



April 1, 2019

**MS-19-00106:** Fairfax Addition No. 3, a minor subdivision/replat of Lots 173, 174, 175 and 176, Fairfax, a subdivision in the City of Lawrence, Douglas County, Kansas. Submitted by Grob Engineering Services, LLC, on behalf of Rebecca S. Gully, property owner of record.

**ADMINISTRATIVE DETERMINATION:** The Planning Director approves the minor subdivision.

**KEY POINTS**

- The subject parcel is comprised of four platted lots of records that were combined for taxing purposes in 1988. The minor subdivision proposes removing and reconfiguring existing interior lot lines to adjust the quantity and area of the existing lots.
- The reconfigured area ensures that the proposed lots conform to the minimum lot area for the zoning district. The minimum lot area for RS7 (Single Dwelling Residential) District is 7,000 square feet. The number of lots will change from four platted lots of record to two platted lots of record. Lot 1 will contain 7,158 square feet and Lot 2 will contain 10,972 square feet.
- 60 feet of right-of-way width is required for Local Roads. The applicant is dedicating 5 feet of right-of-way per 20-808(d)(4). The right-of-way has been dedicated via separate instrument. See Register of Deeds Book 1166, Page 923.

**SUBDIVISION CITATIONS TO CONSIDER**

The Subdivision Regulations for Lawrence and Unincorporated Douglas County.

