

**SITE PLAN REVIEW
CITY COMMISSION
April 13, 2010**

A. SUMMARY

SP-3-8-10: A site plan for sidewalk dining for 715 to be located at 715 Massachusetts Street. Submitted by Sabatini Architects for River City Holdings LLC, the property owner of record.

B. GENERAL INFORMATION

Current Zoning and Land Use: CD (Downtown Commercial District); Eating & Drinking Establishment, Restaurant, Quality with Accessory Bar.

Surrounding Zoning and Land Use: CD (Downtown Commercial District) in all directions; retail, office, eating and drinking establishments and residential uses.

Site Summary:

Building	2,280 Sq. Ft.
Proposed Sidewalk Dining Area:	145 Sq. Ft.
Off-Street Parking Required:	No parking required in Downtown Commercial District.

Staff Recommendation: Staff recommends approval of SP-03-08-10 a site plan for sidewalk dining, subject to the following conditions:

1. Provision of an approved sidewalk dining license from the City prior to occupying the public right-of-way per Chapter 6-1202. This includes the submission of a copy of State of Kansas Food Services Establishment License.
2. Execution of an agreement with the City of Lawrence for use of the right-of-way per Chapter 6-12.
3. Revised site plan with the following notes:
 - a. DR-2-14-10 Reviewed and Approved by the HRC April 15, 2010.
 - b. Revision of outdoor seating area size (145 sq ft)
 - c. The sidewalk hospitality area is subject to the provisions of Ordinance No. 8274 regarding the use of sidewalks for sidewalk dining and hospitality establishments.
 - d. Administrative Compliance Procedures

C. STAFF REVIEW

The applicant proposes to construct a 145 square-foot sidewalk dining area. The sidewalk dining area will extend outward from the east face of the building toward Massachusetts Street approximately six feet 2 inches and will be approximately 23 feet in length from north to south. The sidewalk dining area leaves an unobstructed clear space of six feet on the Massachusetts Street sidewalk. The proposed outdoor seating area will accommodate four (4) tables that seat two, with outdoor seating available for up to 8 people. The area will be separated from the pedestrian sidewalk with a 36" high railing.

Historic Resources Commission

715 Massachusetts Street is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. The property is located in the Downtown Conservation Overlay District. The Historic Resources Administrator has administratively approved the proposed sidewalk dining site plan. This approval will be confirmed by the Historic Resources Commission on April 15, 2010. (DR-2-14-10)

D. Findings

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

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

The site is platted South ½ Lot 27, Massachusetts Street, of the original townsite.

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

The site plan complies with all standards of the City Code and Development Code subject to the satisfaction of the conditions of approval.

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

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

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

No changes are proposed that would affect vehicular ingress and egress. With the addition of the outdoor seating area, more than six feet of unobstructed sidewalk area will be available for pedestrian activity along Massachusetts Street.

No off-street parking is required or proposed with this project due to its location in the CD (Downtown Commercial) District.

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

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