



**MS-18-00560:** A Minor Subdivision/Replat of Lot 1, Block 2, Oread West No. 10 and Lot 1, Block 1, Alvabet Subdivisions, located at 5005 and 5015 Legends Drive. Submitted by Mazda LLC, for Mazda LLC and Birdie Enterprises, LLC, property owners of record.

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

1. Submission of mylar with signatures and recording fees for this minor subdivision.
2. City Commission acceptance of vacation and dedication of easements. Scheduled to be heard at the January 14, 2019 City Commission meeting.

**ASSOCIATED CASES**

- **SP-18-00525;** a site plan for a building addition for the Lawrence Montessori School located at 5005 Legends Drive.

**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 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.
- This minor subdivision proposes adjusting a portion of the interior lot line approximately 11.00 feet to the west. The intent of the minor subdivision is to accommodate a proposed building addition associated with the Lawrence Montessori School located at 5005 Legends Drive. With the minor subdivision, the proposed building addition will be fully contained on Lot 1 and will meet building setback requirements of Section 20-601 of the Land Development Code.
- The number of lots (2) will not change. The minimum lot area for the IBP (Industrial/Business Park) District is 20,000 square feet. The proposed Lot 1 (5005 Legends Drive) will contain 83,939 square feet. The proposed Lot 2 (5015 Legends Drive) will contain 123,449 square feet.

**SUBDIVISION CITATIONS TO CONSIDER**

- This application is being reviewed under the Subdivision Regulations for Lawrence and the Unincorporated Areas of Douglas County, adopted January 10, 2012.

**OTHER ACTION REQUIRED**

- Provision a mylar copy of the minor subdivision plat, an executed master street tree plan, and the appropriate recording fees.
- Recording of the minor subdivision and associated documents at the Douglas County Register of Deeds.

