



Updated:

6/22/15 @ 1:30pm

Added the following items:

Communication for Item 2 - Special Use Permit 2001 Moodie Rd

Misc 2 - Variance for 810 W 6th St

Updated Mid-Month Calendar

6/16/15 @ 12:30pm

**LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
CITY HALL, 6 EAST 6TH STREET, CITY COMMISSION MEETING ROOM
AGENDA FOR PUBLIC & NON-PUBLIC HEARING ITEMS
JUNE 22 ~~& 24~~, 2015 6:30PM - 10:30PM**

GENERAL BUSINESS:

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of May 18, 2015.

COMMITTEE REPORTS

Receive reports from any committees that met over the past month.

COMMUNICATIONS

- a) Receive written communications from the public.
- b) Receive written communications from staff, Planning Commissioners, or other commissioners.
- c) Receive written action of any waiver requests/determinations made by the City Engineer.
- d) Disclosure of ex parte communications.
- e) Declaration of abstentions from specific agenda items by commissioners.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE COMMISSION'S DISCRETION

REGULAR AGENDA (JUNE 22, 2015) MEETING

PUBLIC HEARING ITEMS:

Recess LDCMPC

Convene Joint Meeting with Baldwin City Planning Commission

ITEM NO. 1 CONDITIONAL USE PERMIT FOR FLORY DAIRY EQUIPMENT; 702 E 1747 RD (MKM)

CUP-15-00113: Consider a Conditional Use Permit for Flory Dairy Equipment at Vinland School, located on approximately 3.9 acres at 702 E 1747 Rd, Baldwin City. Submitted by Flory Dairy Equipment, Inc, contract purchaser of the property, for Rural High School District No. 1/Unified School District No. 348, property owner of record. *Joint meeting with Baldwin City Planning Commission.*

Adjourn Joint Meeting

Reconvene LDCMPC

ITEM NO. 2 SPECIAL USE PERMIT FOR VERIZON WIRELESS; 2001 MOODIE RD (SLD)

SUP-15-00185: Consider a Special Use Permit for Verizon Wireless LLC to construct a new communication tower, located at 2001 Moodie Rd. Submitted by PAMCORP on behalf of Verizon Wireless LLC for Ottawa Cooperative Association, property owner of record.

ITEM NO. 3A RSO TO CN2; 10 ACRES; 4300 W 24TH PLACE (SLD)

Z-15-00198: Consider a request to rezone approximately 10 acres from RSO (Single-Dwelling Residential-Office) District to CN2 (Neighborhood Shopping Center) District, located at 4300 W 24th Place. Submitted by Paul Werner Architects, on behalf of RPI LLC, property owner of record.

NON-PUBLIC HEARING ITEMS:

ITEM NO. 3B PRELIMINARY PLAT FOR 24TH PLACE ADDITION; 4300 W 24TH PLACE (SLD)

PP-15-00196: Consider a Preliminary Plat for 24th Place Addition, containing one 7-acre lot for proposed neighborhood commercial development and 14 residential lots for duplex development, located at 4300 W 24th Place. Submitted by BG Consultants, Inc., on behalf of RPI LLC, property owner of record.

ITEM NO. 4 PRELIMINARY PLAT FOR DEERFIELD WOODS SUBDIVISION NO. 10; 3320 PETERSON RD (BJP)

PP-15-00189: Consider a Preliminary Plat for Deerfield Woods Subdivision No. 10, a Commercial-Office subdivision containing 3 lots, located at 3320 Peterson Rd. Submitted by Landplan Engineering PA, on behalf of Cheer Pole Ltd, property owner of record.

ITEM NO. 5 FINAL PLAT FOR BAUER FARM SEVENTH PLAT; 4700 OVERLAND DR (MKM)

PF-15-00094: Consider a Final Plat for Bauer Farm Seventh Plat, a 4 lot planned commercial, residential, and office subdivision containing approximately 14.569 acres, located at 4700 Overland Drive. Submitted by Treanor Architects, for Bauer Farms Residential LLC and Free State Holdings, Inc., property owners of record.

RESUME PUBLIC HEARING:

ITEM NO. 6 FINAL DEVELOPMENT PLAN FOR BAUER FARM; XPRESS WELLNESS URGENT CARE; 4700 OVERLAND DR (MKM)

FDP-15-00108: Consider a Final Development Plan for Bauer Farm, Xpress Wellness Urgent Care Walk-In Clinic, located on approximately 1.4 acres, located at the northwest corner of 6th St. and Folks Rd. Submitted by Kerr 3 Design Group, Inc., for Free State Holdings, Inc., property owner of record.

ITEM NO. 7 FINAL DEVELOPMENT PLAN FOR BAUER FARM MULTI-FAMILY; 4700 OVERLAND DR (MKM)

FDP-15-00066: Consider a Final Development Plan for Bauer Farm-Multi-Family, a 100 unit multi-dwelling residential development containing approximately 4.0 acres, located at 4700 Overland Drive. Submitted by Treanor Architects, for Bauer Farms Residential LLC, property owner of record.

ITEM NO. 8 INITIATE TEXT AMENDMENT FOR FLOODPLAIN OVERLAY DISTRICT MAPS (AAM)

Consider initiation of Text Amendments to the Land Development Code, Chapter 20, Article 12 of the Code of The City of Lawrence, KS and to the Zoning Regulations, Chapter 12, Article 28 of the Code of the County of Douglas, Kansas to reference 2015 effective dates for new Floodplain Overlay District Maps and related regulation changes for discussion at a future public hearing.

PUBLIC HEARING ITEM on Variance Only:

ITEM NO. 9 VARIANCE REQUEST TO REDUCE RIGHT-OF-WAY; W OF 2112 BOB BILLINGS PKWY (SLD)

Minor Subdivision, MS-15-00213, variance request to reduce the right-of-way for a principal arterial street per section 20-813(g) of the Land Development Code for Rockledge Addition No. 2, located west of 2112 Bob Billings Parkway. Submitted by Landplan Engineering, for Robert W. Lichtwardt and Elizabeth T. Lichtwardt Revocable Trust, property owner of record.

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

MISC NO. 1 MINOR SUBDIVISION VARIANCE FOR WAKARUSA CORPORATE CENTRE ADDITION NO. 3; 4900 BLOCK OF CORPORATE CENTRE DR (SLD)

Minor Subdivision, MS-15-00265, variance request to reduce the right-of-way for a principal arterial street per section 20-813(g) of the Land Development Code for Wakarusa Corporate Centre Addition No. 3, located in the 4900 block of Corporate Centre Dr. Submitted by Phillip DiVilbiss on behalf of Bristol Partners XII LLC and BCL Alameda LLC, property owners of record.

MISC NO. 2 MINOR SUBDIVISION VARIANCE FOR PINCKNEY ADDITION; 810 W 6th ST (BJP)

Minor Subdivision, MS-15-00123, variance request from Section 20-810(e)(5) of the Land Development Code from the requirement to dedicate additional right-of-way for Pinckney Addition, located at 810 W. 6th Street. Submitted by Grob Engineering Services, LLC for Unified School District 497, property owner of record.

ADJOURN

CALENDAR

May 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

PCCM Meeting:

(Generally 2nd Wednesday of each month, 7:30am-9:00am)

Sign up to receive the Planning Commission agenda or weekly Planning Submittals via email:

<http://www.lawrenceks.org/subscriptions>

2015
LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING COMMISSION
MID-MONTH & REGULAR MEETING DATES

Mid-Month Meetings, Wednesdays 7:30 – 9:00 AM (*Friday Meeting)	Mid-Month Topics		Planning Commission Meetings 6:30 PM, Mon & Wed	
Jan 14	Work Plan & Topics for 2015		Jan 26	Jan 28
Feb 11	Entrepreneur Incubator Spaces		Feb 23	Feb 25
Mar 11	Legal Review – Open Meetings & Communication Issues		Mar 23	Mar 25
Apr 8	Article 9 - Parking Amendments		Apr 20	Apr 22
May 6	Article 9 – Parking Amendments	APA Conference Updates	May 18	May 20
Jun 10	Discussion of Future Land Uses at Iowa Street/K-10 interchange	Health Impact Assessments - Charlie Bryan, LDCHD		Jun 24
Jul 8	Article 9 - Parking Amendments		Jul 20	Jul 22
Aug 21*	PC Orientation – all day Friday		Aug 24	Aug 26
Sep 9	Cultural Plan – Porter Arneill		Sep 21	Sep 23
Oct 7	TBD		Oct 19	Oct 21
Nov 4	TBD		Nov 16	Nov 18
Dec 2	TBD		Dec 14	Dec 16
	Suggested topics for future meetings: <i>How City/County Depts interact on planning issues</i> <i>Stormwater Stds Update – Stream Setbacks</i> <i>Overview of different Advisory Groups – potential overlap on planning issues</i> <i>Joint meeting with other Cities’ Planning Commissions</i> <i>Joint meeting with other Cities and Townships – UGA potential revisions</i> <i>New County Zoning Codes</i> <i>Tour City/County Facilities</i> <i>Water Resources</i>		<i>Communication Towers – Stealth Design, # of co-locations, notice area</i> <i>WiFi Connectivity & Infrastructure Planning</i> <i>Oread Overlay Districts & Design Guidelines</i> <i>Comprehensive Plan – Goals & Policies</i> <i>Sustainability</i> <i>Affordable Housing</i> <i>Retail Market Impacts</i> <i>Cultural Plan/9th Street Corridor</i> <i>Case Studies</i>	
Meeting Locations	The Planning Commission meetings are held in the City Commission meeting room on the 1 st floor of City Hall, 6 th & Massachusetts Streets, unless otherwise noticed.			
Planning & Development Services Lawrence-Douglas County Planning Division 785-832-3150 www.lawrenceks.org/pds				

2015 PLANNING COMMISSION ATTENDANCE

	Jan 26 2015	Feb 23 2015	March 23 2015	April 20 2015	May 18 2015	June 22 2015	
Britton	Yes	Yes	Yes	Yes	Yes		
Butler				Yes	No		
Culver	Yes	No	Yes	Yes	Yes		
Denney	Yes	Yes	Yes	Yes	Yes		
Graham	Yes	Yes	Yes	No	Yes		
Josserand	Yes	Yes	Yes	Yes	Yes		
Kelly	Yes	Yes	No	Yes	Yes		
Liese	Yes	Yes	Yes	Yes	Yes		
Struckhoff	Yes	Yes	Yes	Yes	Yes		
von Achen	Yes	Yes	Yes	Yes	Yes		

2015 MID-MONTH ATTENDANCE

	Jan 14 2015	Feb 11 2015	March 11 2015	April 8 2015	May 6 2015	June 10 2015	
Britton	Yes	Yes	No	Yes	Yes	Yes	
Butler					No	Yes	
Culver	Yes	Yes	Yes	Yes	Yes	No	
Denney	Yes	Yes	Yes	Yes	Yes	Yes	
Graham	No	No	No	Yes	Yes	No	
Josserand	No	No	Yes	No	Yes	Yes	
Kelly	Yes	No	Yes	Yes	Yes	Yes	
Liese	Yes	Yes	No	No	Yes	Yes	
Struckhoff	Yes	Yes	Yes	No	Yes	Yes	
von Achen	Yes	Yes	Yes	Yes	Yes	Yes	



PLANNING COMMISSION MEETING

May 18, 2015

Meeting Minutes

May 18, 2015 – 6:30 p.m.

Commissioners present: Britton, Culver, Denney, Graham, Josserand, Kelly, Liese, Struckhoff, von Achen

Staff present: McCullough, Stogsdill, Day, M. Miller, Simmons, Ewert

PLANNING COMMISSION MINUTES

Receive and amend or approve the minutes from the Planning Commission meeting of April 20, 2015.

Motioned by Commissioner Kelly, seconded by Commissioner Denney, to approve the April 20, 2015 Planning Commission minutes.

Motion carried 8-0-1, with Commissioners Graham abstaining.

COMMITTEE REPORTS

Receive reports from any committees that met over the past month.

Commissioner Kelly said Horizon 2020 was moving to the issue action report and getting the format ready for the public to see.

Mr. McCullough said there would be a public meeting, most likely in July.

Commissioner Josserand said the Oread Design Subcommittee was canceled last week and a new meeting had not been scheduled.

EX PARTE / ABSTENTIONS / DEFERRAL REQUEST

- No ex parte.
- No abstentions.

PC Minutes 5/18/15 **DRAFT**

ITEM NO. 2 CONDITIONAL USE PERMIT FOR FLORY DAIRY EQUIPMENT; 702 E 1747 RD (MKM)

CUP-15-00113: Consider a Conditional Use Permit for Flory Dairy Equipment at Vinland School, located on approximately 3.9 acres at 702 E 1747 Rd, Baldwin City. Submitted by Flory Dairy Equipment, Inc, contract purchaser of the property, for Rural High School District No. 1/Unified School District No. 348, property owner of record. *Joint meeting with Baldwin City Planning Commission.*

APPLICANT PRESENTATION

The applicant submitted a letter requesting a deferral.

ACTION TAKEN

Motioned by Commissioner von Achen, seconded by Commissioner Graham, to defer Item 2 per the applicant's request.

Motion carried, 9-0 to defer.

PC Minutes 5/18/15 **DRAFT**

**ITEM NO. 1 CONDITIONAL USE PERMIT FOR A MICRO-DISTILLERY; 1743 N 200 RD
(MKM)**

CUP-15-00060: Consider a Conditional Use Permit for a micro-distillery, a *Value-added Agricultural Business*, located on approximately 20 acres at 1743 N 200 Rd, Baldwin city. Submitted by William R. Murphy for Sunwise Turn Farms, LLC, a.k.a. Maple Leaf Orchards, LLC, property owner of record.
Joint meeting with Baldwin City Planning Commission.

STAFF PRESENTATION

Ms. Mary Miller presented the item.

APPLICANT PRESENTATION

Mr. William Rory Murphy said they were rehabilitating the trees that survived the years of neglect on the site. He said they also planted new apple trees. He said the new trees would take 3-5 years to mature. He said the Conditional Use Permit would allow them to bring in fruit if needed. He said he did not have time to talk to the Health Department regarding the septic system.

PUBLIC HEARING

Mr. Matt Kirby, Baldwin City Planning Commission, referenced the letter of unanimous support from the Baldwin City Planning Commission that was included in the packet. He said this type of business had culture, prestige, and a connection to artisanry. He said Baldwin Planning Commission felt it would likely be a business with a connection to interesting kinds of food related businesses. He said it was a beautiful property.

COMMISSION DISCUSSION

Commissioner Josseland felt it was a great project and wished the applicant luck. He inquired about the typical life of an apple tree in this environment.

Mr. Murphy said the trees would be grown organically so that would create a disadvantage. He said the life span of an apple tree was anywhere from 20 to several hundred years.

Commissioner von Achen asked staff to explain how the process would differ if they obtained all the apples they needed from their property.

Ms. Miller said if the applicant raised all the apples it would probably be considered an agricultural use and would not come before Planning Commission. She said that would be something that the County Zoning & Codes would look at. She said if they did not raise all the apples a Conditional Use Permit would be required.

Commissioner Liese inquired about the Starlight Distillery press release and if it was related.

Mr. Murphy said he shared that with staff because he thought it might be of interest to see how other communities had received distilleries. He said it was a much larger scale operation than what he would be running. He said some states were passing laws to encourage distilleries and that it was a growing and popular endeavor.

ACTION TAKEN

Motioned by Commissioner von Achen, seconded by Commissioner Denney, to approve the Conditional Use Permit, CUP-15-00060, for a micro-distillery, a *Value-added Agricultural Business* use, subject to the following conditions:

1. The following standards apply to the use:
 - a. A maximum of 4 full-time equivalent employees are permitted.
 - b. The total area of the structures used for operation, production, or storage may not exceed 10,000 sq ft.
 - c. Noise, light, vibration, or odor associated with the production may not be perceptible beyond the site boundary/property lines.
 - d. The process must comply with EPA water and air quality standards.
 - e. All equipment used in production shall be located wholly within a building or structure or be screened from the public rights-of-way and adjacent residential buildings.
 - f. Product shall be enclosed within a building or structure so that it is not visible from the property lines.
 - g. Deliveries from vehicles with a GVW (Gross Vehicle Weight) that exceeds 5 tons in capacity are limited to no more than 2 trips (to and from the site) per day.
2. Provision of a revised CUP plan with the following changes:
 - a. Identify the areas where storage for the aging process may occur and add the following note *"If storage is to occur in any structure other than the Morton building, the Zoning and Codes Office shall be notified, all necessary building permits obtained, and the structure shall be brought into compliance with current building codes before use."*
 - b. Add the following notes:
 - i. *"The Conditional Use Permit will be administratively reviewed by the Zoning and Codes Office every 5 years following approval."*
 - ii. *"Prior to the commencement of the use, an additional septic system shall be installed for the Morton building or the Morton building will be connected to the existing septic system."*

Unanimously approved 9-0.

PC Minutes 5/18/15 **DRAFT**

ITEM NO. 3 PRELIMINARY PLAT FOR THE RESERVE AT ALVAMAR; 1733 BOBWHITE DR (KES)

PP-15-00114: Consider a Preliminary Plat for The Reserve at Alvamar #4, located at 1733 Bobwhite Dr. Submitted by Landplan Engineering PA on behalf of Christopher & Amanda Storm, property owners of record.

STAFF PRESENTATION

Ms. Katherine Simmons presented the item.

APPLICANT PRESENTATION

Mr. Christopher Storm agreed with staff report and conditions.

PUBLIC COMMENT

No public comment.

COMMISSION DISCUSSION

Commissioner von Achen asked about dividing the tract. She was curious why they were segregating the tract away from the lot. She asked how that was beneficial.

Ms. Simmons said the regulatory floodplain had insurance impacts on the primary residence. She said if the regulatory floodplain was encroaching on the platted lot or where the primary structure was it could influence insurance rates. She said there was already a tract and separating off the tract to incorporate the regulatory floodplain area would separate that portion out from the buildable lot, which would not have an insurance impact on the property.

Commissioner von Achen asked if the lot would go with it if it were to be sold in the future.

Ms. Simmons said Mr. Storm would own both the tract and lot and that he would have to answer that question.

Mr. Storm said at this time he and his wife were still deciding if they wanted to build on it. He said if that was the case they would still own both. He said if he sold it his intent would be to sell it contingent upon owning both the tract and lot. He said he would sell them together under one ownership. He also said segregating the floodplain from the lot for insurance purposes allowed the City Stormwater Engineer greater ability to maintain the channel.

Commissioner von Achen said it seemed like it would be a very unattractive piece of property if not sold together.

Mr. Storm agreed. He said the tract would be more of a floodplain management issue.

ACTION TAKEN

Motioned by Commissioner Britton, seconded by Commissioner Culver, to approve the Preliminary Plat, PP-15-00114, The Reserve at Alvamar No. 4, subject to the following conditions:

1. Approval of the Downstream Sanitary Sewer Analysis (DSSA) by the Utilities Department.
2. Provision of a note on the Preliminary Plat that a variance has been requested from Section 19-214(B) of the City Code related to the location of a sanitary sewer service line across public right-of-way or drainage easement.

3. Relocation of the proposed sanitary sewer service line to the east outside of the regulatory floodplain.

Unanimously approved 9-0.

PC Minutes 5/18/15 **DRAFT**

**ITEM NO. 4 FINAL DEVELOPMENT PLAN FOR BAUER FARM; XPRESS WELLNESS
URGENT CARE; 4700 OVERLAND DR (MKM)**

FDP-15-00108: Consider a Final Development Plan for Bauer Farm, Xpress Wellness Urgent Care Walk-In Clinic, located at the northwest corner of 6th St. and Folks Rd. Submitted by Kerr 3 Design Group, Inc., for Free State Holdings, Inc., property owner of record.

**ITEM NO. 5 FINAL DEVELOPMENT PLAN FOR BAUER FARM MULTI-FAMILY; 4700
OVERLAND DR (MKM)**

FDP-15-00066: Consider a Final Development Plan for Bauer Farm-Multi-Family, a 150 unit multi-dwelling residential development containing approximately 4.47 acres, located at 4700 Overland Dr. Submitted by Treanor Architects, for Bauer Farms Residential LLC, property owner of record.

**ITEM NO. 6 FINAL PLAT FOR BAUER FARM SEVENTH PLAT; 4700 OVERLAND DR
(MKM)**

PF-15-00094: Consider a Final Plat for Bauer Farm Seventh Plat, a 5 lot planned residential and office subdivision containing approximately 14.569 acres, located at 4700 Overland Drive. Submitted by Treanor Architects, for Bauer Farms Residential LLC and Free State Holdings, Inc., property owners of record.

Items 4, 5, and 6 were deferred prior to the meeting.

PC Minutes 5/18/15 **DRAFT**

MISCELLANEOUS NEW OR OLD BUSINESS

Consideration of any other business to come before the Commission.

**MISC NO. 1 MINOR SUBDIVISION VARIANCE FOR BELLA SERA AT THE PRESERVE;
4500 BOB BILLINGS PKWY (SLD)**

Minor Subdivision, MS-15-00096, variance request to reduce the right-of-way for a principal arterial street from 150' to 100' per section 20-813(g) of the Land Development Code for property located at 4500 Bob Billings Parkway.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. David Hamby, BG Consultants, was present for questioning.

PUBLIC HEARING

No public comment.

COMMISSION DISCUSSION

Commissioner Kelly said the variance had been allowed four times in the past few years. He asked if there had been any thought about changing the Code language.

Ms. Day said the Design Standard addresses more of a street profile that would be applicable in new greenfield development rather than being responsive to existing conditions in arterial street profiles today. She said the regulation did not separate that out, which would allow applicants not to move through this process. She said that would require an amendment to the Subdivision Regulations.

ACTION TAKEN

Motioned by Commissioner Britton, seconded by Commissioner Culver, to approve the variance requested for a Minor Subdivision, MS-15-00096, variance request to reduce the right-of-way from Section 20-810(a)(5) for a principal arterial street from 150' to 100' per section 20-813(g) of the Land Development Code for property located at 4500 Bob Billings Parkway.

Unanimously approved 9-0.

**MISC NO. 3 RV/TRAILER PARKING LOCATIONS & SINGLE-AXLE VS DUAL AXLE
IMAGES**

Follow-up discussion from May 6, 2015 Mid-Month Meeting regarding RV/Trailer parking locations and Single-Axle vs. Dual Axle Images.

STAFF PRESENTATION

Ms. Sheila Stogsdill provided links with pictures of single-axle and dual axle images.

Commissioner Liese felt they should exclude dual axle trailers because they were more commercial in nature.

Ms. Stogsdill asked the Commission to look for examples around town and be thinking about where things are located on lots.

MISC NO. 2 PC ORIENTATION TRAINING SESSION & UPDATES TO MID-MONTH CALENDAR

Establish Planning Commission Orientation Training Session (Friday, July 10 or Friday, August 14, 2015) and receive updates to the Mid-Month Calendar.

Commissioner Liese said July 24 and Aug 28 seemed to be good dates for Planning Commission members to get together for orientation.

Mr. McCullough reviewed topics for future Mid-Month meetings.

MISC NO. 4 ELECTION OF OFFICERS FOR 2015-2016

Accept nominations for and elect Chair and Vice-Chair for the coming year.

Motioned by Commissioner Liese, seconded by Commissioner Josserand, to nominate Commissioner Britton as Chair for 2015-2016.

Motion carried 8-0-1, with Commissioner Britton abstaining.

Motioned by Commissioner Culver, seconded by Commissioner Graham, to nominate Commissioner Kelly as Vice-Chair for 2015-2016.

Motion carried 9-0.

Commissioner Britton presented Liese with a plaque for his service as Chair during the past year.

ADJOURN 7:51pm

Complete audio from the meeting can be found online:
<http://www.lawrenceks.org/boards/planning-commission/agendas>

Planning Commission

Key Links



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES



Plans & Documents

- [Horizon 2020](#)
- [Sector/Area Plans](#)
- [Transportation 2040](#)
- [2012 Retail Market Study](#)

Development Regulations

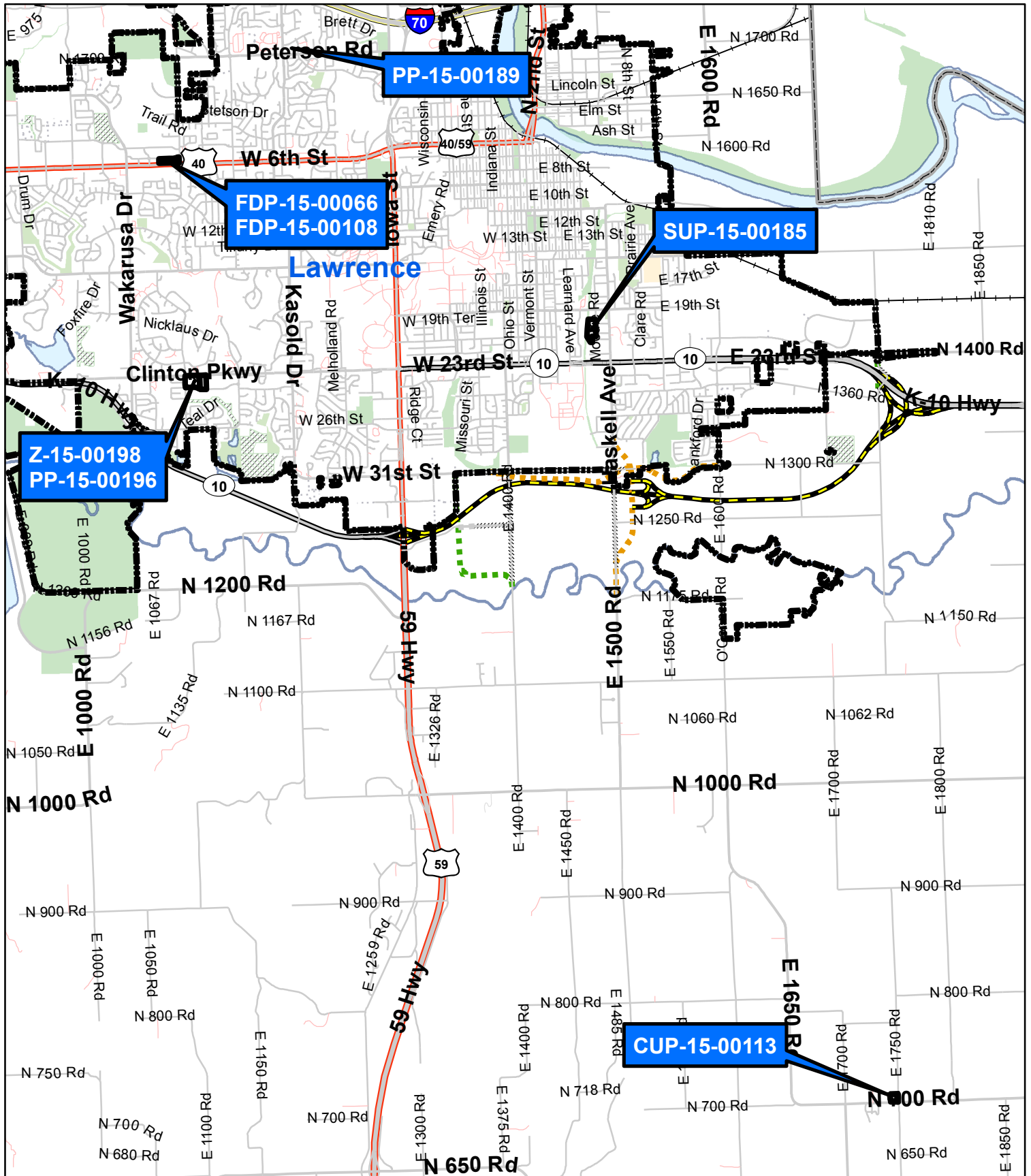
- [Community Design Manual](#)
- [County Zoning Regulations](#)
- [Land Development Code](#)
- [Subdivision Regulations](#)

Online Mapping

- [City of Lawrence Interactive GIS Map](#)
- [Douglas Co. Map Viewer](#)
- [Submittals to the Planning Office](#)

Planning Commission

- [Bylaws](#)
- [Mid-Months & Special Meetings](#)
- [Minutes](#)
- [Planning Commission Schedule/Deadlines](#)



PLANNING COMMISSION REPORT
Regular Agenda –Public Hearing Item

PC Staff Report
6/22/15

**ITEM NO. 1 CONDITIONAL USE PERMIT FOR FLORY DAIRY EQUIPMENT; 702 E
1747 RD (MKM)**

CUP-15-00113: Consider a Conditional Use Permit for Flory Dairy Equipment at Vinland School, located on approximately 3.9 acres at 702 E 1747 Rd, Baldwin City. Submitted by Flory Dairy Equipment, Inc, contract purchaser of the property, for Rural High School District No. 1/Unified School District No. 348, property owner of record. *Joint meeting with Baldwin City Planning Commission.*

STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit for Flory Dairy Equipment, classified as *Office and Research Facility and Farm Implement Repair Service*, and forwarding it to the Board of County Commissioners with a recommendation for approval based upon the findings of fact in the body of the staff report and subject to the following conditions:

1. The following actions shall occur prior to the release of the permit for the Conditional Use:
 - a. Applicant shall obtain an easement from the property owners for the long-term use of the off-site lagoon.
 - b. Applicant shall obtain a permit or easement from Douglas County for the pipe under E 1750 Road which accesses the lagoon prior to the release of the permit for the Conditional Use.
 - c. Applicant shall dedicate an access easement providing access for the residence at 701 E 1747 Road to connect to E 1747 Road.
 - d. A revised CUP plan must be provided to the Planning Office with the following changes:
 - i. Recording information for the easement for the lagoon noted on the plan.
 - ii. The ADA parking space identified on the plan.
 - iii. Total building area noted on the plan with the following note: *"The addition of a new use into the unused portion of the building will require CUP approval."*
 - iv. Label the portions of the building that are to be used for office, repair/storage, and warehouse.
2. The following actions shall occur prior to the release of a Certificate of Occupancy:
 - a. Repair of the lagoon fencing which include the patching of a hole in the north side of the fence and reattachment of the gate to the posts per the County Health Official's approval.
 - b. Improvements made to the access drives on E 1750 Road per the County Engineer's approval.
 - c. Installation of signage noting the access restrictions for the E 1747 Road access points on N 700 and E 1750 Roads.
 - d. Applicant shall construct a privacy fence along the access easement to screen the business from the residence at 701 E 1747 Road.

Reason for Request: *"We would like to move Flory Dairy Equipment from current location of 762 E 1250 Road.*

KEY POINTS

- The property is located within 3 miles of the city limits of Baldwin City; therefore, a joint meeting will be held with the Lawrence-Douglas County Metropolitan and Baldwin City Planning Commissions.
- The previous use, Vinland School, utilized an off-site lagoon. The Health Department indicated this may be used for the proposed use, with KDHE approval. Based on the low anticipated usage of the lagoon, KDHE released the lagoon to the Lawrence-Douglas County Health Department.

ATTACHMENTS

- A --CUP Plans
- B --Sewer Line graphic
- C--Baldwin City Planning Commission letter
- D--Public Communications

ASSOCIATED CASES

- SP-03-18-02: Site plan for addition of a gymnasium to the school facility was approved by the Board of County Commissioners on March 29, 2002. Attachment B is the exhibit provided with this site plan for the location of the sewer line under E 1750 Road.

OTHER ACTION REQUIRED

- Approval of the Conditional Use by the Board of County Commissioners.
- Applicant shall obtain a permit for the Conditional Use from the Zoning and Codes Office prior to commencing the use.
- Applicant shall obtain a building permit from the Zoning and Codes Office for the change of use and physical changes to the building.

PUBLIC COMMENT

- A letter expressing opposition to the project was received from the adjacent property owner. This letter is included as Attachment D. Staff and the applicant met and additional conditions were applied to the CUP in response to his concerns.

GENERAL INFORMATION

Current Zoning and Land Use:	A (Agricultural) District; <i>School</i> , the vacant Vinland Elementary School.
Surrounding Zoning and Land Use:	A (Agricultural) District in all directions; <i>Residential Detached Dwellings, Rural Home Occupations, Agriculture, and Non-Profit, Non-Governmental, Public Recreation Facility and Community Buildings</i> (Vinland Fair Grounds north of the subject property).
(Figure 1)	F-F (Floodway Fringe Overlay) District to the east and southeast.

Summary of Request

The applicant currently operates a dairy equipment supply and repair business at 762 E 1250 Road as a Rural Home Occupation. If the CUP is approved, he will move the business to the subject property.

The subject property was developed with an elementary school which consisted of three buildings: two buildings (5,000 sq ft and 12,328 sq ft) for offices and classrooms, and a 3,226 sq ft gymnasium for a total building area of 20,554 sq ft. The proposed use will consist of 5,000 sq ft of office, 1,900 sq ft of repair and storage, and 6,500 sq ft of warehouse for a total of 13,400 sq ft and the remainder of the building will remain unused at this time. Any addition of a new use into the unused portion of the building will require CUP approval.



Figure 1a. Zoning of the area: Unincorporated portions of Douglas County zoning shaded: blue-A (Agriculture), brown-B-1 (Neighborhood Business) Districts.



Figure 1b. Land use in the area. Off-site lagoon is circled.

The proposed uses are included in the list of uses which may be permitted with a Conditional Use Permit, as noted below:

12-319-4.26 *Offices and Research Facilities, provided those facilities are located in an existing structure.*

The facility, including the *Office* uses, will be located within the existing school buildings. Accessory storage of Dairy equipment and supplies will be provided in the existing structure.

12-319-4.25 *Farm Implement Repair Service.*

The proposed use is similar to '*Farm Implement Repair*' in that the company is selling and servicing farm equipment. The business does some repairs, on site and at their facility, and will keep their tools on the site. In staff's opinion, the storage and repair portion of the facility fit into this use category.

The dairy equipment supply and service business would be a good reuse of the school building with an agriculturally based use. The CUP process allows the Commission to be very specific about the new use that is being permitted, rather than allowing the broad range of uses which would be permitted with rezoning.

USE INFORMATION

The following information was taken from the 5 year plan submitted with the application:

- Shop (repair and cleaning parts): approximately 1,900 sq ft
- Office & Storage: approximately 5,000 sq ft
- Warehouse: approximately 6,500 sq ft

The warehouse will be used for loading and unloading products and for layout of equipment and supplies for various dairies and jobs. The storage area will be used for unused equipment, office supplies, tools, etc. The gravel area is for truck maneuvering area and to provide additional space for loading and unloading. No exterior storage is proposed.

While the number of employees may vary, the company currently has one full-time employee who will be on the premises Monday through Friday and has multiple technician and delivery employees who will periodically be in the building seven days a week. The weekend activity would primarily be the loading of tools or equipment for an emergency service call.

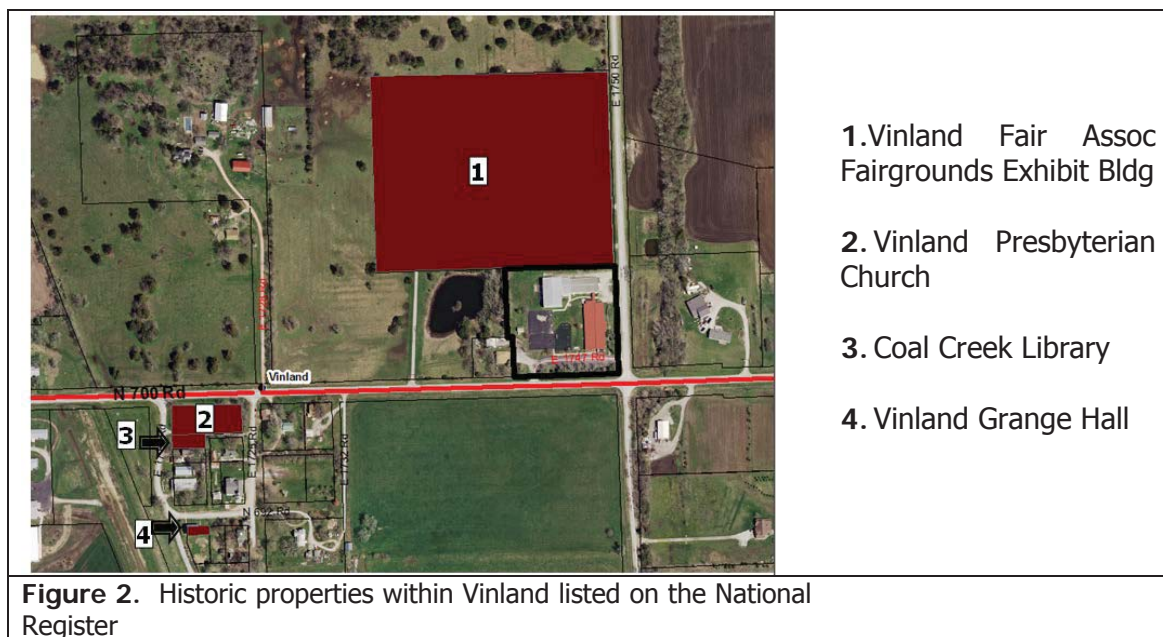
The business anticipates the following delivery traffic:

- 1 UPS truck per day
- 1 semi-truck per week
- Flory Dairy Equipment delivery truck 3 times per week

Sales people will drive company vehicles to and from work and their vehicles will be on site when they are in the office. The business currently has five employees that will park on site; however, the applicant noted that it would be unusual for all five to be there at the same time. There would typically be 2 employees on the site at one time.

I. ZONING AND USES OF PROPERTY NEARBY

The subject property is located in close proximity to the unincorporated town of Vinland. The property and surrounding area are located in the unincorporated portion of the County which is zoned A (Agriculture). There is floodplain to the east and southeast of the subject property. The area contains rural residences, rural home occupations, and agricultural land uses as well as the Vinland Fairgrounds to the north. There is a property to the west, within Vinland, that is zoned B-1 and is developed with a *detached residence*. The town of Vinland is zoned A, but has various uses including residences, and a church. Several of the buildings and the Vinland Fairgrounds are listed on the National Register of Historic Places (Figure 2)



To the west of Vinland is the Vinland Airport. The hangars and buildings used for the aviation industry are zoned I-1 (Light Industrial) District. The dairy services and supplies business would

be permitted on property that was zoned for industrial uses; however, the broad spectrum of uses that are permitted in the industrial districts may not be appropriate for the subject property, given the close proximity of residential land uses. The CUP allows for a specific use to be identified and conditions applied, if needed, to insure compatibility and appropriate reuse of the existing vacant school facilities.

Staff Finding –Surrounding uses are predominantly rural residential and agricultural. The proposed use would consist primarily of offices, storage for dairy equipment and supplies, and a repair facility. Given the limited scope of the proposed use, and the property's location on N 700 Road/County Route 460 (a principal arterial) the use is a good fit for the area. It should be compatible with the surrounding properties.

II. CHARACTER OF THE AREA

The area contains a mix of uses including the small lot residences and other uses within the town of Vinland, the industrial uses associated with the Vinland Airport, various Home Business Occupations, agriculture, rural residences, and a fairground. Floodplain associated with Coal Creek is located to the east of the subject property. The area has the intersection of 2 principal arterials: E 1700 Road/County Route 460/1055 and N 700 Road/County Route 460. The property was previously developed with an elementary school and few site changes are being proposed with the new use. Proposed changes include the addition of a gravel area in the northwest portion and a loading dock on the north side of the north building. The minor changes proposed to the site and the low intensity of the proposed use would not alter the character of the area. (Figure 3)



Figure 3. Aerial photo of surrounding area.

Staff Finding – The area is rural in character and is zoned A (Agricultural) District with land to the east zoned F-F (Floodway Fringe Overlay) and F-W (Floodway Overlay) Districts for the

floodplain associated with Coal Creek. Several nearby properties are listed on the National Register of Historic Places, including the Vinland Fair Ground to the north. The minor changes proposed to the site should maintain compatibility with the nearby historic properties and the area.

III. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

The subject property is zoned A (Agricultural) District. Section 12-306 of the County Zoning Regulations notes *"...the purpose of this district is to provide for a full range of agricultural activities, including processing and sale of agricultural products raised on the premises, and at the same time, to offer protection to agricultural land from the depreciating effect of objectionable, hazardous and unsightly uses."* The A District is associated with a majority of the unincorporated portion of Douglas County.

Uses allowed in the A District include: farms, truck gardens, orchards, or nurseries for the growing or propagation of plants, trees and shrubs in addition other types of open land uses. It also includes residential detached dwellings, churches, hospitals and clinics for large and small animals, commercial dog kennels, and rural home occupations. In addition, uses enumerated in Section 12-319 which are not listed as permitted uses in the A District, may be permitted when approved as Conditional Uses. The property has been developed with a school and is not well suited for many of the other uses to which it is restricted in the A District. The property is suitable for the proposed use, which is permitted in the A District when approved as a Conditional Use.

Staff Finding – The property has been developed with a school and would be suitable for a school or church use but is not well suited for other uses which are permitted within the A (Agricultural) District. The property is suitable for the proposed use, when approved as a Conditional Use.

IV. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Staff Finding – The property has been developed with a school. The school closed in May of 2011 and has been vacant since that time.

V. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Applicant's Response:

"This shall not effect nearby properties."

Section 12-319-1.01 of the County Zoning Regulations recognize that *"certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a district...when found to be in the interest of the public health, safety, morals and general welfare of the community may be permitted, except as otherwise specified in any district from which they are prohibited."* The proposed use is included in the Conditional Uses enumerated in Section 12-319-4 of the Zoning Regulations for the Unincorporated Territory of Douglas County as *Office and Farm Implement Repair*.

The applicant currently operates his business at his residence at 762 E 1250 Road as a Rural Home Business Occupation. He proposes moving it to this location so that the larger buildings can

be used. A Rural Home Business Occupation is limited to no more than 3,500 sq ft in a structure outside the residence. The Conditional Use would also allow a larger number of employees. The move from a Rural Home Business Occupation would allow the business to grow, while the Conditional Use will allow conditions to be applied to insure the use is compatible with nearby land uses.

The proposed location is adjacent to a Principal Arterial. Delivery trucks will access the site through the large drive area on E 1750 Road, which was used by school busses previously. This will provide a separation between the larger vehicles and the residence to the west of the property. Employees will use the access on N 700 Rd/County Route 1055. Access to this road is provided via the private road E 1747 Road. This road provides access to the school and to the residence at 701 E 1747 Road.



Figure 4.

The amount of traffic generated by the site should be fairly similar to, or less than, the traffic generated by the school.

To insure compatibility with the surrounding land uses, the following conditions are recommended, based on the standards of the Type 2 Home Occupation Business and the *Value Added Agriculture* use:

1. All equipment and materials used in the business must be stored indoors.
2. Any new parking areas shall be screened from view of adjacent road rights-of-way or residences.
3. No retail sales of product shall occur on the site.
4. All repair activities shall occur within the structure.
5. All delivery vehicles shall use the access drives on E 1750 Road. Signage with this access restriction will be posted at the entrances to E 1747 Road on N 700 and E 1750 Roads.

These conditions have been noted on the face of the plan.

Conditions were established as a result of a meeting with the applicant, the owner of the property at 701 E 1747 Road (just west of the subject property) and staff. The property owner was concerned primarily with the visual impact of the business on his property and the heavy truck traffic near his residence. The applicant and the neighbor agreed to the following measures to minimize the impact of the business:

- 1) Dedication of an access easement for the residence to E 1747 Road, as the property does not abut the roadway.
- 2) Installation of a 6 ft tall privacy fence along a portion of the easement to screen the business from view.
- 3) A requirement that all delivery truck traffic would access the site from E 1750 Road. The access on N 700 Road would be used by the employees of the business and the residents of 701 E 1747 Road. Signage prohibiting truck traffic at the E 1747 Road access points and directing trucks to E 1750 Road will be installed.

The neighbor had been concerned about dust from the gravel area to the west of the building but the applicant indicated that this would be clean gravel, not road rock and would not create a dust issue.

Staff Finding – The proposed use will reuse an existing building for a dairy supply and service business. The primary on-site use will be *Office* and the warehousing of supplies. Some equipment repair will occur on site, within the structure. The majority of the traffic anticipated each day consists of employees in company vehicles coming to work in the office or to pick up equipment for delivery. The proposed conditions should insure compatibility with nearby land uses.

VI. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE PETITIONER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNERS

Evaluation of the relative gain weighs the benefits to the community-at-large vs. the benefit of the owners of the subject property.

Approval of this request would accommodate the reuse of the vacant school building with an existing agricultural based business in the county. This will allow the business to grow while maintaining the agricultural character of the area. Approving the CUP rather than rezoning the property to an Industrial zoning district allows particular uses to be permitted and conditions to be applied to insure compatibility with nearby land uses.

No benefit would be afforded to the public health, safety, or welfare by the denial of the request as the business operation is small scale, a low traffic generator, and would be located on a principal arterial.

Denial of the request would require the applicant to seek rezoning of the property to an industrial zoning district or to relocate the business into a city. The B2 District (General Business) would permit the proposed use; however, the location is not compliant with recommendations in the Comprehensive Plan for Commercial Zoning. The plan recommends only one new location for B2 zoning in the county and that is in the southeast portion of the county. Industrial Zoning would be appropriate for the use, but the site is not suitable for the range of uses that would be permitted with this zoning.

Staff Finding – In staff's opinion, the approval of this request, with the proposed conditions will result in a use that would be compatible with the nearby land uses. Approval would allow the reuse of the vacant school with an agricultural based business, which would maintain the agricultural character of the area. Denial of the request would require rezoning of the property to an industrial district prior to the installation of the use, or location of the use on industrially or commercially zoned property.

VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan recommends that agricultural uses continue to be the predominant land use within the areas of the county beyond the designated urban growth areas and that uses permitted in the rural area should continue to be limited to those which are compatible with agricultural production and uses. The subject property is not located within an identified urban growth area and is currently developed with a vacant elementary school. The only physical

changes being proposed is the addition of a graveled area for truck maneuvering, a short graveled drive connecting the buildings to the north with the access on N 700 Road, addition of a loading dock to the north side of the building, and the improvement of the access point on E 1750 Roads. The proposed use, as conditioned, would result in the reuse of an existing building with an agriculturally related use that would be compatible with agricultural production and uses.

Staff Finding –A Conditional Use Permit can be used to allow specific uses that are not permitted in a zoning district with the approval of a site plan. This tool allows development to occur in harmony with the surrounding area and to address specific land use concerns. As conditioned, the proposed use is in compliance with the Comprehensive Plan.

CUP PLAN REVIEW

The proposal is to convert the vacant school on the property to a dairy supply and service business. Proposed site improvements include the addition of a graveled area to provide area for loading and unloading and truck turning maneuvers, addition of a graveled drive to connect the access on N 700 Road to the buildings to the north for employee access, and the addition of a loading dock to the north side of the building. At the early stages of this project, the County Engineer recommended that the E 1747 Road access point to E 1750 Road be removed; however, this access is required by the post office for their route and the access point will remain. Signage prohibiting truck traffic from using this access point will be installed as shown on the plan.

Parking and Access: The property was developed with 20 parking spaces adjacent to E 1747 Road.

Parking Summary			
USE	REQUIREMENT	REQUIRED	PROVIDED
Office	1 sp per 400 sq ft	5,000/400=13 spaces	20 spaces
Repair	1 sp per 3 employees	*3 spaces	
Warehouse	1 sp per 2 employees		
ADA	1 space for 25 spaces	1 space	1 space

- The repair and warehouse uses include the same employees. The more stringent parking requirement, 1 space per 2 employees, was used to cover both uses.

Access: The property has 2 access points on E 1750 Road and a private road E 1747 Road accesses both N 700 and E 1750 Road. This private road provides access for both the proposed use and the detached dwelling to the west. Minor improvements would be required to the access points on E 1750 Road to accommodate the delivery trucks.

Landscape and Screening: The equipment and materials will be stored inside. No new parking areas are proposed at this time. If a new parking area is proposed in the future, screening will be required.

Utilities: Water is provided by Rural Water District No. 4. An off-site lagoon was used for sewage management with the school use. The easement for the use of the lagoon was tied to the school use/ownership of the property; therefore, the applicant must obtain an easement from the property owners for the off-site lagoon. KDHE released the lagoon to the Lawrence-Douglas County Health Department based on the low volume of use anticipated. The County Health Official inspected the lagoon site and determined that minor repairs were needed to the fencing;

otherwise, the lagoon was in good working condition. The County Engineer recommended that a permit or easement be obtained for the sewer line which was installed under E 1750 Road with the previous use.

Limits and Conditions:

Conditions listed earlier in this report are recommended to insure compatibility with the nearby residential uses. The use should be administratively reviewed by the Zoning and Codes Office every 5 years to insure compliance with the standards of the Conditional Use Permit. Expiration dates are often applied to Conditional Uses so they may be re-evaluated to determine if they remain compatible with the development in the area. Given the low intensity of this use and its agricultural nature, staff does not recommend an expiration date. This requirement for a 5 year review is noted on the plan.

Conclusion

The proposal complies with the County Zoning Regulations and the land use recommendation of *Horizon 2020* and the standards placed on the Conditional Use should insure compatibility with surrounding properties. The building must comply with minimum building code standards for non-residential uses and a building permit will be required for changes to the structure. The use requires a Conditional Use Permit which shall be obtained from the Douglas County Zoning and Codes Office.



LEGAL DESCRIPTION: 3.92 Acres; Beginning at a point 25.3 rods west of the Southeast corner of the Southwest Quarter of Section Ten (10), Township Fourteen (14), Range Twenty (20), thence North 175 feet, thence West 125 feet, thence South 175 feet, thence East 125 feet, to the point of beginning.

General Notes:

1. Site: 702 E 1747 Road
2. Site Area: Approximately 3.9 acres
3. Existing Zoning: A (Agricultural) District
4. Current Use: Vacant School
5. Proposed Use: *Office, Farm Implement Repair* and associated storage/warehousing (Dairy Supply and Service Business)
6. An easement for the offsite lagoon has been recorded at the Register of Deeds at Book _____, Page _____
7. A shared access easement providing access for the residence at 701 E 1747 Road to E 1747 Road has been recorded at the Register of Deeds at Book _____, Page _____.

CUP CONDITIONS:

- 1) All delivery vehicles shall use the access points on E 1750 Road. Signage with this restriction shall be posted at the E 1747 Road access points on N 700 and E 1750 Road in locations marked on the plan.
- 2) No retail sales of product shall occur on the site.
- 3) All equipment and materials used in the business must be stored indoors.
- 4) Any new parking areas shall be screened from view of adjacent properties.
- 5) Product shall be enclosed within a building or structure so it is not visible from the site boundary lines.
- 6) The CUP will be administratively reviewed every 5 years following approval.

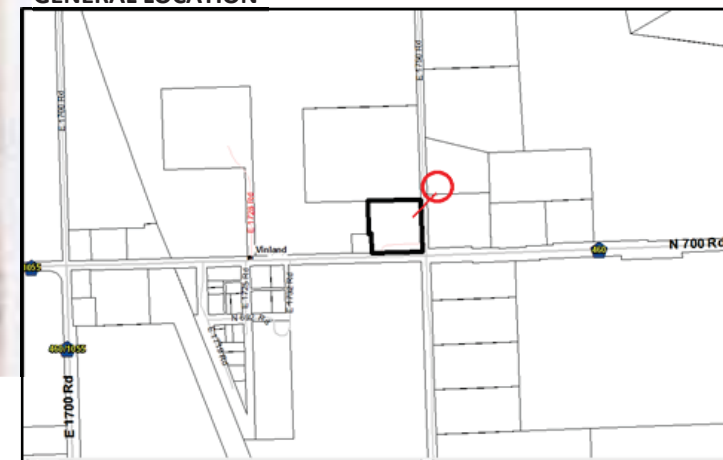
SITE INFO (approximate)

Office: 5,000 sq ft
Repair and Storage: 1,900 sq ft

PARKING SUMMARY

Office 1/400 sq ft area: 13 spaces
Repair and storage: 1 per 3 employees;
Warehouse 1 per 2 employees
5 employees total: 3 parking spaces
Parking Required: 16 spaces
Parking Provided: 20 Spaces
ADA spaces required: 1 ADA spaces
ADA spaces provided: 1 ADA space

GENERAL LOCATION



- Approximate location of off-site lagoon and sewer line in red.

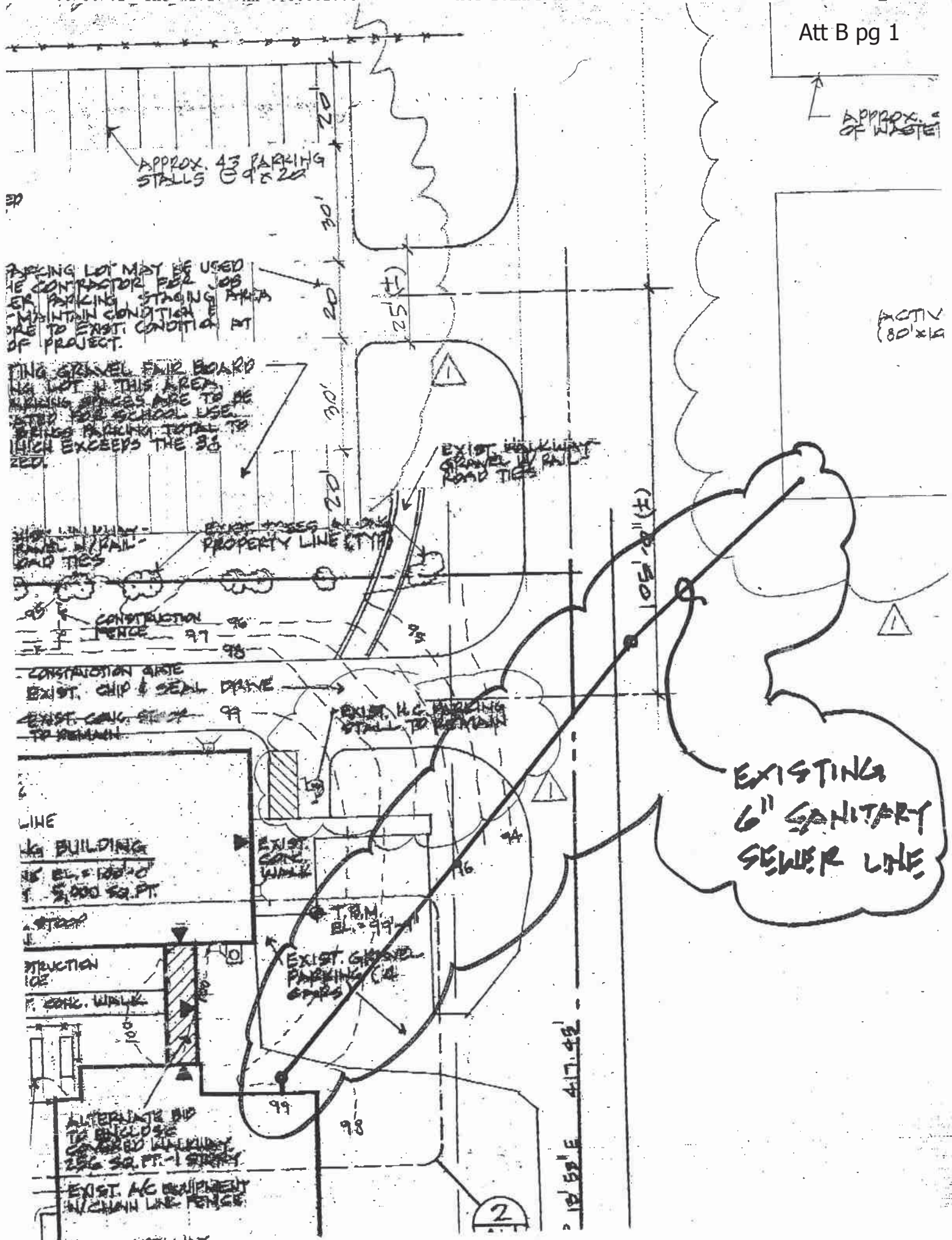
Conditional Use Permit
Flory Dairy Supply & Service
702 E 1747 Road

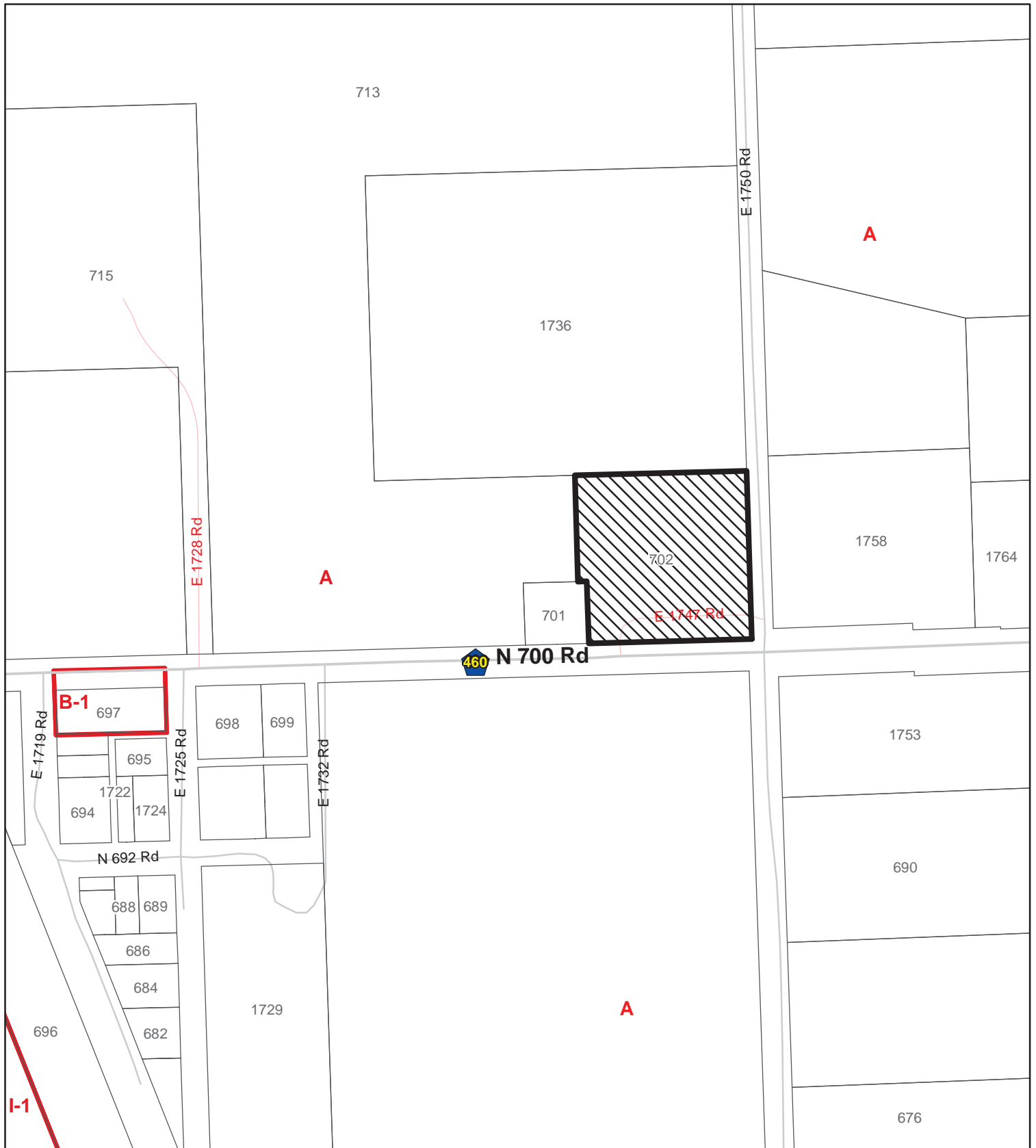
Att B pg 1

APPROX. OF WASTE

ACTIVE
(80' x 15')

EXISTING
6" SANITARY
SEWER LINE





**CUP-15-00113: Conditional Use Permit for Flory Dairy Equipment
at the Former Vinland School Located at 702 E 1747 Road**





P.O. Box 86, 803 Eighth St., Baldwin City, KS 66006 (785) 594-6427 FAX: 594-6586

May 14, 2015

Lawrence/Douglas County Planning Commission
6 East 6th Street
Lawrence, KS 66044

Dear Chairman Liese & Lawrence/Douglas County Planning Commission Members:

The Baldwin City Planning Commission has received and reviewed the Conditional Use application for Mr. Flory to expand his business, Flory Dairy Equipment, Inc., into the former Vinland Elementary School building. The adjacent operation of McFarlane Aviation suggests that the proposed use at the school building is compatible with the area. Furthermore, Vinland and the City of Baldwin City have had a strong bond for many years. The addition of a home-grown business in Vinland has a positive economic impact on both Douglas County and Baldwin City. The Baldwin City Planning Commission fully supports the approval of Mr. Flory's Conditional Use application and hopes that you will as well.

Respectfully,

Richard DeChant
Baldwin City Planning Commission Chair

A handwritten signature in dark ink, appearing to read "Matt Kirby", written over a horizontal line.

Matt Kirby
Planning Commission Member

A handwritten signature in dark ink, appearing to read "Ted Madl", written in a cursive style.

Ted Madl
Planning Commission Member

A handwritten signature in dark ink, appearing to read "Joe Salb", written in a cursive style.

Joe Salb
Planning Commission Member

A handwritten signature in dark ink, appearing to read "Casey Simoneau", written in a cursive style.

Casey Simoneau
Planning Commission Member

RECEIVED

MAY 14 2015

City County Planning Office
Lawrence, Kansas

May 15, 2015

City of Lawrence Douglas County Planning and Development Services

RE: Conditional Use Permit CUP-15-00113 for Flory Dairy Supply & Service

I, Bryan Stober, property owner at 701 E 1747 Rd Baldwin City, KS adjacent to the vacant Vinland Elementary School located at 702 E 1747 Rd have the following concerns:

1. Safety for my children in close proximity to the use of semi trucks and other utility trucks passing within 60 feet of my front door.
2. Fear that my property would lose market value due to having a road that semi trucks pass within 60 feet of our home, as well as having a business so close to a residence.
3. The concern that semi trucks will sit running during loading and unloading on the west side of the school will pollute my home with unwanted odor and carcinogenic diesel exhaust that could negatively affect my family's health.

Diesel Exhaust and Cancer by American Cancer Society.

<http://www.cancer.org/cancer/cancercauses/othercarcinogens/pollution/diesel-exhaust>

4. Noise pollution resulting from semi trucks entering and exiting within 60 feet of our home, including loud breaking, loud engine noise while idling during the loading and unloading process, knowing that a semi truck creates 90db noise, which is 10db louder than a jack hammer.
5. Knowledge that having this business and the traffic so close to our home would likely manifest the inability to resell my property and that the property value could dip below the amount I currently owe.
6. I have concerns regarding a gravel road within 60 feet of my front door and the proposed gravel parking lot would create undue dust that will create health problems and again make my property unattractive to prospective buyers.
7. The possibility that the owner could block the only access I have to my property, which could land-lock me to have limited access to driveway and parking area.

Thank you for your time and consideration regarding these very important concerns that my family has and we ask you to try to stand in our shoes being the closest residence to the proposed business that when we purchased this property 6 years ago we had chosen it based on the fact that it was a quiet rural home located next to an elementary school that our 7 year old daughter would attend and we had no idea it could become a distribution center that large semi trucks could be passing within 60 feet from our front door and

where we park our vehicles. This property is our only asset that we have and it's good standing value is key to my family's well being.

Sincerely,

Bryan Stober
Natalie Nall-Stober
Johna Stober
Brandon Jaiser

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
6/22/15

ITEM NO. 2 SPECIAL USE PERMIT FOR VERIZON WIRELESS; 2001 MOODIE ROAD (SLD)

SUP-15-00185: Consider a Special Use Permit for Verizon Wireless LLC to construct a new communication tower, located at 2001 Moodie Rd. Submitted by PAMCORP on behalf of Verizon Wireless LLC for Ottawa Cooperative Association, property owner of record.

STAFF RECOMMENDATION: Planning Staff recommends approval of a Special Use Permit for a communication tower located at 2100 Moodie Road and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions:

1. Applicant shall submit a revised site plan to show five (5) additional street trees along the north 200 feet of Moodie Road to mitigate the proposed use from the residential use to the south.
2. Prior to release of the site plan for issuance of a building permit, the applicant shall provide the following changes and documentation:
 - a. Submission of documentation to demonstrate the tower fall zone will be maintained within the parent parcel.

Applicant's Reason for Request: *"Verizon Wireless proposes to construct and operate a 120' tall self-support monopole type communications tower which will be used to provide enhanced wireless voice and data services to its local subscribers. The facility will be unmanned and will be designed to accommodate at least two additional sets of antenna for use by other carriers. This tower is urgently needed to offload use at surrounding towers which are currently at or above capacity. Without the addition of this communication facility Verizon customers could realize significantly reduced services and very possibly lack of services in an emergency situation."*

In a written response to staff's review comments the applicant stated that "in addition to providing improved signal strength coverage in this area, the site will also serve to improve capacity by offloading network demands on nearby macro sites in the area."

ATTACHMENTS

1. Area Map
2. Site Plan
3. Residential Proximity map
4. RF Engineer Letter
5. 3rd Party Review
6. Letter from Clark Coan

KEY POINTS

- Third party review found the applicant's burden of proof justifying the need for a new communication tower is met.
- This tower is intended to augment existing facilities within the community and provide support for the communication infrastructure.
- Proposed tower type is a self-supporting monopole.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- City Commission approval of Special Use Permit and adoption of ordinance.
- Publication of Special Use Permit ordinance.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Letter from Clark Coan, Sunflower Tail-Trials Conservancy.

Table 1: Project Summary Table

Subject Property:	9.24 Acres
Proposed Buildings/structures:	Base enclosure 15' by 30' 20' access driveway to Moodie Road 12' x 6' pad site for equipment shelter Generator located within shelter building 120' monopole with 10' lightening rod (130' total)

GENERAL INFORMATION	
Current Zoning and Land Use:	IG (General Industrial) District, <i>Construction Sales and Service</i> , and <i>Wholesale, Storage and Distribution Light and Heavy</i> (Ottawa Cooperative).
Surrounding Zoning and Land Use:	IG (General Industrial) District; <i>Food and Beverage Production & Warehousing Office, Warehouse & Manufacturing</i> (Free State Brewing Co. bottling facility).
To the North:	
To the East, east side of Moodie Road:	GPI (General Public and Institutional) District, <i>Community Facility and Open Space</i> (City facilities, fire station and Chief Jim McSwain Park). CO (Commercial Office) District; Existing Use, <i>Community Facility</i> (Independence Inc.) RS7 (single-Dwelling Residential) District; <i>existing residential subdivision</i> (East View Subdivision No. 3, 1967 and East View Subdivision, 1956.)
To the South:	IG (General Industrial); <i>Professional Office</i> , (CFS Engineers and <i>Warehouse and Manufacturing and Production</i> (multi-tenant facility (P1 Group)).
To the immediate West:	IG (General Industrial) District; <i>Open Space</i> (Burroughs Creek Trail and Linear Park).
To the far West, west of Burroughs Creek Trail and Linear Park:	IG (General Industrial) District; <i>Wholesale, Storage and Distribution Light and Heavy</i> (warehouse buildings and undeveloped lots).

Summary of Request

This request is for the construction of a new 120' communication tower to include Verizon communication equipment. Additional space is available on the tower and within the ground lease area for other communication carriers in the future. The proposed location of the tower is in the northeast corner of the Ottawa Coop property along the west side of Moodie Road. The tower and enclosure is proposed to be located within an open space area of the Coop facility and includes a new access driveway shown on the face of the site plan.

Review and Decision-Making Criteria (Land Development Code Section 20-1306(i))

1. WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE

Applicant's Response: "Yes".

Two key considerations of the application for a new communication tower are the compliance with Section 20-529 Telecommunication Facilities and completion of an independent third party review of the request. Design standards are discussed later in this report. The proposed application complies with these requirements of the Development Code.

Staff Finding – This use complies with the applicable provisions of the Development Code.

2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS

Applicant's Response: "Yes."

This area includes industrial buildings to the north, west and south, detached residences to the southeast, and community facility uses to the east including a fire station, public park space and Independence Inc. Non-residential uses in the immediate area, excluding the fire station, are typically associated with normal business hours so that they are operating during the daytime and closed during the evening and overnight hours.

A small pocket of residences are located between Moodie Road and Haskell Avenue, southeast of the proposed tower site. This residential subdivision is surrounded on the north, west and south by industrial and community facility uses.

Communication towers have a unique form and function. Additional traffic and activity are limited to periodic maintenance once a tower is constructed. Operational characteristics of a tower are not directly comparable to daily activity generated by residential and commercial/industrial uses and activities. This application includes a natural gas generator to be located in the shelter building. The proposed use will not generate odor or dust, if approved. Regular noise associated with the use is limited to the equipment used for cooling the electrical components within the shelter building, similar to an air conditioner, and periodic maintenance of the generator, also located within the shelter building.

Lighting is not proposed for the tower and is not typically required for towers less than 200 feet tall. Lighting for any security purposes required at the base of the tower is proposed over doorways. The overall height of the tower mitigates the need for the tower to be lit. The proposed tower type is a monopole tower that provides a minimized profile for the type of use compared to other types of tower structures.

Two historic properties are located within ¼ mile of the subject property to the east [Robert H. Miller House] and west [Zinn-Burroughs House]. Both of these historic properties are located in residentially zoned districts.

Staff Finding – The proposed tower is compatible with the adjacent uses in terms of hours of operation, orientation, and size. A self-supporting monopole tower has the most reduced profile of any tower type other than a fully stealth structure that is disguised as some other type of structure.

3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED

Applicant's Response: "No."

Staff does not review property values or property assessment but generally considers broad impacts of land uses on a surrounding neighborhood.

The Development Code indicates a preference for communication towers to be located in commercial and industrial zoning districts. The tower is located adjacent to the eastern edge of the Barker Neighborhood. This property is not located within a designated neighborhood. The property is located within the Burroughs Creek Corridor Plan boundary.

A site plan was recently approved for the addition of a grain storage structure at 2100 Mooide Road per SP-15-00095. Other applications for site improvements for businesses located along E. 22nd Street have been approved between 2010 and 2013 in this area. A new business for an indoor sports and recreation use was recently approved for 701 E. 19th Street, the former Zimmerman Steel building, now Silverback Enterprises that includes a fitness center, offices and equipment storage for various events. These uses and activities represent an investment in the southeast part of the community within the Burroughs Creek Corridor.

The proposed tower is located in the front portion of the site. The existing development pattern of the property locates buildings along the west (rear) property line and therefore there is no opportunity to locate the tower, on this property in the rear. The proposed location also places the tower away from the linear park that had been cited as objectionable in a previous application. The northeast corner location also provides the greatest separation between the tower and the residential uses to the southeast.

Staff Finding – There is no anticipated diminution of value to this area that will result from the proposed use.

4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTILITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT

The proposed tower is located on private property and does not require public infrastructure services such as water and sanitary sewer. There is an existing sanitary sewer line located within the property and along the east side of Moodie Road that extends one-half block north of E. 21st Street. A City water line is also located along the east side of Moodie Road.

Other infrastructure needs such as telephone, electric and gas service, needed for the generator, will be accommodated from existing utilities in the area.

The proposed tower is located near the existing public right-of-way (Moodie Road). The initial application showed the fall zone of the proposed tower as a 50' radius. This radius extended into the public street right-of-way. The fall zone also extends to the north, encroaching onto the adjacent

property located at 1927 Moodie Road. A tower must be setback equal to one half the height of the tower when adjacent to any R District as required in the Land Development Code. Section (b) of the Land Development Code goes on to state *"In any other base district, the telecommunication tower shall be setback from the property line in all directions the distance established by the fall zone of the tower."* The applicant has provided a statement that the tower will be designed to "fall" within the property. Additional engineering certification is required at the time of a building permit to ensure this standard is met.

Staff Finding – The subject property is located within an urbanized area of the community with adequate public services available to the site.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

The proposed request provides an enforceable tool to address the use and continued maintenance of the property with regard to landscaping, exterior activity, and off-street parking associated with the communication tower. This application does not change or alter the other primary uses associated with the Coop operation. A requirement of the Development Code is that if a tower is not used for a period of three years then the tower shall be removed. This requirement is noted on the face of the drawing.

This application is for the construction of a communication tower. The approval does not change or alter the existing land use or base zoning district.

Staff Finding – Adequate assurances of continued maintenance are provided with this application.

6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT

Applicant's Response: *"No."*

The property is located in a developed urban area. Moodie Road is a two block segment within the Burroughs Creek Corridor. This portion of the corridor area is predominantly industrial with a small pocket of residential use in the vicinity. The Burroughs Creek Trail and Linear Park, located along the west side of the subject property and the Chief Jim McSwain Park located to the northeast of the subject property provide open space within this area between 19th Street and 23rd Street.

- The property is not encumbered by the regulatory floodplain.
- There are no natural features in the immediate area that will be impacted by the proposed tower.
- The property is located within a developed urban area.

