

PLANNING COMMISSION REPORT
Regular Agenda – Non-Public Hearing Item

PC Staff Report
PP-14-00303

**ITEM NO. 4 PRELIMINARY PLAT FOR SCHWEGLER ADDITION; 2201 OUSDAHL RD
(SLD)**

PP-14-00303: Consider a Preliminary Plat for Schwegler Addition located at 2201 Ousdahl Rd. Submitted by Grob Engineering Services LLC on behalf of USD #497, property owner of record.

STAFF RECOMMENDATION:

Staff recommends approval of the Preliminary Plat for Schwegler Addition.

REASON FOR REQUEST: *Subdivision requirement prior to construction.*

ATTACHMENTS

1. Area Map
2. Preliminary Plat

KEY POINTS

- The property is currently an unplatted lot owned by USD 497.
- This property includes an existing elementary school and surface parking lot.
- This property abuts Ousdahl Road, a designated collector street requiring 80' of right-of-way.
- This segment of the existing street is constructed with a narrower total right-of-way thus requiring a variance.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 10, 2012.
- Section 20-810(e)(5)(i) requires 80' of right-of-way for a collector street.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- SP-05-35-05; picnic shelter addition.
- SP-14-00225; temporary classroom addition.

OTHER ACTION REQUIRED

- Administrative approval of the Final Plat.
- City Commission acceptance of Easements.
- Recording of the Final Plat with the Douglas County Register of Deeds.
- Application and release of Building Permits prior to development.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Not required with this application. Additional information may be required with the submission of a site plan for future site improvements.
- *Downstream Sanitary Sewer Analysis* – Not required for preliminary plat. Additional information may be required with the submission of a site plan for future site improvements.
- *Drainage Study* – Not required for preliminary plat. Additional information may be required with the submission of a site plan for future site improvements.
- *Retail Market Study* – Not applicable to project.

PUBLIC COMMENT

No public comment was received prior to publication of this staff report.

Site Summary

Gross Area:	7.78 Acres
Number of Existing Lots:	Unplatted parcel
Number of Proposed Lots:	1 lot
Right-of-Way Dedicated:	5' of right-of-way is proposed with this application.

GENERAL INFORMATION

Current Zoning and Land Use: GPI (General Public and Institutional) District. Existing elementary school.

Surrounding Zoning and Land Use: RS7 (Single-Dwelling Residential) District to the north and east. Existing residential homes.

CS (Commercial Strip) District to the south and west. Existing commercial businesses.

STAFF REVIEW

This property is located on the west side of Ousdahl Road, a designated collector street, and the south side of W. 22nd Street, a local street. This property is developed with an existing elementary school. A Preliminary Plat is required as a pre-development requirement prior to planned facility improvements to the existing elementary school.

Compliance with Zoning Regulations for the GPI District

The subject property contains approximately 7.7 acres and exceeds the minimum 5-acre lot size in the GPI District. Minimum setbacks are established in Article 6 of the Development Code. Notably, the required building setback is 40' from residential zoning (north and east property lines). The Preliminary Plat shows that the building exceeds the required setback of 40' along Ousdahl Road. The building setback along W. 22nd Street is 13' at the east end of the building and does not comply with this setback. This site was developed prior to the current design standards.

This subdivision meets some but not all of the density and dimensional standards established for the GPI District per section 20-601 (b). These non-conformities predate the district requirements. They will continue to be reviewed as part of any future site plan for this property.

Streets and Access

This property abuts Ousdahl Road on the east and W. 22nd Street on the north. Access to the school parking lot is from W. 22nd Street. A driveway from Ousdahl Road also provides access to a paved area on the south side of the building. There are no changes to the access for this property.

Utilities and Infrastructure

This Preliminary Plat does not include any changes to utilities that serve this property. As details become available regarding the future site improvements for the school, additional information will be required. The existing building is currently provided with supporting infrastructure.

