

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item:

PC Staff Report
02/29/12

ITEM NO. 8D: SPECIAL USE PERMIT FOR PUMP STATION 35 (MKM)

SUP-12-6-11: Consider a Special Use Permit for Pump Station No. 35, a *minor utility*, located east of intersection of N Michigan Street and Riverridge Road. Submitted by the City of Lawrence, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of SUP-12-6-11, a Special Use Permit for Pump Station 35, a *minor utility*, based upon the findings presented in the body of the staff report and subject to the following condition:

1. Applicant shall provide a revised site plan with the following changes:
 - a. Addition of a note that the Planning Director granted a waiver from surfacing requirements in Section 20-913(e) to allow the use of aggregate surfacing material for the drive due to the location within the Floodplain Management Regulations Overlay District and limited anticipated use.

Applicant's Reason for Request: *"SUP required for use of property as a pump station site, a minor utility."*

KEY POINTS

- Pump Station 35 is a *minor utility* which serves more than one specific development; therefore approval is required through a Special Use Permit per Section 20-530 of the Development Code.
- The proposal is to relocate Pump Station 35 from private property to adjacent City-owned property and to upgrade the equipment to improve service.

FACTORS TO CONSIDER

- Procedural requirements of Section 20-1306; Special Use Permits.

ASSOCIATED CASES/OTHER ACTION REQUIRED

Other items being considered at the February Planning Commission meeting:

- Annexation request [A-12-6-11] for approximately .3 acres.
- Rezoning request [Z-12-31-11] from A (Agricultural) to OS-FP (Open Space and Floodplain Management Regulations Overlay) District
- Special Use Permit [SUP-12-6-11] for the pump station.

Other action required:

- City Commission approval of annexation and adoption of ordinance.
- City Commission approval of rezoning request and adoption of ordinance.
- City Commission approval of the Special Use Permit and adoption of ordinance
- Publication of rezoning, annexation and Special Use Permit ordinances.
- City Commission acceptance of dedication of easements and rights-of-way for the Preliminary Plat.
- Submittal of final plat for administrative approval and recordation.

- Administrative review and approval of Floodplain Development Permit for construction of pump station.

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* – A drainage study is not required for this project as the property contains less than 1/2 acre. [Stormwater Management Criteria Section 1.6.E.2.d]
- *Retail Market Study* – Not applicable to project.

PUBLIC COMMENT

No public comment was received prior to the printing of this staff report.

GENERAL INFORMATION

Current Zoning and Land Use: County-A (Agriculture) and County-F-F (Floodway Fringe Overlay) District; undeveloped. [Rezoning request to the OS-FP (Open Space and Floodplain Management Regulations Overlay) District is included the Planning Commission's February agenda.]

Surrounding Zoning and Land Use:

To the north:

A (County-Agriculture) and F-F (County-Floodway Fringe Overlay) Districts; vacant storage building.

To the south and west:

A (County-Agriculture) District; rural residence located on the parent parcel from which the subject property was divided.

To the east:

A (County-Agriculture) and F-F (County-Floodway Fringe Overlay) Districts; undeveloped right-of-way.

RM12D (Multi-Dwelling Residential); townhouse development.

Summary of Special Use

Pump Station 35 is currently located on adjacent property to the east. With this proposal the station will be relocated to City-owned property to the west and upgraded so that the equipment is underground with the exception of the meter cabinet and vents. This relocation and upgrade will improve service in the area and will slightly increase the service area.

The pump station is defined as a *minor utility* in Section 20-1765 of the Development Code:

MINOR UTILITIES. Public utilities that have a local impact on surrounding properties. Typical uses include electrical and gas distribution substations, lift stations, telephone switching boxes, water towers. Excludes 'Wireless Telecommunication Facilities' use types.

SITE SUMMARY

	Existing	Proposed	Change
Property Area (sq ft):	10,500	10,500	-
Total Impervious Area (sq ft):	0	632 (6%)	+ 632
Total Pervious Area (sq ft):	10,500	9,868	- 632

Site Plan Review

This site is being platted as Lot 1 with the Pump Station No. 35 plat. The site plan shows the proposed location of the pump station near the center of the property and also shows the off-site existing pump station in lighter line weight.

