



ADMINISTRATIVE DETERMINATION & CERTIFICATION

FINAL PLAT

Farmland Industrial Park

December 13, 2012

PF-12-00251: Final Plat for Farmland Industrial Park, an industrial subdivision containing 21 lots, 5 tracts and 5 greenway tracts encompassing approximately 533 acres. The property is located north of K-10/E 23rd Street between Greenway Circle and E 1575 Road. Submitted by Bartlett & West for the City of Lawrence, Douglas County and AT&T, property owners of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the above-described Final Plat based upon the certification in the body of this report and subject to the following conditions:

- 1) Provision of certification that all taxes and special assessments due and payable have been paid.
- 2) Provision of a revised final plat with the following changes:
 - a. Provision of street names for all internal park streets and E 1575 Road.
- 3) Provision of an executed Master Street Tree Plan.

Site Summary	
Gross Area:	533.77 acres
Number of Existing Lots:	11 unplatted parcels and 3 platted lots
Number of Proposed Lots:	21 lots – approx 290 acres 5 tracts – approx 193 acres 5 greenway tracts – approx 22 acres
Existing Right-of-Way:	2.67 acres
Right-of-Way Dedicated:	26.12 acres



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PLANNING DIRECTOR CERTIFICATION [Section 20-809(m)]

The Final Plat conforms to the content requirements of Section 20-809(l) of the Subdivision Regulations and is consistent with the Preliminary Plat (PP-12-00101) approved by the Planning Commission on September 24, 2012.

The Planning Director hereby approves the final plat and certifies that the Final Plat:

a) Conforms to the Preliminary Plat previously approved by the Planning Commission.

The Final Plat conforms to the Preliminary Plat approved by the Planning Commission.

b) Satisfies any conditions of approval imposed by the Planning Commission.

The Planning Commission approved the Preliminary Plat on September 24, 2012 subject to conditions.

c) Includes the same proposed dedications subject to minor technical adjustments as described in Section 20-809(m)(2)(i).

The Final Plat includes the required dedication of 50 feet of right-of-way for N 1500 Road/E 15 Street as conditioned on the Preliminary Plat. The Final Plat also includes the same rights-of-way for internal business park streets and utility easements to serve the property. The Final Plat includes additional utility easements identified through the review of public improvement plans. The Final Plat will be placed on the City Commission's agenda for acceptance of dedication.

d) Represents a plat for which all required public improvements have been completed or for which adequate guarantee of improvements has been provided.

The property is owned by the City, County and AT&T and is being platted to develop a industrial park. The plat is also required to allow Westar to obtain a building permit for the construction of a new substation, a *minor utility*. The City is creating a benefit district to finance the construction of the public improvements. Adequate guarantee of improvements is provided through that mechanism.

e) Is otherwise consistent with the requirements of the Subdivision Regulations for a final plat.

The Final Plat is consistent with the requirements of the Subdivision Regulations with the following exceptions: Section 20-809(l) requires that the Final Plat indicated the proposed name of the subdivision and the name of proposed streets. A decision regarding those items has not yet been made. Names will be needed prior to the filing of the Final Plat at the Register of Deeds Office.

The Final Plat, as conditioned, is consistent with the requirements of the Subdivision Regulations.



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KEY POINTS

- The majority of the property has recently been approved for rezoning to the IM (Medium Industrial) and IG (General Industrial) Districts to accommodate the development of a new industrial park. The northern half of the property has been approved for rezoning to the UR (Urban Reserve) and UR-FP (Urban Reserve-Floodplain Overlay) Districts. This portion of the property requires additional remediation and will not be available for development in the near term.
- The property is identified in *Horizon 2020* and the *Farmland Redevelopment Plan* for future industrial development.
- Chronology of planning efforts related to this property:
 - 2001 -- Farmland Industries plant shut down due to bankruptcy
 - 2005 -- Substantial field work completed under direction by KDHE
 - 2006 -- Site Characterization Report completed by Shaw Environmental, Inc with conclusion that a significant portion of site suitable for reuse in present state
 - 2007 -- City Commission initiated planning process for Farmland Industries Redevelopment Plan
 - 2008 -- Governing Bodies adopted Farmland Industries Redevelopment Plan
 - 2009 -- City annexed property
 - 2009 -- City acquired property
 - 2009 -- Governing Bodies adopted updated Horizon 2020 – Chapter 7 with locational criteria evaluating the site
 - 2010 -- City awarded demolition contract for clean-up of site
 - 2011 -- City Commission hired Bartlett & West/CDM Smith to develop Master Plan
 - 2012 -- Informational meetings held in May with surrounding property owners
 - 2012 -- Rezoning, Preliminary Plat & SUP applications submitted in July & approved by Planning Commission in September & by City Commission in October

SUBDIVISION CITATIONS TO CONSIDER

This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 10, 2012.