Easements and Rights-of-Way

Drainage Easements: This project includes a new drainage easement in the southwest corner of the site and a drainage easement along the south property line to accommodate a future detention pond to serve this area. The applicant is working with the City of Lawrence Stormwater Engineer and his consultant in the final design of the detention pond. The proposed easement does not

currently reflect the final design. The 200' by 200' easement may be slightly modified with final design. A final dimension of the easement will be required prior to recording a Final Plat for this property. If additional easement is determined to be needed in the future after the Final Plat is recorded than the City and the property owner may need to coordinate the execution of an easement by separate instrument independent of the Final Plat. The drainage easement is highlighted in blue in the following image.

Pedestrian Easements: This Preliminary Plat includes the dedication of additional easement along Ousdahl Road. This easement combined with the proposed right-of-way meets the required right-of-way dedication that is required. Additionally, this easement places the existing sidewalk in a public easement and preserves connectivity along this segment of Ousdahl Road. Pedestrian easement is highlighted in green in the following image.

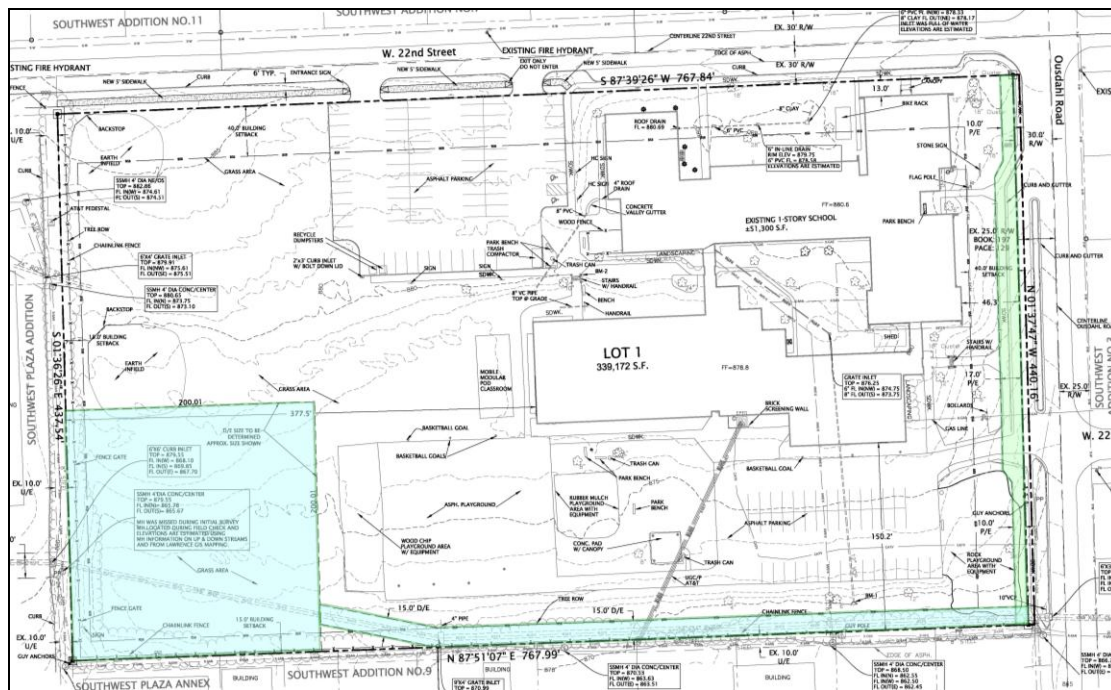


Figure 1: Proposed drainage and pedestrian easements

W. 22nd Street Right-of-Way: No changes to the right-of-way for W. 22nd Street are proposed with this Preliminary Plat. The existing right-of-way for W. 22nd Street complies with the current design standards for a local street [60' required, 60' provided].

Ousdahl Road Right-of-Way: The preliminary plat indicates an addition of 5' of right-of-way will be added along the west side of Ousdahl Road. This will increase the total right-of-way from 50' to 55'. As a collector street, the total required right-of-way is 80' total or 40' from the centerline of the street. Compliance with this standard would require a dedication of 15' of right-of-way.

