

October 3, 2016

MS-16-00353: Peak Addition, a Minor Subdivision/Replat of Lot 1 and portions of Lots 2, 3, 4, 7 and 8, CO-OP Subdivision, a subdivision in the city of Lawrence, Douglas County, Kansas, and 40' of adjacent vacated Right-of-Way. Submitted by Landplan Engineering Services, PA for AXROM LLC, the property owner of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the Minor Subdivision for Peak Addition with the following conditions:

1. Correct Title to include vacated Right-of-Way.
2. Revise to show "no access" hatch marks along Lot 2 frontage.

KEY POINT

The Minor Subdivision proposes a lot split. The existing parcel is portions of platted lots and vacated Right-of-Way and is being subdivided into two lots for future development. Lot 1 is proposed to have 30,355 sq. ft. and Lot 2 will have 51,629 sq. ft. Both lots will take access off of an existing access which is currently shared with the lot to the west (Quicktrip). Drainage and utility easements will be changing with the proposed plat. Existing shared access will remain. Only one lot combination or division may be approved through the Minor Subdivision process except that lot line adjustments or mergers that do not increase the total number of lots may be accomplished through the Minor Subdivision/Replat process.

SUBDIVISION CITATIONS TO CONSIDER

The Subdivision Regulations for Lawrence and Unincorporated Douglas County.

ASSOCIATED CASES

SP-16-00404; Site Plan for Lawrence Express Wash. 1020 E. 23rd Street/K-10 Highway, Car Wash, proposed on Lot 2. In process.

