



SPECIAL USE PERMIT APPLICATION CHECKLIST

Application Requirements

Application materials must be submitted in both print and electronic format (on disc).

If you are not able to provide the application materials in electronic format, please contact the Planning Office at 785-832-3150.

This checklist has been provided to assist you, the applicant, as you prepare your application. Submission of less information than necessary to adequately review and process your application will delay the review process.

The applicant shall meet with Planning Staff at least seven (7) working days prior to submittal of the application.

Planning Staff will determine the completeness, accuracy, and sufficiency of the application within five (5) working days of submission. Incomplete applications will be returned to the applicant.

Pre-Application Meeting

The applicant shall meet with Planning Staff at least seven (7) working days prior to submittal of the application.

Pre-submittal Date _____, **20**__.

Planner's Name _____

Target Submission Date _____, **20**__.

Fee _____

During the meeting Planning Staff will assist the applicant to determine **if** the following items are Required (R) or Not Applicable (NA):

- | R | NA | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Traffic Impact Study, in both print (3 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Drainage Study, in both print (2 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Stormwater Pollution Prevention Plan (SWP3), in both print and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Market Study, in both print (2 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Downstream Sanitary Sewer Analysis (DSSA), in both print (2 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Plan: Area, Corridor, Nodal, other. |



General Special Use Permit Submittal Requirements

❖ **Application Form, in both print and electronic format (on disc).**

- A complete Application Form, in both print and electronic format.
 - Page 1 – Owner, Applicant, and Property information
 - Page 2 – Description and details of proposal
 - Page 3 – Description and details/signature page

❖ **Attachments Required, in both print and electronic format.**

- Owner Authorization Form **if** applicant is not the legal owner of the property.
- Legal description of property in print (see Page 10 of this packet) and electronic format (MS Word).
- Site Plan meeting the requirements of 20-1305(f) 2 paper copy, and 1 electronic (TIF format preferred).
- A list, certified by the Douglas County Clerk, of all adjoining property owners
- Property Ownership List Certification
- Sign Posting Affidavit submitted at least 7 days before the public hearing, sign must be posted at least 20 days before public hearing
- Copy of letter of notification

❖ **Other**

- Payment of review fee. (Make check payable to the City of Lawrence.)
- Drawings and data necessary to demonstrate that the proposal is in general conformance with the Comprehensive Plan.



SPECIAL USE PERMIT APPLICATION

Pre-Application Meeting
required minimum 7 days
before submission
Planner _____
Date _____
Fee _____
Fee: \$50

OWNER INFORMATION

Name(s) _____
 Contact _____
 Address _____
 City _____ State _____ ZIP _____
 Phone (____) _____ Fax (____) _____
 E-mail _____ Mobile/Pager (____) _____

APPLICANT/AGENT INFORMATION

Contact _____
 Company _____
 Address _____
 City _____ State _____ ZIP _____
 Phone (____) _____ Fax (____) _____
 E-mail _____ Mobile/Pager (____) _____
 Pre-Application Meeting Date _____ Planner _____

PROPERTY INFORMATION

Present Zoning District _____ Proposed Zoning District _____
 Present Land Use _____ Proposed Land Use _____
 Legal Description (*may be attached*) _____
 Address of Property _____
 Total Site Area _____
 Number and Description of Existing Improvements or Structures _____



Are you also submitting any of the following applications?			
<input type="checkbox"/> Building Permit	<input type="checkbox"/> Subdivision Plat	<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Zoning Change
<input type="checkbox"/> Variance	<input type="checkbox"/> Other (specify)		

Please indicate the reason for your request . (Attach additional sheets if needed.)

In reviewing and making decisions on proposed Special Use Permits, the Planning Commission and the City Commission are required consider the following criteria. The Development Code places the burden on the applicant to show that an application complies with such criteria. Please respond to the following criteria to the best of your knowledge. (Attach additional sheets if needed.)

1. Does the proposed use comply with the applicable provisions of the Development Code?

2. Is the proposed use compatible with adjacent uses in terms of scale, site design, operating characteristics, including hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts?



3. Will the proposed use cause a substantial diminution in value of other property in the neighborhood in which it is located?

4. Will the proposed use cause significant adverse impacts on the natural environment?

SIGNATURE

I/We, the undersigned am/are the **(owner(s)), (duly authorized agent), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for rezoning as indicated above.