This site is developed with a separated bus lane located partially within the southbound lane of Ousdahl Road. The remainder of the bus lane and the public sidewalk are located on the school property. There are no plans to change this configuration for bus circulation. The City Engineer noted that a use of right-of-way agreement should be executed for the bus lane. This agreement will be reviewed with the future submission of a site plan for site improvements.

Dedication of the required Ousdahl Road right-of-way (40' from the street centerline) would result in reducing the building setback along Ousdahl Road. The building currently exceeds the minimum required setback by 6'.

The public sidewalk along Ousdahl Road is offset to accommodate a bus lane along the eastern edge of the property. The sidewalk reconnects with a typical alignment south of W. 22nd Street Terrace.

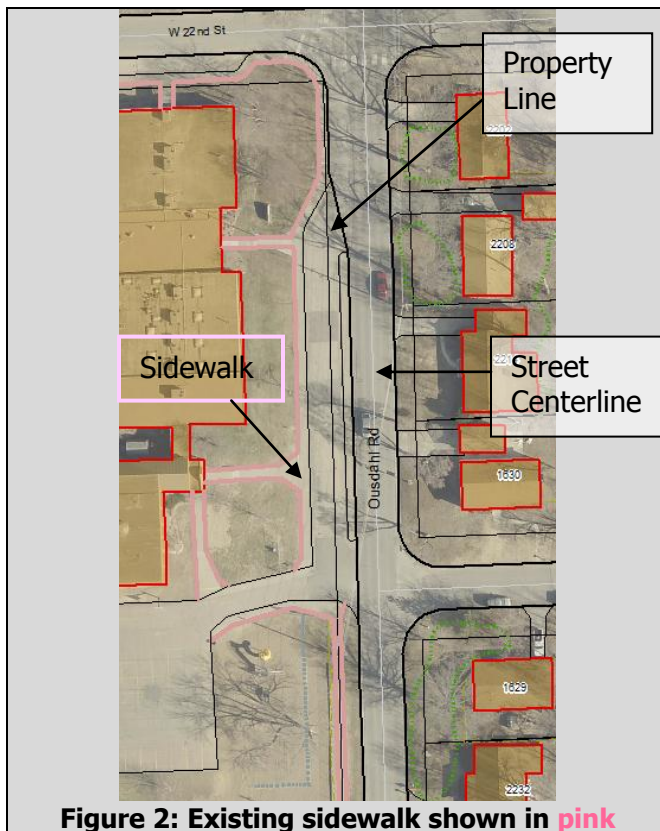


Figure 2: Existing sidewalk shown in pink



Figure 3: Existing bus lane shown with arrows

VARIANCE REQUEST: Reduce the 80 ft right-of-way requirement in Section 20-810(e) (5) for a Collector Street to allow the right-of-way for Ousdahl Road to remain 50' (25' from centerline) with an additional dedication of 5' of right-of-way and easement for the sidewalk for that portion of Ousdahl Road along the east property line of the subject property.

Criteria 1. Strict application of these regulations will create an unnecessary hardship upon the Subdivider.

Applicant Response: *The existing right-of-way width at this location is 50 feet (25 feet on the subject property). The remainder of the existing right-of-way along this continuous portion of Ousdahl Road is 60 feet in width. Strict application of the specified 80-foot right-of-way width for collector streets would cause the existing building to be in non-conformance due to the minimum setback regulations listed in 20-601 (b)[10].*

Dedication of additional right-of-way from adjacent properties is unlikely and will substantially reduce lot sizes in the area. Requiring the subject property to dedicate 15' of right-of-way would result in reducing the front yard setback to a non-conforming dimension along Ousdahl Road. The Preliminary Plat shows the dedication of 5' of the required 15'. This accommodates right-of-way improvements to serve the school district without negatively impacting the building setback along Ousdahl Road.

