

**MS-17-00071:** A Minor Subdivision/Replat to combine the following properties into one lot: 1700 W 31<sup>st</sup> Street, Lot 1, Colt Subdivision No. 2; 1717 W 31<sup>st</sup> Street, Lot 3 Colt Subdivision No. 2; and 3215 Ousdahl Road, Lot 1A, A Lot Split of Lot 1, Pine Ridge Plaza Addition. Submitted by Landplan Engineering, PA for Jayhawk Acquisitions, LLC, property owner of record.

**ADMINISTRATIVE DETERMINATION:** The Planning Director approves the above-described Minor Subdivision, subject to the following conditions:

1. Submission of a revised Master Street Tree Plan which identifies the smaller species and notes that these will be planted only along W 31<sup>st</sup> Street.
2. Submission of a revised Minor Subdivision with the following change:
  - a. Show access restriction along the new W 31<sup>st</sup> Street frontage with hatch marks, and label.

#### **KEY POINTS**

- Per Section 20-808(c)(5) of the Subdivision Regulations, 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 even if the property had previously been part of a Minor Subdivision or Replat.
- The subject property consists of three platted lots which are being combined with this Minor Subdivision into one lot.

#### **SUBDIVISION CITATIONS TO CONSIDER**

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County.

#### **ASSOCIATED CASES**

- Z-16-00545: Rezoning of 3215 Road, Lot 1A, A Lot Split of Lot 1, Pine Ridge Plaza Addition, from PCD-[Pine Ridge Plaza] District to CS (Commercial Strip) District. City Commission adopted the rezoning with Ordinance No. 9337 at their April 4, 2017 meeting.
- SP-17-00133: Site plan for subject property for re-use of the mini-storage building and addition of additional mini-storage buildings, *Mini-Warehouse*, and an area for *Rv And Boat Storage*. Site plan is currently under review.

#### **OTHER ACTION REQUIRED**

- Placement of the Minor Subdivision on the City Commission agenda for acceptance of dedication of right-of-way.
  - Recording of the Minor Subdivision and associated documents at the Douglas County Register of Deeds.
  - Administrative approval of site plan for proposed site improvements.
-

- Submittal of construction plans to Development Services for processing of building permits. Building Permits must be obtained prior to construction activity.

## GENERAL INFORMATION

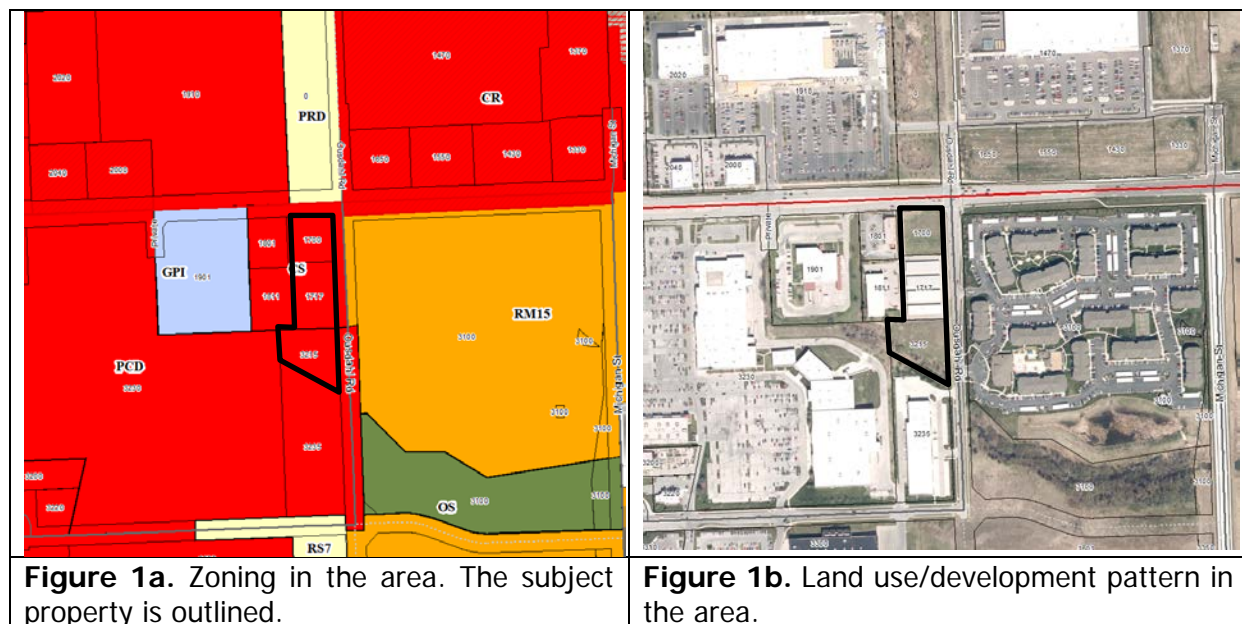
Current Zoning and Land Use: CS (Commercial Strip) District: *Undeveloped* and *Mini-Warehouse*, vacant

Surrounding Zoning and Land Use: To the north: PRD-[Home Improvement Residential] *Undeveloped*

To the west: CS (Commercial Strip) and PD-[Pine Ridge Plaza] (Planned Commercial Development) Districts; *General Retail Sales*, and *Participant Sports and Recreation, Indoor*

To the east: RM15 (Multi-Dwelling Residential) District; *Multi-Dwelling Structure*

To the south: PD-[Pine Ridge Plaza] (Planned Commercial Development) District: *Office* and *Wholesale Storage and Distribution, Light* (Figure 1)



This is a mixed-use area with the principal uses being: *Retail Sales and Services; Participant Sports and Recreation, Indoor; and Multi-Dwelling Structures*. The applicant proposes to reuse the vacant mini-storage buildings on the subject property, add additional mini-storage buildings, and develop an area for storage of boats and RVs.

