

# Memorandum

## City of Lawrence

### Planning & Development Services

**TO:** David Corliss, City Manager

**FROM:** Mary Miller, Planning Staff

**CC:** Dianne Stoddard, Assistant City Manager  
Cynthia Boecker, Assistant City Manager  
Scott McCullough, Planning and Development Services Director

**Date:** August 12, 2009

**RE:** Extension request for SP-06-54-06; Site Plan for Glenwood Apartments: SE Corner of Wakarusa Drive and Eisenhower Drive

Attachments: A—Location Map  
B—Extension Request Letter  
C—Letter Indicating Cause  
D—Approved Site Plan

A Site Plan [SP-06-54-06] for the Glenwood Apartments was approved by the City Commission at their June 5, 2007 meeting. A location map and a copy of the approved site plan are included with this memo. This site plan was submitted prior to the adoption of the 2006 Development Code and was processed under the previous Code. The pre-2006 Development Code provided a one-year time frame for the approval of site plans. If building permits were not obtained within that one-year time frame, the site plan would become null and void. (Section 20-1435, 1966 Zoning Ordinance).

The applicant requested an extension of the approval as building permits had not been obtained and the site plan approval would expire on June 5, 2008. Extensions to the site plans approved under the pre-2006 Development Code were granted administratively by the Planning Director and a one-year extension was granted on May 14, 2008 which extended the approval to June 5, 2009. The applicant provided a letter requesting a two-year extension to the site plan approval prior on April 2<sup>nd</sup>, 2009.

The first extension request was processed under the pre-2006 Code while this new extension request is based on provisions in the 2006 Development Code. The approval and maximum extension time frames in the Development Code were increased through a text amendment, TA-5-6-09, which was approved by the City Commission at their June 23, 2009 meeting and became effective on July 12, 2009.

The applicant explained that the extension is being requested to allow the site plan approval to be extended rather than to encourage a developer to start a project at the wrong time. Attachment C contains the applicant's letter explaining the need for the extension. Given the current economic situation, it is appropriate to extend the approval of this site plan; however, the site plan was designed using the standards in the pre-2006 Code. Staff recommends that the extension be approved subject to the condition that the site plan be revised to comply with the standards in the 2006 Development code.

The amended language in the Code provides for an initial approval period of 24 months and a possible extension of up to 24 months. As the site plan had been approved for one year and a one year extension has previously been granted, the site plan has had an approval period of 24 months. An extension of 24 months would be possible for this site plan.

**Staff Recommendation:**

Planning Staff recommends approval of the 24 month extension request for the Glenwood Apartments Site Plan [SP-06-54-06] which would permit the site plan approval to remain valid until June 5, 2011, subject to the following condition:

The applicant shall submit a revised site plan to the Planning Office which brings the site into compliance with the standards of the Development Code.



General Location Map of Glenwood Apartments. Subject property shown in black.

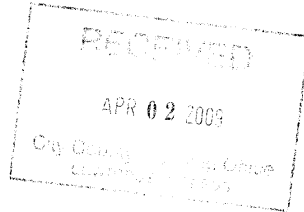


paulwerner  
ARCHITECTS



April 2, 2009

RE: Glenwood Apartments SP-06-54-06 Extension



Dear Scott McCullough,

Under the current code, SP-06-54-06 will expire June 5, 2009. We would like to request an extension and relief under the potential for adoption of the proposed text amendment submitted to the City Commission.

Specifically, we would like to request an extension of the site plan for Glenwood Apartments (SP-06-54-06). We would ask for a 2 year extension, to expire on June 5, 2011.

Currently we could extend this site plan by resubmitting or by applying for a building permit. Both of these options occupy the staff's time as well as ours. For this reason and the fact that the site plan is current, it would seem an extension is reasonable.

We would suggest that the City Commission extend all site plans with similar conditions for a minimum of 2 years.

Thank you for your consideration,

Paul Werner

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Mail : PO Box 1536 • Lawrence, Kansas : 66044-8536

**Attachment B:**

Applicant's request for extension

August 4, 2009

RE: Glenwood Apartments SP-06-54-06 Extension

Dear Scott McCullough,

Under the current code, SP-06-54-06 will expire June 5, 2009. We would like to request an extension and relief under the potential for adoption of the proposed text amendment submitted to the City Commission.

Specifically, we would like to request an extension of the site plan for Glenwood Apartments (SP-06-54-06). We would ask for a 2 year extension, to expire on June 5, 2011.

Currently we could extend this site plan by resubmitting or by applying for a building permit. Both of these options occupy the staff's time as well as ours. For this reason and the fact that the site plan is current, it would seem an extension is reasonable.

Mary Miller is correct that the code allows for extensions for good cause. I would submit that it is unreasonable to waste staff's time in order to obtain this extension. In addition, due to the number of multi-family projects currently under construction it would seem appropriate to allow the site plan to be extended rather than encourage a developer to start a project at the wrong time.

Thank you for your consideration,



Paul Werner

**Attachment C:**

Letter from applicant indicating cause for the extension.