

January 2, 2019

MS-18-00567: W. Morris Addition No. 1, a Minor Subdivision/Replat of Lots 1, 2, 3, and 4 in Block 2, Southridge Addition No. 2, a subdivision in the City of Lawrence, Douglas County, Kansas. Submitted by Landplan Engineering, PA, on behalf of Team Players LLC and Emira-One LLC, property owners of record.

- Related variance to be considered/approved by the Planning Commission.
- Dedication of easements to be accepted by the City Commission.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the Minor Subdivision.

KEY POINT

- This minor subdivision proposes creating a new commercial lot in the northeast corner of the property at 23rd Street and Ousdahl Road.
- The project proposes access easements to accommodate vehicular movement across the properties. Dedication of easements are subject to the acceptance by the City Commission.
- Driveways along W. 23rd Street will be closed and consolidated in accordance with the access management plan for W. 23rd Street.
- Tract A is constructed as a private street commonly known as Ridge Court. The private thoroughfare is not owned or maintained by the City.
- Tract A does not include the necessary width to meet minimum street design standards.
- Establishment of Ridge Court as a public street would require additional dedication of right-of-way from all adjacent property owners and reconstruction of the facility to meet minimum city street design standards, including public sidewalks on both sides of Ridge Court.
- The site plan for Lot 3 shows changes to Ridge Court.
- This minor subdivision does not include a request to dedicate any additional right-of-way for any abutting public or private street.
- W. 23rd Street does not meet the current design standards for a principal arterial street. The Planning Commission must approve a variance request for reduced right-of-way.

SUBDIVISION CITATIONS TO CONSIDER

- The Subdivision Regulations for Lawrence and Unincorporated Douglas County.

COMMUNICATIONS

Property owner, west side of Ridge Court, has provided written communication opposing changes to the closure of "Ridge Court" associated with this site redevelopment. Communication is attached.

ASSOCIATED CASES

- SP-18-00550; 1807 W. 23rd Street; First National Bank
- SP-18-00551; 1801 W. 23rd Street; Former Hobby Lobby Site/Harbor Freight
- SP-18-00553; 1731 W. 23rd Street; future Starbucks – commercial pad site

Note: these applications are administrative and are in process.

OTHER ACTION REQUIRED

Submittal of a signed copy of the minor subdivision, an executed master street tree plan, and document recording fees for recording with the Douglas County Register of Deeds.

Attachments

Attachment A: Proposed Minor Subdivision Drawing

Attachment B: Easement Document

Attachment C: 23rd Street Access Management Plan:

https://lawrenceks.org/mpo/corridor_studies/

Attachment D: Site Plan drawings for commercial redevelopment

Attachment E: Communications

GENERAL INFORMATION	
Current Zoning and Land Use	CS (Commercial Strip) District; existing multi-tenant commercial building and bank.
Surrounding Zoning and Land Use	CS (Commercial Strip) District to the north, east and west; existing commercial uses to the north, east and west. RM32 (Multi-Dwelling Residential) and RSO (Single-Dwelling Residential Office) District to the south and southwest. Existing office and multi-dwelling residential uses.
Figure 1: Surrounding Zoning	
Number of Existing Lots: 3 lots (2 parcels) and one tract Total Land Area: 288,237.85 square feet.	1801 W. 23 rd Street: Lots 1, 2, and portion of Lot 3 (208,368.12442 square feet) 1807 W. 23 rd Street: portion of Lot 3 (67,820.726715 square feet) Ridge Court: privately owned tract (12,049 square feet)
Number of Proposed Lots: 3 lots and one tract. Total Land Area: 285,987 square feet.	Tract A: 12,049 square feet Lot 1: 29,246 square feet (1731 W. 23 rd Street – new development parcel) Lot 2: 178,997 square feet (1801 W. 23 rd Street) Lot 3: 65,549 square feet (1807 W. 23 rd Street)

The property was included in the Final Plat – Southridge Addition No. 3, recoded with the Douglas County Register of Deeds Office in 1959. Staff attributes the lot and parcel area differences to surveying techniques between 1959 and 2018.

STAFF REVIEW

This proposed minor subdivision creates a new development parcel located on the southwest corner of W. 23rd Street and Ousdahl Road. The lot is crated from the total area of the former Hobby Lobby site. Proposed Lot 3, the bank site, is not altered.

The proposed Minor Subdivision abuts W. 23rd Street along the north property line. This segment of W. 23rd Street is a designated principal arterial street. The minimum width required for a principal atrial street is 150 feet. The existing right-of-way width is only 100 feet. The applicant is requesting a variance to allow the reduced right-of-way to remain unchanged with this application. The Planning Commission is scheduled to consider the variance at their meeting on January 23, 2019. Staff supports the variance request.

The property is not located within any historic district and is not located in a regulatory floodplain.

DIMENSIONAL REQUIREMENTS

Per Section 20-601(a) of the Land Development Code, the CS (Commercial Strip) District requires a minimum lot area of 5,000 square feet and a minimum lot width of 100 feet for lots platted after the July 1, 2006 effective date. The lots included in this minor subdivision exceed the minimum requirements for lot area and width for this zoning district.