Signature(s): _____ Date _____

_____ Date _____

_____ Date _____

STAFF USE ONLY

Application No. _____

Date Received _____

Planning Commission Date _____

Fee \$ _____

Date Fee Paid _____



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

**Lawrence Douglas County
Metropolitan Planning Office**
6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
<http://www.lawrenceks.org/pds/>

Note to Applicant:

Replace this page with "Exhibit A, Legal Description".



PROPERTY OWNERSHIP LIST CERTIFICATION

As required by Article 13, Section 20-1301(q) of the Development Code, the applicant is responsible for providing certified Ownership information (including names and mailing addresses) of all real property owners within a defined radius from the subject property. The Planning Department is required by the Development Code to use the submitted Ownership list to mail notice of the public hearing to surrounding property owners regarding this Application.

Ownership Information

The applicant is responsible for providing certified Ownership information. Current Ownership information shall be obtained from the Douglas County Clerk. Ownership information will be considered current if it is **no more than 30 days old** at the time an application is submitted to the Planning Department.

Radius of Notification

The Ownership list shall include the record Owner of the subject property and all Owners of property located within 200 feet of the subject property. If the subject property is adjacent to the City limits the area of notification shall be extended to at least 1,000 feet into the unincorporated area.

A map of the "Radius of Notification" can be obtained **at the Applicant's request** at the Planning Office. The map indicates ownership of each property and can be used to check the accuracy and completeness of the Ownership List. The map will be supplied **at the Applicant's expense. Allow 10 business days** to receive the map.

THE FOLLOWING IS TO BE COMPLETED AND SUBMITTED BY THE APPLICANT.

I certify that I have read and understood the above information and that the submitted Ownership list:

1. was a) obtained from and b) certified by the Douglas County Clerk,
2. is current (**no more than 30 days old**), and
3. includes all property owners within the required notification radius of the subject property.

Signature

Date

Printed Name



SIGN POSTING PROCEDURES AND AFFIDAVIT

Sign Posting Procedures

The applicant is required to post one or more notification sign(s) on the property. The applicant is responsible for obtaining the sign(s) from the Planning Office of Lawrence/Douglas County, Kansas and for posting and maintaining the sign(s) as prescribed below:

1. When the provisions of the Development Code require that "Posted Notice" be provided, the applicant shall ensure that notice is posted on the subject property.
2. Posted notice shall be in the form of official signs provided by the Planning Office.
3. Posted notice shall be clearly visible to neighboring residents and passers-by from each public street bordering the subject property. At least one sign shall be posted on each street frontage. The Planning Director is authorized to require the posting of additional signs when deemed necessary for effective public notice, but not more than one sign per 300 feet of Street Frontage may be required.
4. Posted notice shall remain in place for **at least 20 days** before the public hearing, meeting, or date of action that is the subject of the notice.
5. During the required notice period, the applicant shall periodically check the condition of the sign and shall replace it if it is no longer legible for any reason, whether through act of God, vandalism, defect in installation or vegetative growth.
6. For any application requiring posted notice, the applicant shall supplement the application with an affidavit of posting and notice **at least seven days** before the scheduled hearing. **Failure to make timely delivery of such affidavit to the Planning Director shall render the application incomplete and subject it to removal from the agenda on the hearing date, at the discretion of the Planning Commission.**
7. The applicant shall remove notice signs required by this section within 10 days of the date that the decision-making body takes action or the date that the application is withdrawn.
8. Failure to properly post or maintain such signs is grounds for deferral or denial of the application
9. For applications that do not abut public streets, the Planning Director is authorized to approve an alternative form of posted notice that will be visible to passers-by.



Sign Posting Affidavit

THE FOLLOWING AFFIDAVIT SHALL BE COMPLETED AT LEAST SEVEN DAYS BEFORE THE SCHEDULED HEARING. Failure to make timely delivery of such affidavit to the Planning Director shall render the application incomplete and subject it to removal from the agenda on the hearing date, at the discretion of the Planning Commission.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

I, _____ (printed name), hereby state that I have received a copy of the Sign Posting Procedures and that the required sign(s) have been posted and maintained as prescribed in the Sign Posting Procedures.

