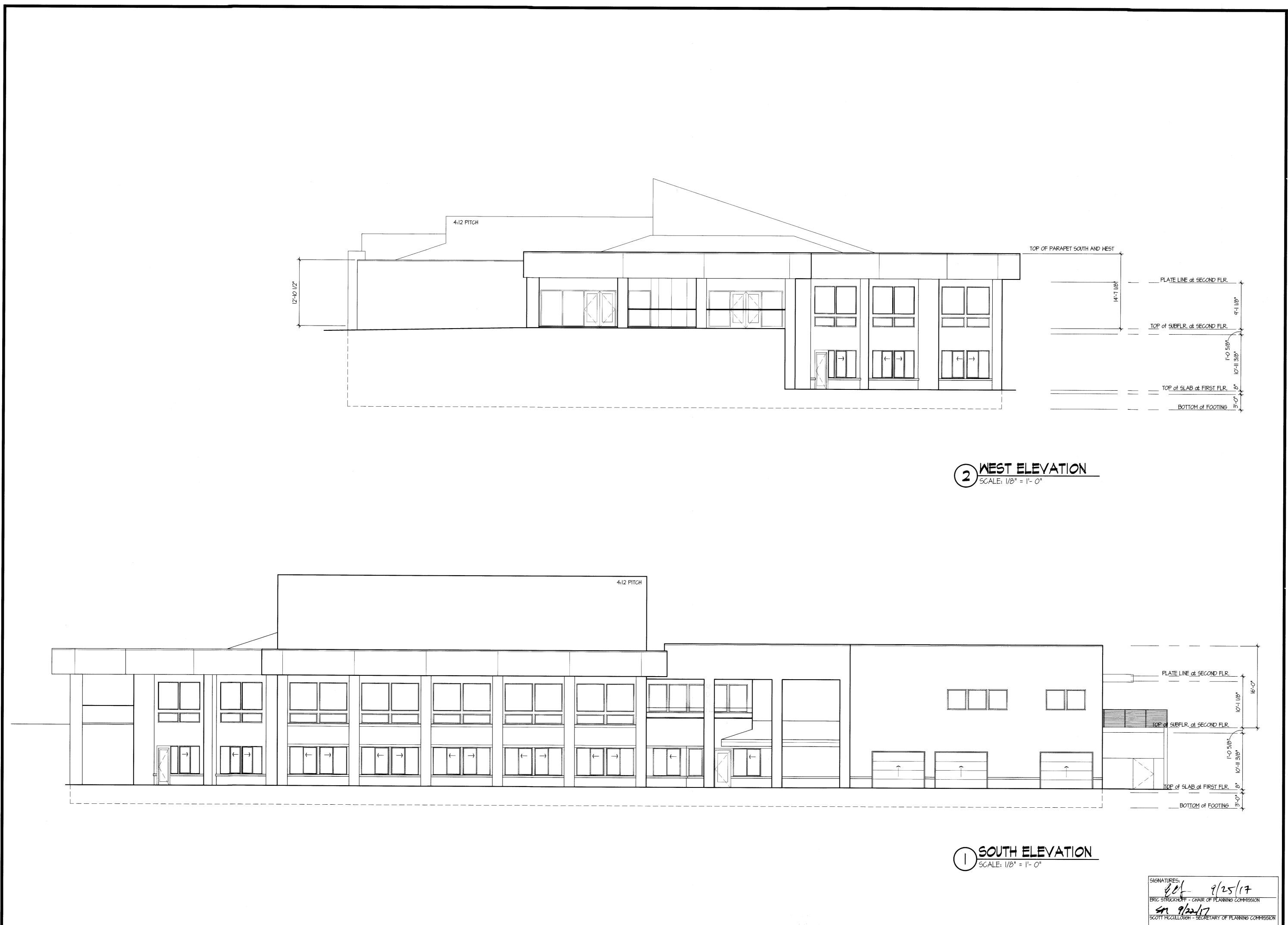
ERIC STRUCKHOFF - CHAIR OF PLANNING COMMISSION

Section of Planning Commission



A-200





# SHARED PARKING INFORMATION:

			APARTMENTS	DUPLEX	INDEPEN -DENT/ ASSISTED LIVING	GOLF CART STORAGE/ MULTI-PURPOSE	FITNESS/WELL -NESS AREA	POOL AREA	GOLF COURSE/ CLUBHOUSE KU GOLF FACILITY (K)	BANQUET FACILITY AREA	OUTDOOR GRILLE BY POOL (ACCESSORY)			
	\d\( \cdot \)	USE CALEGORY	MULTI-DWELLING STRUCTURE	DUPLEX	INDEPENDENT / ASSISTED LIVING	EVENT CENTER, SMALL/ FLEET STORAGE \$ OUTDOOR TURF PATIO	PERSONAL IMPROVEMEN T/ACTIVE REC.	ACTIVE RECREATION	PASSIVE RECREATION	EVENT CENTER, LARGE	FAST ORDER FOOD OR QUALITY RESTAURANT			
PARKING SUMMARY	ריים איר אים אינואים	TARNING OF ACES REQUIRED	I PER BDRM (500 BEDS) + I PER IO UNITS (280)	I PER BDRM (12 BEDS)	I PER INDEPENDENT LIVING UNIT (100) + 0.5 PER ASSISTED LIVING UNIT (0)	I SPACE PER 3 PERSONS BASED ON MAX OCCUPANCY OF 246 (INDOOR), I OG (OUTDOOR) BIKE PARKING - I PER I O BASED ON MAX. OCCUPANCY	67% @ 1/500 (19,741 S.F.) 33% @ 1/200 (9,723.F.) BIKE PARKING - 1 PER 10 AUTO	I PER 500 S.F. OF CUSTOMER SERVICE AREA, OUTDOOR POOL (40,267 S.F.) INDOOR POOL (4,559 S.F.) BIKE PARKING - I PER 10 AUTO	4 SPACES PER HOLE (27 HOLES) + 22 FOR UNIVERSITY GOLF PRACTICE FACILITY BIKE PARKING- I PER I O AUTO SPACES	I SPACE PER 4 PERSONS BASED ON MAX OCCUPANCY OF 480 BIKE PARKING - I PER IO AUTO SPACES	I PER I OO SF OF CUSTOMER SERVICE AREA (I, I 38 S.F.) PLUS I PER EMPLOYEE ON LARGEST SHIFT (5) BIKE PARKING - 5	TOTAL USED	EXCESS SPACES	TOTAL PROVIDED
PAR	۵	Ä	<b>528</b> [A][B][C]	12	100	<b>118</b> BIKE - 24	89	90	<b>130</b> [H] BIKE - I2	<b>120</b> BIKE - 12	17			
		LOT I				18			43	35		96	0	96
	ا ص	LOT 2	329 [A]			3				4		336	0	336
	VIDE	LOT 3 [J]	200 [B][C]	12 [E]	100 [D]							312	0	312
	PARKING PROVIDED	LOT 4				41	81	81	74		5	282	13	295
	KING	LOT 5										0		0
	PAR	BIRDIE WAY [1]				45				69		114	0	114
	I	TOTAL	529	12	100	<b>107</b> [F]	<b>81</b> [F]	<b>81</b> [F]	<b>117</b> [F]	<b>108</b> [F]	<b>5</b> [G]	1140	13	1153