Criteria 2. The proposed variance is in harmony with the intended purpose of these regulations.

Applicant Response: *The regulation specify an 80-foot right-of-way to allow for wider collector streets currently being constructed in the expanding neighborhood with residential lots fronting along Ousdahl Road, so it is highly unlikely that Ousdahl road would be significantly widened in the future. The Right-of-way width does not exceed 60 feet at any point along this continuous portion of Ousdahl Road.*

This preliminary plat shows the existing condition of the site and the developed land use pattern of the area. The width of the right-of-way is consistent for properties between W. 22nd Street and W. 23rd Street. The street right-of-way width north of W. 22nd Street is 60' wide but is still inconsistent with the current design standard. The surrounding land uses to the east and north are developed residential lots with detached housing. There are no plans to widen this segment of Ousdahl Road regardless of its classification as a collector street.

Criteria 3: The public health, safety, and welfare will be protected.

Applicant Response: *We are proposing an increase in right-of-way width along Ousdahl road to 30 feet on this property, which will align with the current configuration of the right-of-way along the remainder of the street. Increasing the right-of-way width to the Code requirement for collector streets (40 feet) on this property would not benefit the general public since Ousdahl Road functions adequately and there are no plans for future improvements, which would require additional right-of-way. This property has functioned as a school since 1957, with several building additions since. The public health, safety, and welfare of the general public will not be affected by this request.*

This preliminary plat includes the dedication of easement and right-of-way to equal the property owner's share of the required 40' of right-of-way for Ousdahl Road. The dedication of the pedestrian easement along Ousdahl Road will place the public sidewalk along the west side of Ousdahl Road in a public easement. The extension of the easement along the north end of the property provides for future sidewalk repairs or changes to be relocated away from the back of curb providing greater separation between the street and the sidewalk and improving safety.

25' ROW existing
+ 5' ROW proposed
<u>+10' Easement minimum proposed</u>
40' Total Easement and ROW