Signature

Date

Application No. _____

STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this _____ day of _____, 200__.

by _____.

My Commission Expires: _____
Notary Public



SPECIAL USE PERMIT

**DETERMINATION OF COMPLETENESS, ACCURACY, AND SUFFICIENCY
(Completed by Staff)**

The following items apply to Special Use Permit applications. Submission of less information than necessary to adequately review and process your application may delay the review process. The following submittal requirements will be deemed either fully completed and Provided (P) or Not Provided (NP) or by the applicant or Not Applicable (NA) based on the pre-application meeting.

Pre-Application Meeting

P NP NA

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Pre-Application Meeting. The applicant shall meet with Planning Staff at least seven (7) business days prior to submittal of the application. During the meeting Planning Staff will assist the applicant to determine if the following items are required: |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Traffic Impact Study, in print (3 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Drainage Study, in print (2 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Stormwater Pollution Prevention Plan (SWP3), in print and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Market Study, in print (3 copies) and electronic format |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Downstream Sanitary Sewer Analysis (DSSA), in print (3 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Plan: Area, Corridor, Nodal, other in print and electronic format. |

General Submittal Requirements

P NP

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. A complete application form. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Payment of review fee. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Owner Authorization form if applicant is not the legal owner of the property. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Site Plan, 2 copies, folded to a size of 8.5" by 11" in size, image side out, and one copy in electronic format (PDF or TIF preferred). |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Legal description of the property in print and electronic (Microsoft Word) formats. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. A list certified by the City Clerk of all property owners within the notification area of the subject property. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Ownership List Certification form. |



Requirements for Public Notification of the Public Hearing

- 1. Post a sign (supplied by the Planning Office) at least twenty days before the public hearing.

- 2. Submit Sign Posting Procedures and Affidavit form at least seven days before the public hearing.

Other Requirements

- 1. Drawings and data necessary to demonstrate that the proposal is in general conformance with the Comprehensive Plan.
- 2. Verify the existence of and notify all registered Neighborhood Associations whose boundaries include or are contiguous to the subject property. (To be completed by Staff).
- 3. The site plan must be submitted in both print and electronic format (TIF Preferred).



Determination Of Completeness, Accuracy, and Sufficiency

I have reviewed the rezoning application submitted by:

Name: _____ Date: _____

Application No. _____

Based upon the submitted information, I find the application to be:

- Complete (based upon the items reviewed)
- Incomplete, inaccurate, or insufficient (circle) for the following reasons:
 - The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
 - The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
 - The application or plan cannot be approved without a variance or some other change or modification that the decision-making body for that application or plan does not have the authority to make.
 - Other

Planner

Date

Resubmit by _____ to be placed on the agenda for the Planning Commission meeting on _____. (All resubmitted materials must be deemed to be complete, accurate, and sufficient.)



Consult the chart below for additional site plan drawing requirements.

Site Plan Drawing Requirements		
✓	NA	Section 20-1305(f)(1)
		Be prepared by an architect, engineer, landscape architect, or other qualified professional and show the name, business address and licensing information for that professional in the information block on each sheet
		Be prepared at a scale of one inch equals 30 feet or larger for sites of five or fewer acres and be prepared at a scale of one inch equals 40 feet for sites over five acres
		Be arranged so that the top of the plan represents north or, if otherwise oriented, is clearly and distinctly marked
		Show boundaries and dimensions graphically, and contain a written legal description of the property; identification of a known vertical & horizontal reference mark approved by the city engineer; and, show a written and graphic scale
		Show existing public and private Street system, platted or unplatted Ownership , type and location of Structures , curb cuts on adjacent properties and along the opposite side of the Street
		Show topography extending 100 feet beyond the outside boundaries of the proposed site plan for sites that are not adjacent to existing development and show topography extending 50 feet beyond the outside boundaries of the proposed site plan for infill development sites
		Show the present and proposed topography of the site. For a site on which a Building has previously existed, the site plan shall show field-surveyed spot elevations for at least five points per 10,000 square feet. For a site on which no Building has previously existed, the site plan shall show field-surveyed and verified contour lines at intervals of not more than two feet
		Show the location of existing utilities and Easements on and adjacent to the site including power lines, telephone lines, & gas lines. Show the vertical elevation (if available) and horizontal location of existing sanitary sewers, water mains, storm sewers and culverts within and adjacent to the site. The location of ground mounted transformers and air conditioning units shall be shown on the site plan and such units shall be Screened if visible from the Street or when adjacent to a Structure on an adjoining Lot(s) . In any instance, the location of such units shall occur behind the Front and Side Setback lines as set forth in Sec. 20-601 , in the Density and Dimensional Standards Tables;
		Show, by use of directional arrow, the proposed flow of storm drainage from the site. Provide the supplemental stormwater information required by City Regulations , and provide on the site plan a site summary table which indicates: the area (in sq. ft.) and percentage of the site proposed for development as a Building(s) ; development as a paved surface; undeveloped and planted with grass, Ground Cover , or similar vegetative surface



