

**PLANNING COMMISSION REPORT
REGULAR AGENDA --NON-PUBLIC HEARING ITEM:**

PC Staff Report
05/18/2009

ITEM NO. 1: PRELIMINARY PLAT; FIFTH STREET BLUFF SUBDIVISION; .29 ACRES; 427 COUNTRY CLUB CT (MKM)

PP-04-01-08: Consider the Preliminary Plat for Fifth Street Bluff Subdivision, a 0.29 acre subdivision consisting of one lot, located at 427 Country Club Court. Submitted by JMC Construction, Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of the Fifth Street Bluff Subdivision and referring it to the City Commission for consideration of dedication of easements and rights-of-way subject to the following conditions of approval:

- 1) The preliminary plat shall be revised with the following changes:
 - a. The following note shall be added to the preliminary plat and included on the final plat: "The driveway shall be located as far to the northeast as possible and the property owner shall remove all obstructions within the sight triangle of the driveway."
 - b. The plat shall be revised to show the sight distance triangle for the driveway.

Applicant's Reason for Request: Subdivision requirement prior to development of property.

KEY POINTS

- The property was part of a larger parcel addressed as 427 Country Club Court. The northern portion of the parcel was platted in 1952 as Lot 23, Block 29 of Countryside Subdivision. The subject property is not a platted lot.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 1, 2007.
- Section 20-813 states that building permits will not be issued for unplatted property.
- Section 20-810(4)(i) contains the right-of-way requirements for City streets. Inadequate right-of-way is currently provided for W 5th Street adjacent to the subject property.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Submittal of the preliminary plat to the City Commission for acceptance of dedication of rights-of-way and easements.
- Submittal, administrative approval, and recordation of the final plat.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Not required for project.
- *Downstream Sanitary Sewer Analysis* – The City Utility Engineer indicated that a DSSA is not required.

- *Drainage Study* – Per the City Stormwater Ordinance, drainage studies are not required for sites of less than .5 acre.
- *Retail Market Study* – Not applicable to project.
- *Sight Distance Study* – The City Engineer required a sight distance study to determine if a driveway could be safely located on this property. The City Engineer reviewed the study and determined that a driveway could be safely located on the proposed lot with the following conditions:
 - (1) Move the driveway to the northeast as much as possible; this will bring the available sight distance to the left and right a little closer.
 - (2) Remove all obstructions within the sight triangle.

ATTACHMENTS

- (1) Letter from owners of property within Grandview Heights Addition.
- (2) Grandview Heights Final Plat
- (3) Sight Distance Study

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Received phone call and e-mail from Jackie Schafer, owner of the adjacent property to the east. She expressed concern about the addition of another driveway on the street, given the topography and design of the street. I provided her with the City Engineer's determination on the sight distance study. She also emailed with questions on any waivers or variances which were being requested with this plat. I informed her that with the dedication of additional right-of-way for 5th Street, no waivers or variances were necessary.
- Received a letter of opposition signed by property owners of property within the Grandview Heights Subdivision. The letter expressed concern with the impact of an additional driveway on the safety of the street and included plans which they indicated showed that access was not intended for this parcel. These plans show that 5th Street had originally been intended as a straight street and the Chaney parcel was not adjacent to 5th Street at that time. The Grandview Heights final plat did not address access to the subject property as it is not included in the plat. (The letter and a copy of the Grandview Heights plat is attached)

Site Summary

Gross Area:	12,702 sq. ft. (.291 acres)
Rights of Way:	213.5 sq ft
Net Area:	12,488.5 sq. ft. (.286 acres)
Number of Lots:	1

GENERAL INFORMATION

Current Zoning and Land Use: RS10 (Single-Dwelling Residential) District; undeveloped.

Surrounding Zoning and Land Use: RS10 (Single-Dwelling Residential) District; with the exception of the lot to the west, which is undeveloped, the surrounding properties are developed with Single-Dwelling Residences.

STAFF REVIEW

The applicant purchased the subject property and submitted the application for a preliminary plat in April of 2008. At that time, the subject property was part of a larger parcel which is addressed as 427 Country Club Court. The northern portion of the parcel was platted in 1952 as Lot 23 Block 29 of Country Club Addition; however, the subject property is not a platted lot. The applicant plans to build a single-dwelling residence and platting is required prior to the issuance of a building permit per Section 20-813(e) of the Subdivision Regulations.