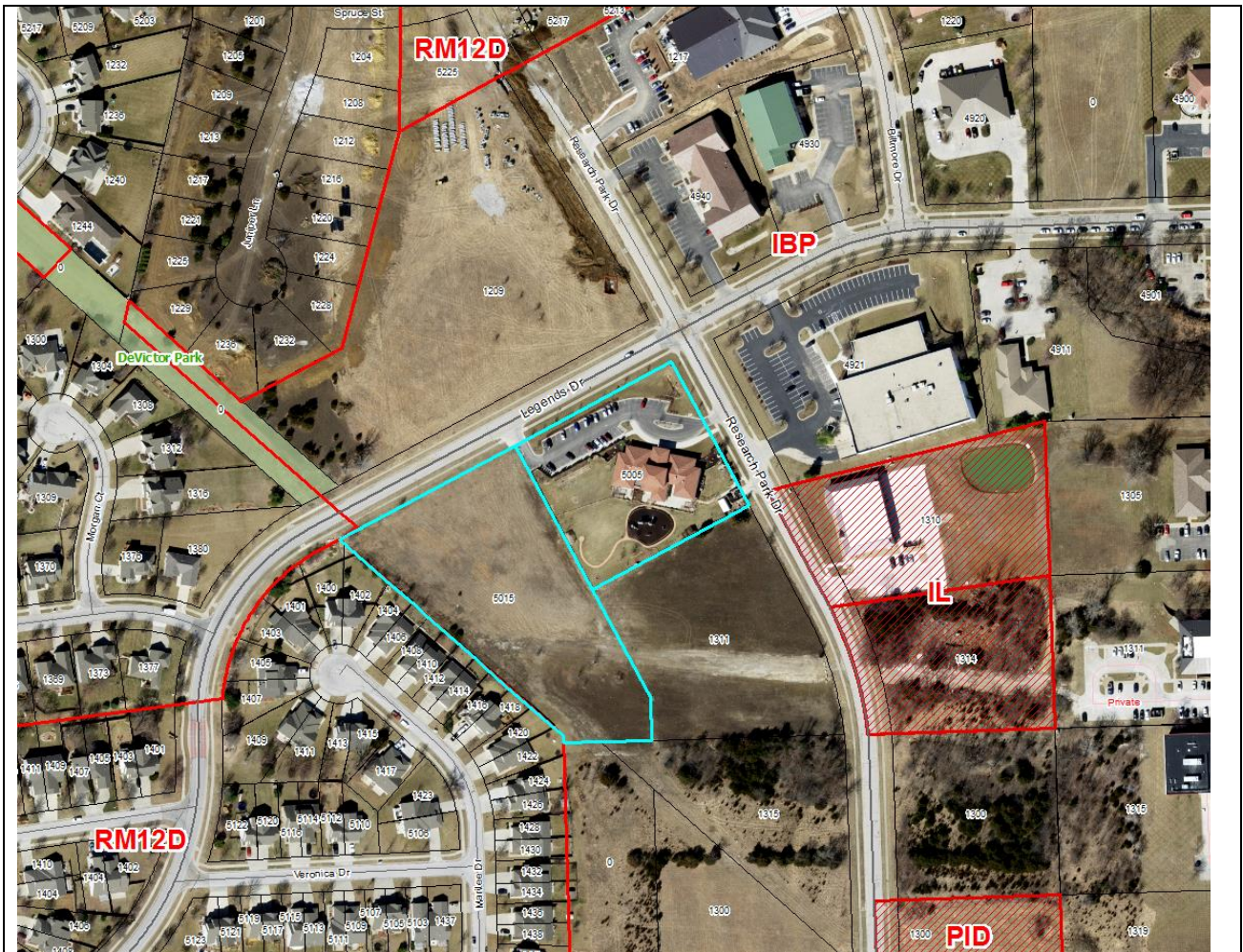
**GENERAL INFORMATION**

Current Zoning and Land Use: IBP (Industrial/Business Park) District; *Day Care Center* and vacant lot.

Surrounding Zoning and Land Use: IBP (Industrial/Business Park) District to the north, east, and south; *Manufacturing and Production, Limited* to the east, vacant to the north and south.

IL (Limited Industrial) District, with use restrictions, to the southeast; *Construction Sales & Service* and *Participant Sport & Recreation, Indoor*.

RM12D (Multi-Dwelling Residential) District to the west; *Detached Dwellings*.