- 🔍 LOT 2A: BLDGS A, B, C = 168 UNITS 312 BEDS; INTERIOR PARKING = 146, EXTERIOR PARKING 183; TOTAL = 329 SPACES REQUIRED. PARKING HAS BEEN REQUIRED & PROVIDED ON LOT 2, EXCLUDING PARKING ON BIRDIE WAY
- 3 LOT 2B: BLDGS H, 16 I BED UNITS = 18 SPACES REQUIRED. PARKING HAS BEEN REQUIRED & PROVIDED ON LOT 3, EXCLUDING PARKING ON BIRDIE WAY LOT 2B: BLDGS - K, 96 UNITS - 172 BEDS; 182 SPACES REQUIRED. PARKING HAS BEEN REQUIRED & PROVIDED ON LOT 3, EXCLUDING PARKING ON BIRDIE WAY
- LOT 2B: BLDGS J, ASSISTED/INDEPENDENT LIVING 100 UNITS 100 SPACES REQUIRED: DENSITY = (24 STUDIO X .4 = 9.6; 56 1 BED UNITS X .4 = 22.4; 20 2 BED UNITS X .6 = 12) 100 SPACES REQUIRED LOT 2B; DUPLEX D& E - (4 BEDS); DUPLEX F & G - (8 BEDS) = I SPACE PER BEDROOM = I2 SPACES REQUIRED
- OFF STREET PARKING FOR NON-RESIDENTIAL USES HAS BEEN REDUCED TO 40% OF THE REQUIRED AMOUNT PER THE APPROVED PRELIMINARY DEVELOPMENT PLAN.
- OFF STREET PARKING REDUCED TO 5 SPACES FOR EMPLOYEE PARKING ONLY. PARKING FOR USE SHARED WITH OTHER USES ON SITE.
- 1 OFF STREET PARKING FOR GOLF COURSE, PRACTICE FACILITY, SHARED BETWEEN LOT I AND LOT 4 AND BIRDIE WAY.
- PARKING ON BIRDIE WAY 73 SPACES ON LOT 2 & 41 SPACES ON LOT 3.
- FINAL DEVELOPMENT PLAN FOR LOT 3 NOT SUBMITTED. PARKING IS ESTIMATED AT THIS TIME.

## LEGAL DESCRIPTION:

LOT I, ALVAMAR INC. ONE ADDITION NO. 2

# ALLOWED NON RESIDENTIAL USES:

- RETAIL USES AS ACCESSORY TO THE GOLF COURSE
- OFFICE USES, ACCESSORY TO THE DIRECT OPERATION OF THE GOLF COURSE AND EVENT CENTER OR MANAGEMENT OF ACCESSORY USES DIRECTLY ASSOCIATED WITH THE GOLF COURSE
- EATING AND DRINKING ESTABLISHMENTS, INCLUDING A NIGHT CLUB (TO BE OPERATED AS A BANQUET/RECEPTION FACILITY ONLY), FAST ORDER FOOD; QUALITY RESTAURANT; AND ACCESSORY BAR USES.
- 4. TRANSIENT ACCOMODATION, INCLUDING A HOTEL WITH NOT MORE THAN TWENTY-FOUR GUEST ROOMS.

# IMPERVIOUS SURFACE SUMMARY:

.OT I: 5.051 ACRES (220	,012 SQ. FT. +/	′-)			
EXISTING SUMMARY:			POST DEVELOPMENT SUN	1MARY:	
	SQ. FT.	<u>%_</u>		SQ. FT.	<u> </u>
BUILDING FOOTPRINT:	14,668	7%_	BUILDING FOOTPRINT:	24,747	11%_
PAVEMENT AREAS:	62,510	28%	PAVEMENT AREAS:		35%_
TOTAL IMPERVIOUS:	77,178	36%	TOTAL IMPERVIOUS:	102,186	46%
TOTAL PERVIOUS:	138,922	64%	TOTAL PERVIOUS:	113,914	52%
PROPERTY AREA:	216,100	100%	PROPERTY AREA:	216,100	100%

