

**PLANNING COMMISSION REPORT**  
**Regular Agenda – Public Hearing Item:**

PC Staff Report  
02/29/12

**ITEM NO. 9B SPECIAL USE PERMIT FOR PUMP STATION 37 (MKM)**

**SUP-12-8-11:** Consider a Special Use Permit for Pump Station 37, a *minor utility*, located at 2100 E 15<sup>th</sup> Street. Submitted by the City of Lawrence, property owner of record.

**STAFF RECOMMENDATION:** Staff recommends approval of SUP-12-8-11, a Special Use Permit for Pump Station 37 based upon the findings presented in the body of the staff report and subject to the following conditions:

1. Applicant shall provide a revised site plan with the following changes:
  - a. Note the dimensions of the meter board (control panel).
  - b. If the Planning Commission approves the variance from the requirement in Section 20-810(c) to install sidewalks a note to that effect shall be added to the SUP plan, along with any conditions imposed on the variance by the Planning Commission. If the waiver is not approved the site plan shall be revised to show the sidewalk.
  - c. Addition of a note that the Planning Director granted a waiver from Section 20-913(e) to allow an aggregate surface for the access drive.

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

**KEY POINTS**

- Pump Station 37 is a *minor utility* which serves more than one specific development; therefore, approval is required through a Special Use Permit.
- Pump Station 37 currently exists on private property. The proposal is to relocate the pump station to 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**

- Administrative approval of Minor Subdivision and recordation with Douglas County Register of Deeds.
- Planning Commission determination on variance request from Section 20-811(c) regarding sidewalks.
- City Commission approval of the Special Use Permit and adoption of ordinance
- Publication of Special Use Permit ordinance.
- City Commission acceptance of dedication of easements and rights-of-way for the Minor Subdivision.

**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: RS10 (Single-Dwelling Residential) District; undeveloped.

Surrounding Zoning and Land Use: To the west, south, and east:  
RS10 (Single-Dwelling Residential) District; storage facility and telecommunications tower. Subject property was part of this larger parcel prior to being purchased by the City.

To the north:  
A (County-Agriculture); rural residences.



Figure 1. Pump station proposed location and surrounding properties showing land uses and zoning.

**Summary of Special Use**

Pump Station 37 will be relocated from private property to City-owned property and the facility will be upgraded so that the mechanical equipment is underground with the exception of the

meter cabinet and vents. This upgrade will improve the efficiency of the facility and will ensure a high level of service for the area as well as expand the service area.

A pump station is defined as a *minor utility* in Section 20-1765 of the Development Code. A minor utility that serves more than one specific subdivision requires approval of a Special Use Permit. As the Pump Station 37 service area includes more than one subdivision a Special Use Permit is required.

### SITE SUMMARY

	Existing	Proposed	Change
Property Area (sq ft):	13,905	13,905	-
Total Impervious Area (sq ft):	0	588 (4%)	+ 588
Total Pervious Area (sq ft):	13,905	13,317	- 588

### Site Plan Review

Lot 1 Sunflower Addition, 2111 W 15<sup>th</sup> Street, is being divided into 2 lots through a Minor Subdivision, MS-2-1-12. The pump station will be relocated to one of the new lots, Lot 1 Sunflower Addition No 2, which contains approximately .3 acres. Figure 1 shows the land uses and zoning districts in the area and outlines the pump station lot.

The site plan shows the proposed location of the pump station near the center of this lot. As noted earlier, the only above ground features associated with the pump station will be the meter board/control panel and vents. Access will be taken from E 15<sup>th</sup> Street and a turn-around area is provided on the site to allow vehicles to enter E 15<sup>th</sup> Street head first.

### 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 RS10 (Single-Dwelling Residential) District subject to Special Use Permit approval.

The setbacks in the RS10 District are as follows: Front—25 ft; Interior sides—20 ft; and Rear—30 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 25 ft from the front property line and over 30 ft from all other property lines and meets the setbacks in the RS10 District.

Per Section 20-913(e), off-street parking areas and driveways must be surfaced with concrete, asphalt or in some low-traffic areas grid unit pavers. 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 limited anticipated use and small scale of the drive/parking area (only one parking space). However, as the Special Use Permit is approved by the City Commission this waiver may be overturned or modified at the Commission's discretion. The driveway apron within the right-of-way will be surfaced as required by Code.

Section 20-811(c) of the Subdivision Regulations requires that sidewalks be installed as public improvements when property is platted. The applicant requested a variance from this requirement. While the property is located within the City limits it is at the edge of the City and the area is primarily rural in nature. E 15<sup>th</sup> Street does not have curb and gutter in this area. Sidewalks installed now would not be providing a pedestrian connection as there is no development to the east and would require replacement when E 15<sup>th</sup> Street is improved. If the

Planning Commission approves this variance, a note should be added to the plan indicating the variance and the date approved. If the variance is not approved, the SUP should be revised to show the sidewalk. The variance request has been placed on the Planning Commission's February agenda as a separate item and is discussed in more detail in the staff memo. The note on the SUP should contain any conditions or provisions placed on the variance request by the Planning Commission.