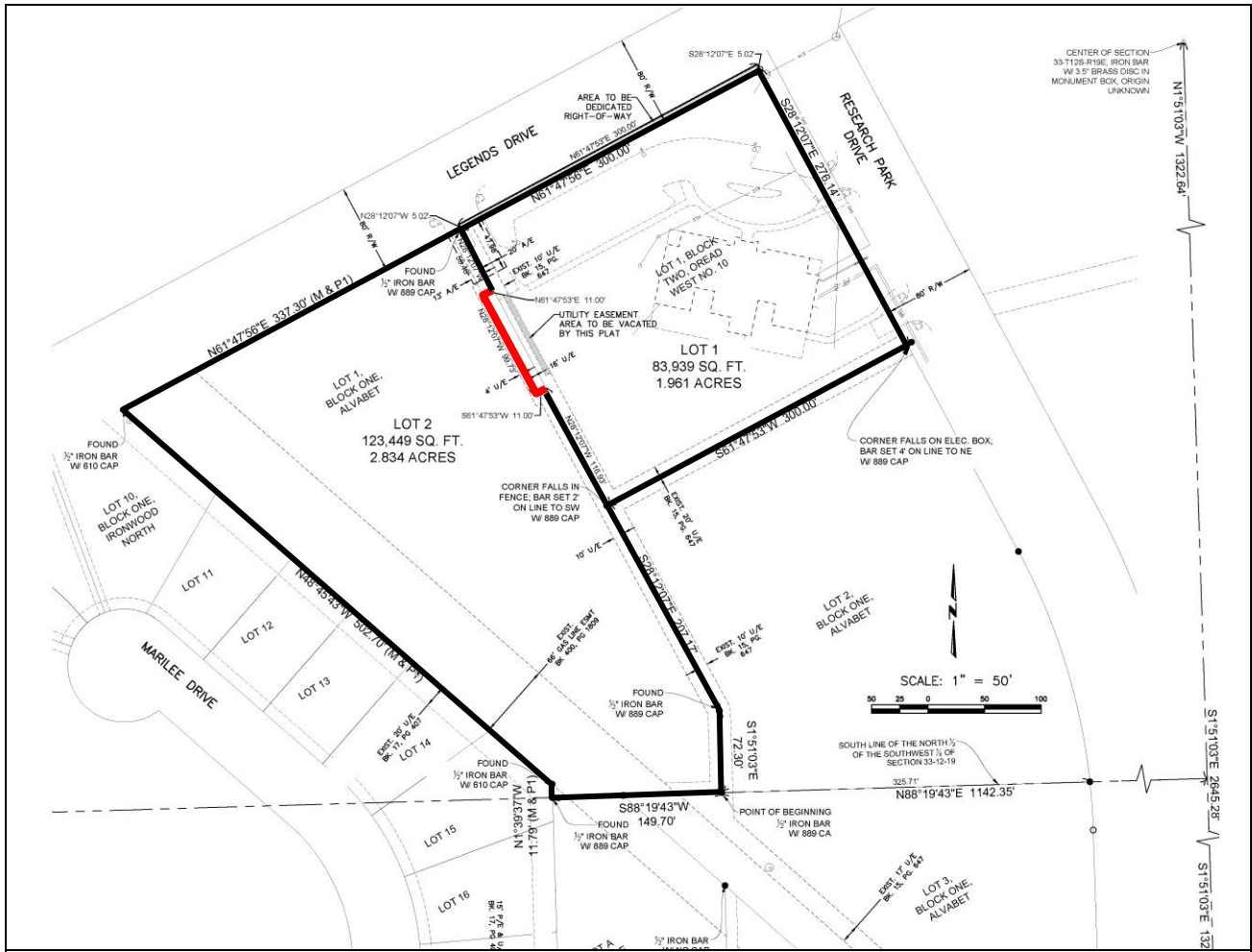


**Figure 1.** Zoning and land use in the area. Subject properties is outlined in blue.

### STAFF REVIEW

The minor subdivision proposes adjusting a portion of the interior lot line between two existing lots in order to accommodate a proposed building addition to the Lawrence Montessori School located at 5005 Legends Drive.

The property is not located within the environs of a historic district and it is not located in a regulatory floodplain.



**Figure 2.** The proposed minor subdivision. The proposed lot line adjustment is shown in red.

**DIMENSIONAL REQUIREMENTS**

Per Section 20-601(a) of the Land Development Code, the minimum lot size permitted in the IBP zoning district is 20,000 square feet. The proposed lots will meet the development standard with the proposed Lot 1 being approximately 83,939 square feet and the proposed Lot 2 being approximately 123,449 square feet.