# GENERAL NOTES:

- I.I ALL GROUND MOUNTED MECHANICAL UNITS SHALL BE SCREENED IN ACCORDANCE WITH SECTION 20-1006(b).
- 1.2 ALL REQUIRED ACCESSIBLE SIDEWALK RAMPS PER A.D.A. STANDARDS.
- 1.3 SITE PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDINGS AND FACILITIES, APPENDIX A TO 28CFR PART 36.
- 1.4 THE CITY OF LAWRENCE WILL NOT BE HELD RESPONSIBLE FOR PAVEMENT DAMAGE CAUSED BY TRASH TRUCKS.
- 1.5 PLAN FOR CITY APPROVAL ONLY! CONSTRUCTION DOCUMENTS TO BE FURNISHED AT THE REQUEST OF OWNER.
- 1.6 INFORMATION TAKEN FROM AERIAL PHOTOS, TOPOGRAPHIC SURVEY, AVAILABLE DOCUMENTS, AND ON SITE INVESTIGATIONS.
- ALL TRAFFIC CONTROL SIGNS PLACED ON PRIVATE PROPERTY OPEN TO THE GENERAL PUBLIC SHALL COMPLY WITH THE "MANUAL ON UNIFORMS TRAFFIC CONTROL DEVICES" AND "STANDARD HIGHWAY SIGNS," PUBLISHED BY THE FEDERAL HIGHWAY ADMINISTRATION, WITH
- RESPECT TO SIZE, SHAPE, COLOR, RETROFLECTIVITY, AND POSITION. MAXIMUM BUILDING HEIGHT SHALL BE 45 FEET PER CITY CODE 20-601., OR RECEIVE A WAIVER FROM PLANNING COMMISSION.
- SIGN APPROVAL AND PERMITTING IS NOT PART OF THE SITE PLAN APPROVAL. SEPARATE APPROVAL IS REQUIRED THROUGH PLANNING AND DEVELOPMENT SERVICES.
- NO BUILDING STRUCTURES SHALL BE PLACED WITHIN UTILITY EASEMENTS OR WITHIN 15 FEET OF THE PUBLIC SANITARY SEWER OF PUBLIC WATERLINE. NO OTHER STRUCTURES OR LANDSCAPING SHALL BE PLACED WITHIN UTILITY EASEMENT OR WITHIN & FEET OF THE PUBLIC
- SANITARY SEWER OR PUBLIC WATERLINE SLOPE EXTERIOR WALKS A MINIMUM OF 1/4" PER FOOT (BUT NOT GREATER THAN 1:20) SO THAT ALL EXTERIOR DRAINAGE WILL BE AWAY FROM STRUCTURE TO EXTERIOR.
- 1.12 PROPERTY OWNER WAIVES RIGHTS TO PROTEST CHANGES TO THIS DEVELOPMENT PLAN.
- I.I.3 APPLICANT SHALL SUBMIT A COMPLETE DRAINAGE STUDY FOR REVIEW AND APPROVAL BY THE CITY STORMWATER ENGINEER CONCURRENT WITH EACH FINAL DEVELOPMENT PLAN APPLICATION FOR ANY LOT OR PHASE OF THE DEVELOPMENT. OCCUPANCY PERMITS FOR PROPOSED BUILDINGS WILL NOT BE ISSUED UNTIL THE REQUIRED PUBLIC DRAINAGE IMPROVEMENTS ARE COMPLETE, FINAL INSPECTED AND ACCEPTED BY THE PUBLIC WORKS DEPARTMENT. ALL CURB INLETS WILL BE CONSTRUCTED PER CITY STORM SEWER STANDARD DETAILS.
- 1.14 SITE LIGHTING IS NOT BEING ADDED AT THIS TIME. A PHOTOMETRIC PLAN WILL BE PROVIDED IN THE FUTURE, PRIOR TO LIGHT INSTALLATION, IF NEW LIGHTING IS DESIRED.
- 1.15 PROPERTY OWNER SHALL MAINTAIN COMMON OPEN SPACE
- 1.16 SHARED PARKING REVIEW AND FINAL PARKING SPACE REQUIREMENTS WILL OCCUR WITH REVIEW OF EACH FINAL DEVELOPMENT PLAN

I.IT PER CITY CODE SECTION 9-902, THE PATIO AREA WILL BE MANAGED TO PREVENT STORMWATER POLLUTION. FOOD WASTE, TRASH, CIGARETTES AND OTHER SOLID WASTES WILL BE COLLECTED AND DISPOSED OF PROPERLY. COLLECTION MUST BE FREQUENT ENOUGH TO PREVENT WASTES CARRIED OFF BY WIND OR STORMWATER RUNOFF. PAVEMENT AND FURNISHINGS MUST BE CLEANED FREQUENTLY ENOUGH TO PREVENT CONTAMINATION OF STORMWATER RUNOFF. FLUID WASTE, INCLUDING WASTEWATER FROM PAVEMENT OR FURNITURE CLEANING, WILL BE COLLECTED AND DISCHARGED TO THE SANITARY SEWER SYSTEM

TYPICAL DIMENSIONS: REGULAR SPACES - 9' X 18' (16.5' + 1.5' OVERHANG AT SIDEWALKS)

ADA SPACES - 9' X 16.5' OR 18' (9' AISLE)

PAVEMENT: APPROACHES: PARKING DRIVES: PARKING AREAS:

MIN. 6" ASPHALT ON 4" GRAVEL OR 5" CONCRETE MIN. 5" ASPHALT ON 4" GRAVEL OR 4" CONCRETE CURB & GUTTER: TYPE I CURB AND GUTTER THROUGHOUT SITE UNLESS SPECIFIED DIFFERENTLY.

4" CONCRETE WITH COMPACTED SUBGRADE UNLESS OTHERWISE NOTED SIDEWALKS:

7" - 4000 PSI CONCRETE W/ #5 BARS 12" O.C.B.W.