ZONING AND LAND USE

The property is zoned CS (Commercial Strip) District. A wide variety of uses are permitted in this district. Proposed Lots 2 and 3 are developed with existing uses. Proposed Lot 1 is being created through this subdivision application for the purposes of future development of a *fast order food with drive in*. Related site plan applications have been submitted and are being processed for each lot.

Tract A provides access to the adjacent properties and extends between Murphy Drive on the south and W. 23rd Street on the north. Tract A has been identified and used as a private street since the 1960's. The tract was not dedicated as a public street and it has not been constructed to meet current city street standards. City policy requires that any private street proposed for dedication as a public facility must meet minimum city design standards for width and construction. There are no proposals to reconstruct Ridge Court to meet public street standards.

The tract is intended to remain and will provide access from W. 23rd Street to proposed Lot 3 (bank site). The property owner and developer are working with the adjacent property owners to the west to develop a shared access and maintenance agreement for the continued service of Ridge Court access to the adjacent properties to the west.

Plans to close a portion of Ridge Court are shown on the face of the site plan for the bank site and discussed in the body of that staff report. This minor subdivision, if approved, would not alter the location or dimension of the tract. The use of the tract is set through the site plan since it is not a public street.

UTILITIES/EASEMENTS

Infrastructure to serve the existing lots and the proposed lot already exists in the public right-of-way and easements.

The proposed minor subdivision includes the dedication of new easements to accommodate internal vehicular circulation and access on and across the property. These new easements are

subject to the acceptance of such by the City Commission. If accepted, these easements provide an internal circulation for vehicular access between W. 23rd Street and Ousdahl Road.

ACCESS

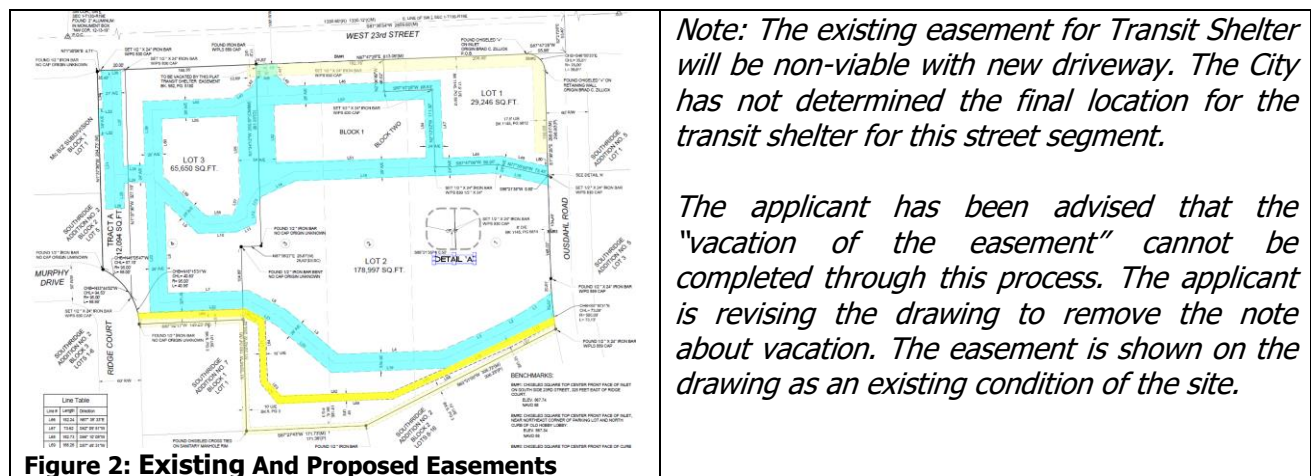
Lot 1 – adjacent to W. 23rd Street and Ousdahl Road

Lot 2 – adjacent to W. 23rd Street

Lot 3 – adjacent to W. 23rd Street and Ridge Court (a private street)

Each lot is adjacent to a public street. Only Ousdahl Road and W. 23rd Street are public streets. Ridge Court abuts Lot 3 on the west side of the property. Ridge Court is a private access/private street though its used by the public. Other than signage, there is no indication to the public that Ridge Court is private property. Ridge Court currently provides access to the bank property on the east, to First Med, a *medical office use*, and El Mezcal, a *Fast Order Food* use to the west. The site plan for the bank currently shows changes to Ridge Court including removing access to the properties on the west side of Ridge Court and removing pavement that provides a through-connection to Murphy Drive at the south end. These physical changes are discussed in detail in the site plan staff report, SP-18-00550.

The following diagram shows the existing and proposed easements. The application does not include a request to vacate any existing easements. New utility easement, are shown in dark yellow. New cross access easements across property are shown in light blue.



MASTER STREET TREE PLAN

Street trees are required at a rate of one tree per 40 feet of frontage. Street trees are required along W. 23rd Street and Ousdahl Road. A master street tree plan is required as a condition of recoding the minor subdivision with the Register of Deeds office. This document will be used in coordination with the applicable landscape plans for each lot as part of the site plan reviews.

SUMMARY

The proposed lot 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.