



SP-18-00116: A site plan for a building addition for Logie's (Bar & Lounge) located at 728 Massachusetts Street. Submitted by TreanorHL for BWB2, Inc., property owner of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the above-described Site Plan without conditions.

ASSOCIATED CASES

- DR-18-00007: A Historic Review for the building addition for Logie's. Historic Resources Commission approved the addition and interior rehabilitation at their April 19, 2018 meeting and referred the façade to the Architectural Review Committee for work on changes to the storefront. The Architectural Review Committee met on May 3, 2018.
- City Commission hearing and (outcome here) on expanding the use was May 1, 2018.

KEY POINTS

- The changes proposed to the existing site include an approximate 1,258 sq. ft. building addition that will accommodate an accessible entry, additional restroom and room for accessible restrooms, expansion of kitchen area, circulation and remodeled access to the upper level units.
- The project must have City Commission approval due to the expansion of space of a non-conforming use (Licensed Premise in the CD-UC (Downtown Commercial with Urban Conservation Overlay) District not deriving 55% sales of food. Section 20-509(5)(i) and meeting the requirements of 1502((b)(iii) for expansions that are necessary and incidental to the existing nonconforming use.

OTHER ACTION REQUIRED

- Submittal of 1 copy of the approved site plan for release to Development Services for building permits in a digital format.

PLANS AND STUDIES REQUIRED

- *Traffic Study – Not required for this project.*
- *Downstream Sanitary Sewer Analysis – Not required for this project.*
- *Historic Review Standards – In process.*
- *Drainage Study – Not required for this project.*
- *Retail Market Study – Not applicable to request.*
- *Alternative Compliance – Not proposed with request.*

COMMUNICATIONS RECEIVED

1. None

GENERAL INFORMATION

Current Zoning and Land Use

CD-UC (Downtown Commercial with Urban Conservation Overlay) District; *Bar and Lounge* (Tonic)

Surrounding Zoning

CD-UC (Downtown Commercial with Urban Conservation Overlay) District to the north, east, west and south; developed *Commercial, Retail, Restaurant*, uses.

Legal Description:

Lot 36 50 X 117 Massachusetts Street in the City of Lawrence, Douglas County, Kansas.

SITE SUMMARY

	Existing	Proposed	Change
Land Use:	<i>Bar & Lounge</i>	<i>Bar & Lounge</i>	
Land Area (sq ft):	5,850 sq. ft.	5,850 sq. ft.	0
Total Building footprint	4,548 sq. ft.	5,806 sq. ft.	1,258 sq. ft.
Building + Pavement	5,850 sq. ft.	5,850 sq. ft.	0
Total Impervious Area:	5,850 sq. ft.	5,850 sq. ft.	0
% Impervious	100%	100%	0
% Pervious	0%	0%	0



Figure 1. Surrounding zoning and land use is CD-UC. The subject property is outlined in blue.

SUMMARY OF REQUEST

The site plan proposes a 1,248 square foot building addition that will be located to the east of the existing structure adjacent to the alley. The building addition will accommodate an accessible entrance, additional space for accessible restrooms, small kitchen expansion, storage and access for the upper units. The request proposes removing the existing raised outdoor patio area located adjacent to the alley to accommodate the new addition.

PARKING SUMMARY

Section 20-901(f), Exemption for CD District states that allowed uses in the CD Zoning District are exempt from the requirement to provide off-street parking and off-street loading spaces. The Site Plan is not proposing any changes to the existing use and no changes to parking are proposed.

STAFF REVIEW

Findings

Per Section 20-1305, staff shall first find that the following criteria have been met:

1) The Site Plan shall contain only platted land;

The property is platted as Lot 36 50 X 117 Massachusetts Street in the City of Lawrence, Douglas County, Kansas.

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 plan;

This is a Standard Development Project; therefore, the changes which are being made are required to comply with City Codes.