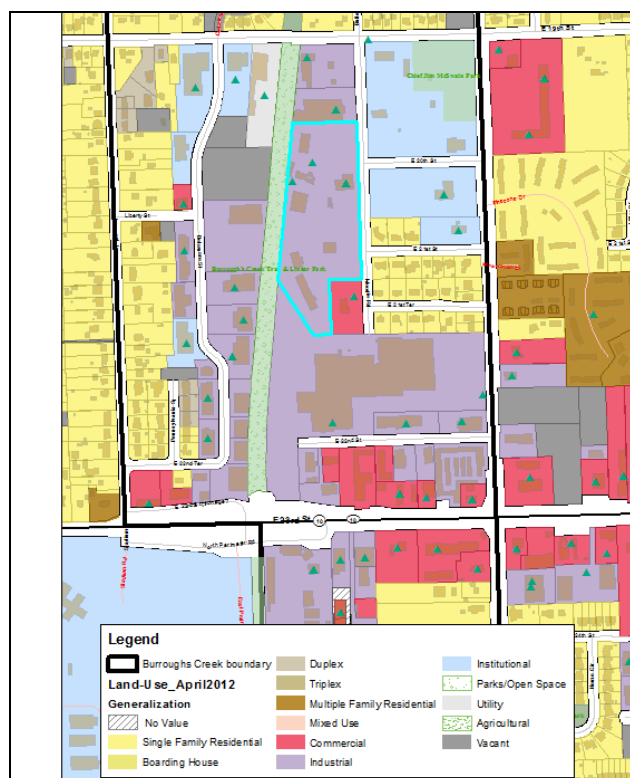


Figure 1: Existing Land Use - Subject Property

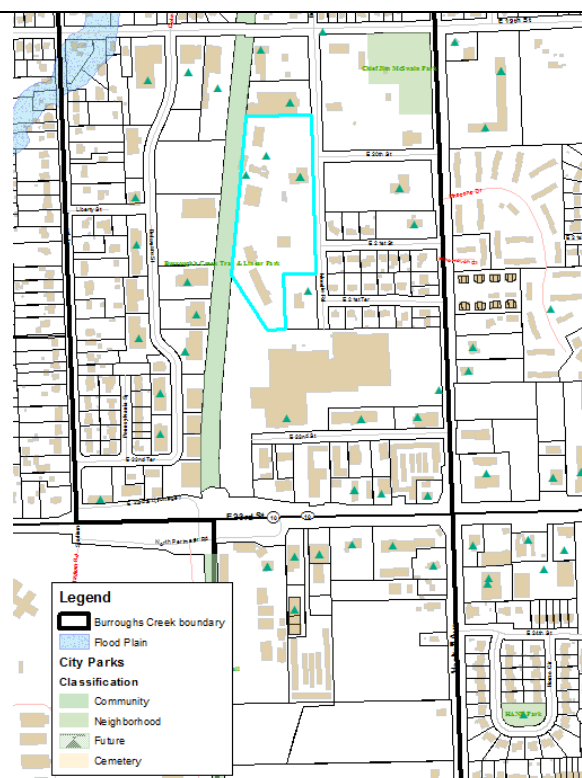


Figure 2: Existing Floodplain - Subject Property

Staff Finding – No impact on the natural environment is anticipated from the development of this proposed communication tower.

7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO, WHAT THAT TIME PERIOD SHOULD BE

Section 20-529 (3) (i) states: "Any Telecommunications Facility that is not in use for a period of three full years or more shall be removed by the Owner at the Owner's expense. Failure to remove the Telecommunications Facility pursuant to non-use may result in removal and assessment of cost to the property pursuant to K.S.A. 12-6a17." This code provision limits communication towers to active use. No additional limitation on time is required.

Staff Finding – The Development Code includes a provision for non-use and removal of towers. No additional restriction is needed.

8. CONFORMANCE WITH AREA OR NEIGHBORHOOD PLAN

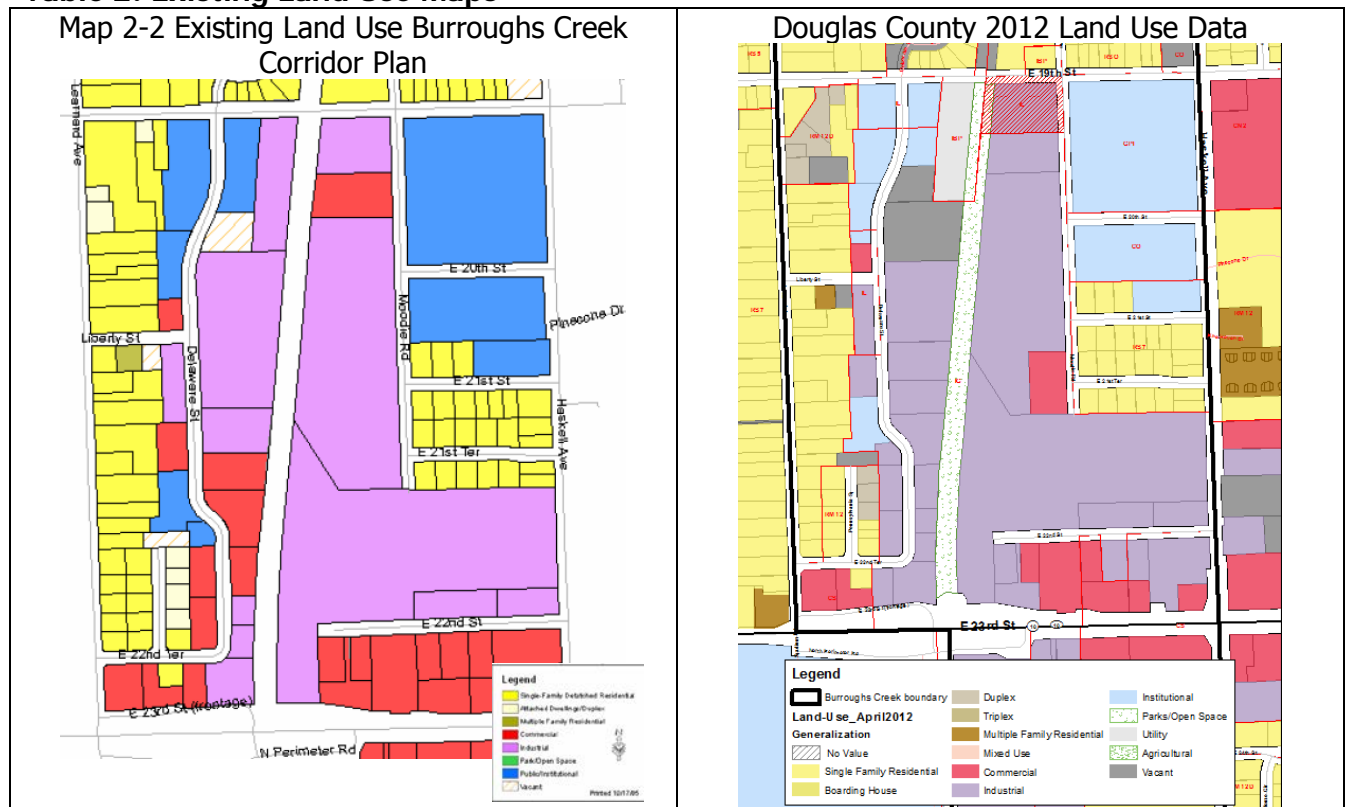
This property is located within the boundary of the Burroughs Creek Corridor Plan. The plan was approved in February 2006. The Land Development Code was adopted in July 2006. References to specific zoning districts are updated and related in this report with the current district titles. A significant feature of this plan is the Burroughs Creek Trail, formerly part of the BNSF railroad that extends north to south through the plan area. The plan breaks the area into three sections:

- Section One: is located generally between 9th Street and 15th Street;
- Section Two: is located between 15th Street and 23rd Street, and;
- Section Three: is located between 23rd Street and 31st Street.

This request is located within Section Two of the area plan. This section is characterized by predominantly residential uses with an area of commercial uses north of 19th Street. South of 19th Street includes predominantly industrial uses with significant area used for public and institutional uses as well as commercial uses. Residential use in Section 2 south of 19th Street is limited to a pocket area around E. 22nd Street and the east block along Larnard Avenue. Map 2-2. Access to the Burroughs Creek Trail from this area is limited to the trail crossings at 19th Street and E. 23rd Street.

One recommendation included in the plan is to align the zoning consistent with the use (Page ii). Specific properties are recommended for rezoning along the corridor from the designated industrial district to a commercial district. An example of this recommendation includes parcels located along Bullene and Lynn Streets. Because the plan was written prior to 2006 the zoning recommendations do not match with the current districts adopted by the Land Development Code. A recommendation to change M-2 to C-5 would be reflected as IG to CS. This change of zoning is intended for underutilized commercial and industrial sites (Page 1-5) with an emphasis placed on residential infill and neighborhood friendly infill development. A review of the current land uses as provided by the Appraiser's Office (2012 data) and Map 2-2 included in the Burroughs Creek Corridor Plan shows several changes in the mix of commercial and industrial uses between 19th Street and 23rd Street.

Table 2: Existing Land Use Maps



- The subject property is not included in the list of properties to be rezoned within the plan area.
- The existing use, Ottawa Cooperative, is classified as a *Construction Sales and Service, and Wholesale, Storage and Distribution Light and Heavy*.
- The subject property is actively used by the Ottawa Cooperative Association.
- A special use permit does not alter the base zoning district.

The plan recommends that when redevelopment of industrially zoned areas is proposed in the future, these areas should be scrutinized for neighborhood compatibility. The plan also states commercial and industrial development should be designed to enhance the area and not detract from the character of the area. The proposed tower is located within an area designated to be retained as an industrial district within the Burroughs Creek Corridor.

The partially developed property on the southeast corner of E. 20th and Moodie Road (Independence Inc.) was identified in the plan as a candidate to be rezoned from M-2 to O-1. This rezoning was completed and is currently reflected as CO, per the current Land Development Code designation. No additional land use recommendations are included for the area between 19th Street and 23rd Street within the plan boundary.

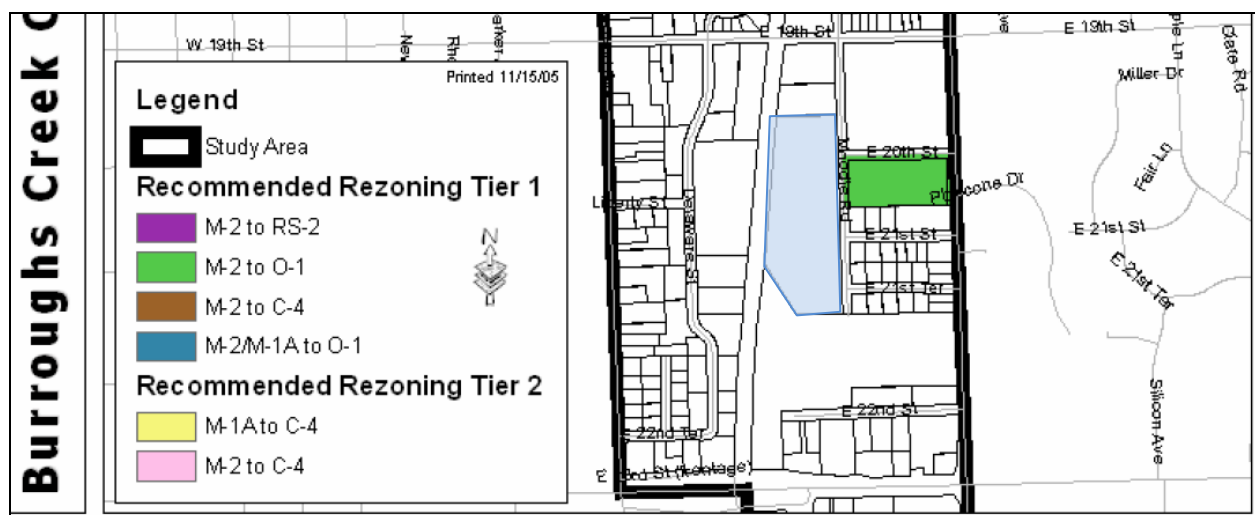


Figure 3: Recommended Zoning Burroughs Creek Corridor Plan

The area highlighted in light blue represents the subject property. Property in green, 2001 Haskell Avenue, is the location of Independence Inc. and was rezoned to O-1 (Office District) as an action step following the adoption of the plan.

Burroughs Creek Corridor Plan and Historic Resources

A recommendation of the plan is to survey the area for historical properties. The environs of the Zinn-Burroughs House extends into Section Two of the corridor study area but does not encumber the subject property. The locally listed property is approximately 1,300 feet west of the proposed tower location. The Robert H. Miller House property, another locally listed landmark, is located approximately 1,200' east of the proposed tower. The environs of that property does not extend into the Burroughs Creek Corridor Plan area.

This project required review under Section 106 of the National Historic Preservation Act. The FCC found that there was no adverse effect on any historic property in the Area of Potential Effect (APE) (FCC project # 0006790154). The Kansas State Historic Preservation Office concurred with this finding (Project # RNC 15-05-080). The City of Lawrence's Historic Resources Administrator concurs with this no adverse effect finding.

Staff Finding – Burroughs Creek Corridor Plan provides guidance for the development of a linear park as well as provides land use recommendations for specific properties within the corridor. The subject property is located within a designated industrial area. The existing uses are consistent with the base zoning. Approval of the request does not alter the base zoning district.

9. NEW TELECOMMUNICATION FACILITIES – ADDITIONAL CRITERIA FOR REVIEW. IN ADDITION TO THE STANDARDS AND CONDITIONS LISTED IN SECTION 20-529 (2) AND 20-529 (9), THE CITY COMMISSION SHALL CONSIDER THE FOLLOWING FACTORS IN DETERMINING WHETHER OR NOT TO ISSUE A SPECIAL USE PERMIT.

(i) Height of proposed Telecommunications Facility.

The proposed height of the tower is 120' with a 10' lightening rod for an overall height of 130'. The tower will be capable of supporting a total of three carriers, including Verizon, the applicant.

Tower height and setback are related. The Development Code requires a tower to be "setback from the property line in all directions a distance equal to at least one-half the height of the telecommunications tower if the site is in or adjoins an R Base District." In all other districts the setback must be contained within the "fall zone".

The proposed tower is located 27.4' south of the north property line and approximately 22' west of the east property line. These dimensions place the tower in close proximity to a common property line to the north and to the public street to the east. The applicant has stated that the tower will be engineered to "fall" within the boundary of the property and not encroach onto the north property or into the public street. A detailed engineering report will be required with the submittal of the building permit for the tower to document the "fall zone" as described by the applicant.

The specific fall zone of the tower will be provided with the final engineering documentation at the time the tower is ordered for construction. If approved, the applicant will need to provide documentation to demonstrate that in the event of a tower failure the equipment will "fall" within the subject property and not encroach on the adjacent property to the north or the public right-of-way.

Section 20-529 (2)(iv) requires the overall tower height to comply with Section 20-302 of the Development Code. Section 20-302 addresses the Airspace Overlay District. The proposed tower is not located within the affected vicinity of the Municipal Airport Runways. The proposed tower will not impact the Lawrence Municipal Airport.

(ii) Proximity of Telecommunications Facility to residential structures and residential district boundaries.

The nearest residential boundary is located more than 500' to the southeast. An exhibit is attached to this report showing the approximate distance of the proposed tower to the surrounding residential zoning districts. The property to the southeast has a direct view to the proposed tower. There are no street trees or other vegetation that obscure the line of sight between the nearest residence and the proposed tower.

The applicant has revised the site plan to provide landscape materials along the north, south and east sides of the enclosure. This will aid in screening the ground equipment from view. Staff recommends additional street trees be added between the tower site and E. 20th Street to mitigate the proximity of the residential uses and the proposed tower.

The site has a wide driveway at E. 20th and the exterior storage yard extends to the east property line south of the office building. Trees will need to be understory since there are overhead lines along the east property line of this site. The following graphics show the proposed landscape plan around the base of the tower facility and the proximity of the tower to the residential uses with the addition of trees along the north portion of the property.

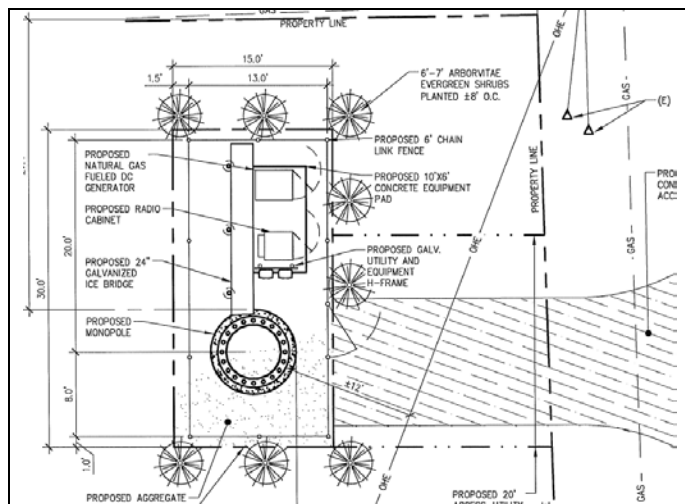


Figure 4: Proposed Landscape Plan



Figure 5: recommended Street Trees

(iii) Technical or engineering requirements limiting placement of the Telecommunications Facility in other areas in order to provide coverage.

A requirement for new telecommunications towers is to demonstrate or justify why the proposed equipment cannot be co-located on existing equipment. This requires a third party review. The City contracted with Burns and McDonnell to review the applicant's justification for this request. A previous application located north of this site in the 1700 block of Bullene was denied by the City Commission, on November 17, 2014. That action did not diminish the applicant's stated need for an additional facility. It did result in reconsidering an alternative site as proposed in this application.

The independent study prepared by Burns and McDonnell concluded that no existing telecommunication towers or structures are located within the geographic area required to meet the applicant's engineering needs. The study concluded that the burden of proof required per Section 20-529 (7) of the Land Development Code is met. A copy of the Burns and McDonnell study is attached to this report.

(iv) Nature and uses on adjacent and nearby properties.

This design consideration has been previously discussed throughout this report. The nature and use of adjacent properties includes a variety of uses including other industrial, warehouse, office, public parks, and residential uses. The location of the proposed tower on the subject property provides the greatest separation between the tower structure and the nearest residence. The west side of the subject property is occupied by buildings associated with the primary business.

(v) Surrounding topography, tree coverage and foliage

The subject property is a developed industrial site. The site and immediately surrounding area is generally flat.

The site is generally devoid of trees. Vegetation is located along the Burroughs's Creek Trail west of the subject property.

(vi) Design of the Telecommunications Facility, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness and making the proposed Telecommunications Tower or Telecommunications antenna a stealth or disguised facility.

The proposed tower is a monopole similar to other telecommunication towers constructed in the city limits in the 1980' and 1990's. The monopole type tower is the most common tower type in the City.

Monopole with multiple platforms for carriers



Figure 6: Existing Tower E. 23rd Street

"Stealth Pole"



Figure 7: Existing Tower E. 23rd Street

Stealth application of tower as flag pole along W. 6th Street.



Figure 8: Existing Tower on W. 6th Street

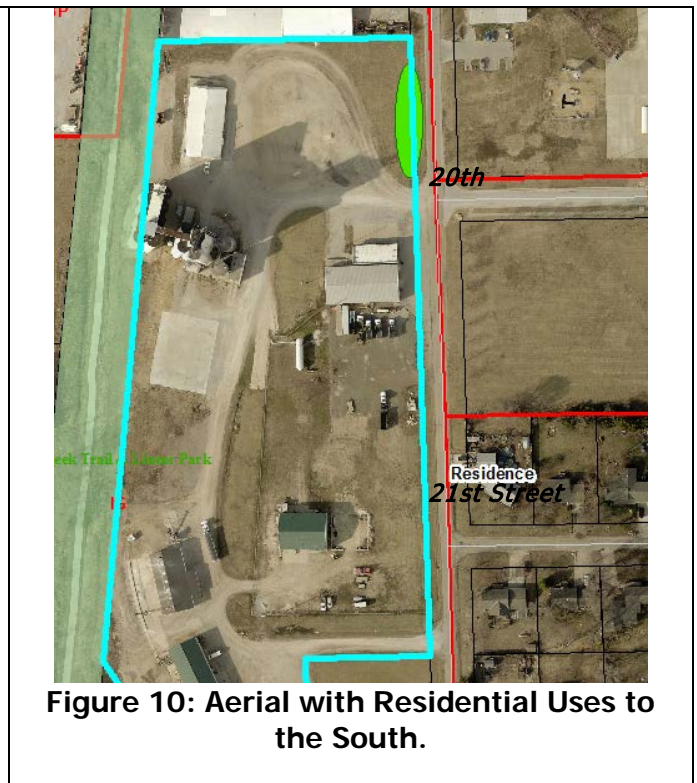
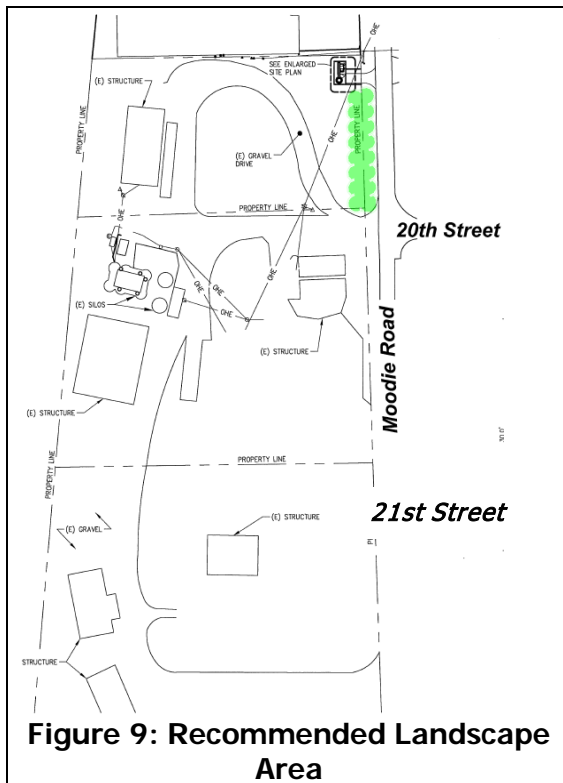
The "stealth" pole type structure was constructed as a new tower along the 23rd Street Corridor in 2006. A similar tower was also constructed along Bob Billings Parkway in the Hidden Valley Girl Scout Property, and adjacent to the medical building along N. 6th

Street. The tower along W. 6th Street was designed as a flagpole, located in the northwest corner of the site.

There are many examples of stealth tower applications that result in the structure having an appearance of water tanks, smoke stacks, trees, and other types of features found in urban areas. To date, the City of Lawrence has not adopted or amended the existing tower regulations to include policies about stealth applications.

Previous applications, typically those related to co-location of communication equipment added to City water tanks or located in City Parks, have included a requirement to screen ground equipment with landscape. This has posed some difficulty with both maintenance and the need for clear visibility required to meet national security standards. The applicant revised the plans to add landscape around the base of the tower site.

Staff recommends landscape be added in the area north of the existing access drive to include shrubs and under-story shade trees along the public right-of-way.



(vii) Availability of suitable existing Telecommunications towers or other structures for placement of proposed Telecommunications Antenna.

The grain elevator is located to the southwest of the proposed structure and is the only "tall structure" in the immediate area. Its height is estimated at 145'. The Fire training tower located to the northeast is approximate 45' tall. Most buildings in the immediate area are single story structures. Typical industrial buildings in the area are 20-35' tall. The Coop recently received approval for the construction of a 75' tall grain bin immediately south of the existing grain silos. The proposed tower is 120' with a 10' lightning rod.

Based on the third party review there are no suitable towers or other “tall structures” within the area for co-location of antenna to meet the applicant’s requirements.

(viii) Whether the character of the proposed site and the proposed Telecommunications Tower will facilitate maximum utilization of space for placement of Telecommunication antennas serving multiple users.

The proposed tower is capable of supporting additional communication carriers as required by the Development Code. The proposed application represents the microcell site needs of the applicant, Verizon Wireless. The area footprint for the tower and ground equipment is smaller than typically included in applications for new communication towers. Lease spaces are commonly 100’ by 100’ intended to capture the initial equipment/carrier, tower and any additional pad sites that will be associated with future carriers to be co-located on a tower.

This application lease area is 15’ by 30’ and captures the proposed tower and initial ground equipment only. Future carriers will need to negotiate with the land owner as well as the tower owner for future co-location requests. The enclosure area will need to be expanded as additional carriers are added to this site to accommodate additional ground mounted equipment to support future carriers.

10. STAFF REVIEW

This portion of the staff report addresses the site plan details and physical development of the site.

A. Site Summary/History

The following site summary is provided from the recently approved site plan for the addition of a grain storage building along the west side of the property. The proposed tower application does not include a summary of the pervious and impervious area typically included in a site plan. The proposed tower improvements are noted in the beginning of this report.

Table 3: Site Summary Table

SITE SUMMARY – SP-15-00095 addition of grain storage building			
	Existing	Proposed	Change
Primary Land Use:	<i>Construction Sales and Service, and Wholesale, Storage and Distribution Light and Heavy</i>	<i>Construction Sales and Service, and Wholesale, Storage and Distribution Light and Heavy</i>	
Land Area (sq. ft.):	402,732 sq. ft.	402,732 sq. ft.	0
Total Impervious Area (sq. ft.):	51,610 sq. ft.	48,453 sq. ft.	-3,157
% Impervious:	13 %	12%	-1%
Total Pervious Area (sq. ft.):	351,122 sq. ft.	354,279 sq. ft.	+3,157

ASSOCIATED CASES

- SP-5-30-90: Farmer’s Co-op; Construction of office building
- SP-8-49-90: Farmer’s Co-op; Fence addition
- SP-6-33-93: Farmer’s Co-op; Addition of a storage facility and retaining wall
- SP-2-15-12: Farmer’s Co-op; Demolition of grain storage building
- SP-14-00168: Contractor Shop; addressed as 2111 Moodie Road

- SP-15-00095: Ottawa Cooperative Association, building addition for 75' tall grain bin.

B. Access and Parking

Access and On-site Parking:

Parking is not required for communication towers. Access to the site is from a proposed access easement (driveway) intersecting with Moodie Road. Driveways must be designed and constructed per City standards. Approval of this use does not alter the parking for the existing uses associated with the Coop operation.

C. Design Standards

Site Design: This tower represents a monopole construction capable of supporting multiple carriers. Ground equipment includes radio cabinets and a generator located within a fenced enclosure. The applicant has added landscape around the base of the facility to provide some screening of the ground equipment from the public right-of-way and residential use to the southeast without fully obscuring visibility of the site.

Historic District Review: This property is not located within the environs of a designated historic property or district.

Pedestrian accessibility: This application is for a utility type use. Accessibility needs for the site are limited to periodic maintenance of the structure and equipment as needed. Moodie Road is an existing local street constructed without curbs, gutters or sidewalks. Sidewalks are not proposed to be added with this project.

Neighborhood: This property is located east of the Barker Neighborhood and south of the Brook Creek Neighborhood. The area between 19th Street and E. 23rd Street east of the Burroughs Creek Trail and Linear Park is not within a designated neighborhood. The subject property is located within the boundary of the Burroughs Creek Corridor Plan that extends north to south between 11th Street and 31st Street.

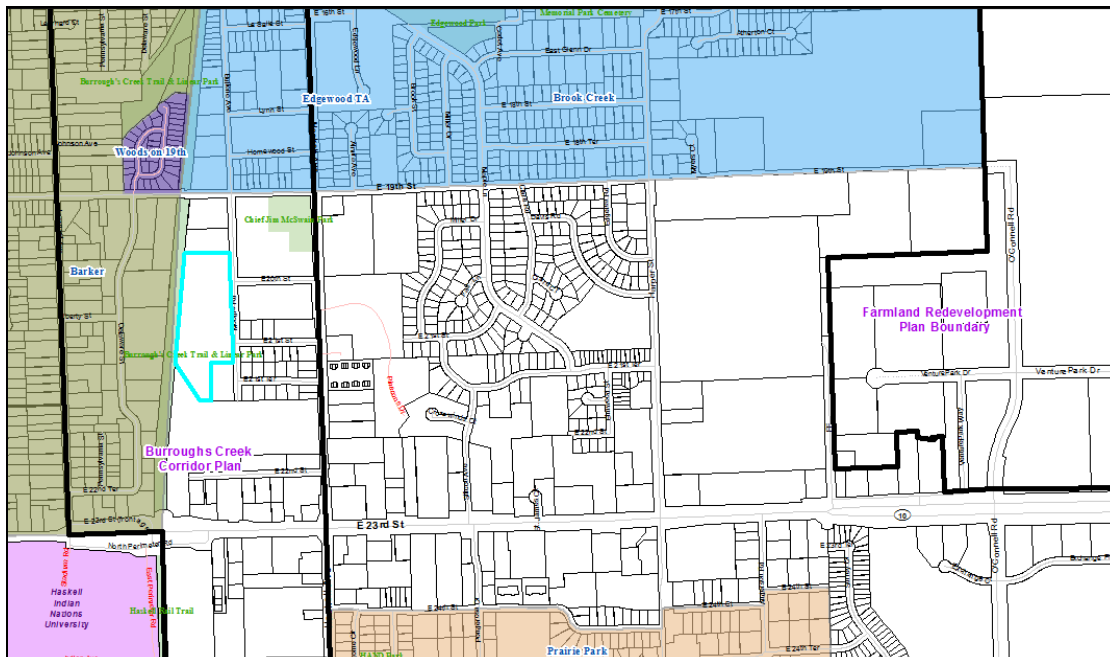


Figure 11: Neighborhood Area

D. Landscaping and Screening

The following section provides a brief detail of the existing and proposed landscaping for this property. The applicant does not propose to alter the existing landscape condition of the existing site as it relates to the Coop use. Generally, the site does not comply with the current design standards for landscaping, street trees, interior landscaping and similar elements.

Street Trees: The property was platted as Farmers Coop Subdivision No. 2 in 1970. A master street tree plan was not required for the property at that time. This site does not include any street trees along Moodie Road.

Parking Lot Landscaping: Interior and perimeter landscaping standards were adopted after the development of the site. Recent approval of the grain bin did not alter the existing parking or access to the site; therefore perimeter and interior parking lot landscaping were not required. Likewise, the proposed tower structure will not alter the off-street parking standards and related parking lot landscaping.

Buffer yard: The proposed location of the tower site within the subject property is surrounded by industrial zoning and uses to the north, west and south. The area to the east includes City property that includes parks and recreation facilities and the Fire Training Facility. The property to the southeast includes a partially developed lot, Independence Inc.

If developed today, buffering would be required along Moodie Road where the industrially zoned property abuts the GPI, CO and RS7 zoning districts along the east side of the property.

With regard to the proposed communication tower, ground equipment should be appropriately screened from the public right-of-way. Ground equipment will be located within a structure. Ground improvements will also be located within a fenced enclosure similar to that found within the immediate area.

Mechanical Equipment Screening: As discussed in the buffer yard section, mechanical equipment is required to be screened per City Code. Screening must be balanced with the need for security and visibility with this type of facility. The provision of landscape material along the east property line provides reasonable screening of the ground equipment along the public right-of-way.

E. Lighting

Lighting is not proposed for this tower other than minimum required lighting at the base of the tower for the equipment building. Additional detail regarding the lighting fixture is required to demonstrate compliance with the City's photometric standards.

F. Floodplain

This property is not located within the regulatory floodplain and is not subject to a local floodplain development permit.

CONCLUSION

The proposed tower meets the design standards of the Development Code. The proposed tower provides space for future co-location of equipment. Conditions recommended for approval relate to mitigating visual impacts of the proposed tower on the surrounding property owners.



LAWC BARKER CELL SITE

2001 MOODIE ROAD
LAWRENCE, KS 66046
DOUGLAS COUNTY

LOCATION No: 273487
PROJECT No: 20130934055

PROPOSED MONOPOLE WITH COMMUNICATIONS EQUIPMENT



CERTIFICATION:

PRELIMINARY
NOT FOR
CONSTRUCTION

RELEASE	
DATE	
03-24-15	ZONING EXHIBIT
05-15-15	CONSTRUCTION DWGS - REV A
06-02-15	ZONING EXHIBIT

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

DRAWN BY: JLM
CHECKED BY: DJH

SITE NAME:

LAWC BARKER
CELL SITE

SITE ADDRESS:

2001 MOODIE ROAD
LAWRENCE, KS 66046

SHEET TITLE:

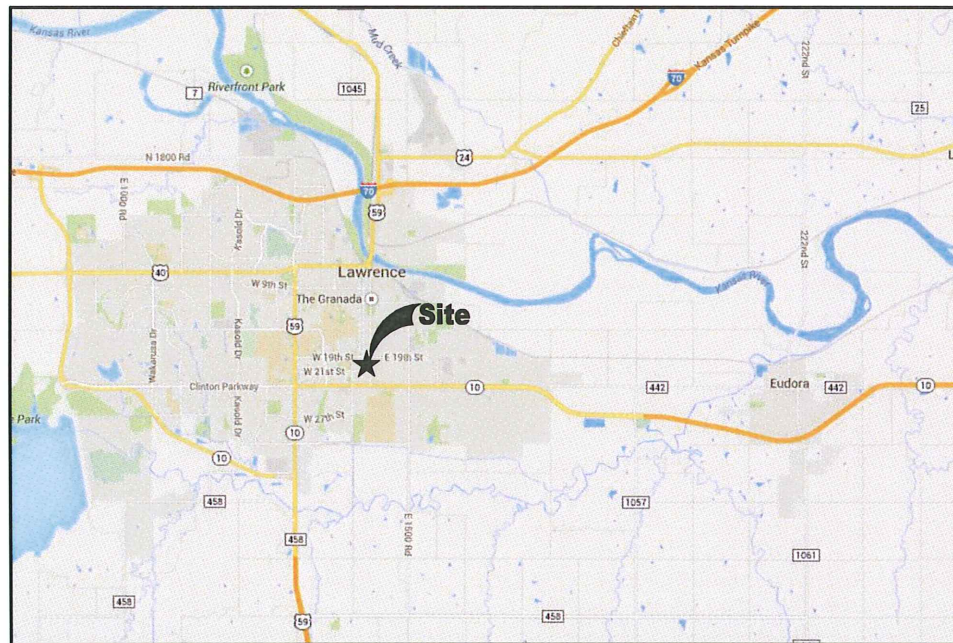
PROJECT INFORMATION,
LOCATION MAPS
AND DRAWING INDEX

A&E PROJECT NO.:

001-1507

SHEET NO.:

T-1



VICINITY MAP

MAPS PROVIDED BY DeLORME STREET ATLAS USA



LOCATION MAP

AERIAL MAP PROVIDED BY GOOGLE

APPLICANT

VERIZON WIRELESS
MANAGER-NETWORK REAL ESTATE
PHONE: (913) 244-2800

SITE ACQUISITION

KGI
PHONE: (417) 848-7584

SURVEYOR

ANDERSON ENGINEERING
PHONE: (417) 782-7399

ARCHITECTURAL AND ENGINEERING FIRM

MAGTECH MIDWEST, INC.
PHONE: (260) 436-2668

POLICE DEPARTMENT

LAWRENCE POLICE DEPT.
111 EAST STREET
LAWRENCE, KS 66044
PHONE: (785) 830-7400

FIRE DEPARTMENT

LAWRENCE FIRE DEPARTMENT
1911 STEWART AVENUE
LAWRENCE, KS 66046
PHONE: (785) 830-7000

PROPERTY OWNER

OTTAWA COOPERATIVE
ASSOC.

KANSAS ONE-CALL SYSTEM
811 OR 1-800-DIG SAFE



CONSULTANT TEAM

THE PROJECT INCLUDES:

INSTALLATION OF PANEL ANTENNA, ASSOCIATED COAX AND OTHER EQUIPMENT IN NEW 120' MONOPOLE TOWER.

INSTALLATION OF A 12'x6' CONCRETE EQUIPMENT PAD AND OUTDOOR EQUIPMENT .

NEW ELECTRIC AND TELEPHONE/FIBER SERVICE TO SITE AND EQUIPMENT SHELTER. NO WATER SUPPLY OR SEWAGE TO/FROM THE SITE.

SITE LAT/LON ELEV.

LATITUDE - N38° 56' 55.05"
LONGITUDE - W95° 13' 33.43"
GRD ELEV. - ±870' AMSL

PROJECT DESCRIPTION

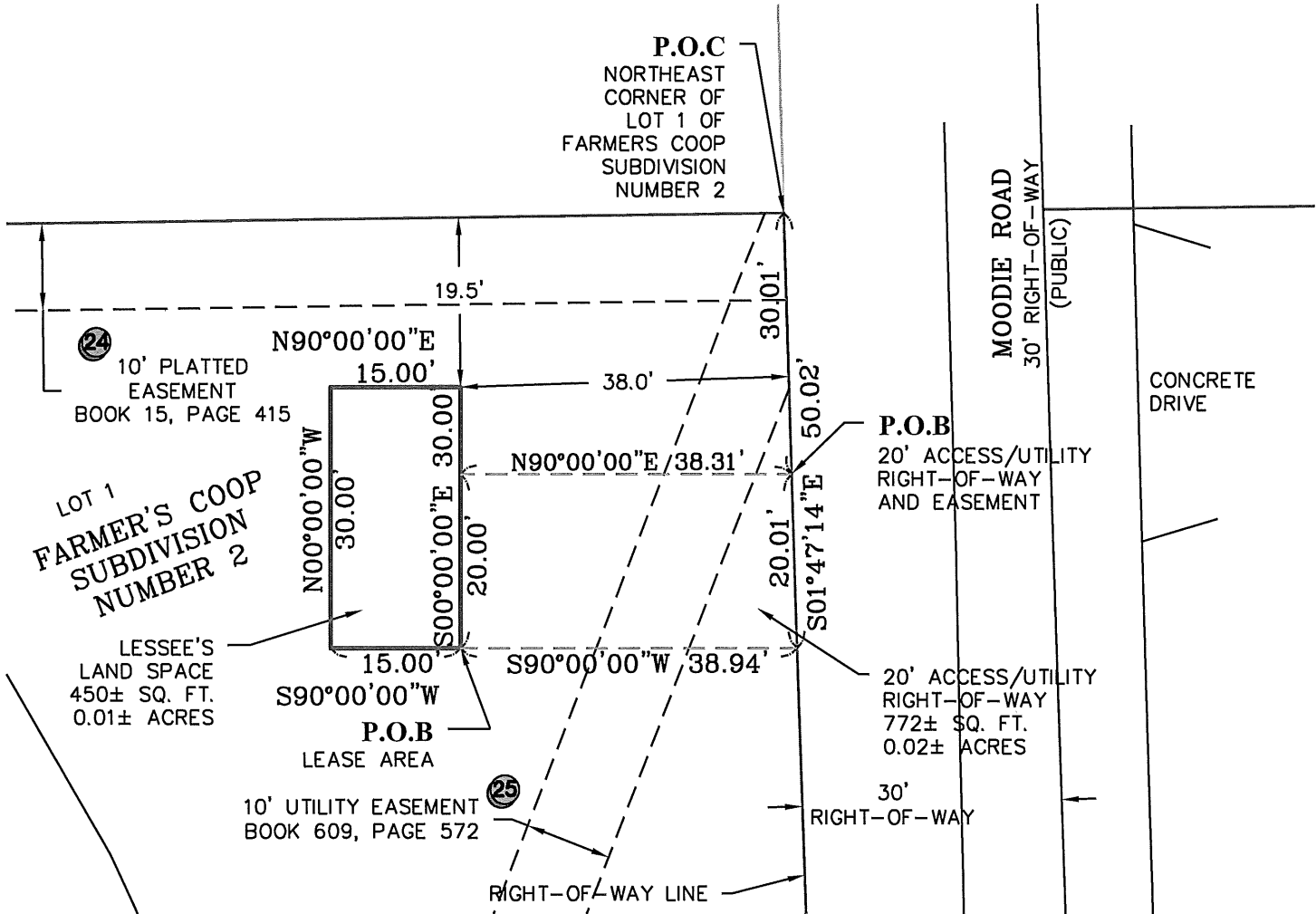
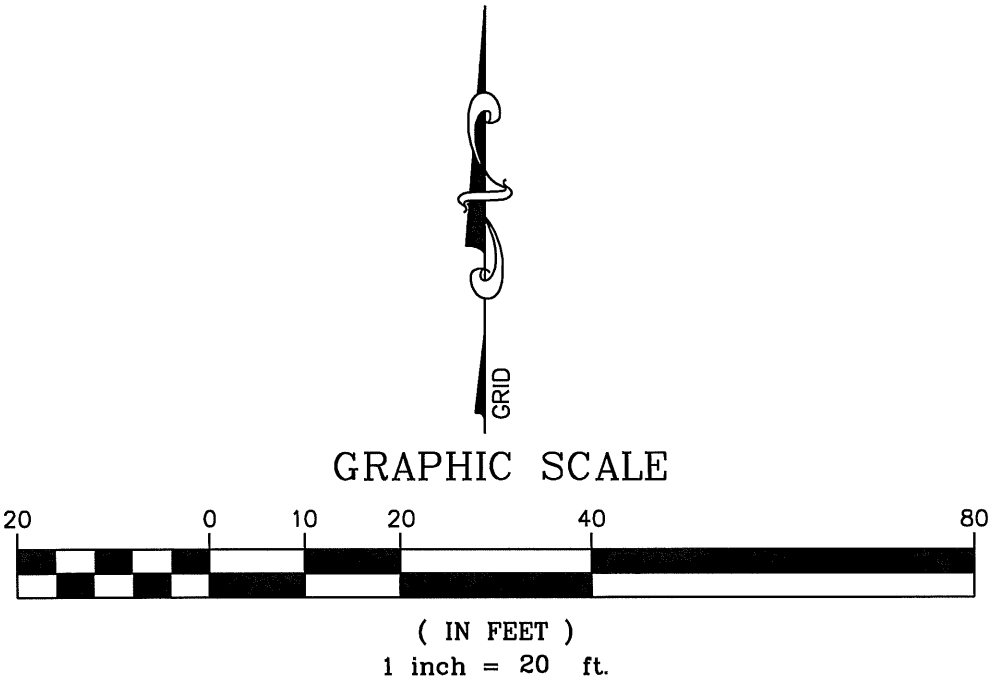
- ANY TELECOMMUNICATIONS FACILITY THAT IS NOT IN USE FOR A PERIOD OF THREE (3) FULL YEARS OR MORE SHALL BE REMOVED BY THE OWNER AT THE OWNERS EXPENSE. FAILURE TO REMOVE THE TELECOMMUNICATIONS FACILITY PURSUANT TO NON-USE MAY RESULT IN REMOVAL AND ASSESSMENT OF COST TO THE PROPERTY PURSUANT TO K.S.A. 12-6a17.
- A SIGN SHALL BE POSTED ON THE FACILITY NOTING THE NAME AND TELEPHONE NUMBER OF THE TOWER OWNER/OPERATOR.
- THE TOWER OWNER/OPERATOR SHALL SUBMIT A LETTER TO THE PLANNING BY JULY 1 EACH YEAR LISTING THE CURRENT USERS AND TYPES OF TELECOMMUNICATION ANTENNA LOCATION ON THE FACILITY.
- THE TOWER WILL BE INSPECTED ANNUALLY AND A REPORT SHALL BE FILED WITH THE DIRECTOR OF PLANNING PER SECTION 20-529 (4) WHICH STATES; INSPECTIONS, ALL TELECOMMUNICATIONS FACILITIES SHALL BE INSPECTED ANNUALLY AT THE OWNER'S EXPENSE AND AN INSPECTION REPORT SHALL BE FILED WITH THE DIRECTOR OF PLANNING. ALL TELECOMMUNICATIONS FACILITIES MAY BE INSPECTED AT ANY TIME BY THE CODES ENFORCEMENT OFFICER IN ORDER TO DETERMINE COMPLIANCE WITH ORIGINAL CONSTRUCTION STANDARDS. DEVIATION FROM THE ORIGINAL CONSTRUCTION FOR WHICH A PERMIT IS OBTAINED CONSTITUTES A VIOLATION OF THIS CODE. NOTICE OF VIOLATIONS WILL BE SENT BY REGISTERED MAIL TO THE TELECOMMUNICATIONS FACILITY OPERATOR WHO WILL HAVE 30 DAYS FROM THE DATE THE NOTIFICATION IS ISSUED TO MAKE ADJUSTMENTS OF REPAIRS. THE OPERATOR SHALL NOTIFY THE CODES ENFORCEMENT OFFICER IN WRITING THAT THE ADJUSTMENTS OR REPAIRS HAVE BEEN MADE BY THE CODES ENFORCEMENT OFFICER TO ASSESS COMPLIANCE. THE OPERATOR SHALL THEN BE NOTIFIED OF THE RESULTS OF THE SECOND INSPECTION. AN APPEAL OF THE DECISION OF THE CODE ENFORCEMENT OFFICER CAN BE MADE TO THE BOARD OF ZONING APPEALS IN ACCORDANCE WITH SECTION 20-1311.
- THE TOWER WILL NOT HAVE TOWER LIGHTING OR BEACONS.

DRAWING INDEX

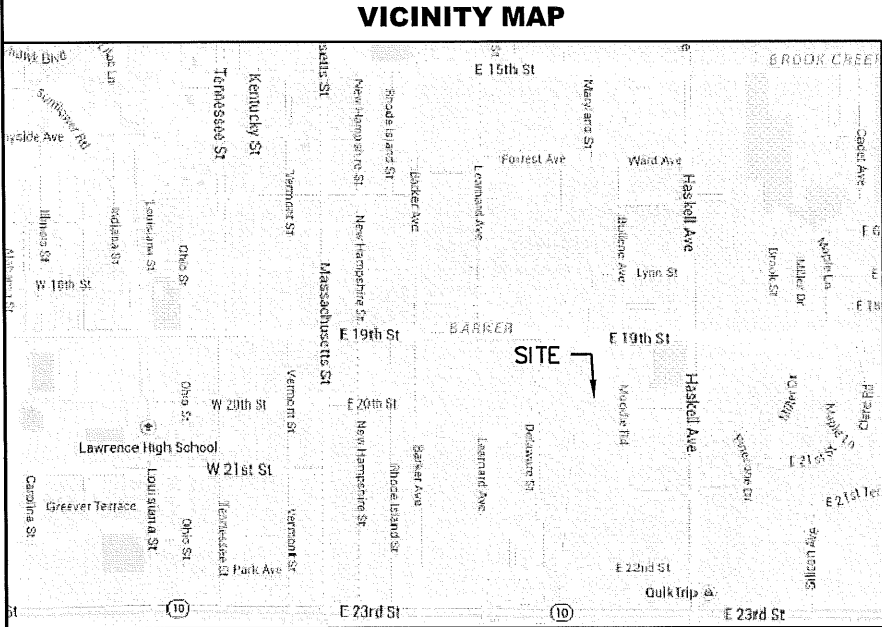
T-1	PROJECT INFORMATION, LOCATION MAPS, AND DRAWING INDEX
LS-1	LAND SURVEY
LS-2	LAND SURVEY
LS-3	LAND SURVEY
C-1	OVERALL SITE PLAN
C-2	ENLARGED SITE PLAN
C-3	TOWER ELEVATION AND ANTENNA INFORMATION
C-4	FENCE DETAILS

PARENT PARCEL DESCRIPTION:

PROPERTY LOCATED IN LAWRENCE, KS
LOTS 1 AND 2, IN FARMERS COOP SUBDIVISION NUMBER 2, A SUBDIVISION AND A REPLAT OF EAST VIEW SUBDIVISION NUMBER 2, IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.
AND
LOT 3A, AS SHOWN BY THE PLAT OF SURVEY OF THE LOT SPLIT OF LOTS 3 AND 4, IN FARMERS COOP SUBDIVISION NUMBER 2, FILED IN PLAT BOOK P15 AT PAGE 415, IN THE OFFICE OF THE REGISTER OF DEEDS OF DOUGLAS COUNTY, KANSAS.



LAND SPACE & R.O.W. DETAIL
Scale: 1"=20'

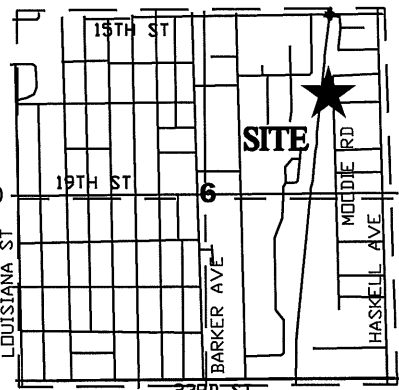


SURVEYORS NOTES

- 1.) ALL BEARINGS BASED ON KANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE. (NAD-83)
- 2.) NOT INTENDED TO REPRESENT A SURVEY FOR THE ENTIRE PARENT PARCEL.
- 3.) A UTILITY LOCATE WAS REQUESTED ON 1-19-2015, TICKET NO. 15018801. THE MARKINGS OF SAID LOCATE ARE AS SHOWN.

ZONING INFORMATION: IG

FLOOD INFORMATION:
PROPERTY FALLS WITHIN A ZONE "X"
AS DETERMINED BY FEMA FLOOD
RATE MAP NO. 20045C0178D
EFFECTIVE 8-5-10 (ZONE "X" AREAS
DETERMINED TO BE OUTSIDE THE
0.2% ANNUAL CHANCE FLOODPLAIN.)



T. 13 N, R. 20 W
PARENT PARCEL
DETAIL

SURVEYOR'S DECLARATION

I, THE UNDERSIGNED, DO HEREBY DECLARE THAT THE BOUNDARY AND TOPOGRAPHIC SURVEY SHOWN HEREON WAS MADE UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE THE INFORMATION IS AS SHOWN AND IN ACCORDANCE WITH THE CURRENT KANSAS MINIMUM STANDARDS FOR URBAN SURVEYS.
LAST REVISION DATE MAY 26, 2015
ANDERSON ENGINEERING, INC. C OF A#17
BY: (RENEWAL DATE DECEMBER 31, 2016)

JERROD L. HOGAN, P.L.S. 1449

5-26-15
DATE

Prepared for:

Prepared for:



MAGTECH
MIDWEST

Surveyed By:

ANDERSON
ENGINEERING, INC.
ENGINEERS • SURVEYORS • LABORATORIES
DRILLING

811 E. 3RD STREET
JOPLIN, MISSOURI 64801
PHONE (417) 782-7399

CHECKED BY:

APPROVED BY:

#	DATE	DESCRIPTION	INT.
1			
2			
3			
4			
5			

SITE NAME:

LAWC
BARKER

SITE NUMBER:

SITE ADDRESS:
2001 MOODIE ROAD
LAWRENCE, KS 66046

SHEET NAME:

LAND SURVEY

SHEET NUMBER:

LS-1

LESSEE'S LAND SPACE DESCRIPTION:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF FARMS COOP SUBDIVISION NUMBER 2, SAID POINT ALSO LYING ON THE WEST RIGHT-OF-WAY OF MOODIE ROAD; THENCE ALONG SAID WEST RIGHT-OF-WAY, SOUTH 01°47'14" EAST, 50.02 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, SOUTH 90°00'00" WEST, 38.94 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 90°00'00" WEST, 15.00 FEET; THENCE NORTH 00°00'00" WEST, 30.00 FEET; THENCE NORTH 90°00'00" EAST, 15.00 FEET; THENCE SOUTH 00°00'00" EAST, 30.00 FEET, TO THE POINT OF BEGINNING; ALL LYING IN LOT 1 OF FARMS COOP SUBDIVISION NUMBER 2, AND THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 13 NORTH, RANGE 30 WEST, DOUGLAS COUNTY, KANSAS. CONTAINING 0.01 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE KANSAS COORDINATE SYSTEM OF 1983, NORTH ZONE.

LESSEE'S 20' ACCESS/UTILITY RIGHT-OF-WAY DESCRIPTION:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF FARMS COOP SUBDIVISION NUMBER 2, SAID POINT ALSO LYING ON THE WEST RIGHT-OF-WAY OF MOODIE ROAD; THENCE ALONG SAID WEST RIGHT-OF-WAY, SOUTH 01°47'14" EAST, 30.01 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, SOUTH 01°47'14" EAST, 20.01 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, SOUTH 90°00'00" WEST, 38.94 FEET; THENCE NORTH 00°00'00" WEST, 20.00 FEET; THENCE NORTH 90°00'00" EAST, 38.31 FEET, TO THE POINT OF BEGINNING; ALL LYING IN LOT 1 OF FARMS COOP SUBDIVISION NUMBER 2, AND THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 13 NORTH, RANGE 30 WEST, DOUGLAS COUNTY, KANSAS. CONTAINING 0.02 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE KANSAS COORDINATE SYSTEM OF 1983, NORTH ZONE.

INFORMATIONAL REPORT:

TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NUMBER NCS-72741-KCTY WITH AN EFFECTIVE DATE OF APRIL 14, 2015 AT 7:30AM.

NOTE: THE OTTAWA COOPERATIVE ASSOCIATION OWNS MULTIPLE PARCELS AS LISTED IN THIS TITLE WORK. THE LAND SPACE AREA AND ACCESS/UTILITY RIGHT OF WAY LIE ENTIRELY IN LOT 1 OF FARMERS COOP SUBDIVISION NUMBER 2. MANY OF THE EXCEPTIONS ON THE TITLE COMMITMENT AFFECT PORTIONS OF THE OTTAWA COOP PROPERTY BUT ARE NOT SHOWN ON THIS SURVEY. THOSE WILL BE NOTED "DOES NOT AFFECT LOT 1" WHICH ALSO MEANS IT DOES NOT AFFECT THE LAND SPACE AREA OR THE ACCESS/UTILITY RIGHT OF WAY.

- 8
- AN AGREEMENT BETWEEN THE CITY OF LAWRENCE AND FARMERS COOP ASSOCIATION, RECORDED JULY 13, 1990, DOCUMENT NO. 6213 IN BOOK 446, PAGE 1411. DOES NOT AFFECT LOT 1.
- 9
- AN AGREEMENT BETWEEN THE CITY OF LAWRENCE AND FARMERS COOP ASSOCIATION, RECORDED JULY 12, 1993, DOCUMENT NO. 50674 IN BOOK 495, PAGE 2011. AFFECTS ENTIRE PARCEL. SUBJECT TO TERMS AND CONDITIONS WITHIN.
- 14
- AN EASEMENT FOR UTILITIES IN THE DOCUMENT RECORDED FEBRUARY 25, 1996 IN BOOK 243, PAGE 144 OF OFFICIAL RECORDS. DOES NOT AFFECT LOT 1.
- 16
- AN EASEMENT FOR ROADWAY IN DOCUMENT RECORDED AUGUST 17, 1990 IN BOOK 448, PAGE 310 OF OFFICIAL RECORDS. DOES NOT AFFECT LOT 1
- 17
- AN EASEMENT FOR UTILITIES IN THE DOCUMENT RECORDED OCTOBER 5, 1990 IN BOOK 449, PAGE 2031 OF OFFICIAL RECORDS. DOES NOT AFFECT LOT 1.
- 20
- AN EASEMENT FOR UTILITIES AND ACCESS IN THE DOCUMENT RECORDED APRIL 15, 1998 IN BOOK 606, PAGE 526 OF OFFICIAL RECORDS. DOES NOT AFFECT LOT 1.
- 21
- AN EASEMENT FOR SANITARY SEWER IN THE DOCUMENT RECORDED JULY 21, 2009 IN BOOK 1052, PAGE 1472 OF OFFICIAL RECORDS. DOES NOT AFFECT LOT 1.
- 22
- TERMS AND PROVISIONS OF AN UNRECORDED LEASE DATED OCTOBER 30, 1977, BY AND BETWEEN THE FARMERS COOPERATIVE ASSOCIATION OF LAWRENCE, KANSAS AS LESSOR AND NEXTEL WEST CORP., INC., D/B/A NEXTEL COMMUNICATIONS AS LESSEE, AS DISCLOSED BY A MEMORANDUM OF AGREEMENT RECORDED JULY 9, 1998 IN BOOK 615, PAGE 353 OF OFFICIAL RECORDS. DOES NOT AFFECT LOT 1.
- 23
- TERMS AND PROVISIONS OF AN UNRECORDED LEASE DATED OCTOBER 23, 2001, BY AND BETWEEN ACORN EAST LLC AS LESSOR AND NEXTEL WEST CORP., INC., D/B/A NEXTEL COMMUNICATIONS AS LESSEE, AS DISCLOSED BY A MEMORANDUM OF AGREEMENT RECORDED JULY 5, 2002 IN BOOK 776, PAGE 701 OF OFFICIAL RECORDS. DOES NOT AFFECT LOT 1.
- 24
- EASEMENTS, RESTRICTIONS AND SETBACK LINES AS PER PLAT, RECORDED IN PLAT BOOK 12, PAGE 13 AND AS AMENDED BY LOT SPLIT IN BOOK 15, PAGE 415. AS SHOWN.
- 25
- SURVEY OF UTILITY EASEMENT RECORDED MAY 15, 1998 IN BOOK 609, PAGE 572. AS SHOWN.
- 29
- AN EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF UTILITIES IN THE DOCUMENT RECORDED FEBRUARY 25, 1966 AS BOOK 243, PAGE 143 OF OFFICIAL RECORDS. DOES NOT AFFECT LOT 1.
- 30
- AN EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF UTILITIES IN THE DOCUMENT RECORDED FEBRUARY 25, 1966 AS BOOK 243, PAGE 145 OF OFFICIAL RECORDS. DOES NOT AFFECT LOT 1.

Prepared for:

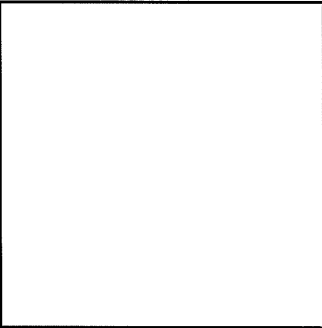
Prepared for:



Surveyed By:



CHECKED BY:			
APPROVED BY:			
#	DATE	DESCRIPTION	INT.
1			
2			
3			
4			
5			



SITE NAME:

LAWC BARKER

SITE NUMBER:

SITE ADDRESS:

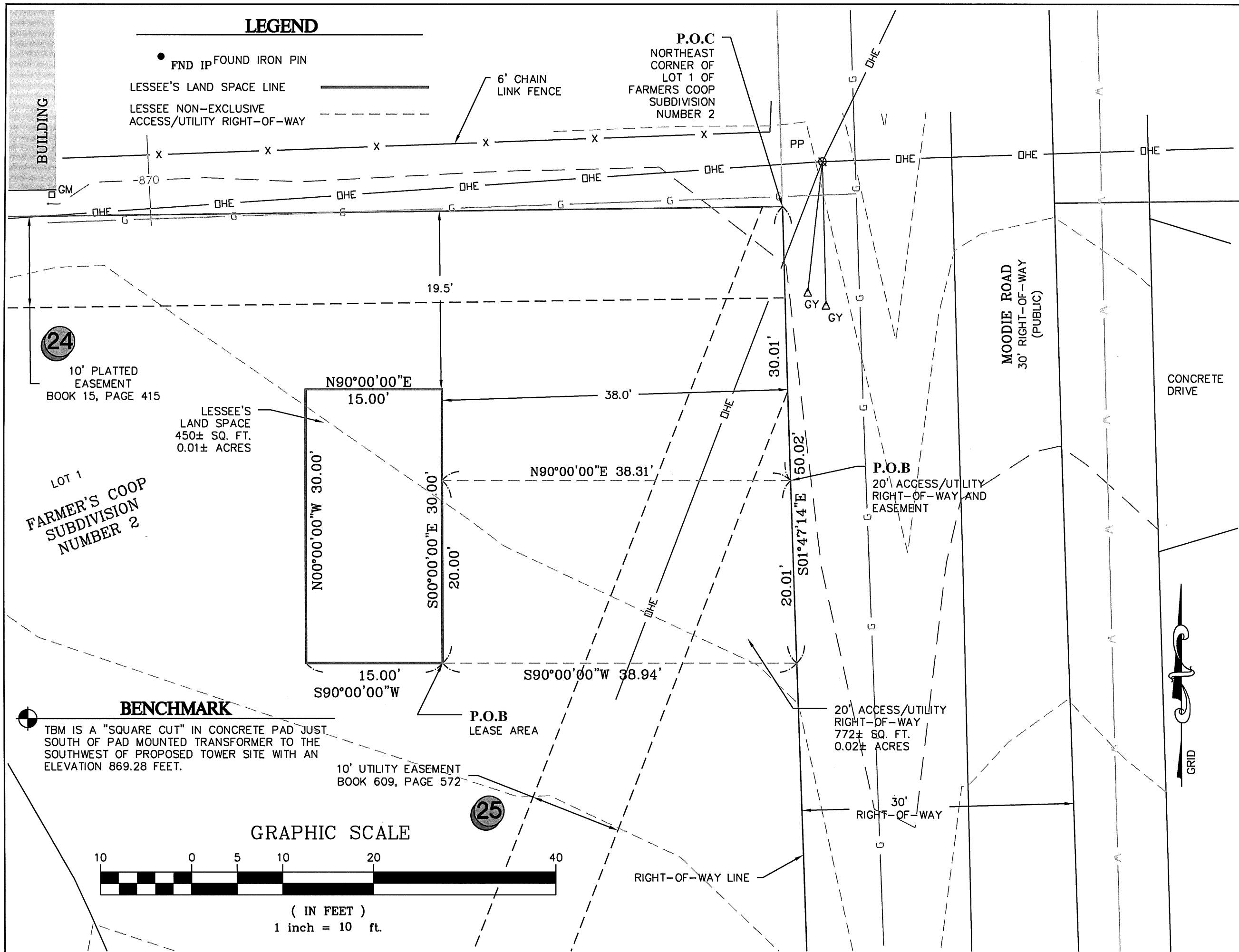
2001 MOODIE ROAD
LAWRENCE, KS 66046

SHEET NAME:

LAND SURVEY

SHEET NUMBER:

LS-2



Prepared for:

Prepared for:

MAGTECH
MIDWEST

Surveyed By:
ANDERSON ENGINEERING, INC.
ENGINEERS · SURVEYORS · LABORATORIES
DRILLING
811 E. 3RD STREET
JOPLIN, MISSOURI 64801
PHONE (417) 782-7399

CHECKED BY:			
APPROVED BY:			
#	DATE	DESCRIPTION	INT.
1			
2			
3			
4			
5			

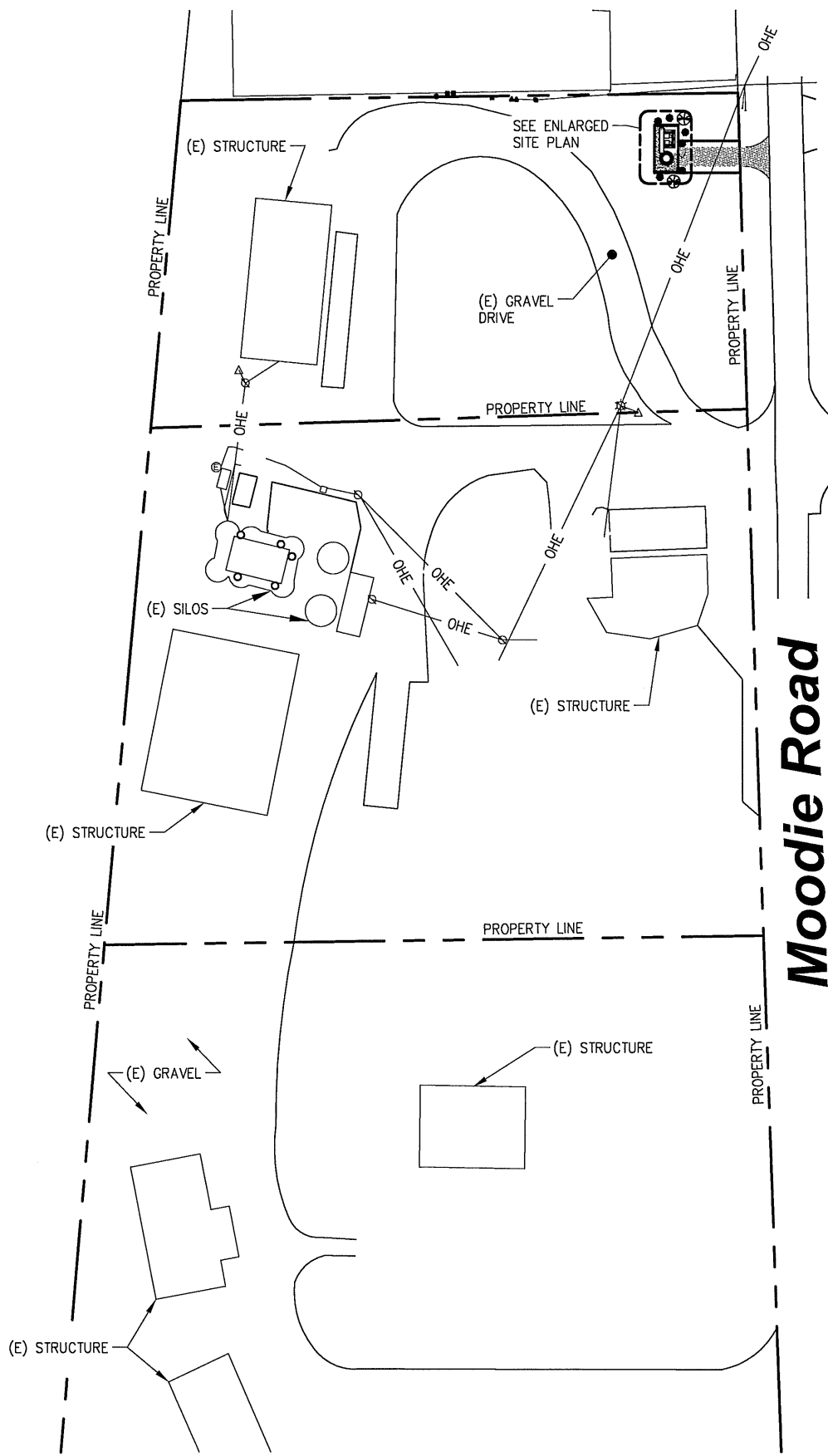
SITE NAME:
LAWC BARKER

SITE NUMBER:

SITE ADDRESS:
2001 MOODIE ROAD
LAWRENCE, KS 66046

SHEET NAME:
LAND SURVEY

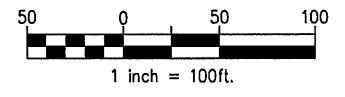
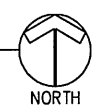
SHEET NUMBER:
LS-3



20th Street

Moodie Road

Site Plan



CERTIFICATION:

**PRELIMINARY
NOT FOR
CONSTRUCTION**

RELEASE	
DATE	
03-24-15	ZONING EXHIBIT
05-15-15	CONSTRUCTION DWGS - REV A
06-02-15	ZONING EXHIBIT

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

DRAWN BY: JLM
CHECKED BY: DJH

SITE NAME:

**LAWC BARKER
CELL SITE**

SITE ADDRESS:

**2001 MOODIE ROAD
LAWRENCE, KS 66046**

SHEET TITLE:

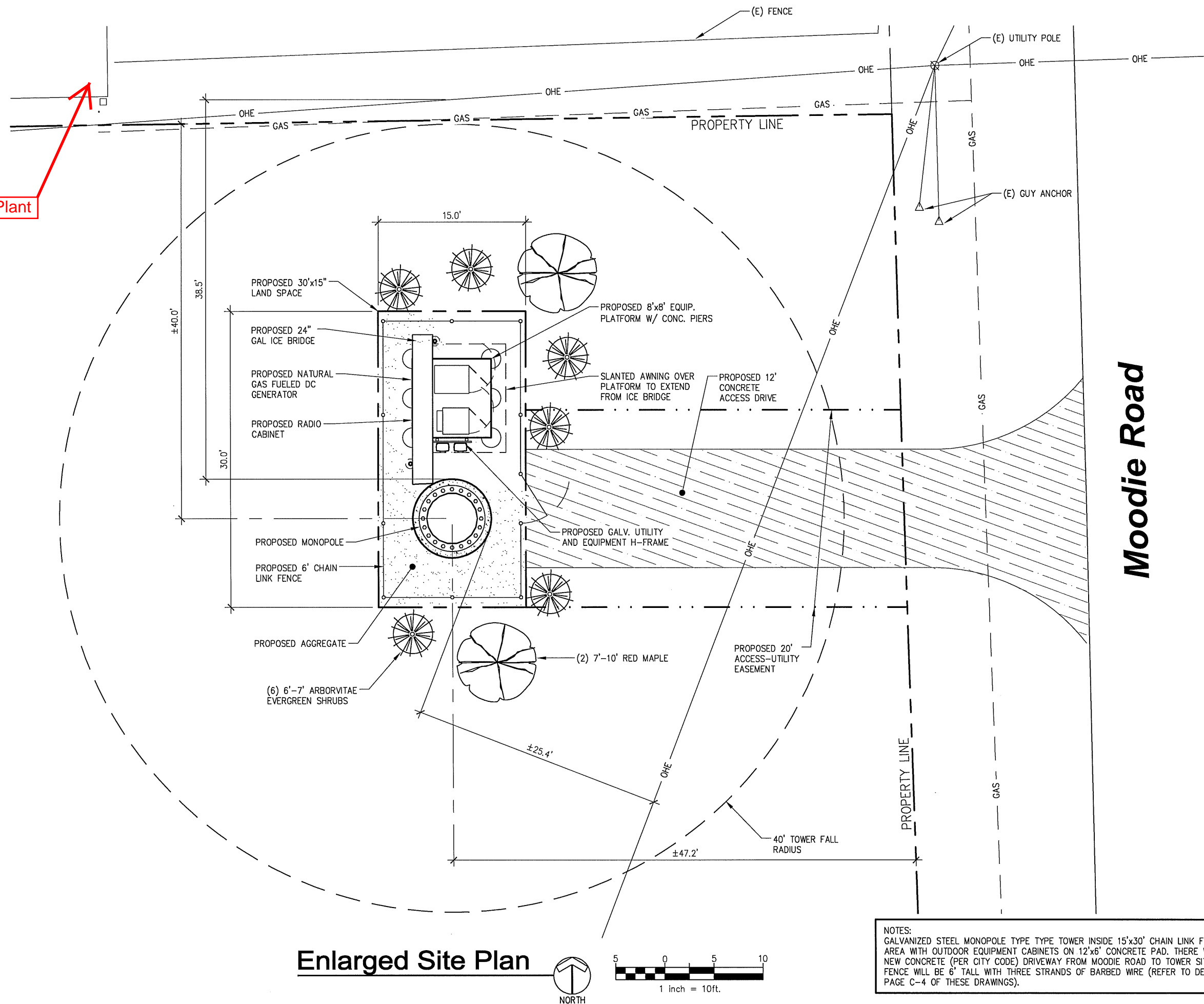
OVERALL SITE PLAN

A&E PROJECT NO.:

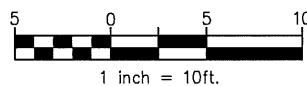
001-1507

SHEET NO.:

Corner of Bottling Plant



Enlarged Site Plan



NOTES:
GALVANIZED STEEL MONOPOLE TYPE TOWER INSIDE 15'x30' CHAIN LINK FENCED AREA WITH OUTDOOR EQUIPMENT CABINETS ON 12'x6' CONCRETE PAD. THERE WILL BE A NEW CONCRETE (PER CITY CODE) DRIVEWAY FROM MOODIE ROAD TO TOWER SITE. THE FENCE WILL BE 6' TALL WITH THREE STRANDS OF BARBED WIRE (REFER TO DETAILS ON PAGE C-4 OF THESE DRAWINGS).