# SITE SUMMARY:

SANITARY -

STAGING

F \$4		CURRENT ZONING	PROPOSED ZONING	CURRENT USE	PROPOSED USE	LAND A ACRES	REA SQUARE FEET	PROPOSED UNITS	PROPOSED UNITS PER ACRE
OJEC	LOT I	RS7/RM12	RM24-PD	PASSIVE RECREATION	PASSIVE RECREATION \$ CLUBHOUSE	4.961	216,100		
PR US	TOTAL				EVENT CENTER & FLEET STORAGE	4.96	216,100	0	0.00

Parling a Stalle Provided	Lot I
Parking Stalls Provided	
Interior Parking Lot Greenspace Provided (SF)	10,2
Interior Parking Lot Greenspace Required (SF)	3,8
Interior Parking Lot Shrubs Provided	Ex
Interior Parking Lot Shrubs Required	
Interior Parking Lot Trees Provided	
Interior Parking Lot Trees Required	
Perimeter Parking Lot Frontage (FT)	1
Perimeter Parking Lot Trees Provided	7 (double street tre
Perimeter Parking Lot Trees Required	
Birdie Way Street Trees Provided	
Birdie Way Street Trees Required	370 l /40=
Common Open Space Provided	46,0
Common Open Space Required (20% of site)	44,0

-RETAINING

AS NEEDED

SYM. DESCRIPTION QTY. APPROVED TYPES BOTANICAL NAMES SIZE COND. 2"-2 I/2" B & B LEGACY SUGAR MAPLE ACER SACCHARUM "LEGACY" SUMMERSHADE NORWAY MAPLE ACER PLATANOIDES "SUMMERSHADE" ULMUS PARVFOLIA LACEBARK ELM SHUMBARD OAK QUERCUS SHUMARDII GREENSPIRE LINDEN TILIA CORDATA 'GREENSPIRE' LONDON PLANE TREE PLATANUS OCCIDENTALIS 'BLOODGOOD'

-6- HT. STONE

FIRE

AND REMOTEFIANCILITY/CLUBHOUSE

18,447

4' FIRE SPRINKLER PROPOSED

WITH BACKFLOW BANQUET

DEPT. CONNECTION FOOTPRINT

5/8" WATER METER WITH 2" LINE

LINE, 6X8 VAULT

LEGACY SUGAR PLUM ACER PLATANOIDES 2"-2 I/2" B & B BUR OAK QUERCUS MACROCARPA IRONWOOD OSTYRA VIRGINIANA KOELREUTERIA PANICULATA GOLDEN RAIN TREE CHINKAPIN OAK QUERCUS MUEHLENBERGII LACEBARK ELM ULMUS PARVIFOLIA

INVERTED "U"-

BIKE PARKING

EXISTING

SHRUBS

SPACES

TO REMAIN

SKYLINE HONEYLOCUST GLEDITSIA TRIACANTHOS

> BUILDER: GENE FRITZEL CONSTRUCTION 643 MASSACHUSETTS Suite 300 LAWRENCE, KS 66044 OFFICE: 785.841.6355 FAX: 785.841.6342

SUITE B2

**123 W. 8TH STREET** 

LAWRENCE, KS 66044

OFFICE: 785.832.0804 FAX: 785.832.0890 INFO@PAULWERNERARCHITECTS.COM

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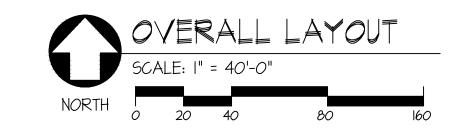
RELEASE: DATE: 2.5 4.27.17 2.6 5.22.17 2.7 8.14.17 2.8 8.17.17 2.9 9.20.17 2.10 5.14.18	2.6 2.7 2.8 2.9	5.22.17 8.14.17 8.17.17 9.20.17

FEATURE PROJECT # 213-560

SIGNATURES:

ERIC STRUCKHOFF - CHAIR OF PLANNING COMMISSION

SCOTT MCCULLOUGH - SECRETARY OF PLANNING COMMISSION



POLE LIGHTS

03 Exterior Lighting Control Schematic
Scale: Not to Scale

### **PLAN NOTES:**

- Route exterior lighting circuit through dimmer switch, time clock and photocell.
   Refer to detail 03 on this sheet.
- 3. Exterior lighting circuit. refer to drawing 01 on this sheet.
- 4. Provide Lutron MACL-153M LED dimmer switch for each exterior lighting circuit. install dimmer switches adjacent to lighting control panel.

1. Route exterior lighting circuit to closet spare 120v breaker. Lighting circuit is

Photometric plan shows lights dimmed to 25%. When on, lights will be dimmed to this level unless a special event requires more light.

**4910 Corporate Centre Drive** Suite 177 Lawrence, Kansas 66047 (785) 832-1105 phone (785) 832-1236 fax mail@hbengineerstk.com © Hoss & Brown Engineers 2018

# REVISIONS:

LIGHTING GENERAL NOTES:

- A. These drawings are diagrammatic in nature and indicate the general extent of the work. The electrical contractor shall provide all pull boxes, junction boxes and incidental materials and labor for a complete and fully functional system.
- B. Electrical contractor shall de-rate conductors as required by the N.E.C. when grouped in common raceways.
- C. Provide firestopping on conduits passing through fire rated walls and floors.
- Coordinate location and ratings of walls with architectural drawings.
- D. Coordinate exact fixture locations with architectural reflected ceiling plans. E. Multiple switches at one location shall be ganged together and have one

LIGHTING MATERIAL NOTES:

- A. CONDUIT (exterior above grade) shall be galvanized rigid or IMC with threaded or compression fittings.
- B. CONDUIT (interior above grade) circuits shall be routed in EMT conduit with set-screw or compression fittings. C. CONDUIT (below slab) - shall be PVC with solvent weld fittings. Change to
- metal conduit at floor penetration (elbow in slab shall be metal rigid conduit) D. CONDUCTORS (#10 awg & smaller) - shall be annealed soft copper, solid construction, and Code Type THWN or THHN with #12awg minimum size. E. GROUNDING (equipment) - All circuits shall be provided with Code sized
- equipment grounding conductor. F. WIRING DEVICES - shall be equal to Hubbell Heavy Duty, Specification Grade Commercial, 120-277 volt, 20 amp rated. Verify device color with architect
- prior to ordering. G. FIRE STOPPING - provide fire stopping, as manufactured by 3M or Hilti, at fire-rated construction to maintain an effective barrier against the spread of flame, smoke, and hot gases. Components shall be compatible with each

other, the substrates forming openings, and the items, if any, penetrating the fire stopping under conditions of service and application, as demonstrated by the fire stopping manufacturer based on testing and field experience.