There are no buffering requirements as the site is adjacent to other property also zoned RS10. Section 20-1006(b) of the Code requires screening of all mechanical equipment, utilities boxes and meters from view of adjacent properties or street rights-of-way. The meter will be adequately screened from adjacent properties with vegetation both on and off-site. Existing vegetation along E 15<sup>th</sup> Street will provide adequate screening of the meter box from the right-of-way.

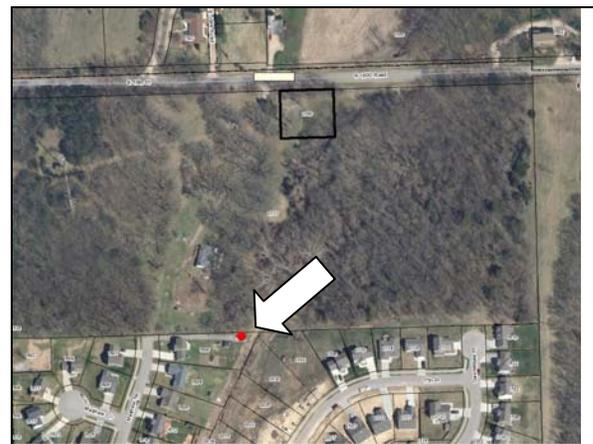
A minimum of one off-street parking space is required for minor utilities. Based on the fact that there will be no employees on site and the site will only be accessed by utility trucks for monthly maintenance and in the event of equipment malfunction, only one parking space is required. One parking space is provided on the site plan.

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

**Staff Finding** – The site plan, as conditioned, 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 pump station is being relocated from its current location on private property at 1600 Matthew Terrace to City-owned property to the north. (Figure 2) The proposed pump station will have minimal visual impact due to the fact that the mechanical equipment for the new facility will be located underground. The only aboveground features will be the meter board/control panel and vent. (Figure 3) In addition, access will be taken directly from E 15<sup>th</sup> Street, rather than the access easement currently being used on the private property. No exterior lighting is being proposed for this facility. Very low traffic generation is associated with pump stations as vehicles will access the site once a month for routine maintenance; however, additional visits would be necessary in the event of equipment malfunction.



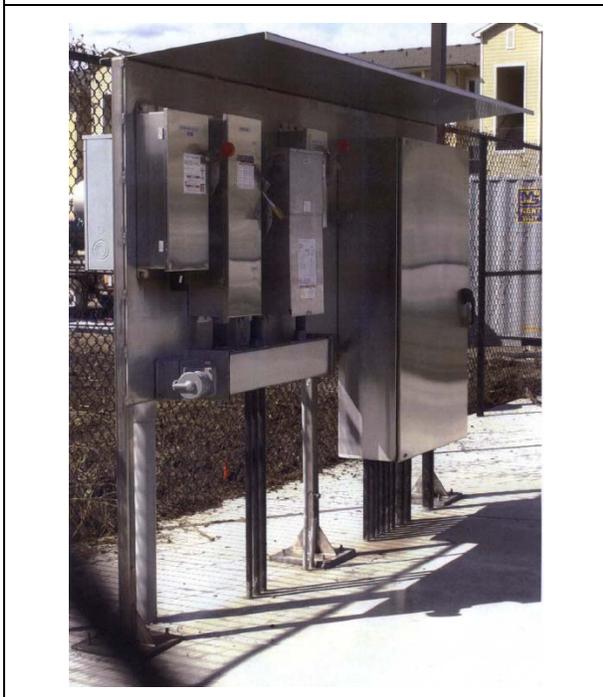
**Figure 2.** Current pump station location shown with red dot, proposed location outlined next to E 15<sup>th</sup> Street.

With the underground mechanical equipment, lack of exterior lighting, and low traffic associated with the pump station, the amount of noise and other external impacts should be minimal.