Review and Decision-Making Criteria (20-1306(i))

1. WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE

The proposed use, a *minor utility* which serves more than one subdivision, is an allowed use in the proposed OS (Open Space) District subject to Special Use Permit approval. As the property is encumbered with the Regulatory Floodplain, a Floodplain Development Permit is required per Section 20-1203 and must be approved prior to the release of building permits.

A minimum of one off-street parking space is required for minor utilities. The site will be accessed by utility trucks for routine maintenance and there will be no employees on site; therefore, only one parking space is required. One parking space is provided on the site plan.

A photometric plan is not required as no exterior lighting will be utilized with this facility.

The setbacks in the OS District are as follows: Front—the same as front yard for the abutting lot; Interior side adjacent to residential—20 ft; Interior side adjacent to non-residential—15 ft; Rear—0 ft

The pump station’s mechanical equipment will be located underground but a meter board will be located on the property. The meter board is located over 30 ft from each side lot line and is approximately 40 ft from the roadway. The abutting property to the east has a rear yard setback along the north side of the property and the abutting property to the west has a side yard setback. There is no abutting front yard to the subject property. (Figure 1)

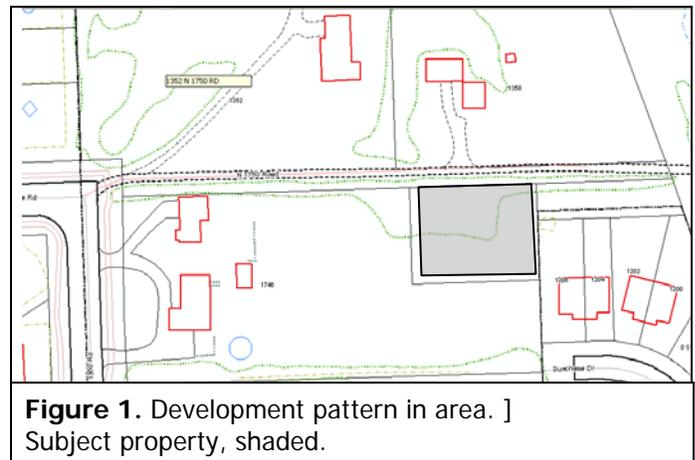


Figure 1. Development pattern in area.]
 Subject property, shaded.

The Comprehensive Plan recommends low-density residential development in this area. Low density zoning districts (RS40, RS20, RS10) all have 25 ft front yard setbacks. Given the unusual development pattern of this area, and the fact that it is recommended for future development of low density residential, the low-density residential front setback of 25 ft is appropriate for this property.

The Planning Director granted a waiver from surfacing requirements in Section 20-913(e) to allow the use of aggregate surfacing material for the drive based on the following: the location within the Floodplain Management Regulations Overlay District, location on a gravel road, limited affected area including only one parking space, and limited anticipated use. However, as the Special Use Permit is approved by the City Commission this waiver may be overturned at the Commission's discretion. This waiver should be noted on the plan.

Staff Finding – With the approved administrative waiver and as conditioned the site plan complies with the requirements set out in the Development Code.

2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS

The proposed pump station will have less of a visual impact than the existing station due to the fact that the mechanical equipment for the new facility will be located underground. (Figure 2) In addition, the pump station is being relocated from its current location on private property at 1206 Sunchase Drive to City-owned property which will reduce the impact on the private property. No exterior lighting is being proposed for this facility. With the mechanical equipment being located underground the amount of noise and other external impacts should be minimal with this pump station.

The facility is adequately screened from the residential property to the west by distance and vegetation. A privacy fence is located on the residential property to the east, which effectively screens the existing pump station. This fence would provide adequate screening for the relocated station as well. The meter board is located at the south end of the access drive off of N 1750 Road and is not screened to the north. Screening would require the relocation of the pump station to one side of the access drive. Balancing the need to minimize land disturbance within the Floodplain Management Regulations Overlay District with the benefit of screening from a vacant storage building; it was determined that screening would not be required from the north.