- Section 20-813 states that building permits will not be issued for unplatted property.

ASSOCIATED CASES

- Rezoning request [Z-12-00119] for 31.7 acres from I-4 (Heavy Industrial) & VC (Valley Channel) Districts to UR-FP (Urban Reserve-Floodplain Overlay) District.
- Rezoning request [Z-12-00120] for 170.4 acres from I-4 (Heavy Industrial) District to UR (Urban Reserve) District.
- Rezoning request [Z-12-00121] for 170.7 acres from I-4 (Heavy Industrial), I-1 (Limited Industrial), & CC-200 (Community Commercial) Districts to IG (General Industrial) District.
- Rezoning request [Z-12-00122] for acres from I-1 (Limited Industrial), B-1 (Neighborhood Business), & A (Agricultural) Districts to IM (Medium Industrial) District.

- The City Commission approved the rezoning applications and adopted on first reading Ordinance Nos. 8805, 8806, 8807 & 8808 on October 23, 2012.
- Preliminary Plat [PP-12-00101] for the Former Farmland Industries Property was approved by the Planning Commission on September 24, 2012.
- Special Use Permit [SUP-12-00100] for the Westar Substation at Farmland. The City Commission approved and adopted on first reading Ordinance No. 8809 on October 23, 2012.

OTHER ACTION REQUIRED

- Placement of Final Plat on City Commission agenda for acceptance of dedications.
- Publication of rezoning and special use permit ordinances pending recording of the Final Plat.
- Approval and release of Special Use Permit site plan to Development Services prior to release of building permit.
- Submittal of one paper copy of the Final Plat for the file and one mylar copy which is notarized for and signed by the owners, engineer, surveyor and County Surveyor to be recorded at the Douglas County Register of Deeds.

BACKGROUND

The property included in this Final Plat encompasses the former Farmland Industries property, an existing Westar electrical substation, an existing AT&T communications tower, unplatted parcels west of East Hills Business Park owned by Douglas County, and platted & unplatted portions of East Hills Business Park located west of Greenway Circle.

The former Farmland Nitrogen Manufacturing Plant operated east of Lawrence from 1954 to 2001. The City officially became the owner of the property in 2009. In 2011, extensive progress was made in demolishing over 35 structures and removal of over 1,600 tons of scrap metal for recycling. The City continues to work on the environmental clean-up of the property, which includes remediation efforts to pump ground water from portions of the site which has an overabundance of nitrogen from the fertilizer manufacturing operation. The City pumps the ground water to local farm fields as part of the remediation efforts.

The southern portions of the property are currently available for development and the northern portions are part of the active remediation efforts or are encumbered by floodplain. The Preliminary Plat approved by the Planning Commission on September 24, 2012 lays out the infrastructure network for the initial stages of development. The approved Preliminary Plat also shows the eventual extension of the main north-south street which will intersect with E 19th Street and ultimately provide access to the northern portions of the property. The initial infrastructure will provide an east-west street that connect to the existing East Hills Business Park and provides access to the properties at the west end located north of the existing commercial businesses along K-10. The main entrance to the park will be a signalized intersection at K-10/O'Connell Road. The extension of O'Connell Road will eventually tie into E 19th Street, but the initial phase will terminate approximately 1000 feet north of the east-west street. A second entrance providing right-in/right-out access will be constructed approximately midway between the new signalized intersection and the existing East Hills Drive intersection with K-10.

The Final Plat also provides a development tract [Tract D] for the relocation of the existing Westar substation approximately a quarter of a mile into the property. The relocation is necessary because

the existing substation is located in alignment with the planned intersection. This provides an opportunity to update the electrical equipment and remove it from its current visible location. The substation is a *Minor Utility* and requires approval of a Special Use Permit prior to construction. SUP-12-00100 was approved by the City Commission on October 23, 2012 and second reading of Ordinance No. 8809 is being held until this Final Plat is completed and filed at the Register of Deeds Office.

The Final Plat provides 70' of right-of-way for a connector street to the existing highway frontage road and 100' of right-of-way for the remainder of the new streets in the business park. The additional right-of-way provides space for municipal utility extensions as well as construction of a *Complete Streets* profile including bike lanes and a multi-use path. Greenway Tracts are platted in natural drainage areas through the site to provide space for utility locations and stormwater conveyance or detention. The intent is that these Greenway Tracts will provide visual amenities throughout the park.

A large portion of Tract E includes the area that continues to be subject to remediation efforts and the series of lime & effluent runoff ponds and overflow ponds. Portions of this area will likely be available for business park development in the future. This property has been approved to be rezoned to UR (Urban Reserve) until such time it is ready for development.