CERTIFICATION:

**PRELIMINARY
NOT FOR
CONSTRUCTION**

RELEASE	
DATE	
03-24-15	ZONING EXHIBIT
05-15-15	CONSTRUCTION DWGS - REV A
06-02-15	ZONING EXHIBIT

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

DRAWN BY: JLM
CHECKED BY: DJH

SITE NAME:

**LAWC BARKER
CELL SITE**

SITE ADDRESS:

**2001 MOODIE ROAD
LAWRENCE, KS 66046**

SHEET TITLE:

ENLARGED SITE PLAN

A&E PROJECT NO.:

001-1507

SHEET NO.:

C-2



CERTIFICATION:

**PRELIMINARY
NOT FOR
CONSTRUCTION**

RELEASE	
DATE	
03-24-15	ZONING EXHIBIT
05-15-15	CONSTRUCTION DWGS -- REV A
06-02-15	ZONING EXHIBIT

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

DRAWN BY: JLM
CHECKED BY: DJH

SITE NAME:

**LAWC BARKER
CELL SITE**

SITE ADDRESS:

**2001 MOODIE ROAD
LAWRENCE, KS 66046**

SHEET TITLE:

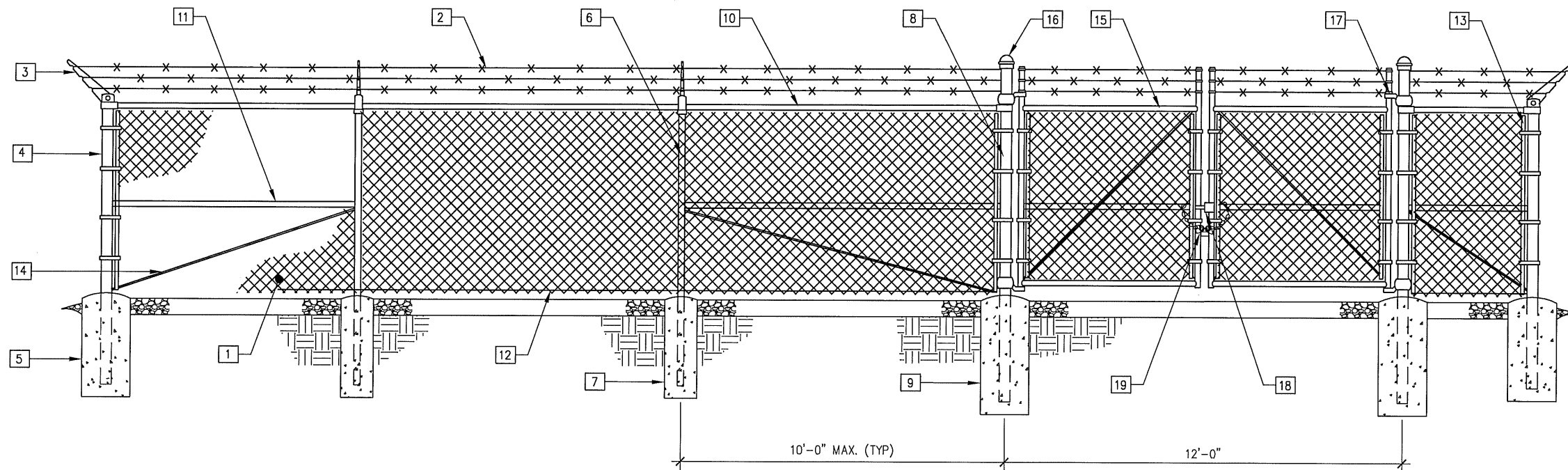
FENCE DETAILS

A&E PROJECT NO.:

001-1507

SHEET NO.:

C-4

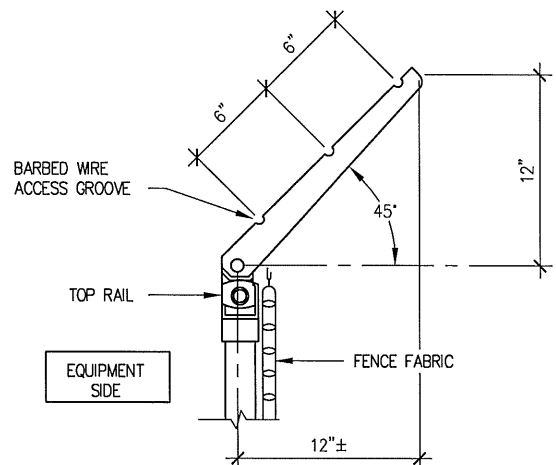


1 Typical Fence Elevation
NO SCALE

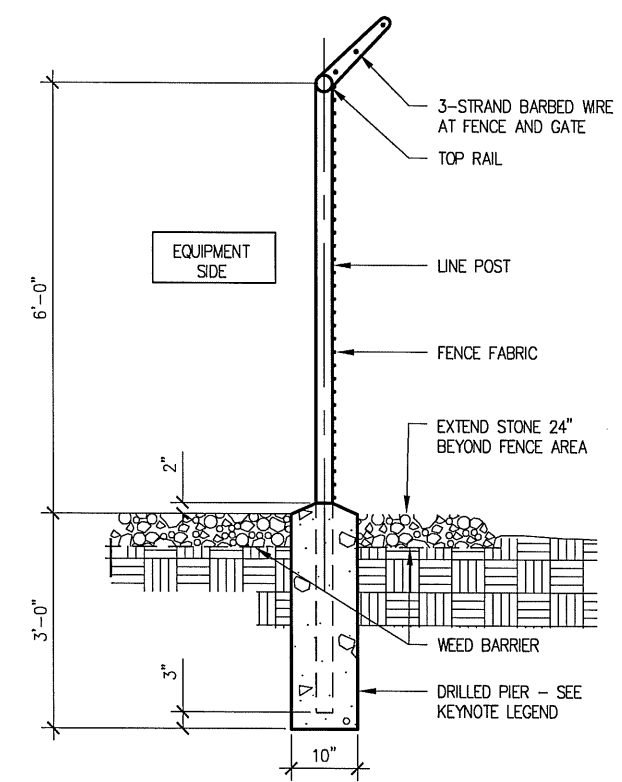
Keynote Legend

- FABRIC: 9 GAUGE, 2" MESH, ASTM A392 (SEE FENCE SECTION FOR HEIGHT).
- BARBED WIRE: 12 GAUGE WIRE, 4 POINT (3 RUNS), FINISH TO MATCH FABRIC, ASTM A121.
- EXTENSION ARMS: STAMPED STEEL WITH MALLEABLE IRON BASE, FINISH TO MATCH FENCE FRAMEWORK, ASTM F626.
- END AND CORNER POSTS: 3"Ø PIPE SCH. 40 (GALV.) ASTM F1083
- CONCRETE FOUNDATION: 36"x12"Ø (3000 PSI)
- LINE POSTS: 2"Ø PIPE SCH. 40 (GALV.) ASTM F1083
- CONCRETE FOUNDATION: 36"x10"Ø (3000 PSI)
- GATE POSTS: 4"Ø PIPE SCH. 40 (GALV.) ASTM F1083
- CONCRETE FOUNDATION: 48"x12"Ø (3000 PSI)
- TOP RAIL & BRACE RAIL: 1-1/2"Ø PIPE SCH. 40 (GALV.) ASTM F1083
- MIDDLE RAILS: 1-1/2"Ø PIPE SCH. 40 (GALV.) ASTM F1083
- BOTTOM TENSION WIRE: 0.177"Ø METALLIC-COATED STEEL (GALV.), MARCELLED, ASTM A824
- TENSION BARS: 3/16"x3/4", FULL HEIGHT OF FABRIC, FINISH TO MATCH FENCE FRAMEWORK.
- TENSION ROD: 3/8"Ø WITH ADJ. TIGHTNER, FINISH TO MATCH FENCE FRAMEWORK.
- GATE FRAME: 2"Ø SCH. 40 (GALV.) ASTM F1083
- POST CAPS: PER POST DIAMETER.
- GATE HINGES: NON-LIFT-OFF TYPE, OFFSET TO PERMIT 180 DEGREE SWING.
- DOUBLE GATE LATCH: COMMERCIAL STRONG ARM EQUAL TO: DAC INDUSTRIES 615-C ELEVENTH STREET, GRAND RAPIDS, MI 49504
- LOCK CHAIN: 3/8" SIZE, 36" LONG HOT DIP GALVANIZED ZINC COATED. W/ MARINE-GRADE PROGRAMMABLE FOUR DIGIT PADLOCK (SESAME BRAND OR APPROVED EQUAL)

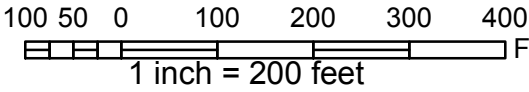
- NOTES:
- REFER TO PROJECT SPECIFICATIONS FOR INFORMATION NOT SHOWN IN THE DRAWING.
 - FENCE FABRIC SHALL CONFORM TO CHAIN LINK FENCE MANUFACTURERS INSTITUTE (CLFMI) PRODUCT MANUAL.
 - INSTALL FENCE IN COMPLIANCE WITH ASTM F 567.
 - INSTALL SWING GATES IN COMPLIANCE WITH ASTM F 900.
 - DO NOT BEGIN INSTALLATION AND ERECTION BEFORE FINAL GRADING IS COMPLETED, UNLESS OTHERWISE PERMITTED. INSTALL FENCING ON BOUNDARY LINES INSIDE OF PROPERTY LINE ESTABLISHED BY SURVEY.
 - DRILL OR HAND-EXCAVATE (USING POST - HOLE DIGGER) HOLES FOR POSTS TO DIAMETERS AND SPACINGS INDICATED, IN FIRM, UNDISTURBED OR COMPACTED SOIL. IF NOT INDICATED ON DRAWINGS, EXCAVATE HOLES FOR EACH POST TO MINIMUM DIAMETER RECOMMENDED BY FENCE MANUFACTURER, BUT NOT LESS THAN (4) TIMES LARGEST GROSS-SECTION OF POST.
 - REMOVE POST HOLE SPOILS FROM SITE. DO NOT SET SPOILS ON AGGREGATE WITHOUT ADEQUATE PROTECTION.
 - PROTECT PORTION OF POSTS ABOVE GROUND FROM CONCRETE SPLATTER. PLACE CONCRETE AROUND POSTS AND VIBRATE OR TAMP FOR CONSOLIDATION. CHECK EACH POST FOR VERTICAL AND TOP ALIGNMENT AND HOLD IN POSITION DURING PLACEMENT AND FINISHING OPERATIONS, UNLESS OTHERWISE SHOWN, EXTEND CONCRETE FOOTING 1 INCH ABOVE GRADE AND TROWEL TO A CROWN TO SHED WATER.
 - INSTALL BARBED WIRE IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
 - APPLY FABRIC TO OUTSIDE OF FRAMEWORK.



2 Barbed Wire Detail
NO SCALE

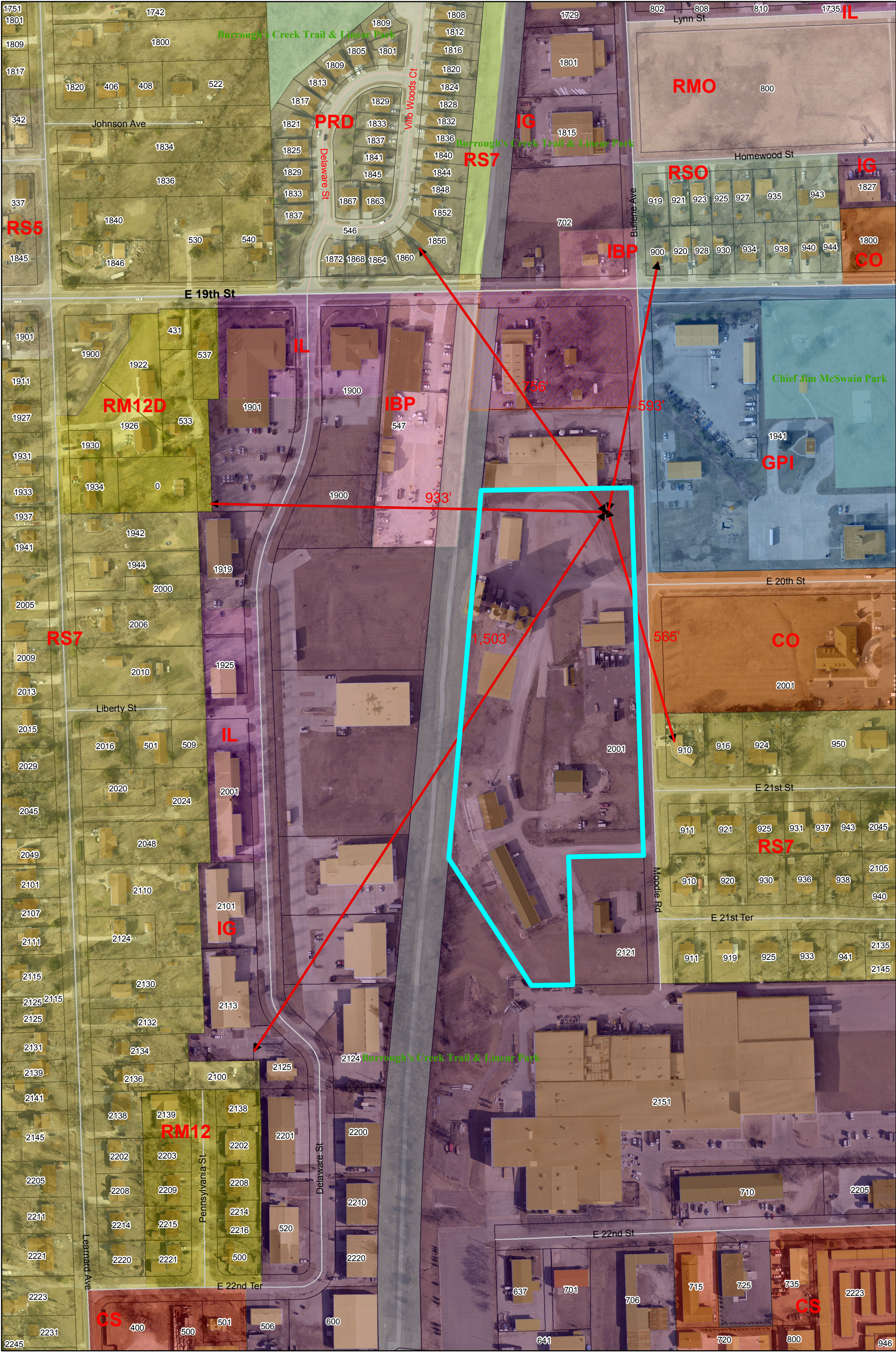


3 Typical Fence Section
SCALE: 3/8" = 1'-0"



DISCLAIMER NOTICE
The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

Date: 5/4/2015





From: Hank Madden & Billy Stubbs – RF Engineers, Verizon Wireless

April 17, 2015

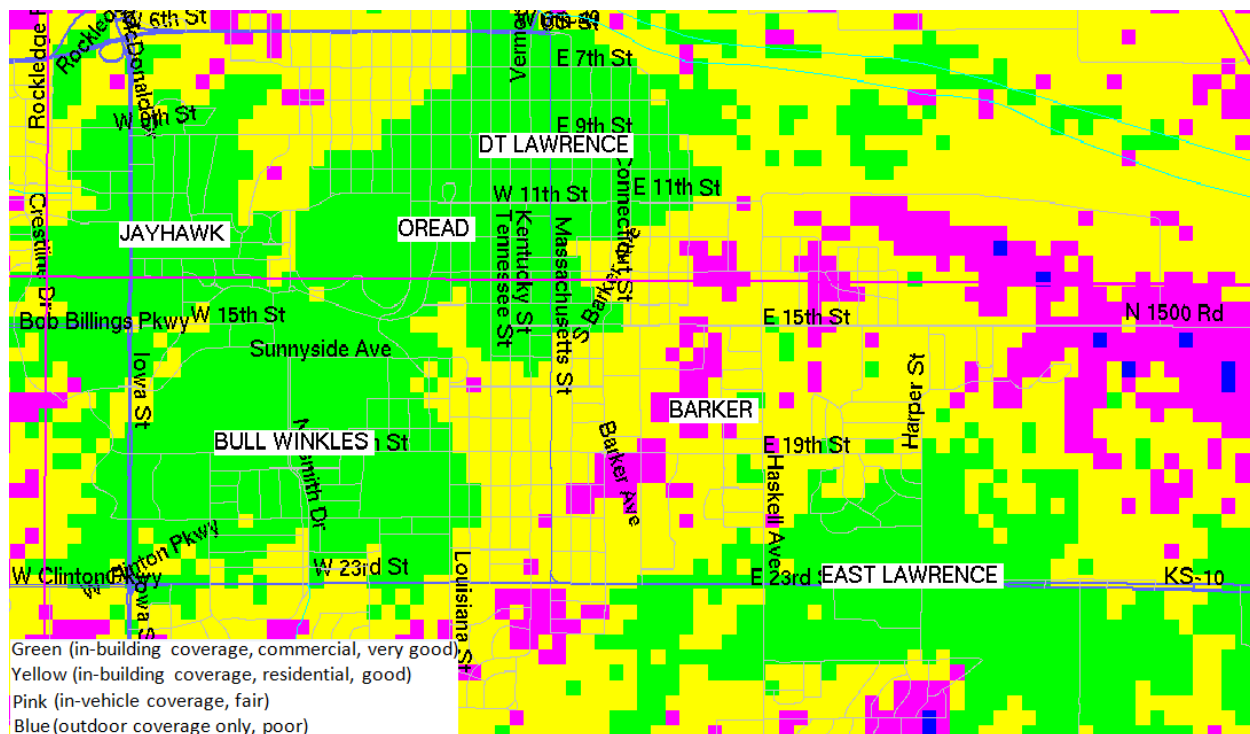
To: **The City Representatives**

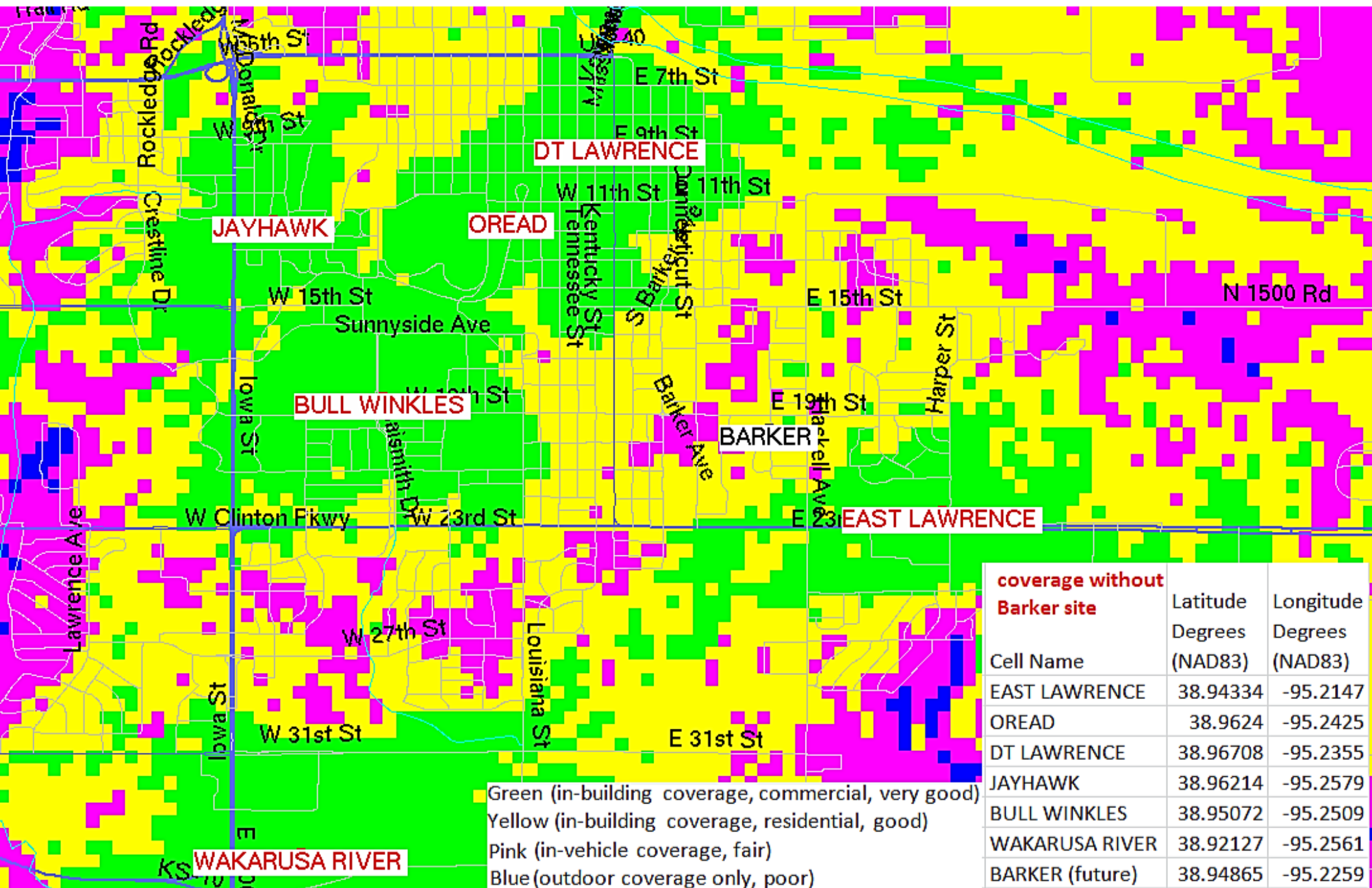
RE: **Proposed Barker cell site**

Dear City Representatives,

Verizon Wireless is proud to serve the greater Lawrence, KS area and we are always diligent to maintain excellent service and improvements. At this time, Verizon Wireless is trying to enhance the area of east-central portions of Lawrence, KS where coverage service reliability and capacity must be improved. The area that needs improvement at this time in both capacity and performance is between Massachusetts St and Haskell Ave just north of 20th St in east-central Lawrence. The fast growing 4G (LTE) data usage has required Verizon Wireless to plan for a new cell site in this area to improve coverage, performance and offload capacity from existing sites namely Oread, DT Lawrence and East Lawrence sites as shown below, Map 1.

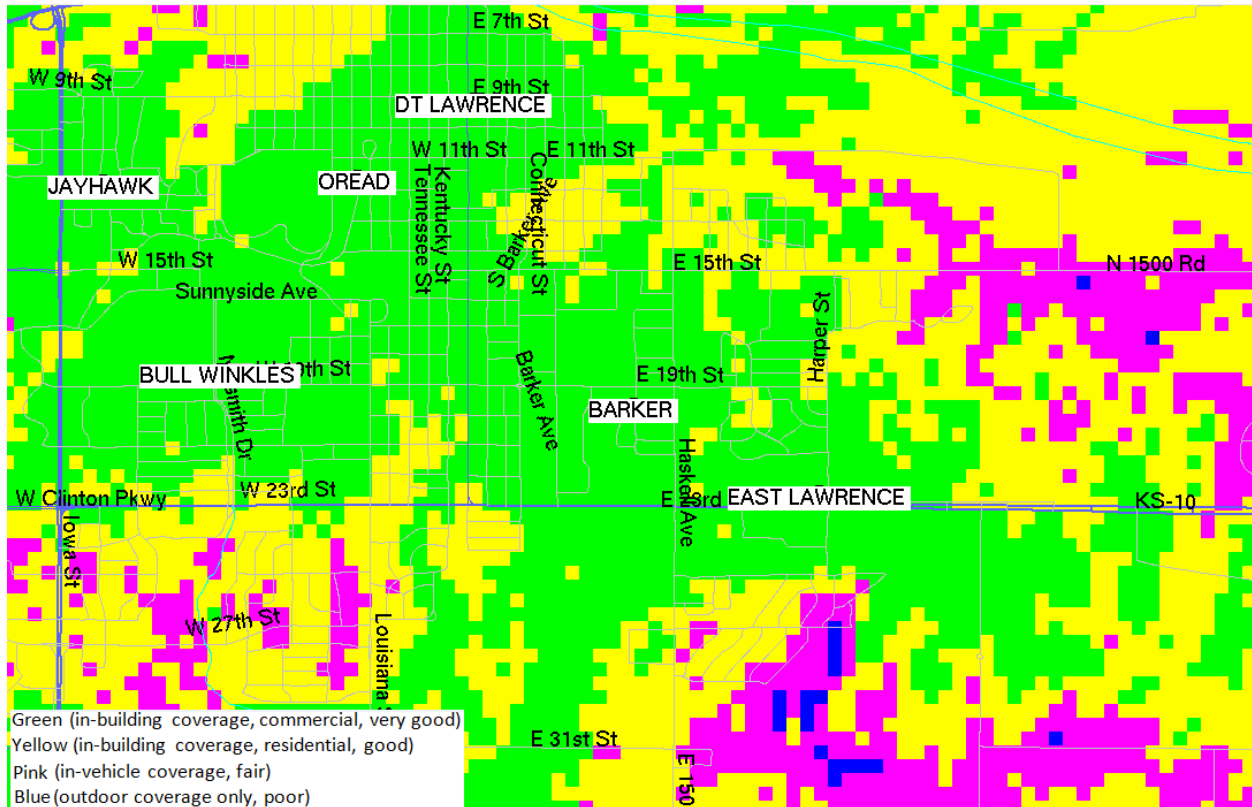
Map 1 – Existing Coverage





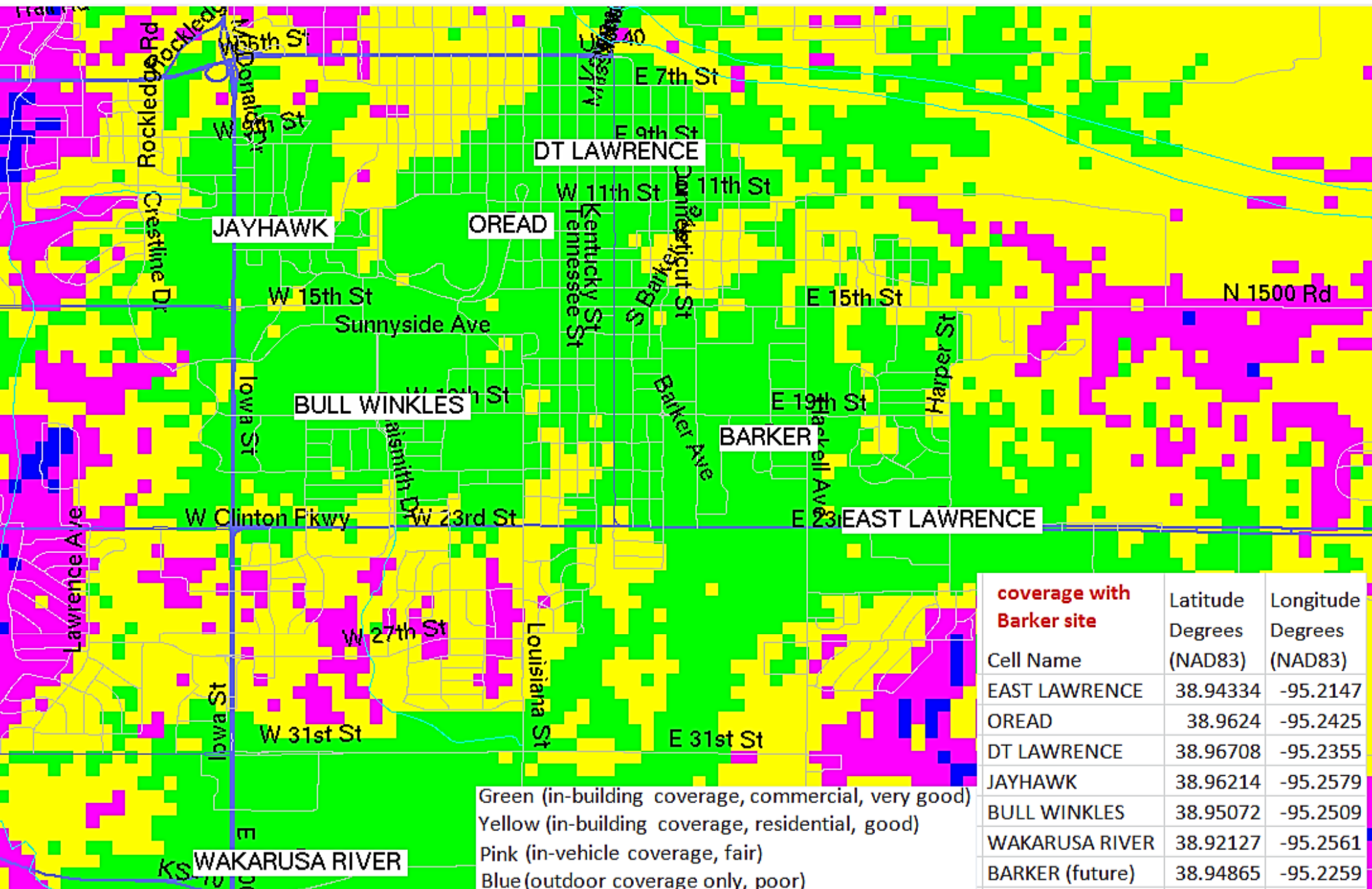
Below is Map 2 showing coverage improvement with the proposed new cell site, Barker.

Map 2 – Coverage with the new cell site, Barker



As 4G (LTE) data usage continues to increase dramatically as wireless customers utilize their wireless devices for more day to day task and recreation, the demand also increases to meet these needs by creating new opportunities to develop methods of improving coverage, capacity, and data throughput. The most challenging is capacity and data throughput. Verizon Wireless is meeting the expectations of our customers by designing this proposed cell site in the Lawrence area.

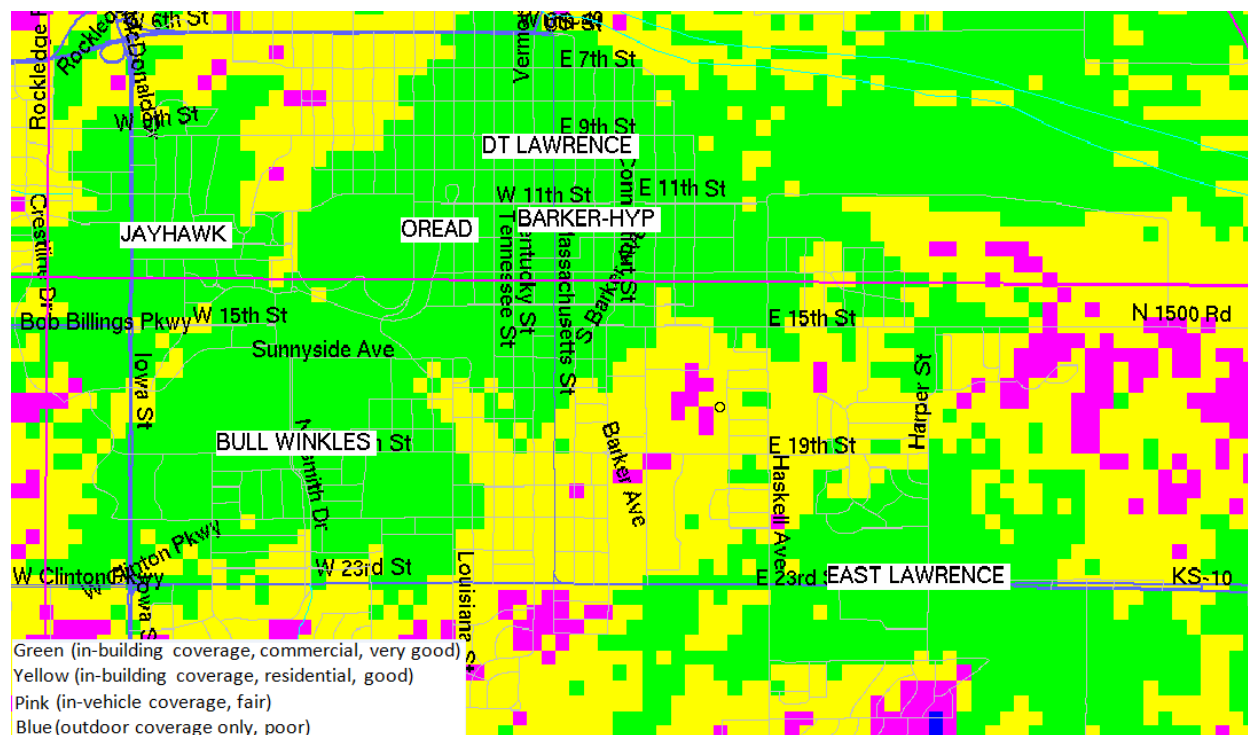
This coverage improvement combined with the capacity offload will afford Verizon Wireless customers the best possible data performance at the location identified. Verizon Wireless continues to strive to provide the best possible wireless experience for its customers while still recognizing the needs and desires of the surrounding community and being a good neighbor.



coverage with Barker site	Latitude Degrees (NAD83)	Longitude Degrees (NAD83)
Cell Name		
EAST LAWRENCE	38.94334	-95.2147
OREAD	38.9624	-95.2425
DT LAWRENCE	38.96708	-95.2355
JAYHAWK	38.96214	-95.2579
BULL WINKLES	38.95072	-95.2509
WAKARUSA RIVER	38.92127	-95.2561
BARKER (future)	38.94865	-95.2259

Below is Map 3 showing coverage improvement utilizing the LAWC Barker tower site.

Map 3 – Coverage with the new cell site using the LAWC Barker site



The Douglas County tower location (Barker-HYP) was considered in the analysis; however the proximity of Barker-HYP is only 0.3 miles from the current VZW location of the DT Lawrence site. Typically, a separation of roughly 1 mile or more is preferred. If sites are closer than 1 mile apart this will cause excessive signal overlap and non-equidistant spacing among the other towers in the area. This could cause inter-signal interference which would result in poor signal quality or data throughput. The Barker-HYP location also does not fully address the coverage null identified earlier between Massachusetts St and Haskell Ave just north of 20th St in east-central Lawrence, which is the objective of the proposed site.

Based on these results, the Barker-HYP location is not considered a viable candidate.

May 22, 2015

Ms. Sandra L. Day
Planning Division
P.O. Box 708
Lawrence, KS 66044

Re: Third Party Review for a New Communication Tower at 2001 Moodie Road
LAWC Barker Cell Site

Dear Ms. Day:

Burns & McDonnell has completed our radio collocation feasibility assessment and report the following:

Applicant

PAMCORP, LLC on behalf of Verizon Wireless, LLC

Project

Applicant proposes to construct a telecommunications tower in Lawrence, Kansas. Burns & McDonnell conducted a study in accordance with the Land Development Code to determine the extent to which the Applicant has, or has not, met the Burden of Proof required by Subsection 20-529 (7).

Proposed tower: LAWC Barker

Location: 2001 Moodie Road, Lawrence, Kansas, 66046

Geographic Coordinates: Lat. 38-56-55.05 North; Long. 95-13-33.43 West

Approximate Ground Elevation: 871 feet above mean sea level.

Structure height: 120 feet above ground level.

Transmitter Frequency Bands: 1860-1900 MHz; 700 MHz

Analysis

Burns & McDonnell reviewed the project data provided by the City including:

- Applicant's software-generated radio signal propagation models showing current radio signal coverage and proposed coverage after construction of the new tower.
- Applicant's zoning application including proposed site design drawings.

Burns & McDonnell's engineer travelled to Lawrence on May 22, 2015 and reviewed the proposed tower location, and other structures in the general area of study. The proposed tower site would be located in an improved area on Moodie Road 375 feet northeast of the existing Ottawa COOP grain elevator.

Ms. Sandra Day
May 22, 2015
Page 2

The New Telecommunications Towers – Burden of Proof

In accordance with the Land Development Code Subsection 20-529 (7) requires that the applicant meet the burden of proof by showing that one or more of the following conditions exist:

- (i) No existing telecommunications towers or structures are located within the geographic area required to meet the applicant's engineering requirements;
- (ii) Existing telecommunications towers or structures are not of sufficient height, and could not be extended to become sufficient in height, to meet the applicant's engineering requirements;
- (iii) Existing telecommunications towers or structures do not have sufficient structural capacity to support the applicant's proposed telecommunications antenna and related equipment; and the existing or approved telecommunications tower cannot be reinforced, modified or replaced to accommodate planned or equivalent equipment at a reasonable cost;
- (iv) The proposed telecommunications antenna would cause excessive electromagnetic interference with an existing telecommunications antenna on the telecommunications tower or structure, or the telecommunications antenna on the existing telecommunications tower or structure would cause interference with the proposed telecommunications antenna; and reconfiguration would not resolve the interference problem; or
- (v) The applicant demonstrates that there are other limiting factors, not including the provisions of this Article, that render existing telecommunications towers or structures unsuitable for its proposed telecommunications antenna.

The Applicant's software-generated radio signal propagation models show the current network coverage both before and after construction of the proposed site. Based on Burns & McDonnell experience, these propagation models represent a reasonable approximation of coverage performance for the network.

Towers and structures already occupied by the applicant were evaluated to determine whether height could be extended to cover the desired Barker area. Otherwise, the applicant's propagation models and their construction proposal are sufficient evidence that these current facilities do not sufficiently cover the desired area.

Ms. Sandra Day

May 22, 2015

Page 3

Name: Jayhawk

The facility is installed on a water tower. Significant extension of height is not feasible.

Name: Bull Winkles

The facility is installed on a 10-story building. Significant extension of height is not feasible.

Name: Oread

The facility is installed on an 8-story building. Significant extension of height is not feasible.

Name: DT Lawrence

The facility is installed on a 6-story building. Significant extension of height is not feasible.

Name: East Lawrence

The facility is installed on a 94-foot self-supporting tower owned by American Tower Corporation. The current structure does not appear to be capable of a height extension sufficient to cover the desired area.

Name: Wakarusa River

This is a 157-foot monopole tower. It is Burns & McDonnell's opinion that a tower at this location, due to its distance from the desired area, would have to be increased to an unreasonable height to provide coverage, and the current structure is not capable of being extended to such a height.

Burns & McDonnell obtained a list of existing communication towers not currently occupied by the applicant and located within an approximate one-mile radius of the proposed site. Given the radio coverage characteristics, frequency re-use and capacity requirements of 4G LTE, a reasonable expectation for "very good" coverage is a 0.5 to 0.75 mile radius around a given site. Therefore, a one-mile search radius for alternate sites is conservative, i.e. sites more than a mile from the proposed site would not have any reasonable expectation of providing the desired coverage.

FCC Reg. No. 1240758

Owner: Knology of Kansas, Inc.

This is a 202-foot guyed tower located in a residential area. The tower supports CATV and cellular antennas. The tower appears to be fully loaded and is too distant to provide adequate coverage of the required area in Burns & McDonnell's opinion.

Ms. Sandra Day
May 22, 2015
Page 4

FCC Reg. No. 1258675

Owner: T-Mobile USA Towers LLC

At 1.1 miles from the proposed site, this tower is outside the search area but was included due to its prominent location along K-10. This is a 160-foot monopole tower. It is too distant from the proposed site to provide coverage of the desired area, and the current structure is not capable of being extended to sufficient height to overcome the distance.

FCC Reg. No. 1240013

Owner: Douglas County, KS

This is a 199-foot self-supporting tower located near the Law Enforcement Center. This tower appears fully occupied and would not appear to be a candidate for colocation. It is also too far to the northeast to provide adequate coverage of the required area in Burns & McDonnell's opinion. Other problems related to the close spacing of this tower to existing network sites are explained in applicant's radio propagation study report.

Grain Elevator

Owner: Ottawa COOP

This 130-foot structure is located approximately 365 southwest of the proposed site. There are numerous land mobile radio antennas currently on the structure. Burns & McDonnell contacted the applicant's representative concerning use of this structure for their proposed antennas. The applicant's representative explained that the Grain Elevator had been studied by Verizon engineering and operations groups and found to be unsuitable, primarily because the roof is accessible only from a single man lift that is insufficient for their operations and maintenance needs.

Harper Water Tower

Owner: City of Lawrence

This structure is not of sufficient height to cover the proposed area and is already occupied by a cellular array.

A summary of the findings of this study are shown provided in Table 1. Attachment A contains a map of the radio sites that were reviewed, and Attachment B contains photographs of these sites.

Ms. Sandra Day
May 22, 2015
Page 5

Table 1
Study Findings

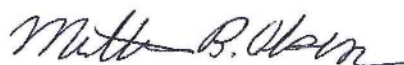
	Burden of Proof Disqualifying Condition				
	(ii)	(iii)	(iv)	(v)	
Location	Height Limitations	Structural Limitations	Electromagnetic Interference	Other Disqualifier	Applicant-Occupied
Jayhawk	X				Yes
Bull Winkles	X				Yes
Oread	X				Yes
Bull Winkles	X				Yes
DT Lawrence	X				Yes
East Lawrence	X			X	Yes
Wakarusa River	X			X	Yes
1240758	X	X		X	No
1258675	X			X	No
1240013	X			X	No
Grain Elevator				X	No
Harper Water Tower	X				No

X=disqualifying condition is met for the site.

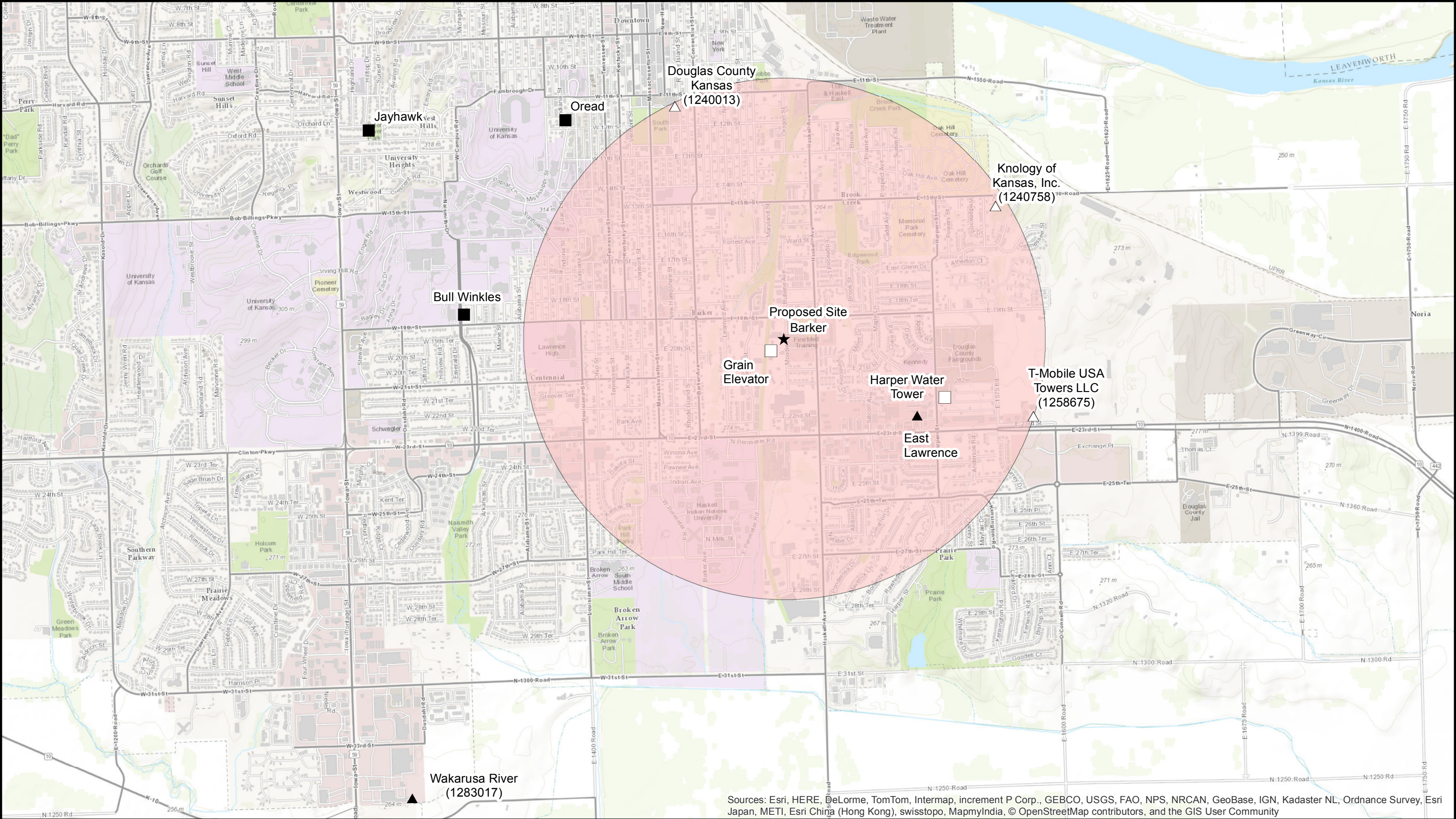
Findings

No existing telecommunications towers or structures are located within the geographic area required to meet the applicant's engineering requirements. The Burden of Proof required of the Applicant has been met as shown in Table 1. These findings are Burns & McDonnell's independent professional opinion based on our experience related to the propagation characteristics of the radio frequency bands proposed, our experience in the design and construction of similar radio facilities, and our observations of the site and the surrounding area.

Sincerely,



Matthew B. Olson, P.E.
License KS20642
Attachment A-Third Party Review LAWC Barker
Attachment B-Photographs of Proposed Site and Other Structures



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Legend

- | | | | | | |
|--|----------------------|--|---------------------------------------|--|---|
| | One-Mile Search Area | | Proposed Site | | Tower Not Occupied by Applicant |
| | | | Tower Occupied by Applicant | | Other Structure Not Occupied by Applicant |
| | | | Other Structure Occupied by Applicant | | |

Attachment A
Third Party Review LAWC Barker
05/29/2015



Attachment B

Photographs of Proposed Site and Other Area Structures



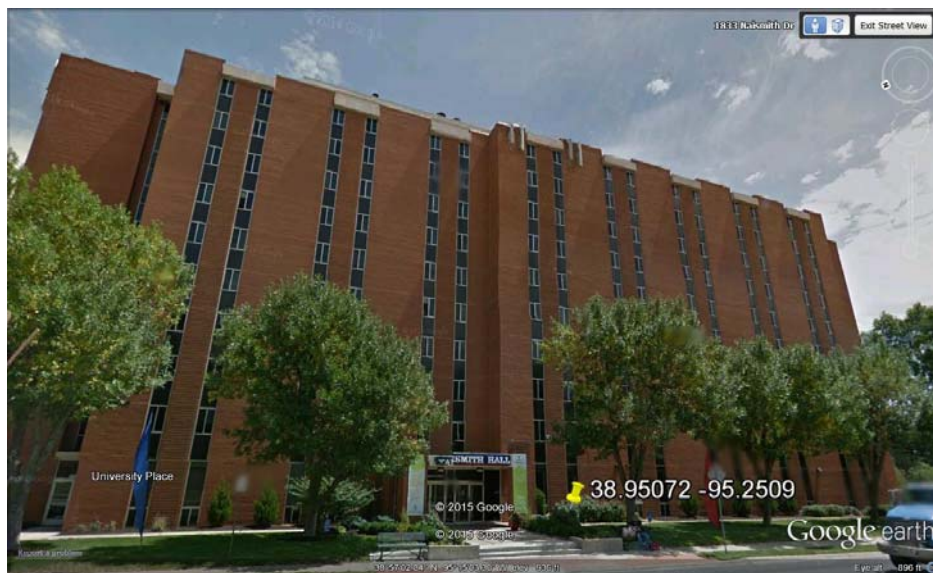
2001 Moodie Road, Lawrence, KS
Looking Northwest



2001 Moodie Road, Lawrence, KS
Looking West



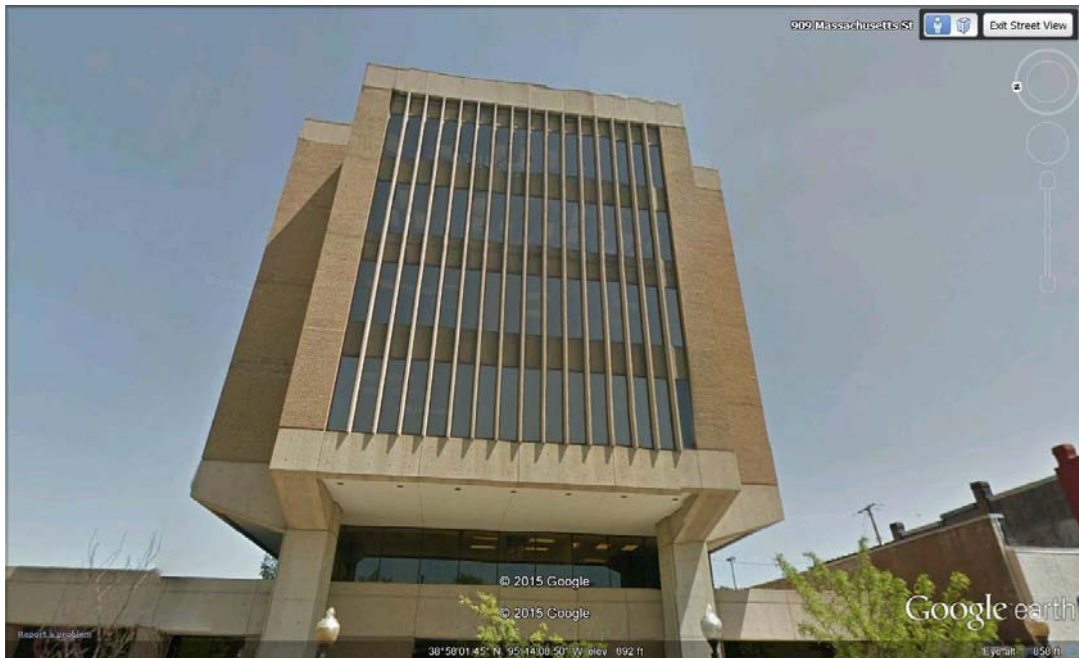
Name: Jayhawk



Name: Bull Winkles



Name: Oread



Name: DT Lawrence



Name: East Lawrence



Name: Wakarusa River



FCC Reg. No. 1240758
Owner: Knology of Kansas, Inc.



FCC Reg. No 1258675
Owner: T-Mobile USA Towers LLC



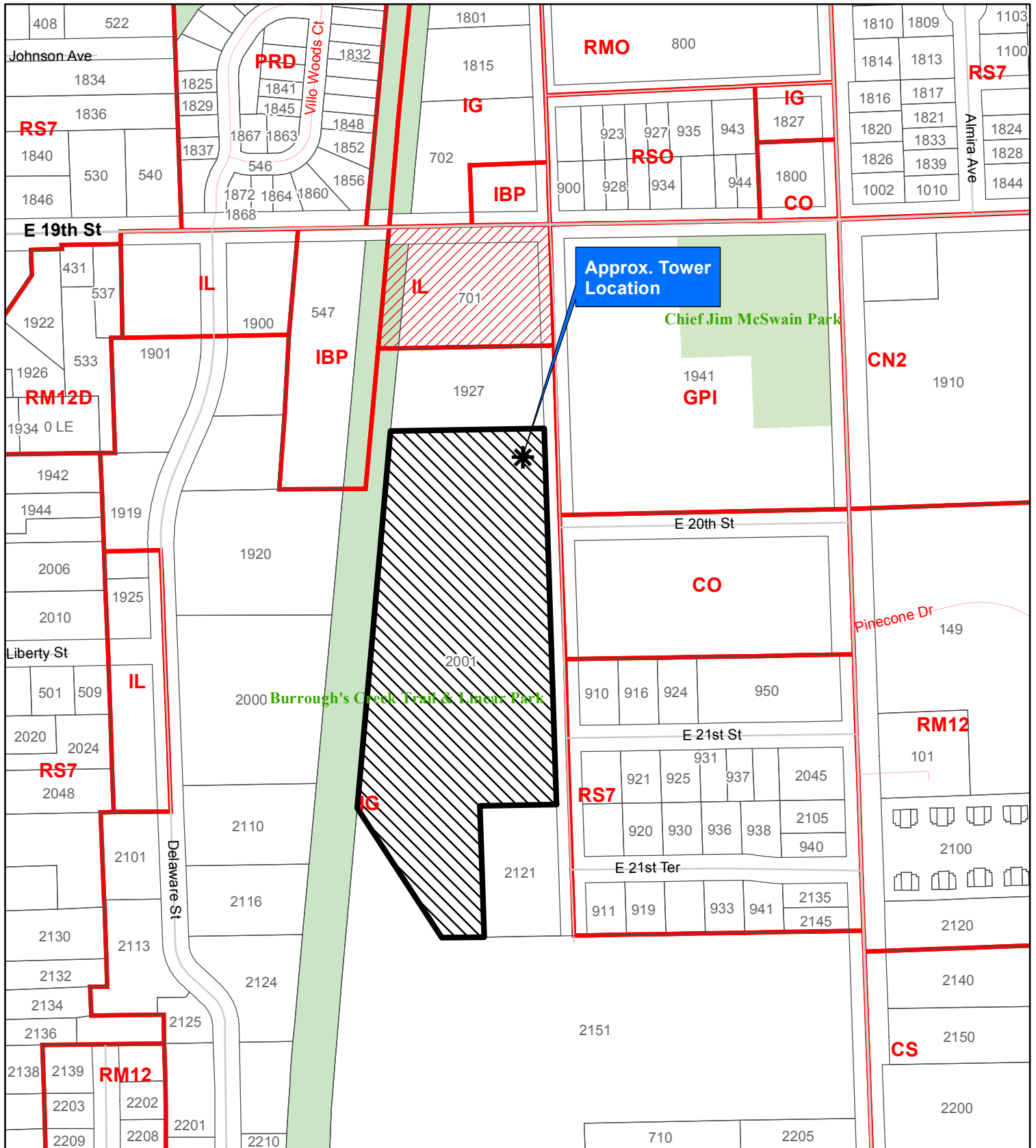
FCC Reg. No. 1240013
Owner Douglas County, KS



Grain Elevator on Moodie Road near Proposed Site
Owner: Ottawa COOP




Harper Water Tower



SUP-15-00185: Special Use Permit for a New Verizon Wireless Communications Tower to be Located in the Northeast Corner of 2001 Moodie Road

Lawrence-Douglas County Planning Office
June 2015

 Subject Property



From: [Clark Coan](#)
To: [Sandra Day](#)
Subject: Verizon Cell Phone Tower
Date: Thursday, May 07, 2015 5:16:22 PM

Sandra,

Since Verizon apparently mislead the planning commission (by saying their engineers claimed that no other site would work) and immediately filed suit against the City without trying to compromise first, they should be required to do some mitigation.

They could be required to put a belt of evergreen trees (firs, spruce) along the western boundary of the grain elevator property to help screen these eyesores from trail users on the Burroughs Creek Trail. As a precedence, the developers of the Oread Hotel put in fir trees in front of the city water tower on Jayhawk Blvd.

Thank you for paying attention to my comments.

Clark Coan
Corporate Secretary
Public Information Specialist
Sunflower Rail-Trails Conservancy

P.S. I see where the contractors for Menards have started earth work in preparation of laying concrete for the Naismith Trail extension.



Sunflower Rail-Trails Conservancy, Inc.
PO Box 44-2014
Lawrence, Kansas 66044
www.sunflowertrails.org

RECEIVED

JUN 16 2015

City County Planning Office
Lawrence, Kansas

June 15, 2015

Lawrence Douglas County
Planning Commission
c/o Planning and Development
City Hall, 6 East Sixth St.
Lawrence, KS 66044

Dear Commissioner:

Since Verizon apparently mislead the planning commission (by testifying that their engineers asserted that no other site would work) and immediately filed suit against the City without trying to compromise first, they should be required to perform some mitigation.

They could be required to put a berm topped with a belt of a mix of evergreen trees (firs, spruce, etc.) along the whole western boundary of the grain elevator property to help screen these eyesores from trail users on the Burroughs Creek Trail. As a precedence, the developers of the Oread Hotel put in fir trees in front of the city water tower on Jayhawk Blvd.

Thank you for paying attention to my comments.

Clark Coan
Corporate Secretary
Public Information Specialist

BOARD OF DIRECTORS

President: Larry Ross, Wichita; Vice-president: Richard Stein, Dodge City; Secretary: Clark Coan, Lawrence;
Treasurer: Carol O'Neal, Marysville

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
6/22/2015

ITEM NO. 3A: RSO TO CN2; 10 ACRES; 4300 W 24th Place (SLD)

Z-15-00198: Consider a request to rezone approximately 10 acres from RSO (Single-Dwelling Residential-Office) District to CN2 (Neighborhood Shopping Center) District, located at 4300 W 24th Place. Submitted by Paul Werner Architects, on behalf of RPI LLC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning request for approximately 10 acres from Single-Dwelling Residential-Office (RSO) to Neighborhood Shopping Center (CN2) and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report subject to the following conditions:

1. The City Commission shall review and approve any site plan application prior to issuance of a building permit on the subject property.
2. As part of any proposed development, the extraordinary buffer yard along Inverness Drive shall be limited to open space, landscape, and park-type amenities.
3. The following uses shall be prohibited:
 - a. Household living (all residential uses)

ATTACHMENTS

- A. Inverness Park Plan Map
- B. Existing Zoning and Land Use Exhibit
- C. Inverness Park Area Development History

PROPERTY OWNER'S REASON FOR REQUEST

The Inverness Park District Area Plan recommends CN2 zoning for this property.

KEY POINTS

- This is a request to accommodate future commercial development with a portion of the original property remaining for duplex residential development.
- Proposed request is intended to create a Neighborhood Commercial Center in the Inverness Park District.
- Request is consistent with land use recommendations for this area noted in the *Inverness Park District Plan*.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- TA-13-00488; Special Use in CN2 District – withdrawn by applicant
- Z-13-00483; 10.97 acres RSO to CN2 – withdrawn by applicant
- SUP-13-00486; Family Fun Center – withdrawn by applicant
- SUP-14-00026; Inverness Corner Retail Development (with drive-thru) – withdrawn by applicant
- PP-15-00196; preliminary plat – submitted with this application

OTHER ACTION REQUIRED:

- City Commission approval of rezoning and adoption of ordinance.
- Publication of rezoning ordinance.

OTHER ACTIONS REQUIRED PRIOR TO DEVELOPMENT

- Platting of the property through the Major Subdivision process.
- City Commission approval of a future site plan, as applicable, prior to issuance of a building permit.

PLANS AND STUDIES REQUIRED

(None required for this rezoning)

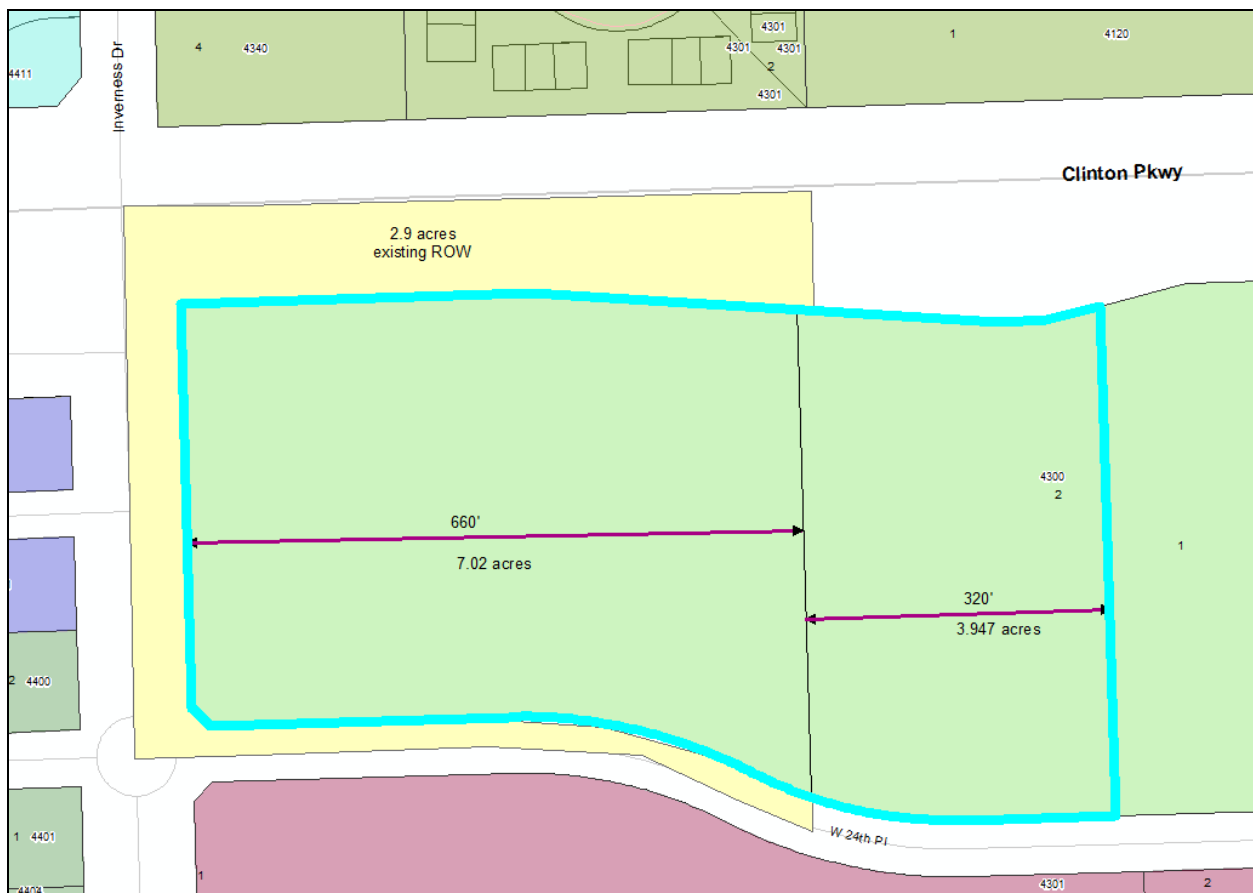
PUBLIC COMMENT

- None received at this time.

Project Summary

This property is located on the south side of Clinton Parkway; east of Inverness Drive and north of W. 24th Place. This application is submitted concurrently with a preliminary plat, PP-15-00196. Specific uses have not been identified for the commercial development at this time.

This application represents approximately 7 acres of buildable area and approximately 2.9 acres of surrounding right-of-way (10 acres proposed for CN2 zoning includes right-of-way). The east 320' (3.4 acres) is intended to retain the current RSO zoning to accommodate duplex development as shown on the preliminary plat.



REVIEW & DECISION-MAKING CRITERIA

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Property Owner's Response:

"The Inverness Park District Plan updates Horizon 2020's recommendations for this site to CN2 zoning. This change to Horizon 2020 was a result of neighborhood concerns for the development of this property."

The CN2 (Neighborhood Shopping Center) District is primarily intended to implement the Comprehensive Plan's "Neighborhood Commercial Centers" policy of providing for the sale of goods and services at the neighborhood level. Neighborhood Commercial Centers are generally located at least one mile from another Commercial Center. Developments in CN2 Districts are intended for Collector/Arterial Street intersections or at Arterial/Arterial Street intersections. Development is intended on only one corner of the intersection of Clinton Parkway, an arterial street, and Inverness Drive, a collector street.

Horizon 2020 identifies commercial development goals in Chapter 6. Goals for established commercial areas include the retention, redevelopment and expansion of established commercial areas in the community (Page 6-24). This property is identified as a future neighborhood commercial area.

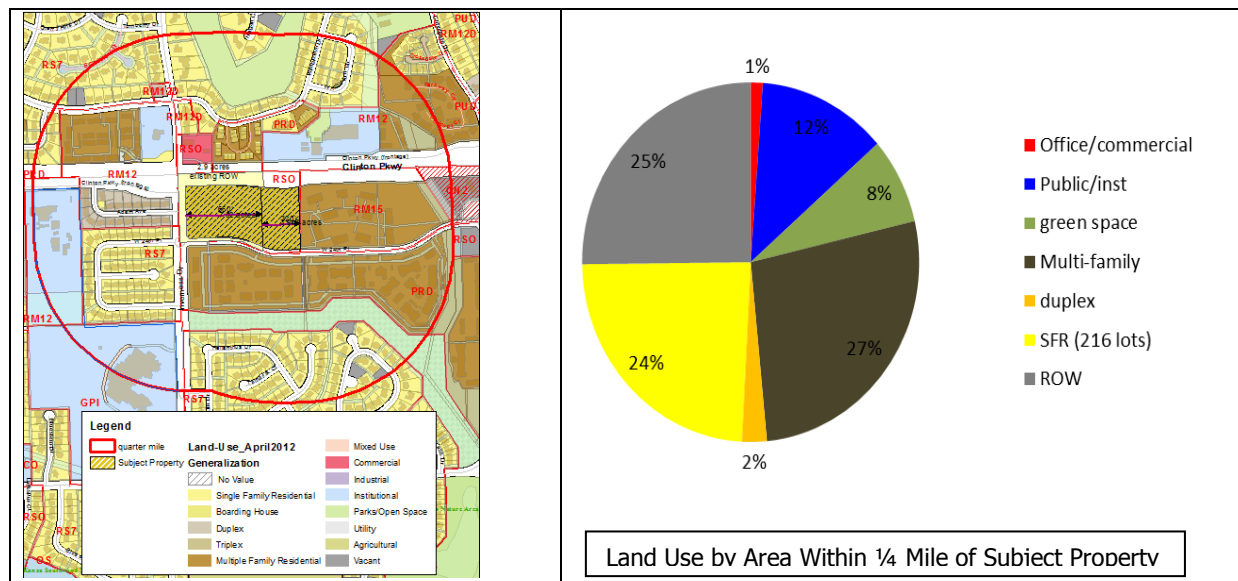
Other comprehensive plan goals include appropriate land use transition between commercial and residential neighborhood areas. These goals are applicable to the proposed request.

Staff Finding – The request for CN2 zoning at this location is consistent with *Horizon 2020* goals and policies.

2. ZONING AND LAND USES OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

Current Zoning and Land Use:	RSO (Single-Dwelling Residential-Office District), undeveloped lot.
Surrounding Zoning and Land Use: To the southwest:	RS7 (Single-Dwelling Residential District) single family residences located west of Inverness Drive. GPI (Southwest Middle School and Sunflower Elementary School); Elementary and middle schools located farther southwest along Inverness Drive.
To the south:	PRD-[The Grove] and PRD-[Legends at KU]; multi-dwelling residences.
To the north:	RM12 (Multi-Dwelling Residential District); Bishop Seabury Academy. PRD-[Wimbledon Terraces]; multi-dwelling residences. RSO (Single-Dwelling Residential-Office) District; Clinton Parkway Animal Hospital.
To the northwest/west:	RM12 (Multi-Dwelling Residential District); a church and duplexes.
To the east:	RM12 (Multi-Dwelling Residential District); multi-dwelling residences, known as Remington Square.

The predominate uses of nearby properties are residential. Multi-dwelling and detached/duplex uses occupy approximately the same amount of spatial area within a quarter mile of the subject property. All adjacent properties are developed; the current property is the only undeveloped parcel in the immediate vicinity. Southwest Middle School and Sunflower Elementary School are located roughly one block south along Inverness Drive. Raintree Montessori School is located roughly one block west of the property along Clinton Parkway. The following graphics highlight the distribution of uses in the immediate area. The Wimbledon Terrace Townhomes are included in the multi-dwelling land use. The County appraiser's office identifies the properties within the Wimbledon Terrace PUD as both "single-family residential" and "multi-family residential". For this analysis all properties within that PUD were counted as multi-dwelling. Multi-Dwelling uses are defined in the Land Development Code as three or more attached units.



Staff Finding – The existing zoning and land use in this immediate area includes both single-dwelling and multi-dwelling zoning and land uses. Non-residential uses include office, commercial, religious assembly and public institutional uses, located along Clinton Parkway and Inverness Drive.

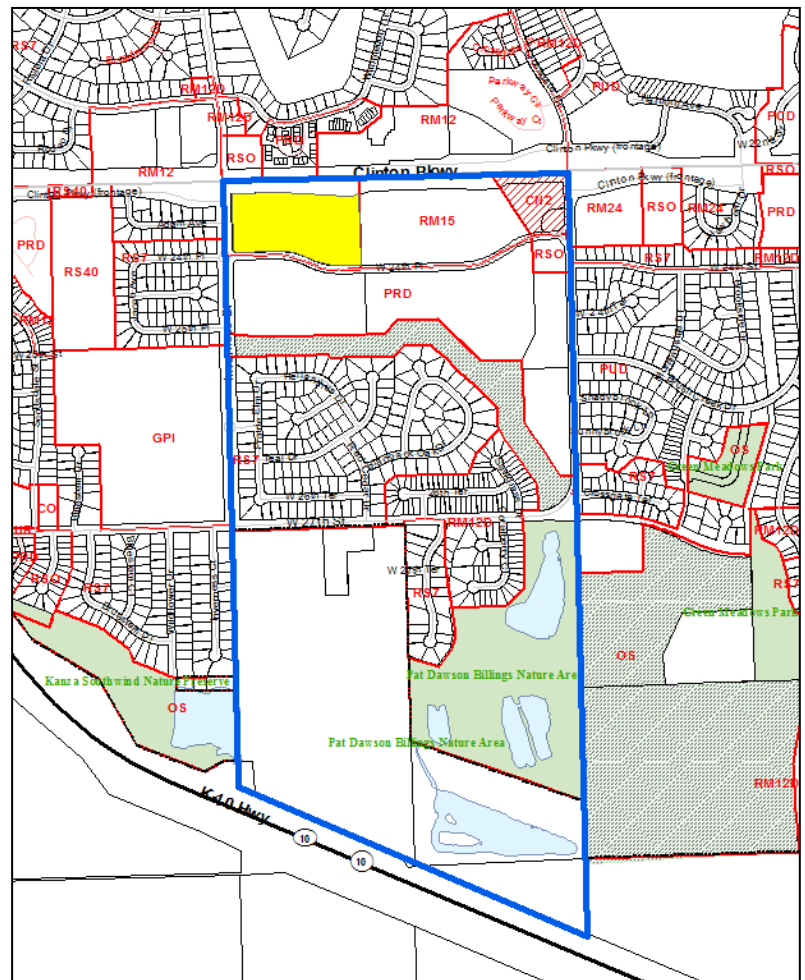
3. CHARACTER OF THE AREA

Property Owner's Response: *"Clinton Parkway, a principal arterial roadway, in the northern boundary of this project site with a veterinarian office and duplex/tri-plex development north of Clinton Parkway. The proposed duplexes to the east of the project site will act as an additional buffer for the multi-family and residential uses to the east of the site. Directly west of the site are duplex/single family homes and to the south of the site is an apartment complex."*

This property is located within the Inverness Park Neighborhood. The property is adjacent to Inverness Drive, directly to the west, which provides access to Clinton Parkway, a major arterial street. The Inverness Park Neighborhood is defined in the *Inverness Park District Plan* as an area located south of Clinton Parkway between Inverness and Crossgate Drives, north of K-10 Highway. The Inverness Park Neighborhood is primarily urban in nature and is located mostly within the City of Lawrence, except for two residences located south near K-10 Highway. Multi-dwelling (higher density) residential properties are located in the northern portion of the district.

Raintree Montessori School is located west of the neighborhood along Clinton Parkway, and Southwest Middle School and Sunflower Elementary School are located roughly one block south of the property along Inverness Drive. The subject property is one of the few undeveloped parcels within the plan boundary.

This property is bounded on the north by a designated principal arterial street, Clinton Parkway and a collector street, Inverness Drive, to the west. The surrounding area also includes numerous public and private open space areas such as the Alvamar Golf Course north of Clinton Parkway and a 14.6 acre linear park between Inverness Drive and Crossgate Drive south of W. 24th Place. Other significant open space areas include the Kansa Southwind Nature Preserve (19 acres) and Pat Dawson Billings Nature Areas (41.8 acres). Approximately 20% of the area within the boundary of the *Inverness Park District Plan* is currently dedicated to public open space use, excluding the recommended buffer area along Inverness Drive.



Staff Finding – The vicinity surrounding the subject property includes a variety of residential and non-residential uses. The neighborhood is predominately developed with few remaining vacant parcels.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

This property is included within the plan boundary of the *Inverness Park District Plan* adopted in 2012. The purpose of the plan was to provide direction and guidance for the remaining undeveloped parcels within the planning area. The plan states: "*Concerns have been raised by residents in the area about the proliferation of multi-family uses and the impact they are having on the areas.*"

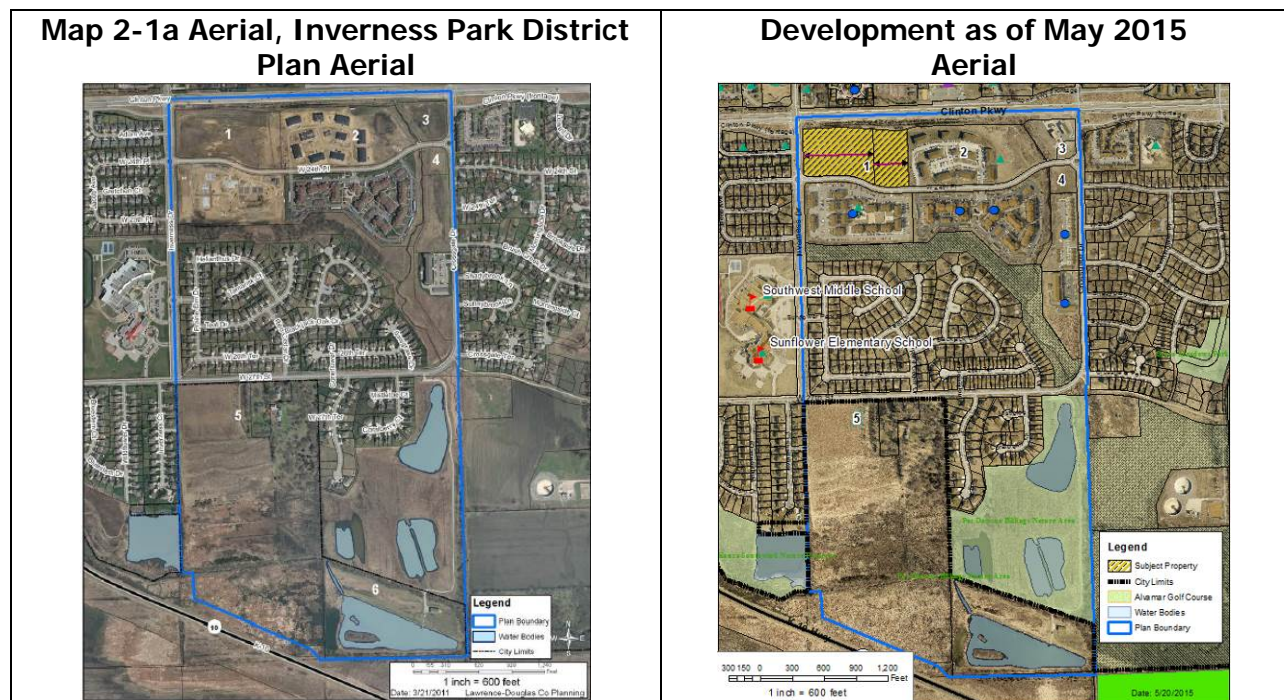
The entire property is currently zoned RSO. The property has been granted certain development entitlements based on the current zoning. The RSO district allows detached, attached, and duplex residential uses. The RSO does not allow multi-dwelling uses. Mixed uses are also allowed in the RSO District that include non-ground floor and work live units. This application represents a request to rezone a majority of the undeveloped property from RSO to CN2.

