



MS-17-00071(revised): A Minor Subdivision/Replat of approximately 5.9 acres combining the following properties into two lots: 1700 W. 31st Street, Lot 1, Colt Subdivision No. 2; 1717 W. 31st Street, Lot 3 Colt Subdivision No. 2; 3215 Ousdahl Road, Lot 1A, a Lot Split of Lot 1, Pine Ridge Plaza Addition; and 3235 Ousdahl Road, Lot 1B, a Lot Split of Lot 1, Pine Ridge Plaza Addition. Submitted by Landplan Engineering, PA for Jayhawk Acquisitions LLC and Fraternal Investors LLC, property owners of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the above-described revised minor subdivision, subject to the following conditions:

1. The minor subdivision shall not be recorded until the associated rezoning request, Z-18-00508, has been approved and adopted by ordinance.
2. The applicant shall submit a revised master street tree plan addressing planning comments prior to the recording of the minor subdivision.

KEY POINTS

- The original minor subdivision, combining three lots into Lot 1 Cokeley Addition, was approved administratively on April 10, 2017 and the City Commission accepted dedication of easements and right-of-way on May 9, 2017. The applicant requested that the minor subdivision not be recorded at that time but be placed on hold, as they were considering expanding the lot to include a portion of the lot to the south (3235 Ousdahl Road; Lot 1B, Pine Ridge Plaza). The minor subdivision is being revised to include this portion, approximately 8,173 square feet, in Lot 1 and to replat the remainder of Lot 1B, Pine Ridge Plaza as Lot 2 Cokeley Addition.
 - A rezoning application, Z-16-00545, to remove Lot 1A, Pine Ridge Addition from the Pine Ridge PCD (Planned Commercial Development) and provide uniform CS (Commercial Strip) zoning for the new lot, Lot 1, Cokeley Addition was submitted with the original minor subdivision. A rezoning application, Z-18-00508, was submitted with this revised minor subdivision to rezone the portion of Lot 1B Pine Ridge Addition that is being added to Lot 1 of this subdivision from PCD-[Pine Ridge Plaza] District to CS to provide uniform zoning throughout the expanded lot. The approval of the minor subdivision is subject to the condition that the rezoning is approved and adopted by ordinance before the minor subdivision is recorded with the Register of Deeds.
 - 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 four platted lots which are being combined with this minor subdivision into two lots.
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SUBDIVISION CITATIONS TO CONSIDER

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

ASSOCIATED CASES

- Z-18-00508: Rezoning request for the northern portion of 3235 Ousdahl Road being included in Lot 1 Cokeley Addition from PCD-[Pine Ridge Plaza] District to CS (Commercial Strip) District. The Planning Commission voted unanimously at their December 19, 2018 meeting to forward this rezoning request to the City Commission with a recommendation for approval.
- 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. The City Commission adopted the rezoning with Ordinance No. 9337 at their April 4, 2017 meeting.
- SP-17-00133: Site plan for the subject property for re-use of the mini-storage building and addition of additional mini-storage buildings, *Mini-Warehouse*, and *RV and Boat Storage*. Site plan is currently on hold, pending action on the minor subdivision. If this revised minor subdivision is approved, the site plan will need to be revised to include the new property being added.

OTHER ACTION REQUIRED

- Placement of the revised minor subdivision on the City Commission agenda for acceptance of dedication and vacation of easements.
- City approval of public improvement plans and means of assurance of completion, prior to the recording of the minor subdivision.
- 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 and PCD-[Pine Ridge Plaza (Planned Commercial Development): *Undeveloped*, *Mini-Warehouse*, and *Office/Warehouse*

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 *Construction Sales and Services*

To the east: RM15 (Multi-Dwelling Residential) District; *Multi-Dwelling Structure* and OS (Open Space) tree lined stream corridor

To the south: RS7 (Single-Dwelling Residential) stormwater detention associated with the Walmart facility.