A triangular shaped part of the northern parcel located between E 15th Street and the BNSF railroad tracks is partially encumbered by the floodplain. This property has been approved to be rezoned to UR – FP (Urban Reserve-Floodplain Overlay) and may be developed in the future when utilities are extended and E 15th Street is improved.

Streets and Access

The property is located between K-10 and E 15th Street. New north-south streets are planned at the intersection of K-10 & O'Connell Road and at a mid-point between this new intersection and the existing K-10 & East Hills Drive intersection. A new east-west street will tie into the existing East Hills Business Park properties at Greenway Circle and provide access to the new development lots planned in the southern portion of the property. Eventually the O'Connell Road extension will tie into E 19th Street providing additional options for traffic distribution and access.

A minor north-south street just west of the main entrance will be constructed to connect with the existing frontage road. This street will provide the commercial properties along the frontage road with access to the signalized intersection for improved safety.

Temporary cul-de-sacs are shown at the west end of the east-west street and on the O'Connell Road extension. The lots have been laid out to maximize flexibility in an effort to have large lots available for development. Lots along several of the cul-de-sacs can be combined if a potential tenant desires a large parcel. If individual lots are desired, the streets can easily be extended to accommodate smaller lots.

The plat also dedicates right-of-way along the western boundary where existing County right-of-way easement currently provides 'back door' access to the County fairgrounds. Eventually this street will be improved to city standards as adjacent lots are developed.

KDOT has access control along the majority of the highway frontage. The plat proposes to remove the access restrictions at the frontage road/north-south street intersection, the K-10/O'Connell Road

intersection, and the right-in/right-out intersection. Three existing driveway access points at median breaks south of Lots 1, 2 & 3, Block B and the existing AT&T access point (at Lot 4, Block B) are proposed to be closed and access restricted. Access to the AT&T tower will eventually be provided from the north-south cul-de-sac adjacent to Lot 4, Block C.

Removal of access control is proposed between Tract A & B, at the K-10/O'Connell Road extension intersection, and east of Greenway Tract C. The Final Plat includes an acknowledgement from KDOT approving the changes to the current access restrictions.

City staff has not yet determined what the business park name will be or internal street names. Street names will need to be determined prior to recording of a Final Plat for any portion of the property.

Utilities and Infrastructure

Utilities and infrastructure to accommodate the new business park will be extended in phases. Water and sanitary sewer are planned to be located in the 100' wide rights-of-ways or in the Greenway Tracts through the property. Additional utility easements are provided outside of the rights-of-ways to provide for private utility extensions. Significant Westar transmission easements also are provided along the north side of Block A and the west side of Block C.

Tracts A, B & C provide significant areas for Westar related improvements and the substation will be located on Tract D. The Subdivision Regulations define a Tract as follows: *"When part of a Platted Subdivision, a Tract is a Parcel reserved for open space, storm drainage, Easement purposes or an otherwise specific and restricted use."* Because of the unique nature of the utility improvements necessary to support the new substation and various ownership interests, it was determined through the platting process to create tracts for these uses. Access to Tract D is provided by Tract C. Building permits will be required prior to the installation of structures on these tracts. A note specifically identifying uses anticipated in these tracts is provided on Sheet 1.

Easements and Rights-of-way

As noted above, a substantial number of new easements will be provided throughout the property. Specific landscape easements are provided along the K-10 frontage and along the northern boundary of Block A. Specific Westar transmission easements are located to support the relocated substation improvements. An additional 50' easement is reserved for the City's future Noreaster Waterline improvement.

The Greenway Tracts are also designed to serve as utility and stormwater easements through the property. The majority of Tract E is proposed to be zoned UR (Urban Reserve) because it contains portions of the property that are not immediately ready for development. Once clean-up efforts are completed, portions of this tract potentially could be replatted to create development lots south of the BNSF railroad tracks.

Easements along side lot lines in Blocks A, B and C are not designated now in order to provide the most flexibility if lots should be combined for a large user. Similarly, front easements are not provided along the cul-de-sac streets in order to minimize the need to vacate multiple easements if lots are combined. Additional easements to serve a specific development can be provided at the site plan stage if determined to be needed in the review process.

Existing easements, including AT&T's access and utility easements to the communications tower, will be vacated with this plat. As noted above, alternate access to the tower will be provided via the new public streets.

SUMMARY

Approval of the Final Plat is required in order to facilitate the infrastructure installation necessary to support the future industrial park. The property is also being platted so that building permits may be obtained for construction of the Westar substation and future industrial development. Per Section 20-801(c), unplatted property is not eligible for a building permit. The plat, as conditioned, meets the approval criteria listed in Section 20-809(l) of the Subdivision Regulations and is approved.