> PRELIMINARY FOR REVIEW ONLY Not for construction or permit purposes NOTE: THESE PRELIMINARY DRAWINGS ARE FOR CONTRACTOR PRICING

BUILDING

**MULTI-PURP** 

ARCHITE

 $\Delta$ 

ERNE

ISSUE DATE: 6-14-2018 JOB NUMBER: 1810046 DRAWN BY: DSR CHECKED BY: PCL

ONLY. THIS PLAN DOES NOT DEPICT

PAVILION PLAN

PROJECT PHASE

# Daulwernel

123 W. 8TH STREET SUITE B2 LAWRENCE, KS 66044

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# THE JAYHAWK CLUB MULTI-PURPOSE BUILDING

PROJECT # 213-560 JULY 12, 2017

RELEASE: DATE: REV. 3.0 II.I3.I7 REV.3.I 4.24.I8 REV. 3.2 6.II.I8

A-200

# PLANNING COMMISSION REPORT Regular Agenda -Public Hearing Item

PC Staff Report 3/15/2017

ITEM NO. 1C FINAL DEVELOPMENT PLAN FOR ALVAMAR LOT 1; 1809 BIRDIE WAY (SLD)

**FDP-17-00028**: Consider a revised Final Development Plan for Alvamar Lot 1, located at 1809 Birdie Way for the addition of an 8,200 SF multi-purpose building. Submitted by Paul Werner Architects, for Eagle 1968 LC, property owner of record.

**STAFF RECOMMENDATION ON PRELIMINARY DEVELOPMENT PLAN:** Planning Staff recommends approval of Alvamar Lot 1 Revised Final Development Plan based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

- 1. Prior to the recording of the Final Development Plan a Final Plat shall be submitted and approved and recorded with the Register of Deeds Office.
- 2. Provision of a revised plan that updates the Landscape calculations per the 99 parking spaces shown on the face of the drawing.

Reason for Request: "The final development plan is being submitted because lot area is being added to Lot 1. With the additional lot area a proposed cart barn is shown west of the clubhouse. The cart barn will double as an alternate event location in case of rain to prevent outdoor cancellations."

#### **KEY POINTS**

- This application includes 1.418 acres of land that was not included in the original approval.
  - o 39% increase in lot area.
- This application includes a revision to the proposed uses.
  - o Chapel use has been removed (2,400 SF).
  - o Multi-use building has been added to the site (8,200 SF). The primary use of the building is for cart storage.
- Preliminary Development Plan was approved on May 10, 2016.
- Major changes from an approved preliminary development plan may only be approved after rehearing and reapproval of the plan by the Planning Commission and the Governing Body.

#### **FACTORS TO CONSIDER**

- Conformance with the approved Preliminary Development Plan
- Compliance with Development Code.
- Conformance with Horizon 2020.
- Conformance with Subdivision Regulations.

#### **ATTACHMENTS**

- 1. Approved Preliminary Development Plan
- 2. Final Development Plan
- 3. Building Elevations

#### PUBLIC COMMENT

 Residents from surrounding subdivisions have called to request additional information about the project.

#### ASSOCIATED CASES/OTHER ACTION REQUIRED

#### **Associated Cases**

#### Alvamar Planned Development

- Z-14-00552; RM24-PD; Ordinance 9154.
- PDP-16-00052: Approved by the City Commission on May 10, 2016.
- PF-16-00051: Final Plat of Alvamar Inc One Addition.
- FDP-16-00342: Lot 4 pool, wellness center and amenities.

#### Lot 1 Lot 2

- **Z-17-00009**: rezone 1.418 acres from RS7 (Single-Dwelling Residential) District and PUD (Planned Unit Development) District to RM24-PD (Multi-Dwelling Residential) District, 1809 Birdie Way.
- FDP-16-00343: Approved a Final Development Plan for Alvamar Lot 1, Passive Recreation use for Alvamar Golf Course to include an Event Center, clubhouse and chapel as accessory uses to the Golf Course approximately 3.6 acres, located at 1809 Crossgate Drive. This project is replaced by the current by FDP-17-00028.
- **Z-17-00011**: rezone .558 acre from PUD (Planned Unit Development) District to RM24-PD (Multi-Dwelling Residential) District, located at 1575 Birdie Way, Lot 2 Alvamar Inc One Addition.
- FDP-17-00029: revised Final Development Plan for Alvamar Lot 2, located at 1575 Birdie Way for the relocation of the apartment clubhouse and pool area.
- FDP-16-00343: Lot 2, Multi-Dwelling Residential. Approved, replaced by FDP-17-00029.

#### Other Action Required

- Recording of Final Development Plan and Final Plat with the Douglas County Register of Deeds.
- Building permits must be obtained prior to construction of structures.

#### **GENERAL INFORMATION**

Refer to Z-17-00009 for existing and surrounding zoning and land use.

#### SITE SUMMARY

	Approved PDP	FDP with Proposed Revisions
Land Use:	Passive Recreation and accessory uses	Passive Recreation and accessory uses to
	to golf course/Event Center	golf course/Event Center
		Multi-use building/cart storage
Land Area (sq ft):	158,11	1 220,012
	158,251 (per final plat)	Pending new final plat
	3.633 Acres	5.051 Acres
Building Footprint:	21,72	1 29,047
	14,060 SF Existing	14,668 SF Existing
	19,321 SF Proposed	18,447 SF Proposed
	2,400 SF chapel	8,200 SF multi-use building
Total Pavement:	133,73	5 63,273
Total Impervious:	196,74	92,320
Total Pervious Area:	137,58	9 127,692

The following graphic highlights the location of the proposed change in relationship to the overall Alvamar PD development.