Zoning and Land Use

The subject property is zoned RS10 (Single-Dwelling Residential) District which permits lots with a minimum area of 10,000 sq. ft. The property is located within an established neighborhood, also zoned RS10 which has been developed with single-dwelling residences, with the exception of one unplatted parcel west of the subject property which is also undeveloped.

Streets and Access

The property is adjacent to, and will take access from W 5th Street. W 5th Street is classified as a 'local street'. Per Section 20-810(4)(i), local streets require 60 ft of right-of-way. The City Engineer indicated that 5 ft of right-of-way should be dedicated with this plat. The City Engineer required a sight distance study to determine if a driveway could be safely located on W 5th Street in this location. The City Engineer determined that a driveway could be safely located on the subject property provided the driveway was located to the northeast as much as possible and all obstructions within the sight triangle are removed. The City Horticulture Manager had no concerns with the removal of the vegetation within the sight triangle.

The public comment received related primarily to safety concerns related to the steepness of the road in this area. Percent slope is calculated with the following ratio: $\% \text{ Slope} = (\text{Change in elevation [rise]} / \text{Change in distance [run]}) \times 100$. The sight distance study included the elevation of the road for 160 ft to the west of the centerline of the driveway and 225 ft to the east for a total distance of 385 ft. The study indicates that the elevation of the road varies from 961 ft on the east to 932 ft on the west for a change in elevation of 29 ft. The slope of the road in this area is approximately 7.5%. [$\% \text{ slope} = \text{rise/run} \times 100$; $29/385 \times 100 = 7.5\%$] Other streets within the City of Lawrence with similar or steeper grades include Morning Dove Circle located south of Stonegate Park near I-70 with a grade of 9.05%; W 12th Street west of Indiana Street with a grade of 14%; and W Hills Parkway with a grade of 8.2%. The general layout of the proposed lot and W 5th Street is shown in Figure 1. Attachment A contains a comparison of Morning Dove Circle and W 5th Street.

Utilities and Infrastructure

Water and sanitary sewer lines are available to serve this development and are located within the right-of-way of W 5th Street. The City Utility Engineer indicated that if any grade changes are made with this development that affect the sewer manholes, the sewer manholes must be adjusted to final grade. Aquila has a 2" high pressure steel gas main on the north side of W. 5th St. at this subdivision which must be shown on the plat.

Easements and Rights-of-way

Utility easements are located on the side lot lines of the adjacent lots and a 7.5 ft utility easement on the side lot lines of the proposed lot is being dedicated with this plat. As sanitary

sewer is located in the right-of-way of W 5th St., a utility easement along the rear property line is not needed.

W 5th Street, a local street, contains 50 ft of right-of-way. Per Section 20-810(d)(4)(i) of the Subdivision Regulations, 60 ft of right-of-way is required for local streets. The City Engineer indicated that an additional 5' of right-of-way would be required with this plat. The plat shows the 5 ft of right-of-way being dedicated for W 5th St.

Conformance

Horizon 2020 recommends that the character and appearance of existing low-density residential neighborhoods should be protected through compatible infill development. This plat creates a 12,702 sq. ft. lot. Nearby lots are within the 10,700 sq. ft. to 17,194 sq. ft. range. (See Figure 2) The lot being created with this plat is compatible with the existing lots.

The property is zoned RS10 which permits lots with a minimum lot area of 10,000 sq. ft. Other requirements for lots within the RS10 District are listed in Section 20-601 of the Development Code are as follows: Minimum Lot Width – 70'; Minimum Lot Frontage – 40 ft; Minimum Setbacks – 25 ft. front, 10 ft side and 25 ft rear; Maximum Building Cover – 40% of site; and Maximum Impervious cover --- 70% of site. The setbacks, building cover and impervious cover will apply to this property as it was platted after the effective date of the Subdivision Regulations and will be addressed at the building permit stage. The minimum lot width and frontage are dimensions that are established with the plat. Lot Width is defined in Section 20-1701 of the Development Code as 'the distance between side lot lines measured at the point of the required front setback or chord thereof'. The lot width of the proposed lot is approximately 80' measured at the front setback line if an additional 5' of right-of-way is dedicated. The lot frontage is approximately 45' when the additional 5' of right-of-way is considered.

The preliminary plat, as conditioned, conforms with the Subdivision Regulations and Lot Density and Dimension Requirements of the Development Code for the RS10 District.