EXPANSION OF NONCONFORMING USE REQUIREMENTS

The parcel has been used as a *Bar and Lounge* that does not have a minimum of 55% food sales. This property is registered with the city as a nonconforming *Licensed Premise* in the CD-UC (Downtown Commercial with Urban Conservation Overlay) District as existing prior to the adoption of Ordinance 6527 which required the food sales minimum in the downtown district.

The Land Development Code states in Section 20-1502(b)(iii) that expansions of nonconforming uses that are necessary and incidental to the existing nonconforming use may be approved by the City Commission if reviewed and approved in accordance with the Special Use procedures of Section 20-1306 (which requires notice and a public hearing). Notice was sent in accordance with Section 20-1306; Public Hearing Notice. The public hearing was completed on May 1, 2018 City Commission meeting. (The outcome here.)

The proposed building expansion is not expanding the current use of the structure. The building expansion is providing space to accommodate accessibility to the structure and space for code compliant, accessible restrooms. It will also remove the raised outdoor patio area, provide interior kitchen storage and remodel the stairway access to the upper units. The Site Plan notes that the square footage increase once the existing patio is removed and the addition is completed will result in a 3% increase in building area as a result of the expansion.

Street Trees

The site is located along Massachusetts Street. Street Trees are in place along Massachusetts Street and are maintained by the City's Parks and Recreation staff. The site plan does not propose any changes to street trees.

Interior Parking Lot Landscaping

There is no parking on site, interior parking lot landscaping is not applicable to the proposed Site Plan.

Perimeter Parking Lot Landscaping

There is no parking on site, perimeter parking lot landscaping is not applicable to the proposed Site Plan.

Mechanical Equipment

The site plan includes a note indicating that all rooftop mechanical equipment will be screened from view of the adjacent properties and street right-of-way.

DOWNTOWN DESIGN GUIDELINES

The structure is listed as a contributing structure in Lawrence's Downtown Historic District, National Register of Historic Places, in the environs of Miller's Hall (723-725 Massachusetts Street) and is also located in the Downtown Urban Conservation Overlay District. As part of the review process the project has been before the Historic Resources Commission for compliance with State Law Review, Certificate of Appropriateness and Downtown Design Guidelines Review standards.

The Historic Resources Commission has found that the proposed addition and interior rehabilitation are in conformance with the standards of review. The design of the proposed building addition fits contextually with the downtown development in the area. The proposed changes to the front façade were referred to the Architectural Review Committee to work on changes to the storefront that will be determined once some of the demolition has begun. This will allow historical materials to be evaluated and changes to the storefront handled in a manner that reflects the historical integrity.

LIGHTING

There are no proposed changes or additions to exterior lighting associated with this Site Plan. Current lighting is provided by public street lights which are exempt from lighting standards in Section 20-1103. If changes occur the future, any surface mounted or exterior lighting would need to comply with Section 20-1103 for Outdoor Lighting.

FLOODPLAIN

This property is not located within the regulatory floodplain.

3) The proposed use shall be allowed in the district in which it is located or be an allowed nonconforming use;

The site is zoned CD-UC (Downtown Commercial with Urban Conservation Overlay) District. The *Bar & Lounge use* is permitted in this zoning district. This parcel is registered as a nonconforming *Licensed Premise* which permits the Bar & Lounge use with less than 55% food sales in the CD (Downtown Commercial) District as having existed prior to the adoption of Ordinance 6527 which restricted this use to establishments with a minimum of 55% food sales. The expansion of the structure at the rear of the property is to accommodate incidental uses and accessibility requirements.

4) Vehicular ingress and egress to and from the site and circulation within the site provides 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;

The property is located on Massachusetts Street. There are no changes proposed to site circulation.

5) The site plan provides for the safe movement of pedestrians within the site;

The building addition will accommodate an accessible entrance as well as a new access stairway to the upper units in the building.

Conclusion

The site plan is in conformance with the Land Development Code.