This property is described in Section II of the *Inverness Park District Plan* as an undeveloped 11 acre parcel. Direct access to Clinton Parkway is prohibited. Access is also restricted from

Inverness Drive; therefore, the property can only be accessed from W. 24th Place. Specific issues identified for this parcel in the Plan include:

- *This is a larger parcel capable of accommodating neighborhood scale commercial and multi-family residential.*
- *Include a landscape buffer area to buffer the higher intensity uses from the residential neighborhood to the west.*
- *Neighbor interested in park vs. feasibility of development potential due to location.*

Since the plan's approval in 2012, several developments have been constructed. These include The Casitas, a multi-dwelling residential project along Crossgate Drive; the Hy-Vee gas station and convenience store at the corner of Clinton Parkway and Crossgate Drive; and The Grove, a multi-dwelling residential project, located along the south side of W. 24th Place.



Section III of the plan provides goals and principles for the development of the remaining undeveloped properties in the *Inverness Park District Plan* area. Goals are stated as follows:

- *Encourage nonresidential land uses at the Inverness and Crossgate corners of Clinton Parkway that are compatible with the residential uses in the planning area.*
- *Develop a strong park/trail system.*
- *Develop single-family residential uses south of 27th Street at densities compatible with adjacent densities.*
- *Protect the regulatory flood hazard areas from development.*

This property is located north of 27th Street and is not encumbered by any regulatory floodplain. The proposed request seeks to rezone the west 7 acres from RSO to CN2 consistent with the first stated goal of the plan.

More specific policies applicable to this request are as follows:

- Allow for neighborhood-level commercial, office, civic, institutional and recreation activities on the Inverness and Crossgate corners of Clinton Parkway.
- Encourage mixed use development (i.e. residential and non-residential uses) along Clinton Parkway.
- Limit additional multi-family uses in the Planning Area.
- Maintain the integrity of Clinton Parkway as an access restricted thoroughfare.

This application for CN2 zoning, if approved, would accommodate neighborhood commercial uses as well as community facility uses such as Day Care Centers, Extended Care Facilities, Clinics, and a variety of Office Uses. The CN2 district also allows mixed use with multi-dwelling residential uses when 50% of the ground floor is used for non-residential uses.

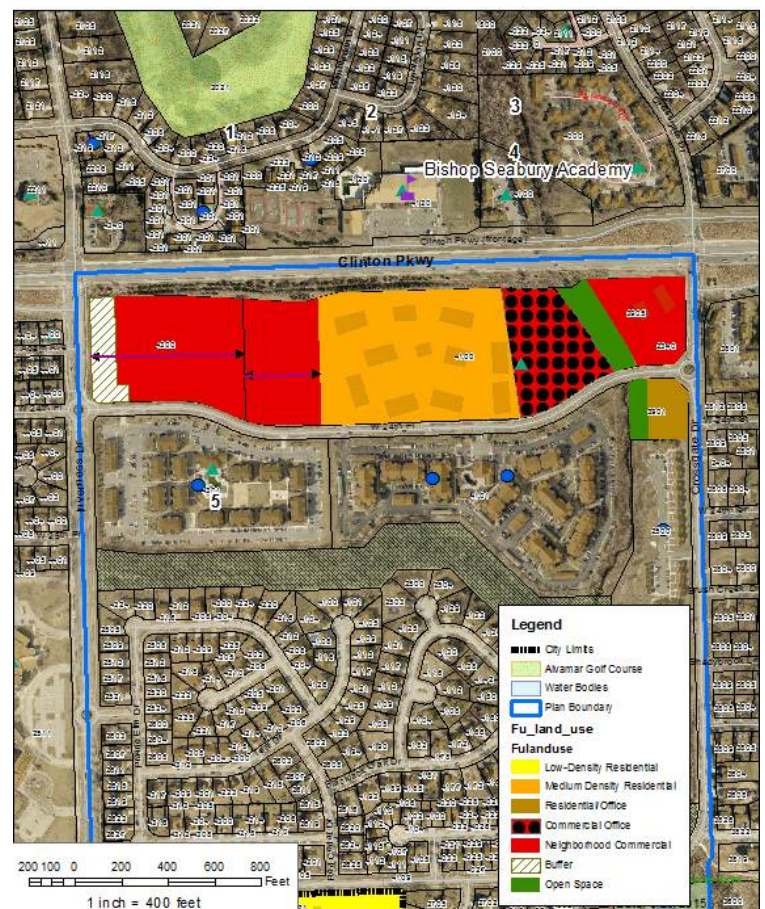
This rezoning application does not include the entire undeveloped parcel at Inverness Drive and Clinton Parkway. The east 3.9 acres are proposed for duplex development as shown on the Preliminary Plat accompanying this application. If approved, the residential uses along Clinton Parkway would be bookended by neighborhood commercial zoning at the Inverness Drive and Crossgate Drive intersections.

Section IV of the plan provides specific land use recommendation applicable to this property. A buffer area is recommended on the property at the southeast corner of Inverness Drive and Clinton Parkway to provide a *"landscape buffer for the low-density residential uses that are west of the property across Inverness Drive."* The plan states the buffer should be *"designed in a way to provide an effective buffer from the light and noise impacts associated with commercial development on the Inverness corner. Compliance with the buffer will be required with site plan/development plan approval."*

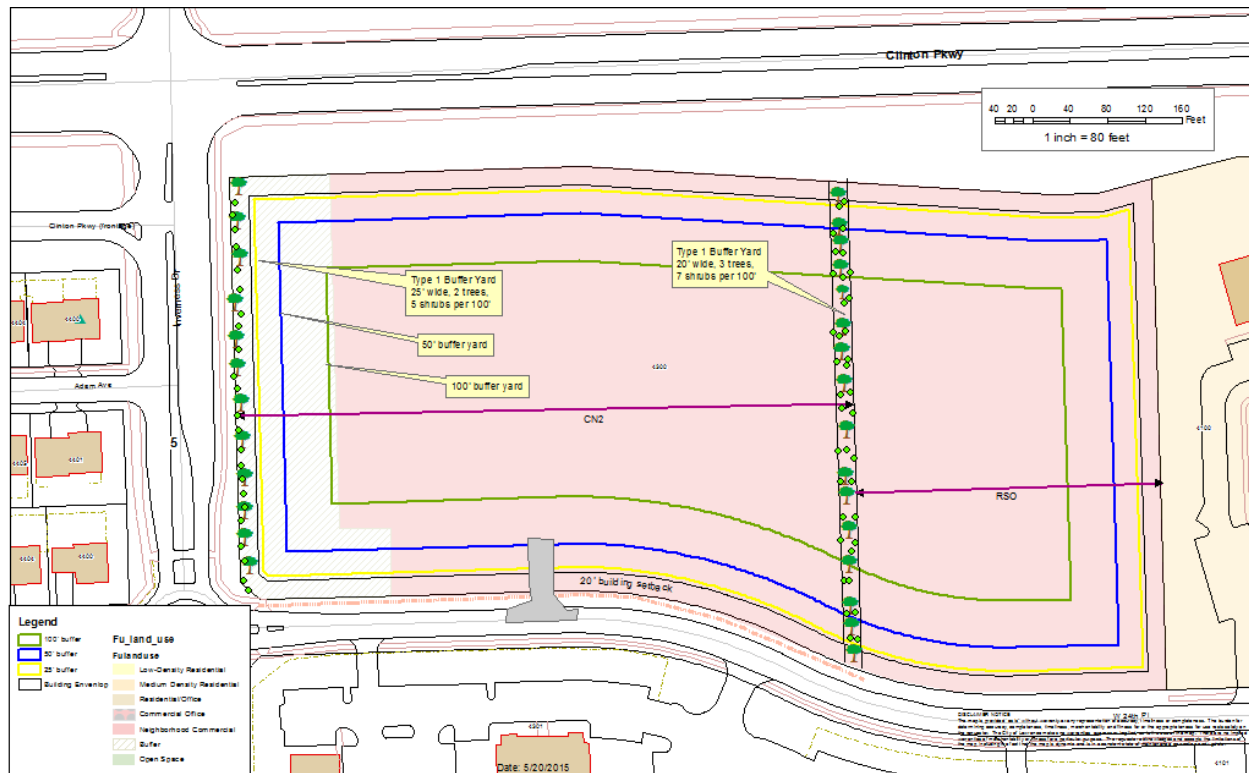
Buffer space along Inverness Drive:

The primary use of this space is intended as Open Space/Landscaping and the zoning district would be the same as that of the property. Intensity of the space should be light. This would allow the space to be rezoned to the proposed CN2 District with the stipulation that development of the area should include substantial landscaping. Use of the space would include such amenities as seating areas, benches, water fountains, and shade structures that provide pedestrian amenities and signal a change from commercial to residential uses. The space should not be used as an outdoor patio/seating area for a restaurant as a private space for that use. Refer to Map 4-1 – Future Land Use for a graphic representation of the buffer area.

The plan does not specify a minimum or maximum width of the buffer yard. The following exhibit shows what various buffer yards along Inverness Drive might look like at



25', 50' and 100'. If approved, a buffer yard along the east property between the CN2 and the RSO would also be required per the Zoning Regulations.



The RSO district is a residential-office zoning district with a limitation on the type of housing restricted to only single-dwelling residences. These include attached, detached and duplex housing as well as non-ground floor dwellings and live work units when part of a mixed use development. This zoning district is recommended for use along Crossgate Drive and is generally referred to as parcel 4 in the *Inverness Park District Plan*. The subject property is currently zoned RSO and is allowed to develop these uses presently. As noted above the proposed rezoning application excludes the east three acres that would allow development of the existing, or remaining, area to be developed with duplex residential uses.

Commercial – Neighborhood Center Development

Both the Inverness Drive and Crossgate Drive intersections with Clinton Parkway are indicated in the District Plan as appropriate for commercial uses as shown in the future land use map included in the District Plan. Commercial uses are recommended at a neighborhood scale. The area that is currently developed with the Hy-Vee gas station and convenience store includes approximately 3.9 acres. This site includes a car wash that has been approved but has not been constructed. A small pad site is designated on the northwest corner of W. 24th Place and Crossgate Drive. The proposed CN2 request is approximately 7 acres (10 acres including the surrounding right-of-way). The previous SUP request for development of the Inverness Drive intersection included approximately three acres (SUP-14-00026).

The plan states: *"Particular attention should be paid to properly designing a large-scale development on the Inverness Corner to fit into the context of the developed residential area. Preserving open space to help mitigate the size and scale of the development should be a priority."*

Staff Finding – The proposed CN2 zoning request conforms to the land use recommendation in the *Inverness Park District Plan*. Buffers laid out in the *Inverness Park District Plan* should be designed to mitigate any nuisances related to commercial development.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Property Owner's Response:

"The current zoning restricts the site to residential/office uses which as the Inverness Park District Plan indicates is not suitable zoning for this land."

Numerous concerns were raised before and during the creation of the *Inverness Park District Plan* adoption in 2012 regarding additional multi-dwelling residential development within the neighborhood. The current RSO district is no longer suitable for this property, being inconsistent with the recommended commercial land use. The plan states this property is best suited for a neighborhood commercial use with a restriction regarding multi-dwelling uses. The plan specifically states *"Additional multi-family uses in areas designated as Neighborhood Commercial are not suitable for that area."* To implement this limitation, if approved, the CN2 district would need to exclude multi-dwelling uses as part of the zoning approval.

The proposed represents the west 7 acres located along the immediate intersection of Inverness Drive and Clinton Parkway with the east 3.9 acres remaining RSO. The portion of the original tract remaining RSO is proposed for duplex development. Duplexes are not multi-dwelling uses as defined in the Zoning Regulations.

Staff Finding – The current RSO zoning is no longer suitable for this property given the adoption of the *Inverness Park District Plan*. Approval of the request facilitates development of the site consistent with adopted land use policies. The CN2 district allows multi-dwelling uses (Live Work Units and Non Ground Floor Units) identified as unsuitable for this area in the plan. If approved, this specific use should be prohibited as a condition.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Property Owner's Response:

"The site has never been developed."

Multiple development applications have been submitted for this property and either approved and never constructed or ultimately withdrawn by the applicant, since 2000 shortly after the property was originally annexed. Projects includes Silvercrest at Inverness an assisted living and independent living senior housing development (2000); The Fountains, a mixed residential retirement development (2004); Clinton Parkway Casitas, a multi-dwelling residential project (2009); and Family Fun Center and retail development (2013). A brief history of the land use and development proposals of property south of Clinton Parkway between Crossgate Drive and Inverness Drive is provided as an attachment to this report.

Staff Finding – This property has been zoned RSO since adoption of the Land Development Code in 2006. Prior to 2006, the property was zoned "RO" as part of the subdivision development plans.

7. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Property Owner's response:

"The Inverness Park District Plan recognizes this site would be developed with more intensification which would lead to more activity, traffic, noise and light. A larger 65' landscape buffer has been provided along Inverness Drive to minimize light and noise for the properties west of Inverness. The traffic study indicates Inverness and 24th Street are able to serve this area without improvements."

Staff concurs that traffic in the area will increase as the currently vacant properties are developed. No additional street or intersection improvements are necessary as a result of rezoning. As specific uses and development plans are submitted, traffic impacts will be evaluated and any additional improvements are identified at that time with the submission of a future development application.

Some uses allowed in the CN2 district are not appropriate or suitable for this location and were found to be detrimental to the neighborhood, prior to the creation of the *Inverness Park District Plan*, specifically multi-dwelling uses.

Any nuisances arising from rezoning will be addressed conditionally as stated in the *Inverness Park District Plan*, most notably, proper buffering for light and noise issues closest to adjacent residential structures. In addition, site plans require public notice and City Commission approval, in the Inverness Park District boundary.

Staff Finding – The proposed change facilitates development of this site consistent with planned land use of this property. The proposed change alters the land use expectations to include neighborhood commercial uses at the immediate intersection. This change is expected by staff to be beneficial to surrounding property owners by implementing the land use plan. Staff recommends that approval of the zoning prohibit multi-dwelling residential uses on this property.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Property Owner's Response:

"Currently the walkability score of this neighborhood is low due to lack of neighborhood services being provided for the existing residents without using a car. Nearby neighborhood services greatly increase a neighborhoods ability to serve themselves on foot if needed or desired which would increase the health and welfare of the neighborhood. The safety of the neighborhood will be addressed appropriately through building design, cross walks and sidewalks to serve the residents. The hardship imposed on the landowner would be the land continuing to sit vacant even though the Inverness Park District Plan indicates development should occur on this site."

Evaluation of these criteria includes weighing the benefits to the public versus the benefits of the owner of the subject property. Benefits are measured based on the anticipated impacts of the rezoning request on the public health, safety and welfare.

If the rezoning request were denied, the property could remain vacant as an RSO property or develop with detached, attached or duplex uses allowed in the existing zoning. Previous applications for residential and commercial development have not succeeded. The property is recommended in the *Inverness Park District Plan* for neighborhood commercial uses.

If the rezoning were approved, the uses allowed for a majority of the property change from residential to commercial with a wide variety of commercial uses permitted. Prohibiting specific uses creates a compatible development with the existing neighborhood, as suggested by concerns raised by residents, and stated in the *Inverness Park District Plan*. Approval of the request will facilitate development and investment in existing property where infrastructure is immediately available. Denial of the request would prohibit the ability to develop the property as a neighborhood commercial center.

Staff Finding – Benefits to the community include the investment in property within an existing utility, transportation and service corridor. Denial of the request prohibits the applicant from developing the property as a commercial use. If approved, staff recommends the zoning should prohibit residential uses as a condition of the zoning ordinance.

PROFESSIONAL STAFF RECOMMENDATION

The focus of this report is the specific land use request for CN2 zoning. This application was made concurrently with a preliminary plat that contemplates a 7-acre commercial site and 14 lots for duplex development for the remaining RSO zoned property. Some land uses allowed in the CN2 district are not appropriate for this location and would not be consistent with the adopted neighborhood plan. Specific uses that should be prohibited include: household living (Multi-Dwellings, Non-Ground Floor Dwelling, and Live Work Units).

The CN2 District allows the following eating and drinking establishments: Bar or Lounge; Brew Pub; Fast Order Food; Fast Order Food, Drive Thru (with SUP); Private Dining Establishment; and Restaurant, Quality. Other uses that can include a drive thru or order/pick up window require a SUP to evaluate the appropriateness of the use in a Neighborhood Commercial Center. This requirement provides adequate assurance that public interests are protected. This requirement does not guarantee that drive-thru uses will be approved. Peak-hour traffic would also be consistent with neighborhood oriented commercial development. High volume, multiple peak-hour traffic generators such as a chain “fast order food” use would not be consistent with neighborhood oriented commercial development. Prohibiting the use of “Fast Order Food, Drive Thru” also prohibits a “coffee shop” type use, which could easily serve neighborhood residents. Due to this inclusion, staff does not recommend prohibition of this use from the proposed CN2 district. Furthermore, per code, this use requires a Special Use Permit that ensures adequate notice and review ensuring neighborhood compatibility is preserved within the Inverness Park District.

Any development plans on the site are subject to site planning and City Commission approval; therefore, this requirement is included as a condition for approval.

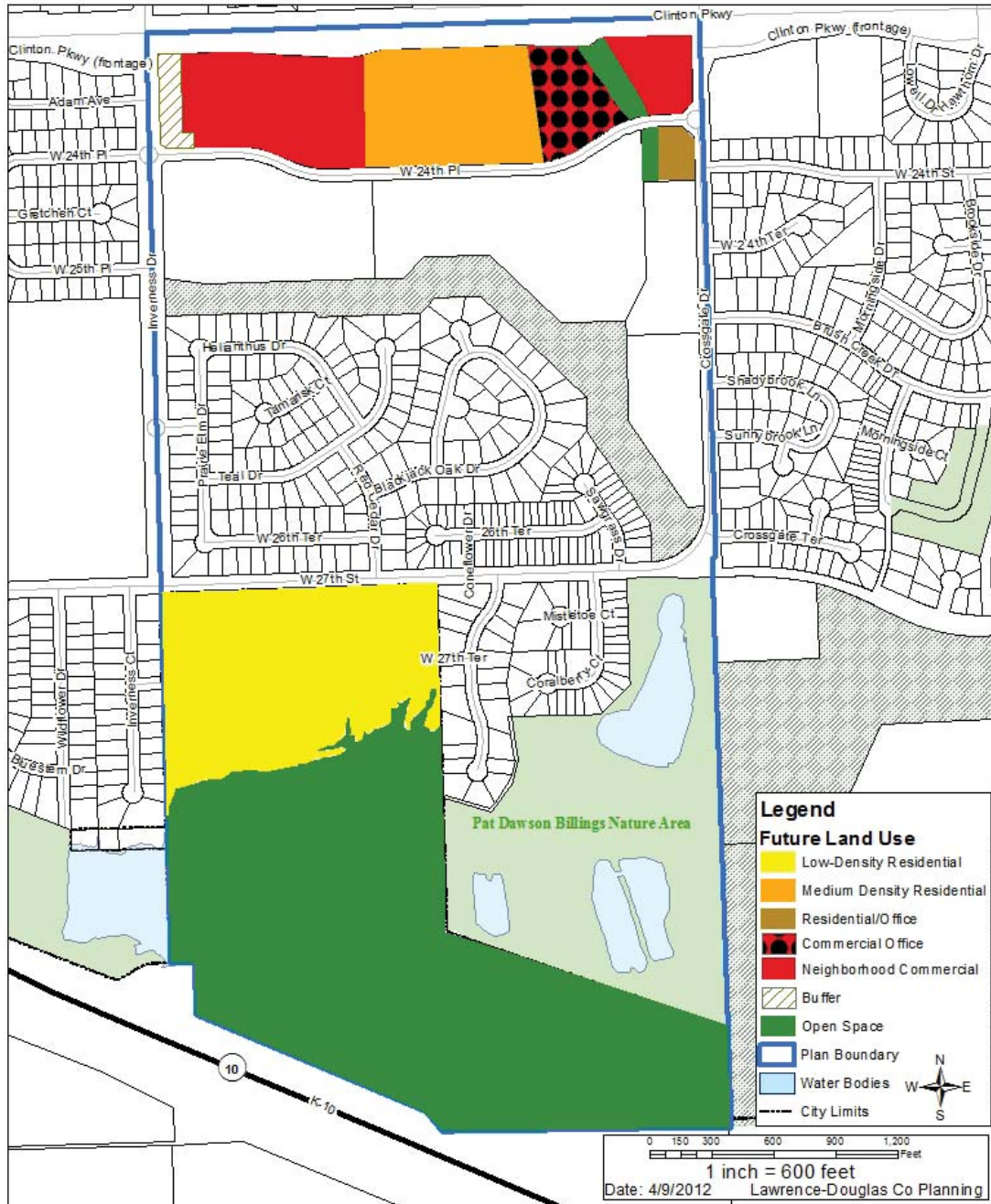
Staff recommends approval of the proposed CN2 zoning.

CONCLUSION

The current zoning of RSO is not consistent with the recommended use in the *Inverness Park District Plan* adopted in 2012. Rezoning to CN2 allows the parcel to be developed as a commercial development at a neighborhood-scale that implements the *Inverness Park District Plan*.

Map 4-1 – Future Land Use

Inverness Park District Plan Future Land Use





Memorandum

City of Lawrence

Planning & Development Services

TO: Lawrence Douglas County Metropolitan Planning Commission

FROM: Planning Staff

Date: April 14, 2014

RE: Inverness Park Area Development History

Attachments: A—Inverness Park District Boundary Map

This memo provides a brief summary of land use for the area included in the Family Fun Center development applications (Z-13-00483, SUP-13-00486 and SUP-14-000026). The subject property proposed for CN2 zoning is part of an area known as Inverness Park. This area is also included in the *Inverness Park Area Plan*. The Plan was developed in response to several development applications for medium density residential uses on the remaining undeveloped land in Inverness Park. It was initiated in 2010 and approved in the fall of 2011. The Plan was then revised and approved by the City Commission in June 2012.

The history of development applications is provided below. This includes a summary of the distinct areas located within the original 160+ acre Inverness Park area. Following this description is a timeline identifying the various development proposals and rezoning actions that have occurred over the past 15 years in this area.

History

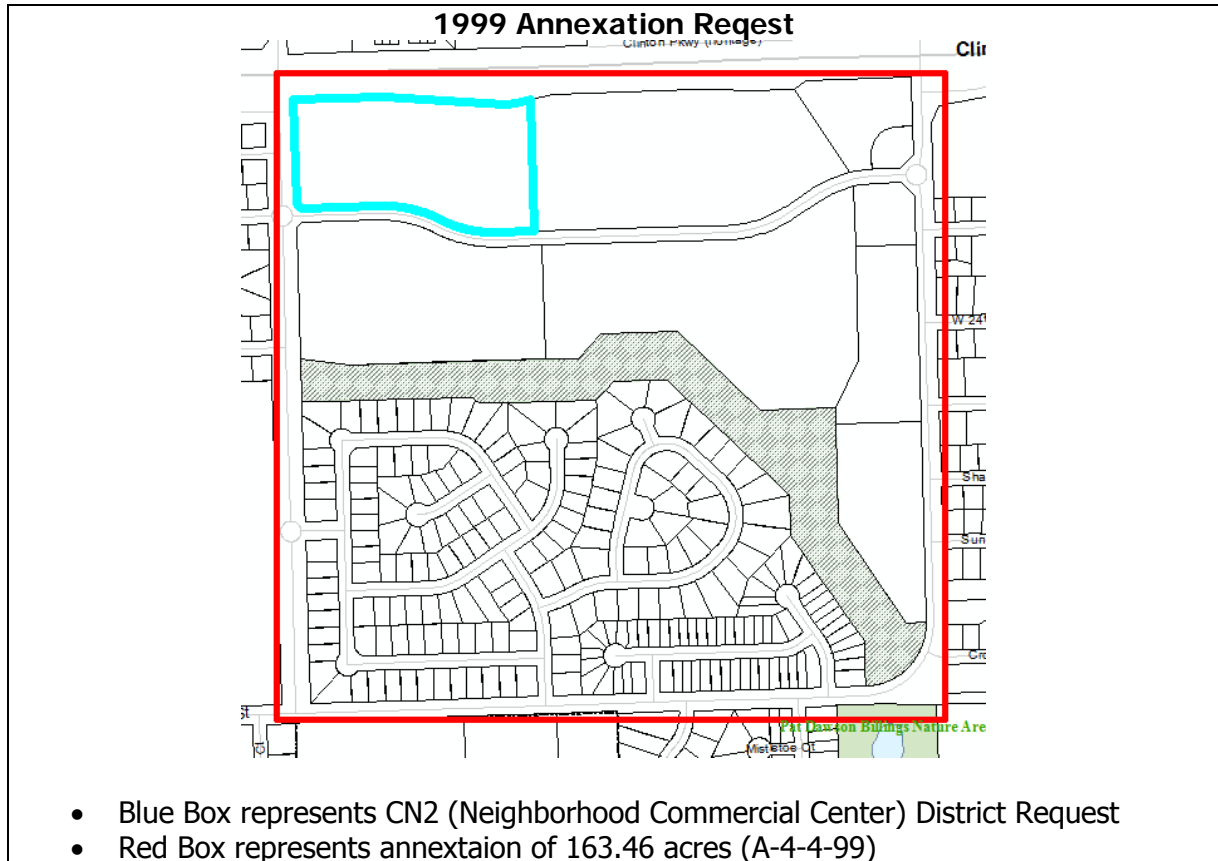
An annexation request for 163 acres was approved in 1999. The development application included multiple rezoning requests. Large tracts were platted along Clinton Parkway and zoned RO-1B for the most intensive part of the development of the 163 acres. The area south of W 24th Place but north of the open space/drainage area was designated as the transition area to the lower density, detached residential home lots to the south. The area south of W 24th Place was zoned PRD-2 with a maximum density of 12 dwelling units per acre. W 24th Place was designed to provide access to all lots in the area with access prohibited to Clinton Parkway as well as limitations placed on Inverness Drive and Crossgate Drive.

The preliminary plat for the entire 163 acres was approved in October 1999, and later revised in February 2001. The revisions affected the single-family area by reducing lot size and creating more lots than the original approval. The large lot configuration along Clinton Parkway and W 24th Place did not change. The preliminary plat served as the master plan for the development of the site. It provided the basic boundary of the various zoning districts planned for the 163 acres.

Much of the original land use discussion focused on the need to provide adequate public facilities such as streets and other infrastructure, as well as the land use scheme and transition through the entire

acreage included in the Inverness Park Addition. At the time only the area on the west side of Inverness Drive was developed with single-family uses.

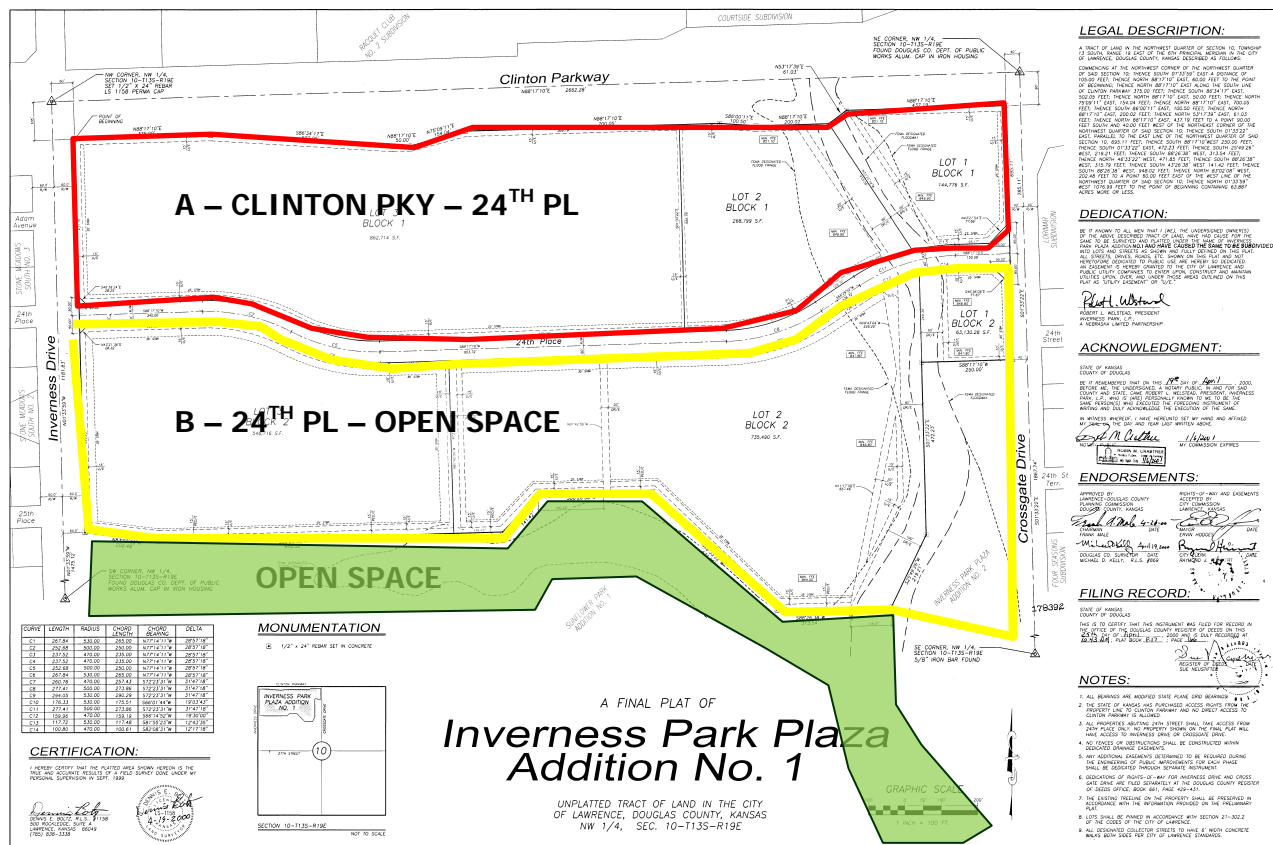
Multiple land use decisions made since 1999 have resulted in deviations in the land use pattern first proposed for the original 160 acre plan. The location of boundary streets isolates the remaining undeveloped property from connectivity with the larger surrounding neighborhood.



The area included requests for conventional detached single-family residential, duplex, office, planned commercial and planned residential zoning. The office zoning (21.63 acres) was located along the south side of Clinton Parkway adjacent to Inverness Drive. However, this zoning was withdrawn by the applicant in 1999.

Development of the area included subdivision approval that established the structure of the developing neighborhood. This included large lots along Clinton Parkway, an east--west street connection south of Clinton Parkway (W 24th Place) and large lots south of W 24th Place. The natural boundary for the higher-intensity uses in the north portion of the area was identified as the drainage area located in the central portion of the overall site and a tributary that runs north--south in the eastern portion of the property. The area south of the drainage way was platted and developed with low-density residential uses (single-family and duplex housing) between 1999 and 2002.

NORTHERN DEVELOPMENT – INVERNESS PARK PLAZA ADDITION NO. 1



A - Clinton Parkway to 24th Place

Zoning along the entire Clinton Parkway frontage, north of W 24th Place between Crossgate Drive and Inverness Drive, was zoned RO-1B prior to 2006. This district allowed a maximum density of 12 dwelling units per acre. Allowed uses included single-dwelling residential, multi-dwelling residential, and office uses. When the Land Development Code was adopted in 2006, this zoning designation converted to RSO. While still allowing office uses, RSO districts do not allow multi-dwelling uses. On December 19, 2007, the Planning Commission voted unanimously to recommend rezoning 15 acres of land along Clinton Parkway from RSO to RM15 as part of the Remington Square development. The City Commission approved the rezoning on March 11, 2008 via Ord. No. 8223.

B - 24th Place to the Open Space

The zone for the large lots along the south side of W 24th Place was approved as PRD-2 with a maximum gross residential density cap of 12 dwelling units per acre via Ord. No. 7170, which was approved by the City Commission on November 16, 1999. The property, at 4301 W 24th Place, The Grove, (*aka* Legends at KU Phase II) was rezoned via Ord. No. 7828. This zoning was approved by the City Commission on September 14, 2004 with a limitation on the maximum gross residential density to 13.7 dwelling units per acre. Special attention was paid to the development pattern along Inverness Drive. This section of the plan required a transitional building type and dense landscaping to buffer the development from the existing detached homes west of Inverness Drive.

The Legends at KU was the first multi-family development approved and constructed. This first phase included 16.88 acres and 200 units. A second phase of development was approved for preliminary

The southern portion of the original 163 acres developed consistently with planned low-density residential development. The southeast area was zoned and developed with duplex lots. The remaining southern area was developed in phases with detached single-family lots.

Commercial Uses

Commercial uses were not recommended at the intersections of Clinton Parkway & Crossgate Drive or Clinton Parkway & Inverness Drive prior to the adoption of the *Inverness Park Area Plan* in 2011. Previous plans including *Horizon 2020* supported commercial development at specific nodes. Along Clinton Parkway, the commercial nodes designated in this area were at Kasold Drive and Wakarusa Drive.

Through the planning process and the development of the *Inverness Park District Plan* neighborhood commercial uses were identified as appropriate for the corners at Crossgate Drive and Inverness Drive. This use was identified by residents in the area as preferable to the existing residential zoning.

TIMELINE OF DEVELOPMENT ACTIVITY

1999-Annexation Request

163.46 acres bounded by Clinton Parkway on the north, Crossgate Drive on the east, W 27th Street on the south, and Inverness Drive on the west.

Multiple Rezoning Requests

Large tracts were platted along Clinton Parkway and zoned RO-1B for the most intensive part of the development of the 163 acres. The area south of W 24th Place but north of the open space/drainage area was designated as the transition area to the lower density, detached residential home lots to the south. The area south of 24th Place was zoned PRD-2 with a maximum density of 12 dwelling units per acre.

Preliminary Plat

The preliminary plat served as the master plan for the development of the site. It provided the basic boundary of the various zoning districts planned for the 163 acres.

2000-Silvercrest at Inverness

UPR-3-2-00/PDP-3-10-00, Special Use Permit/Preliminary Development Plan for assisted living/independent living senior housing development. **Project never built.**

2001-Revised Preliminary Plat

The revisions affected the single-family area by reducing lot size and creating more lots than the original approval. The large lot configuration along Clinton Parkway and W 24th Place did not change.

2002-The Legends at KU

FDP-2-1-02, Final Development Plan for multi-family residential development located along the south side of W 24th Place. This development was designed as a student oriented residential apartment complex.

2003-Wyndam Place

FDP-12-17-02, Final Development Plan for senior independent living units located along Crossgate Drive.

2004- The Fountains

UPR-9-9-04, a Special Use Permit, located along Clinton Parkway proposed a mixed residential retirement facility. The retirement project expired with conditions of approval not being met. The developer abandoned the project.

2008- Legends at KU -Phase 2

FDP-7-10-04/FDP-2-3-06, Final Development Plans approved for second phase approved, **but not built**.

2008- Minor Subdivision

Modified interior lot lines for lots along Clinton Parkway.

2008- Walgreens

Z-5-12-08, a rezoning request from RSO to CN2 at the southwest corner of Clinton Parkway & Crossgate Drive. The request was approved by the Planning Commission but was **withdrawn by the applicant** prior to the City Commission's consideration of the item.

2009- The Grove

FDP-7-5-09, Final Development Plan for multi-family residential development revised Phase 2 of the Legends at KU with new owners was approved. This development was designed as a student oriented residential apartment complex.

2009-Remington Square

Development request for property located on the north side of W 24th Place that included a request to rezone to RM15 as well as a final plat and site plan for multi-family residential development.

2009- Clinton Parkway Casitas

SP-9-40-09, a site plan for an attached multi-family residential development located on the southeast corner of Clinton Parkway & Inverness Drive. The applicant **withdrew** the request in October 2009.

2010- W 24th Place Casitas

SP-1-2-10, a revised site plan for multi-family residential development submitted following public comment to address landscaping. This project was also **withdrawn**.

2010- Inverness Park District Plan Initiated

Plan initiated by the City Commission on November 9, 2010 after concerns raised by residents in the area about the proliferation of multi-family uses and the impact they were having in the area. Plan specifically focused on the remaining undeveloped parcels in the neighborhood.

2010- Remington Square

Rezoning request for property located on the north side of W 24th Place to increase in density from RM15 to RM24 to accommodate additional development on the east side of the property. The zoning request **was denied**.

2011-Hy-Vee Gas Station

Z-7-21-11, a rezoning request from RSO to CN2 and SUP-7-4-11, Special Use Permit for Hy-Vee gas station with future carwash for the southwest corner of Clinton Parkway & Crossgate Drive.

2011- Inverness Park District Plan Approved

Plan approved October 2011.

2011- Crossgate Casita

FPD-11-11-10, Final Development Plan for attached multi-family residential development located north of the senior living facility along Crossgate Drive.

2012- Revised Inverness Park District Plan Approved

Plan revised to provide additional land use guidance for undeveloped portion of Remington Square and approved June 2012.

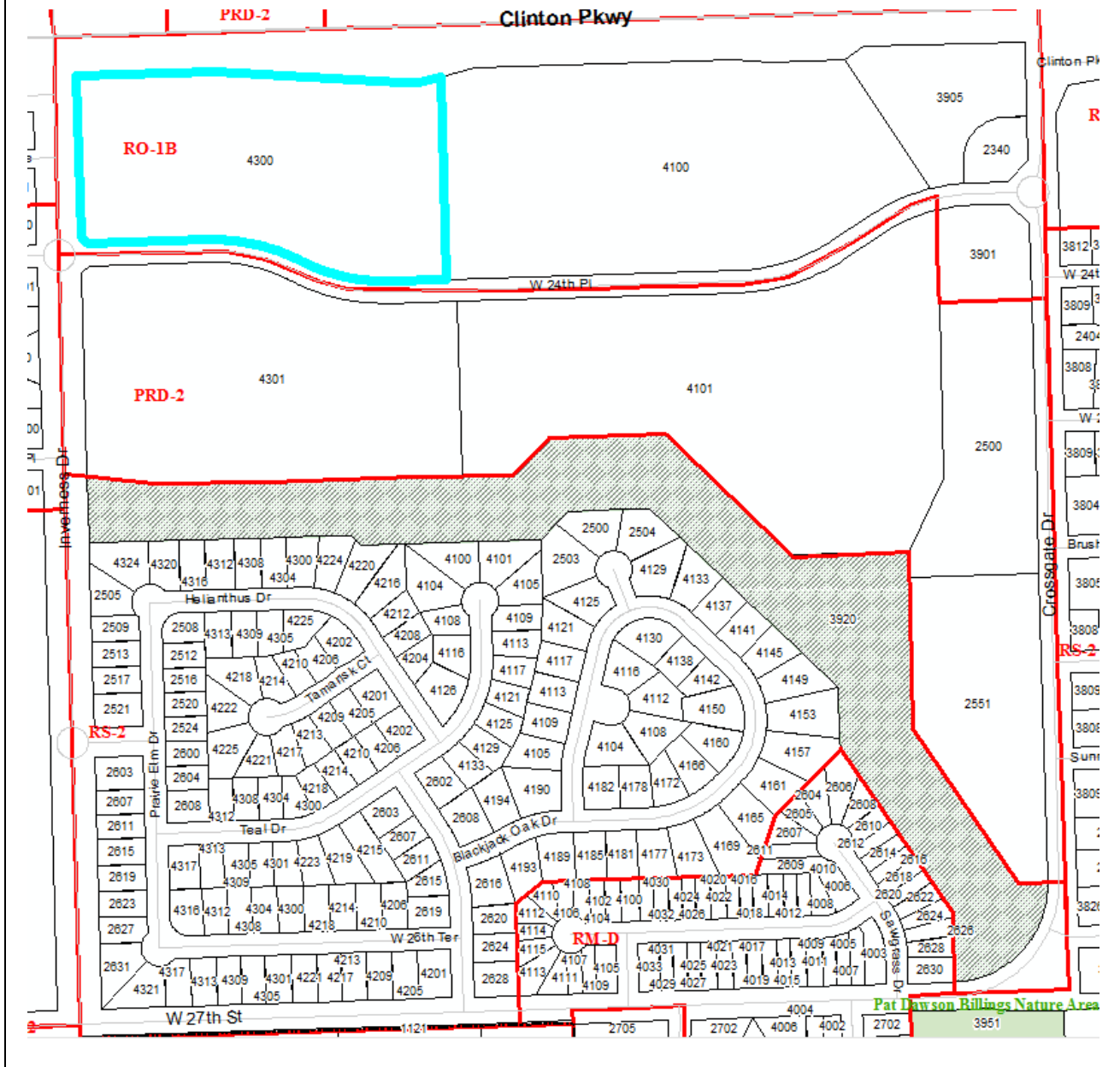
2012-Minor Subdivision

A minor subdivision was approved, which subdivided the lot on the southwest corner of Clinton Parkway & Crossgate Drive for the Hy-Vee gas station. This division created two commercial lots at the corner.

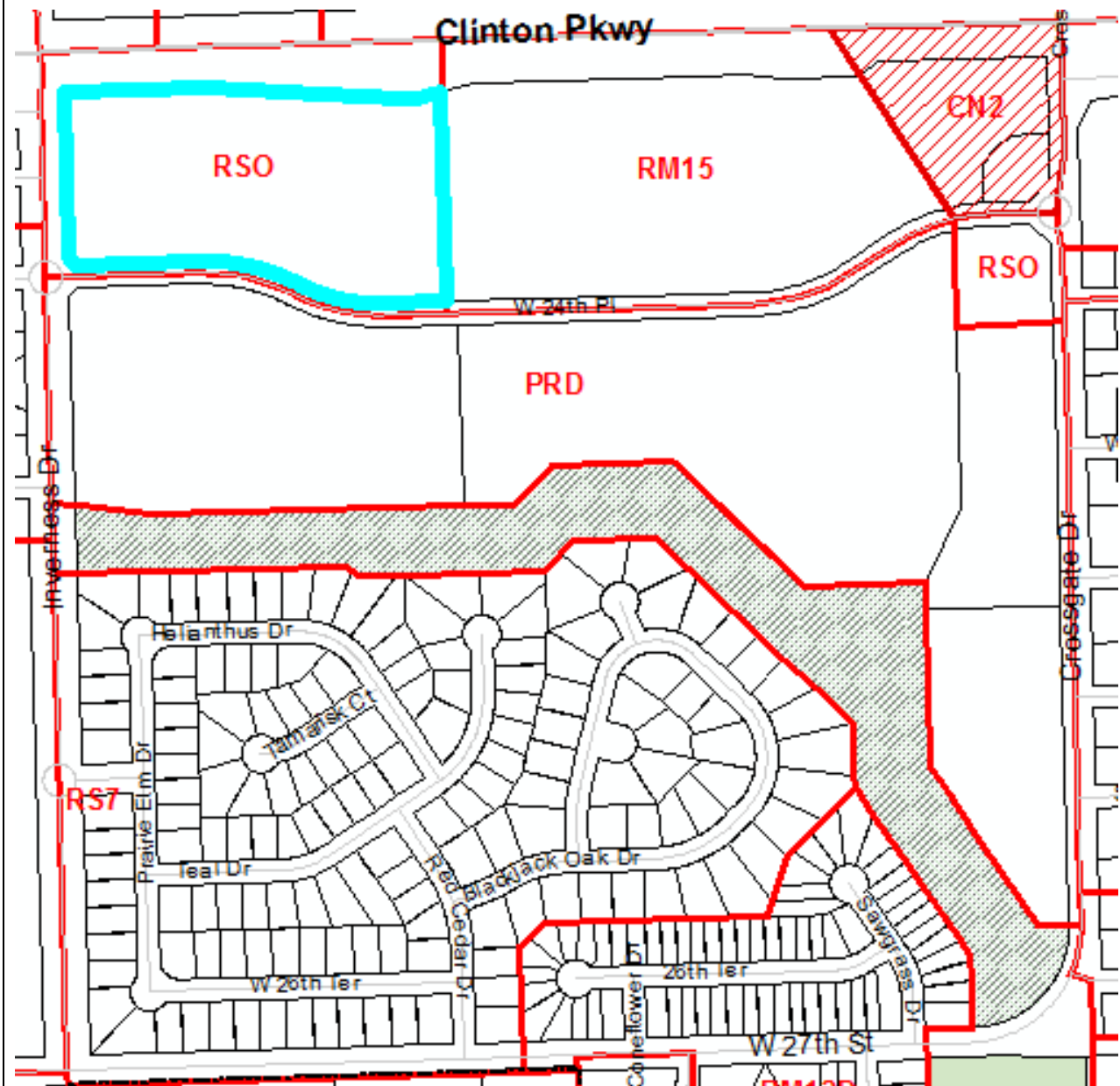
2013- Family Fun Center

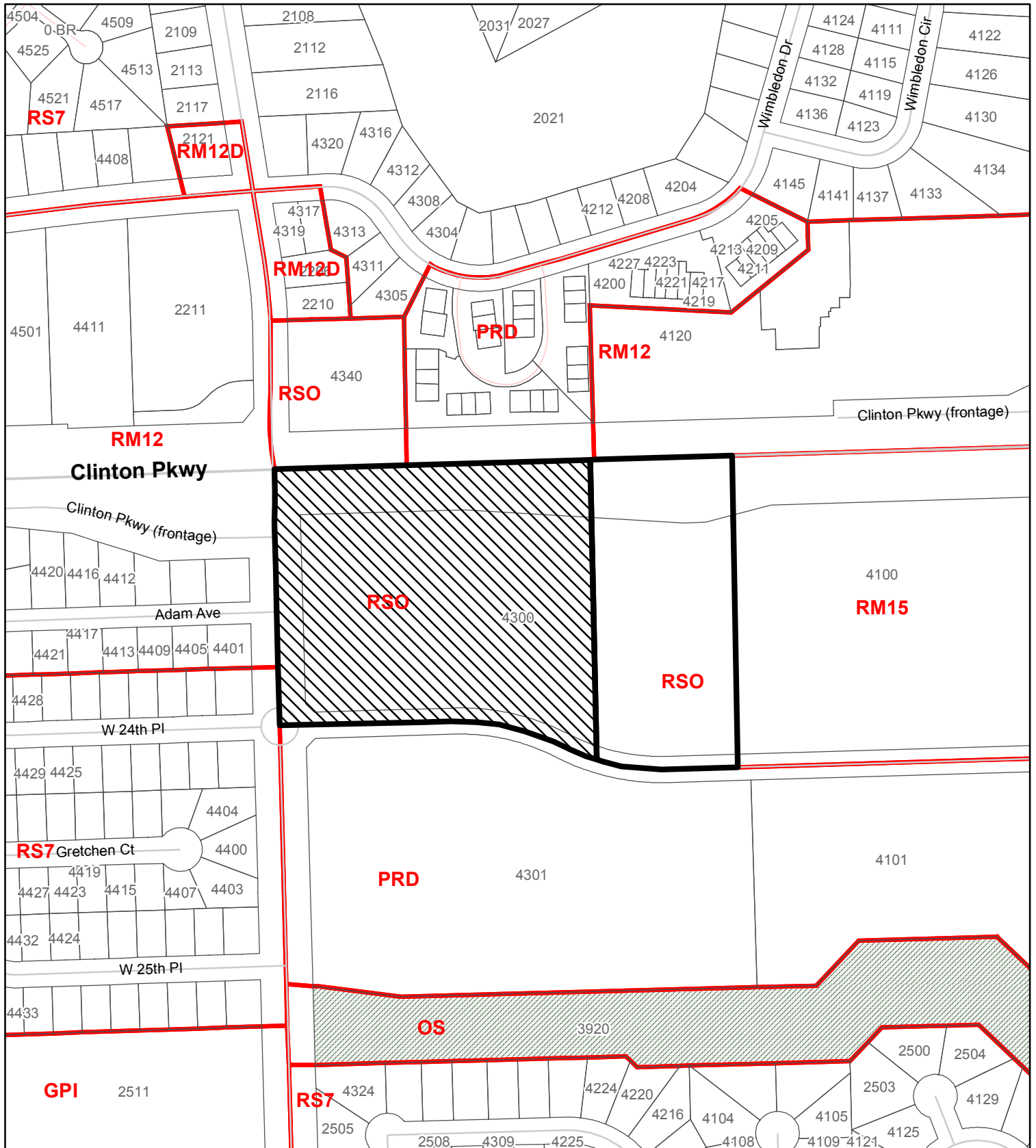
Z-13-00483, rezoning request from RSO to CN2 and SUP-13-00486, Special Use Permit for current development proposal on north side of W 24th Place.

Zoning prior to 2006



Current Zoning





Z-15-00198: Rezone 9.99 acres from RSO District to CN2 District
PP-15-00196: Preliminary Plat for 24th Place Addition, a mixed use
neighborhood commercial and duplex residential development
Located at 4300 W. 24th Place



**PLANNING COMMISSION REPORT
NON PUBLIC HEARING ITEM**

PC Staff Report
06/22/15

ITEM NO 3B: PRELIMINARY PLAT FOR 24TH PLACE ADDITION (SLD)

PP-15-00196: Consider a Preliminary Plat for 24th Place Addition, containing 1 7-acre lot for proposed neighborhood commercial development and 14 lots for residential duplex development, located at 4300 W. 24th Place. Submitted by BG Consultants, Inc., on behalf of RPI LLC, property owner of record.

STAFF RECOMMENDATION:

Staff recommends approval of the Preliminary Plat for 24th Place Addition subject to the following conditons:

1. Revise Preliminary Plat to show a minimum building and parking setback along Inverness Drive of at least 65' along the southern 350' of frontage to extend to the rear lot lines of the dwellings on the north side of Adams Avenue.
2. Provision of a note on the face of the plat that states the setback does not apply to accessory structures or pedestrian amenities.

KEY POINTS

- Platting required as pre-development step.
- Application includes a 7 acre lot for neighborhood commercial development.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 10, 2012.

ATTACHMENTS

Attachment A: Preliminary Plat

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated Cases

- Z-15-00198; RSO to CN2

Other Action Required:

- Submittal of final plat for administrative approval and recordation.
- City Commission acceptance of dedication of easements and rights-of-way on the Final Plat.
- Submittal and approval of public improvement plans and provision of means of assurance of completion shall be submitted prior to the recording of the Final Plat.
- Submittal and approval of site plan for the commercial development to be approved by the City Commission.
- Submittal and approval of building plans prior to release of building permits for development.

PLANS AND STUDIES REQUIRED

- *Downstream Sanitary Sewer Analysis* – Revised DSSA accepted by Utility Staff
- *Drainage Study* – The drainage letter dated 4-16-2015 meets the specified requirements and is approved.
- *Traffic Study* – Accepted by Staff

PUBLIC COMMENT

None received prior to publication.

Table 1: Site Summary Table

Site Summary	
Gross Area:	11.9 Acres
Additional Right-of-Way (acres):	.692 acres – Christian Court, for duplex lot access
Number of Proposed Lots:	15 1 commercial lot 14 residential lots
Minimum residential lot size	7,646 SF
Maximum residential lot size	12,638 SF
Average residential lot size	10,129 SF
Commercial lot size	7.027 acres

GENERAL INFORMATION

Current Zoning and Land Use: RSO (Single-Dwelling Residential-Office District), undeveloped. Pending CN2 for west 7 acres for neighborhood commercial development.

Surrounding Zoning and Land Use: See Z-15-000198 for surrounding zoning summary.

STAFF REVIEW

This property is proposed to be platted as a subdivision defining the boundaries of a future neighborhood commercial development and individual lots for duplex development with an internal public street.

This property is not encumbered by the regulatory floodplain. The property is permitted access only to W. 24th Place. Direct access to Clinton Parkway and Inverness Drive are prohibited. The proposed Preliminary Plat will not alter access restrictions to this site.

This subdivision includes 3.9 acres for residential development and 7 acres for commercial development. The Zoning Code recommends a neighborhood commercial district not less than 2 acres and not more than 15 acres.

Zoning and Land Use

The property is currently zoned RSO. Multiple previous development and rezoning requests for this area have been considered for this property. This application proposes to retain a portion of the existing RSO zoning to accommodate duplex development on the east end of the property and rezone the west end for neighborhood commercial development (Z-15-00198).

A duplex is defined in section 20-1734 of the Land Development Code as "*a single structure that contains two (2) primary Dwelling Units on one (1) lot. The units may share common walls, or common floor/ceilings.*" This use is allowed in the RSO district with no additional design standards.

This use is not considered to be a multi-dwelling use. Multi-dwellings are defined as three or more attached units. Duplexes are a form of single-dwelling use and typically are low-density uses. Approval of the Preliminary Plat will facilitate limited residential development of this property on the eastern 3.9 acres of the property. The remaining property is proposed as a single 7 acre lot for neighborhood commercial development.

The *Inverness Park District Plan* identifies an area along Inverness Drive as a buffer area between the future commercial area and the existing residential area to the west (west side of Inverness Drive).

If approved, the CN2 District property would be subject to minimum building setbacks (20' along the public streets), parking lot setbacks (15' from public streets and 10' from residential lots) as well as landscape buffer yard standards required per Article 10 of the Land Development Code. These buffer yards are prescribed in the Zoning Regulations as 10' to 25' depending on the specific application. Potentially development could be located within 20' of the adjacent public streets.

Orienting buildings, especially buildings intended for neighborhood use, closer to the public street is appropriate and consistent with commercial design guidelines that encourage walkability and pedestrian scale. However, this conflicts with the recommended land use described in the *Inverness Park District Plan* to provide a substantial buffer along Inverness Drive.

The plan assumes that the Inverness Drive buffer would be zoned the same as the principal development parcel. This allows some development within the buffer area. Establishing a building and/or parking lot setback for the buffer area limits the intensity of the development and establishes a defined boundary for development that is set through the subdivision process.

The applicant's submission materials indicate that they intend for a 65' buffer along the south half of the Inverness Drive frontage.

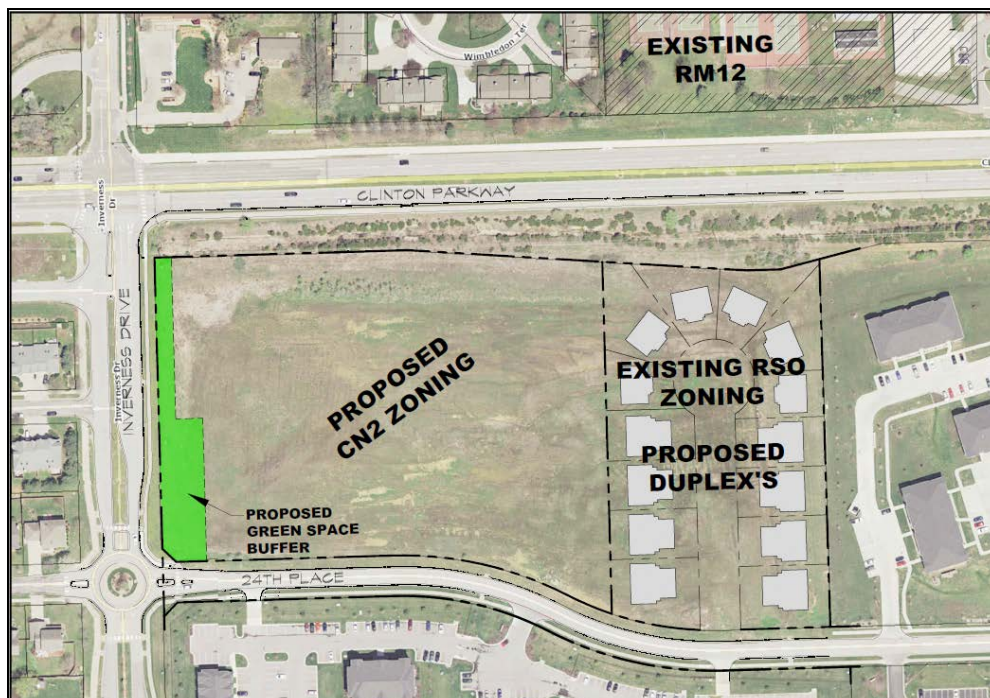


Figure 1: Proposed Development Concept

The previous development application for a three acre commercial development with a drive-thru (SUP-14-00026) showed a 50' buffer yard along this same area. The following design accommodates drive thru traffic, as proposed in the previous application.

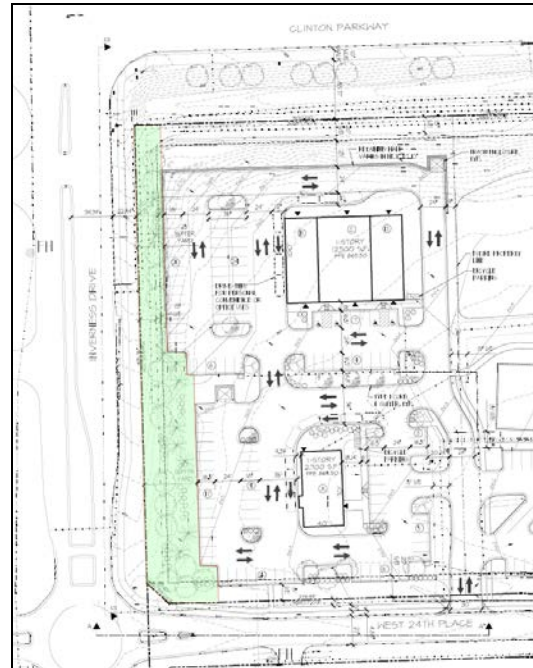


Figure 2: Previous Development Concept

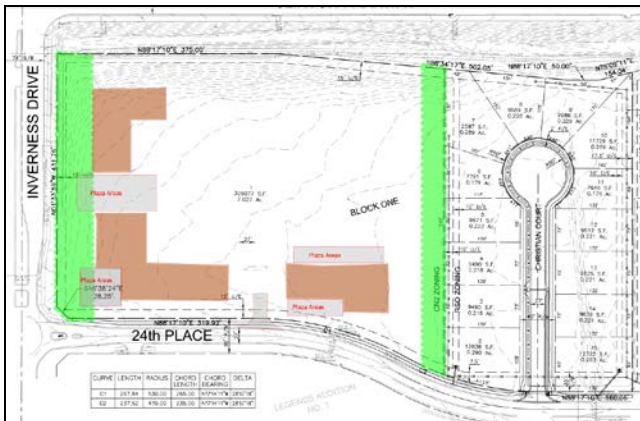


Figure 3: Optional Development Concept

Another example of this development pattern, with an established buffer yard, is shown below. This option provides an example of buildings oriented to the street with plaza areas located adjacent to the buffer areas that provide a transition from the buffer area to the commercial area. This particular example does not include a drive-thru option but is intended to illustrate the relationship of the Inverness Drive buffer yard to the commercial development.

The *Inverness Park District Plan*, unlike the Zoning Regulations, does not prescribe the minimum or maximum width of the buffer yard. The intent as shown in the plan is that any buffer along Inverness Drive would be substantial. The CN2 district prohibits vehicular parking between the façade of the building with the main entrance and the street. Staff's opinion is that the buffer yard should be established early in the development process as part of the framework for the final development of this corner.

Streets and Access

Vehicular access to the property is limited to W 24th Place. The Preliminary Plat includes a new local street terminating in a cul-de-sac to provide access to the proposed duplex lots. Direct access to Clinton Parkway and Inverness Drive are prohibited. W. 24th Place, a local street, will provide direct access to the commercial development.

Utilities and Infrastructure

The project has been reviewed by the City Utility Department. The Downstream Sanitary Sewer Study has been accepted by the City. Public Improvements associated with this project, including

sanitary sewer main extension and water line extensions will require the submission and approval of public improvement plans prior to recording the Final Plat with the Register of Deeds Office.

Conformance

This property is included in the *Inverness Park District Plan*. The plan was initiated in response to development pressure in the area of the remaining undeveloped land along W. 24th Place. Specifically, the surrounding neighborhood indicated a concern for additional multi-family development in the immediate area.

The plan supports low density residential development in the form of single dwelling, duplex, and attached dwelling types. The plan also recommends the development of a commercial node at the west end of this property.

24TH PLACE ADDITION

A REPLAT OF LOT 2, REMINGTON SQUARE ADDITION NO. 1, A REPLAT OF LOTS 2 & 3, BLOCK 1, INVERNESS PARK PLAZA ADDITION NO. 1, AN ADDITION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS

OWNER - APPLICANT

RPI LLC
808 MASSACHUSETTS STREET
LAWRENCE, KS 66044

ENGINEER

DAVID J. HAMBY, P.E. (KS #15594)
BG CONSULTANTS, INC.
1405 WAKARUSA DRIVE
LAWRENCE, KS 66049
785.749.4474

LEGAL DESCRIPTION

LOT 2, REMINGTON SQUARE ADDITION NO. 1, A REPLAT OF LOTS 2 & 3, BLOCK 1, INVERNESS PARK PLAZA ADDITION NO. 1, AN ADDITION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

BENCHMARK

BM #100 - SQUARE CUT ON THE NORTH HEADWALL OF THE RCB UNDER 24TH PLACE. ELEV. = 854.60

FLOODPLAIN DATA

THE SUBJECT PROPERTY IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN. RE: THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION PUBLICATIONS: FLOOD INSURANCE RATE MAP, MAP NUMBER 20045C0158D, EFFECTIVE DATE AUGUST 5, 2010.

GENERAL NOTES

- TOPOGRAPHIC INFORMATION SHOWN HEREON WAS DERIVED FROM ACTUAL FIELD TOPOGRAPHIC SURVEY.
- THIS DOCUMENT IS FOR PLAN APPROVAL NOT FOR CONSTRUCTION.
- THE EXISTING ZONING OF THE PROPERTY IS RSO.
- NO PROPERTY SHOWN IN THIS SUBDIVISION WILL HAVE ACCESS TO INVERNESS DRIVE OR CLINTON PARKWAY.
- THE SOILS ON THIS PROPERTY CONSIST OF MARTIN SILTY CLAY LOAM (63.1%), MARTIN SOILS (33.1%) AND VINLAND COMPLEX (3.8%).
- NEW TELEPHONE, CABLE TELEVISION AND ELECTRICAL LINES (EXCEPT HIGH VOLTAGE LINES) MUST BE LOCATED UNDERGROUND PER SECTION 20-809(f)(4)(iv).
- THE DEVELOPER IS RESPONSIBLE FOR THE COST OF ANY RELOCATION OF EXISTING UTILITIES, IF NECESSARY TO SERVE THE PROPOSED SUBDIVISION.
- ALL CURB INLETS WILL BE CONSTRUCTED PER CITY STORM SEWER STANDARD DETAILS.

PROVISION AND FINANCING OF ROADS, SEWER AND OTHER PUBLIC SERVICES:

- THE SUBDIVISION WILL INCLUDE THE DEDICATION OF RIGHTS-OF-WAY ASSOCIATED WITH ALL INTERNAL ROADS SHOWN.
- THE SUBDIVISION WILL PROVIDE CONNECTIONS TO THE CITY OF LAWRENCE WATER SYSTEM VIA AN EXISTING 8" AND 12" WATERLINE ALONG 24TH PLACE.
- THE SUBDIVISION WILL PROVIDE CONNECTIONS TO THE CITY OF LAWRENCE SANITARY SEWER SYSTEM VIA EXISTING 8" SANITARY SEWER MAINS LOCATED TO THE EAST AND SOUTH OF THE PROPERTY.
- PURCHASERS OF THE LOTS IN THE SUBDIVISION WILL NOT BE SUBJECT TO ADDITIONAL SPECIAL ASSESSMENTS FOR COSTS OF STREETS, ROADS, WATER LINES OR WASTEWATER LINES INSTALLED AS PART OF THIS PROJECT.
- THE PROVISION OF IMPROVED ROADS, WATER SERVICE, AND/OR WASTEWATER SERVICE WILL NOT DEPEND IN ANY WAY ON A VOTE, PETITION OR OTHER COLLECTIVE ACTION OF PROPERTY OWNERS IN THE SUBDIVISION.
- THE EXISTING SPECIAL ASSESSMENTS WILL BE REDISTRIBUTED AT THE TIME OF FINAL PLAT.

SITE SUMMARY

GROSS AREA: 478,026 SF / 10.974 AC
RIGHTS-OF-WAY: 30,138 SF / 0.692 AC
NET AREA: 447,888 SF / 10.282 AC
TOTAL LOTS: 15
AVERAGE LOT SIZE: 29,859 SF / 0.685 AC

ZONING SUMMARY

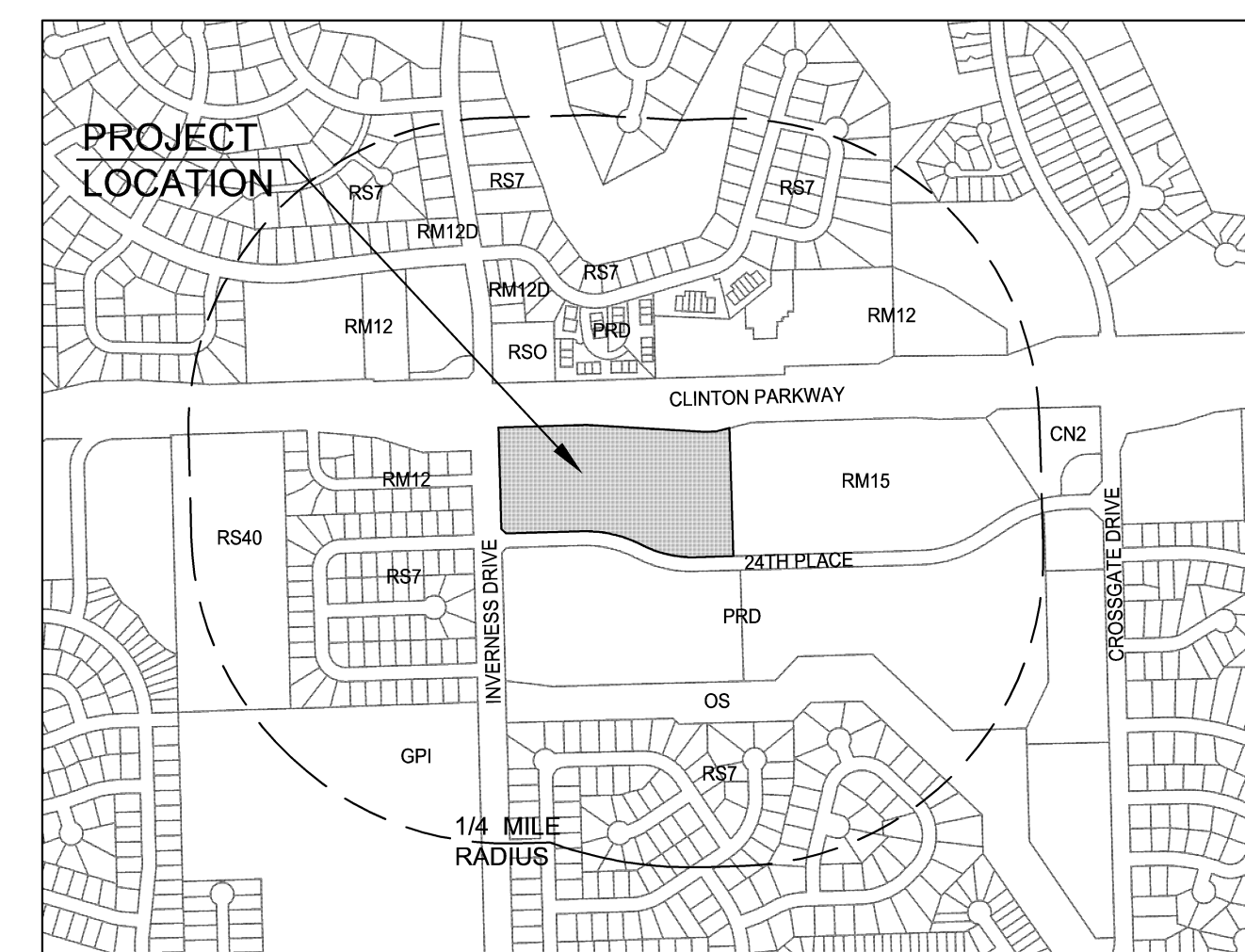
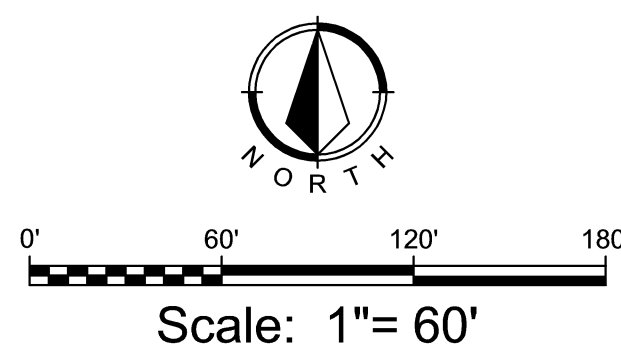
RSO
GROSS AREA: 171,949 SF / 3.947 AC
RIGHTS-OF-WAY: 30,138 SF / 0.692 AC
NET AREA: 141,811 SF / 3.256 AC
TOTAL LOTS: 14
AVERAGE LOT AREA: 10,129 SF / 0.233 AC
MINIMUM LOT AREA: 7,646 SF / 0.176 AC
MAXIMUM LOT AREA: 12,638 SF / 0.290 AC
TOTAL UNITS: 28
UNIT DENSITY: 8.6 UNITS/AC

CN2
GROSS AREA: 306,077 SF / 7.027 AC
RIGHTS-OF-WAY: 0 SF / 0 AC
NET AREA: 306,077 SF / 7.027 AC
TOTAL LOTS: 1
AVERAGE LOT AREA: 306,077 SF / 7.027 AC
MINIMUM LOT AREA: 306,077 SF / 7.027 AC
MAXIMUM LOT AREA: 306,077 SF / 7.027 AC

CURVE	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	DELTA
C1	267.84	530.00	265.00	N77°14'11"W	28°57'18"
C2	237.52	470.00	235.00	N77°14'11"W	28°57'18"

LEGEND

	PROPOSED WATER MAIN		EXISTING RETAINING WALL		MAILBOX
	EXISTING TREE		RIGHT-OF-WAY		GAS METER
	EXISTING HEDGE		TRAVEL WAY		DROP INLET
	EDGE OF TIMBER		SECTION LINE		STORM WATER MANHOLE
	EXISTING CONTOUR		PROPOSED WATER VALVE		SECTION CORNER
	EXISTING FENCE		PROPOSED HYDRANT		SIGN
	EXISTING STORM SEWER PIPE		EXISTING POWER POLE		YARD LIGHT
	EXISTING SANITARY SEWER PIPE		EXISTING GUY ANCHOR		MONITORING WELL
	EXISTING WATER LINE		EXISTING WATER METER		RIGHT-OF-WAY MARKER
	EXISTING UNDERGROUND TELEPHONE LINE		EXISTING LIGHT POLE		BENCHMARK
	EXISTING GAS LINE		EXISTING SANITARY SEWER MANHOLE		TRAVERSE POINT
	EXISTING CURB AND GUTTER		EXISTING FIRE HYDRANT		PROPERTY CORNER
	PROPOSED SANITARY SEWER		EXISTING WATER VALVE		BH # B-8 BORE HOLE



LOCATION MAP

24TH PLACE ADDITION
4300 W 24th PLACE, LAWRENCE, KS 66047

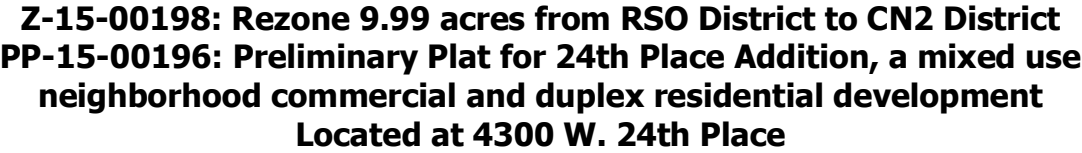
PRELIMINARY PLAT

BG
CONSULTANTS
architects
engineers
planners

Project No. 15-1216L
Date: Apr. 20, 2015
Revised: May 20, 2015

SHEET NO.

1



**PLANNING COMMISSION REPORT
NON PUBLIC HEARING ITEM
PUBLIC HEARING ON THE VARIANCE ONLY**

PC Staff Report
06/22/2015

**ITEM NO 4: PRELIMINARY PLAT FOR DEERFIELD WOODS SUBDIVISION NO. 10;
3320 PETERSON ROAD (BJP)**

PP-15-00189: Consider a Preliminary Plat for Deerfield Woods Subdivision No. 10, a Commercial-Office subdivision containing 3 lots, located at 3320 Peterson Rd. Submitted by Landplan Engineering PA, on behalf of Cheer Pole Ltd, property owner of record.

STAFF RECOMMENDATION VARIANCE:

1. Staff recommends approval of the variance with regard to the minimum right-of-way width for Kasold Drive and Peterson Road from 150' to 100'.
2. Staff also recommends approval of the variance to allow sidewalk on only one side of the street for Sherwood Drive and Sterling Drive, with the condition that sidewalks be installed on the entirety of both Sherwood Drive and Sterling Drive with either any new development on Lot 1 or major development on Lot 2 or Lot 3.