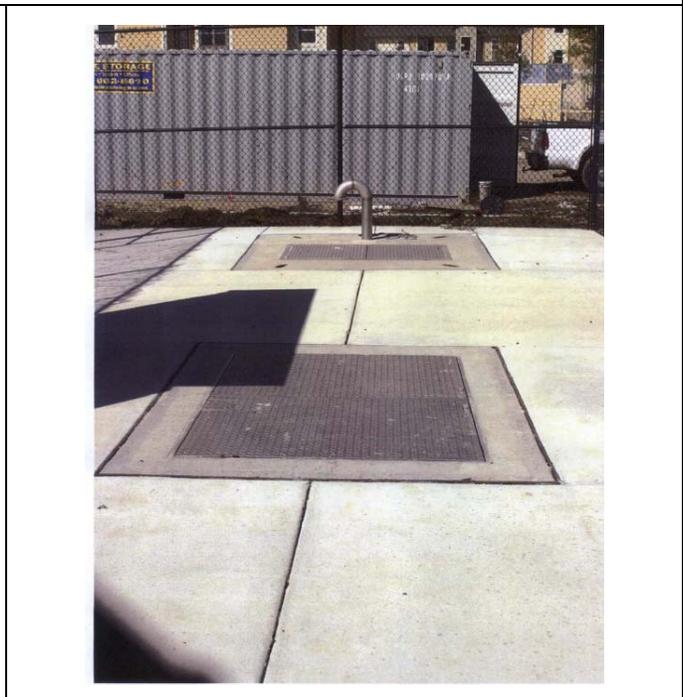
**Staff Finding** – The proposed pump station will be compatible with adjacent uses.



**Figure 3a.** Example of existing station.



**Figure 3b.** Example of meter board or control panel.



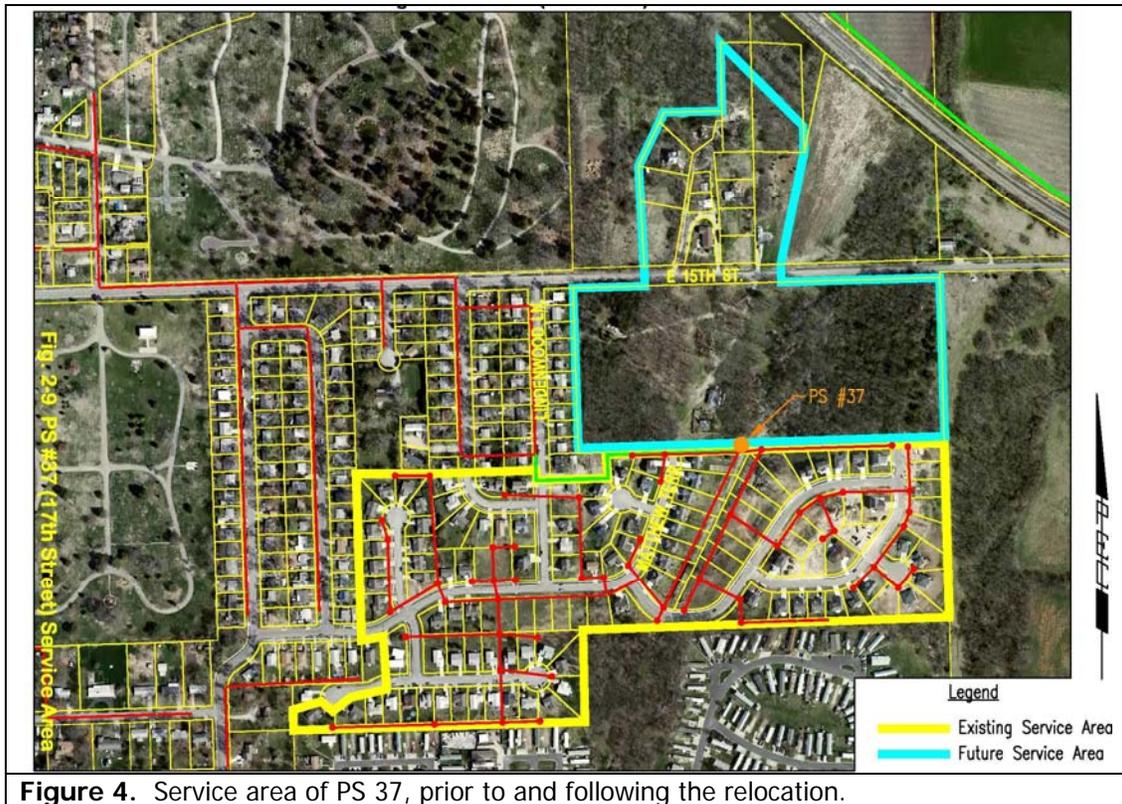
**Figure 3c.** Remainder of pump station is underground with exception of vent.

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

Pump Station PS37 is being relocated with increased capacity to a site that expands its service area. Some of the capacity increase is to fully accommodate the currently served area and the

balance will serve future development based on the expanded service area provided by the new location. (Figure 4) The pump station will insure a high level of sanitary sewer service which should help maintain or enhance the value of other property in the neighborhood. The minimal impact of the pump station coupled with the increased service area and enhanced operations should have a positive rather than any negative impact on the area.

**Staff Finding** – The relocation of Pump Station 37 is expected to help maintain or enhance the 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 utility intended to serve the surrounding area. The facility will have direct access to E 15<sup>th</sup> Street.

**Staff Finding** – 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 and the community 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.