## RIGHT-OF-WAY

Street	Classification	Required	Existing
W 31 <sup>st</sup> Street	Principal Arterial	150 feet (75 ft each side of centerline)	105 feet
Ousdahl Road	Collector	80 feet (40 ft each side of centerline)	80 feet

Ousdahl Road had adequate right-of-way width at this time. W 31<sup>st</sup> Street currently has less right-of-way width than required and an additional 25 ft of right-of-way is being dedicated with this Minor Subdivision so that 75 ft of right-of-way will be provided on the subject property side of the centerline. The Minor Subdivision will be placed on the City Commission agenda for acceptance of dedication of right-of-way.

The applicant requested a waiver from the requirement to dedicate additional right-of-way with the Minor Subdivision application. The Planning Commission considered the waiver request at their March 15, 2017 meeting and deferred action with direction to staff to work with the applicant to find a way to meet the requirements for the future street improvements while maintaining adequate area for development of the subject property. The City Engineer indicated that the right-of-way was necessary to accommodate existing infrastructure and future improvements to the intersection. The Planning Director indicated he would administratively waive the setback requirement to allow a 10 ft building setback rather than the 25 ft required by Code. This waiver will allow the necessary right-of-way to be dedicated while limiting the reduction to the development area on the site. The waiver will be applied to the site plan for the property.

## DIMENSIONAL REQUIREMENTS

The proposed lot exceeds the dimensional requirements for the CS District.

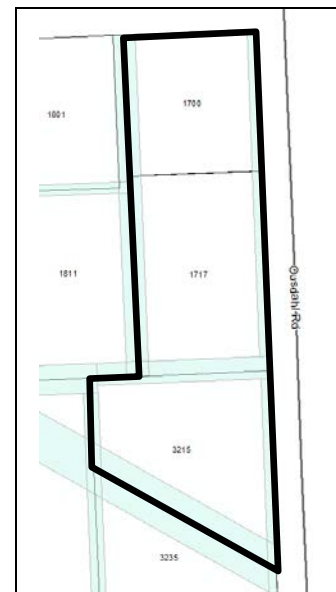
## UTILITIES/EASEMENTS

No new utility or access easements are being proposed with this Minor Subdivision. For ease of reference, the easements are described below in relation to the existing platted lots; however the lots will be combined with this Minor Subdivision. (Figure 2.)

3215 Ousdahl Road: One-half of a 60 ft wide Drainage Easement (30 ft) along the southern property line; and a 10 ft wide Utility Easement along the northern, western, and eastern perimeter.

1700 W 31<sup>st</sup> Street: A 20 ft wide Utility Easement along the southern property line, 10 ft wide Utility Easement along the eastern property line, and half of a 30 ft Access Easement (15 ft) along the western property line.

1700 W 31<sup>st</sup> Street: 10 ft wide Utility Easement along the east property line and half of a 30 ft Access Easement (15 ft) along the western property line.



**Figure 2** Easements (in green). Proposed lot outlined.

## ACCESS

Access to the northern 2 lots is currently provided through a shared access easement with the adjacent properties to the west. The project intends to continue using this shared access for the proposed lot in addition to a new curb cut on Ousdahl Street. The exact location of the curb cut will be determined with the site plan.

## MASTER STREET TREE PLAN

The Master Street Tree Plan contains the required number of trees for placement along W 31<sup>st</sup> Street and Ousdahl Road. Smaller species are required to be planted along W 31<sup>st</sup> Street due to the presence of overhead wires in this location. The plan should indicate the smaller species and note that these will be planted only along W 31<sup>st</sup> Street. The Horticulture Manager noted that the trees should be clustered about 20 ft apart near the bus stop on Ousdahl to provide adequate space for the bus stop.

## **Compliance with Minor Subdivision Review Criteria, Section 20-808(c)**

The minor subdivision is compliant with the review criteria as noted below:

1. The proposed lot conforms to the lot size requirements of the underlying zoning district.
2. The lot will have direct access to an existing public street that meets current adopted access and public improvement standards.
3. The required right-of-way for the adjacent streets is provided.
4. No additional public easements are necessary to serve the property;
5. Drainage easements or other protective devices are not required as the property is not located within the FEMA designated regulatory floodplain; and
6. The proposed Minor Subdivision conforms to the minimum boundary survey standards.

**Conclusion:** The Minor Subdivision, as conditioned, conforms to the approval criteria in Section 20-808(d) of the Subdivision Regulations.