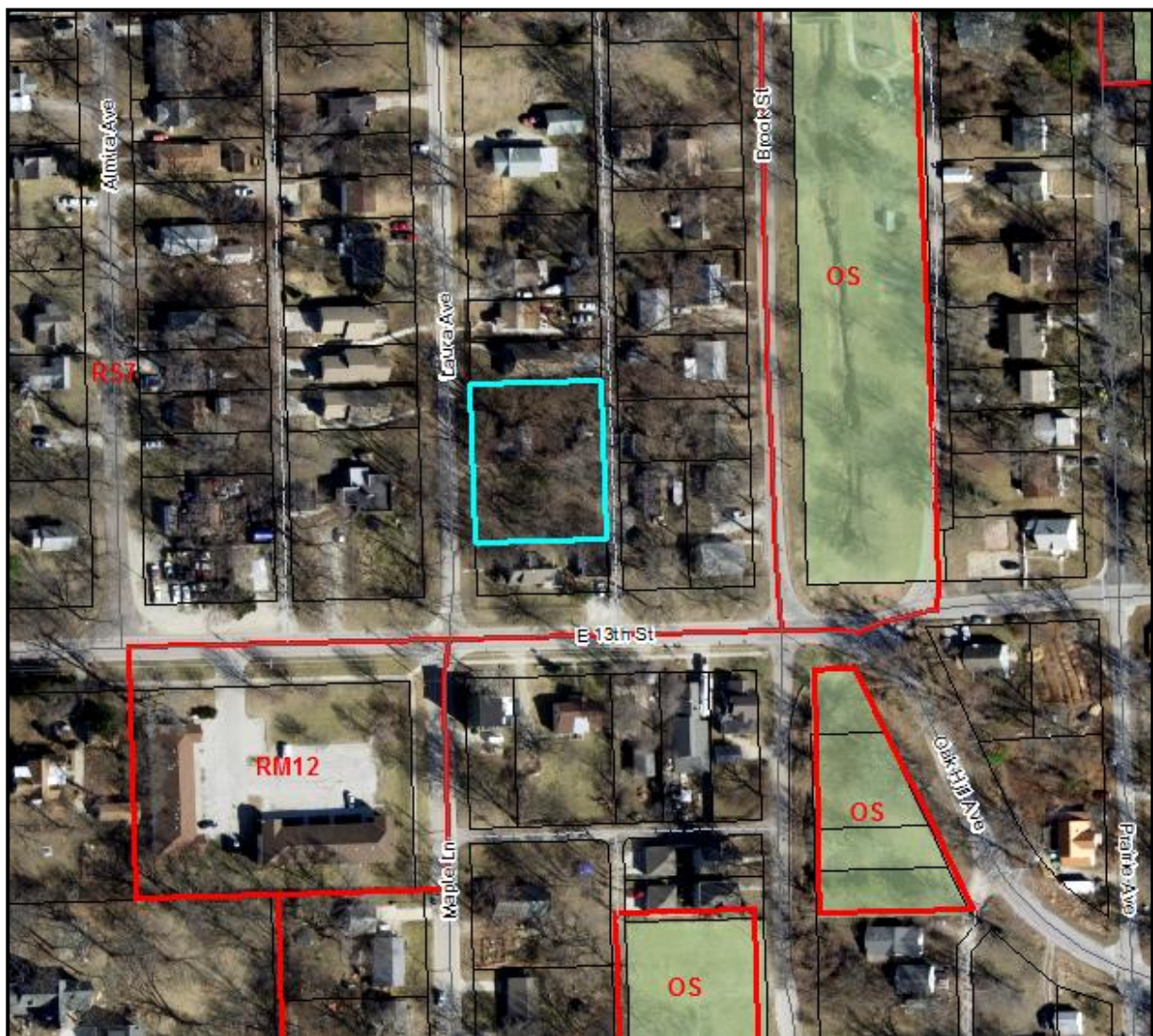
**ASSOCIATED CASES**

- N/A

**OTHER ACTION REQUIRED**

- Submittal of a signed copy of the minor subdivision
- An executed master street tree plan.
- Submittal of a signed agreement not to protest formation of a future benefit district.
- Document recording fees for recording with the Douglas County Register of Deeds.

<b>GENERAL INFORMATION</b>	
Current Zoning and Land Use	R7 (Single-Dwelling Residential) District; <i>Detached Dwelling</i> use
Surrounding Zoning	North, South, East & West: RS7 (Single-Dwelling Residential) District; <i>existing single-dwelling residential structures</i>
Legal Description:	Lots 173, 174, 175, and 176, Fairfax, an addition to the City of Lawrence, Douglas County, Kansas less the west 5.00 feet of said lots 173, 174, 175, and 176, dedicated by separate instrument for right-of-way as described in Book 1166, Page 923, at the Douglas County Register of Deeds.
Number of Existing Lots:	4
Number of Proposed Lots:	2 Lots (7,185 square feet & 10,972 square feet)



**Image 1: Subject property outlined in teal. The subject property is zoned RS7 District and is surrounded by RS7 District to the north, south, east, and west.**



**Image 2: Subject property outlined in teal. The subject property's existing land use is *Detached Dwelling* residential. The subject property is surrounded by *Detached Dwelling* residential land uses to the north, south, east, and west.**

### **STAFF REVIEW**

The minor subdivision proposes removing and reconfiguring existing interior lot lines between the four existing platted lots to accommodate two lots that conform to the density and dimensional standards for a lot in the RS7 District as expressed by the Land Development Code. There is an existing detached-dwelling to remain on proposed Lot 2. Proposed Lot 1 could accommodate a detached dwelling in the future.

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 RS7 (Single-Dwelling Residential) District requires a minimum lot area of 7,000 square feet, a minimum frontage on a public or private street of 40 feet, and a minimum lot width of 60 feet for lots platted after the July 1, 2006 effective date. The proposed lot configuration from the resulting lot line adjustments will result in 2 lots with the following area: Proposed lot 1 (7,185 square feet); Proposed lot 2 (10,972 square feet). The resulting lots will meet and/or exceed the minimum requirements for lot width and lot frontage.

#### ZONING AND LAND USE

The subject property has an existing detached dwelling on the proposed Lot 2 that will remain. Proposed Lot 1 could accommodate a detached dwelling structure at a future point.

There are no changes to existing uses within this proposed minor subdivision.

The property is surrounded by RS7 (Single-Dwelling Residential) District with developed residential parcels.

#### UTILITIES/EASEMENTS/RIGHT-OF-WAY

Existing infrastructure to serve both proposed lots already exists in the rear alley and the Laura Avenue right-of-way.

There are no changes, dedications, or vacations proposed to easements.

The City Engineer and Municipal Services & Operations Department has recommended approval for a variance from Section 19-214(B) of the City Code. The variance permits a private sanitary sewer line to be located within the Laura Avenue right-of-way for a length of greater than fifteen feet. This variance is for a future detached-dwelling on proposed Lot 1. The City Manager approved the requested variance 03/18/2019.

Section 20-808(d)(4) of the Land Development Code notes the requirements for a minor subdivision/replat adjacent to right-of-way that does not meet the minimum standards of Section 20-810(e)(5). The minimum width for a local road, per the Land Development Code, shall be 60 feet. Laura Avenue is a local road currently platted with 50 feet of right-of-way. The applicant has dedicated one-half the additional right-of-way necessary, five feet, to bring the road adjoining the land to be divided to the required minimum right-of-way standards. The additional right-of-way was dedicated via separate instrument with the Douglas County Register of Deeds in Book 1166, Page 923. This is noted on the submitted minor subdivision/replat document. The additional right-of-way was accepted by the City Commission on 04/16/2019.