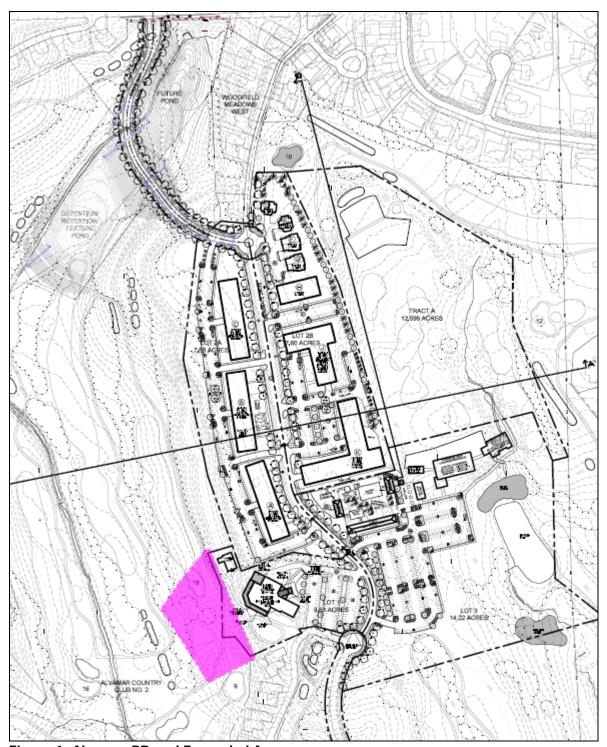


Figure 1: Alvamar PD and Expanded Area

#### PARKING SUMMARY

Off-Street Parking For Golf Course Is Shared On Both Lots 1 And 4
Off-Street Parking For Non-Residential Uses Provided At 90% Of Required Standard Per Approved Preliminary Development Plan

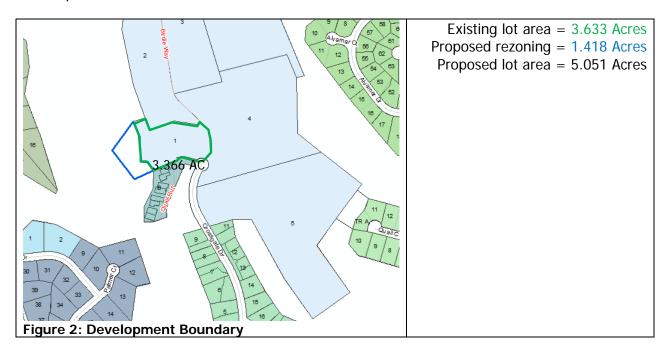
	Preliminary Development Plan					
Use	Parking requirement	Parking Required	Parking Provided 99 total spaces on Lot 1			
Golf Course (Passive Recreation) University Practice Facility (located on Lot 4)	4 spaces per hole 22 spaces for practice facility	27 holes – 108 spaces facility – 22 spaces Total 130 provided at	Lot 1 – 43 spaces Lot 4 - 74 spaces  No change in parking required or parking distribution for for this			
		90% = 117 spaces	use.			
Restaurant – accessory to golf course	Separate parking lot required with use relocated from Lot 4 to clubhouse on Lot 1 as part of event center.		Shared parking with Event Center and off-demand hours (evening) when passive recreation/golf course is not active.			
	Off-street parking for restaurant per PDP =  44 required @ 90% = 41  Parking was proposed to be provided:  Lot 1 - 10 spaces  Lot 4 - 6 spaces  Private street - 25 spaces					
Cart storage	Accessory building to golf course not anticipated to generate separate off-street parking.	0 spaces required	See summary for multi-purpose building.			
Chapel (Religious Institution)	1 space per 4 seats	100 seats = 25 spaces	Use has been removed from plan.			
Banquet Facility (Event Center Large)	1 space per 4 people based on maximum occupancy.  Maximum occupancy per PDP = 480 + 9 employees.	129 spaces at 90% = 117 spaces	Lot 1 – 48 spaces Private street – 69 spaces			
Multi-purpose building when not used for cart storage. (Event Center, Small and fleet storage)	1 space per 3 people based on maximum occupancy. Maximum occupancy proposed per revised FDP is 207 + 3 employees.	70 spaces at 90% = 63 spaces	Lot 1 – 8 Lot 2 – 3 Lot 4 – 8 Private Street – 45 64 provided.			
Total Require Parking	108 golf course -22 spaces facility on Lot 4 -41 spaces restaurant as shared with golf course and other uses -0 spaces cart storage as accessory to golf course -25 spaces chapel use removed from plan 117 spaces event center large – shared use parking within development 63 spaces event center small – shared use parking within development 288 spaces required					
Total Parking Provided	99 spaces provided on Lot 1. 114 spaces provided on Birdie Way (private street parking). 250 spaces provided on Lot 4 (pool, wellness center) as shared parking. 336 spaces provided on Lot 2 (329 spaces reserved exclusively for residential uses and cannot be shared).					
	470 spaces provided excluding dedicated residential spaces on Lot 2.					

#### STAFF ANALYSIS

This application consists of two components. The addition of land area to the phase requires a subdivision review. The addition of the land area as well as changes to the proposed uses of the property requires a review of the Final Development with a requirement for a public hearing.

#### **Subdivision Review**

The majority of this property was platted as part of the Alvamar Inc One final plat (Lot 1). This request includes additional area to accommodate the proposed multi-use building to be located southwest of the clubhouse. The following image highlights the location of the area to be added to the platted lot.