STAFF RECOMMENDATION:

Staff recommends approval of the Preliminary Plat for Deerfield Woods Subdivision No. 10., subject to the following conditions:

1. The plat shall be revised to include the following notes:
 - a. *"On June 22, 2015, the Planning Commission approved a variance to forego the installation of sidewalks on Sherwood Drive and Sterling Drive, with the condition that sidewalks be installed on the entirety of both Sherwood Drive and Sterling Drive with either any new development on Lot 1 or any major development on Lot 2 or Lot 3."*
 - b. *"Only June 22, 2015, the Planning Commission approved a variance from right-of-way requirements in Section 20-810(e)(5) of the Subdivision Regulations to allow the replatting of this property with 100 feet of right-of-way currently provided for Kasold Drive and Peterson Road."*
 - c. *"Access to Peterson Road and Sterling Drive shall be limited to one curb cute each."*

Reason for Request: *Subdivision of existing two lots into three lots.*

KEY POINTS

- The subject property contains two lots, Lot 1 and Lot 2. Lot 1 is undeveloped, and Lot 2 contains two buildings. This Preliminary Plat proposes to subdivide Lot 2 into Lot 2 and Lot 3. The division of the property is such that each new lot would contain one of the structures.
- A Minor Subdivision to divide the originally platted lot into two lots was administratively approved on July 16, 2013. Further subdivision of the lots requires a Preliminary Plat per Section 20-808(c)(5)(i).
- A variance from the required right-of-way width for Peterson Road and Kasold Drive is proposed with this Preliminary Plat.

- On July 22, 2013 the Planning Commission approved a variance from right-of-way requirements in Section 20-810(e)(5) of the subdivision regulation to allow the replatting of this property with 100 feet of right-of-way currently provided for Kasold Drive and Peterson Road.
- A variance to allow sidewalks on only one side of the street for Sherwood Drive and Sterling Drive is requested with this Preliminary Plat.
- On July 22, 2013 the Planning Commission approved a variance to forego the installation of sidewalks on Sherwood Drive and Sterling Drive, with the condition that sidewalks be installed on the entirety of both Sherwood Drive and Sterling Drive with either any new development on Lot 1 or any major development on Lot 2 (which would be Lot 2 and proposed Lot 3 in this Preliminary Plat).
- This Preliminary Plat does not involve any new development on Lot 1 or any major development on Lot 2 or proposed Lot 3.
- The two existing structures share a private sanitary sewer service line. This Preliminary Plat proposes to place this shared service line within a private access easement. The owner will record this easement by separate instrument prior to recordation of the Final Plat.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 10, 2012.

ATTACHMENTS

Attachment A: Preliminary Plat

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated Cases

- SP-5-32-00: Site Plan for construction of a multi-phase office development including four one and two story buildings, located at the northeast corner of Peterson Road and Kasold Drive.
- SP-08-39-09: Site Plan for Princeton Children's Center located at 3320 Peterson Road.
- URP-03-01-04; Use Permitted Upon Review for day care center at 3340 Peterson Road, original plan approved by the City Commission on 5/18/04.
- UPR-02-01-05; Use Permitted Upon Review, expansion of day care center, approved by the City Commission on 4/5/2005.
- MS-13-00217: Deerfield Woods Subdivision No. 9, a minor subdivision/replat of Lot 1 Deerfield Woods Subdivision No. 7, located at 3320 Peterson Road.

Other Action Required:

- Submittal of final plat for administrative approval and recordation with the Douglas County Register of Deeds, subject to recordation by separate instrument of the private access easement.
- Placement on the Planning Commission agenda for variance from the minimum right-of-way requirements in Section 20-810(5)(i) and sidewalk requirements in Section 20-811(c)(1).

PLANS AND STUDIES REQUIRED

- *Downstream Sanitary Sewer Analysis – Not Required*
- *Drainage Study – Not Required*
- *Traffic Study – Not Required*

PUBLIC COMMENT

None received prior to publication.

Site Summary

Gross Area:	319,728 sq. ft.
Right-of-Way Dedicated:	None — variance requested for ROW
Number of Proposed Lots:	3
Minimum lot size	64,586 sq. ft.
Maximum lot size	174,047 sq. ft.
Average lot size	106,576 sq. ft.

GENERAL INFORMATION

Current Zoning and Land Use:

CO (Office Commercial) District; *Office* and undeveloped

Surrounding Zoning and Land Use:

RS7 (Single Dwelling Residential) District to the north and northeast; existing detached homes.

RM12 (Multi Dwelling Residential) District to the east; existing duplex housing and nursing home.

PRD [Hutton Farms PRD] District to the west; existing mixed residential development.

PD [Deerfield PUD]; to the south single dwelling residential uses existing detached homes.

STAFF REVIEW

This property is located at the northeast corner of Kasold Drive and Peterson Road. The subject property contains two lots. Lot 1 is undeveloped, while Lot 2 is developed with an existing childcare facility, office use, and associated off-street parking. The proposed project would subdivide Lot 2 into two separate lots. The two existing lots, Lot 1 and Lot 2, were created through a Minor Subdivision, which was administratively approved on July 16, 2013. Further subdivision of the lots requires a Preliminary Plat is per Section 20-808(c)(5)(i).



Figure 1a. Zoning and land use of area.

Compliance with Zoning Regulations for the CO District

Lot	Lot Area
Lot 1	174,047 sq. ft.
Lot 2	64,586 sq. ft.
Lot 3	81,095 sq. ft.

Table 1. Proposed lot sizes

The square footage associated with each of the three proposed lots exceeds the minimum 5,000 sq. ft. lot area (Table 1). The proposed lot line between Lot 2 and Lot 3 is located so that the existing buildings conform to the minimum 5' side interior setback required in the CO District.

The proposed lots comply with the Dimensional Standards in Section 20-601(b).

Streets and Access

The subject property is located on the northeast corner of Kasold Drive and Peterson Road. Both streets will continue to function as principal arterials in the area. The property also abuts Sherwood Drive to the north and Sterling Drive to the east. There are two drives that serve the existing structures. An access easement is shown on the Preliminary Plat. This easement preserves the existing vehicular circulation of the site and was accepted by the City Commission on August 6, 2013. There are no new drives proposed with this Preliminary Plat.

Sherwood Drive and Sterling Drive are both local streets with sidewalks constructed on one side of the street adjacent to the residential development. At the time of construction, sidewalks were required on only one side of the street. There is no sidewalk on the south side of Sherwood Drive or the west side of Sterling Drive. A variance to forego the installation of sidewalks along these local streets with the Minor Subdivision that was processed in 2013 (MS-13-00217). The Planning Commission approved the variance request on July 22, 2013 with the condition that sidewalks be installed on the entirety of both Sherwood Drive and Sterling Drive with either any new development on Lot 1 or and major development on Lot 2. A similar variance has been requested with this Preliminary Plat.

The other streets surrounding the subject property, Kasold Drive and Peterson Road, contain existing sidewalks on both sides of the street.

Utilities and Infrastructure

This Preliminary Plat does not include any changes to utilities that serve this property. The existing structures are currently provided with supporting infrastructure. There is no new development proposed for Lot 1 with this proposed project.

Easements and Rights-of-way

There are no new public easements associated with this Preliminary Plat. Water and sanitary sewer lines abut this property. Interior easements for the storm sewer and access throughout the property were dedicated with MS-15-00217. The City Commission accepted the easements on August 6, 2013.

The two existing structures, located on Lot 2 and proposed Lot 3, share a sanitary sewer service line. The Preliminary Plat proposes to place this shared service line within a private access easement. The owner will record the easement by separate instrument prior to recordation of the Final Plat. This easement will grant the owners of both future lots access to the shared service line for the purposes of maintaining and repairing it. The Utility Department desires that the easement be private, rather than public, because this shared service line is private and not the responsibility of the City.

Variance Request:

The property owner is requesting variances from Section 20-810 and 20-811 of the Subdivision Regulations with regard to:

- Variance 1. Reduce required right-of-way along Kasold Drive and Peterson Road from 150' to 100' (noted as "a" below).**
- Variance 2. Request variance from Section 20-811(c)(1)(i) that specifies public sidewalks be installed on both sides of all streets (noted as "b" below).**

Citations to Consider:

Section 20-813(g) states that the Planning Commission may grant a variance from the design standards of these regulations only if the following three criterion are met: that the strict application of these regulations will create unnecessary hardship upon the Subdivider, that the proposed variance is in harmony with the intended purpose of the regulations, and that the public health, safety, and welfare will be protected. The following is a review of the variance request in relation to these criteria.

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

Applicant Response:

- a. The existing rights-of-way for both Peterson Road and Kasold Drive at this location are 100-feet wide. Generally, the rights-of-way for both Peterson Road and Kasold Drive in this vicinity are 100 feet wide. Strict application of this section of the Subdivision Regulations would place the existing parking lot adjacent to Peterson Road outside the minimum parking setback. Such strict application would also render future building and parking improvements as shown on approved site plans non-compliant for similar setback reasons, thus making it difficult for the property owner to further develop the site.*

Peterson Road and Kasold Drive have been constructed with turn lanes at the intersection and sidewalks on both sides of the street. The overall width of Peterson Road is 100'. Kasold Drive is generally 110' wide. The intersection of Kasold Drive and Peterson Road is wider to accommodate for the necessary intersection improvements. There are no planned future improvements to either of these streets. No additional right-of-way is needed. The City Engineer has indicated that the right-of-way currently dedicated for Kasold Drive and Peterson Road are adequate. There are no plans for construction of a center median that would necessitate the additional right-of-way. The existing intersection was built out to its maximum geometry. Any future right-of-way needed at the intersection would need to be acquired from the south property owners to maintain the street alignment.

On July 22, 2013, the Planning Commission approved a variance from right-of-way requirements in Section 20-810(e)(5) of the Subdivision Regulations to allow the replatting of this property with 100' of right-of-way currently provided for Kasold Drive and Peterson Road.

- b. The subdivision provides a 7-foot wide sidewalk on the north side of Peterson Road and a 6-foot wide sidewalk on the east side of Kasold Drive. No sidewalks are located on the south side of Sherwood Drive or west side of Sterling Drive. The subdivision was originally platted in 2000 under previous subdivision regulation which required sidewalk on only one side of the road. At this time, it is the property owner's intention to merely subdivide the property, not redevelop it. The cost to provide a quarter-mile of 6-foot wide sidewalk at this time could easily total \$20,000-25,000 and is a financial hardship to the property owner.*

The subject property was originally platted in 2000. The adjacent development to the north, Deerfield Woods Subdivision No. 1, creating Sherwood Drive, was platted in 1989. The development to the east, Deerfield Woods Subdivision No. 4 and 5, creating Sterling Drive, were platted in 1994 and 1995. Both Sherwood Drive and Sterling Drive were constructed consistent with the approved subdivision regulations requiring sidewalks on only one side of the street for local streets. Sidewalks along Kasold Drive and Peterson Road were constructed on both sides of the streets. The proposed variance applies to the south side of Sherwood Drive and the west side of Sterling Drive. The subject property is developed with two existing buildings and a shared parking lot. Sidewalks along Sherwood Drive and Sterling Drive were not required at the time (SP-5-32-00). Since the original development, the commission approved a Use Permitted upon Review (Special Use Permit) for a childcare facility in 2004 and an expansion of the use in 2005. A modification to the site plan was made in 2009 to accommodate parking lot changes for the childcare facility and exterior play yard.

- On July 22, 2013, the Planning Commission approved a variance from Section 20-811(c)(1)(i) of the Subdivision Regulations to allow the replatting of the subject property without construction of sidewalks on Sherwood Drive and Sterling Drive, with the condition that sidewalks be installed on the entirety of both Sherwood Drive and Sterling Drive with either any new development on Lot 1 or any major development on Lot 2.
- There are no planned improvements to Lot 1, Lot 2, or the proposed Lot 3 that would require a major site plan and construction of a sidewalk along Sterling Drive and east end of Sherwood Drive.
- There is an approved site plan (SP-5-32-00) for the development of Lot 1 that did not include a sidewalk along the south side of Sherwood Drive.
- There is no probability that sidewalk along the south side of Sherwood Drive east of Sterling Drive would be constructed. This street terminates at an existing utility access easement and an unconstructed cul-de-sac.

- Since the streets are constructed, any sidewalk additions would be added with the new site development. This would impact only Lot 1 since Lot 2 and proposed Lot 3 are developed.

Staff Finding: Requiring the dedication of additional right-of-way for Kasold Drive and Peterson Road at this time would constitute an unnecessary hardship on the property owner, as the right-of-way is not necessary.

While requiring compliance with the construction of sidewalks would benefit the surrounding area by providing new pedestrian connections to the public sidewalk network, half of the property is developed and is not proposed to be redeveloped. Given the minor nature of the request, and the existing street and landscaping development, it may be a hardship to require retrofitting these streets with a sidewalk at this time.

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

Applicant Response:

- a. The subject property is located adjacent to portions of Peterson Road and Kasold Drive that saw significant improvements less than 10 years ago. The current rights-of-way adequately accommodate all improvements. It is unlikely that either street will be significantly widened in the future.*

Right-of-way dedication is required when properties are platted to ensure that required right-of-way is available for improvements to adjacent roadways. As previously stated, the City Engineer indicated that the right-of-way currently dedicated for Kasold Drive and Peterson Road are adequate.

- b. The intended purpose of this regulation is to provide reasonable pedestrian access and safety. The subject property, which is zoned commercial, already provides sidewalks adjacent to its frontage on arterial streets, thus providing for pedestrian access from either Peterson Road or Kasold Drive. The frontages for which this variance is requested are those adjacent to local residential streets. Sherwood and Sterling Drives already provide sidewalks on the sides of the street developed with single-family homes. Thus reasonable and safe pedestrian access for the residents of these streets is already provided.*

There are no new public improvements required for this division of property. The streets have been previously constructed with applicable sidewalks prior to the current design standards requiring sidewalks on both sides of the street. With the exception of Lot 1, the surrounding area is developed with established uses and subdivisions. Sidewalks are provided along both sides of the arterial streets in the immediate area.

Staff Finding: The variance will allow the proposed lot division to occur without requiring the dedication of additional right-of-way or construction of public sidewalks along the south side of Sherwood Drive and the west side of Sterling Drive. Adequate right-of-way is available for Kasold Drive and Peterson Road. The requests are in harmony with the intent of the regulations given the minor nature of this land division.

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

Applicant Response:

- a. Maintaining the Peterson Road and Kasold Drive rights-of-way as they exist will not jeopardize the public health, safety or welfare, nor would increasing their width serve to*

improve them. Both Peterson Road and Kasold Drive function adequately and there are no plans for future improvements which would require additional rights-of-way.

As there are no improvement plans to any of the surrounding streets to this area, no additional right-of-way is needed.

b. The portions of Sherwood and Sterling Drives that front the subject property are fully developed with a sidewalk on one side. The public health, safety and welfare of residents and pedestrians on those streets will not be jeopardized by approval of this variance. This subdivision, combined with those neighboring it, provides for a safe and accessible pedestrian environment.

Sherwood Drive and Sterling Drive include existing sidewalks on the residential sides of the streets. This area does not connect to any other through streets thus the pedestrian activity is contained in the immediate area and protected from inter-neighborhood traffic. Non-residential development and multi-dwelling residential developments in the immediate area include interior pathways and sidewalks that connect to Kasold Drive and Peterson Road providing interior walkability within individual developments. Likewise, interior sidewalks are proposed for the remaining development of the subject property when the remaining development is constructed. It is unlikely that any development of Lot 2 or proposed Lot 3 will be significant enough to require construction of a sidewalk along Sterling Drive in the future.

Staff Finding: The variances will not affect the public health, safety, or welfare.

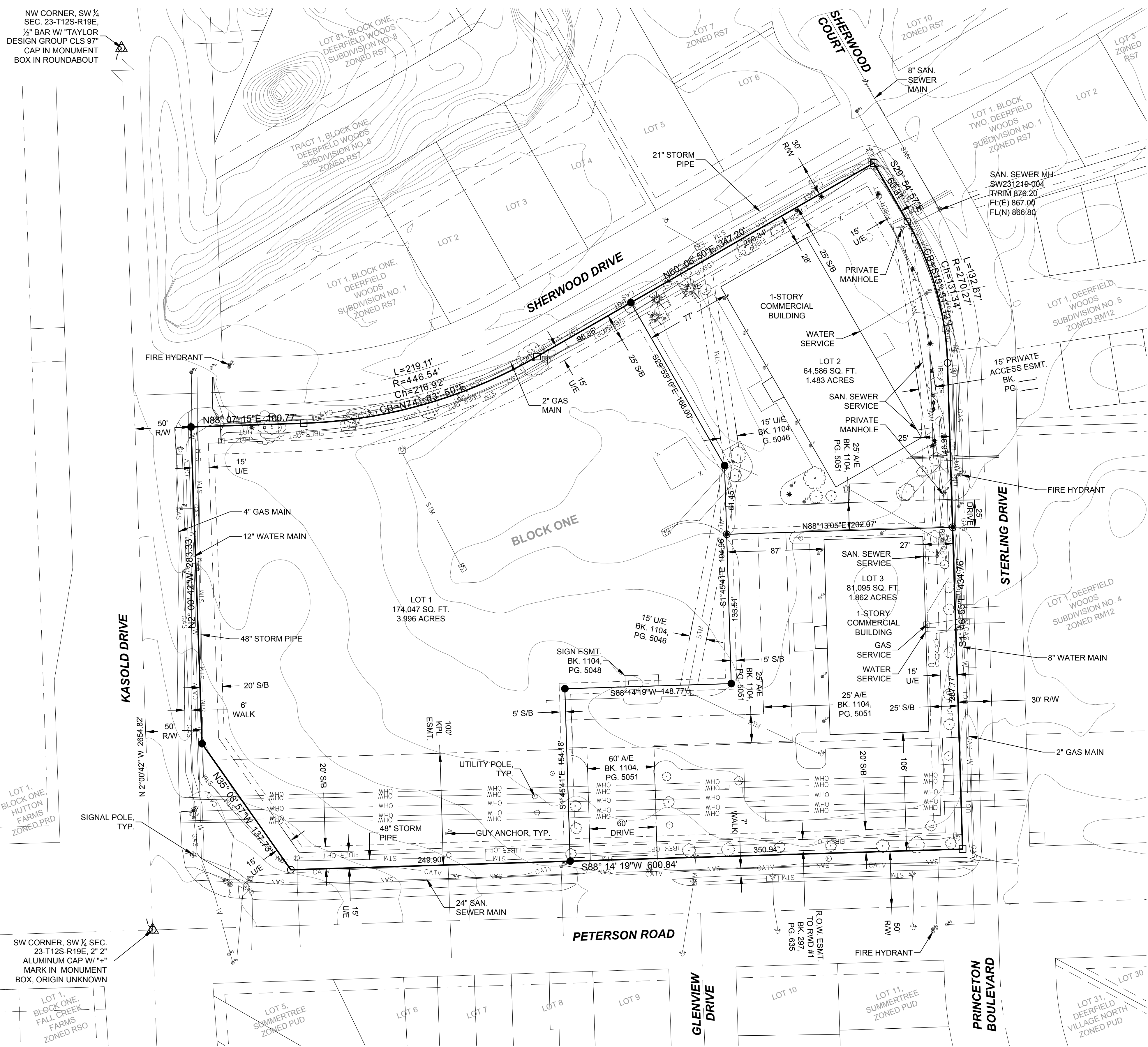
Conformance

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. Subject to approval of the variance for the right-of-way width for Kasold Drive and Peterson Road, and the variance for sidewalk requirements on Sterling Drive and Sherwood Drive, this Preliminary Plat complies with the standards and requirements of the Subdivision Regulations and the Development Code.

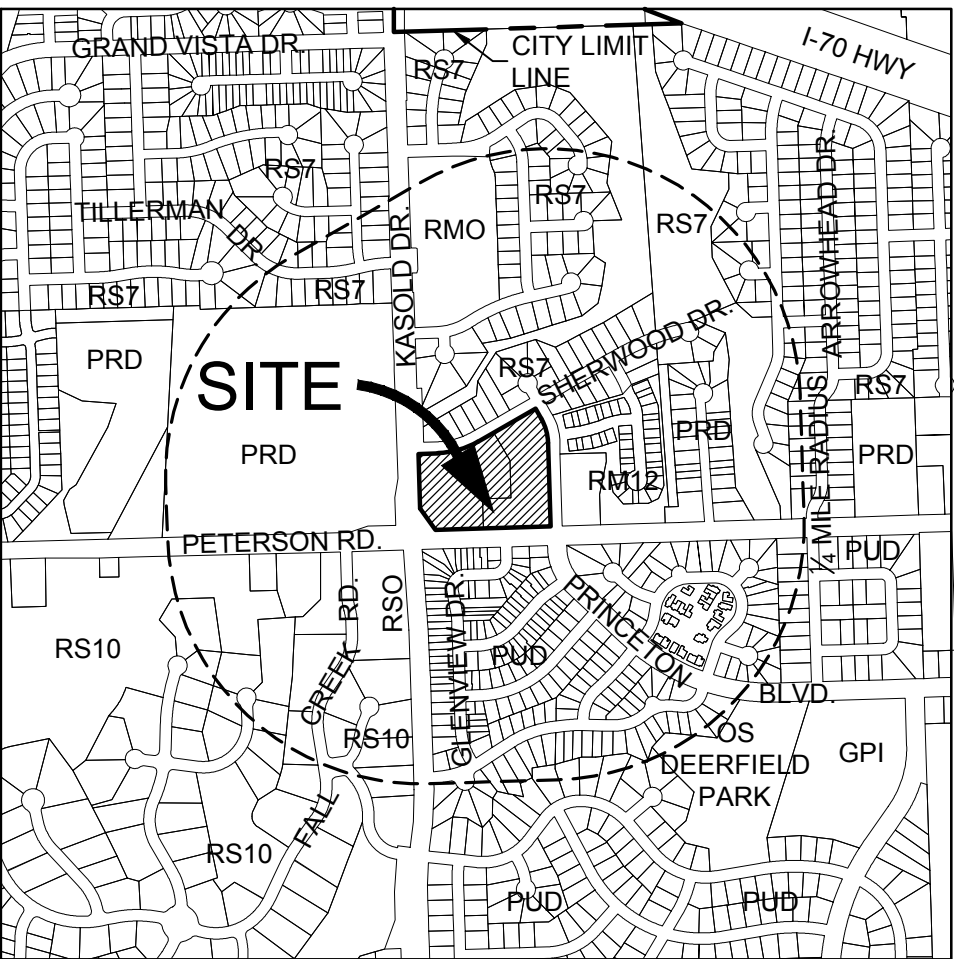
NW CORNER, SW 1/4 SEC. 23-T12S-R19E, 1/2" BAR W/ "TAYLOR DESIGN GROUP CLS 97" CAP IN MONUMENT BOX IN ROUNDABOUT

SW CORNER, SW 1/4 SEC. 23-T12S-R19E, 2" 2" ALUMINUM CAP W/ "HUTTON FARMS ZONED RSO

LOT 1, BLOCK ONE, FALL CREEK FARMS ZONED RSO



LOCATION MAP:



MONUMENTATION:

- SECTION CORNER, SIZE AND ORIGIN AS NOTED
- SET: 1/2" x 24" IRON BAR W/ "PS 889" CAP
- FOUND: 1/2" IRON BAR W/ "PLS 1558" CAP
- FOUND: 1/2" IRON BAR W/ "EBH 377" CAP
- FOUND: 1/2" IRON BAR W/ "LS 988" CAP

LEGEND:

- RW RIGHT-OF-WAY
- U/E UTILITY EASEMENT
- A/E PUBLIC ACCESS EASEMENT
- SAN SANITARY SEWER LINE
- W WATER LINE
- STM STORM SEWER LINE
- GAS GAS LINE
- UGE UNDERGROUND ELECTRIC LINE
- OWH OVERHEAD UTILITY WIRE
- FIBER OPT FIBER OPTIC LINE
- CATV CABLE TELEVISION LINE

GENERAL NOTES:

- OWNERS: YMW, LLC & CHEER POLE, LTD. 1613 ALVAMAR DRIVE LAWRENCE, KANSAS 66047
- LAND PLANNER/ CIVIL ENGINEER/ SURVEYOR: LANDPLAN ENGINEERING, P.A. 1310 WAKARUSA DRIVE LAWRENCE, KANSAS 66049
- TOPOGRAPHIC INFORMATION SHOWN WAS GENERATED FROM DOUGLAS COUNTY LIDAR DATA COLLECTED IN MARCH, 2006.
- EXISTING ZONING: CO
- PROPOSED ZONING: CO
- EXISTING LAND USE: COMMERCIAL OFFICE
- PROPOSED LAND USE: COMMERCIAL OFFICE
- NO PORTIONS OF THE SUBJECT PROPERTY LIE WITHIN A DESIGNATED "SPECIAL FLOOD HAZARD AREA" AS DEFINED BY FLOOD INSURANCE RATE MAP (FIRM); PANEL NO. 157, MAP NUMBER 20045C0157D, DOUGLAS COUNTY, KANSAS, BEARING AN EFFECTIVE DATE OF AUGUST 5, 2010.
- TYPICAL SOIL TYPES: WOODSON SILT LOAM, 1 TO 3% SLOPES; PAWNEE CLAY LOAM, 3 TO 6% SLOPES.
- LANDSCAPING SHALL NOT BE PLACED WITHIN UTILITY EASEMENTS, WITHIN 8 FEET OF THE WATER MAIN, OR WITHIN 8 FEET OF THE SANITARY SEWER MAIN.
- ALL UTILITIES WILL BE LOCATED UNDERGROUND, PER SECTION 20-809(f)(4)(iv) OF THE CITY CODE.
- THE BASIS OF THE BEARINGS FOR THIS PLAT IS KANSAS STATE PLANE NORTH.

LEGAL DESCRIPTION:

DEERFIELD WOODS SUBDIVISION NO. 9, A MINOR SUBDIVISION/REPLAT OF LOT 1, DEERFIELD WOODS SUBDIVISION NO. 7, IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

SITE SUMMARY:

GROSS AREA: 319,728 SF / 7.340 AC
NET AREA: 319,728 SF / 7.340 AC
TOTAL LOTS: 3
AVERAGE LOT SIZE: 106,576 SF / 2.447 AC
MINIMUM LOT AREA: 64,586 SF / 1.483 AC
MAXIMUM LOT AREA: 174,047 SF / 3.996 AC

PROVISION AND FINANCING OF ROADS, SEWER AND OTHER PUBLIC SERVICES:

- THE SUBDIVISION WILL NOT DEDICATE ANY NEW PUBLIC RIGHTS-OF-WAY. THE SUBDIVISION WILL TAKE ACCESS TO AND FROM PETERSON ROAD AND STERLING DRIVE.
- THE SUBDIVISION WILL PROVIDE CONNECTIONS TO THE CITY OF LAWRENCE WATER SYSTEM VIA EXISTING 8" MAINS LOCATED IN THE STERLING DRIVE AND SHERWOOD DRIVE RIGHTS-OF-WAY AND AN EXISTING 12" MAIN LOCATED IN THE KASOLD DRIVE RIGHT-OF-WAY.
- THE SUBDIVISION WILL PROVIDE CONNECTIONS TO THE CITY OF LAWRENCE SANITARY SEWER SYSTEM VIA EXISTING 8" MAINS LOCATED IN THE STERLING DRIVE AND SHERWOOD DRIVE RIGHTS-OF-WAY.
- PURCHASERS OF THE LOT IN THE SUBDIVISION MAY OR MAY NOT BE SUBJECT TO SPECIAL ASSESSMENTS OR OTHER COSTS OF STREETS, ROADS, WATER LINES AND TREATMENT, AND/OR WASTEWATER LINES AND TREATMENT.
- THE PROVISION OF IMPROVED ROADS, WATER SERVICE AND/OR WASTEWATER SERVICE WILL NOT DEPEND IN ANY WAY ON A VOTE, PETITION OR OTHER COLLECTIVE ACTION OF PROPERTY OWNERS IN THE SUBDIVISION.

LANDPLAN ENGINEERING P.A.
Lawrence, KS • Kansas City, MO • The Woodlands, TX
1310 Wakarusa Drive, Suite 100
Lawrence, Kansas 66049
785.843.7530 (p) | 785.843.2410 (f)
info@landplan-pa.com | www.landplan-pa.com

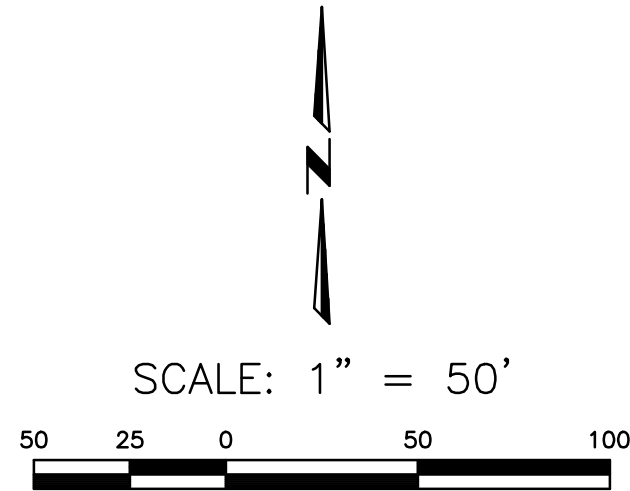
©Landplan Engineering, P.A. 2015. This drawing is copyrighted by Landplan Engineering, P.A. This drawing may not be photographed, traced, or copied in any manner without the written permission of Landplan Engineering, P.A.

DEERFIELD WOODS SUBDIVISION No. 10
LAWRENCE, DOUGLAS COUNTY, KANSAS
PRELIMINARY PLAT

REV	DATE	DESCRIPTION
1	6/2/15	PER CITY COMMENTS

DATE: 4/20/15
PROJECT NO.: 20153009
DESIGNED BY: LPE
DRAWN BY: BS
CHECKED BY: BZ

ISSUE	SHEET NO.
	1
	OF 1 SHEETS



PLANNING COMMISSION REPORT
Non-Public Hearing Item

PC Staff Report
06/22/2015

**ITEM NO. 5: FINAL PLAT FOR BAUER FARM SEVENTH PLAT; 4700
OVERLAND DRIVE (MKM)**

PF-15-00094: Consider a Final Plat for Bauer Farm Seventh Plat, a 4 lot planned commercial, residential, and office subdivision containing approximately 14.569 acres, located at 4700 Overland Drive. Submitted by Treanor Architects, for Bauer Farms Residential LLC and Free State Holdings, Inc., property owners of record.

STAFF RECOMMENDATION: Planning staff recommends approval of the Final Plat for the Bauer Farm Seventh Plat Subdivision and forwarding it to the City Commission for acceptance of easements and rights-of-way, subject to the following conditions:

1. Provision of revised, executed Master Street Tree Plan for recording.
2. Pinning of lots in accordance with Section 20-811(k) of the Subdivision Regulations.
3. Provision of a revised Final Plat with the following change:
 - a. Endorsements revised to reflect that the Planning Commission approved the Final Plat.

Applicant's Reason for Request: Subdivision is necessary prior to development.

KEY POINTS

- This final plat will complete the platting of the land that is zoned for residential (PRD) and office (POD) development, and will combine two commercially zoned (PCD) platted lots into one.
- This application was submitted concurrently with Final Development Plans for a *Multi-Dwelling* development on proposed Lot 2, Block One and a *Health Clinic/Office* on proposed Lot 3, Block One. Approval of the final plat is not contingent upon the approval of the related development plans.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 1, 2007. The new Subdivision Regulations included an administrative approval process for final plats; however, as the Bauer Farm development was preliminary platted in 2005 with Preliminary Development Plan PDP-03-02-05, the final plat requires Planning Commission approval.

ASSOCIATED CASES

- FDP-15-00066, Final Development Plan for a 100 unit *Multi-Dwelling Structure* on Lot 2, Block One. This plan is on the June 22nd Planning Commission agenda for consideration.
- FDP-15-00108, Final Development Plan for Xpress Wellness, a *Health Care Office/Clinic* use on Lot 3, Block One. This plan is on the June 22nd Planning Commission agenda for consideration.
- PDP-14-00055, revised Preliminary Development Plan for the Bauer Farm development, approved by the City Commission on May 6, 2014.

Other Action Required

- City Commission acceptance of dedication of easements and rights-of-way as shown on the final plat.
- Submittal and approval of Public Improvement Plans and provision and acceptance of means of assurance of completion prior to the recording of the final plat at the Douglas County Register of Deeds.
- Recordation of final plat at the Douglas County Register of Deeds.
- Final Development Plans must be approved prior to development. As this property is being processed under the Planned Unit Development processes in the pre-2006 Code, the Final Development Plan will require approval of the Planning Commission.

GENERAL INFORMATION

Current Zoning and Land Use: PCD-[Bauer Farm] (Planned Commercial Development); PRD-[Bauer Farm] (Planned Residential Development); and POD-[Bauer Farm] Districts. *Undeveloped.*

Surrounding Zoning and Land Use: To the west: PCD-Bauer Farm (Planned Commercial Development) District. The subject property is bounded on the west by additional property within the Bauer Farm Commercial Development; *Fast Order Food-Drive In and Entertainment and Spectator Sports* (Theatre Lawrence).

To the north: PRD-[Bauer Farm] (Planned Residential Development) District; *Multi-Dwelling Structure* (Meadowlark Estates). RSO (Single-Dwelling Residential-Office) District across Overland Drive; *Multi-Dwelling Structures.*

To the east: PRD-[Bauer Farm] (Planned Residential Development) District; *Multi-Dwelling Structure* (Meadowlark Estates). RSO (Single-Dwelling Residential-Office) Districts; *Health Care Office/Clinic* and *Financial, Insurance and Real Estate Office.*

To the south: PCD-[Westgate] and PCD-[Westgate 2] (Planned Commercial Development) Districts; *Financial, Insurance and Real Estate Office; Health Care Office/Clinic; General Retail Sales.*
(Figure 1)

Site Summary

Site Area:	634,626 sq ft	(14.569 acres)
Number of lots proposed:	4	
Lot 1, Block One:	68,316 sq ft	(1.568 acres)
Lot 2, Block One:	174,061 sq ft	(3.996 acres)
Lot 3, Block One:	59,990 sq ft	(1.377 acres)
Lot 1, Block Two:	300,854 sq ft	(6.907 acres)
Right-of Way:	31,439 sq ft	(0.722 acres)

STAFF REVIEW

The Bauer Farm Addition, 7th Plat will complete the platting of the Bauer Farm Planned Development. The plat includes the unplatted portion that is zoned for residential development and the parcel at the corner of Folks and Bauer Farm Drive that is zoned for office development. The plat will also combine two commercial lots south of Bauer Farm and adjacent to the residentially zoned property into one lot. (Figure 2) The right-of-way for the extension of Bauer Farm Drive through the property will be dedicated with this plat, dividing the residentially zoned portion into two lots.

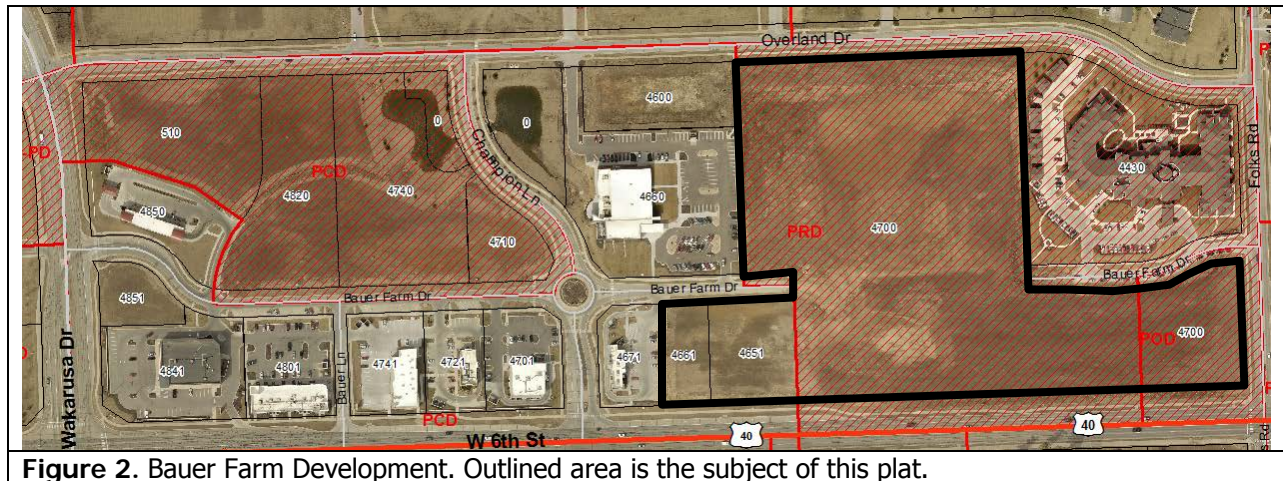


Figure 2. Bauer Farm Development. Outlined area is the subject of this plat.

The Bauer Farm Preliminary Development Plan, which also serves as the preliminary plat, was originally submitted prior to the adoption of the 2006 Development Code. The Final Plat has been placed on the Planning Commission's agenda for approval, per the process in the pre-2006 Code and will be forwarded to the City Commission for acceptance of dedication of easements and rights-of-way.

Street and Access

The property has frontage on Overland Drive, Bauer Farm Drive, W 6th Street/ Hwy 40, and Folks Road. Access is available on all adjoining streets with the exception of W 6th Street/Hwy 40, a principal arterial, and 300 ft of Folks Road from the intersection with W 6th Street/Hwy 40 per the City Access Management Standards. These access restrictions are shown on the plat.

Master Street Tree Plan

The Master Street Tree Plan and graphic provided with the plat does not include street trees for all street frontages of the plat. The Master Street Tree Plan and graphic should be revised per Planning approval to include trees along Overland Drive, Folks Road, W 6th Street and the remainder of Bauer Farm Drive.

Utilities and Infrastructure

The utilities and infrastructure being provided with the final plat coincide with the Preliminary Development Plan with the exception of Lot 1, Block Two. The future development of this lot may change from the detached dwellings, row-houses and duplex residences currently shown on the Preliminary Development Plan. The utilities were removed from this lot in anticipation of the revised development proposal. Revising the residential development from the type previously approved will require the submittal and approval of a revised Preliminary Development Plan.

Public Improvements

Public improvements include the construction of Bauer Farm Drive to extend the street through the development and the extension of sanitary sewer and water mains to serve the development. Public Improvement Plans must be submitted and approved and the means of assurance of completion of improvements (letter of credit, funds in escrow, etc.) prior to the recording of the final plat with the Register of Deeds.

Easements and Rights-of-Way

Easements are being dedicated as shown on the Preliminary Development Plan with the exception of Lot 1, Block Two. As the future plans for this lot have changed, the utilities and easements have been revised. A revised Preliminary Development Plan will be required for the new development. Any additional easements needed at that time can be dedicated by separate instrument or through the replatting of the property.

Compliance with Preliminary Plat

The final plat conforms to the approved Preliminary Development Plan [PDP-14-00055] with the revisions to easements and utilities noted above.

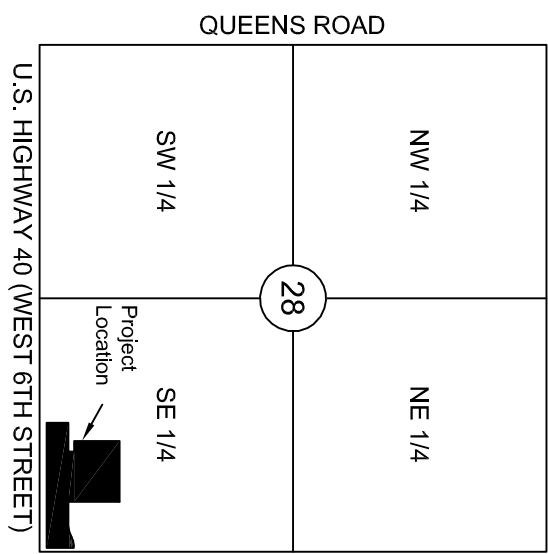
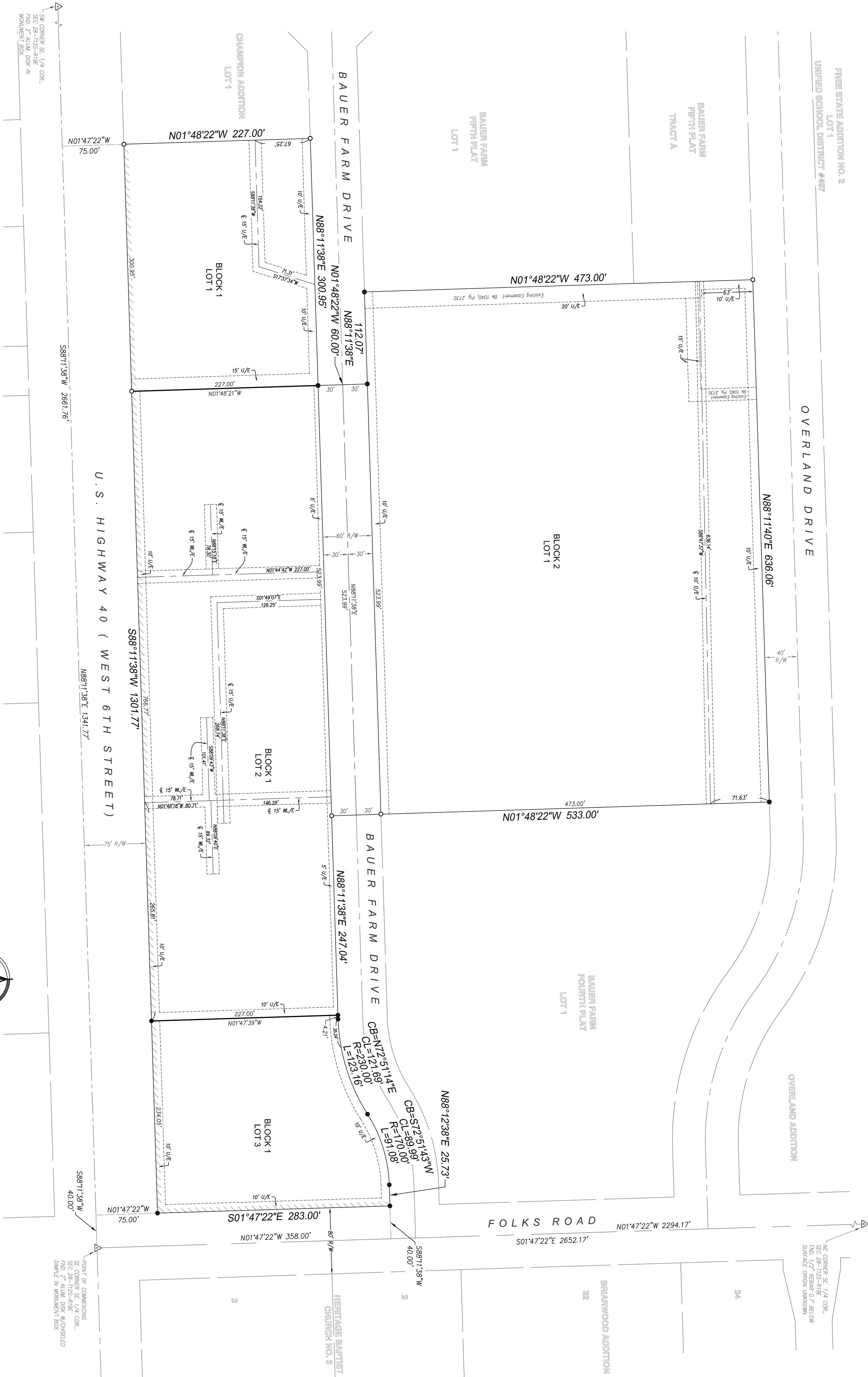
Summary

The proposed subdivision is in conformance with the minimum lot area and dimension requirements for the Planned Commercial Development in the 1966 Zoning Ordinance with the revised waivers approved by the Planning Commission on April 21, 2014. The final plat, as submitted, is consistent with the requirements of the subdivision regulations.

FINAL PLAT

BAUER FARM SEVENTH PLAT

A REPLAT OF LOT 2 CHAMPION ADDITION, LOT 3 BAUER FARMS 1ST PLAT AND A PART OF THE SE 1 / 4 OF THE SE 1 / 4 OF SECTION 28-T12S-R19 IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS



SECTION 28-T12S-R19E
LOCATION MAP
Scale 1" = 2000'

Legend:

- ▲ FOUND SECTION CORNER AS NOTED
- FOUND 1/2" REBAR, ORIGIN UNKNOWN
- FOUND 1/2" REBAR, ORIGIN UNKNOWN WITH RE-ASSETS 234 CAP
- U/E UTILITY EASEMENT
- SS/E SANITARY SEWER EASEMENT
- D/E DRAINAGE EASEMENT
- W/E WATERLINE EASEMENT
- G/L GAS LINE EASEMENT
- W/L WATER LINE EASEMENT
- E22 NO ACCESS
- (P) PLATTED
- (D) DEEDED
- L LENGTH OF CURVE
- R RADII OF CURVE
- CL CHORD LENGTH
- CB CHORD BEARING

CLOSURE CALCULATIONS:

Precision, 1 part in: 522562.786'
Error distance: 0.008'
Error direction: S42°09'38"E
Perimeter: 4413.87'

NOTES:

- The basis of bearings for this plat is BAUER FARM FIRST PLAT.
- No fences or obstructions shall be constructed within dedicated Drainage Easements.
- Any additional easements determined to be required during the engineering of public improvements shall be dedicated through separate instrument.
- Soils investigations shall be performed before primary structures are erected on lots with slopes greater than 3:1, or non-engineered fill greater than 12 inches. A Soils Engineer licensed by the State of Kansas shall perform investigations, and a report of the investigation shall be submitted to the City of Lawrence Codes Enforcement Division. Other lots may be required to be investigated where excavation reveals indications of unstable conditions.
- Master Street Tree Plan Record, Book ____ Page ____.
- All utilities will be underground, per Section 20-309(f)(4)(iv).
- Pins for all lot corners shall be set prior to the recording of the final plat.

CERTIFICATION:

THIS IS TO CERTIFY that on this 27th day of February, 2015 a survey was made and monumented by me and that said survey meets or exceeds the KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

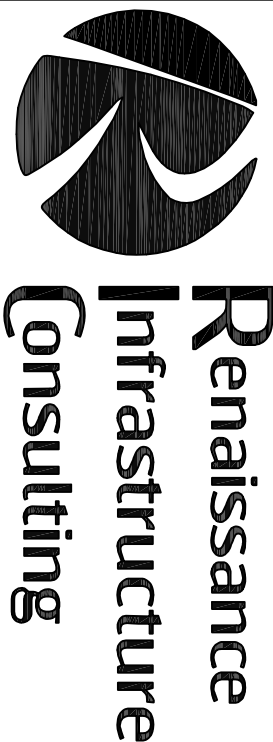
Roger B. Dill, Kansas LS-1408

BAUER FARM SEVENTH PLAT

PLAT AREAS			
LOT NO.	SQ. FT.	ACRES	MOOE
BLK 1, LT 1	66,316	1.568	
BLK 1, LT 2	174,061	3.996	
BLK 1, LT 3	59,990	1.377	
BLK 2, LT 1	300,854	6.907	
R.O.W.	31,439	0.722	

Prepared For:
Treasor Architects
Matthew L. Murphy
1040 Vermont Street
Lawrence, Kansas 66004
(785) 842-4858

Date of Preparation:
February 26, 2015



1138 West Cambridge Circle Drive
Kansas City, Kansas 66103
www.ric-consult.com
913.317.9500

FINAL PLAT

BAUER FARM SEVENTH PLAT

A REPLAT OF LOT 2 CHAMPION ADDITION, LOT 3 BAUER FARMS 1ST PLAT AND A PART OF THE SE 1 / 4 OF THE SE 1 / 4 OF SECTION 28-T12S-R19 IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS

LEGAL DESCRIPTION:

LOT 2, CHAMPION ADDITION, LOT 3 BAUER FARMS 1ST PLAT and a part of the Southeast Quarter of the Southeast Quarter of Section 28, Township 12 South, Range 19 East of the Sixth Principal Meridian, all in the City of Lawrence, Douglas County, Kansas more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 28; thence South 88°11'38" West, along the South line of the Southeast Quarter of said Section 28, a distance of 40.00 feet; thence North 01°47'22" West, a distance of 75.00 feet, to the intersection of the westerly right-of-way line of Folks Road, as now established and the northerly right-of-way line of U.S. Highway 40 (6th Street), as now established and to the Point of Beginning; thence South 88°11'40" West, coincident with the northerly right-of-way line of said U.S. Highway 40 (6th Street), a distance of 1,301.77 feet; thence North 01°48'22" West, a distance of 227.00 feet, to the southerly right-of-way line of Bauer Farm Drive, as now established; thence North 88°11'38" East, coincident with said southerly right-of-way line, a distance of 300.95 feet; thence North 01°48'22" West, a distance of 60.00 feet to the northerly right-of-way line of said Bauer Farm Drive; thence South 88°11'38" West, coincident with said northerly right-of-way line, a distance of 112.07 feet, to the southeast corner of BAUER FARM FIFTH PLAT; thence North 01°48'22" West, coincident with the east line of said BAUER FARM FIFTH PLAT, a distance of 473.00 feet, to the southerly right-of-way line of Overland Drive, as now established; thence North 88°11'38" East, coincident with said southerly right-of-way line, a distance of 636.06 feet to the northwest corner of BAUER FARM FOURTH PLAT; thence South 01°48'22" East, coincident with the west line of said BAUER FARM FOURTH PLAT, a distance of 533.00 feet to the southerly right-of-way line of said Bauer Farm Drive; thence North 88°11'38" East, coincident with said southerly right of way line, a distance of 247.05 feet, to a point of curvature; thence easterly and northeasterly, coincident with said southerly right-of-way line and along a curve to the left having a radius of 230.00 feet and a central angle of 30°41'08", an arc distance of 123.16 feet, to a point of reverse curvature; thence northeasterly and easterly, coincident with said southerly right-of-way line and along a curve to the right having a radius of 170.00 feet and a central angle of 30°42'08", an arc distance of 91.08 feet, to a point of tangency; thence North 88°12'38" East, coincident with said southerly right-of-way line, a distance of 25.73 feet to the westerly right-of-way line of said Folks Road; thence South 01°47'22" East, coincident with said westerly right-of-way line, a distance of 283.00 feet to the Point of Beginning. Containing 634.627 square feet or 14.569 acres, more or less.

DEDICATION

Be it known to all men that I (we), the undersigned owner(s) of the above described Tract of Land, have had cause for the same to be surveyed and platted under the name of "BAUER FARM SEVENTH PLAT" and have caused the same to be subdivided into lots and streets as shown and fully defined on this plat. All streets, drives, roads, etc. shown on this plat and not heretofore dedicated to public use are hereby so dedicated.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Lawrence, Kansas.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over, under and through those areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Lawrence, Kansas.

An easement or license to lay, construct, alter, repair, replace and operate one or more water lines and all appurtenances convenient for the distribution of water, together with the right of ingress and egress, over and through those areas designated as "Water Line Easement" or "W/L-E" on this plat is hereby granted to the City of Lawrence, Kansas.

Michael L. Treanor

Managing Member, Bauer Farms Residential, LLC

Michael L. Treanor

President, Free State Holdings, Inc.

ACKNOWLEDGEMENT:

STATE OF KANSAS
COUNTY OF DOUGLAS

Be it remembered that on this ____ day of _____, 2015, before me, the undersigned, a Notary Public, in and for said County and State, came Michael L. Treanor, Managing Member & President, Bauer Farms Residential, LLC and Free State Holdings, Inc., respectively, who is (are) personally known to me to be the same person(s) who executed the foregoing instrument of writing and duly acknowledge the execution of the same.

In witness whereof, I have hereunto set my hand and affixed my seal on the day and year last written above.

Notary Public

My Commission Expires

ENDORSEMENTS:

Approved as a Major Subdivision under the Subdivision Regulations of the City of Lawrence & the Unincorporated Areas of Douglas County

Associated Preliminary Development Plan Approved by the Lawrence-Douglas County Planning Commission, Douglas County, Kansas

	Date		Date
Scott McCullough		Clay Britton	
DIRECTOR, Planning Development Services		CHAIR	

Rights-of-Way and Easements Accepted by City Commission, Lawrence, Kansas

	Date		Date
Jerry Farmer		Diane Bucia	
MAJOR		CITY CLERK	

FILING RECORD:

STATE OF KANSAS
COUNTY OF DOUGLAS

This is to certify that this instrument was filed for record in the office of the Douglas

County

Register of Deeds on this ____ day of _____, 2015, and is duly recorded at

_____ am/pm, _____.

In Plat Book _____: Page _____.

Kay Pesnell
REGISTER OF DEEDS

COMPLIANCE:

Reviewed in Compliance with K.S.A. 58-2005

Michael D. Kelly, P.S. #869
DOUGLAS COUNTY SURVEYOR

CERTIFICATION:

THIS IS TO CERTIFY that on this 27th day of February, 2015 a survey was made and monumented by me and that said survey meets or exceeds the "KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS"

Roger B. Dill, Kansas LS-1408

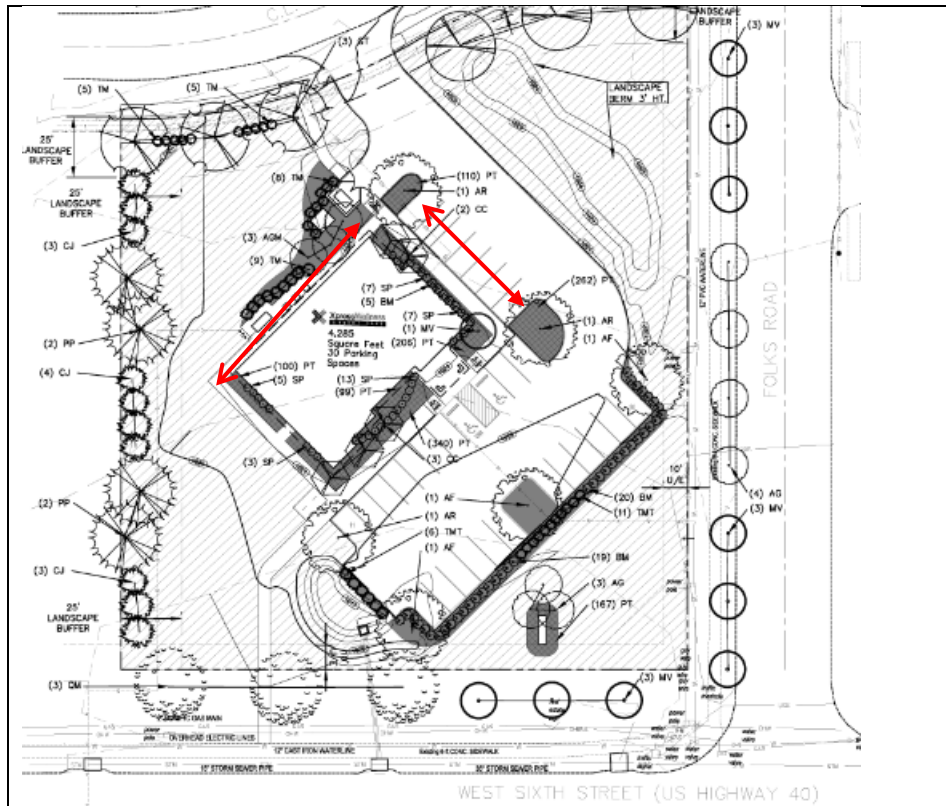
BAUER FARM SEVENTH PLAT

Prepared For:
Treanor Architects
Matthew L. Murphy
1040 Vermont Street
Lawrence, Kansas 66044
(785) 842-4858

Date of Preparation: February 26, 2015



1138 West Cambridge Circle Drive
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com



SYMBOL	KEY	QTY.	NAME	SIZE	COND.
		15	SHADE TREE		
	QR	3	NORTHERN RED OAK – QUERCUS RUBRA	2" CAL MIN.	B&B
	QM	3	CHINKAPIN OAK – QUERCUS MUEHLENBERGII		
	AR	3	PACIFIC SUNSET MAPLE – ACER RUBRUM 'PACIFIC SUNSET'		
	AF	3	CELEBRATION MAPLE – ACER X FREEMANII 'CELZAM'		
	GT	3	SKYLINE THORNLESS LOCUST – GLEDITSIA TRICANTHOS 'SKYLINE'		
		14	EVERGREEN TREE		
	PP	4	COLORADO BLUE SPRUCE – PICEA PUNGENS	7'–8' HT. MIN.	B&B
	CJ	10	CHINESE JUNIPER KETELEERI – JUNIPERUS CHINENSIS 'KETELEERI'		
		22	ORNAMENTAL TREE		
	AG	4	AUTUMN BRILLIANCE SERVICEBERRY (SINGLE STEM) – AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	2" CAL MIN.	B&B
	AGM	3	AUTUMN BRILLIANCE SERVICEBERRY (MULTIPLE STEM) – AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'		
	MV	10	VELVET PILLAR CRABAPPLE – MALUS 'VELVETCOLE'		
	CC	5	ROYAL PURPLE SMOKETREE – COTINUS COGGYGRIA		
		127	DECIDUOUS/EVERGREEN SHRUBS/ORNAMENTAL GRASSES/PERENNIALS		
	SP	39	GOLDMOUND SPIREA – SPIRAEA JAPONICA 'GOLDMOUND'	2 GAL.	CONT.
	BM	44	WINTERGREEN BOXWOOD – BUXUS MICROPHYLLO 'WINTERGREEN'		
	TMT	17	TAUNTON YEW – TAXUS X MEDIA 'TAUNTONII'		
	TM	27	HICKS YEW – TAXUS X MEDIA 'HICKSII'		
	PT	944	JAPANESE SPURGE – PACHYSANDRA TERMINALIS (15" O.C.)	8"	POT

PLANNING COMMISSION REPORT
Public Hearing Item

PC Staff Report
06/22/2015

**ITEM NO. 6 FINAL DEVELOPMENT PLAN FOR BAUER FARM; XPRESS WELLNESS
URGENT CARE; 4700 OVERLAND DR (MKM)**

FDP-15-00108: Consider a Final Development Plan for Bauer Farm, Xpress Wellness Urgent Care Walk-In Clinic, located on approximately 1.4 acres, located at the northwest corner of 6th St. and Folks Rd. Submitted by Kerr 3 Design Group, Inc., for Free State Holdings, Inc., property owner of record.

STAFF RECOMMENDATION: Planning staff recommends approval of the Final Development Plan based upon the findings of fact presented in the body of the Staff Report subject to the following conditions:

1. The final plat for the subject property, Bauer Farm Addition No 7, shall be recorded with the Register of Deeds, prior to the recording or release of the Final Development Plan.
2. Submission of revised Final Development Plan with the following change:
 - a. Addition of the following note to the Bufferyard Landscape Summary: *"The landscaping provided for the Type 1 Bufferyard required on the north side of the property (adjacent to PRD Zoning) as shown on the plan has been approved through Alternative Compliance, taking into account the width of the Bauer Farm Drive Right-of-way and the parking area to the north."*

Reason for Request: The Final Development Plan serves as a site plan for the proposed development of the subject property with a *Health Care Clinic*.

Design Standards to Consider

- Consistency with approved Preliminary Development Plan, PDP-14-00055.
- Consistency with Article 10 of the 1966 Zoning Code and the standards contained in the 2006 Land Development Code.

KEY POINTS:

- Final Development Plans for projects with preliminary approvals prior to the adoption of the 2006 Development Code require Planning Commission approval.
- A revised Preliminary Development Plan for Bauer Farms [PDP-14-00055] was approved by the Planning Commission on April 21, 2014 and by the City Commission on May 6, 2014.
- The proposed development revises the location of the Common Open Space from that shown on the approved Preliminary Development Plan; therefore, a public hearing is required for the Final Development Plan.

ASSOCIATED CASES

- PF-15-00094, Bauer Farm Seventh Plat. This plat includes the subject property and is also on the June Planning Commission's agenda for consideration.
- PDP-14-00055; Revised Preliminary Development Plan for Bauer Farm Development, approved by City Commission on May 6, 2014.

OTHER ACTION REQUIRED

- City Commission acceptance of dedications shown on the Final Plat, submittal and approval of Public Improvement Plans and recording of the Final Plat at the Douglas County Register of Deeds Office.
- Applicant's submittal of a revised development plan addressing the conditions of approval for recording at the Douglas County Register of Deeds Office.
- Applicant shall apply for and obtain Building Permits prior to development.

PUBLIC COMMENT

- No public comment was received prior to the printing of this staff report.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – a Revised Traffic Impact Study (TIS) was provided and accepted.
- *Downstream Sanitary Sewer Analysis* – A Downstream Sanitary Sewer Analysis was provided and accepted.
- *Drainage Study* – A revised drainage study revising the detention area was provided and accepted.
- *Retail Market Study* – Not applicable to application.

GENERAL INFORMATION

Current Zoning and Land Use:

POD [Bauer Farm] (Planned Office Development) District;
Undeveloped.

Surrounding Zoning:

To the west and north: PRD [Bauer Farm] (Planned Residential Development) District. A *Multi-Dwelling* retirement facility is located to the north. *Multi-Dwelling* residential development is planned to the west, and the Final Development Plan is on the June Planning Commission's agenda.

(Figure 1)

To the south: CO (Commercial Office) District; *Health Care Clinic/Office* across the W 6th Street right-of-way.

To the east: RSO (Single-Dwelling Residential-Office) District; *Health Care Office* and *Financial, Insurance or Real Estate Office* across the Folks Road right-of-way.



Figure 1a. Land use in the area

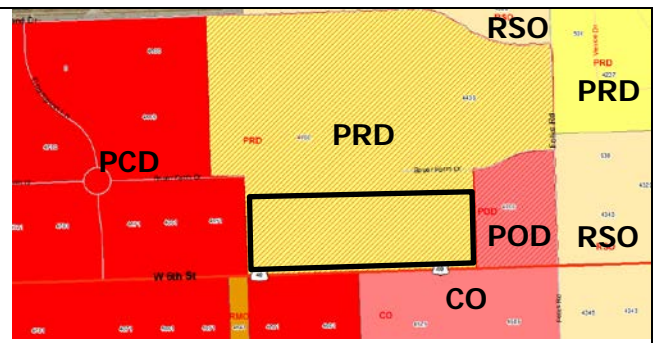


Figure 1b. Zoning in the area

STAFF SUMMARY

This Final Development Plan proposes the development of a 4,280 sq ft walk-in urgent care health facility on approximately 1.38 acres in the northwest corner of the intersection of W 6th Street/Hwy 40 and Folks Road. The property is currently unplatted but a Final Plat, PF-15-00094, has been submitted for this property and the remaining unplatted properties in the Bauer Farm Development. Approval of the Final Development Plan is contingent upon the recording of the Final Plat.

Thirty parking spaces, including 2 ADA accessible spaces will be provided for the health care facility. Access to the site will be taken from Bauer Farm Drive; no access is proposed on Folks Road or W 6th Street/Hwy 40. A stormwater detention pond is proposed with this development; however, it is smaller than the one on the Preliminary Development Plan. The applicant provided a revised drainage study which illustrated the proposed detention would be adequate for this development.

Figure 1 compares the lot layout on the approved Preliminary Development Plan (1A) and the proposed layout with the Final Development Plan (1B). The building is located in the center portion of the lot in each plan; however, the bank had an access drive adjacent to W 6th Street rather than the parking proposed in the Final Development Plan. The layout proposed in the Final Development Plan provides more landscaped greenspace near the intersection.

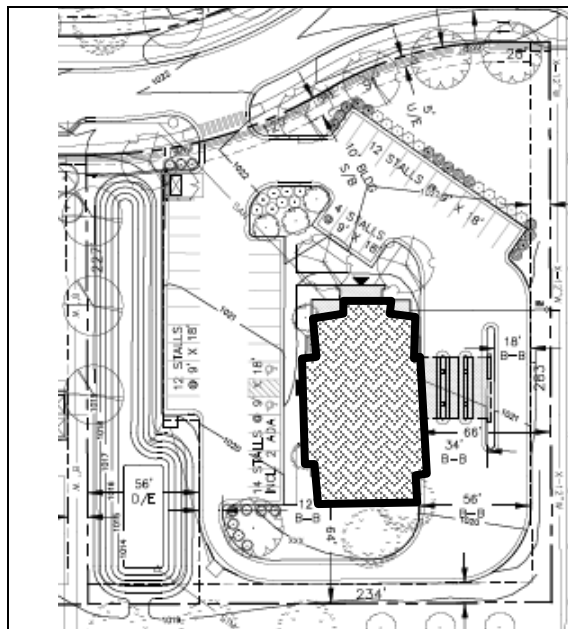


Figure 1A. Development as shown on most recent approved Preliminary Development Plan, PDP-14-00055

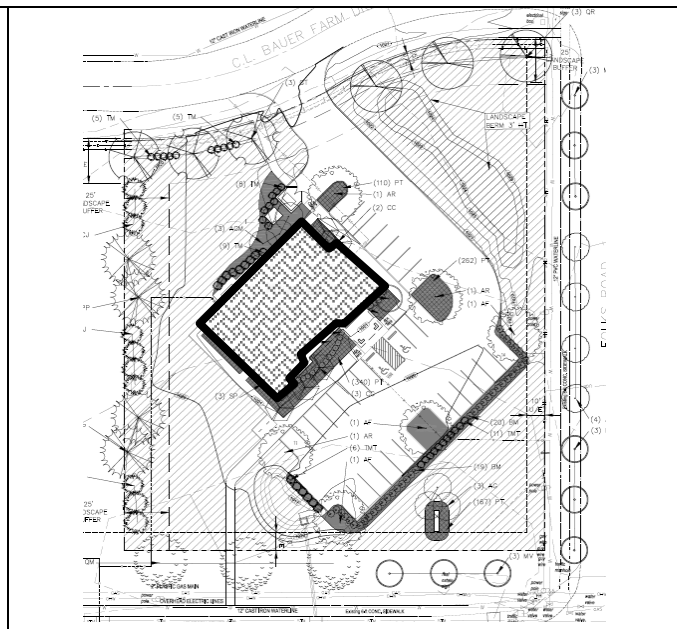


Figure 1B. Development as shown on subject Final Development Plan, FDP-15-00108

Site Summary

Subject property	59,988 sq ft
Building Footprint.....	4,280 sq ft (7.1%)
Proposed Pavement.....	17,240 sq ft
Total Impervious	21,520 sq ft (35.9%)
Total Pervious.....	38,468 sq ft (64.1%)

Parking Summary	<i>Health Care Office/Clinic</i>
Parking Requirements	1 space per 300 sq ft
Required Parking	4,280 sq ft/300 sq ft: 15 spaces
Proposed Parking	30 spaces
ADA Parking Required	2 spaces, with one being van accessible
ADA Parking Provided	2 spaces, with one van accessible
Bicycle Parking Required	1 per 10 auto spaces= 4 spaces
Bicycle Parking Provided	4 spaces

The proposed parking exceeds the minimum requirement for a *Healthcare Office/Clinic* use. The Code requires that excess parking be mitigated with the use of Best Management Stormwater Practices. The additional green space (64% of the site rather than the 25% required for an Office District) provides adequate mitigation for the additional parking.

STAFF REVIEW

The Bauer Farm Development was proposed and planned as a New Urbanism type of development which would utilize several Traditional Neighborhood Design concepts. The waivers which were approved by the Planning Commission were necessary to accommodate these TND concepts such as smaller lots, narrower rights-of-way, and reduced peripheral setbacks. Several Development Plans have been approved for both the commercial and residential portions of the development. The Planning Commission approved revised waivers with their consideration of the 2014 revised Preliminary Development Plan, PDP-12-04-10, based on the type of development being proposed. The revised waivers are listed on the plan.

Variation from Approved Preliminary Development Plan [PDP-12-04-10]

The items on the Final Development Plan which vary from the approved Preliminary Development Plan include the following:

- 1) Change in use from a *Financial, Insurance, Real Estate Office use to a Health Care Clinic/Office use.*
- 2) Reduction of the overall building size from 5,000 sq ft to 4,280 sq ft.
- 3) Total off-street parking has been revised from '18 required and 42 provided' to '15 required and 30 provided'.
- 4) Removal of the drive-thru lane and slight reconfiguration of the building and parking area.
- 5) Reduction in the area of the stormwater detention pond.

The Planning Commission is responsible for the final decision-making of a Final Development Plan) of the pre-2006 Code. A public hearing is required due to the changes which are being proposed.

Access and Circulation

Vehicular access to this site is provided from Bauer Farm Drive and is consistent with that approved on the Preliminary Development Plan. Adequate bicycle parking is being provided and is being located near the main entrance.

Common Open Space

A minimum of 20% of the area in the Planned Development is required to be placed into Common Open Space. The most recently approved Preliminary Development Plan contained 3.08 acres of Common Open Space which meets the 20% requirement. The Common Open Space is shown on the residentially zoned portions of the property and none is located on the subject property. (Figure 2)

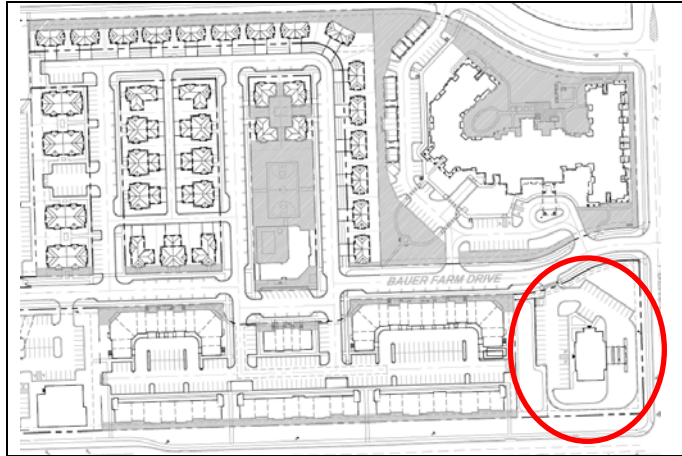


Figure 2. Common Open Space approved on PDP, shaded; subject property circled.

Pedestrian Connectivity

A pedestrian walkway connects the building with the sidewalks on Bauer Farm Drive and W 6th Street. The walkway provides access to all entrances into the building and to the mechanical equipment area on the north side of the building. (Figure 3)

Lighting

A photometric plan including a point by point illumination array was provided for the exterior lighting being proposed with this development. The lighting levels and fixture type are compliant with the standards in Section 20-1103(d)(3).

Landscaping

Parking lot landscaping and street trees are provided per Code. Peripheral boundaries are not required between PUDs in the same development; however the Land Development Code requires landscaped bufferyards between uses of different types (residential, office, commercial, etc). A Type 1 bufferyard is required along the west and north sides of development.

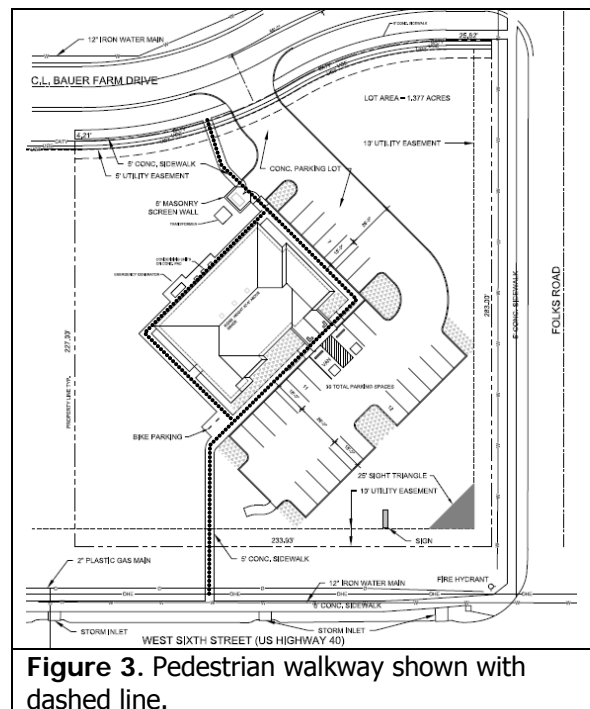


Figure 3. Pedestrian walkway shown with dashed line.

WEST:

The Type 1 bufferyard provided along the west property line exceeds the 25 ft width and is approximately 227 ft long. The bufferyard landscaping provided for the west bufferyard is compliant with the Code.

NORTH: This bufferyard is wider than 25 ft in width also. The north bufferyard is 214 ft long with approximately 27 ft of access drive for a length of approximately 187 ft. The bufferyard landscaping provided for the north bufferyard was approved through Alternative Compliance, taking into account the width of Bauer Farm Drive and the parking are to the north. This should be noted on the plan.

Other

Planned Developments provide the developer greater flexibility to achieve their desire design and development. They also allow for greater control over the aesthetics of a site. Figure 1

shows the southern elevation of the building which has a variation in material, building planes, and has several windows and the main entry.

The façade to the east and north will also be visible from the public right-of-way (Figures 5 and 6). The east and north building facades have less detail than the south elevation; however the landscaping proposed along these facades should provide variety.



Figure 4. South elevation of building.

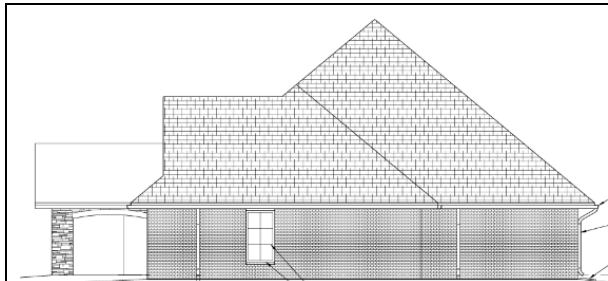


Figure 5. East elevation of building, visible from Folks Road.