The only traffic to the pump station will be for maintenance on the facility. There will be no increase in traffic, and perhaps less traffic as a result of the mechanical improvements, from that with the existing pump station.

Staff Finding – The proposed relocated pump station will be compatible with adjacent uses.

3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED

An above ground pump station is currently located in this area. This proposal will relocate the pump station from private property to City-owned property and will upgrade the facility so it is primarily underground. This may serve to enhance the value of the property on which it is currently located and should not diminish the value of other properties. The pump station will insure a high level of sanitary sewer service and will slightly extend the service area which should help maintain the value of other properties in the neighborhood.

Staff Finding – The relocation of Pump Station 35 is not anticipated to result in any diminution of value of other property in the neighborhood.

4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTILITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT

The pump station is a public service intended to serve the surrounding area. The access easement will provide adequate access for the traffic anticipated for the maintenance of the facility.

Staff Finding – The proposed use, a *minor utility*, is a public service which would serve the surrounding area. Sufficient safety, transportation and utility facilities will be available to serve the subject property.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

Staff Finding – The site plan will function as the enforcement document to assure that maintenance and use of the property is consistent with the approval.

6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT

Applicant's Response: *"No. This is a minor utility use and is regulated and permitted through KDHE."*

Adequate oversight will be provided for the protection of the natural environment through the state regulatory oversight through the KDHE and local floodplain management regulations.

Staff Finding – The proposed use, with the protection measures required by State and Local governments, should not cause significant adverse impacts on the natural environment.

7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO WHAT THAT TIME PERIOD SHOULD BE.

Time limits are established on Special Use Permits to permit a periodic review to determine if the use remains compliant with the area or if a rezoning would be appropriate. A pump station is part of necessary infrastructure whose life span will be determined by demand and operational characteristics. It would not be appropriate to place a time limit on this use.

Staff Finding – The project provides necessary infrastructure for surrounding developments; therefore, it would not be appropriate to place a time limit on this use.

Conclusion

The proposed pump station will have a positive impact on the area by improving sanitary sewer services in the area to maintain a high level of service. The use is compatible with, and appropriate for, this location and staff recommends approval of the Special Use Permit with the conditions noted.



Figure 2a. Existing pump station



Figure 2b. Existing meter board or control panel.

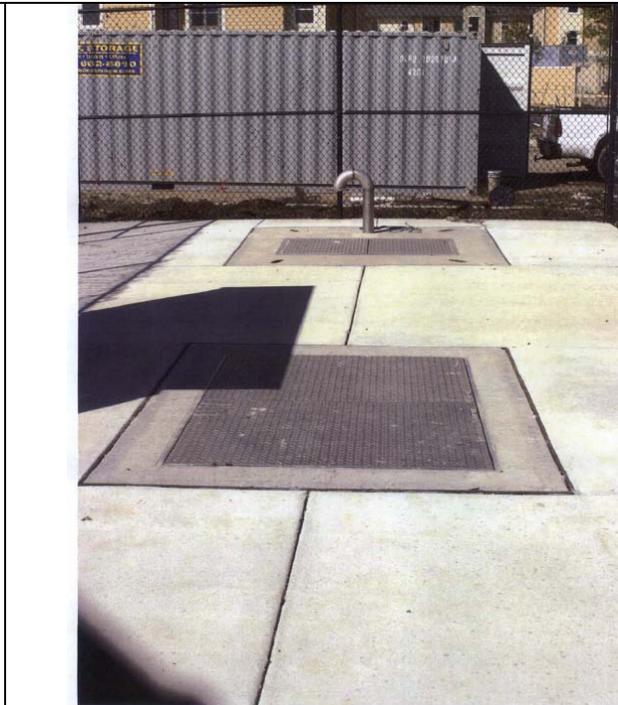


Figure 2c. Remainder of pump station is underground with exception of vent.