

Memorandum

City of Lawrence

Planning and Development Services

TO: David L. Corliss, City Manager

FROM: Planning Staff

CC: Scott McCullough, Planning and Development Services Director

Date: For November 5, 2013 meeting

RE: City Commission acceptance of dedication and vacation of easements and right-of-way with Minor Subdivision MS-13-00388, Lawrence Industrial Park Addition No. 2, a one-lot subdivision at 800 E 30th Street.

Minor Subdivisions/Replats are land divisions that are reviewed and processed administratively. These items are placed on the City Commission agenda when easements or rights-of-way are being dedicated or vacated. A Minor Subdivision for Lawrence Industrial Park Addition No. 2 has been submitted and approved by the Planning Director pending the City Commission's acceptance of the dedications and vacations. The Minor Subdivision is attached with this memo for context; however, no action is necessary for the Minor Subdivision.

This Minor Subdivision will combine the 5 existing lots and vacated right-of-way 800 E 30th Street into 1 lot. The right-of-way for the extension of E 30th Street into the property is being vacated with this plat to accommodate the combination of the lots. Utility easements located between the existing interior lots are being vacated as well to accommodate the creation of one larger lot. Perimeter utility easements which were dedicated with the previous plat are being retained and a 20 ft wide utility easement is being dedicated along the west edge of the new lot with this plat.

Action Requested:

Accept the vacation of the right-of-way for E 30th Street and for the utility easements identified on the Minor Subdivision for vacation.

Accept the dedication of the utility easement as shown on the Minor Subdivision.

October 29, 2013

MS-13-00388: Lawrence Industrial Park No. 2, a one-lot Minor Subdivision/Replat of Lots 30, 31, 35, 36, 37, Vacated A.T.S.F. Railroad R-O-W, vacated Delaware Street R-O-W and 30th Street R-O-W of Lawrence Industrial Park located at 800 E 30th Street. Submitted by Grob Engineering, LLC for Stanley R. Zaremba, Trustee and Lois J. Zaremba, Trustee property owners of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the Minor Subdivision for Lawrence Industrial Park No. 2 subject to the following condition:

1. Revision of the Master Street Tree Plan to note that it is an agreement between the property owners and the City of Lawrence.

KEY POINTS

- Per Section 20-808(c)(5) of the Subdivision Regulations, only one lot combination or division may be approved through the Minor Subdivision process. Five lots and various street and railroad vacated rights-of-way are being combined into one lot with this Minor Subdivision. Any future divisions or consolidation shall be processed as a Major Subdivision with the exception of lot line adjustments or mergers that do not increase the total number of lots.
- Portions of the property are encumbered with the 100 year regulatory floodplain. A Floodplain Development Permit will be required prior to any development activity on this site.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- City Commission acceptance of dedication and vacation of utility easements and rights-of-way.
- Submittal of signed mylar copy, executed Master Street Tree Plan, and recording fees.
- Certification that all taxes that are due and payable have been paid prior to the recording of the plat.

GENERAL INFORMATION

Current Zoning and Land Use:

IG (General Industrial) and FP (Floodplain Management Regulations Overlay) District; *Recycling Processing Facility* (Woodchip mulch piles); *Fleet Storage*.

Surrounding Zoning and Land Use:

IG (General Industrial) District to the north and east; Cargo Van and Trailer Manufacturing firms, *General Industrial* to the north and east, an undeveloped lot is also located to the east.

U (Haskell Indian Nations University) and FP (Floodplain Management Regulations Overlay) Districts to the west; *Open Space* associated with Haskell University. (Figure 1)

County – A (Agricultural) and F-F (Floodway Fringe Overlay) Districts to the south; *Open Space*.

SITE SUMMARY

Area	13.70 acres
Number of Existing Lots:	5, plus various street and railroad vacated rights-of-way
Number of Proposed Lots:	1
Proposed Lot Sizes	
Lot 1	13.70 acres

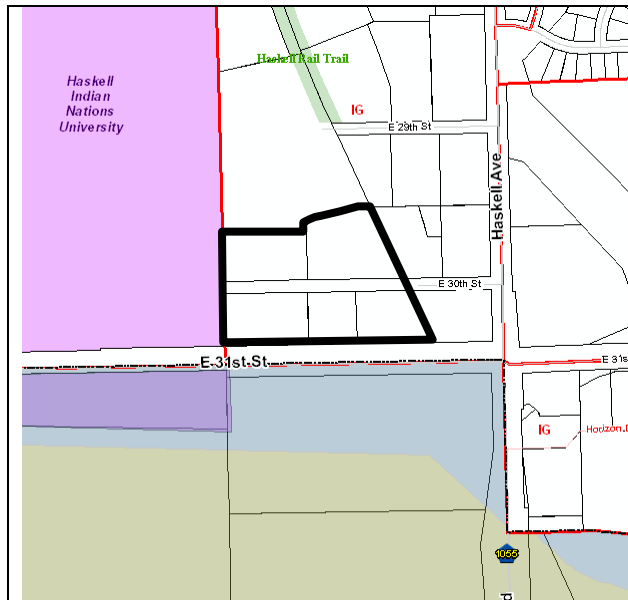


Figure 1a. Zoning in area



Figure 1b. Land use in area

STAFF REVIEW

The property within this subdivision consists of 5 platted lots and vacated street and railroad rights-of-way. The property has frontage on E 31st Street and takes access from both E 31st Street and E 30th Street. KDOT plans indicate that E 31st Street will be relocated with the South Lawrence Trafficway improvements but a portion of E 31st Street adjacent to this property will remain to serve as access. As lots are being combined with this Minor Subdivision, future land divisions or combinations would require processing as a Major Subdivision with the exception of lot line adjustments or mergers that do not increase the total number of lots.