The proposed request will incorporate area into an existing platted lot with access to a public street (Crossgate Drive). Access to the lot and the overall development is accommodated from a private street (Birdie Way). Concurrent with this application is a request to rezone the additional area to the same zoning district as the balance of the property. The lot currently exceeds the minimum lot area requirements. There are no variances associated with this request as it pertains to subdivision requirements. The Development Plan serves as the Preliminary Plat review of this application. Prior to construction of the new building, a Final Plat will be required to be approved and recorded with the Register of Deeds Office.

#### Final Development Plan Review

This application has been evaluated based upon the application requirements per Section 20-1304(e) of the Development Code for the City of Lawrence, requiring consideration of the following items:

The Preliminary Development Plan was approved on May 10, 2016. An application for a Final Development plan may be submitted for an area with an approved Preliminary Development Plan. Plans submitted for Final review must be substantially in compliance with the approved preliminary development plan and may not:

a. Increase the proposed gross residential density or intensity of use by more than 5%;

- b. Involves a reduction in the area set aside of common open space in general, or recreational open space or natural open space in particular, or the substantial relocation of such areas:
- c. Increase by more than 10% the total floor area proposed for non-residential use;
- d. Increase by more than 5% the total ground area coved by buildings;
- e. Changes a residential use or building type;
- f. Increases the height of buildings by more than 5%;
- g. Represents a new change to the PDP that creates a substantial adverse impact on surrounding land owners; or
- h. Changes a residential building type or a nonresidential structure by more than 10% in size.

This application includes 1.4 acres that was not previously included in the approved Preliminary Development Plan and modifies uses within the phase.

- a. This phase does not include a residential component.
- b. The project includes more land area than included in the original approval. However, the request adds activity to an area that was previously reserved for the golf course activity.
- c. The footprint of the clubhouse building has been reduced by 5% from what was shown on the Preliminary Development Plan. Additionally the plan shows the removal of the 2,400 SF chapel use to be replaced by an 8,200 Sf multi-purpose building (242% increase).
- d. The total area covered by building within this phase increases by approximately 33%.
- e. This phase does not include a residential component.
- f. This project includes a new building not previously included in the development project. The overall height of the building is less than 25′. The maximum district height is 45′.
- g. The proposed changes do not impact any immediate property owner. The proposed change is an encroachment into the area reserved and identified for the golf course.
- h. This phase does not include a residential component.

#### **Density Review**

This phase includes only the clubhouse/Event Center. Residential uses are not proposed with this phase of the development.

#### Landscape Review

Section 20-701(d) states that all of the standards of the Development Code apply to development within a PD District except as expressly authorized by regulations of Section 20-701. The proposed plan shows street trees along Birdie Way consistent with the approved Preliminary Development Plan. This project does not alter the parking lot arrangement or the interior or perimeter landscape plan as approved with the Preliminary Development Plan.

The landscape table provided on the plan is based on 101 off-street parking spaces. However, this lot contains only 99 spaces. The change in the number is reflective of the requirements to provide accessible spaces and access aisles. The plan provides more than the required interior landscape for a parking lot of this size and provides more landscape plants and trees than required. Staff recommends that the landscape calculation included on the face of the plan be updated with the correct number as a condition of approval.

#### **Building Height and Use**

The maximum building height of the base district is 45'. The proposed building is a single story building and has an overall gross height of less than 25'. The calculated height of the building is 19'5" as measured per section 20-601 of the Land Development Code.

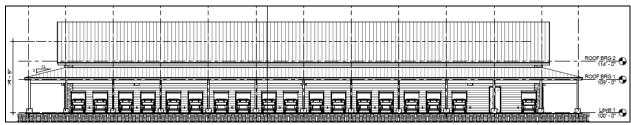
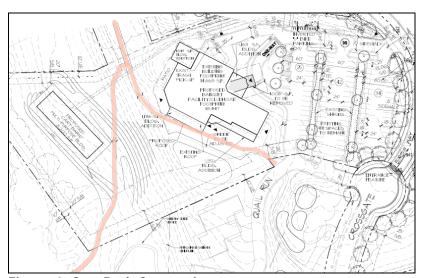


Figure 3: Building Elevation

The primary purpose for this building is for cart storage in proximity to the clubhouse. The applicant has stated that the building is being designed as a multi-purpose structure that would provide shelter during inclement weather. The applicant has recalculated the off-street parking demand that is associated with the building when used as an event center.

Access to the building is provided via the cart paths that connect the golf course and amenities throughout the development.



**Figure 4: Cart Path Connections** 

#### **Staff Review and Conclusion**

This revised Final Development Plan is consistent with the approved Preliminary Development Plan for the area. This phase does not add any residential density to the development.

#### PARKING SUMMARY – USES FOR LOT 1

- Off-Street Parking For Golf Course Is Shared On Both Lots 1 And 4
  Off-Street Parking For Non-Residential Uses Provided At 90% Of Required Standard Per Approved Preliminary Development Plan