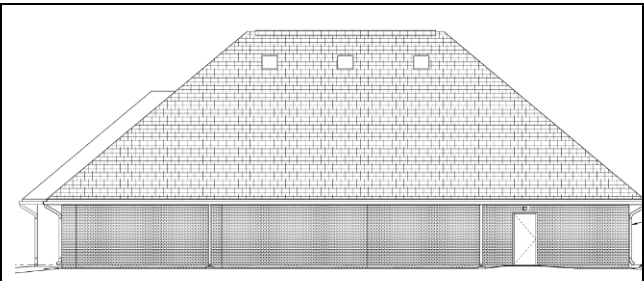


Figure 6. North elevation of building, visible from Bauer Farm Drive.

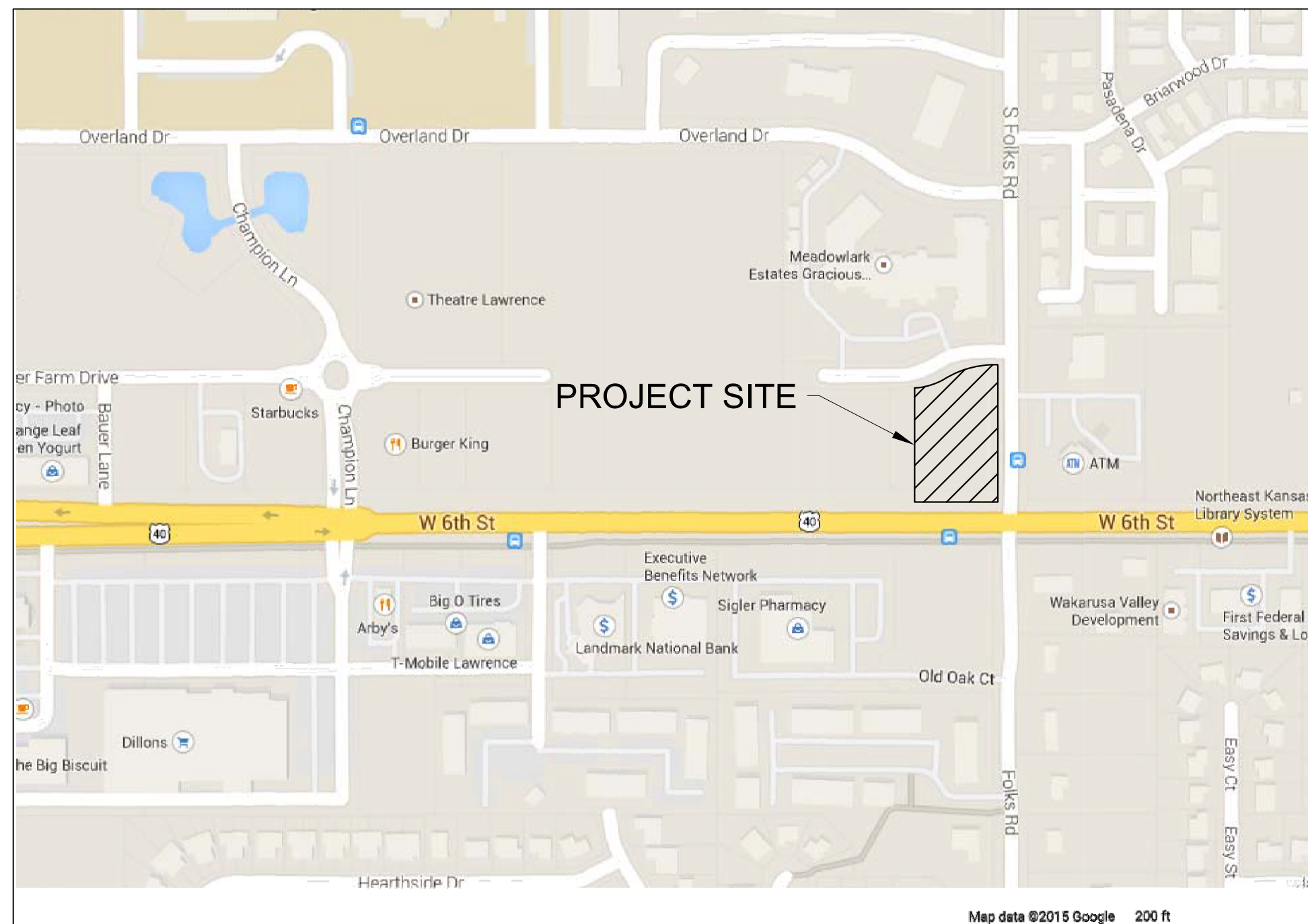
Conclusion

The development proposed with this Final Development Plan is generally consistent with the development that was approved with the Preliminary Development Plan and is compliant with the provisions of the Development Code.

XPRESS WELLNESS URGENT CARE WALK-IN CLINIC

LAWRENCE, KANSAS

FINAL DEVELOPMENT PLAN



LOCATION MAP

SCALE: 1"=200'

LEGAL DESCRIPTION LOT 3 BLOCK 1 BAUER FARM SEVENTH PLAT

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 88°11'38" WEST ALONG SAID QUARTER SECTION LINE, 40.00 FEET; THENCE NORTH 01°47'22" WEST, 75.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF WEST SIXTH STREET AND THE WEST RIGHT OF WAY LINE OF FOLKS ROAD; THENCE SOUTH 88°11'38" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 233.93 FEET; THENCE NORTH 01°48'22" WEST, 227.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BAUER FARM DRIVE; THENCE NORTH 88°11'38" EAST, ALONG SAID RIGHT OF WAY LINE, 4.14FEET; THENCE ALONG A 230.00 FOOT RADIUS CURVE TO THE LEFT WITH A 121.69 FOOT CHORD BEARING NORTH 72°51'14" EAST, ALONG SAID RIGHT OF WAY LINE, AN ARC DISTANCE OF 123.16 FEET; THENCE ALONG A 170.00 FOOT RADIUS CURVE TO THE RIGHT WITH A 89.99 FOOT CHORD BEARING NORTH 72°51'44" EAST, ALONG SAID RIGHT OF WAY LINE, AN ARC DISTANCE OF 91.08 FEET; THENCE NORTH 88°12'38" EAST, ALONG SAID RIGHT OF WAY LINE, 25.73 FEET TO A POINT ON THE WEST RIGHT OF WAY OF FOLKS ROAD; THENCE SOUTH 01°47'22" EAST, ALONG SAID RIGHT OF WAY LINE 282.98 FEET TO THE POINT OF BEGINNING.

WAIVERS GRANTED

PLANNING COMMISSION GRANTED FOLLOWING WAIVERS & MODIFIED SUBDIVISION DESIGN STANDARDS APRIL 21, 2014

- LOT SIZE: REDUCTION IN LOT SIZE TO PERMIT LOTS WITH LESS THAN 4,000 SQUARE FEET OF AREA
 - PERIPHERY BOUNDARY: REDUCTION IN PERIPHERY BOUNDARY TO REDUCE THE 20 FEET OF COMMERCIAL PERIPHERAL TO 10 FEET ALONG WEST 6TH STREET, 17 FEET ALONG WAKARUSA DRIVE AND 10 FEET ON OVERLAND DRIVE AND FOLKS ROAD. 35FOOT RESIDENTIAL PERIPHERY BOUNDARY REDUCED TO 10 FOOT SETBACK ON OVERLAND DRIVE AND FOLKS ROAD AND 16 FOOT SETBACK ON WEST 6TH STREET. NO PERIPHERY BOUNDARY IS REQUIRED BETWEEN THE PUD AREAS WITHIN BAUER FARM.
- COMMERCIAL SETBACKS: COMMERCIAL BUILDING SETBACK AS CLOSE AS 10 FEET ON WEST 6TH STREET, 17 FEET ON WAKARUSA DRIVE AND 10 FEET ON CHAMPION LANE

MODIFIED SUBDIVISION DESIGN STANDARD GRANTED:

SUBDIVISION DESIGN STANDARD 1. OFFSET STREETS
LOCAL STREETS INTERSECTING OPPOSITE SIDES LESS THAN 125 FEET

SUBDIVISION DESIGN STANDARD 2. ALLEYS PERMITTED WITHIN THE RESIDENTIAL AREAS OF THE SUBDIVISION

SUBDIVISION DESIGN STANDARD 3. LOCAL PRIVATE STREET WIDTHS OF 20 FEET BACK OF CURB TO BACK OF CURB

SHEET INDEX

GENERAL

G1.1 COVER SHEET

CIVIL

C-02 DIMENSION CONTROL PLAN
C-03 GRADING PLAN
C-05 UTILITY EXTENSION PLAN

LANDSCAPE

L1.0 LANDSCAPE PLAN

ARCHITECTURAL

A2.0 ARCHITECTURAL SITE PLAN
A3.1 BUILDING ELEVATIONS - WEST & SOUTH
A3.2 BUILDING ELEVATIONS - EAST & NORTH

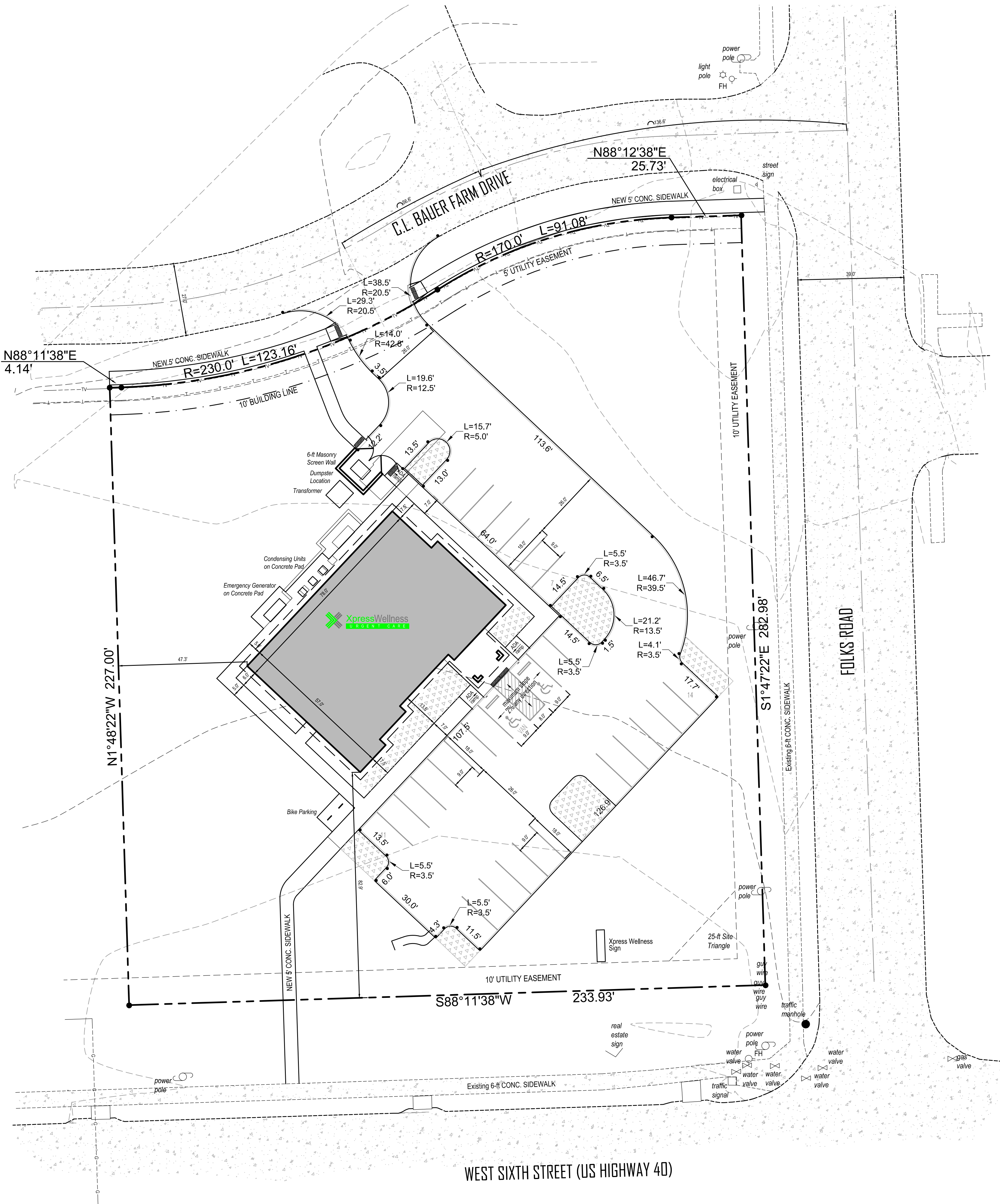
ELECTRICAL

E1.1 SITE PLAN - ELECTRICAL

ZONING:

POD (PLANNED OFFICE DISTRICT) WITH THE FOLLOWING CONDITION: USES PERMITTED IN THIS ZONING DISTRICT SHALL BE LIMITED TO THOSE USES THAT WERE PERMITTED IN THE PLANNED OFFICE DEVELOPMENT (POD-1) DISTRICT AS DEFINED AT CITY OF LAWRENCE, KS CODE 20-1004(d)(1)(DEC. 31, 2003) AS AMENDED.

PARKING SUMMARY		
	REQUIRED	PROVIDED
HEALTH CARE CLINIC	1 SPACE PER 300 GSF	
BLDG. AREA = 4,280 SF	15	30
ADA PARKING SPACES	1 AUTO, 1 VAN ACC.	1 AUTO, 1 VAN ACC.
BICYCLE PARKING	1 PER 10 AUTO SPACES	4
TOTAL PROPERTY AREA	59,988 SF	59,988 SF



GENERAL CONSTRUCTION NOTES:

- ALL CONSTRUCTION AND MATERIALS, UNLESS OTHERWISE NOTED, SHALL BE IN STRICT ACCORDANCE WITH THE CITY OF LAWTON STANDARD CONSTRUCTION SPECIFICATIONS.
- ALL FLOWLINES THAT ARE TO BE FILLED SHALL BE THOROUGHLY TAMPED BEFORE CONSTRUCTION OR EXTENSION OF DRAINAGE STRUCTURES. ALL COST TO BE INCLUDED IN OTHER ITEMS.
- IN ORDER TO ALLEVIATE DUST CONDITIONS DURING GRADING OPERATIONS AND BEFORE PAVEMENT WORK IS COMPLETED, THE CONTRACTOR SHALL SPRINKLE GRADING ONE TIME PER DAY MINIMUM. COST OF SPRINKLING TO BE INCLUDED IN PRICE BID FOR OTHER ITEMS OF WORK.
- ANY DAMAGE CAUSED BY THE CONTRACTOR TO ANY STRUCTURES, ROADWAY SURFACES, STRIPING, RAISED PAVEMENT MARKERS, GUARDRAIL, FENCE, SLOPES, AND SIGNS SHALL BE REPAIRED AT CONTRACTORS EXPENSE TO THE SATISFACTION OF THE ENGINEER AND OWNER.
- THE CONTRACTOR SHALL MAINTAIN AN AS-BUILT MARK UP SET OF PLANS, WHICH SHALL BE TURNED IN TO THE ENGINEER AT THE END OF CONSTRUCTION. THIS ITEM INCLUDES ALL CRITICAL SURVEY INFORMATION SUCH AS FLOWLINES AND ANY APPROVED MODIFICATIONS TO THE PLANS.
- THE PURPOSE OF THESE PLANS IS TO SHOW THE INTENT OF CONSTRUCTION. ALL INCIDENTALS REQUIRED, BUT NOT SHOWN, ARE TO BE INCLUDED IN THE TOTAL BASE BID PRICE.
- THE CONTRACTOR SHALL SUBMIT A REASONABLE CONSTRUCTION SCHEDULE ADDRESSING ALL POINTS OF CONSTRUCTION TO THE CITY PRIOR TO BEGINNING ANY WORK.
- A COPY OF THE STORMWATER POLLUTION PREVENTION PLAN AND THE STORMWATER DISCHARGE PERMIT MUST BE ON SITE AT ALL TIMES. THESE DOCUMENTS WILL BE PROVIDED BY THE CONTRACTOR.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE, AND EFFECTIVENESS OF THE EROSION CONTROL MEASURES ON THE PROJECT SITE. THE STORM WATER POLLUTION PREVENTION PLAN INCLUDED IN THE CONSTRUCTION DOCUMENTS IS TO SERVE AS A GUIDE FOR THESE MEASURES. ADDITIONAL MEASURES, OR MODIFICATION OF THE INDICATED MEASURES, MAY BE REQUIRED AS SITE CONDITIONS REQUIRE.
- THE CONTRACTOR SHALL MAINTAIN, AT ALL TIMES, SAFETY AND EMERGENCY VEHICLE ACCESS TO AND FROM ALL AREAS WITHIN THE CONSTRUCTION AREA OR AREAS BEING USED BY THE CONTRACTOR THROUGH THE LENGTH OF THE CONTRACT.
- THE CONTRACTOR SHALL GIVE ALL PROPERTY OWNERS AND/OR TENANTS OF PROPERTY DIRECTLY ADJACENT TO THE PROJECT SITE A MINIMUM OF TEN (10) DAYS NOTICE PRIOR TO THE START OF WORK.
- SURPLUS MATERIALS AND DEMOLITION ITEMS, UNLESS SPECIFICALLY NOTED BY THE OWNER, ARE THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF IN A LEGAL MANNER. LANDFILL FEES WILL NOT BE WAIVED.
- GRASSED AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE SEEDED OR SODDED AS INDICATED ON THE PLANS.
- PLANTING RESTRICTIONS: PLANT DURING ONE OF THE FOLLOWING PERIODS. COORDINATE PLANTING PERIODS WITH MAINTENANCE PERIODS TO PROVIDE REQUIRED MAINTENANCE FROM DATE OF SUBSTANTIAL COMPLETION. PROCEED WITH PLANTING ONLY WHEN EXISTING AND FORECASTED WEATHER CONDITIONS PERMIT:
A) SPRING PLANTING: MARCH 1 - JUNE 15
1. FULL SUN: BERMUDA GRASS (CYNODON DACTYLON)
2. SUN AND PARTIAL SHADE: PROPORTIONED BY WEIGHT AS FOLLOWS:
(a) 50 PERCENT BERMUDA GRASS (CYNODON DACTYLON).
(b) 30 PERCENT CHEWINGS RED FESCUE (FESTUCA RUBRA VARIETY).
(c) 10 PERCENT PERENNIAL RYEGRASS (LOLIUM PERENNE).
(d) 10 PERCENT REDTOP (AGROSTIS ALBA)
B) SEEDING AND SODDING SHALL INCLUDE FERTILIZING AND WATERING PROVISIONS.
- SOLID SLAB SOD SHALL BE USED AT THE ENGINEER'S DISCRETION IN AREAS OF EXCESSIVE EROSION OR SILTATION.
- HORIZONTAL AND VERTICAL CONTROL POINTS SHALL HAVE BEEN PROVIDED BY THE ENGINEER ON THE DRAWINGS. THE CONTRACTOR SHALL HIRE A SURVEYOR LICENSED IN THE STATE OF KANSAS TO ESTABLISH ADDITIONAL CONTROL POINTS AND TO PROVIDE AND MAINTAIN THE CONSTRUCTION STAKING.
- ALL EXPOSED CONCRETE EDGES SHALL HAVE A 3/4" CHAMFER AND ALL EXPOSED CONCRETE SURFACES SHALL HAVE A BROOM FINISH.
- ALL CONCRETE USED IN THIS PROJECT SHALL BE 3500 PSI AND CONTAIN ONE POUND OF FIBER REINFORCEMENT PER CUBIC YARD.
- THE CONTRACTOR SHALL MAKE APPLICATION WITH THE CITY OF LAWRENCE FOR WATER USE. A METER WILL BE INSTALLED BY THE CITY OF LAWRENCE ON THE NEAREST FIRE HYDRANT. THE COST OF WATER WILL BE \$100.00 MINIMUM PER MONTH, OR AT THE CURRENT RATE. THE CONTRACTOR SHALL PROVIDE A BACKFLOW PREVENTER AND A FREEZE BOX DURING APPROPRIATE WEATHER.
- EVERY EFFORT HAS BEEN MADE TO LOCATE AND SIZE ALL UNDERGROUND UTILITIES FROM AVAILABLE CITY DOCUMENTS, ON-SITE SURVEYS, RECORD DRAWINGS AND UTILITY COMPANY REFERENCE MATERIAL. CONTRACTOR SHALL EXERCISE EXTREME CARE AND CAUTION IN THE EXECUTION OF HIS WORK AND SHALL ANTICIPATE THAT UTILITIES, PIPE LINES AND OTHER DANGEROUS UNDERGROUND & OVERHEAD OBSTRUCTIONS EXIST AND ARE NOT SHOWN ON THE PLAN SHEETS. WHEN LINES OR OTHER OBSTRUCTIONS ARE LOCATED DURING CONSTRUCTION, IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROTECT THE LINES AND IMMEDIATELY NOTIFY THE OWNER, UTILITY COMPANY AND ENGINEER.
- UTILITY RELOCATION AND EXTENSION WORK SHALL BE ACCOMPLISHED IN ACCORDANCE WITH CITY REQUIREMENTS AND SHALL BE SCHEDULED IN A MANNER RESULTING IN MINIMUM SERVICE INTERRUPTION. THE CONTRACTOR SHALL COORDINATE CONSTRUCTION OPERATIONS WITH ALL UTILITY COMPANIES FOR THE RELOCATION OF THEIR LINES PRIOR TO BEGINNING CONSTRUCTION.
- THE CONTRACTOR SHALL NOTIFY THE UTILITY COMPANY, THE OWNER, AND THE ARCHITECT/ENGINEER IN WRITING A MINIMUM OF 72 HOURS BEFORE ANY SERVICE INTERRUPTION.
- THE COST OF MOVING, RAISING, OR RELOCATING EXISTING METERS, REGULATORS, VALVES, POLES, OR OTHER PUBLIC UTILITY SHALL BE INCLUDED IN THE BASE BID PRICE. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH THE APPROPRIATE UTILITY COMPANY. ALL PRESSURE LINES WHICH CONFLICT WITH GRAVITY LINES SHALL BE RELOCATED.

FINAL DEVELOPMENT
PLAN

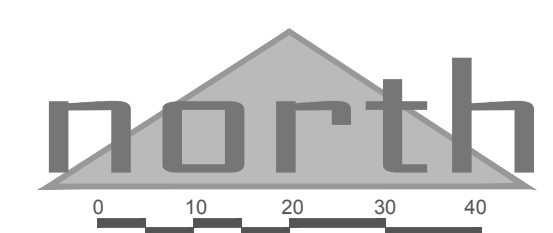
3 d
507 S. C. Rd., S. G
Ed. OK 73034
405/341-6546
f. x 405/341-6702
Copyright © 2015 Kerr 3 design group, inc.

architecture
KdG
design group, inc.

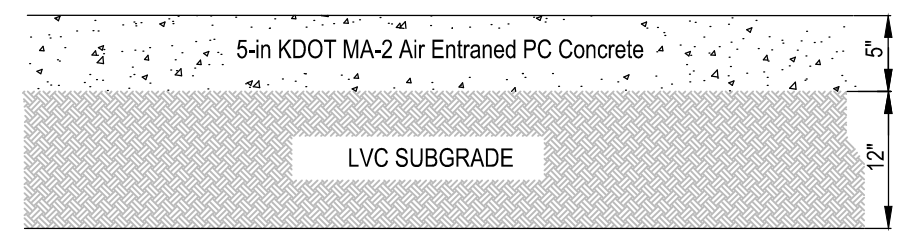
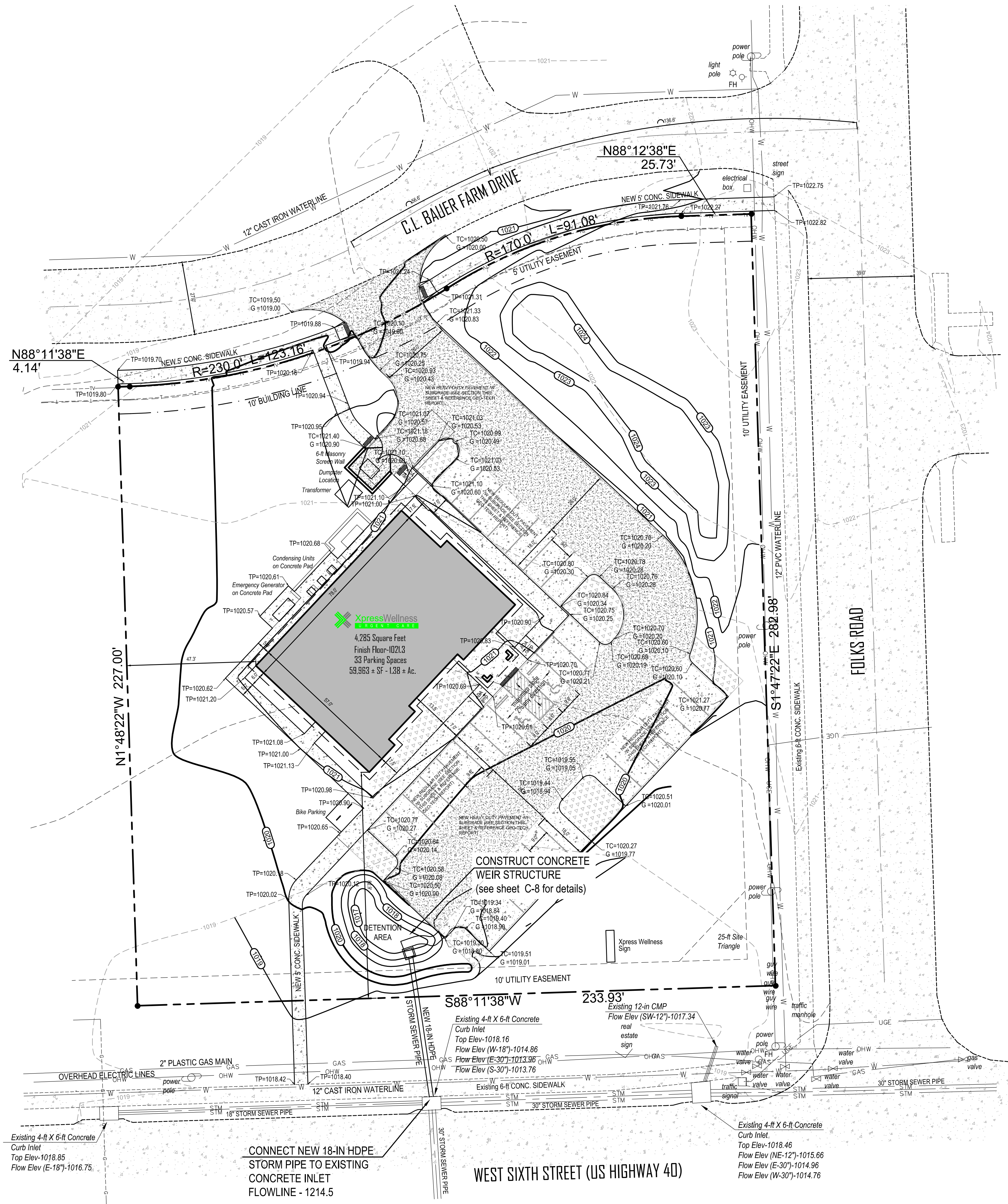
XPRESS WELLNESS URGENT CARE
WALK-IN CLINIC
NW CORNER OF SIXTH & FOLKS ROAD
LAWRENCE, KANSAS

DIMENSION CONTROL
PLAN

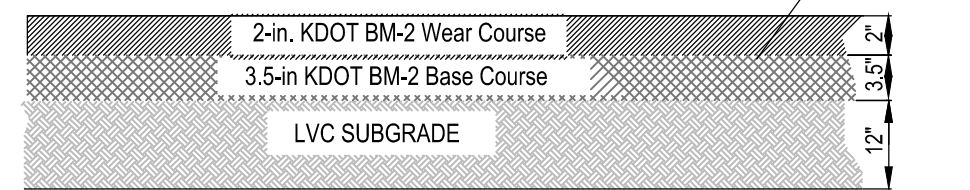
6-10-15
SHEET
C-02



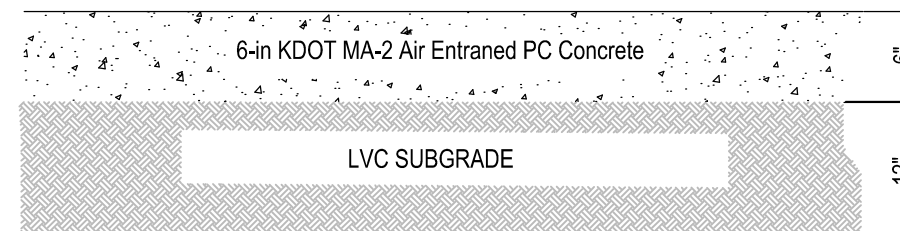
ENVIROTECH
ENGINEERING & CONSULTING, INC.
2500 North 11th Street - Enid, Oklahoma 73701
Phone (580) 234-8780, Fax (580) 237-4302
C.A. #1950 - Expiration Date: 6-30-2016
www.envirotechconsulting.com



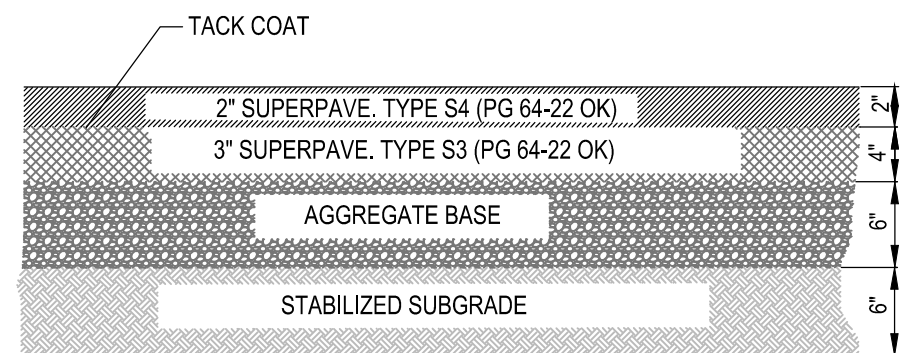
REGULAR DUTY PARKING AND DRIVES
PORTLAND CEMENT CONCRETE
(3,500 PSI, AIR ENTRAINED)



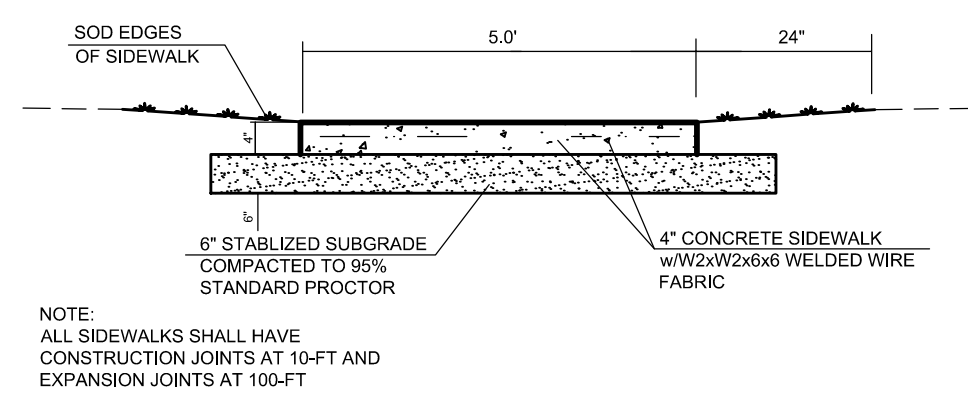
REGULAR DUTY PARKING AND DRIVES
FULL DEPTH ASPHALTIC CONCRETE



HEAVY DUTY PARKING AND DRIVES
PORTLAND CEMENT CONCRETE
(3,500 PSI, AIR ENTRAINED)

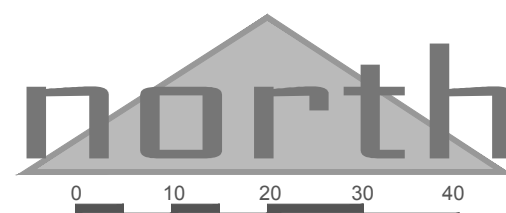


HEAVY PARKING AND DRIVES
FULL DEPTH ASPHALTIC CONCRETE



5-FT SIDEWALK TYPICAL SECTION
NOT TO SCALE

Note:
The detention basin will be privately-owned. The property owner is responsible for the maintenance of the detention basin. The property owner is responsible for establishing ownership and maintenance of same via individual owner maintenance. Failure to maintain the detention basin will result in the loss of the stormwater detention credit. The detention basin will remain free of any natural or non-natural structures or vegetative barriers (including but not limited to trees, shrubbery, berms, fences, and walls).



2500 North 11th Street - Enid, Oklahoma 73701
Phone (580) 234-8780, Fax (580) 237-4302
C.A. #1950 - Expiration Date: 6-30-2016
www.envirotechconsulting.com

FINAL DEVELOPMENT
PLAN

507 S. C. Rd., S. G
Edmond, OK 73034
405/341-6546
405/341-6702
Copyright © 2015 Kerr 3 design group, inc.

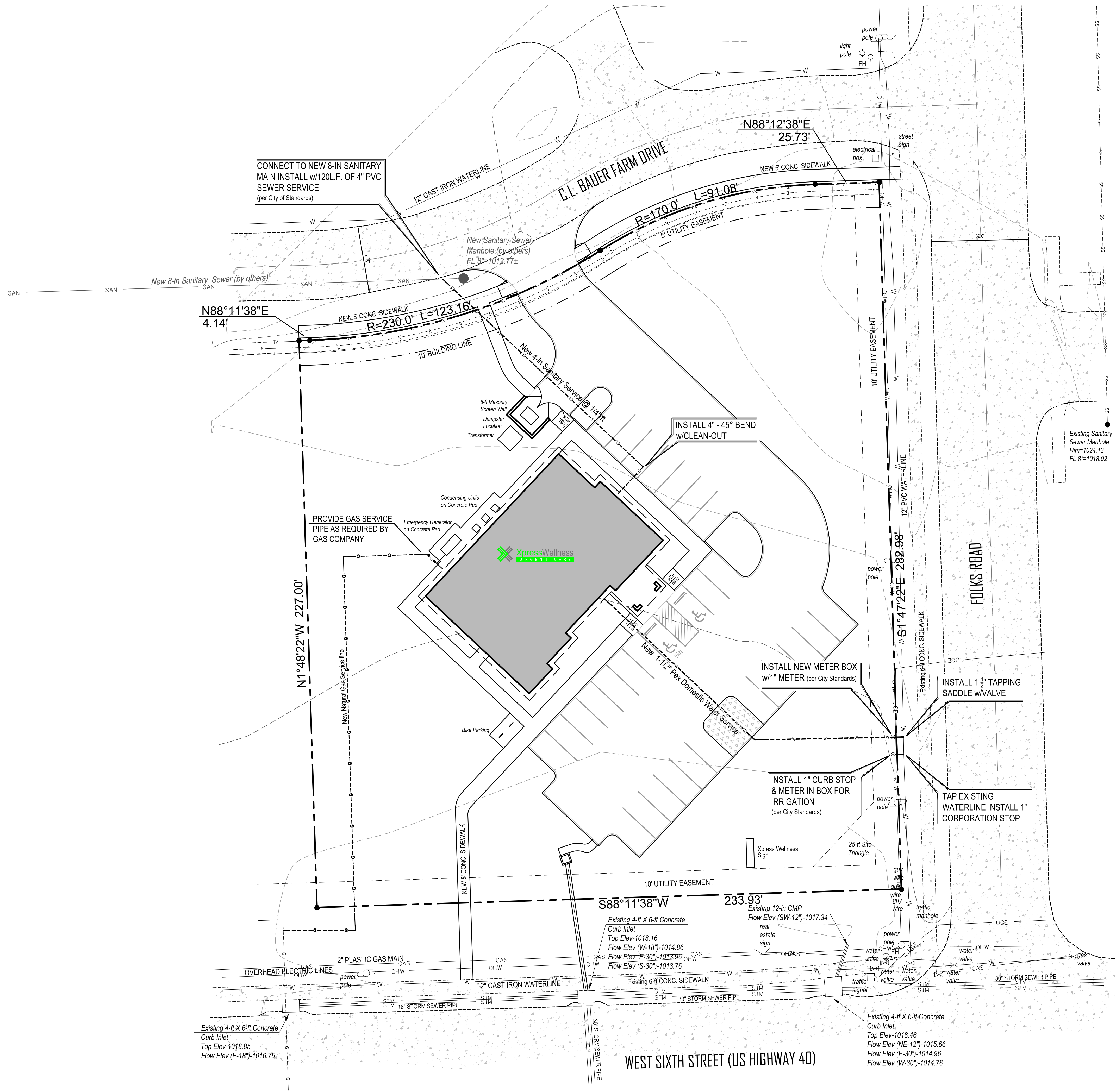


XPRESS WELLNESS URGENT CARE
WALK-IN CLINIC
NW CORNER OF SIXTH & FOLKS ROAD
LAWRENCE, KANSAS

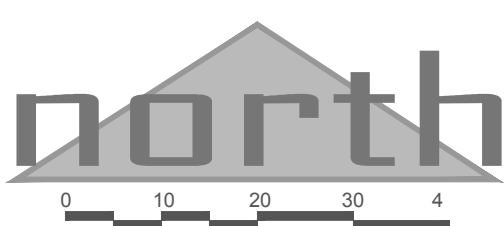
GRADING PLAN

6-10-15

SHEET
C-03



Note: At the time of construction existing utilities along 6th Street will be exposed and any adjustments to grade will be made in the field to accommodate the gravity flow of the drainage basin. If that is found to be impossible, the contractor will coordinate with the utility company to have the lines raised or lowered as needed.



2500 North 11th Street - Enid, Oklahoma 73701
Phone (580) 234-8780, Fax (580) 237-4302
C.A. #1950 - Expiration Date: 6-30-2016
www.envirotechconsulting.com

**XPRESS WELLNESS URGENT CARE
WALK-IN CLINIC**
NW CORNER OF SIXTH & FOLKS ROAD
LAWRENCE, KANSAS

UTILITY EXTENSION
PLAN

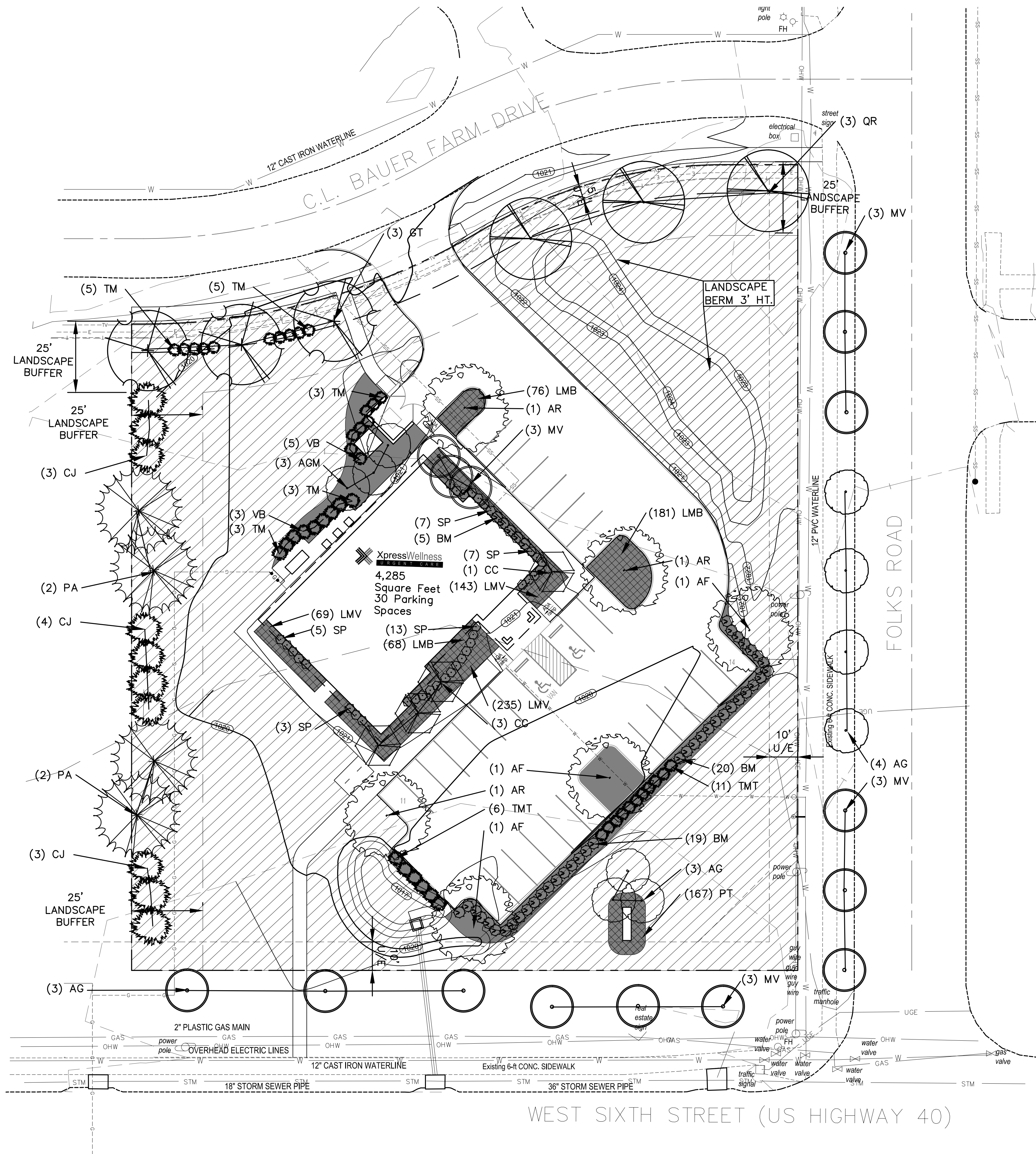
6-10-15




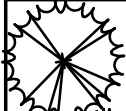








SHEET
C-05

3 d i
507 S. C. Rd., S. G
Ed. OK 73034
405/341-6546
f x 405/341-6702
Copyright © 2015 Kerr 3 design group, inc.



FINAL DEVELOPMENT
PLAN



PLANT SCHEDULE						
SYMBOL	KEY	QTY.	NAME		SIZE	COND.
		12	SHADE TREE			
	QR	3	NORTHERN RED OAK — QUERCUS RUBRA			
	AR	3	PACIFIC SUNSET MAPLE — ACER RUBRUM 'PACIFIC SUNSET'			
	AF	3	CELEBRATION MAPLE — ACER X FREEMANII 'CELZAM'		2" CAL MIN.	B&B
	GT	3	SKYLINE THORNLESS LOCUST — GLEDITSIA TRICANTHOS 'SKYLINE'			
		14	EVERGREEN TREE			
	PA	4	NORWAY SPRUCE — PICEA ABIES			
	CJ	10	CHINESE JUNIPER KETELEERI — JUNIPERUS CHINENSIS 'KETELEERI'		7"–8" HT. MIN.	B&B
		26	ORNAMENTAL TREE			
	AG	7	AUTUMN BRILLIANCE SERVICEBERRY (SINGLE STEM) — AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'			
	AGM	3	AUTUMN BRILLIANCE SERVICEBERRY (MULTIPLE STEM) — AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'		2" CAL MIN.	B&B
	MV	12	VELVET PILLAR CRABAPPLE — MALUS 'VELVETQUEE'			
	CC	4	ROYAL PURPLE SMOKE TREE — COTINUS COGSGYRIA			
		127	DECIDUOUS/EVERGREEN SHRUBS/ORNAMENTAL GRASSES/PERENNIALS			
	SP	39	GOLDMOUND SPIREA — SPIRAEA JAPONICA 'GOLDMOUND'			
	BM	44	WINTERGREEN BOXWOOD — BUXUS MICROPHYLLA 'WINTERGREEN'		2 GAL.	CONT.
	TMT	17	TAUNTON YEW — TAXUS X MEDIA 'TAUNTONII'			
	TM	19	HICKS YEW — TAXUS X MEDIA 'HICKSI'			
	VB	8	BURKWOOD VIBURNUM — VIBURNUM X BURKWOODII			
	LMV	447	VARIEGATED LILYTURF — LIRIOPE MUSCARI 'VARIEGATA' (18" O.C.)			
	LMB	325	BIG BLUE LILYTURF — LIRIOPE MUSCARI 'BIG BLUE' (18" O.C.)		8"	POT
	N/A	3,935 S.F..	DAKOTA BLACK MULCH (3" LAYER MIN.)			
	N/A	34,715 S.F.	TURF TYPE FESCUE (SEED)		SEED	N/A

STREET TREES REQUIRED: 1 TREE PER 40 L.F.

REQUIRED:	PROVIDED:
6TH STREET FRONTAGE 234 L.F./40 =	6 TREES
FOLKS ROAD FRONTAGE 283 L.F./40 =	7 TREES
BAUER FARM DRIVE 245 L.F./40 =	6 TREES
TOTAL =	19 TREES
	22 TREES

LANDSCAPE AREA REQUIRED: # OF STALLS x 60 S.F.

<u>LANDSCAPE AREA REQUIRED: # OF STALLS x 60 S.F.</u>	
REQUIRED:	PROVIDED:
30 STALLS x 40 S.F. = 1,200 S.F.	1,287 S.F.

REQUIRED:
30 STALLS = 3 TREES. & 9 SHRUBS

REQUIRED:	PROVIDED:
30 STALLS = 3 TREES, & 9 SHRUBS	6 TREES, & 12 SHRUBS

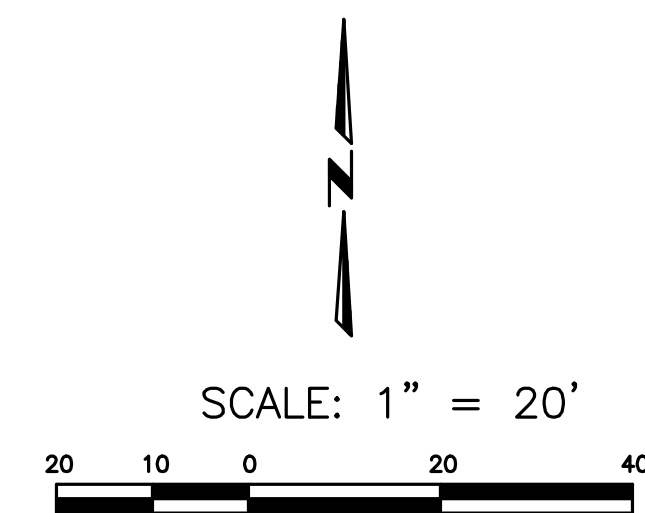
TYPE 1 BUFFER YARD REQUIRED: REQUIRED ON WEST SIDE (ADJACENT TO PRD ZONING)

THE AMOUNT OF PLANT MATERIAL REQUIRED WITHIN BUFFER YARD IS DEPENDANT ON THE WIDTH OF THE BUFFER YARD THAT IS PROVIDED.

REQUIRED:	PROVIDED:
25' BUFFER WIDTH = 4 TREES, & 10 SHRUBS	4 TREES, & 10 SHRUBS
(50% OF REQUIRED TREES AND SHRUBS TO BE EVERGREEN)	(100% EVERGREEN)

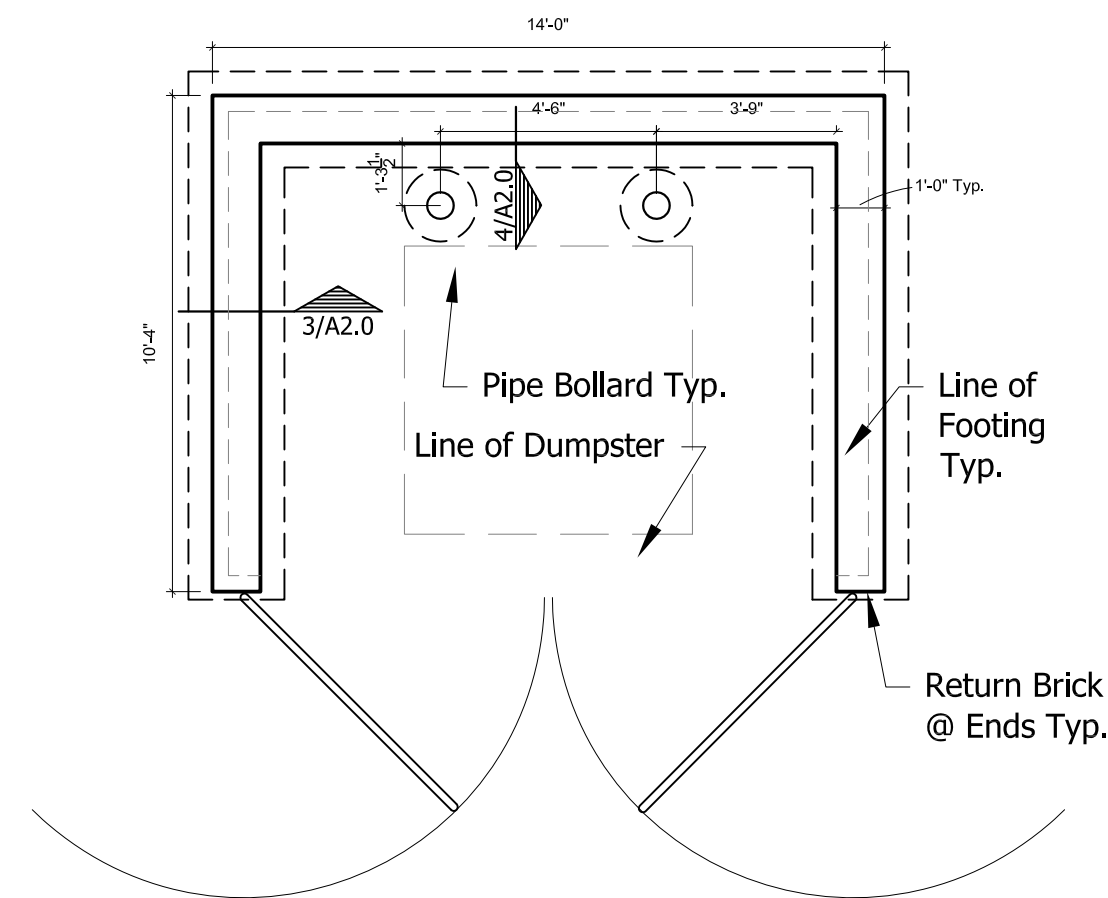
TYPE 1 BUFFER YARD REQUIRED: REQUIRED ON NORTH SIDE (ADJACENT TO PRD ZONING)
THE AMOUNT OF PLANT MATERIAL REQUIRED WITHIN BUFFER YARD IS DEPENDANT ON THE WIDTH OF THE BUFFER YARD THAT IS PROVIDED.

REQUIRED:	PROVIDED:
25' BUFFER WIDTH = 4 TREES, & 10 SHRUBS	4 TREES, & 10 SHRUBS
(50% OF REQUIRED TREES AND SHRUBS TO BE EVERGREEN)	(50% EVERGREEN)

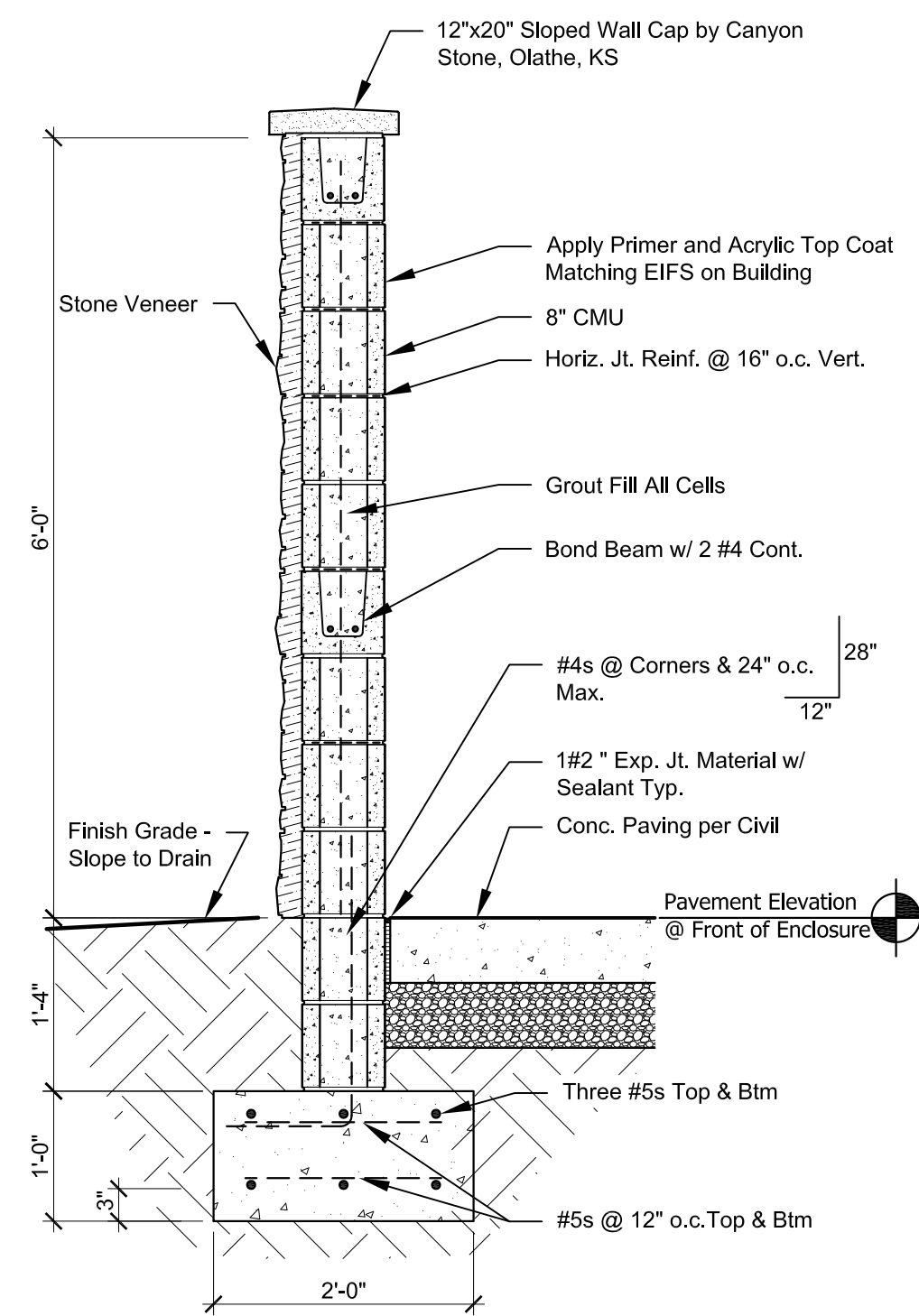


TREANOR
ARCHITECTS

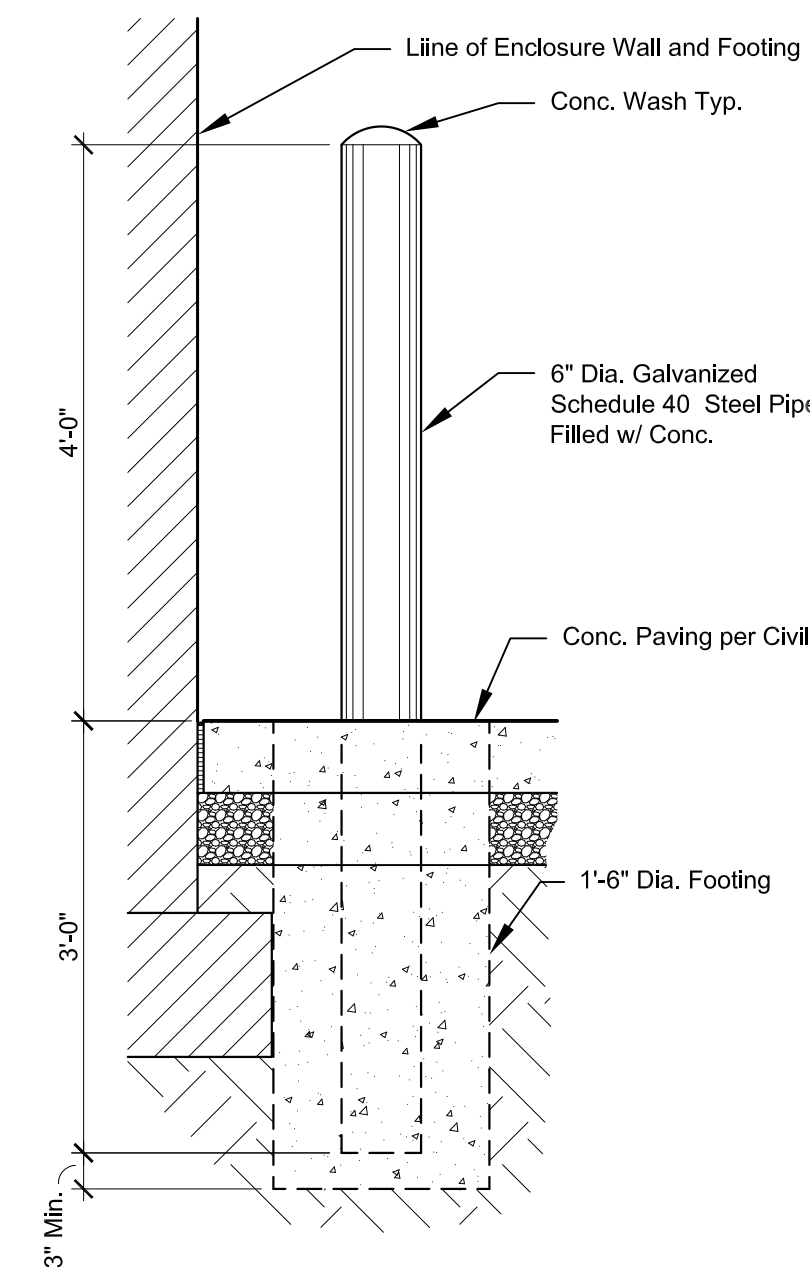
1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com



2 PLAN @ DUMPSTER ENCLOSURE
SCALE: 1/4"=1'-0"

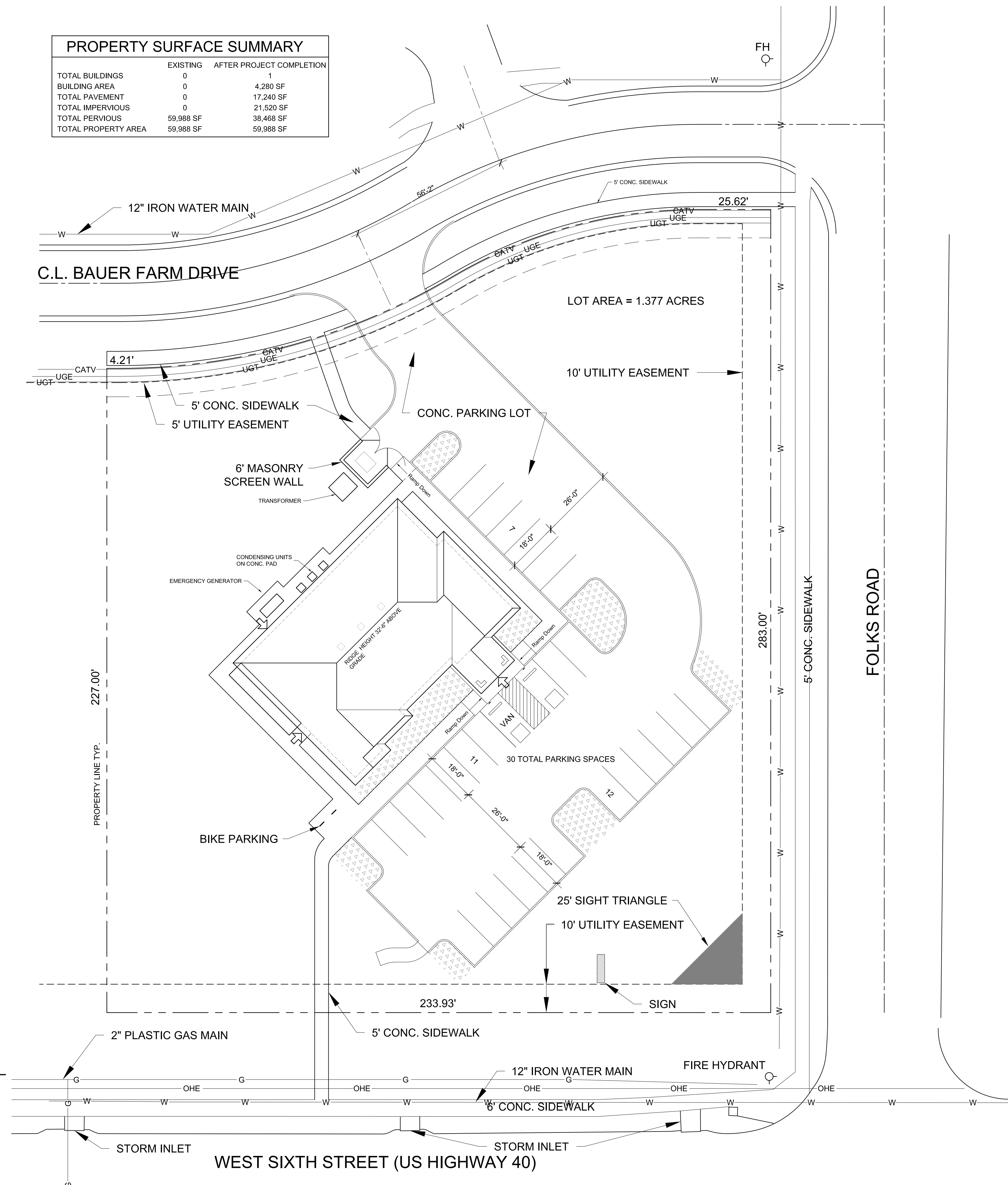


3 SECTION @ DUMPSTER ENCLOSURE
SCALE: 3/4"=1'-0"

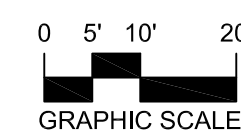


4 SECTION @ BOLLARD
SCALE: 3/4"=1'-0"

PROPERTY SURFACE SUMMARY		
	EXISTING	AFTER PROJECT COMPLETION
TOTAL BUILDINGS	0	1
BUILDING AREA	0	4,280 SF
TOTAL PAVEMENT	0	17,240 SF
TOTAL IMPERVIOUS	0	21,520 SF
TOTAL PERVIOUS	59,988 SF	38,468 SF
TOTAL PROPERTY AREA	59,988 SF	59,988 SF



1 SITE PLAN
SCALE: 1"=20'-0"

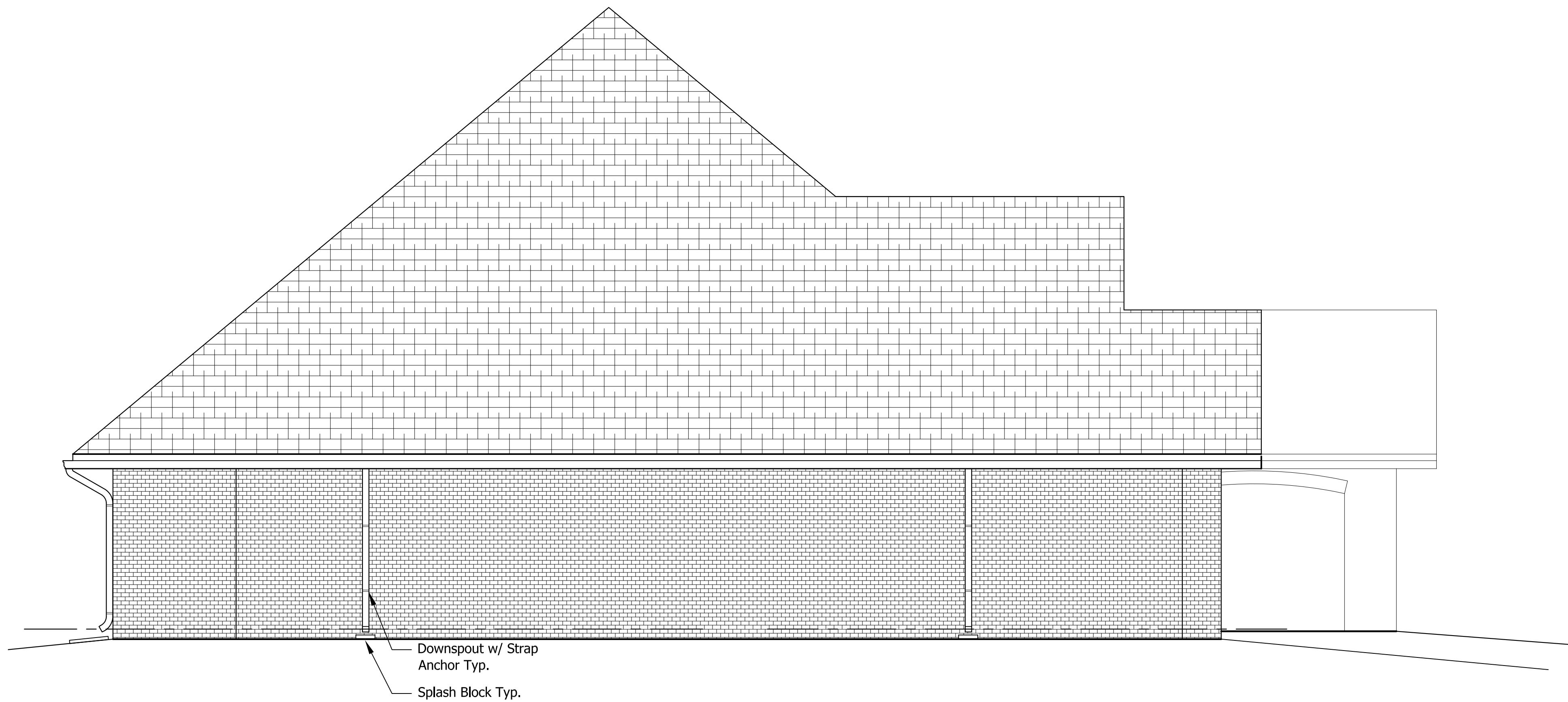


XPRESS WELLNESS URGENT CARE
WALK-IN CLINIC
NW CORNER OF SIXTH & FOLKS ROAD
LAWRENCE, KANSAS

FINAL DEVELOPMENT
PLAN

kerr 3 design group, inc.
507 S. Collamore Rd., Suite G
Edmond, OK 73034
tel. 405/341-6546
fax 405/341-6702
www.kerr3.com
Copyright © 2015 Kerr 3 design group, inc.

architecture
kdg
kerr 3 design group, inc.



1 WEST ELEVATION
A3.1 SCALE: 1/4"=1'-0"



2 SOUTH ELEVATION
A3.1 SCALE: 1/4"=1'-0"

EXTERIOR MATERIALS AND COLORS

BRICK:
Acme Brick Red Colorado Mod, Modular Size

CULTURED STONE:
Bauer Farm Stone by Canyon Stone, Olathe, KS

COMPOSITION SHINGLES:
GAF Camelot Williamsburg Slate Shingles

EIFS:
Dryvit EIFS 386A Pure Cream, Sandpebble Finish

FIBER CEMENT TRIM BOARDS:
HardieTrim, 9.25" Width with Behr Premium Plus Paint,
Color: Sea Fern ECC-38-3

FIBER CEMENT SOFFIT PANELS:
HardieSoffit Ventilated Panels

GUTTERS & DOWNSPOUTS:
Bronze Color Prefinished Aluminum by American
Construction Materials

EXTERIOR HM DOORS & FRAMES:
Match Gutter & Downspout Color

XPRESS WELLNESS URGENT CARE
WALK-IN CLINIC
NW CORNER OF SIXTH & FOLKS ROAD
LAWRENCE, KANSAS

BUILDING ELEVATIONS
WEST & SOUTH

6-10-15

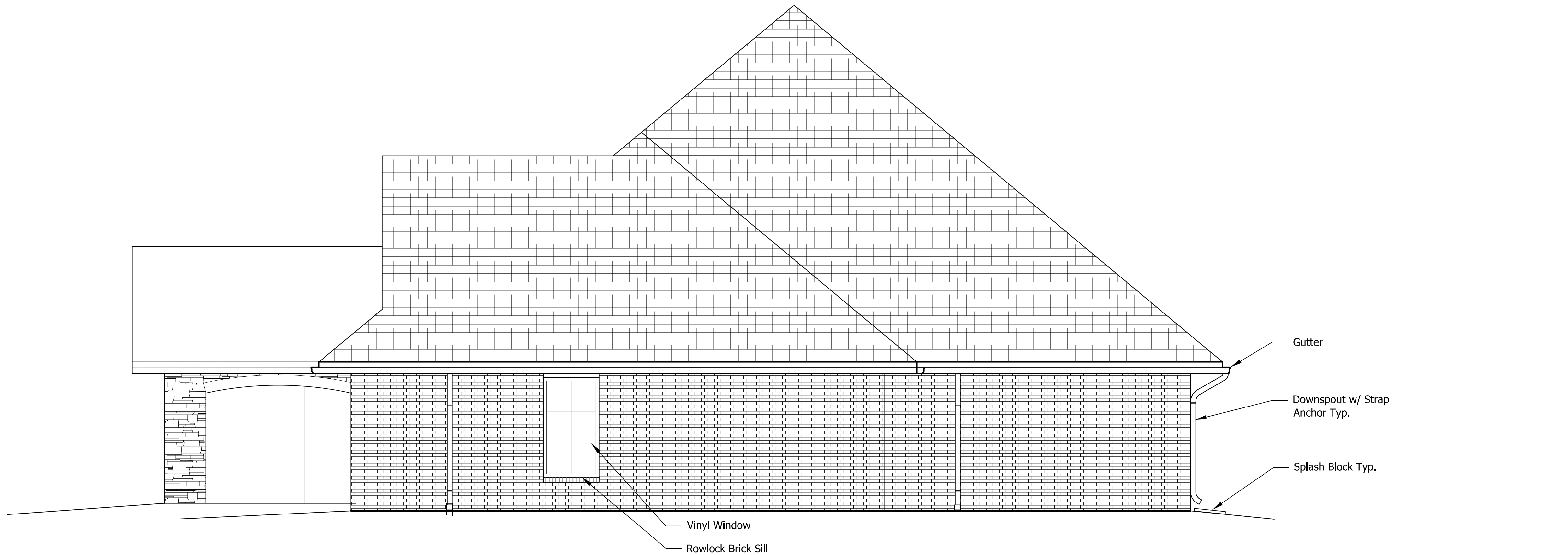
SHEET

A3.1

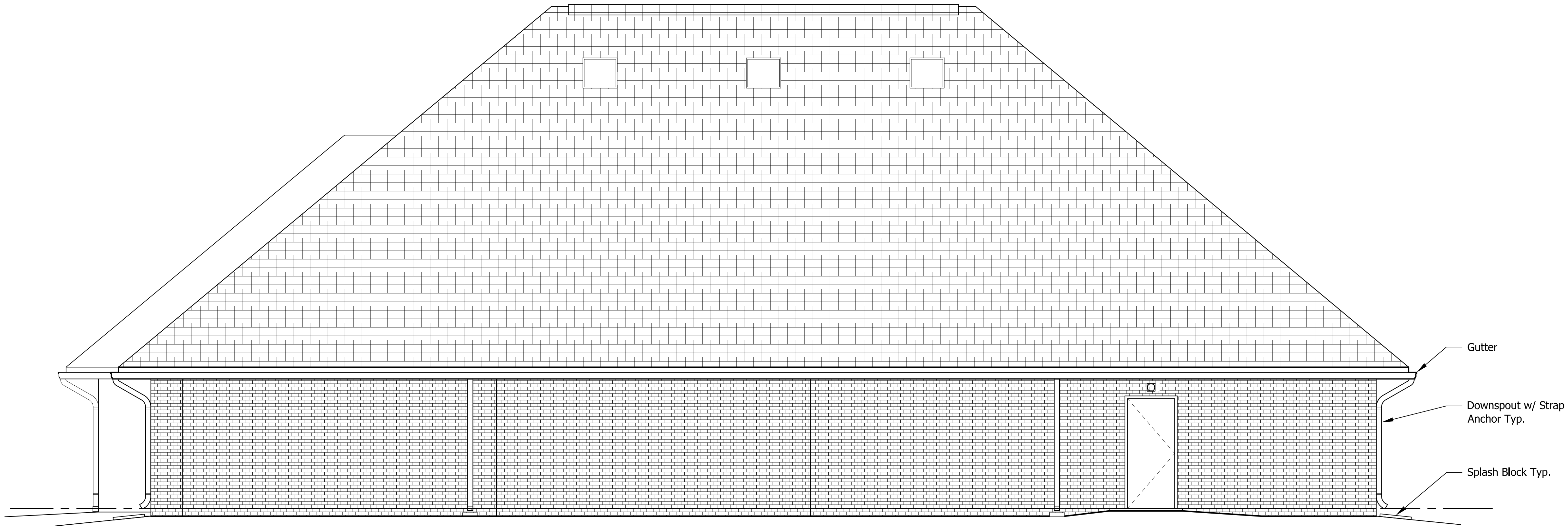
kerr 3 design group, inc.
507 S. Collins Rd., Suite G
Edmond, OK 73034
tel. 405/341-6546
fax 405/341-6702
www.kerr3.com
Copyright © 2015 Kerr 3 design group, inc.



