

**SITE PLAN REVIEW  
CITY COMMISSION  
June 26, 2012**

**A. SUMMARY**

**SP-5-33-12:** A site plan for sidewalk dining for 934 Massachusetts Street. Submitted by Paul Werner Architects for Round Corner Building Corp, the property owner of record.

**B. GENERAL INFORMATION**

Current Zoning and Land Use:	CD (Downtown Commercial District); Eating & Drinking Establishment, Restaurant with Accessory Bar. (Currently Minsky's Pizza)
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Surrounding Zoning and Land Use:	CD (Downtown Commercial District) in all directions; retail, office, eating and drinking establishments and residential uses.
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**Site Summary:**

Building	8,170 Sq. Ft.
Proposed Sidewalk Dining Area:	155 Sq. Ft.
Off-Street Parking Required:	No parking required in Downtown Commercial District.

**Staff Recommendation:** Staff recommends approval of SP-5-33-12 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.

**C. STAFF REVIEW**

The applicant proposes to construct a 155 square-foot sidewalk dining area. The sidewalk dining area will extend outward from the west face of the building toward Massachusetts Street approximately six feet and will be approximately 25 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 with outdoor seating available for up to 15 people. The area will be separated from the pedestrian sidewalk with a 36" high railing that is not attached to the building.

**Historic Resources Commission**

934 Massachusetts Street is listed as a non-contributing structure in Lawrence's Downtown Historic District, National Register of Historic Places. It is also located in the environs of the North Rhode Island Street Historic Residential District and Plymouth Congregational Church (925 Vermont), National Register of Historic Places; the Shalor Eldridge Residence (945 Rhode

Island), Register of Historic Kansas Places; and the Hanna Building (933 Massachusetts), Lawrence Register of Historic Places. The property is also located in the Downtown Urban 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 June 21, 2012. (DR-5-74-12)

#### **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 84 and all of Lot 86, 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.