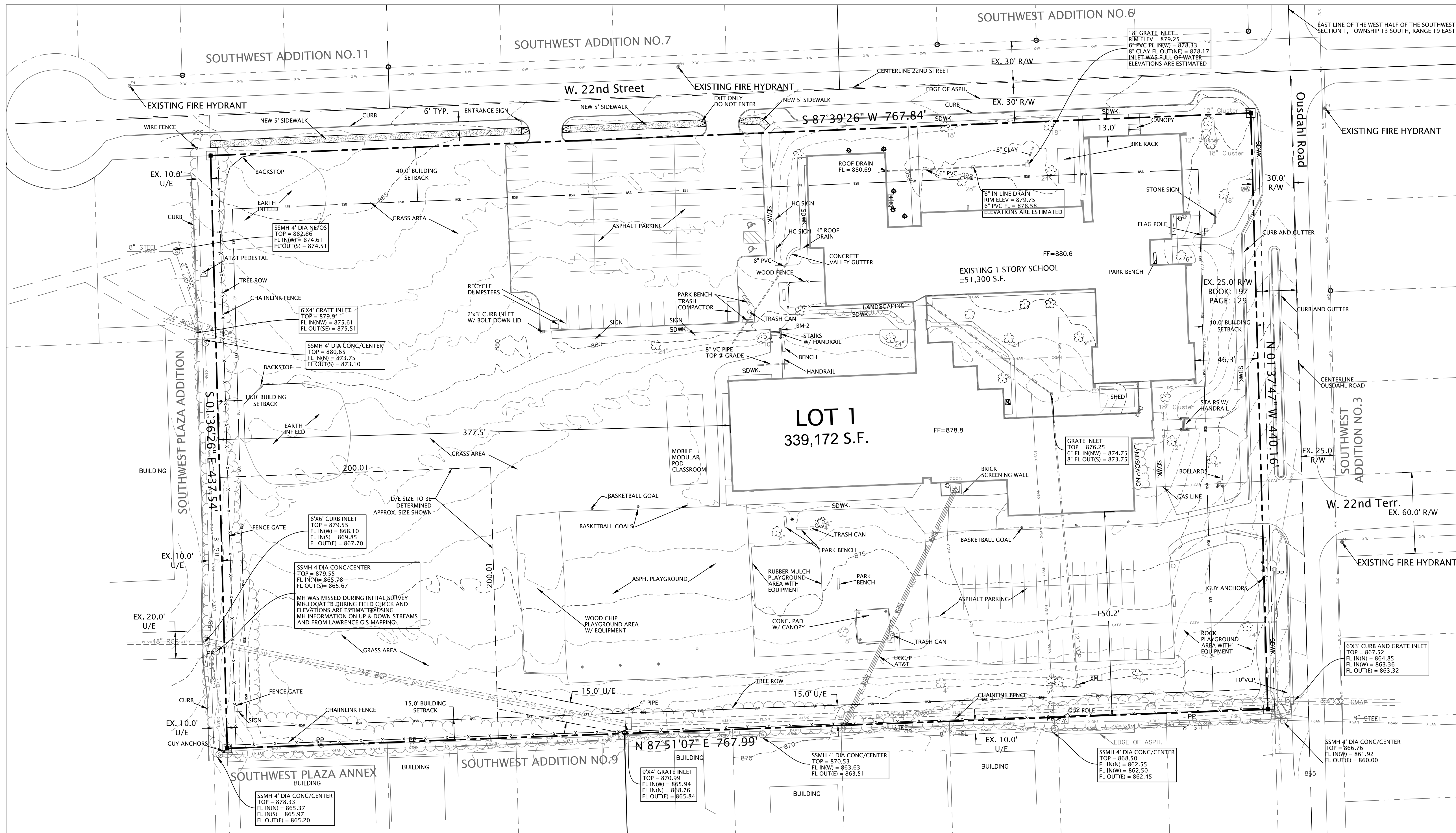
Figure 4: Right-of-way summary

Staff Finding:

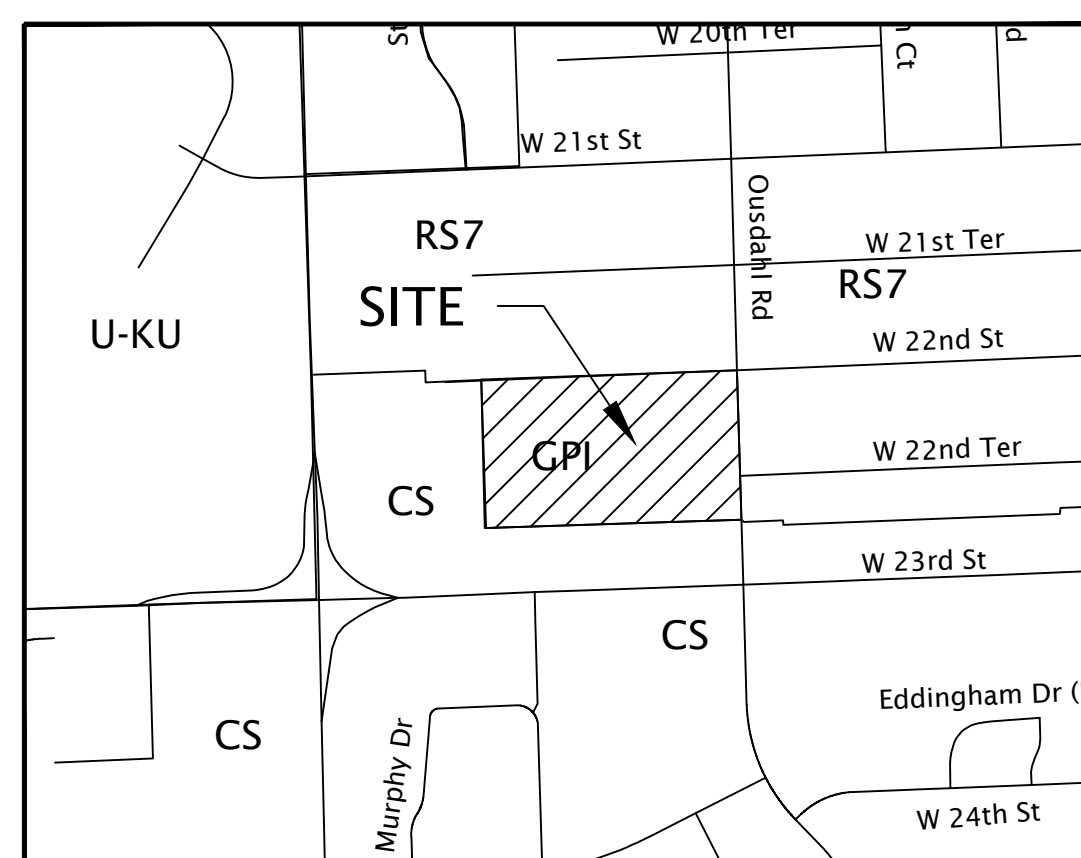
The proposed request is consistent with the development pattern of the area and accounts for the existing condition of the street. There are no planned improvements that would widen this street.