Site Plan Drawing Requirements		
✓	NA	Section 20-1305(f)(1)
		Show the location of existing and proposed Structures and indicate the number of stories, Floor Area , and entrances to all Structures
		Show the location and dimensions of existing and proposed curb cuts, Access aisles, off- Street Parking , loading zones and walkways
		Indicate location, Height , and material for Screening walls and fences
		List the type of surfacing and base course proposed for all Parking , loading and walkway areas
		Show the location and size, and provide a landscape schedule for all perimeter and interior Landscaping including grass, Ground Cover , trees and Shrubs
		Show both Gross and Net public areas for proposed offices and commercial establishments. The proposed use, the required number of off- Street Parking Spaces , and the number of off- Street Parking Spaces shown shall be listed on the site plan. If the exact use is not known at the time a site plan is submitted for review, the off- Street Parking requirements shall be calculated by the general use group using the greatest off- Street Parking requirement of that use group
		Show the proposed location, direction and amount of illumination of proposed lighting. Provide information on Screening proposed for the lighting and steps taken to prevent glare
		Designate a trash storage site on each site plan or a note explaining how refuse removal will be handled. The size of the trash storage receptacle, its location and an elevation of the enclosure shall be approved by the Director of Public Works prior to approval of the site plan. If a modification to the location of the trash storage area is required during the construction phase, both the Planning and Public Works Directors must approve the modification before it occurs
		For CN2, CC and CR Districts , be prepared for all of the contiguous area in that Zoning District under the same Ownership . If the entire site is not proposed for development in the immediate future, then the initial Site Plan application shall contain a proposed phasing schedule, showing which sections of the property shall be developed in which order and showing in which phases the Easements , Driveways , Parking Areas and Landscaping will be included. The review body may require adjustments in the provision of Easements , Driveways , Parking Areas and Landscaping among the various phases as a condition of approval
		Provide at least one north-south and one east-west elevation of the property from the Street right-of-way (property line) at a reasonable scale to illustrate Building shape, Height , and Screening proposed
		A note shall be provided on the site plan for a public or governmental Building(s) and facility(ies) indicating that it has been designed to comply with the provisions of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for Buildings and facilities, appendix A to 28 CFR Part 36



Site Plan Drawing Requirements		
✓	NA	Section 20-1305(f)(1)
		If the site plan is for a multiple-Family residential Structure containing at least four Dwelling Units, a note shall appear on the site plan indicating it has been designed to comply with the minimum provisions of the Final Fair Housing Accessibility Guidelines, 24 CFR, Chapter 1, Subchapter A, Appendix II, of the Fair Housing Act of 1968, as amended.



SITE PLAN PERFORMANCE AGREEMENT

The undersigned owners of the property located at _____, and legally described as _____ and project known as _____ have requested approval of a site plan for certain improvements to be made thereon, do hereby agree and covenant that said improvements will be made in complete compliance and in accordance with the requirements of the laws of the City of Lawrence, Kansas, and the duly enacted regulations of said City covering and controlling construction and improvements of real property within the City jurisdiction of said City.

Therefore, in consideration of the granting of this site plan approval, the undersigned owner agrees to, both for himself/or itself and his/or its heirs, executors, administrators and assigns to complete said improvements in accordance with the approved site plan. The owner affirmatively acknowledges that he/or it is fully knowledgeable of the content and meaning of this agreement and being so informed agrees that no permanent utility hook-ups will be approved by the Building Inspector until full compliance with the site plan has been accomplished. The parties to this agreement covenant and agree that the seasons of the year and adverse weather conditions shall be given reasonable consideration in determining the period of time for landscaping, provided that the owners post an appropriate cash bond, surety bond, or letter of credit to cover such landscaping.