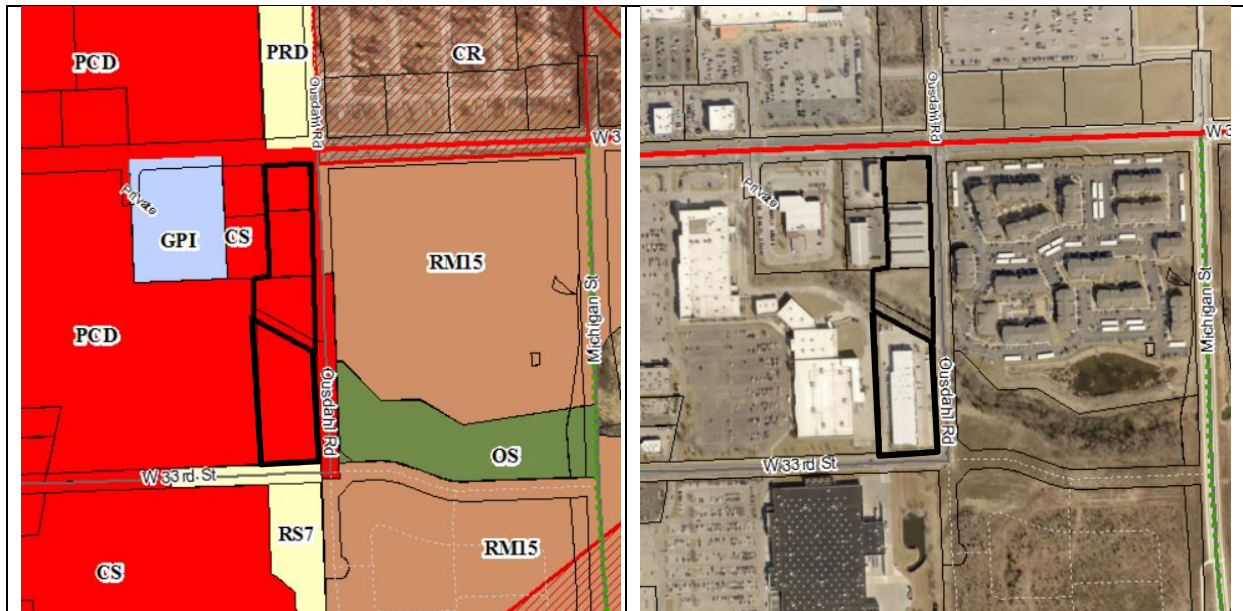


Figure 1a. Zoning in the area. The lots proposed with this minor subdivision are outlined.

Figure 1b. Land use/development pattern in the area.

This is a mixed-use area with the principal uses being: *Retail Sales and Services; Construction Sales and Services; and Multi-Dwelling Structures.* The applicant proposes to reuse the 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 st Street	Principal Arterial	150 feet (75 feet each side of centerline)	105 feet
Ousdahl Road	Collector	80 feet (40 feet each side of centerline)	80 feet

Ousdahl Road had adequate right-of-way width at this time. W. 31st Street currently has less right-of-way width than required and an additional 25 feet of right-of-way is being dedicated with this minor subdivision so that 75 feet 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.

DIMENSIONAL REQUIREMENTS

The applicant requested a waiver from the requirement to dedicate additional right-of-way with the original 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 building setback requirement to allow a 10 foot setback rather than the 25 feet 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.

Both lots are compliant with the dimensional requirements of their respective zoning districts: Lot 1-CS, Lot 2-PCD-[Pine Ridge Plaza].

UTILITIES/EASEMENTS

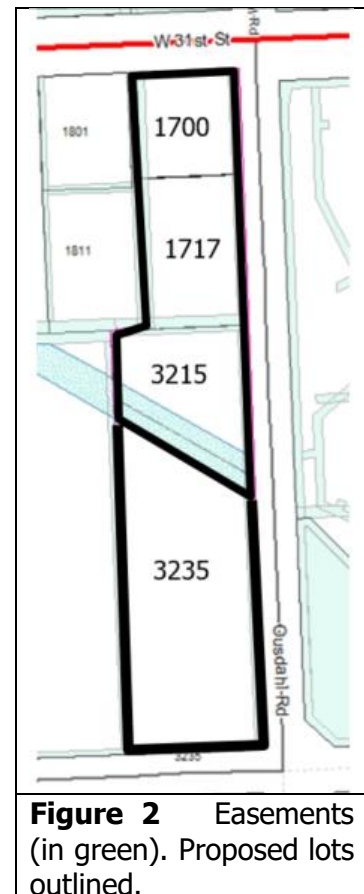
For ease of reference, the existing easements are described below in relation to the existing platted lots; however the lots will be combined with this minor subdivision. (Figure 2.)

3235 Ousdahl Road: One-half of a 20 foot wide utility easement along the west property line, a 10 foot wide utility easement along the south, and east property line and one-half of a 60 foot wide drainage easement along the north property line. This drainage easement will be vacated with this minor subdivision and the stormwater utilities placed underground in a narrower, 25 foot, drainage easement.

3215 Ousdahl Road: One-half of a 60 foot wide drainage easement along the southern property line, to be vacated with this minor subdivision and replaced with a 25 foot wide drainage easement, one-half of a 20 foot wide utility easement on the west property line and a 10 foot wide utility easement along the north and east property lines.

1717 W. 31st Street: A 20 foot wide utility easement along the southern property line, 10 foot wide utility easement along the eastern property line, and half of a 30 foot wide access easement along the western property line.

1700 W. 31st Street: A 10 foot wide utility easement along the east property line and half of a 30 foot access easement along the western property line.



The minor subdivision proposes to vacate the 60 foot wide drainage easement on the centerline between 3235 and 3215 Ousdahl Road and dedicate a 25 foot drainage easement in its place. The City stormwater engineer approved the conversion of the open drainage in this location to an underground pipe and noted that the changes would ease a maintenance issue with the drainage ditch. He also noted that the length of the improvement would not adversely affect the stream since the stream is coming from a closed conduit immediately upstream. The easement is labeled a 'drainage easement' to indicate that it contains stormwater facilities; however, it is not necessary to provide Minimum Elevations of Building Openings (MEBOs) since the facilities are underground.

ACCESS

Access to the northern two lots, 1700 and 1717 W. 31st Street, 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 Road. 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. 31st Street and Ousdahl Road. Smaller species are required to be planted along W. 31st 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. 31st Street.

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; however a drainage easement is provided for the stormwater infrastructure; 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.