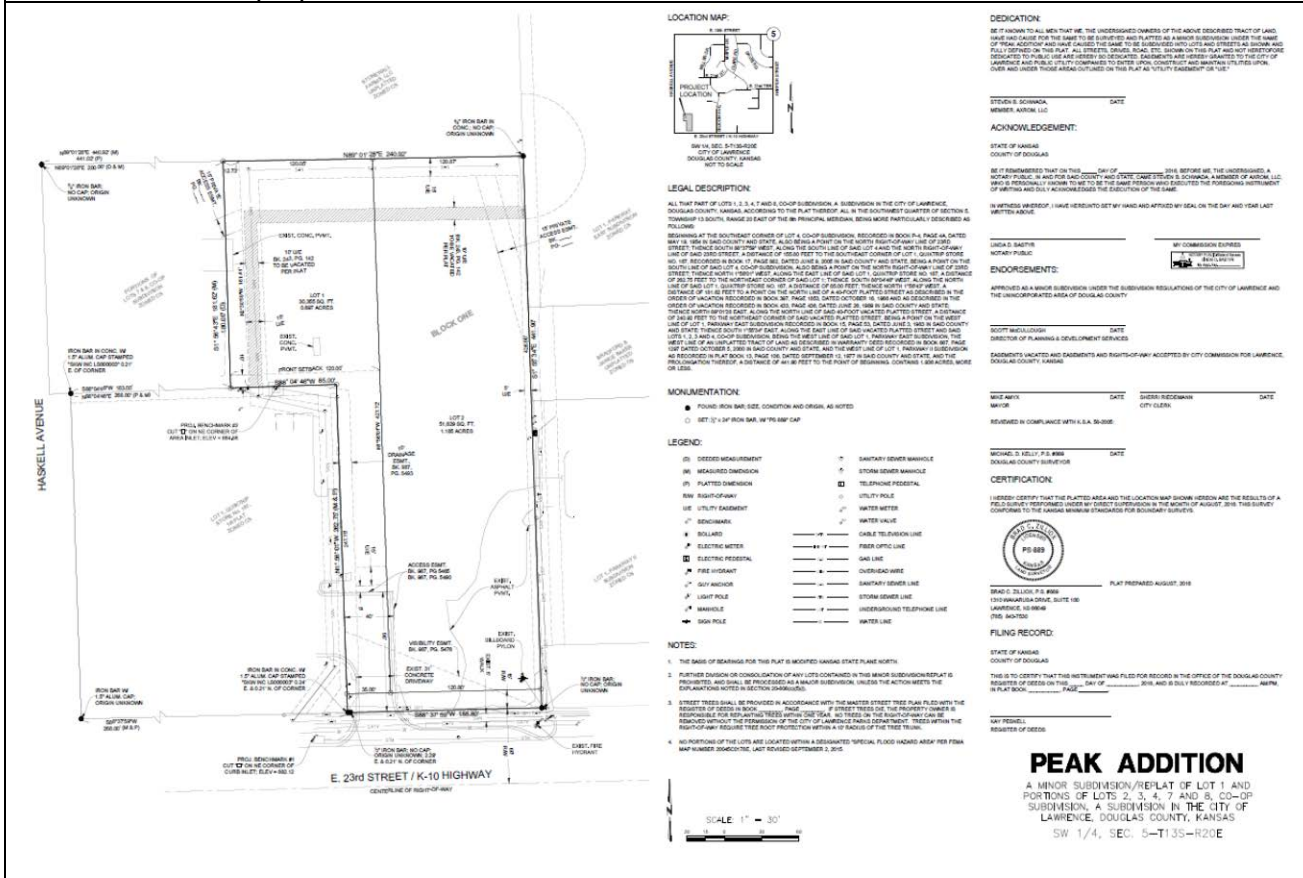
OTHER ACTION REQUIRED

City Commission approval of vacations and dedications of easements.

Submittal of a signed mylar copy of the Minor Subdivision, an executed Master Street Tree Plan, and recording fees for recording with the Douglas County Register of Deeds.

| GENERAL INFORMATION | |
|-----------------------------|--------------------------------|
| Current Zoning and Land Use | CS (Commercial Strip) District |

MS-16-00353 – proposed Minor Subdivision.



DIMENSIONAL REQUIREMENTS

Per Section 20-601(b) of the Development Code, the CS (Commercial Strip) District requires a minimum lot area of 5,000 sq. ft. a minimum frontage on a public or private street of 40 ft., and a minimum lot width of 100 ft. for lots platted after the July 1, 2006 effective date. The configuration complies with these requirements.

ZONING AND LAND USE

The subject property is currently vacant and is zoned as CS (Commercial Strip) District. The proposed use will be for an express car wash which is a permitted in the CS (Commercial Strip) District. The property is surrounded by CS zoning with developed parcels on the east, south (across 23rd St.) and west.

UTILITIES/EASEMENTS

Drainage and utility easements will be changing with the proposed plat. A 10' Utility Easement that runs east/west in the northern portion of the property and north/south near the west property line will be vacated and a new 15' Utility Easement will be dedicated along the north

property line and north/south near the west property line to accommodate the existing sanitary sewer line as well as service to this lot and lots to the north, west and east. 15' Private Access Easements will also be recorded by separate instrument at locations on the east and west property lines where existing service lines connect to adjacent parcels. The 10' Drainage Easement that runs along the west property line on the south portion of the property will remain as recorded in Book 987, Page 5493. A 5' Utility Easement along the entire east property line will also be dedicated with this Minor Subdivision.

ACCESS

The property is adjacent to E 23rd Street/K-10 Highway, an improved City Street which is classified as a 'State Highway' in the Major Thoroughfares Map. Both lots will take access off of an existing drive which is currently shared with the lot to the west. 15' of Right-of-Way along E. 23rd Street/K-10 Highway will be vacated. Shared access at the existing drive has been review by the Kansas Department of Transportation and no additional access entrance permit will be required. The shared 40' access easement is recorded in Book 987, Page 5465 with additional width to the easement recorded in Book 987, Page 5490 in Douglas County, Kansas.

MASTER STREET TREE PLAN

Street trees are required at a rate of 1 tree per 40 ft of frontage. Along E 23rd St, a total of 4 trees are required. Lot 2 requires 4 trees which are proposed with this Minor Subdivision. Lot 1 does not have frontage along E. 23rd Street/K-10 Highway in excess of the access easement so street trees are not required on this lot at this location. The proposed trees meet the requirements in the Subdivision Regulations (20-811(g)). A Visibility Easement is recorded in Book 987, Page 5476 which addresses clear visibility to E. 23rd Street/K-10 Highway. Any Street Trees planted will be of suitable variety to maintain visibility. A Master Street Tree Plan is provided with the Minor Subdivision.

The proposed lots and all aspects of the proposed Minor Subdivision conform to the current Comprehensive Plan of Lawrence and Douglas County.

Conclusion: The Minor Subdivision meets the approval criteria in Section 20-808(d) of the Subdivision Regulations.