If the owner chooses to guarantee performance with this agreement, it will become a note on the face of the site plan and a recordable copy will be filed with the Register of Deeds Office.

Dated at Lawrence, Kansas, this _____ day of _____, _____.

Applicant/Owner

Please print name

STATE OF _____)
:SS
COUNTY OF _____)

Notary Public

My Commission Expires

Site plan approved on _____, 20____.

Performance agreement accepted/signed on _____, 20____.

City of Lawrence, Kansas - a Municipal Corporation

ATTEST:

City Clerk

By

Mayor

Notary Public

STATE OF _____)
:SS
COUNTY OF _____)

My Commission Expires



**APPROVAL AND EXTENSION TIME PERIOD
LAND DEVELOPMENT CODE
ARTICLE 13**

No action by the City shall be necessary to cause the approval to expire. Its expiration shall be considered a condition of the original approval.

SITE PLANS:

[Section 20-1305(o)(1)]

Approval time period -- Building permit must be obtained within **24 months** of final approval of the site plan or the approval shall expire.

Extension -- Extension of **up to 24 months** may be approved by City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

SPECIAL USE PERMITS:

[Section 20-1306(k)]

Approval time period -- Building permit must be obtained within **24 months** of the effective date of the decision on the Special Use or the approval shall expire.

Extension -- Extension of **up to 24 months** may be approved by City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

PRELIMINARY DEVELOPMENT PLAN:

[Section 20-1304(d)(12)]

Approval time period -- Application for a final development plan must be submitted within **24 months** after final approval of the preliminary development plan or within 6 months after the date shown on an approved development schedule or the approval shall expire.

Extension -- Extension of **up to 24 months** or the proposed phasing schedule may be modified to extend all dates by a period up to **one-half the original period allowed for development of that phase** may be approved by City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

FINAL DEVELOPMENT PLAN:

[Section 20-1304(e)(2)(vii)]

Approval time period -- A building permit must be obtained within **24 months** after the final approval of the Final Development Plan or the approval shall expire.

Extension -- Extension of **up to 24 months** or the proposed phasing schedule may be modified to extend all dates by a period up to **one-half the original period allowed for development of that phase** may be approved by City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.



INSTITUTIONAL DEVELOPMENT PLAN:

[Section 20-1308(g)]

Approval time period -- A building permit must be obtained within **24 months** after the final approval of the Institutional Development Plan or the approval shall expire.

Extension -- Extension of **up to 24 months** may be approved by the City Commission for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

ZONING VARIANCES:

[Section 20-1309(k)]

Approval time period -- A building permit must be obtained within **24 months** after the variance has been granted or the variance will expire. The variance will also expire upon expiration of a building permit.

Extension -- Extension of up to **24 months** may be approved by the Board of Zoning Appeals for good cause shown if written request is made by letter to the Planning Director before the expiration date. Additional extensions may be requested, if necessary.

APPROVAL AND EXTENSION TIME PERIOD SUBDIVISION REGULATIONS

PRELIMINARY PLAT*

[Section 20-809(j)]

Approval time period -- A final plat must be submitted within **18 months** of the date approval of the preliminary plat was granted or by any application due date as shown on an approved phasing schedule or the approval of the preliminary plat shall expire.

Extension -- An extension of **up to one additional year** may be granted by the Planning Commission if the cause of failure to submit a final plat is beyond the subdivider's control.

- * Per Section 20-1304(10) of the Development Code, approval of a Preliminary Development Plan constitutes approval of a preliminary plat. In the case of properties that were platted with a Preliminary Development Plan, the approval and extension dates of the Preliminary Development Plan shall apply. In other words, a final plat must be submitted within **24 months** after the approval of a Preliminary Development Plan, for properties that were platted with a Preliminary Development Plan. The City Commission may approve an extension for **up to 24 months**, for good cause shown if a written request is provided to the Planning Director prior to the expiration date. Additional extensions may be requested, if necessary.

FINAL PLAT:

[Section 20-809(n)(5)]

Approval of a Final Plat shall be effective for no more than 18 months from the date of approval unless all conditions of approval have been completed.