Conformance

The preliminary plat is an essential element in the development process. Minor revisions to the drainage easement may be needed. Subject to approval of the variance for the right-of-way width for Ousdahl Road, this Preliminary Plat complies with the standards and requirements of the Subdivision Regulations and the Development Code.



LOCATION MAP



SCALE 1"= 600

LEGAL DESCRIPTION

A tract of land described in Book 194, Page 209 as:

The Southeast Quarter of the Southwest Quarter of the Southwest Quarter, and the East 2 Acres of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter, all in Section 1, Township 13 North, Range 19 East of the 6th P.M., in Douglas County, Kansas, LESS, Beginning at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 1, Township 13 North, Range 19 East of the 6th P.M.; thence West on Section line 798.1 feet; thence North 194.88 feet; thence East to a point 191.65 North of the point of beginning; thence South 191.65 feet to the point of beginning.

The above tract more particularly described as follows:

A tract of land in the Southwest Quarter of Section 1, Township 13 South, Range 19 East in Douglas County, Kansas described as follows:

Commencing at the Southwest Corner of Section 1; thence North 87 degrees, 37 minutes, 13 seconds East (this and following bearings refer to the South line of Section 1 as being North 87 degrees, 37 minutes, 13 seconds East), 1330.60 feet, to the Southeast corner of the Southwest Quarter of the Southwest Quarter; thence North 01 degree, 37 minutes, 47 seconds West, along the East line of the Southwest Quarter of the Southwest Quarter, 191.65 feet; thence North 87 degrees, 37 minutes, 13 seconds East, 250.00 feet to the West line of the West-Of-Way of Cusdian Road, as recorded in Book 197 at Page 129; thence South 87 degrees 51 minutes, 07 seconds West, 772.99 feet, to the West line of the East 2 acres of the Southeast Quarter of the Southwest Quarter of the Southwest Quarter; thence North 01 degree, 36 minutes, 26 seconds West, along the West line, 437.54 feet, to a point on the South Right-Of-Way of 22^d Street as recorded in Book 197 at Page 129; thence North 87 degrees, 39 minutes, 26 seconds East, along the South Right-Of-Way of 22^d Street, 772.99 feet, to the West line of the West-Of-Way of Cusdian Road, as recorded in Book 197 at Page 129; thence North 87 degrees, 37 minutes, 47 seconds, along the West Right-Of-Way, 450.16 feet to the Point of Beginning, containing 339,171.66 square feet or 7.79 acres, more or less.