RIGHT-OF-WAY

E 31st Street is classified in the Major Thoroughfares Map as a 'principal arterial', but it is being relocated with the South Lawrence Trafficway project as shown in Figure 2. E 31st Street adjacent to the property will be a local street, which requires 60 ft of right-of-way. The Minor Subdivision provides one-half the required right-of-way (30 ft).

The right-of-way for E 30th Street is being vacated with this Minor Subdivision within the interior of the property. The existing drive from 30th Street will remain open for Fire/Medical access.



Figure 2. Realignment of E 31st Street. New alignment shown in red dashed line. E 31st Street is currently adjacent to the south side of the subject property.

FLOODPLAIN

Regulatory Floodplain Zone A, Approximate Flood Zone, is present west of the property and extends into the west side of the site. (Figure 3) FEMA explains that the Approximate Flood Zone is based on the information that was available when the map was made, but that the flood prone area is not delineated as accurately as other zones. The floodplain is limited to the very west side of the property. There is 500 year floodplain on the east side of the property,

but this is not regulated under the Floodplain Management Regulations in the Development Code. A Floodplain Development Permit will be required prior to any development activity on the site, due to the presence of the Regulatory Floodplain.

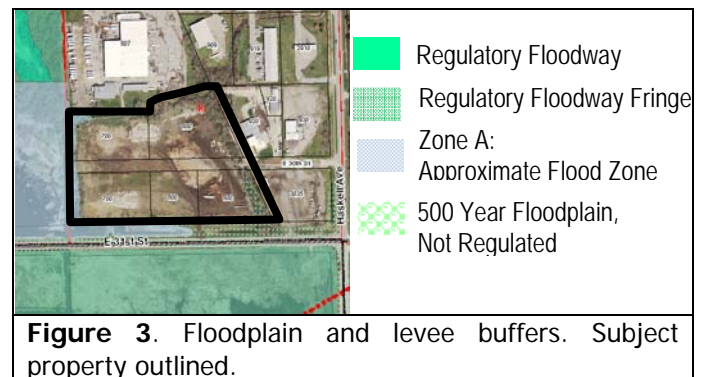


Figure 3. Floodplain and levee buffers. Subject property outlined.

UTILITIES/EASEMENTS

The current and proposed uses for this property consist of mulch piles for recycling or sale, *Exterior Storage* and *Recycling Processing Facility*, *Fleet Storage*, and application of fill to the property. There will be no staff on site and no structures are proposed at this time. Easements are being provided with this plat to accommodate future utilities. The nearest sanitary sewer lines are located east of the property at E 30th Street and on the lot north of the subject property. A 15 ft sanitary easement on the west portion of the property which was dedicated with the Lawrence Park Industrial Addition plat is being retained to allow the extension of the sewer line from the north. A general utility easement which is 35 ft at E 31st Street and 20 ft along the remainder of the west side of the property is being provided for the extension of other utilities. A 15 ft utility easement which was dedicated by the original plat along the north property line is being retained with this Minor Subdivision. Various other easements which served the interior lots

are being vacated with this plat. The easements being provided exceed the needs of the planned uses, as no utilities are proposed to be extended into this site.

ACCESS

The lot will have frontage on and take primary access to E 31st Street. E 30th Street right-of-way is vacated within the combined lots, but it extends to the lot to provide a secondary access.

City Code requires sidewalks on both sides of streets. E 31st Street will be terminated near the west boundary of the subject property and renamed with the relocation of E 31st Street to the south. As E 31st Street will provide access only to this site, a sidewalk is not necessary at this time. Construction of a sidewalk will be considered when a site plan for development of this lot is proposed.

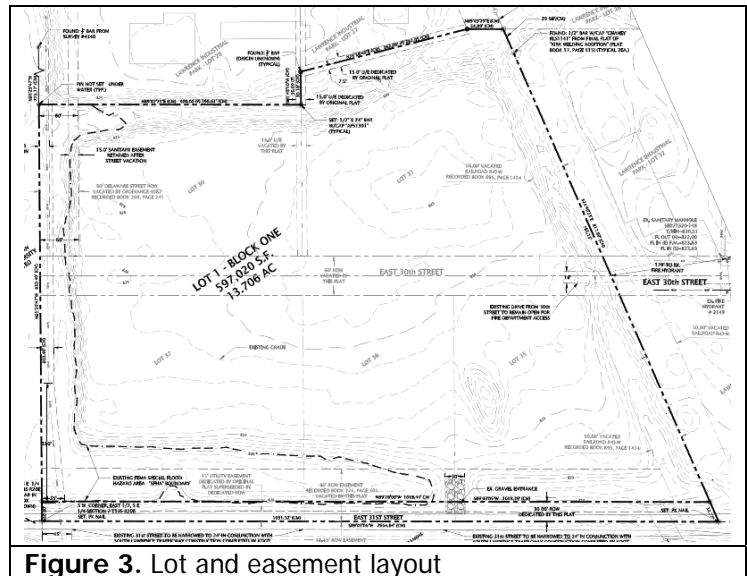


Figure 3. Lot and easement layout

MASTER STREET TREE PLAN

A Master Street Tree Plan and graphic were submitted and approved. The Master Street Tree Plan notes that 25 street trees are required for the E 31st Street frontage. The Master Street Tree Plan should be revised to note that it is an agreement between the property owners and the City.

Conclusion: The Minor Subdivision, as conditioned, conforms to the approval criteria in Section 20-808(d) of the Subdivision Regulations.