FINAL DEVELOPMENT
PLAN



1 EAST ELEVATION
A3.2 SCALE: 1/4"=1'-0"



2 NORTH ELEVATION
A3.2 SCALE: 1/4"=1'-0"

XPRESS WELLNESS URGENT CARE
WALK-IN CLINIC
NW CORNER OF SIXTH & FOLKS ROAD
LAWRENCE, KANSAS

BUILDING ELEVATIONS
EAST & NORTH

6-10-15

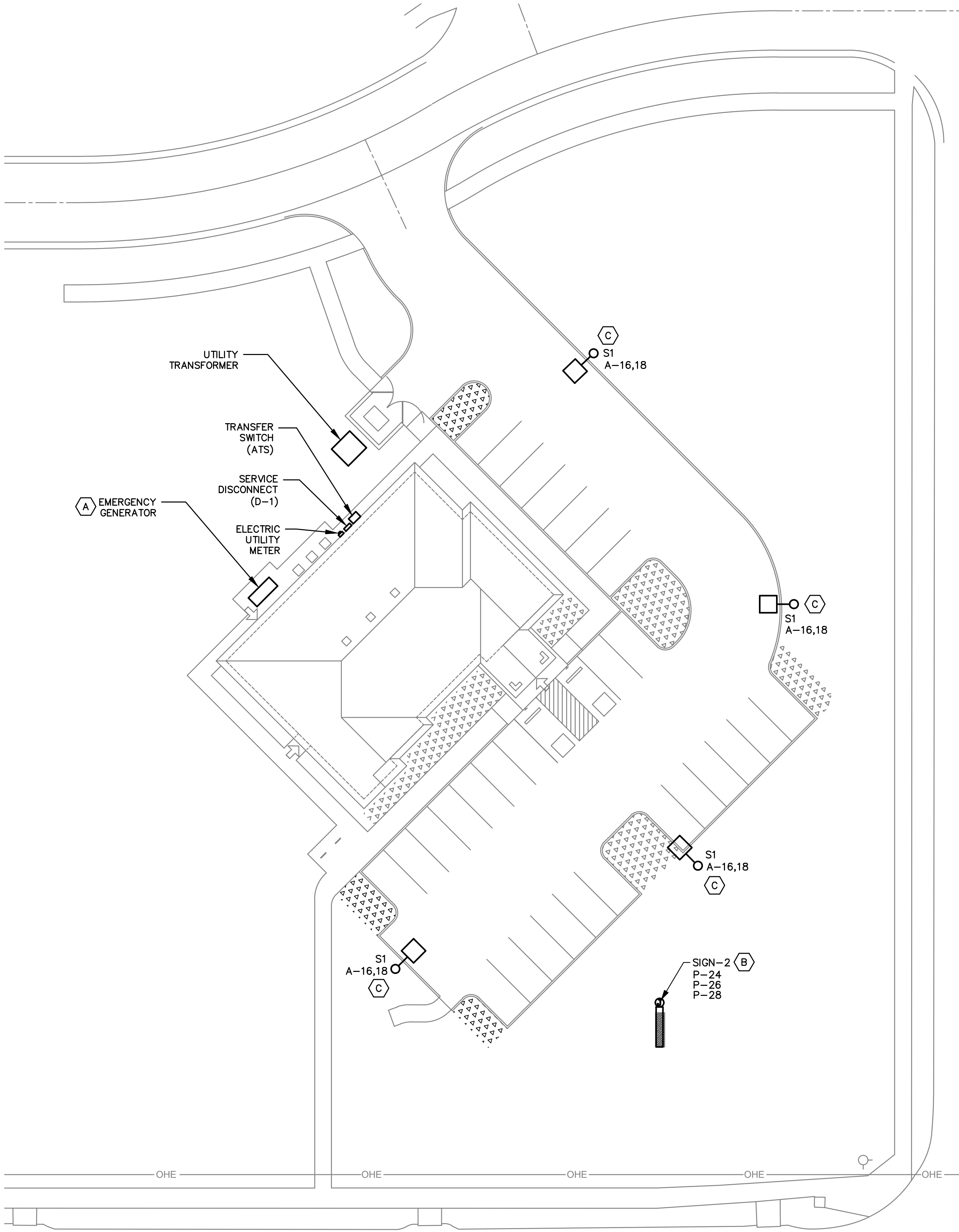
SHEET

A3.2

kerr 3 design group, inc.
507 S. Collrane Rd., Suite G
Edmond, OK 73034
tel. 405/341-6546
fax 405/341-6702
www.kerr3.com
Copyright © 2015 kerr 3 design group, inc.



FINAL DEVELOPMENT
PLAN



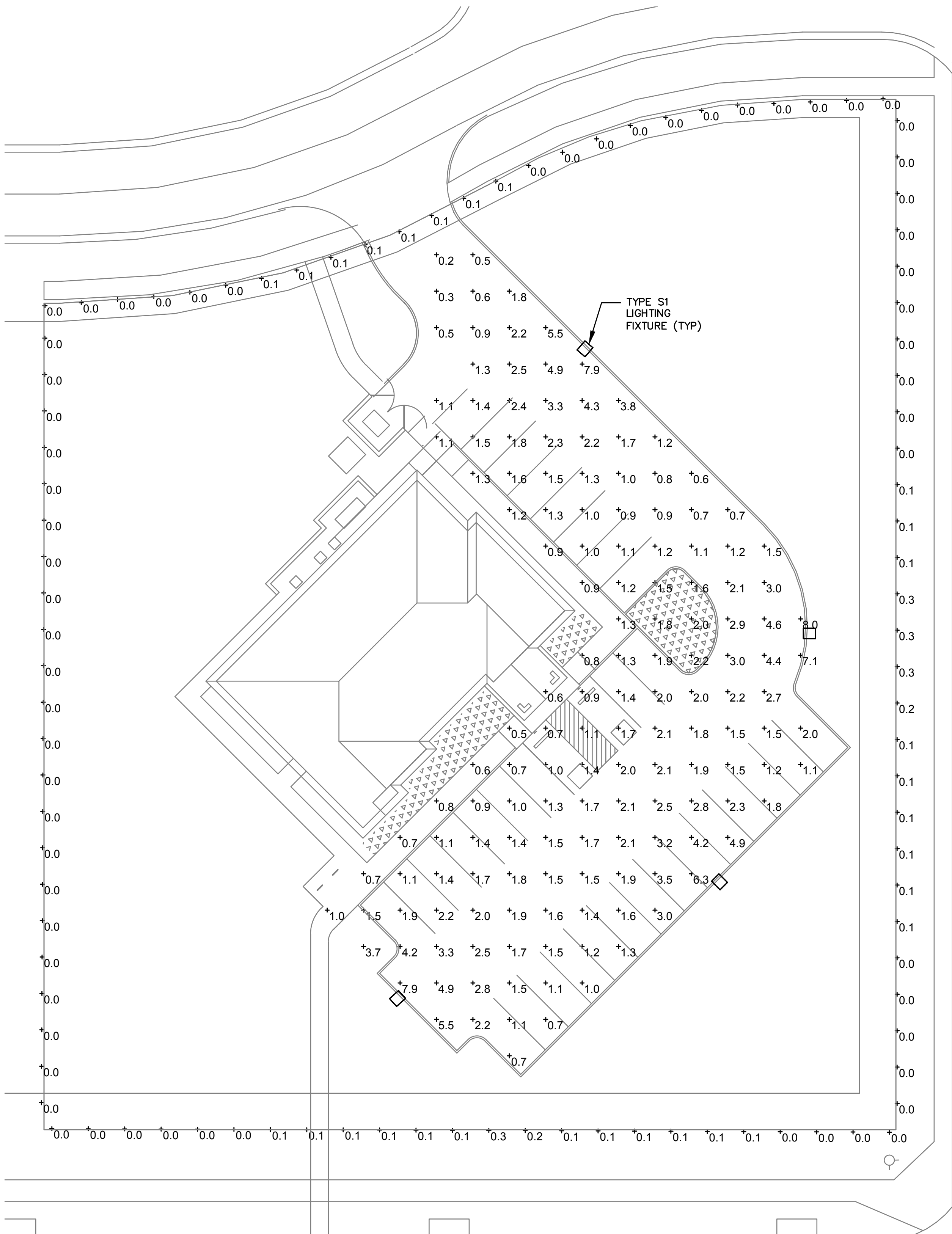
1 SITE PLAN
E1.1 SCALE: 1" = 20'-0"

DRAWING NOTES

1. ALL POLE-MOUNTED FIXTURES MOUNTED IN 20' POLES.

NOTES BY SYMBOL

- A. EMERGENCY GENERATOR LOCATED AT LEAST 5 FEET FROM ANY BUILDING OPENING.
B. PYLON SIGN.
C. POLE-MOUNTED LIGHTING FIXTURE TYPE S1.



2 PHOTOMETRIC SITE PLAN
E1.1 SCALE: 1" = 20'-0"

**XPRESS WELLNESS URGENT CARE
WALK-IN CLINIC**
NW CORNER OF SIXTH & FOLKS ROAD
LAWRENCE, KANSAS

FINAL DEVELOPMENT
PLAN

Architecture
design group, inc.

507 S. C. Rd., S. G
Ed. OK 73034
t x 405/341-6546
f x 405/341-6702
Copyright © 2015 Kerr 3 design group, inc.

SITE PLAN -
ELECTRICAL

6-10-15

SHEET

E1.1

PLANNING COMMISSION REPORT
Public Hearing Item

PC Staff Report
06/22/15

**ITEM NO. 7 FINAL DEVELOPMENT PLAN FOR BAUER FARM MULTI-DWELLING;
NORTHWEST NORTH OF W 6TH STREET/HWY 40 WEST OF THE
INTERSECTION WITH FOLKS ROAD (MKM)**

FDP-15-00066: Consider a Final Development Plan for Bauer Farm-Multi-Family, a 100 unit multi-dwelling residential development containing approximately 4.0 acres, located at 4700 Overland Drive. Submitted by Treanor Architects, for Bauer Farms Residential LLC, property owner of record.

STAFF RECOMMENDATION: Planning staff recommends approval of the Final Development Plan based upon the findings of fact presented in the body of the Staff Report subject to the following conditions:

1. A revised photometric plan shall be provided and approved prior to release of the plan for building permits.
2. The final plat for the subject property, Bauer Farm Seventh Plat, shall be recorded with the Register of Deeds, prior to the recordation or release of the Final Development Plan.
3. Provision of a revised Maintenance Agreement reflecting the revised development for recording with the Register of Deeds.
4. Provision of a revised plan with minor changes per Fire Code Officials approval.

Reason for Request: The Final Development Plan serves as a site plan for the development of a *Multi-Dwelling Structure* and accessory recreational uses in a portion of the Bauer Farm Planned Residential Development.

Design Standards to Consider

- Consistency with approved Preliminary Development Plan, PDP-14-00055.
- Consistency with Article 10 of the 1966 Zoning Ordinance.
- Consistency with standards in the 2006 Development Code.

KEY POINTS:

- Final Development Plans for projects with preliminary approvals prior to the adoption of the 2006 Development Code require Planning Commission approval.
- The most recent approved Preliminary Development Plan for Bauer Farms [PDP-14-00055] modified the commercial portion of the development to include the addition of a 108 room hotel and two retail stores and one mixed use building in Bauer Farm Northwest. The plan increased retail uses from 14,440 sq ft to 45, 0248 sq ft. The Preliminary Development Plan revised the number of residential dwelling units from 272 to 342, removed a street connection to Overland Drive, and revised the building form from row houses to apartments along W 6th Street and Overland Drive.
- The proposed development is in substantial conformance with the approved Preliminary Development Plan, PDP-14-00055.

- A Final Development Plan with apartments on 6th Street, FDP-01-02-09, was approved by the Planning Commission on May 18, 2009; however, the conditions of approval weren't met within the required time frame and the approval expired.

ASSOCIATED CASES

- PF-15-00094, Bauer Farm Seventh Plat. This plat will complete the platting of the Bauer Farm property. The plat shall be recorded with the Register of Deeds prior to release of Final Development Plan.

OTHER ACTION REQUIRED

- The final plat will be recorded at the Register of Deeds prior to the release of the Final Development Plans.
- When conditions have been met, the Final Development Plan will be recorded at the Douglas County Register of Deeds Office and released.
- Submittal of building permit application and construction plans. Construction may commence after building permits have been issued.

PUBLIC COMMENT

- No public comment was received prior to the printing of this staff report. A Lawrence Theatre representative requested copies of the plans and asked if adequate parking was provided for the development.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Study provided and accepted with preliminary development plan.
- *Downstream Sanitary Sewer Analysis* - Provided and accepted with preliminary development plan.
- *Drainage Study* – Provided and accepted with preliminary development plan.
- *Retail Market Study* – Not applicable to application.

GENERAL INFORMATION

Current Zoning and Land Use: PRD-Bauer Farm (Planned Residential Development) District. *Undeveloped*; although a portion of Bauer Farm Drive has been constructed on the property

Surrounding Zoning: To the west: PCD-Bauer Farm (Planned Commercial Development) District; *Entertainment and Spectator Sports* (Community Theater), *Fast Order Food with Drive-In*, and undeveloped.

To the north: PRD-Bauer Farm (Planned Residential Development) District; Undeveloped, with preliminary approval for both single- and duplex- residential development as part of the Bauer Farm development. A *Multi-Dwelling Structure*, Meadowlark Estates Retirement Community, is located northeast of the subject property.

To the east: POD-Bauer Farm (Planned Office Development) District; Undeveloped, with preliminary approval for office development as part of the Bauer Farm

development. A Final Development Plan (FDP-15-00066) submitted for development of a *Health Care Office/Clinic* use at this location is also on the June Planning Commission agenda.
(Figure 1)



Figure 1a. Land use in the area

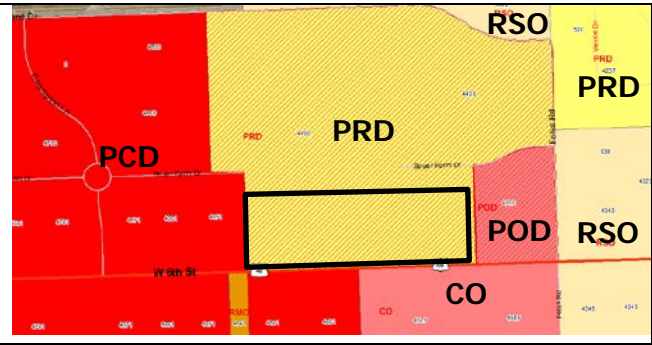


Figure 1b. Zoning in the area

STAFF SUMMARY

This Final Development Plan proposes the development of a multi-dwelling residential complex along W 6th Street south of Bauer Farm Drive, extended. The development will contain 5 multi-dwelling structures (48 one-bedroom units, 30 two-bedroom units and 22 three-bedroom units for a total of 100 dwelling units and 174 bedrooms) and a clubhouse with pool. These uses were originally included on the revised Final Development Plan in 2009 and have been included on the revised Preliminary Development Plans submitted since that time; however, the location of the recreational uses/common open space is being shifted south of Bauer Farm Drive with this proposal. The relocation of the Common Open Space and modification to the Bauer Farm Drive exceed the criteria for 'substantial compliance' with the previously approved Preliminary Development Plan outlined in Section 20-1013(b) of the pre-2006 Code; therefore, a public hearing is required for this Final Development Plan. The other change is a reduction in the number of dwelling units from 150 to 100.

The following table compares the development shown on the most recently approved Preliminary Development Plan and the current Final Development Plan.

Building	No of Units and Bedrooms (on PDP)	No of Units and Bedrooms (on FDP)
A1	24 Units 48 Bedrooms 6 one-bedroom 12 two-bedroom 6 three-bedroom	14 Units 30 Bedrooms 4 one-bedroom 4 two-bedroom 6 three-bedroom
A2	21 Units 39 Bedrooms 9 one-bedroom 6 two-bedroom 6 three-bedroom	14 Units 30 Bedrooms 4 one-bedroom 4 two-bedroom 6 three-bedroom
A3	27 Units 54 Bedrooms 9 one-bedroom 9 two-bedroom 9 three-bedroom	14 Units 30 Bedrooms 4 one-bedroom 4 two-bedroom 6 three-bedroom

B1 (A4 on PDP)	30 Units 40 Bedrooms 24 one-bedroom 2 two-bedroom 4 three-bedroom	28 Units 40 Bedrooms 18 one-bedroom 8 two-bedroom 2 three-bedroom
A5 on PDP (Not included on FDP)	10 Units 17 Bedrooms 5 one-bedroom 3 two-bedroom 2 three-bedroom	-----
B2 (A6 on PDP)	33 Units 49 Bedrooms 24 one-bedroom 2 two-bedroom 7 three-bedroom	28 Units 40 Bedrooms 18 one-bedroom 8 two-bedroom 2 three-bedroom
Clubhouse	5 Dwelling Units 7 Bedrooms 3 one-bedroom 2 two-bedroom	2 Units 4 Bedrooms 2 two-bedroom
TOTAL	150 Units 254 Bedrooms	100 Units 174 Bedrooms

Table 1. Development comparison between approved PDP and proposed FDP.

PARKING SUMMARY

The approved Preliminary Development Plan, PDP-14-00055 provided parking based on these standards; therefore, the parking requirements will continue to be calculated using the pre-2006 standards of 1.5 parking spaces per each one- and two-bedroom units and 2.5 parking spaces per each three-bedroom unit. Bicycle parking will also continue to be required at the pre-2006 Code standards. ADA parking must comply with the current regulations, as this is regulated by the federal government. The parking requirements are provided in Table 2 followed by a comparison of the parking required with the previous and current Codes.

Vehicle	Requirement	Required	Provided
78 One- and Two-Bedroom units	1.5 spaces per unit	117 spaces required	197 spaces (157 surface, 16 garage, 24 south side of Bauer Farm Drive)
22 Three Bedroom units	2.5 spaces per unit	55 spaces required	
Club House/pool:	No additional pkg req	-	
TOTAL		172 spaces	
Bicycle	15% of required parking for 1 and 2 bedroom units	18 spaces	34 spaces
	25% of required parking for 3 bedroom units	14 spaces	
TOTAL		32 spaces	
ADA	6 ADA spaces when between 151 and 200 spaces are provided w/one being van accessible	6 ADA spaces with one being van accessible	8 spaces with four being van accessible

COMPARISON	PRE-2006 standards	CURRENT CODE standards
Vehicle	172 required	184 required (1 per bedroom + 1 per 10 units for guest)
Bicycle	32 spaces	51 spaces required (1 for 4 parking spaces)

Table 2. Parking comparison between previous and current Codes.

SITE SUMMARY

Lot 2, Bauer Farm 7 th Plat	Existing	Proposed	Change
Lot Area	174,029 sq ft	174,029 sq ft	--
Building Coverage	0	52,243 sq ft	+52,243 sq ft
Pavement Coverage	0	106,341 sq ft	+106,341 sq ft
Impervious Coverage	0	158,584 sq ft	+158,584 sq ft
Pervious Coverage	174,029 sq ft	15,445 sq ft	-158,584 sq ft

RESIDENTIAL DENSITY

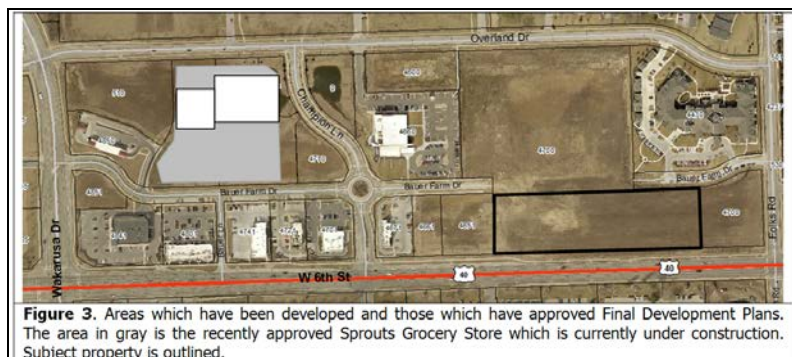
- Meadowlark Estates: 125 dwelling units
- Multi-Family (subject project): 100 dwelling units
- Future Residential: 68 dwelling units shown on most recently approved Preliminary Development Plan.

TOTAL: 293 dwelling units on 15.34 acres= 19.1 dwelling units per acre. PD-[Bauer Farm] zoning permits a maximum of 25 dwelling units per acre.

STAFF REVIEW

The Bauer Farm Development was proposed and planned as a New Urbanism type of development which would utilize several Traditional Neighborhood Design concepts. The waivers which were approved by the Planning Commission were necessary to accommodate these TND concepts such as smaller lots, narrower rights-of-way, and reduced peripheral setbacks. These waivers were revised in response to the development proposed with the 2014 Preliminary Development Plan and these are listed on the plan.

Several Development Plans have been approved for both the commercial and residential portions of the development. Figure 3 shows the areas with approved development plans, the developed area, and the subject property. The area in gray is the Sprouts Grocery Store and out lots recently approved with FDP-14-00207. Properties have been platted as development has been proposed. As the subject property is not yet platted, the approval of the Final Development Plan is contingent upon the recording of a final plat. A final plat has been submitted and is also on the June Planning Commission agenda for consideration.



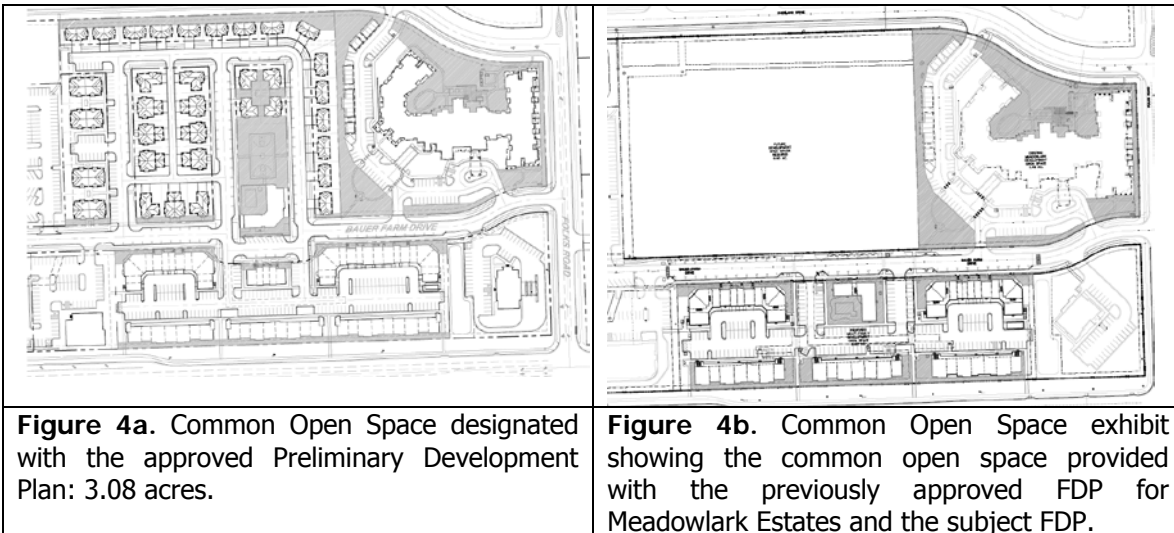
Variation from Approved Preliminary Development Plan [PDP-14-00055]

The items on the Final Development Plan which vary from the approved Preliminary Development Plan include the following:

- 1) Reconfiguration of Bauer Farm Drive, extended.
- 2) Reduction in number of dwelling units from 150 to 100.
- 3) Relocation and reduction of the Common Open Space. (The remainder of the required Common Open Space will be provided on the development to the north.)

The Planning Commission is responsible for the final decision-making of a Final Development Plan) processed under the pre-2006 Code. The changes meet the criteria of a substantial change from the Preliminary Development Plan; therefore, a public hearing is required.

Common Open Space



A minimum of 20% of the area in the Planned Development is required to be placed into Common Open Space. The 2014 Preliminary Development Plan included a graphic which showed the location of the Common Open Space, and the plan noted that 3.07 acres of Common Open Space was required and 3.08 acres was provided. (Figure 4) The Common Open Space exhibit indicates that 1.49 acres of Common Open Space was provided with the Meadowlark Estates and .68 acres will be provided with the subject development. The remaining Common Open Space, .90 acres, will be provided with the development of the remaining residential portion of Bauer Farm. In staff's opinion, the relocation of the Common Open Space is acceptable, as the total amount of Common Open Space will be provided when the residential area is fully developed.

Access and Circulation

Two access points on Bauer Farm Drive, extended, will provide access to the apartment parking areas. Bauer Farm Drive is proposed to run straight from Folks Road to Champion Road without the jog that had been shown in the approved Preliminary Development Plan. Speed humps will be installed on the west portion of Bauer Farm Drive to control traffic.

Pedestrian Connectivity

Internal pedestrian connections are provided throughout the development. Sidewalks will be installed on Bauer Farm Drive and are currently in place along W 6th Street. Pedestrian walkways border the apartment buildings and provide connections to the parking lots and the

interior of the buildings. Walkways will provide connection from the apartments to the sidewalk along W 6th Street and 4 walkways connect the interior network with the 6th Street sidewalk.

Lighting

A point by point illumination array was provided for the parking lot lighting being proposed with this development. The lighting levels were compliant with the standards in Section 20-1103(d)(3) with the exception of the lighting levels along Bauer Farm Drive. A revised photometric plan should be provided and approved prior to release of the plan for building permits. The lighting will include pedestrian scale street lighting as previously approved along Bauer Farm Drive through the development.

Landscaping

The required number of street trees and parking lot trees and shrubs are provided on the plan. An administrative waiver from the interior parking lot landscaping requirement from the 6,880 sq ft required by Code to 5,273 sq ft has been approved based on the parking demand in the area. The landscaping area will accommodate the required landscaping while providing as many off-street parking spaces as possible.

BUILDING ELEVATIONS

The Bauer Farm Development proposed new urbanism concepts such as walkability and a mix of housing types including row houses. The apartments along W 6th Street have been designed to maintain the row house character, while those in the interior may have a more typical apartment appearance.



Figure 5. Elevation of apartments along W 6th Street

Conclusion

The development proposed with this Final Development Plan varies from the approved Preliminary Development Plan but the changes are compliant with the provisions of the pre-2006 Zoning Ordinance and the current land Development Code.

FILE PATH: P:\CE15.001.00B Bauer Farm Multi-Family Residential\3_Drawings\AutoCAD Sheets\Planning\Final Development Plan\01 SITE LAYOUT PLANDWG
DATE PRINTED: Tuesday, June 09, 2015
LAST SAVED: Monday, June 08, 2015
PRINTED BY: Andy Buchwitz

SITE DATA & PARKING REQUIREMENTS

	1 BEDROOM (1.5 STALLS PER UNIT)	2 BEDROOM (1.5 STALLS PER 2 BR)	3 BEDROOM (2.5 STALLS PER 3 BR)	DWELLING UNITS	STALLS REQ'D	STALLS PROVIDED	ADA STALLS REQ'D	ADA STALLS PROVIDED
CLUBHOUSE	0	2	0	2	3	4	1	1
A1 APARTMENT BLDG.	4	4	6	14	27	27	1	1
A2 APARTMENT BLDG.	4	4	6	14	27	27	1	1
A3 APARTMENT BLDG.	4	4	6	14	27	27	1	1
B1 APARTMENT BLDG.	18	8	2	28	44	36	1	1
B2 APARTMENT BLDG.	18	8	2	28	44	36	1	1
EXISTING ON-STREET PARKING	N/A	N/A	N/A	N/A	N/A	0	N/A	N/A
PROPOSED ON-STREET PARKING	N/A	N/A	N/A	N/A	N/A	24	N/A	N/A
GARAGE PARKING	N/A	N/A	N/A	N/A	N/A	16	N/A	N/A
TOTAL	48	30	22	100	172	197	6	8

NOTE:
1. SHARED PARKING IS PART OF OVERALL DEVELOPMENT AND COVENANT.

BIKE PARKING REQUIREMENTS

15% OF THE REQUIRED PARKING FOR THE 1- AND 2- BEDROOM UNITS
25% OF THE REQUIRED PARKING FOR THE 3- BEDROOM UNITS.
78 1- AND 2- BEDROOM UNITS x 1.5 PER UNIT = 117 SPACES x 15% = 18 BIKE SPACES
22 3- BEDROOM UNITS x 2.5 PER UNIT = 55 SPACES x 25% = 14 SPACES
TOTAL BIKE PARKING REQUIRED = 32 SPACES
TOTAL BIKE PARKING PROVIDED = 34 SPACES

KEY NOTES

- 6" CONCRETE CURB & GUTTER
- TYPE 1 ACCESSIBLE SIDEWALK RAMP
- 4" CONCRETE SIDEWALK.
- ACCESSIBLE PARKING STALLS.
- 8" REINFORCED CONCRETE PAVEMENT.
- 7" REINFORCED CONCRETE PAVEMENT.
- STANDARD DUTY ASPHALT PAVEMENT.
- CROSSWALK MARKINGS.
- 4" WIDE WHITE PAINTED PARKING STALL MARKINGS.
- POOL AND PATIO AREA.
- BUILDING LIGHT.
- DUMPSTER ENCLOSURE. ENCLOSURE TO MATCH BUILDING MATERIALS.
- CONCRETE-FILLED PIPE BOLLARD.
- BICYCLE RACK. LANDSCAPE FORMS "P1" TYPE. POWDER COATED BLACK, IN-GROUND MOUNTED.
- LANDSCAPED AREA. REFER TO LANDSCAPE PLAN.
- PEDESTRIAN LIGHT. LIGHTS TO MATCH EXISTING LIGHTS ALONG SOUTH SIDE OF BAUER FARM DRIVE.
- 6" CONCRETE DRIVEWAYS.
- STOP SIGN. POLE TO MATCH EXISTING SIGN POLES IN BAUER FARM.
- TYPE 2 ACCESSIBLE SIDEWALK RAMP.
- DECORATIVE FENCE. FENCE TO BE 6' IN HEIGHT.
- EXISTING SIDEWALK TO REMAIN.
- MOUNTABLE CURB.
- SPEED HUMP PER CITY OF LAWRENCE STANDARDS.
- FUTURE ON STREET PARKING. PARKING NOT INCLUDED IN MULTI-FAMILY COUNTS.

LEGAL DESCRIPTION

LOT 2, BLOCK 1 BAUER FARM SEVENTH PLAT, A SUBDIVISION IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KS. (RECORDATION PENDING)
CONTAINS 4.00 ACRES, MORE OR LESS.

DENSITY

PRD AREA = 15.34 NET ACRES
MULTI-FAMILY: 100 UNITS
MEADOWLARK ESTATES: 125 UNITS

DUPLEX/ SINGLE FAMILY UNITS SHOWN ON 2014 APPROVED PDP: 68 UNITS
TOTAL: 293 UNITS 293/ 15.34 = 19.10 DU/ ACRE
MAXIMUM DENSITY PERMITTED IN PRD IS 25 DU/ ACRE

IMPERVIOUS/ PERVIOUS COUNTS

EXISTING	PROPOSED DENSITY
BUILDINGS 0 S.F. (0%)	
(BUILDINGS A, BUILDINGS B, AND CLUBHOUSE)	52,243 S.F. (30%)
PAVEMENT 0 S.F. (0%)	106,341 S.F. (61%)
IMPERVIOUS 0 S.F. (0%)	158,584 S.F. (91%)
PERVIOUS 174,029 S.F. (100%)	15,445 S.F. (09%)
LOT AREA 174,029 S.F.	174,029 S.F.

PAVEMENT LEGEND

	HEAVY-DUTY REINFORCED CONCRETE (STREETS, DRIVE APRONS, TRUCK ZONES)
	LIGHT-DUTY REINFORCED CONCRETE (DRIVEWAYS)
	UNREINFORCED CONCRETE (SIDEWALKS)
	ASPHALT PAVEMENT (PRIVATE DRIVES/ PARKING LOT)

LAND SURVEYOR

ATLAS SURVEYORS, LLC.
CONTACT PERSON: ROBERT DILL, PLS
207 SOUTH 5TH STREET
LEAVENWORTH, KANSAS 66048
(913) 682-8600

CIVIL ENGINEER

TREANOR ARCHITECTS, P.A.
CONTACT PERSON: MATTHEW L. MURPHY, PE
1040 VERMONT STREET
LAWRENCE, KANSAS 66044
(785) 727-2407

CURRENT OWNER

BAUER FARM RESIDENTIAL, LLC
CONTACT PERSON: MICHAEL L. TREANOR
1040 VERMONT STREET
LAWRENCE, KANSAS 66044
(913) 371-0781

ARCHITECT

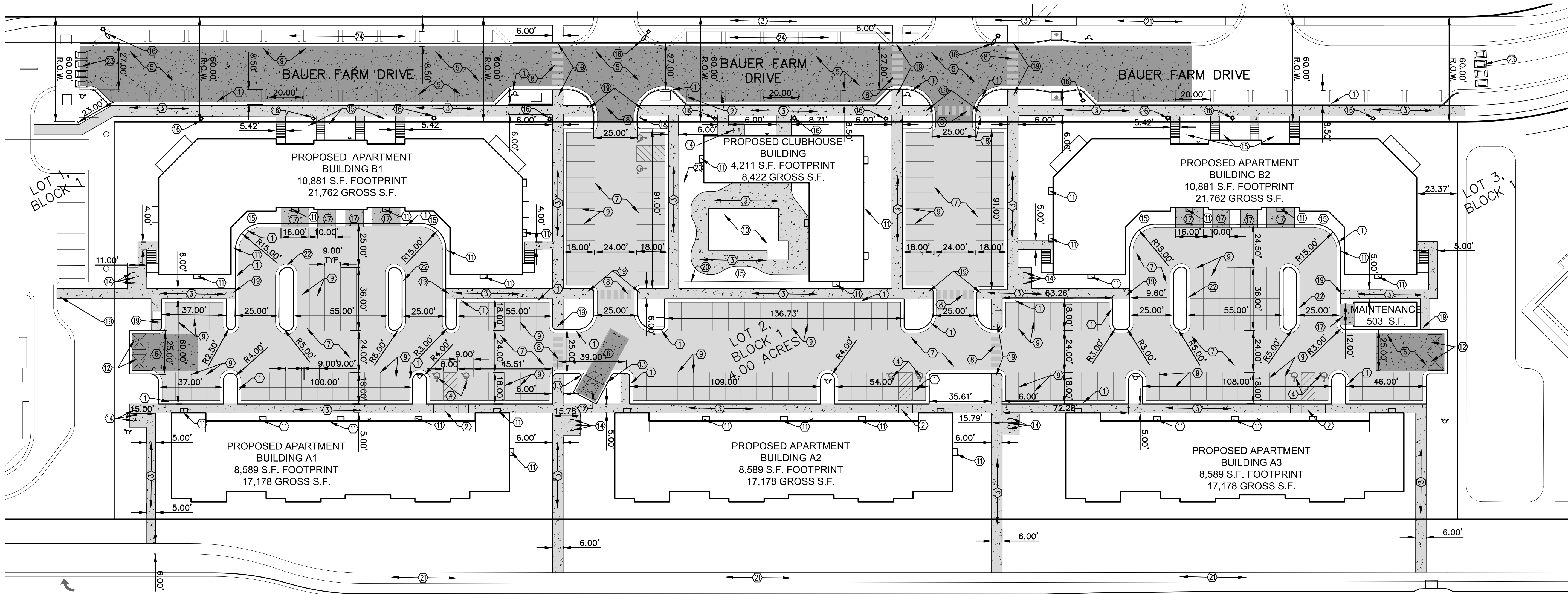
TREANOR ARCHITECTS, P.A.
CONTACT PERSON: MICAH KIMBALL, AIA
1040 VERMONT STREET
LAWRENCE, KS 66044-2920
(785) 842-4858

DEVELOPER

FIRST MANAGEMENT
901 NEW HAMPSHIRE STREET, SUITE 101
LAWRENCE, KS 66044
(785) 841-7333

CHAIR
LAWRENCE-DOUGLAS COUNTY PLANNING COMMISSION

SECRETARY
LAWRENCE-DOUGLAS COUNTY PLANNING COMMISSION



SCALE: 1" = 30'



CE15.001.00B

Final Development Plan For

Bauer Farm - Multi-Family

4500 - 4600 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name: _____ Date: _____
Name: _____ Date: _____
Name: _____ Date: _____

TREANOR

ARCHITECTS P.A.

1040 Vermont Street

Lawrence, Kansas 66044-2920

Office: 785.842.4858

Fax: 785.842.7536

www.treanorarchitects.com

THIS SITE PLAN IS FOR
PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

REVISIONS

1	CITY COMMENTS
2	REVISED LAYOUT
3	CITY COMMENTS
4	

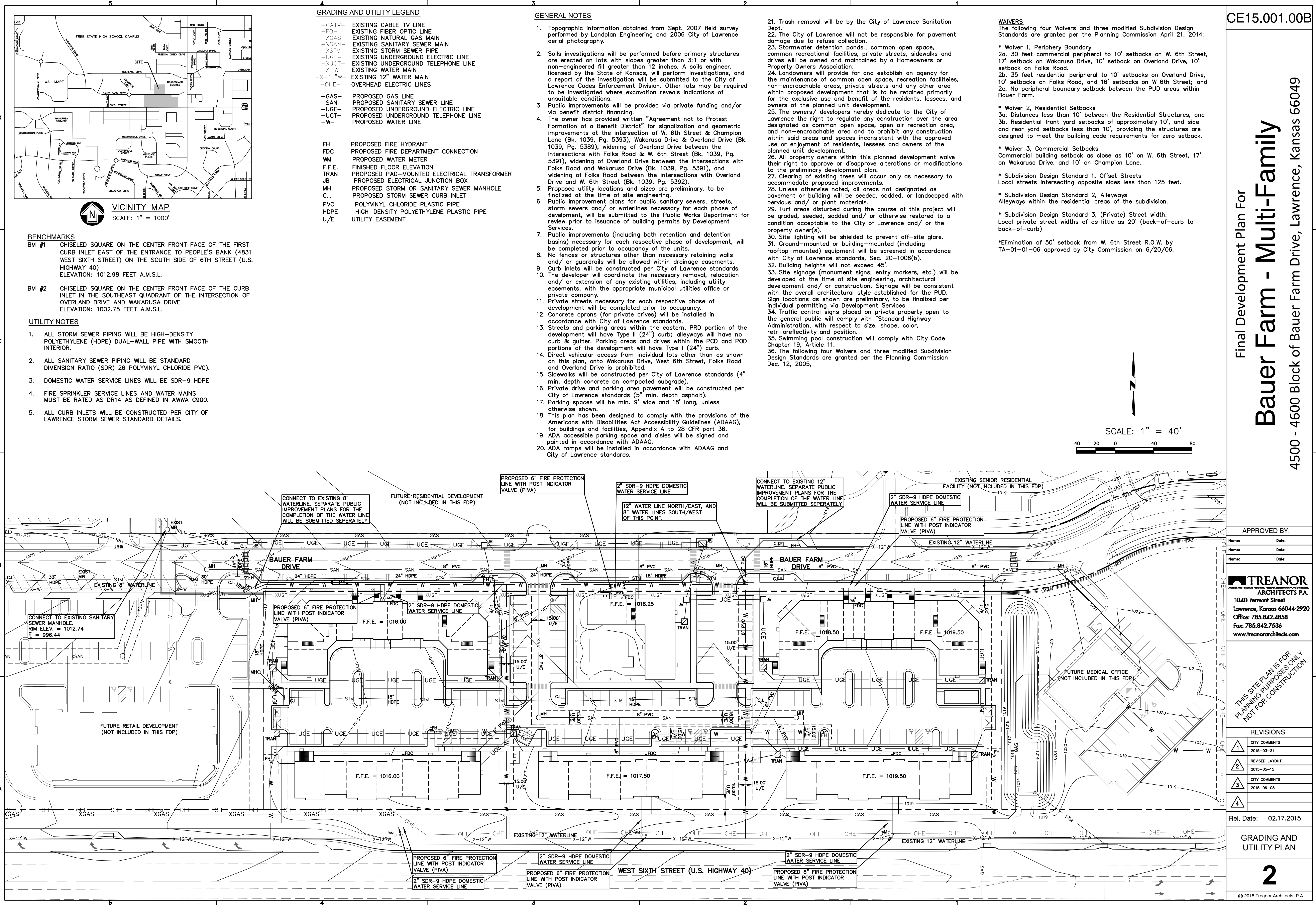
Rel. Date: 02.17.2015

1

SITE LAYOUT PLAN

© 2015 Treanor Architects, P.A.

FILE PATH: P:\CE15.001.00B Bauer Farm Multi-Family Residential\3_Drawings\AutoCAD Sheets\Planning\Final Development Plan\02 GRADING AND UTILITY PLAN.DWG
DATE PRINTED: Tuesday, June 09, 2015
LAST SAVED: Tuesday, June 09, 2015
PRINTED BY: Andy Buchwitz



CE15.001.00B

Final Development Plan For

Bauer Farm - Multi-Family

4500 - 4600 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

NAME: _____

DATE: _____

NAME: _____

DATE: _____

NAME: _____

DATE: _____

TREANOR ARCHITECTS P.A.

1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com

THIS SITE PLAN IS FOR
PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

REVISIONS

1

QTY COMMENTS

2015-03-31

2

REVISED LAYOUT

2015-05-15

3

QTY COMMENTS

2015-06-08

4

Rel. Date: 02.17.2015

GRADING AND UTILITY PLAN

2

© 2015 Treanor Architects, P.A.

FILE PATH: P:\CE15.001.00B Bauer Farm Multi-Family Residential '3 Drawings' \AutoCAD Sheets\Planning\Final Development Plan\03 LANDSCAPE PLAN.DWG
DATE PRINTED: Tuesday, June 09, 2015
PLOT DATE: Tuesday, June 09, 2015
PRINTED BY: Andy Buchwitz

STREET TREE LANDSCAPE SUMMARY

STREET TREES REQUIRED: 1 TREE PER 40 L.F.

REQUIRED:
6TH STREET FRONTAGE 767 L.F./40 = 20 TREES
BAUER FARM DRIVE 767 L.F./40 = 20 TREES
TOTAL = 40 TREES

PROVIDED:
20 TREES
20 TREES
40 TREES

INTERIOR PARKING LANDSCAPE SUMMARY

LANDSCAPE AREA REQUIRED: # OF STALLS x 40 S.F.

REQUIRED:
172 STALLS x 40 S.F. = 6,880 S.F.

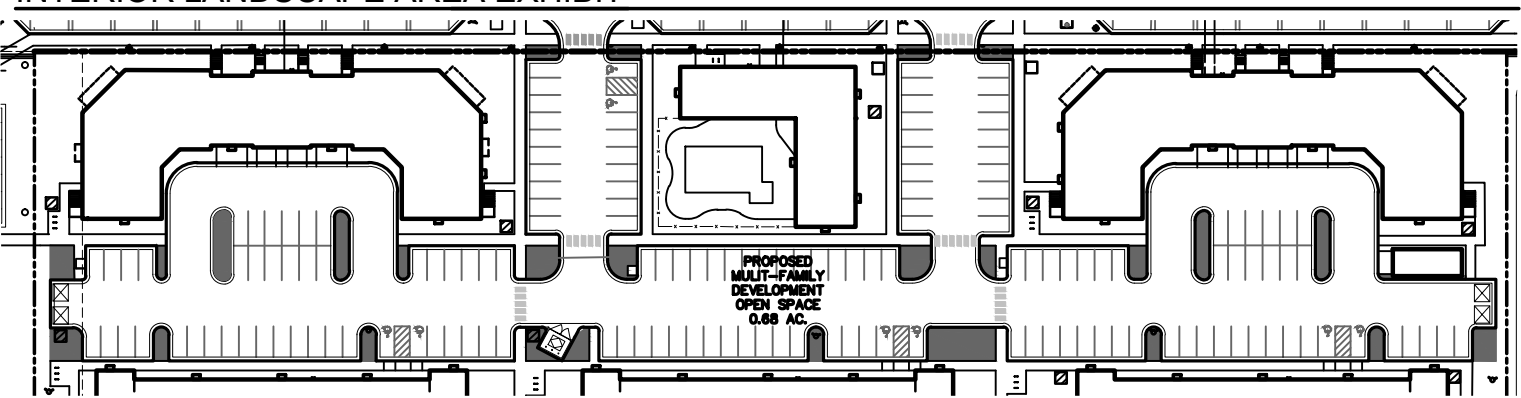
PROVIDED:
5,273 S.F.
REQUESTING AN
ADMINISTRATIVE WAIVER IN
ORDER TO MAINTAIN AS MUCH
PARKING AS POSSIBLE

TREES & SHRUBS REQUIRED: 1 TREE & 3 SHRUBS / 10 STALLS

REQUIRED:
162 STALLS = 17 TREES, & 49 SHRUBS

PROVIDED:
18 TREES, & 56 SHRUBS

INTERIOR LANDSCAPE AREA EXHIBIT



BUFFER YARD LANDSCAPE SUMMARY

TYPE 1 BUFFER YARD REQUIRED: REQUIRED ON EAST SIDE (ADJACENT TO POD ZONING).
THE AMOUNT OF PLANT MATERIAL REQUIRED WITHIN BUFFER YARD IS DEPENDANT ON THE WIDTH OF THE BUFFER YARD THAT IS PROVIDED.

REQUIRED:
TYPE I BUFFER YARD

PROVIDED:
BUFFER YARD WILL BE PROVIDED FOR ON XPRESS MEDICAL OFFICE LOT

TYPE 2 BUFFER YARD REQUIRED: REQUIRED ON WEST SIDE (ADJACENT TO PCO ZONING).
THE AMOUNT OF PLANT MATERIAL REQUIRED WITHIN BUFFER YARD IS DEPENDANT ON THE WIDTH OF THE BUFFER YARD THAT IS PROVIDED.

REQUIRED:
25' BUFFER WIDTH = 4 TREES, & 10 SHRUBS/100 L.F.
227 L.F./100L.F. = 2.27 2.27x(4)=9 TREES 2.27x(10)=23 SHRUBS
(50% OF REQUIRED TREES AND SHRUBS TO BE EVERGREEN)

PROVIDED:
25' BUFFER WIDTH WITH 9 TREES AND 23 SHRUBS
(80% EVERGREEN)

COMMON OPEN SPACE SUMMARY

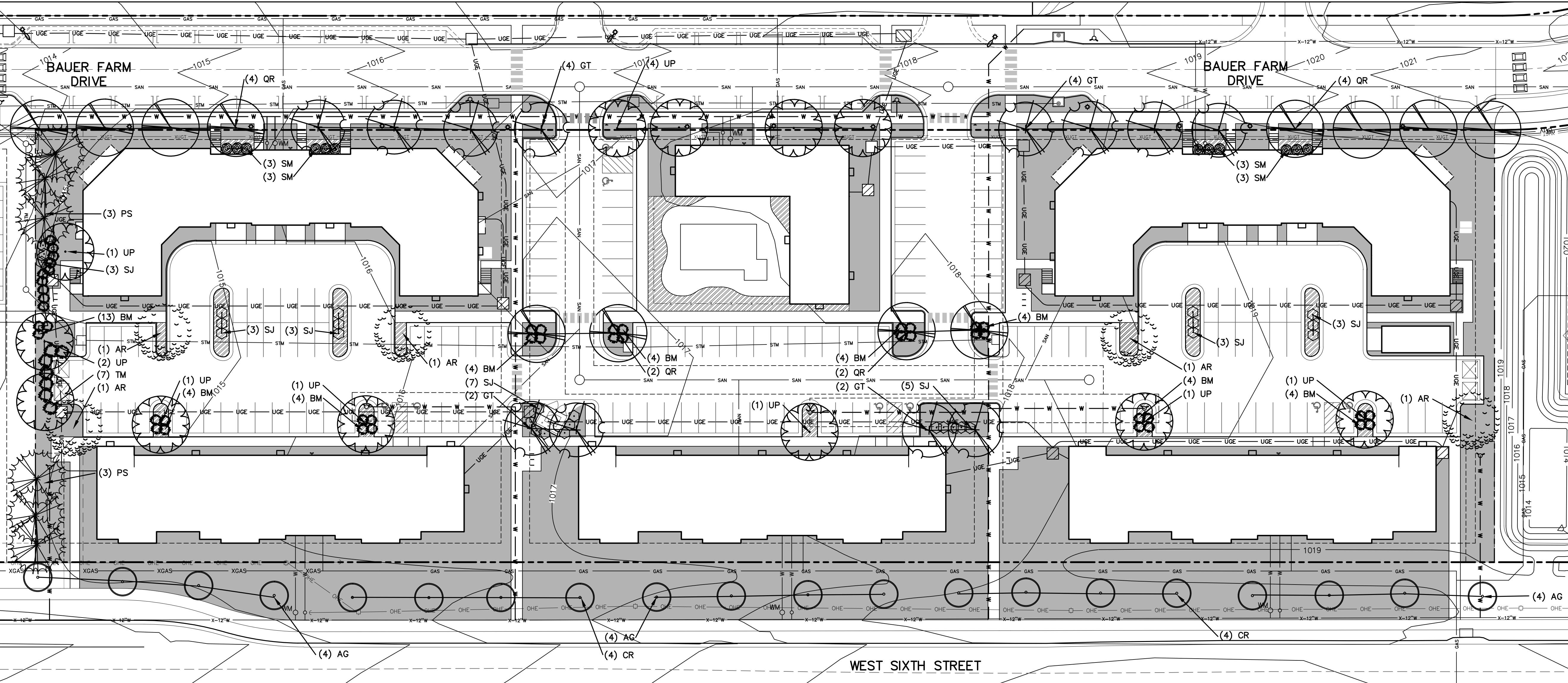
GROSS PROD ACREAGE	R/W & OFF-STREET PKG.	NET RESIDENTIAL USE ACREAGE	REQUIRED OPEN SPACE ACREAGE (20% OF NET)	PROVIDED OPEN SPACE ACREAGE
3.97	1.39	2.58	0.52	0.68

PLANT SCHEDULE

SYMBOL	KEY	QTY.	NAME	SIZE	COND.
	UP	47	SHADE TREE		
	12		DYNASTY ELM — ULMUS PARIFOLIA 'DYNASTY'		
	QR	12	NORTHERN RED OAK — QUERCUS RUBRA		
	AR	5	PACIFIC SUNSET MAPLE — ACER RUBRUM 'PACIFIC SUNSET'		
	GT	12	SKYLINE THORNLESS LOCUST — GLEDITSIA TRICANTHOS 'SKYLINE'		
	PS	6	SOUTHWESTERN WHITE PINE — PINUS STROBIFORMIS		
	20		ORNAMENTAL TREE		
	AG	12	AMUR MAPLE — ACER GINNALA		
	CR	8	OKLAHOMA REDBUD — CERCIS RENIFORMIS 'OKLAHOMA'		
	91		DECIDUOUS/EVERGREEN SHRUBS/ORNAMENTAL GRASSES/PERENNIALS		
	SM	12	DWARF KOREAN LILAC — SYRINGA METERI 'PALBIN'		
	SJ	27	GOLDMOUND SPIREA — SPIRAEA JAPONICA 'GOLDMOUND'		
	BM	45	WINTERGREEN BOXWOOD — BUXUS MICROPHYLLA 'WINTERGREEN'		
	TM	7	TAUNTON YEW — TAXIS X MEDIA 'TAUNTONI'		
	4,053 S.F.		DOUBLE SHREDDED HARDWOOD MULCH (3" LAYER MIN.)	N/A	N/A
	63,665 S.F.		TURF TYPE FESCUE (SOD)	SOD	N/A

ALLOWABLE USE GROUPS CONTINUED

USE GROUP 13. AUTOMOTIVE SERVICES, RETAIL SALES, OTHER.
Primarily automotive service establishments and accessory uses, including consumer and non-consumer retail goods and services not appropriate for the neighborhood shopping district, including certain goods and services for agricultural, industrial, commercial, or institutional use.
1. Automotive Services and Retail Sales
Aircraft sales, rental, service
Ambulance service
Amusement park, commercial
Recreation center
Automobile parking garage
Automobile parts store, tires & accessories
Automobile repair and services
Automobile sales, service, rental (new and used)
Automobile service station
Barber and beauty equipment sales
Blueprinting and similar reproduction processes
Boat and marine sales, rental and repair
Bus passenger station
Business machine rental, repair, sales
Car or truck wash
Carpet or drapery
Carpeting, roofing, express-hauling, moving and storage
Cafeteria
Eating establishment, enclosed, with dancing or entertainment
Eating establishment, providing any drive-up service or no seating facilities
Extremities, prosthetic
Food convenience store, including gasoline sales
Food locker plant, for consumer use
Free standing automated banking or dispensing facility
Funeral home, mortuary or undertaking establishment
Garage or parking for common or public utility vehicles
Glass sales and cutting shop
Golf driving range, commercial, (pkg. requirement applies to tee area only)
Golf pitch and putt course, miniature golf course
Home improvement center
Hotel
Laboratory, medical or dental
Leather goods, sales and repair
Linen supply, drapery, service, uniform supply
Liquids, flammable, underground storage of
Lumber, limited sales
Media store (Ord-7226)
Mobile homes, sales and service
Monument sales, including incidental processing
Motorcycle sales, service and rental
Office equipment and supplies, sales and service, rental and repair
Pet shop
Photocopying
Plumbing fixture sales
Quick copy or duplicating center
Recording studio
School, commercial or trade, when not involving any danger of fire or explosion, nor of offensive odor, noise, dust, glare, heat, vibration or other objectionable factors
Secretarial service
Sea-Shop (Ord-7226)
Sexually-Oriented Media Store (Ord-7226)
Skating rink, commercial
Studio for professional work or for the teaching of any form of fine arts, photography, music, drama, etc.
Swimming pool, commercial (parking requirements include pool area)
Teleshopping
Telephone answering service
Theatre, drive-in
Tire sales and rental
Tire retail vehicle storage and servicing
Tire rental and sales
2. Similar Uses
Other business services which (1) are similar to the listed uses in function, traffic-generating capacity, and effects on other land uses, and (2) are not included in any other use group.
3. Manufacturing Uses
Baked goods, candy, delicatessen, and ice cream, all for retail sales on the premises only
Clothing, custom manufacturing or altering for retail, including custom dressmaking, millinery, or tailoring
4. Accessory Uses
USE GROUP 14. RETAIL WHOLESALE SALES AND SERVICES
Consumer and non-consumer type retail and wholesale stores and service establishments and accessory uses that serve a wide area including the entire city and surrounding trade area.
1. Retail — Wholesale Goods and Services
Automobile body shop
Bakery
Building materials and lumber yards (parking requirements do not apply to lumber sheds)
Cold storage plant
Contractor or construction offices and shops
Dry cleaning plant, including carpet cleaning
Farm equipment sales, service and repair
Feed and fertilizer sales
Freight depot, railroad or truck
Hardware, industrial sales
Ice plant
Machine tools, sales, rental, repair
Mini-warehouse facilities
Plumbing
Security-Oriented Cabinet (Ord-7226)
Sexually-Oriented Motion Picture Theatre (Ord-7226)
Warehousing establishment
Woolen establishment, including storage
2. Similar Uses
Other uses which (1) are similar to the listed uses in function, traffic-generating capacity, and effects on other land uses, and (2) are not included in any other use group.
3. Accessory Uses
USE GROUP 15. AMUSEMENT, RECREATIONAL AND CULTURAL FACILITIES
1. Indoor Recreational Amusement or Cultural Facilities
Athletic club
Auditorium
Bowling alley
Field house
Game arcade, including video games
Physical culture center and health services, including spa, gymnasium, reducing salon, massage/massage, or hot tubs
Skating rink
Swimming pool, commercial
Theatre, indoor
2. Outdoor Amusement, Recreational or Cultural Facilities
Baseball park or balling cages, commercial
Golf driving range or putting greens, commercial
Golf, miniature or pitch and putt
Marina
Recreational
Stadium or amphitheatre
Swimming pool, commercial
3. Similar Uses
Other uses not specifically mentioned in this or any other use group which are similar in function and traffic-generating capacity to those specifically listed in this use group.
4. Accessory Uses
Uses which meet the requirements of the definition of accessory uses, Sections 20-2002(2) and 20-2002(3).



ALLOWABLE USE GROUPS

USE GROUP 4. MULTI-FAMILY RESIDENTIAL.
Multiple-family residential use without requiring retail/office on the 1st floor with multiple-family residential on the upper floor.

USE GROUP 7. COMMUNITY FACILITIES — PUBLIC UTILITIES.

1. Community Facilities
Adaptive reuse of properties listed as a landmark on the Lawrence, State or National Registers of historic places or included in the Lawrence or National Register of Historic Districts
Art gallery or museum
Cemetery, columbarium, or mausoleum
Child care center
Child care home — occupant primary provider
Child care home — non-occupant primary provider
Church or other place of worship, including student center
Club or lodge, private, except those whose chief activity is carried on as a business
Public Utilities
Communication Towers
Community building, public
Golf course, but not including commercially operated driving range, pitch and putt course or miniature golf course
Holloway house or service-oriented rehabilitation center or residence—Health center, government operated
Hospital—general—not including animal
Institution for children and aged, nonprofit
Library or museum: public or private, open to public without charge
Monastery, convent or similar institution of religious training
Mortuary, funeral parlor, or undertaking establishment
2. Accessory Uses

USE GROUP 9. PROFESSIONAL OFFICES.

1. Medical and Related Offices
Chiropractic, chiropractic, dental, osteopathy, medical, optical, optometric, osteopathic, including a clinic
Ambulatory (Outpatient) Surgery Center
Professional and Governmental Offices
Accounting, architecture, engineering, governmental, insurance sales, law, real estate and sales and brokerage, motion picture studios (enclosed)
2. Veterinary Office and incidental boarding, with no open kennel or yard where animals are confined or exercised
3. Financial Institutions
4. Studio for professional work or for teaching of any form of fine arts e.g. photography, music, dancing, drama, etc.
5. Other Offices
All other offices which (1) are similar to the listed uses in function, traffic-generating capacity, and effects on other land uses, and (2) are not included in any other use group.
6. Accessory Uses
USE GROUP 9A. LIMITED SERVICES.
1. Bank, savings & loan, and trust company
Dry cleaning outlet store
Freestanding automated banking or dispensing facility
Funeral home, mortuary or undertaking establishment
Laboratory, medical or dental
Loan office
Personal services

USE GROUP 11. INNER NEIGHBORHOOD COMMERCIAL USES.

1. Bicycle sales, rental or repair
Book store, new or used
Dry cleaning outlet store
Food store, not including 24 hr. convenience store
Hair care establishment
Laundry, self-serve
Professional Offices (excluding medical and veterinarian offices and clinics)
Quick copy center
Restaurant, not including one with drive-up facilities or service to automobiles
Retail bakery

USE GROUP 12. RETAIL STORES — PERSONAL SERVICES.

Reverse vending machines (recycling)
Shoe repair service
Professional cleaning services (recycling)
Florist shop and greenhouse
Food convenience store, including gasoline sales and single-bay auto wash (Ord-6206)
Food store, including retail bakery
Furniture shop, including storage of furs
Garden supply sales
Gift, novelty, souvenir sales
Hardware store and small tool rental, but not including sales of lumber or industrial hardware
Appliances, furniture, home furnishings, sales, rental repair
Art supply sales
Automobile service stations
Bank, savings & loan and trust company
Barber or beauty shop
Bicycle sales, rental, repair
Book sales
Bowling alley
Camera or photographic supply sales
Clothing sales
Club or lodge, whose chief activity is carried on as a business
Computer store, sales, service and equipment
Confectionery store
Department store
Drug store

USE GROUP 13. AUTOMOTIVE SERVICES, RETAIL SALES, OTHER.

Dry cleaning
Eating place, enclosed, without dancing or entertainment and not providing service in automobiles
Paint and wall paper sales
Florist shop and greenhouse
Food convenience store, including gasoline sales and single-bay auto wash (Ord-6206)
Food store, including retail bakery
Furniture shop, including storage of furs
Garden supply sales
Gift, novelty, souvenir sales
Hardware store and small tool rental, but not including sales of lumber or industrial hardware
Appliances, furniture, home furnishings, sales, rental repair
Art supply sales
Automobile service stations
Bank, savings & loan and trust company
Barber or beauty shop
Bicycle sales, rental, repair
Book sales
Bowling alley
Camera or photographic supply sales
Clothing sales
Club or lodge, whose chief activity is carried on as a business
Computer store, sales, service and equipment
Confectionery store
Department store
Drug store

USE GROUP 14. RETAIL WHOLESALE SALES AND SERVICES.

Reverse vending machines (recycling)
Shoe repair service
Professional cleaning services (recycling)
Florist shop and greenhouse
Food convenience store, including gasoline sales and single-bay auto wash (Ord-6206)
Food store, including retail bakery
Furniture shop, including storage of furs
Garden supply sales
Gift, novelty, souvenir sales
Hardware store and small tool rental, but not including sales of lumber or industrial hardware
Appliances, furniture, home furnishings, sales, rental repair
Art supply sales
Automobile service stations
Bank, savings & loan and trust company
Barber or beauty shop
Bicycle sales, rental, repair
Book sales
Bowling alley
Camera or photographic supply sales
Clothing sales
Club or lodge, whose chief activity is carried on as a business
Computer store, sales, service and equipment
Confectionery store
Department store
Drug store

USE GROUP 15. AMUSEMENT, RECREATIONAL AND CULTURAL FACILITIES.

Reverse vending machines (recycling)
Shoe repair service
Professional cleaning services (recycling)
Florist shop and greenhouse
Food convenience store, including gasoline sales and single-bay auto wash (Ord-6206)
Food store, including retail bakery
Furniture shop, including storage of furs
Garden supply sales
Gift, novelty, souvenir sales
Hardware store and small tool rental, but not including sales of lumber or industrial hardware
Appliances, furniture, home furnishings, sales, rental repair
Art supply sales
Automobile service stations
Bank, savings & loan and trust company
Barber or beauty shop
Bicycle sales, rental, repair
Book sales
Bowling alley
Camera or photographic supply sales
Clothing sales
Club or lodge, whose chief activity is carried on as a business
Computer store, sales, service and equipment
Confectionery store
Department store
Drug store

SCALE: 1" = 30'

CE15.001.00B

Final Development Plan For

Bauer Farm - Multi-Family

4500 - 4600 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name: Date:
Name: Date:
Name: Date:

TREANOR ARCHITECTS P.A.

1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com

THIS SITE PLAN IS FOR
PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

REVISIONS

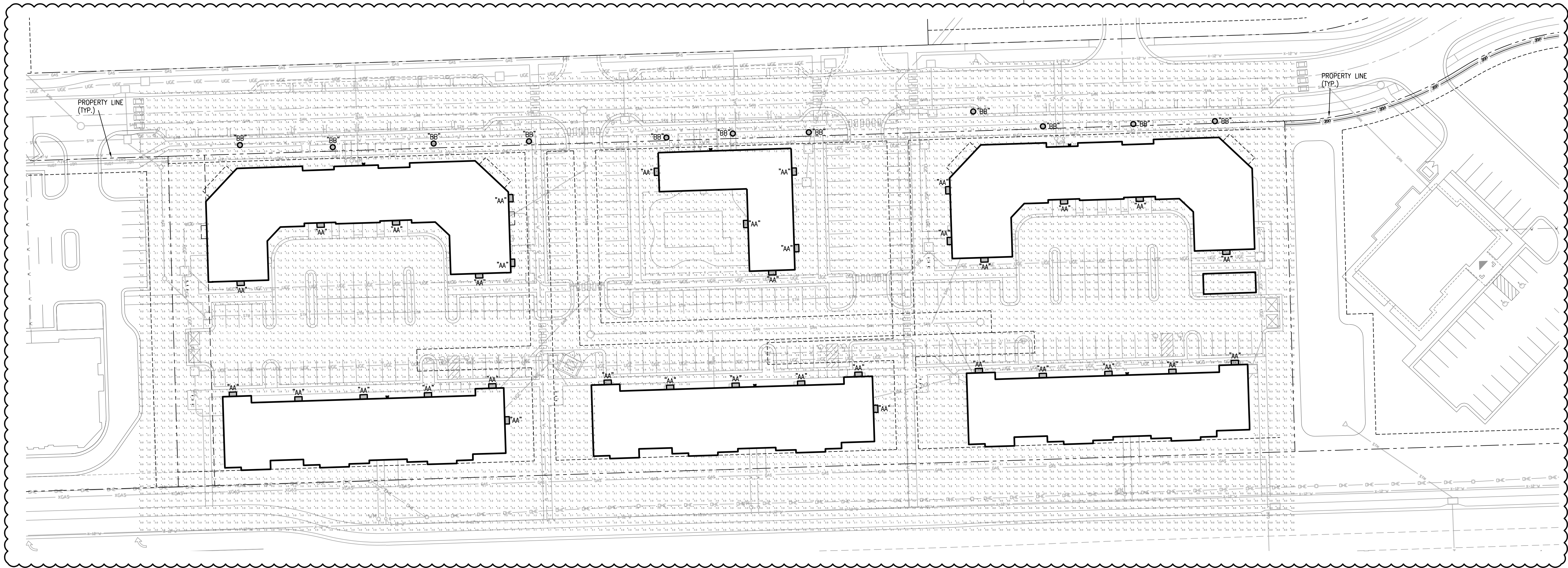
NO.	CITY COMMENTS
1	2015-03-31
2	REVISED LAYOUT
3	2015-05-15
4	CITY COMMENTS
5	2015-06-08

Rel. Date: 02.17.2015

LANDSCAPE PLAN

3

© 2015 Treanor Architects, P.A.



GENERAL NOTE:
1. SOME FC VALUES ALONG THE NORTH PROPERTY LINE EXCEED 1.0 FC. THIS IS DUE TO THE TYPE "BB" CITY STANDARD POST TOP LUMINAIRES WHICH ARE NEEDED FOR PEDESTRIAN LIGHTING AT THE PUBLIC SIDEWALK ALONG BAUER FARM DRIVE.

1 PHOTOMETRIC SITE PLAN
1"=40'-0"



LS&A
Lester Sommers
& Associates, P.A.
CONSULTING ENGINEERS
3639 SW Summerfield Drive, Suite A
Topeka, Kansas 66614-3074
Telephone: (785) 233-3232
FAX: (785) 233-0647
Email: lsapa@lsape.com
LSA PROJECT NO. 1407004

CE15.001.00B

Final Development Plan For

Residences at Bauer Farm - Phase I

4500 - 4600 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name:	Date:
Name:	Date:
Name:	Date:

TREANOR
ARCHITECTS P.A.

1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com

THIS SITE PLAN IS FOR
PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

REVISIONS

1	REVISED LAYOUT 2015-05-15
2	CITY REVISIONS 2015-06-08
3	
4	

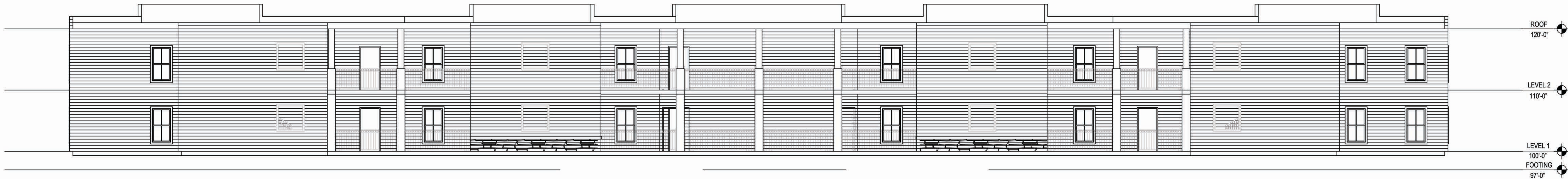
Rel. Date: 02.17.2015

ME102

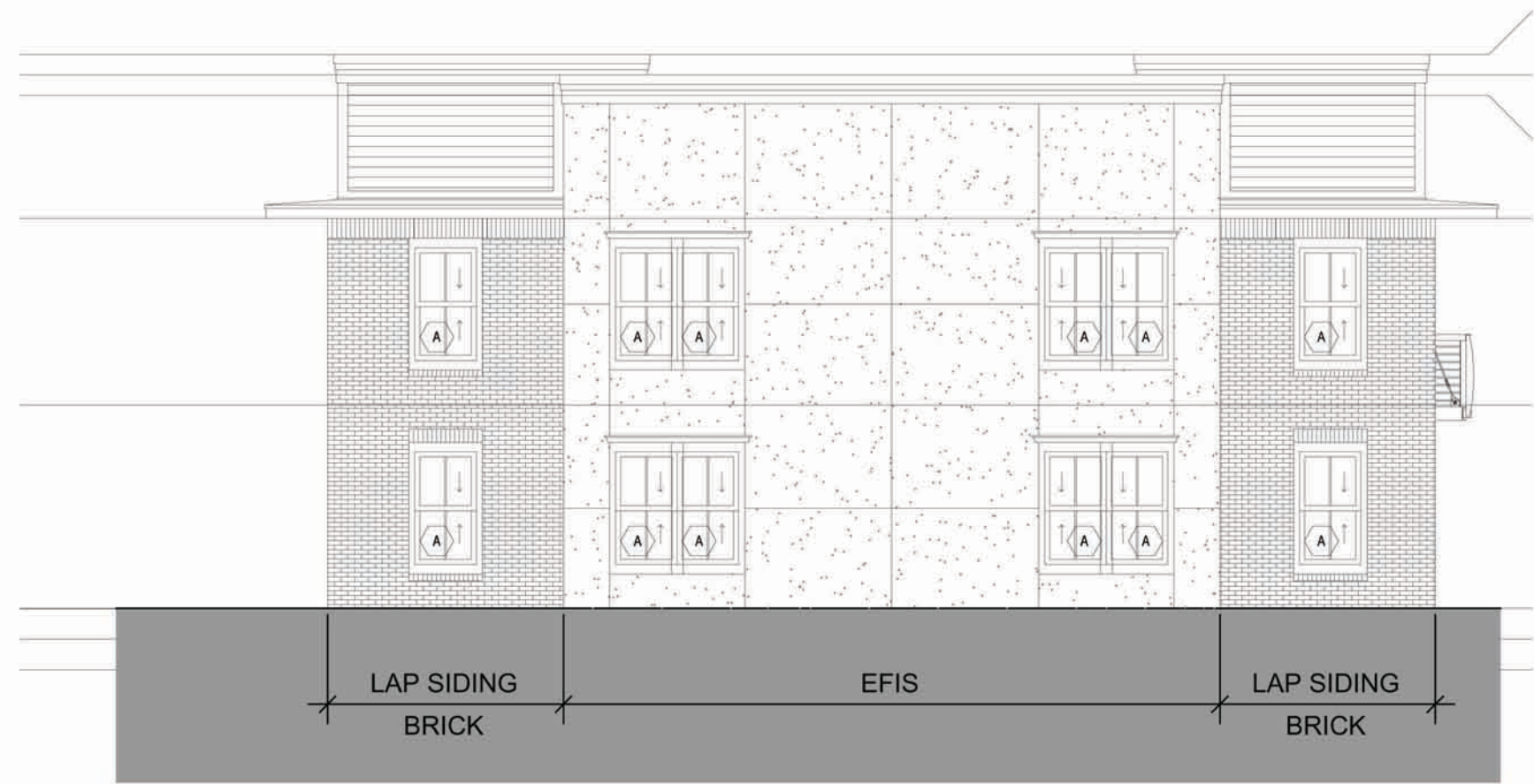
PHOTOMETRIC
SITE PLAN

© 2015 Treanor Architects, P.A.

FILE PATH: P:\CE15.001.00B Bauer Farm Multi-Family Residential\3_Drawings\AutoCAD\Sheets\Planning\Final Development Plan\05 BUILDING A ELEVATIONS.DWG
DATE PRINTED: Wednesday, April 01, 2015
LAST SAVED: Tuesday, March 31, 2015
PRINTED BY: Andy Buchwitz



WEST ELEVATION



SOUTH ELEVATION

CE15.001.00B

Final Development Plan For
Bauer Farm - Multi-Family
4500 - 4600 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:

Name:	Date:
Name:	Date:
Name:	Date:

TREANOR
ARCHITECTS P.A.
1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com

THIS SITE PLAN IS FOR
PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

REVISIONS	
1	CITY COMMENTS 2015-03-31
2	REVISED LAYOUT 2015-05-15
3	
4	
Rel. Date: 02.17.2015	
BUILDING A ELEVATIONS	
5	
© 2015 Treanor Architects, P.A.	