BENCHMARKS

BM1 - CHISELED "□" ON TOP HEADWALL SOUTH OF SOUTHEAST PARKING LOT.
Elev = 871.32

BM2 - CHISELED "□" ON NORTHEAST CORNER OF EAST CONCRETE WALL FOR
HANDRAIL.
Elev = 880.31

GENERAL NOTES

1. OWNER: Unified School District #497, 110 McDonald Drive, Lawrence, Kansas 66044
2. LANDPLANNER: Grob Engineering Services LLC, 3210 Mesa Way, Suite A, Lawrence, Kansas 66049
3. SURVEYOR: Cook, Platt, & Strobel Engineers, P.A., 850 E. 13th Street, Lawrence, Kansas 66044.
4. Topography obtained by County Maps and boundary survey performed by CFSE, June 2014.
5. Existing land use: Elementary School
6. Existing zoning: GPI
7. Proposed land use: Elementary School
8. Typical soil types: Mc - Martin silt clay loam
9. This project is not located within the 100 year floodplain per FEMA map #20045C0159D. Effective date: August 15, 2014
10. All new phone, cable television and electrical lines must be located underground.
11. Developer is responsible for the cost of relocation of existing utilities, if necessary to serve the proposed subdivision.
12. A variance request is being submitted to Lawrence/Douglas County Planning Commission from section 20-810(e)(5) to allow a reduced Right-of-Way width on this property along Ousdahl Road.

PROVISIONS OF FINANCING OF ROADS, SEWER, WATER AND OTHER PUBLIC SERVICES

1. The subdivision will not have public streets.
2. The subdivision will provide connections to existing City of Lawrence waterlines.
3. The subdivision will provide connections to an existing City of Lawrence sanitary sewer system.
4. Purchasers of the lots in the subdivision will not be subject to special assessments or other costs or fees specific to improvements within the subdivision.
5. Proposed improvements will not depend on a vote, petition or other collective action of property owners in the subdivision.
6. Financing for installation of the public improvements shall be guaranteed by either an escrow deposit or letter of credit.

LEGEND

— OHW	— OHW	OVERHEAD WIRE	⊗	SANITARY MANHOLE	B/B	BACK OF CURB TO BACK OF CURB
— UST	— UST	UNDERGROUND ELECTRICAL	⊗	STORM MANHOLE	R/W	RIGHT-OF-WAY
— UST	— UST	UNDERGROUND TELEPHONE	⊗	STORM DRAIN	C/L	CENTERLINE
— GAS	— GAS	GAS	⊗	GUY ANCHOR	D/E	DRAINAGE EASEMENT
— W	— W	WATERLINE	⊗	UTILITY POLE	U/E	UTILITY EASEMENT
— SAN	— SAN	SANITARY SEWER LINE	⊗	WATER METER	A/E	ACCESS EASEMENT
— SS	— SS	SANITARY SEWER SERVICE	⊗	WATER VALVE	(P)	PIPED
— STM	— STM	STORMWATER LINE	⊗	FIRE HYDRANT	(M)	MASTED
—	—	PROPERTY LINE	⊗	TRAFFIC SIGNAL STR.	(CM)	CALCULATED FROM MEASUREMENTS
—	—	OFF SITE SURVEYED PROP.	⊗	GAS VALVE	○	FOUND BAR - ORIGIN UNKNOWN
—	—	CENTERLINE	⊗	GAS METER	■	SET 3" x 24" REBAR 1'-0"
—	—	PAVEMENT	⊗	LIGHT POLE		
—	—	UTILITY EASEMENT	⊗	SIGN		
— SS	— SS	BUILDING SETBACK LINE	⊗	ELECTRIC BOX		
—	—		⊗	CABLE TV BOX		

NOTE: "X" IN UTILITY LINE DENOTES EXISTING FEATURE

SITE SUMMARY

GROSS AREA:	7.79 acres
RIGHTS-OF-WAY AREA:	0.05 acres
NET AREA:	7.74 acres

TOTAL NUMBER OF LOTS: 1 Lots
AVERAGE LOT SIZE: 7.74 acres
MINIMUM LOT SIZE: 7.74 acres
MAXIMUM LOT SIZE: 7.74 acres

ENTIRE ADDITION IS ZONED GPI (GENERAL PUBLIC AND INSTITUTIONAL).