#### ACCESS

The property is adjacent to Laura Avenue, an improved city street. Access to the proposed Lot 2 will remain the same via an existing driveway from Laura Avenue. An additional curb cut would be made to Laura Avenue at the time of development for proposed Lot 1. Section 20-915(f)(1) of the Land Development Code permits one driveway for any lot along local streets.

The proposed lots may also take access from an existing, platted rear alley; however, the alley right-of-way does not extend south to E. 13<sup>th</sup> Street. The alley right-of-way does extend north to E. 12<sup>th</sup> Street.

There are no existing sidewalks on the subject property or within the Laura Avenue right-of-way. The applicant has provided a signed agreement not to protest a future benefit district to finance the construction of sidewalks.

#### MASTER STREET TREE PLAN

Street trees are required at a rate of one tree per 40 feet of frontage. Street trees already exist along Laura Avenue. A total of four street trees are required. There are two existing trees on proposed Lot 1 and two existing trees on proposed Lot 2. The proposed trees and locations meet the requirements in the Subdivision Regulations (20-811(g)). A master street tree plan is provided with the minor subdivision.

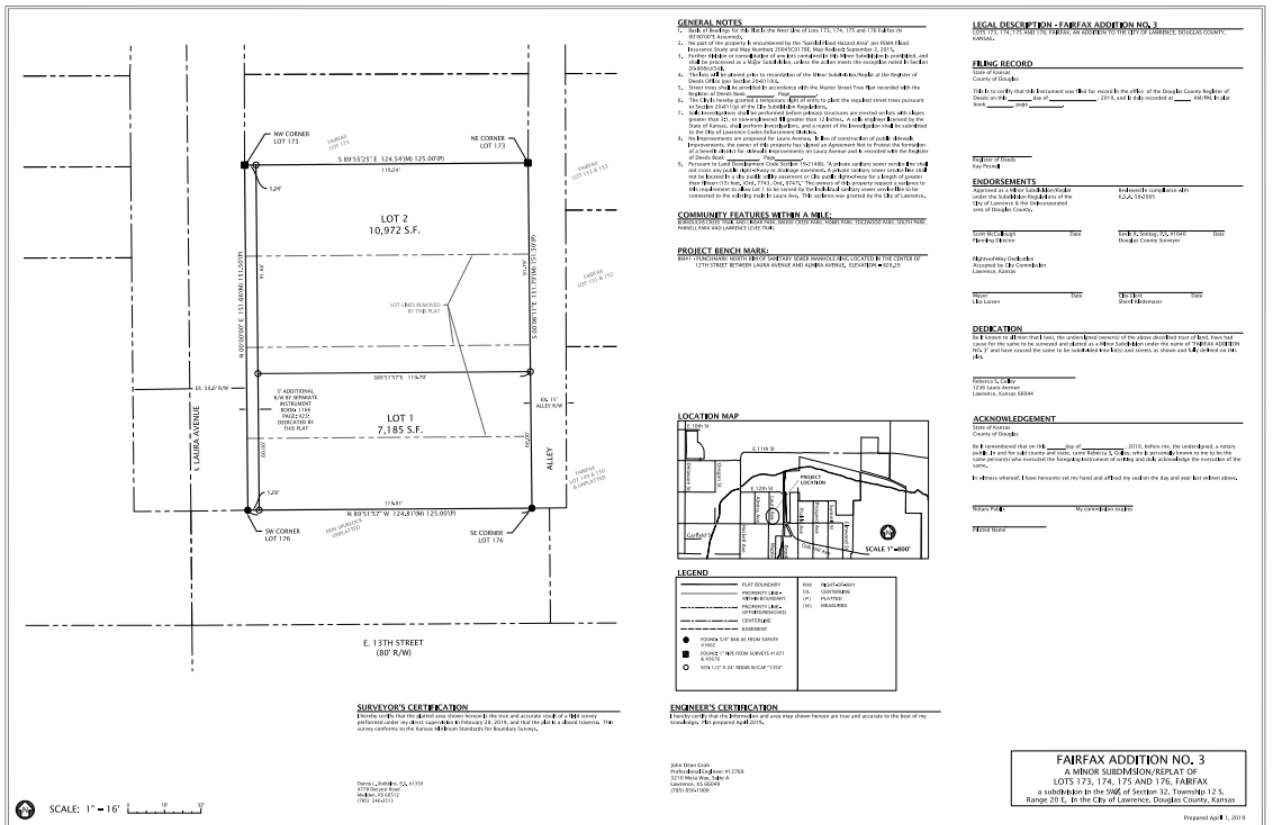
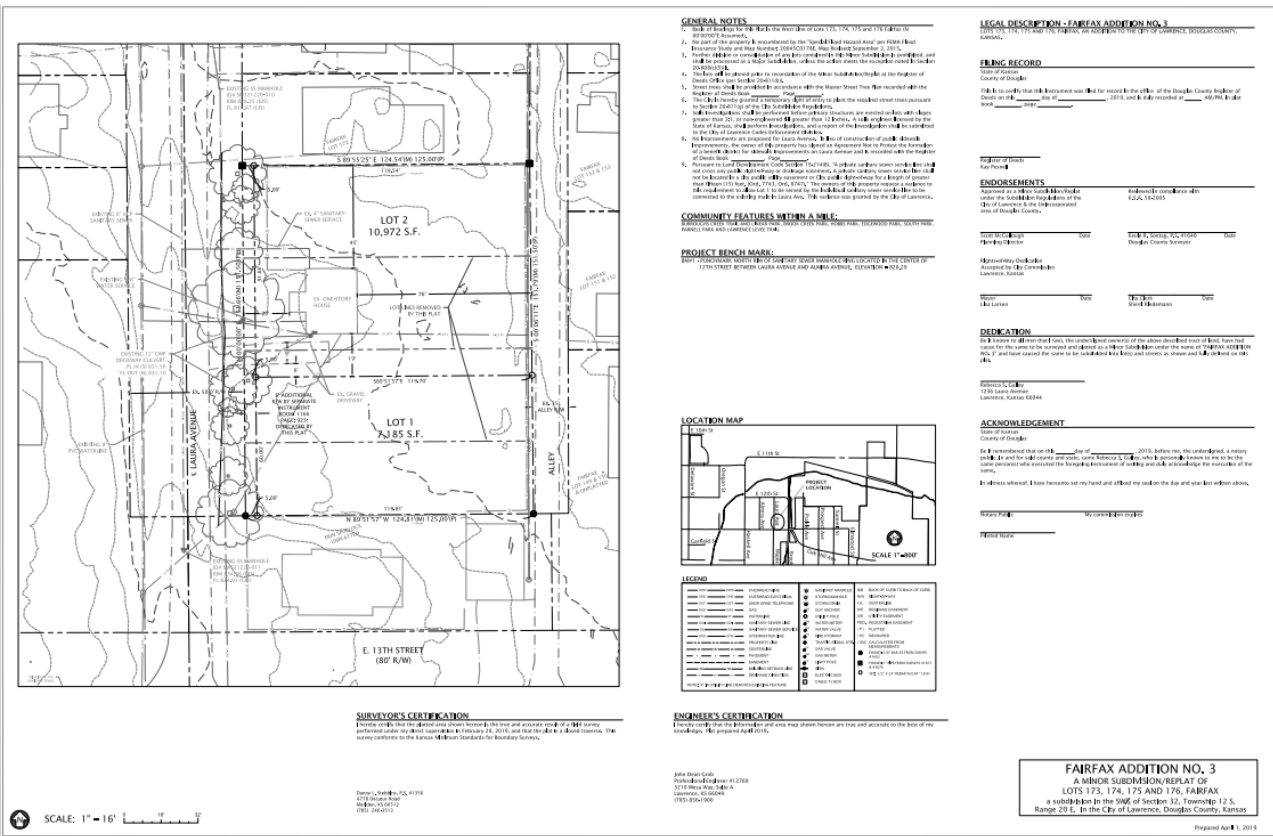
The proposed lots and all aspects of the proposed minor subdivision conform to the current comprehensive plan of Lawrence and Unincorporated Douglas County.

#### PUBLIC COMMENT

At this time staff has received three phone call inquiries regarding the proposed minor subdivision/replat. The inquiries were for clarification and did not voice support or opposition.

**Conclusion:** The minor subdivision meets the approval criteria in Section 20-808(d) of the Subdivision Regulations.

See following page for minor subdivision/replat documents.



Minor subdivision/Replat documents provided by the applicant. 4 platted lots existing, 2 lots proposed.