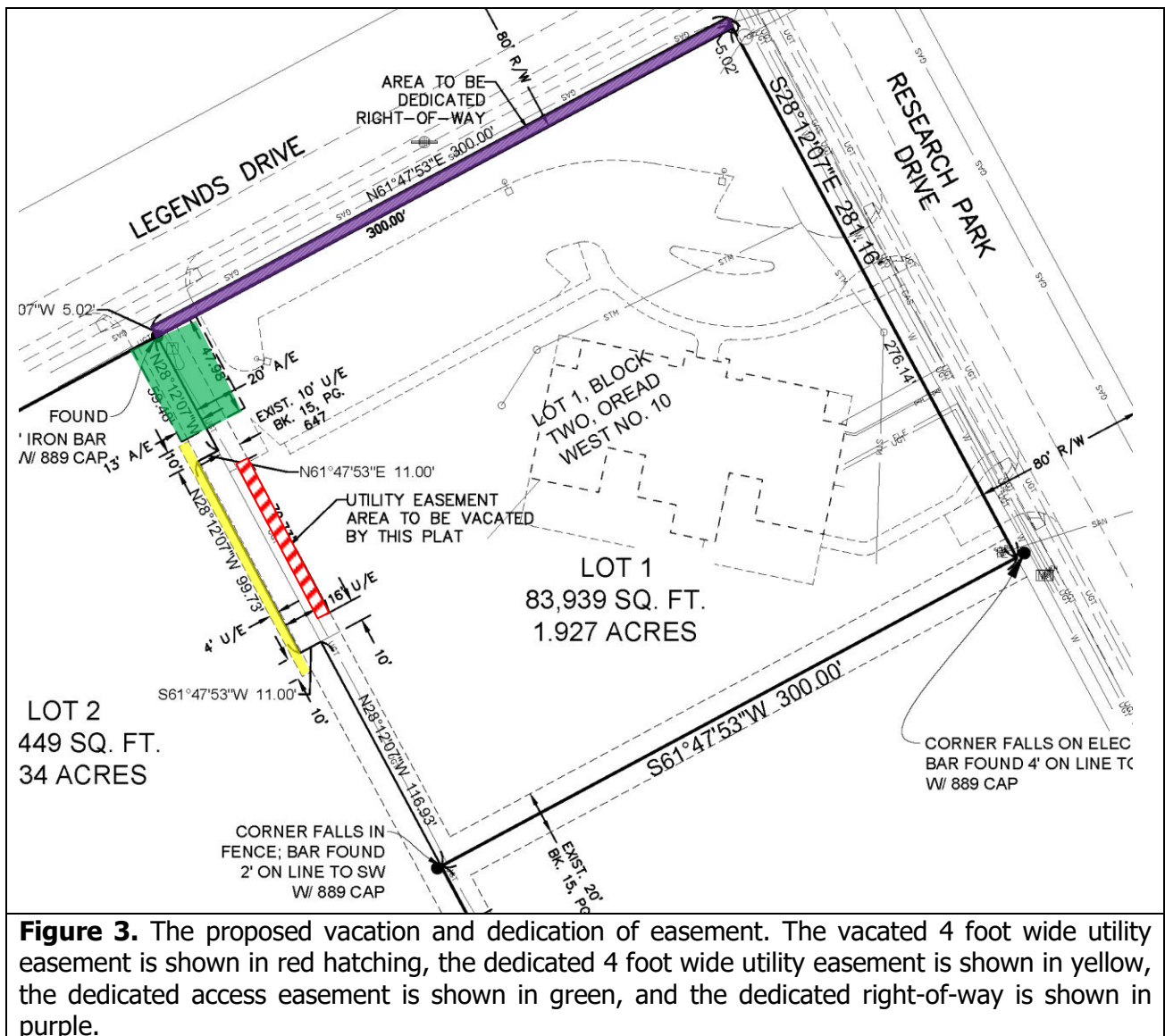
**ZONING AND LAND USE**

The proposed Lot 1 contains a *Day Care Center* use. The proposed Lot 2 is vacant. There are no changes to the existing uses proposed with the minor subdivision.

The properties are surrounded by IBP (Industrial/Business Park) District to the north, south, and east, and RM12D (Multi-Dwelling Residential) District to the south and west. The uses surrounding the subject properties is a mixture of undeveloped land, and nonresidential and residential uses. The area to the north and south of the subject properties are vacant. To the east is a *Manufacturing and Production*, limited, *Construction Sales and Service*, and *Participant Sport & Recreation*, Indoor uses. *Detached Dwellings* are located to the west of the subject properties.

## UTILITIES/EASEMENTS

Existing infrastructure to serve both proposed lots already exists in the public right-of-way and easements. There will be a dedicated access easement with this minor subdivision located at the Legends Drive access (highlighted green below). The minor subdivision also proposes the dedication of 5.02 feet of right-of-way along Legends Drive (highlighted purple below). Existing easements with the previous plat will remain, with the exception of a portion of the 20 foot wide utility easement located along the interior lot line. This utility easement accommodates AT&T infrastructure. To accommodate the proposed building addition, this minor subdivision proposes the vacation of a portion of utility easement, 4 foot wide, on the east side of the 20 foot easement (the portion proposed to be vacated is shown by red hatching below). To maintain the 20 foot width of the utility easement, a 4 foot wide easement will be dedicated along a portion of the west side of the existing easement (highlighted yellow below). AT&T supports the proposed vacation and dedication of utility easement.



**Figure 3.** The proposed vacation and dedication of easement. The vacated 4 foot wide utility easement is shown in red hatching, the dedicated 4 foot wide utility easement is shown in yellow, the dedicated access easement is shown in green, and the dedicated right-of-way is shown in purple.

## ACCESS

The property is adjacent to Legends Drive and Research Park Drive, improved city streets. Access to the proposed lots will remain the same. There are no proposed changes to access on site.

## MASTER STREET TREE PLAN

A master street tree plan was submitted with the plat. The plan provides the required number of street trees and is in conformance with the requirements in Section 20-811(g) of the Subdivision Regulations.

## COMPLIANCE WITH MINOR SUBDIVISION REGULATIONS

The Minor Subdivision is compliant with the review criteria as noted below:

- The proposed lot conforms to the lot size requirements of the underlying zoning district.*  
The minimum lot size permitted in the IBP zoning district is 20,000 square feet. The proposed lots will meet the development standard with the proposed Lot 1 being approximately 83,939 square feet and the proposed Lot 2 being approximately 123,449 square feet.
- The lot will have direct access to an existing public street that meets current adopted access and public improvement standards.*  
Each lot abuts a public street on one or more sides. Each lot is provided with direct access to a public street. Street improvements are not required with this project.
- The required right-of-way for the adjacent streets is provided.*  
The minor subdivision proposed the dedication of 5.02 feet of right-of-way along Legends Drive adjacent to Lot 1. Legends Drive is classified as a Collector street in the *Transportation 2040* Major Thoroughfares Map. With the dedication of right-of-way, Legends Drive will comply with the right-of-way width requirements for a collector street, which is 80 feet. City Commission action is required to accept these new easements as proposed.
- No additional public easements are necessary to serve the property.*  
This application includes the dedication of new easement for utilities and for access as shown on the minor subdivision drawing. City Commission action is required to accept these new easements as proposed.
- Drainage easements or other protective devices have been provided with the original plat of the property although the property is not located within the FEMA designated regulatory floodplain.*  
This application does not alter established drainage easements. The property is not encumbered by any regulatory floodplain.
- The proposed Minor Subdivision conforms to the minimum boundary survey standards.*  
This proposed minor subdivision conforms to the minimum boundary survey standards.

## CONCLUSION

The minor subdivision conforms to the approval criteria in Section 20-808(d) of the Subdivision Regulations.