FILE PATH: P:\CE15.001.008 Bauer Farm Multi-Family Residential\3_Drawings\AutoCAD\Sheets\Planning\Final Development Plan\06 BUILDING B1 ELEVATIONS.DWG
DATE PRINTED: Wednesday, April 01, 2015
LAST REVISED: Tuesday, February 17, 2015
PRINTED BY: Andy Buchwalter



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

Final Development Plan For
Bauer Farm - Multi-Family
4500 - 4600 Block of Bauer Farm Drive, Lawrence, Kansas 66049

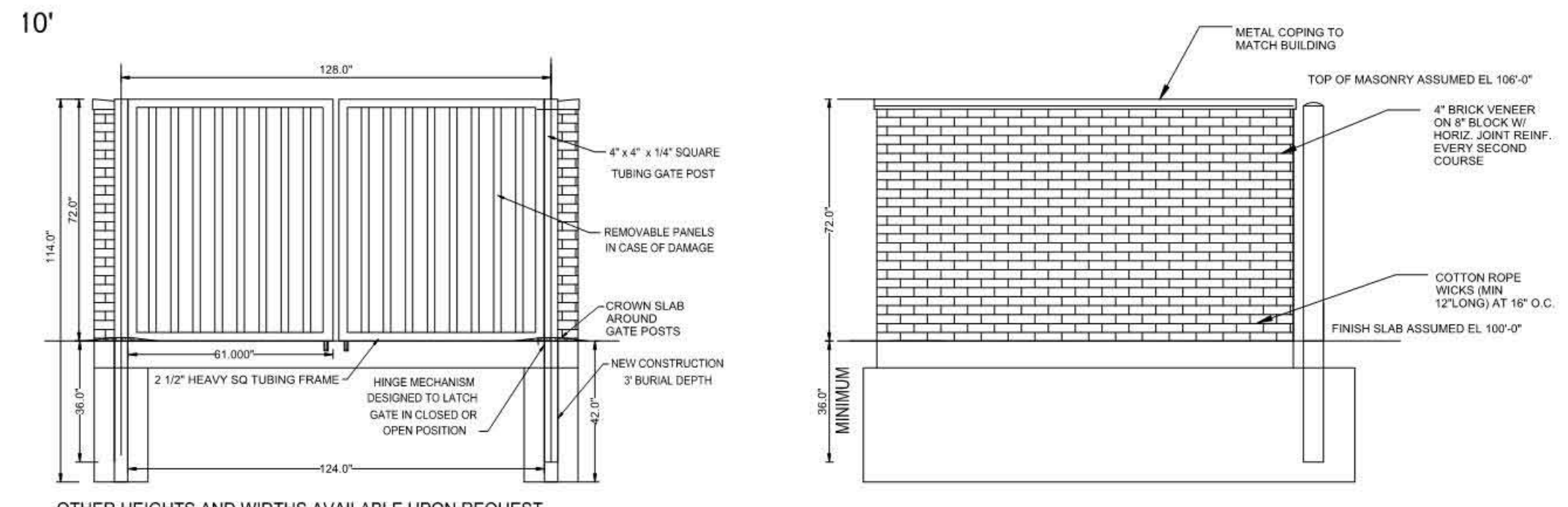
APPROVED BY:
Name: _____ Date: _____
Name: _____ Date: _____
Name: _____ Date: _____
TREANOR
ARCHITECTS P.A.
1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com

THIS SITE PLAN IS FOR
PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

REVISIONS	
1	CITY COMMENTS 2015-03-31
2	REVISED LAYOUT 2015-05-15
3	
4	
Rel. Date: 02.17.2015	

BUILDING B
ELEVATIONS

FILE PATH: P:\CE15.001.00B Bauer Farm Multi-Family Residential\3_Drawings\AutoCAD\Sheets\Planning\Final Development Plan\09 CLUBHOUSE ELEVATIONS.DWG
DATE PRINTED: Wednesday, April 01, 2015
LAST SAVED: Wednesday, April 01, 2015
PRINTED BY: Andy Buchwitz



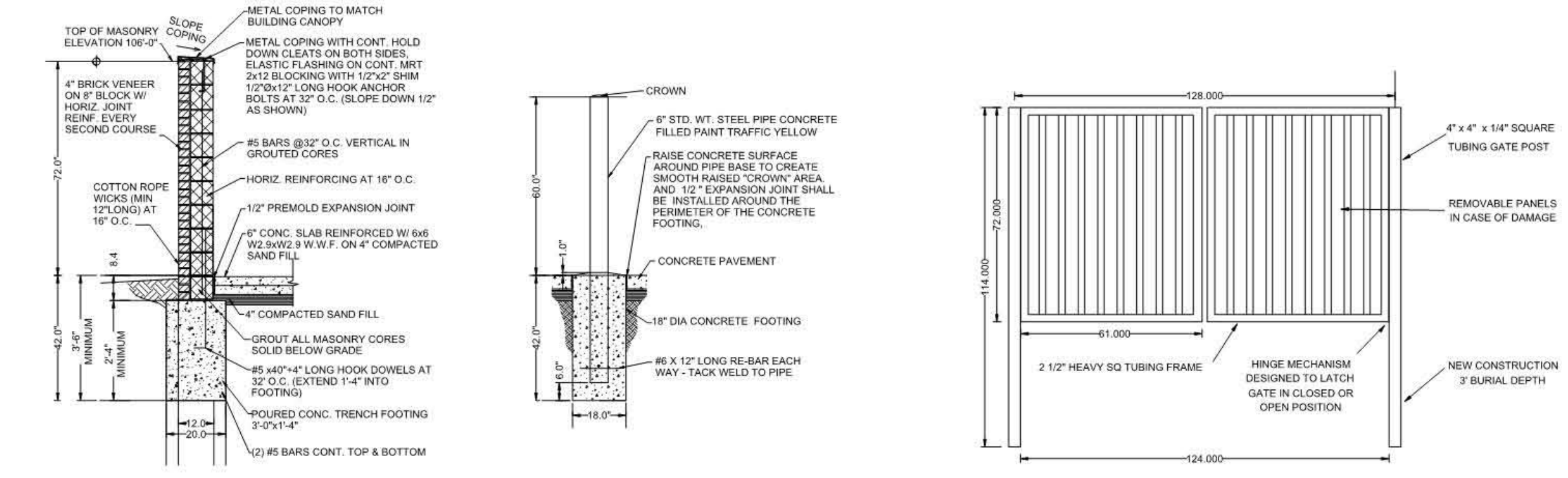
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



TRASH ENCLOSURE DETAIL

CE15.001.00B

Final Development Plan For
Bauer Farm - Multi-Family
4500 - 4600 Block of Bauer Farm Drive, Lawrence, Kansas 66049

APPROVED BY:
Name: _____ Date: _____
Name: _____ Date: _____
Name: _____ Date: _____

TREANOR
ARCHITECTS P.A.
1040 Vermont Street
Lawrence, Kansas 66044-2920
Office: 785.842.4858
Fax: 785.842.7536
www.treanorarchitects.com

THIS SITE PLAN IS FOR
PLANNING PURPOSES ONLY
NOT FOR CONSTRUCTION

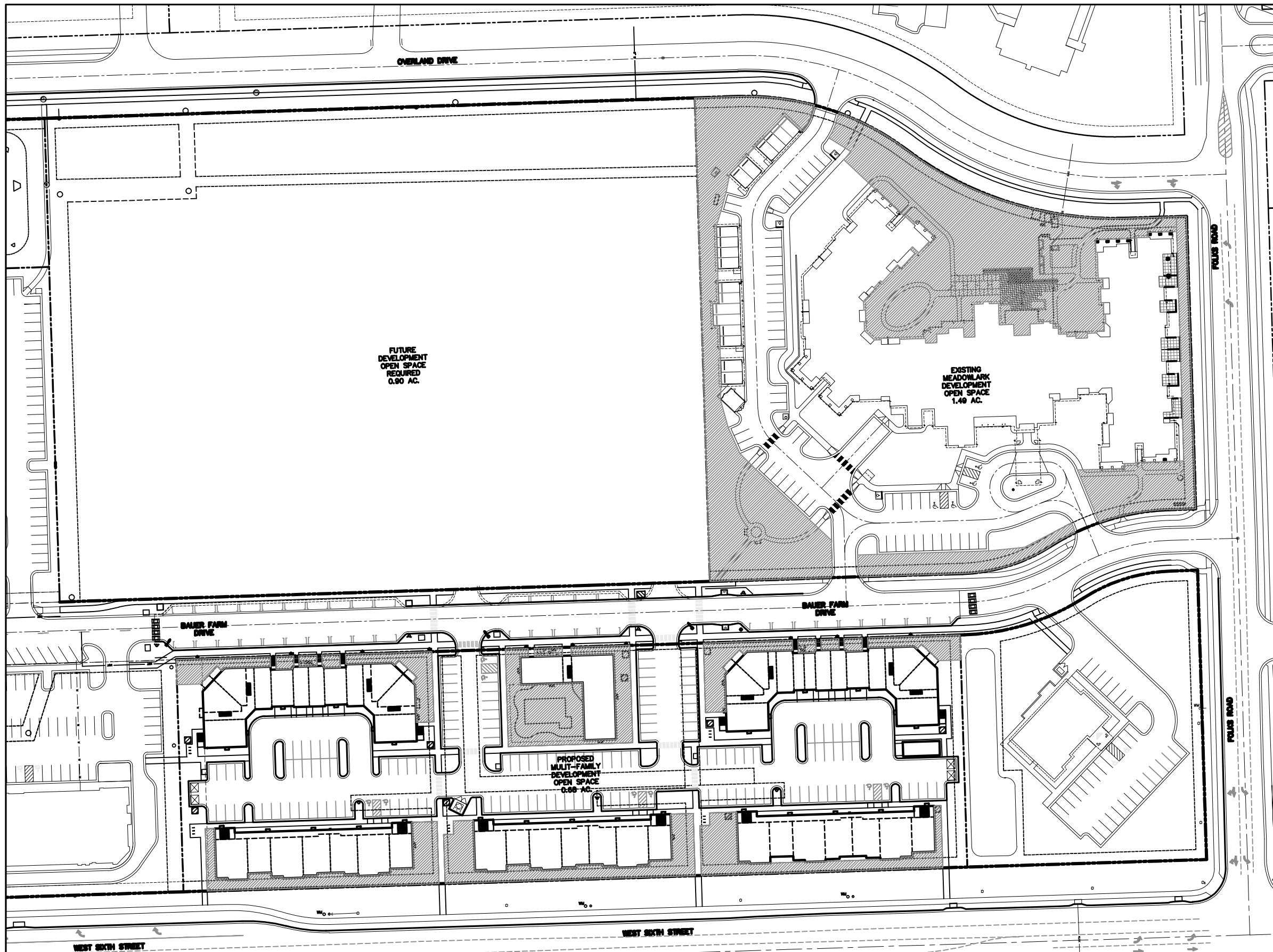
REVISIONS
1 CITY COMMENTS
2015-03-31
2 REVISED LAYOUT
2015-05-15
3
4

Rel. Date: 02.17.2015

CLUBHOUSE
ELEVATIONS

7

© 2015 Treanor Architects, P.A.



Memorandum

City of Lawrence – Douglas County Planning & Development Services

TO: Lawrence-Douglas County Planning Commission

FROM: Amy Miller, AICP, CFM, Assistant Director- Planning

Date: For June 22, 2015 Regular PC Meeting – Item No. 8

RE: Text Amendment Initiation to City and County Codes regarding
Floodplain Management Regulations

The Federal Emergency Management Agency (FEMA) recently completed a re-evaluation of flood hazards for certain streams in Douglas County through the Risk Mapping, Assessment and Planning (Risk MAP) program. Staff has received the preliminary maps and has reviewed them. As part of the issuance of new Flood Insurance Rate Maps (FIRMs), staff has placed the new maps on the website for the public to view (http://www.lawrenceks.org/city_maps), and will be conducting outreach activities within the community to raise awareness about the new flood hazard maps.

FEMA requires each community to amend their floodplain regulations to include the new effective date of the FIRM maps, which will be September 2, 2015. Therefore, staff is requesting that the Planning Commission initiate a text amendment to the City Land Development Code and the County Zoning Regulations. These text amendments will be considered at a public hearing at the July 2015 Planning Commission meeting. Planning Commission recommendations will then be forwarded to the City and County Commissions for future action.

Any review will include insuring compliance with the City's storm water standards and the criteria related to the City and County's participation in the Community Rating System, as well as review by the State Division of Water Resources to insure compliance with model codes. It is anticipated that there will be some changes, other than FIRM effective date, to both ordinances in order to comply with the state model ordinance and the Community Rating System.

Action Requested:

1. Initiate a text amendment to the Floodplain Regulations in the Land Development Code, Chapter 20, Article 12 of the Code of The City of Lawrence, KS to reference new FEMA FIRM effective dates and study potential changes to comply with the state model ordinance and the Community Rating System.
2. Initiate a text amendment to the Floodplain Regulations in the Zoning Regulations, Chapter 12, Section 12-328 of the Code of the County of Douglas, Kansas to reference new FEMA FIRM effective dates and study potential changes to comply with the state model ordinance and the Community Rating System.

Memorandum

City of Lawrence

Planning and Development Services

TO: Planning Commission

FROM: Planning Staff

CC: Scott McCullough, Planning and Development Services Director

Date: June 12, 2015

RE: MS-15-00213 – Variance associated with Minor Subdivision for A Replat of Rockledge Addition No. 2, located at 2100 Bob Billings Parkway, Lawrence, KS.

Variance requested: Reduction of Right-Of-Way for a Principle Arterial Street from 150' to 100'.

Attachment A: Minor Subdivision MS-15-00213

Minor Subdivisions are processed administratively but Planning Commission approval is required for variances from the Subdivision Design Standards. The Minor Subdivision (MS-15-00213) is being processed and requires Planning Commission approval of the reduced right-of-way along Bob Billings Parkway, a Principal Arterial Street. A copy of the Minor Subdivision is included with this memo for context; no other action is required by the Planning Commission related to the proposed Minor Subdivision.

The Subdivision Regulations state that an applicant may request a variance from the Design Standards in the Regulations in accordance with the variance procedures outlined in Section 20-813(g). This section lists the criteria that must be met in order for a variance to be approved. The requested variance is evaluated for compliance with the approval criteria below.

VARIANCE: Reduction in the width of right-of-way from 150' to 100' as required for a principal arterial street (Bob Billings Parkway) per Section 20-810 (e)(5).

The standard for the required right-of-way width changed in 2006 from 100' to 150' with the adoption of the Land Development Code. This property is west of the intersection of Iowa Street and Bob Billings Parkway. The property on the south side of Bob Billings Parkway is part of the University of Kansas. The north side of Bob Billings Parkway includes a religious institution, multi-dwelling residential uses, and vacant land.

This segment of Bob Billings Parkway is variable in width. The applicant proposes the dedication of additional right-of-way to achieve a total dedication of 50' from the center line of Bob Billings Parkway or one-half of the typical 100' of right-of-way along the majority of the street corridor.

As noted in previous reports, the 150' of required right-of-way is more applicable to new greenfield development rather than existing corridors.

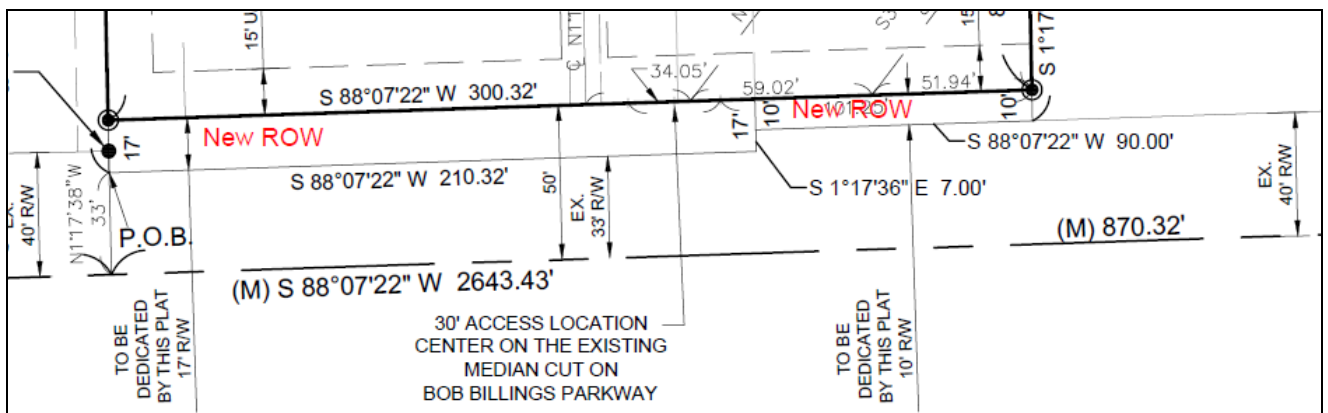
Criteria 1: Strict application of these regulations will create an unnecessary hardship upon the subdivider.

Development along this segment of the Bob Billings Parkway corridor includes both residential and non-residential uses with building and parking lot setbacks based on the existing property line/right-of-way line configuration. The undeveloped land located along the north side of Bob Billings Parkway has been approved for residential development based on the current parcel configuration for detached residential development on individual lots. Original plans for this property included construction of Quarry Lane south to intersect with Bob Billings Parkway. This street segment was never constructed. The purpose of this Minor Subdivision is to consolidate undeveloped lots, vacate a portion of Quarry Lane and create one large residential lot.

This Minor Subdivision includes the dedication of additional right-of-way along the north side of Bob Billings Parkway and the dedication of additional utility easement as well.



This application represents the dedication of 10' to 17' of additional right-of-way along the north side of Bob Billings Parkway consistent with the majority of the corridor to the west.



STAFF FINDING: Strict application of the regulations would limit the owner's ability to develop the property based on an existing development pattern in the immediate area that generally

recognizes a 100' right-of-way width along the corridor. Granting this requested variance from the required right-of-way dedication is not opposed to the purpose and intent of the regulations.

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

This design standard was adopted in 2006 with the Land Development Code. The wider right-of-width accommodates street design with boulevards, multiple lanes and amenities that may or may not exist along developed street segments within the community. A similar variance has been granted for other projects located along developed urban corridors that are designated arterial streets. Some examples include:

1. PP-15-00067 Dream Haven regarding Peterson Road (4/20/15)
2. PP-14-00303 Schwegler Addition regarding Ousdahl Road, a collector street (9/22/15)
3. PP-13-00338 Menards Addition regarding 31st Street (11/8/13 and 10/21/13)
4. PP-13-00352 Burrough's Creek Addition regarding Haskell Avenue (10/21/13)
5. MS-15-00096 Bella Sera at the Preserve (5/18/15)

The proposed request does not alter the development pattern. The intent of the land consolidation is to create one large residential lot without changing the existing access locations. The change in design requirements in 2006 requires the applicant to seek a variance from this standard as part of the subdivision process – Minor Subdivision Approval.

Section 20-810(e)(1) provides general design criteria for streets. Subsection iii states "*Arterial and collector streets shall be laid-out, arranged and designed in accordance with any adopted Major Thoroughfares Map or corridor plan.*" Bob Billings Parkway is identified as a principal arterial street and is an existing street. The immediate intersection of Bob Billings Parkway and Iowa Street has recently been improved. No additional improvements to this intersection are proposed. Existing sidewalks and utilities are located in this area. Granting the requested variance does not impact this design principle.

STAFF FINDING: Granting this requested variance from the required right-of-way is not opposed to the purpose and intent of the regulations.

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

The Public Works department is currently engaged in a study of the Bob Billings Parkway between Kasold and the South Lawrence Trafficway to assess the corridor and identify improvements as needed. This property is located east of that study area. Intersection improvements have recently been completed at Iowa Street and Bob Billings Parkway. The applicant's dedication of the additional right-of-way along with proposed easements captures the existing improvements, sidewalks, and utilities along this segment of the corridor. No additional improvements are planned for this intersection.

Bob Billings Parkway is a designated "Principal Arterial Street". Its current width includes 100' of public right-of-way. This segment of the street includes center greenspace islands. The current subdivision regulations require principal arterial streets to include 150' of right-of-way. The

majority of the current right-of-way is an existing condition of the site. An additional 10' to 17' of new right-of-way is proposed with the Minor Subdivision.

STAFF FINDING: Granting this requested variance from the required right-of-way will not harm the public health, safety or welfare. These public aspirations will continue to be protected through the planning of corridor improvements.

STAFF RECOMMENDATION

Approve the variance requested for a Minor Subdivision, MS-15-00213, variance request to reduce the right-of-way from Section 20-810(a)(5) for a principal arterial street from 150' to 100' per section 20-813(g) of the Land Development Code for property located at 2100 Bob Billings Parkway.



Civil Engineering
Landscape Architecture
Community Planning
Surveying

1310 WAKARUSA DRIVE | LAWRENCE, KANSAS 66049 | 785.843.7530 (p) | 785.843.2410 (f) | info@landplan-pa.com

May 28, 2015

Sandra Day, AICP
Planner II
City of Lawrence
Planning & Development Services
6 East 6th Street
Lawrence, Kansas 66044

RE: SP-15-00213; Minor Subdivision for 2100 Bob Billings Parkway – Rockledge Addition No. 2

Dear Sandra:

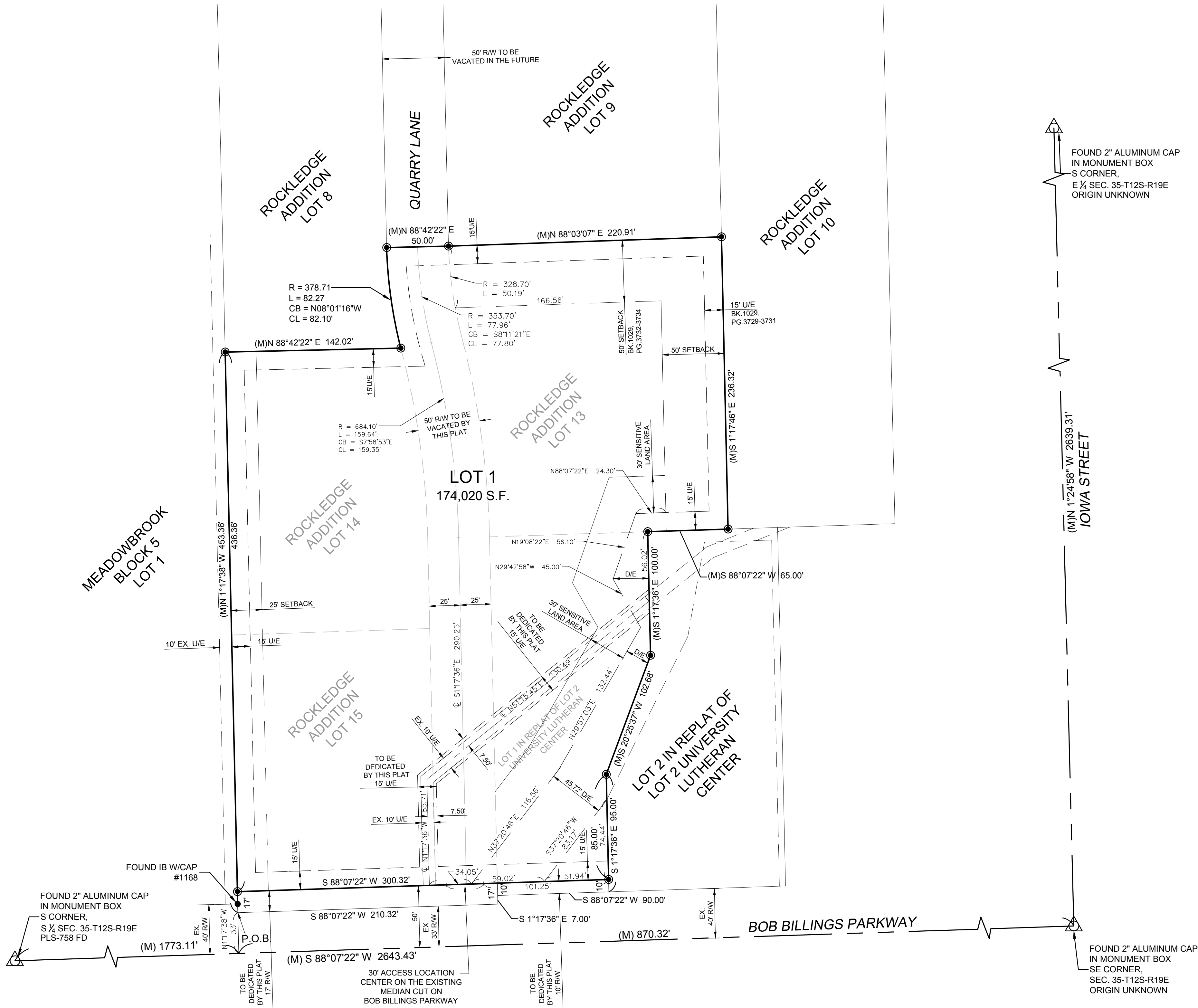
We are requesting a variance from Section 20-810(e)(5) Streets Cross-Sections City of Lawrence Principal Arterial of 150 ROW dedication of ½ of the required ROW.

Dedication of ROW 50' center line of street as shown on the Final Plat of Rockledge Addition No. 2 is being requested. This is 25 feet less than the required width. Bob Billing Parkway is totally constructed with a median and sidewalks on both sides. The requested 50 foot ROW with an additional 15 U/E outside that ROW will allow any improvements in the future. This also allows for the existing sidewalk to be included in the ROW that was outside the existing ROW of 33' from centerline.

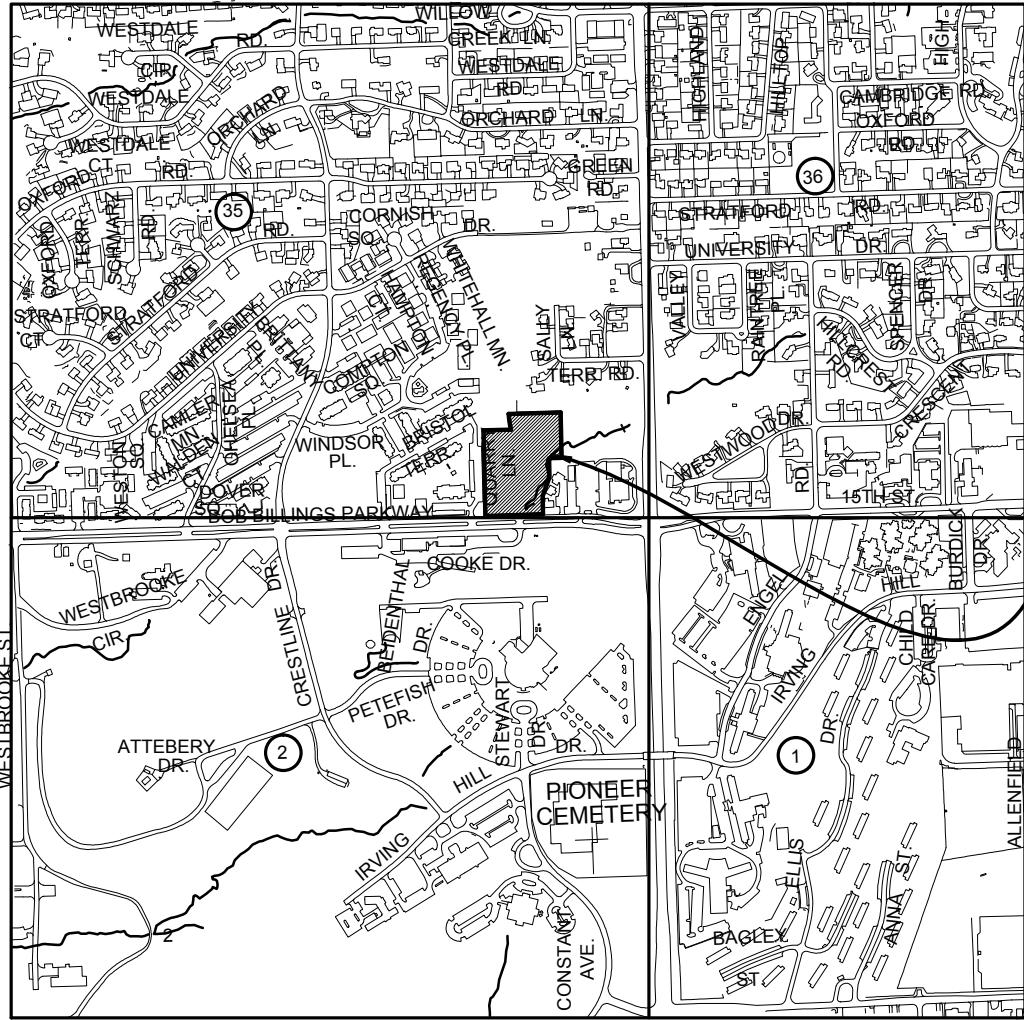
If you have any questions contact me by phone or email.

Sincerely,

C.L. Maurer, RLA, ASLA
Landplan Engineering, P.A.



LOCATION MAP:



SE 1/4, SEC. 35-T12S-R19E
CITY OF LAWRENCE
DOUGLAS COUNTY, KANSAS
SCALE: 1"=1000'

ROCKLEDGE ADDITION NO.2

A MINOR SUBDIVISION / ALL OF LOT 1 IN THE REPLAT OF LOT 2, UNIVERSITY LUTHERAN CENTER, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, ALL OF LOTS 13, 14, 15 AND A PORTION OF QUARRY LANE IN ROCKLEDGE ADDITION, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS

SE 1/4, SEC. 35-T25S-R19E

LEGAL DESCRIPTION:

ALL OF LOT 1 IN THE REPLAT OF LOT 2, UNIVERSITY LUTHERAN CENTER, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, ALL OF LOTS 13, 14, 15 AND A PORTION OF QUARRY LANE IN ROCKLEDGE ADDITION, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 15 IN SAID ROCKLEDGE ADDITION; THENCE NORTH 01°17'38" WEST, 453.36 FEET ALONG THE WEST LINE OF LOTS 15 AND 14 TO THE SOUTHWEST CORNER OF LOT 8; THENCE NORTH 88°42'22" EAST, 142.02 FEET ALONG THE SOUTH LINE OF LOT 8; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 378.71 FEET, AN ARC LENGTH OF 82.27 FEET, A CHORD LENGTH OF 82.10 FEET AND CHORD BEARING OF NORTH 08°01'16" WEST; THENCE NORTH 88°42'22" EAST, 50.00 FEET ACROSS QUARRY LANE TO THE SOUTHWEST CORNER OF LOT 9 IN SAID ROCKLEDGE ADDITION; THENCE NORTH 88°03'07" EAST, 220.91 FEET TO THE SOUTHEAST CORNER OF LOT 9; THENCE SOUTH 01°17'46" EAST, 236.32 FEET ALONG THE WEST LINE OF LOT 10 IN SAID ROCKLEDGE ADDITION TO THE NORTH LINE OF LOT 2 IN THE REPLAT OF LOT 2, UNIVERSITY LUTHERAN CENTER; THENCE SOUTH 88°07'22" WEST, 65.00 FEET TO THE NORTHWEST CORNER OF THE LOT 2 IN THE REPLAT OF LOT 2 UNIVERSITY LUTHERAN CENTER; THENCE SOUTH 01°17'36" EAST, 100.00 FEET ALONG THE WEST LINE OF SAID LOT 2; THENCE SOUTH 20°25'37" WEST, 102.68 FEET; THENCE SOUTH 01°17'36" EAST, 95.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 88°07'22" WEST, 30.00 FEET TO THE EAST LINE OF QUARRY LANE; THENCE SOUTH 01°17'36" EAST, 7.00 FEET; THENCE SOUTH 88°07'22" WEST, 210.32 FEET TO THE POINT OF BEGINNING.

GENERAL NOTES:

NOTE 1. THAT NO PORTION OF THE ABOVE-DESCRIBED TRACT OF LAND SHALL BE BUILT UPON, USED OR OCCUPIED FOR OTHER THAN RESIDENTIAL PURPOSES; THAT THERE SHALL NOT BE ERRECTED OR MAINTAINED ON ANY SEPARATELY PLATTED LOT OF ROCKLEDGE ADDITION, AS SUCH LOTS MAY BE SUBDIVIDED OR COMBINED, MORE THAN ONE SINGLE DETACHED DWELLING HOUSE, CONSTRUCTED FOR ONE FAMILY ONLY, EITHER WITH OR WITHOUT A GARAGE. EACH DWELLING SHALL BE ON ITS OWN INDIVIDUAL PLATTED LOT FRONTING ON A PUBLIC STREET; AND THE TERM FAMILY SHALL BE DEFINED AS CONSISTING OF NOT MORE THAN THREE UNRELATED ADULTS. NOTWITHSTANDING THE FOREGOING, A SEPARATE ACCESSORY DWELLING UNIT, WHETHER A PART OF THE PRINCIPAL DWELLING HOUSE OR A PART OF THE GARAGE SHALL BE PERMITTED AS LONG AS (i) SUCH ACCESSORY DWELLING IS NOT A SEPARATE STRUCTURE AND ITS USE IS IN STRICT COMPLIANCE WITH APPLICABLE ORDINANCES OF THE CITY OF LAWRENCE IN EFFECT ON MARCH 1, 2007, AND (ii) EITHER THE PRINCIPAL DWELLING UNIT OR THE ACCESSORY DWELLING UNIT IS OCCUPIED BY ONE OR MORE OF THE PERSONS WHO EITHER ARE THE RECORD OWNERS OF THE LOT OR HAVE AN OWNERSHIP OR BENEFICIAL INTEREST IN THE RECORD OWNER OF THE LOT, AND THE ACCESSORY DWELLING SHALL NOT BE OCCUPIED IN A WAY THAT SHALL ADD MORE THAN ONE ADDITIONAL ADULT RESIDENT TO THE PERMITTED NUMBER OF RESIDENTS THAT CONTRIBUTE TO THE DEFINITION OF A FAMILY.

NOTE 2. THAT NO PART OF ANY RESIDENCE AND NO BUILDING OR STRUCTURE OTHER THAN A BOUNDARY FENCE OR WALL SHALL BE ERRECTED OR MAINTAINED ON ANY LOT SHOWN ON THIS PLAT, AS SUCH LOTS MAY BE SUBDIVIDED OR COMBINED, WITHIN A DISTANCE OF FIVE FEET FROM THE SIDE LOT LINE, THE DISTANCE BEING MEASURED FROM THE GREATEST OVERHANG OR EXTENSION OF SAID STRUCTURE.

NOTE 3. ANY DWELLING HOUSE OR GARAGE SHALL BE NOT OVER TWO STORIES IN HEIGHT FROM THE BASE LEVEL OF THE MAIN ENTRANCE.

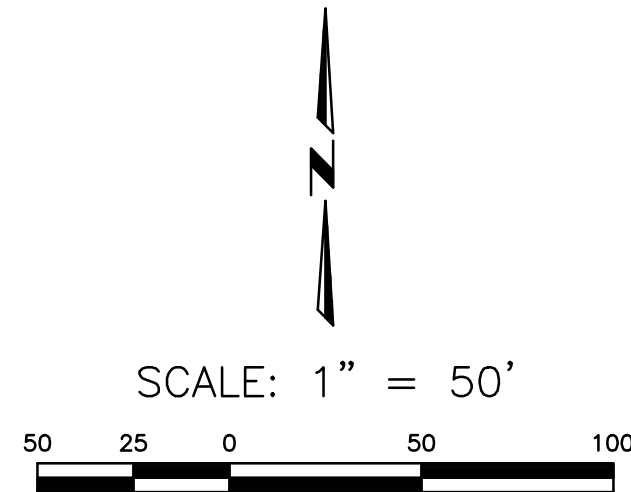
NOTE 4. NO ZONING OR SUBDIVISION SHALL BE PERMITTED ON THIS PROPERTY OTHER THAN FOR DETACHED SINGLE FAMILY RESIDENTIAL USE AS AN RS DISTRICT UNDER THE ZONING AND SUBDIVISION LAWS IN EFFECT UNDER THE MARCH 1, 2007 LAWS OF THE CITY OF LAWRENCE, KANSAS.

MONUMENTATION:

- SECTION CORNER
- SET 1/2" x 24" REBAR W / "PLS 889" CAP
- FOUND IRON BAR AS NOTED

LEGEND:

- (M) MEASURED DIMENSION
- (P) PLATTED DIMENSION
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT



DEDICATION:

BE IT KNOWN TO ALL MEN THAT I (WE), THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVE HAD CAUSE FOR THE SAME TO BE SURVEYED AND PLATTED UNDER THE NAME OF ROCKLEDGE ADDITION NO. 2 AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS AS SHOWN AND FULLY DEFINED ON THIS PLAT. ALL STREETS, DRIVES, ROADS, ETC. SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF LAWRENCE AND PUBLIC UTILITY COMPANIES TO ENTER UPON, CONSTRUCT AND MAINTAIN UTILITIES UPON, OVER, AND UNDER THOSE AREAS OUTLINED ON THIS PLAT AS "DRAINAGE EASEMENT" OR "D/E", "UTILITY EASEMENT" OR "U/E" AND "RIGHTS-OF-WAY" OR "R/W".

ROBERT W. LIGHTWARDT AND ELIZABETH T. LIGHTWARDT REVOCABLE TRUST, DATED DEC. 3, 1993

ROBERT W LIGHTWARDT, CO-TRUSTEE

ELIZABETH T LIGHTWARDT, CO-TRUSTEE

ACKNOWLEDGEMENT:

STATE OF KANSAS
COUNTY OF DOUGLAS

BE IT REMEMBERED THAT ON THIS ____ DAY OF _____, 2015, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID DOUGLAS COUNTY AND KANSAS, CAME ROBERT W LIGHTWARDT, CO-TRUSTEE WHO IS (ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES

STATE OF KANSAS
COUNTY OF DOUGLAS

BE IT REMEMBERED THAT ON THIS ____ DAY OF _____, 2015, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID DOUGLAS COUNTY AND KANSAS, CAME ELIZABETH T LIGHTWARDT, CO-TRUSTEE WHO IS (ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES

ENDORSEMENTS:

APPROVED AS A MINOR SUBDIVISION UNDER THE SUBDIVISION REGULATIONS OF THE CITY OF LAWRENCE AND THE UNINCORPORATED AREA OF DOUGLAS COUNTY

SCOTT McCULLOUGH DATE
DIRECTOR, PLANNING & DEVELOPMENT SERVICES

APPROVAL OF AND VACATION OF ACCESS EASEMENT:

JEREMY FARMER DATE DIANE BUCIA DATE
MAYOR CITY CLERK
REVIEWED IN COMPLIANCE WITH K.S.A. 58-2005:

MICHAEL D. KELLY, P.S. #869 DATE
DOUGLAS COUNTY SURVEYOR

FILING RECORD:

STATE OF KANSAS
COUNTY OF DOUGLAS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE OF THE DOUGLAS COUNTY REGISTER OF DEEDS ON THIS ____ DAY OF _____, 2015, AND IS DULY RECORDED AT ____ AM/PM, IN PLAT BOOK ____ PAGE ____.

REGISTER OF DEEDS
KAY PESNELL

NOTES:

ERROR OF CLOSURE = 1: 3.328,536

BASIS OF BEARINGS: KANSAS STATE PLANE NORTH ZONE 1501.

STREET TREES SHALL BE PROVIDED IN ACCORDANCE WITH THE MASTER STREET TREE PLAN FILED WITH THE REGISTER OF DEEDS IN BOOK _____, PAGE _____.

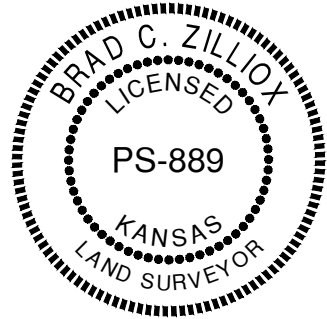
THE LOTS WILL BE PINNED PRIOR TO THE RECORDATION OF THE FINAL PLAT AT THE REGISTER OF DEEDS OFFICE, PER SECTION 20-811(k).

FILING THIS PLAT WITH VACATE ALL OF QUARRY LANE WITHIN THE LIMITS OF THIS PLAT.

FURTHER DIVISION OR CONSOLIDATION OF ANY LOTS CONTAINED IN THIS MINOR SUBDIVISION IS PROHIBITED AND SHALL BE PROCESSED AS A MAJOR SUBDIVISION, UNLESS THE ACTIONS MEET THE EXPLANATION NOTED IN SECTION 20-808(c)(5)(i).

CERTIFICATION:

I HEREBY CERTIFY THAT THE PLATTED AREA AND THE LOCATION MAP SHOWN HEREON ARE THE RESULTS OF A FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION MARCH 15, 2015. THIS SURVEY CONFORMS TO THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.



BRAD C. ZILLOX, P.S. #889
1310 WAKARUSA DRIVE, SUITE 100
LAWRENCE, KS 66049
785.843.7530

Memorandum

City of Lawrence

Planning and Development Services

TO: Planning Commission

FROM: Planning Staff

CC: Scott McCullough, Planning and Development Services Director

Date: June 10, 2015

RE: Minor Subdivision, MS-15-00265, variance request from the 150' right-of-way width requirements for Wakarusa Corporate Centre Addition No. 3, located in the 4900 block of Corporate Centre Dr. Submitted by Phillip DiVilbiss on behalf of Bristol Partners XII LLC and BCL Alameda LLC, property owners of record.

Attachment A: Minor Subdivision MS-15-00265
Attachment B: Approved Site Plan SP-03-20-2000

Minor Subdivisions are processed administratively. Planning Commission approval is required for variances from the Subdivision Design Standards. This Minor Subdivision is subject to Planning Commission approval for the reduced right-of-way only. A copy of the Minor Subdivision is included with this memo for context; no action is required for Minor Subdivision approval.

The Subdivision Regulations state that an applicant may request a variance from the Design Standards in accordance with the variance procedures outlined in Section 20-813(g). This section lists the criteria that must be met in order for a variance to be approved. The requested variance is evaluated for compliance with the approval criteria below.

VARIANCE: Reduction in the width of right-of-way from 150' to 100' as required for a Principal Arterial Street (Wakarusa Drive) per Section 20-810 (e) (5).

The standard for the required right-of-way width changed in 2006 from 100' to 150'. This area is developing with the 100' right-of-way. There are a number of exclusive utility easements located parallel to Wakarusa Drive. The 150' of required right-of-way is more applicable to new greenfield development rather than existing corridors.

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

The property is currently platted as a single lot. A site plan was approved for development of the site as an office complex with multiple buildings and an interior drive. The purpose of the Minor Subdivision is to divide the developed and undeveloped property and establish individual lots to facilitate development of the site. Both sides of Wakarusa Drive are platted and

developed. There are no plans to widen Wakarusa Drive with the exception of some intersections as needed.

STAFF FINDING: Strict application of the regulations would limit the owner's ability to develop the property based on approved development plans for this property. Granting this requested variance from the required right-of-way dedication is not opposed to the purpose and intent of the regulations.

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

This design standard was adopted in 2006 with the Land Development Code. The wider right-of-width accommodates street design with boulevards, multiple lanes and amenities that may or may not exist along developed street segments within the community. A similar variance has been granted for other projects located along developed urban corridors that are designated arterial streets.

The proposed request does not alter the development pattern. The intent of the land division is to separate the developed and undeveloped parcels and to establish individual developable lots. The interior access and circulation will be retained. But for the change in design requirements in 2006 the applicant would be able to divide the land administratively.

Section 20-810 (e)(1) provides general design criteria for streets. Subsection iii *states "Arterial and collector streets shall be laid-out, arranged and designed in accordance with any adopted Major Thoroughfares Map or corridor plan."* Wakarusa Drive is identified as a Principal Arterial Street and is an existing street. Granting the requested variance does not impact this design principle.

STAFF FINDING: Granting this requested variance from the required right-of-way is not opposed to the purpose and intent of the regulations.

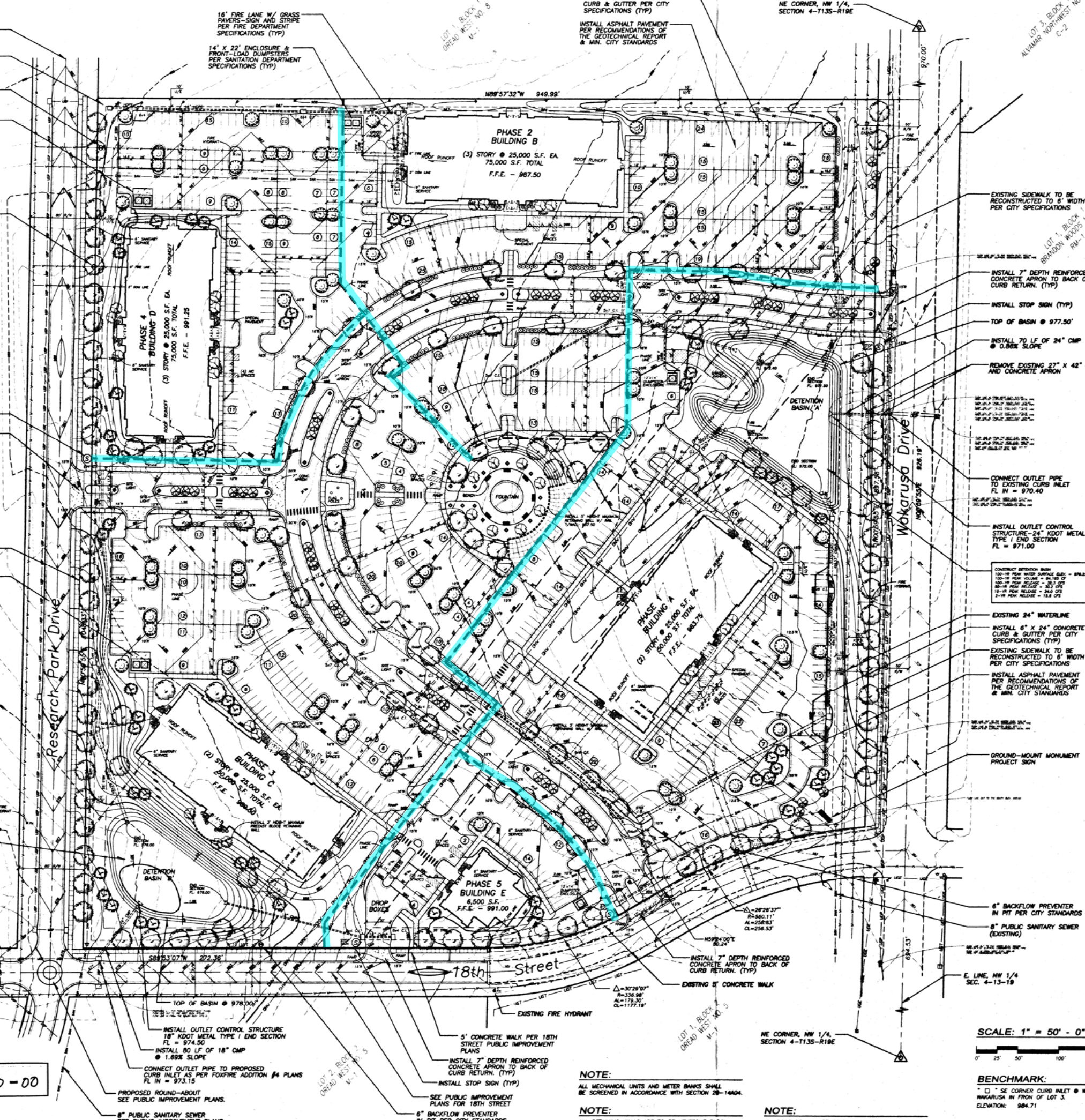
Criteria 3: The public health, safety, and welfare will be protected.

The current width for Wakarusa Drive includes 100' of public right-of-way. Much of the corridor also includes parallel easements. Some of these easements are for the exclusive use for utilities such as electric or gas. The current subdivision regulations require principal arterial streets to include 150' of right-of-way. The current right-of-way is an existing condition of the corridor. New right-of-way was not proposed with the Minor Subdivision.

STAFF FINDING: Granting this requested variance from the required right-of-way will not harm the public health, safety or welfare. These public aspirations will continue to be protected though the planning of corridor improvements.

STAFF RECOMMENDATION

Approve the variance requested for a Minor Subdivision, MS-15-00265, variance request to reduce the right-of-way from Section 20-810(a)(5) for a principal arterial street from 150' to 100' per section 20-813(g) of the Land Development Code for property located in the 4900 block of Wakarusa Drive.



Memorandum

City of Lawrence

Planning and Development Services

TO: Diane Stoddard, Interim City Manager
FROM: Planning Staff
DATE: For June 22, 2015 Planning Commission meeting
RE: MISC. ITEM NO. 2

MS-15-00123: A Minor Subdivision Replat of Lots 125, 127, 129, 131, 133, 135, and 137 on Mississippi Street, Lots 132, 134, 136, and 138 on Illinois Street, Lots 41, 43, 45, 47, and 49 on Pinckney Street together with one-half of the vacated streets and alleys adjacent to said Lots, Lots 121-128, 129, 131, and the east 65' of Lot 133 in block 41 of West Lawrence and Clinton Park bounded by 5th and 6th Streets (N&S) and Illinois Street and Alabama Street (E&W) located at 810 W 6th Street. Submitted by Grob Engineering Services, LLC for Unified School District 497, property owner of record.

The Minor Subdivision proposes to replat multiple existing lots into two lots. Minor Subdivisions are processed administratively but Planning Commission approval is required for variances from the Subdivision Design Standards. A copy of the Minor Subdivision is included with this memo for context; however, no action is required on the Minor Subdivision.

The subject property is located at 810 W. 6th Street, and contains Pinckney Elementary School and Clinton Park. West 6th Street is classified as a principal arterial street on the Major Thoroughfares Map. Per Section 20-810(e)(5) of the Subdivision Regulations, principal arterial streets require 150' of right-of-way, however W. 6th Street was constructed with approximately 100' of right-of-way. A variance is required to reduce the required right-of-way along W. 6th Street from 150' to 100'.

Citations to Consider:

Section 20-813(g) states that the Planning Commission may grant a variance from the design standards only if the following three criteria are met: that the strict application of these regulations will create unnecessary hardship upon the Subdivider, that the proposed variance is in harmony with the intended purpose of the regulations, and that the public health, safety, and welfare will be protected. The follow is a review of the variance request in relation to these criteria.

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

The Minor Subdivision (MS-15-00123) replats multiple existing lots into two lots. The purpose of the Minor Subdivision is to accommodate a land transfer. A portion of Clinton Park was deeded from the City to USD 497 (approved by the City Commission on June 2, 2015). There are no other changes associated with the Minor Subdivision.

Staff Finding: Requiring the dedication of additional right-of-way for W. 6th Street at this time would constitute an unnecessary hardship on the property owner, as the right-of-way is not necessary.

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

The area along W. 6th Street is developed with 100' of right-of-way. This is because the standard for 150' of right-of-way was adopted with the 2006 Land Development Code. Areas developed prior to 2006 do not typically meet the 150' right-of-way requirement. The standard that requires the 150' of right-of-way is more applicable to new development rather than existing corridors.

Staff Finding: The variance will allow the proposed Minor Subdivision to occur without requiring the dedication of additional right-of-way. Adequate right-of-way is available for W. 6th Street. The request is in harmony with the intent of the regulations given the nature of this land division.

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

Maintaining the existing right-of-way width for W. 6th Street will not hinder the public health, safety, or welfare. Conversely, increasing the right-of-way to 150' does not affect these factors. There are no future plans for improvements along W. 6th Street that would require additional right-of-way.

Staff Finding: The variance will not affect the public health, safety, or welfare.

Staff Recommendation:

Approve the variance request from Section 20-810(e)(5) from the requirement to dedicate additional right-of-way for W. 6th Street subject to the following condition:

The plat shall be revised to include the following note: "On June 22, 2015, the Planning Commission approved a variance from right-of-way requirements in Section 20-810(e)(5) of the Subdivision Regulations to allow the replatting of this property with 100 ft. of right-of-way currently provided for W. 6th Street."

MS-15-00123: A Minor Subdivision Replat of Lots 125, 127, 129, 131, 133, 135, and 137 on Mississippi Street, Lots 132, 134, 136, and 138 on Illinois Street, Lots 41, 43, 45, 47, and 49 on Pinckney Street together with one-half of the vacated streets and alleys adjacent to said Lots, Lots 121-128, 129, 131, and the east 65' of Lot 133 in block 41 of West Lawrence and Clinton Park bounded by 5th and 6th Streets (N&S) and Illinois Street and Alabama Street (E&W) located at 810 W 6th Street. Submitted by Grob Engineering Services, LLC for Unified School District 497, property owner of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the above-described Minor Subdivision, subject to the approval of a variance to reduce the right-of-way for W. 6th Street from 150' to 100', and mylar and recording fees for this Minor Subdivision, and the following conditions:

1. Dedicate the 'no build' area by separate instrument after review & approval by the City Attorney; and
2. The Minor Subdivision shall be revised with the following changes:
 - a. Add a note referencing the Book & Page for the filed 'no build' restrictions.

KEY POINTS

- This Minor Subdivision proposes to replat multiple existing lots into two lots.
- This Minor Subdivision is necessary to accommodate a land transfer. A portion of Clinton Park was deeded from the City to USD 497, approved by the City Commission on June 2, 2015.
- This land transfer is part of an in-kind trade. The School District dedicated a drainage easement to the City with the final plat of the Schwegler Elementary School improvements.
- Clinton Park is shown as a designated park between Illinois Street and Alabama Street on the 1855 plat for the City. To preserve the open space as intended by the original plat, the following conditions were approved by the Lawrence City Commission and the Board of Education:
 1. USD 497 agrees to maintain the green space as per the preliminary site plan as approved by the Lawrence Historic Resources Commission on December 18, 2014.
 2. USD 497 will grant the City the right of first refusal if the property is ever sold.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County.

ASSOCIATED CASES

- PP-14-00303; Preliminary Plat for Schwegler Addition approved September 22, 2014.
- PF-14-00442; Final Plat for Schwegler Addition recorded with the Douglas County Register of Deeds Office on January 27, 2015 Plat Book 18 Page 743.

- SP-9-62-99; Site Plan for Pinckney School, building addition and parking lot improvements.
- DR-14-00501; 810 W 6th Street; Addition; Certificate of Appropriateness Review.

OTHER ACTION REQUIRED

- City Commission acceptance of dedication of utility easement and vacation of right-of-way as shown by this replat.
- Provision of an original mylar of the Minor Subdivision Plat bearing the notarized signature(s) of the property owner and the Land Surveyor's signature and seal; 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	GPI (General Public and Institutional Use) District, <i>School</i> OS (Open Space) District; <i>Park</i>
Surrounding Zoning and Land Use	North, East, South: RS5 (Single-Dwelling Residential) District; <i>Detached Dwelling</i> Southwest: CS (Commercial Strip) District; <i>Retail Sales & Service</i> West: RM12 (Single-Dwelling Residential) District; <i>Detached Dwelling</i> and <i>Duplex</i> RS5 (Single-Dwelling Residential) District; <i>Detached Dwelling</i>
Number of Existing Lots:	26.5
Number of Proposed Lots:	2

STAFF REVIEW



Figure 1. Current land use and zoning of subject property (outlined in turquoise).

The property is located on the north side of W. 6th Street, and contains Pinckney Elementary School and Clinton Park. The land use of the surrounding area consists primarily of residential, however there is an area of zoned CS (Commercial Strip) District located near the southeast corner of the property (Figure 1). The original plat of the property consists of 26.5 platted lots (Figure 2a). This Minor Subdivision will combine those lots into two lots, Lot 1 and Lot 2.

This Minor Subdivision is necessary to

accommodate a land transfer between the City and the USD 497. During the preliminary site plan review process for Pinckney Elementary School, it was determined that a portion of the school blacktop and playground areas are located in Clinton Park, which is city park property. Similarly, during the review of improvements to another USD 497 property, Schwegler Elementary School, it was determined that the City needed a drainage easement to accommodate planned stormwater improvements at 23rd Street and Ousdahl Road. After discussions between the School District and City Staff, it was determined that a drainage easement would be dedicated with the Schwegler final plat and that a transfer of city park property could be accommodated with a replat of Pinckney School property and Clinton Park (Figure 2b).

With this Minor Subdivision, Lot 1 will be USD 497 property, and Lot 2 will contain the park property owned by the City. The total area for Lot 1 is 197,888 square feet, and for Lot 2 it is 181,226 square feet.

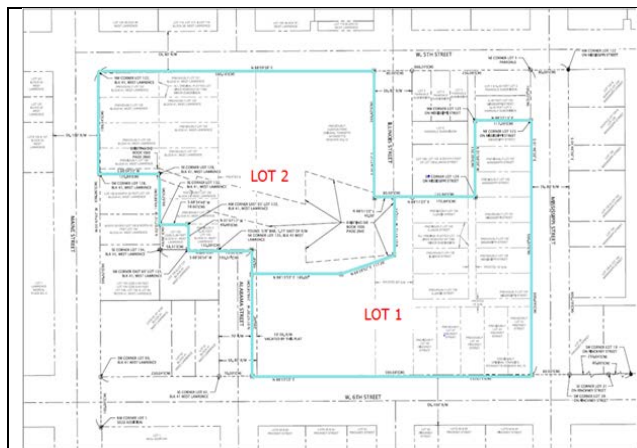


Figure 2a. Plat showing previously platted lots and new lots proposed with this Minor Subdivision.



Figure 2b. Aerial showing proposed new lots and deeded land shown in hatch marks.

During the review of the Minor Subdivision, the Historic Resources Commission (HRC) indicated that, due to the historic nature of the park property, a no build easement should be included with the replat to protect the historic character of the park. Clinton Park is one of the first three city parks shown on the 1858 plat for the City, and has continued to be an open space park since then. The HRC indicated that a no build easement could allow for parking and playground equipment, but would not allow for buildings or sheds.

Based on the HRC comments, the City and the Board of Education agreed to the following conditions as a way to preserve the open space as intended by the original plat:

1. USD 497 agrees to maintain the green space as per the preliminary site plan as approved by the Lawrence Historic Resources Commission on December 18, 2014.
2. USD 497 will grant the City the right of first refusal if the property is ever sold.

RIGHT-OF-WAY

The required and existing right-of-way for all of the surrounding streets are listed in the table below.

Street	Classification	Required	Existing
--------	----------------	----------	----------

		ROW	ROW
W. 5th	Local	60 ft.	80 ft.
Mississippi	Local	60 ft.	80 ft.
Alabama	Local	60 ft.	80 ft.
Illinois	Local	60 ft.	80 ft.
W 6th	Principal Arterial	150 ft.	100 ft.
Maine	Collector	80 ft.	100 ft.

The streets surrounding the subject property meet the minimum right-of-way requirements of Section 20-810(e)(5), with the exception of W. 6th Street. Per the Subdivision Regulations, a principal arterial street requires 150' of right-of-way; however W. 6th Street was constructed with approximately 100' of right-of-way. Variance approval by the Planning Commission is required prior to final approval of this Minor Subdivision. The variance is scheduled for the June 22, 2015 Planning Commission meeting.

Alabama street, located on the west side of the subject property, is classified as a local street. The Minor Subdivision proposes to vacate 10' of right-of-way of Alabama Street, reducing the existing right-of-way from 80' to 70'. After the reduction of right-of-way, Alabama Street will still meet the Subdivision Regulations of Section 20-810(e)(5). The City Commission is scheduled to receive the vacation of right-of-way on July 7, 2015.

UTILITIES/EASEMENTS

There is an existing drainage easement on the city park property which will be entirely contained within Lot 2 (Figure 3).

There is a stormwater line located along the west side of the subject property that will run through the USD property (highlighted in yellow in Figure 3). This will require a utility easement. The City Commission is scheduled to receive dedication of the easement on July 7, 2015.

ACCESS

Access points do not change with this replat. There are two drives on Mississippi Street that Pinckney Elementary School will continue to take access from. Access to Clinton Park will remain from 5th Street.

Pedestrian access to Clinton Park is provided by existing sidewalks north of the park property along 5th Street. Pedestrian access is also available to Pinckney Elementary School by sidewalks located along Mississippi Street and 6th Street.

MASTER STREET TREE PLAN

A Master Street Tree Plan and graphic were submitted and approved. A total of 62 street trees are required based on 1 shade tree for every 40' of street frontage.

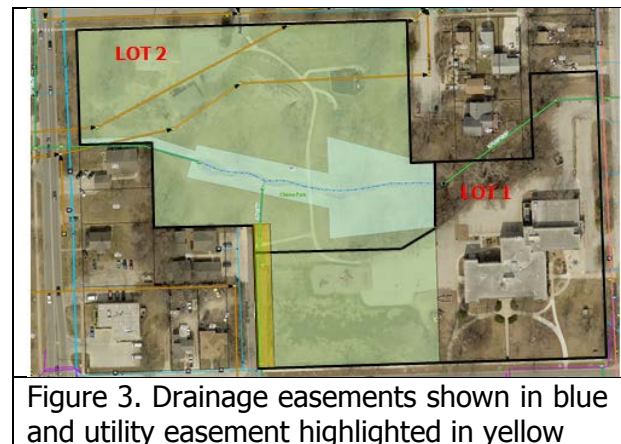
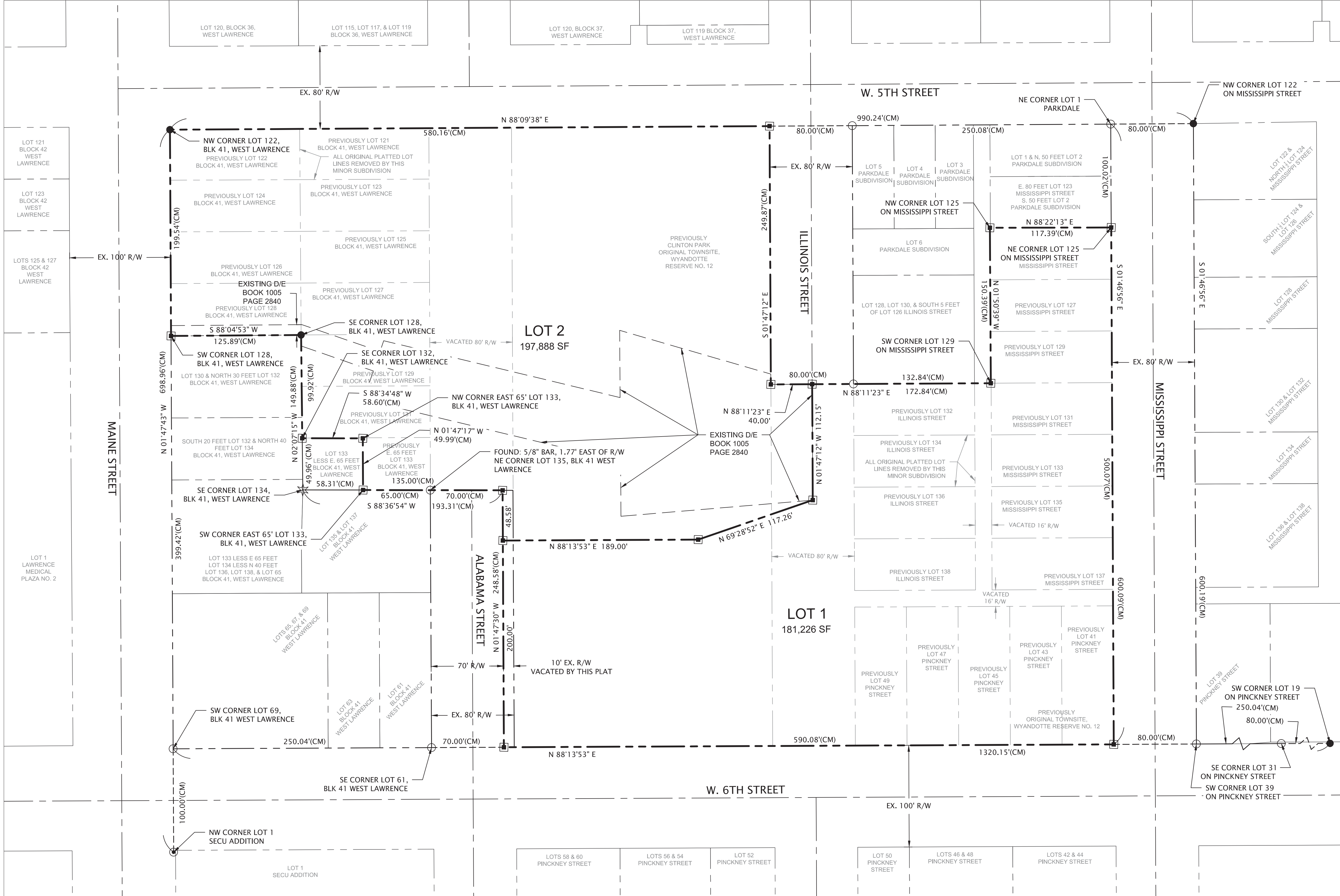


Figure 3. Drainage easements shown in blue and utility easement highlighted in yellow

Street	Frontage Length	Required Trees
Mississippi	500 ft.	13
W. 6th	590 ft.	15
Alabama	248 ft.	7
Maine	199 ft.	5
W. 5th	580 ft.	15
Illinois	249 ft.	7
	2366 ft.	60

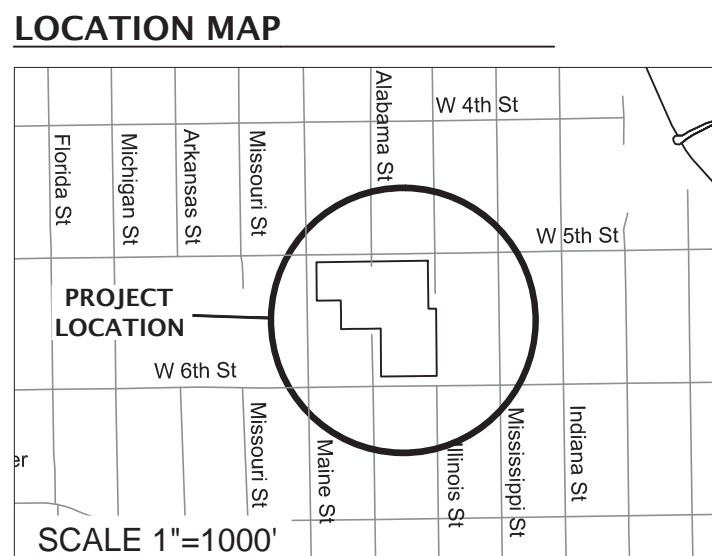
LOT 2
 LOT 1
 SCALE: 1" = 100'
 LEGEND:
 ○ PROPOSED STREET TREES
 ★ EXISTING STREET TREES
 PINCKNEY ADDITION
 MASTER STREET TREE PLAN

Conclusion: The Minor Subdivision, as conditioned, conforms to the approval criteria in Section 20-808(d) of the Subdivision Regulations.



LEGEND

R/B BACK OF CURB TO BACK OF CURB
R/W RIGHT-OF-WAY
C/L CENTERLINE
U/E UTILITY EASEMENT
(D) DEEDED
(P) PLATTED
(M) MEASURED
(CM) CALCULATED FROM MEASUREMENTS
● FOUND 1/2" BAR - ORIGIN UNKNOWN
○ FOUND 1/2" BAR W/CAP "WHITE MARTIN"
⊗ FOUND 5/8" BAR - ORIGIN UNKNOWN
⊗ SET 1/2" BAR W/CAP "AFS1391"
□ CALCULATED POSITION - NOT SET



SURVEYOR'S CERTIFICATION

I hereby certify that the platted area shown hereon is the true and accurate result of a field survey performed under my direct supervision in February, 2015, and that the plat is a closed traverse. This Minor Subdivision/Replat conforms to the Kansas Minimum Standards for Boundary Surveys.

Steven D. Williams, P.E. #12769
P.O. BOX 4444
Lawrence, KS 66044
(785) 832-2121

ENGINEER'S CERTIFICATION

I hereby certify that the information and area map shown hereon are true and accurate to the best of my knowledge. Plat prepared February, 2015.

John Dean Grob, P.E. #12769
3210 Mesa Way, Suite A
Lawrence, KS 66049
(785) 856-1900

BENCHMARKS

BM1 - CHISELED "X" ON LIGHT POLE BASE SOUTH OF NORTHWEST PARKING LOT.
ELEV. = 851.56

BM2 - FINISHED FLOOR ELEVATION AT SE CORNER OF EXISTING BUILDING.
ELEV. = 847.03

REFERENCED DOCUMENTS

- Original Townsite, Wyandott Reserve No. 12, City of Lawrence, Kansas, recorded August 21, 1863 in Book 241, Page 591.
- Original Townsite, West Lawrence, City of Lawrence, Kansas, recorded July 12, 1920 in Book 1, Page 1.

LEGAL DESCRIPTION

LOTS 125, 127, 129, 131, 133, 135, AND 137 ON MISSISSIPPI STREET, LOTS 132, 134, 136, AND 138 ON ILLINOIS STREET, LOTS 41, 43, 45, 47, AND 49 ON PINCKNEY STREET TOGETHER WITH ONE-HALF OF THE VACATED STREETS AND ALLEYS ADJACENT TO SAID LOTS, LOTS 121 - 128, 129, 131, AND THE EAST 65 FEET OF LOT 133 IN BLOCK 41 OF WEST LAWRENCE AND CLINTON PARK BOUNDED BY 5TH AND 6TH STREETS (N&S) AND ILLINOIS STREET AND ALABAMA STREET (E&W), IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS. THE ABOVE CONTAINS 8.65 ACRES, MORE OR LESS.

FILING RECORD

State of Kansas
County of Douglas

This is to certify that this instrument was filed for record in the office of the Douglas County Register of Deeds on this day of February, 2015, and is duly recorded at AM/PM, in plat Book Page.

Register of Deeds
Kay Pesnell

ENDORSEMENTS

Approved as a Minor Subdivision under the Subdivision Regulations of the City of Lawrence & the Unincorporated area of Douglas County.

Reviewed in accordance with K.S.A. 58-2005

Planning Director
Scott McCullough

Date
Michael D. Kelly, P.S. #869
Douglas County Surveyor

Rights-of Way and Easements Accepted by
City Commission, Lawrence, Kansas

Michael Amyx
Mayor

Date
Diane Trybom
Acting City Clerk

Date

DEDICATION

Be it known to all men that I (we), the undersigned owner(s) of the above described tract of land, have had cause for the same to be surveyed and platted as a Minor Subdivision under the name of "PINCKNEY ADDITION" and have caused the same to be subdivided into lot(s) as shown and fully defined on this plat.

Kyle Hayden, Assistant Superintendent,
Business Operations
Unified School District #497

Michael Amyx, Mayor
City of Lawrence, Kansas

ACKNOWLEDGEMENT

State of Kansas
County of Douglas

Be it remembered that on this day of February, 2015, before me, the undersigned, a notary public, in and for said county and state, came Kyle Hayden, Assistant Superintendent, Business Operations, who is personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledge the execution of the same.

In witness whereof, I have hereunto set my hand and affixed my seal on the day and year last written above.

Notary Public
My commission expires

ACKNOWLEDGEMENT

State of Kansas
County of Douglas

Be it remembered that on this day of February, 2015, before me, the undersigned, a notary public, in and for said county and state, came Michael Amyx, Mayor of the City of Lawrence, Kansas, who is personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledge the execution of the same.

In witness whereof, I have hereunto set my hand and affixed my seal on the day and year last written above.

Notary Public
My commission expires

- NOTES**
- Basis of Bearings for this Minor Subdivision is the north right-of-way line line of W. 6th Street, in the City of Lawrence (N 88°13' 53"E).
 - This Minor Subdivision is a replat of a Lots 125, 127, 129, 131, 133, 135, and 137 on Mississippi Street, Lots 132, 134, 136, and 138 on Illinois Street, Lots 41, 43, 45, 47, and 49 on Pinckney Street together with one-half of the vacated streets and alleys adjacent to said Lots, Lots 121 - 128, 129, 131, and the East 65 feet of Lot 133 in Block 41 of West Lawrence and Clinton Park bounded by 5th and 6th streets (N&S) and Illinois Street and Alabama Street (E&W).
 - Further division or consolidation of any lots contained in this Minor Subdivision is prohibited, and shall be processed as a Major Subdivision, unless the action meets the exception noted in Section 20-808(c)(5)(i).
 - Aerial and topographic information obtained from aerial survey performed by Sanborn Mapping for the City of Lawrence and Douglas County 2006 & 2013. Specific boundary and topographic information for property & directly adjacent obtained from field survey provided by Allpoints Surveying, February 2015.
 - Street trees shall be provided in accordance with the Master Street Tree Plan filed with the Register of Deeds Book Page. If street trees die, the property owner is responsible for replanting trees within one year. No trees on the right-of-way can be removed without the permission of the City of Lawrence Parks Department. Trees within the right-of-way require tree root protection within 10' radius of the tree trunk.
 - The City is hereby granted a temporary right of entry to plant the required street trees pursuant to Section 20-811(g) of the City Subdivision Regulations.
 - Typical Soil Types: Pc - Pawnee Clay Loam
 - The property within this Minor Subdivision/Replat is zoned GPI and OS. All new construction shall conform to the setback regulations of the GPI and OS zoned districts as defined by the City of Lawrence Development Code.
 - The lots will be pinned prior to recordation of the Minor Subdivision/Replat at the Register of Deeds Office (per Section 20-811(g)(8)).
 - No portion of this property is located within a designated "Special Flood Hazard Area" per FEMA Map Number: 20045C0176D, Map Revised: August 5, 2010.
 - This Minor Subdivision/Replat modifies the existing right-of-way along Alabama Street. No public improvements are proposed with Minor Subdivision/Replat.

PINCKNEY ADDITION

A MINOR SUBDIVISION/REPLAT OF LOTS 125, 127, 129, 131, 133, 135, AND 137 ON MISSISSIPPI STREET, LOTS 132, 134, 136, AND 138 ON ILLINOIS STREET, LOTS 41, 43, 45, 47, AND 49 ON PINCKNEY STREET TOGETHER WITH ONE-HALF OF THE VACATED STREETS AND ALLEYS ADJACENT TO SAID LOTS, LOTS 121 - 128, 129, 131, AND THE EAST 65 FEET OF LOT 133 IN BLOCK 41 OF WEST LAWRENCE AND CLINTON PARK BOUNDED BY 5TH AND 6TH STREETS (N&S) AND ILLINOIS STREET AND ALABAMA STREET (E&W)

a subdivision in the SE ¼ of Section 25, Township 12 S, Range 19 E, in the City of Lawrence, Douglas County, Kansas