Development Plan					
Use	Parking requirement	Parking Required	Parking Provided 99 total spaces on Lot 1		
Golf Course	4 spaces per hole	27 holes – 108 spaces	Lot 1 – 43 spaces		
(Passive Recreation)			Lot 4 - 74 spaces		
University Practice	22 spaces for practice	facility - 22 spaces			
Facility -located on Lot 4	facility		No change in parking required or		
		Total 130 provided at	parking distribution for for this use.		
		90% = 117 spaces			
Restaurant –	Separate parking lot red	quired with use relocated	Shared parking with Event Center and		
accessory to golf course	from Lot 4 to clubhouse on Lot 1 as part of event		off-demand hours (evening) when		
	center.		passive recreation/golf course is not		
			active.		
	Off-street parking for re				
	44 required @ 90% = 4	41			
		roposed to be provided:			
	Lot 1 – 10 spa				
	Lot 4 – 6 spac				
	Private street	– 25 spaces			
Cart storage	Accessory building to	0 spaces required	See summary for multi-purpose		
	golf course not		building.		
	anticipated to				
	generate separate				
	off-street parking.				
Chapel	1 space per 4 seats	100 seats = 25 spaces	Use has been removed from plan.		
(Religious Institution)					
Banquet Facility <sup>1</sup>	1 space per 4 people	120 spaces at 90% =	Lot 1 – 35 spaces		
(Event Center Large)	based on maximum	108 spaces	Lot 2 – 4 spaces		
	occupancy.		Private Street – 69 spaces		
	Maximum occupancy				
	per PDP = 480 + 9		108 spaces provided		
	employees.				
Multi-purpose building	1 space per 3 people	82 spaces at 90% =	Lot 1 – 18 spaces		
when not used for cart	based on maximum	74 spaces	Lot 2 – 3 spaces		
storage.	occupancy.		Lot 4 – 8 spaces		
Event Center, Small	Maximum occupancy		Private Street – 45 spaces		
	proposed per revised				
Maximum Occupancy	FDP is 207 + 3		74 spaces provided.		
246 Per approved Plan	employees.				
Total Require Parking					
	299 spaces required at 90% of maximum required use				
	(432 spaces required for unadjusted parking)				
Total Parking Provided	96 spaces provided on Lot 1.				
3 3 3.00	114 spaces provided on Birdie Way (private on-street parking).				
	261 spaces + 39 new spaces provided on Lot 4 (pool, wellness center) as shared parking. <sup>2</sup> 7 spaces provided on Lot 2 (329 spaces reserved exclusively for residential uses and cannot be shared).				
	478 spaces provided excluding dedicated residential spaces on Lot 2.				
	,				

1 | Page

Primary Event Center located in Clubhouse Building.
 Final Development Plan submitted with revision to add 39 new off-street parking spaces 2018.



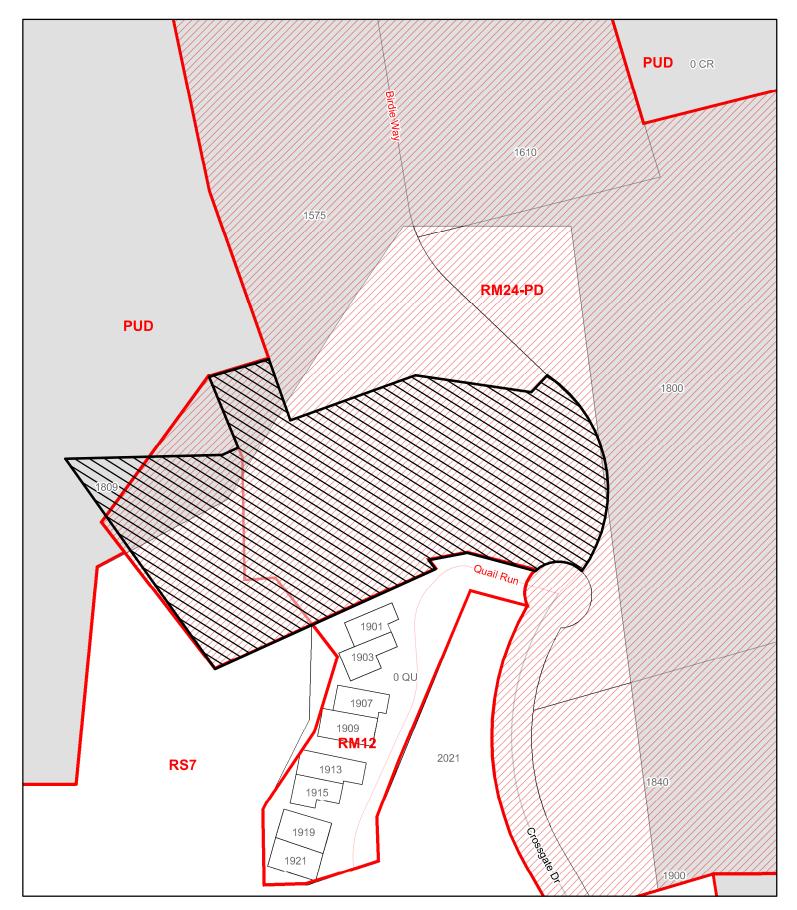
Lot 1 – 93 existing spaces.



Lot 4 – 263 existing spaces. Proposed 39 new spaces FDP-18-00333



Lots 2 and 3 – Birdie Way 114 spaces



FDP-18-00254: Revise FDP for Alvamar Lot 1, located at 1809 Crossgate Drive (also known as Birdie Way)



Sandra L. Day, AICP
City of Lawrence, Planning & Development Services
6 East 6<sup>th</sup> Street
Lawrence, KS 66044
sday@lawrenceks.org

REF: FDP-18-00254

Dear Ms. Day:

The following are our concerns regarding the proposed revised final development plan for the change of use of a 6,300 SF multi-purpose building from being primarily a golf cart storage building to a secondary event center/golf cart storage building and exterior patio area.

As of today, the structure appears to be already 80-85% complete and very little, if any, of the space resembles a golf cart storage facility. The main entrance to the original storage cart storage is a patio with no provision for golf cart storage.

#### Concerns/Questions:

- A. Noise; especially on the outside patio. Today, if 8-10 people are outside at the club house, you can hear them. If there is going to be 100-200 people, the noise will be elevated. Also, will there be speakers outside? Or potentially a band playing loud music?
- B. Where will the patrons park and how will they get to the building? Today, the golf cart path is being used by cars and trucks; will the access road from the maintenance shop be used for access or transportation to the building?
- C. There are a number of light poles on the patio. Are their encroachment hoods on the patio lights?
- D. Where will the golf carts be stored now?
- E. If there are two events scheduled one at the clubhouse and another at the multi-purpose building (200-240 people) is there adequate parking?

Thank you for reviewing our concerns and questions.

Smitty G. Belcher