

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 of easement with Minor Subdivision MS-13-00411, May Addition, a two-lot subdivision at 2012 Crossgate Drive.

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 May Addition, MS-13-00411, has been submitted and approved by the Planning Director pending the City Commission's acceptance of the dedications. The Minor Subdivision is attached with this memo for context; however, no action is necessary for the Minor Subdivision.

This Minor Subdivision will divide the existing lot at 2012 Crossgate Drive into two lots. Existing 15 ft wide utility easements are centered along the south property line of both Lots 1 and 2 and along the east side of Lot 2, with 7.5 ft of the easement being on the subject property. A Westar line providing service to Lot 1 crosses the rear of Lot 2; therefore, a new 10 ft wide utility easement is being dedicated adjacent to the existing 7.5 ft wide utility easement on the south side of Lot 2 to house the service line, per Westar's requirement.

Action Requested:

Accept the dedication of the 10 ft wide utility easement on the south side of Lot 2.

October 28, 2013

MS-13-00411: May Addition, a Minor Subdivision Replat of Lot 33, Golf Club Subdivision located at 2012 Crossgate Drive. Submitted by Landplan Engineering, P.A. for Tony G May and Rebecca J May, property owners of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the Minor Subdivision for May Addition subject to the following condition:

1. Provision of Revised Minor Subdivision with the following change:
 - a. Addition of the following note: *"At such a time as the existing 4 ft wide sidewalk has been destroyed or damaged to the point that the City Engineer determines replacement is necessary the sidewalk will be replaced with a 5 ft wide sidewalk."*
 - b. Addition of the following note: *"A detached home can be developed on Lot 1 without approval as a Special Use due to the established development pattern of the area."*

KEY POINT

- Per Section 20-808(c)(5) of the Subdivision Regulations, only one lot combination or division may be approved through the Minor Subdivision process. The Minor Subdivision is dividing one lot into two; therefore, the property is not eligible for another lot combination or division through the Minor Subdivision process unless the exemption noted in Section 20-808(c)(5) of the Subdivision Regulations applies.

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's acceptance of dedication of utility easement.
- Submittal of a 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: RM12D (Multi-Dwelling Residential); *Detached Dwelling*.

Surrounding Zoning and Land Use: RM12D (Multi-Dwelling Residential) in all directions; *Detached and Duplex Dwellings*.
(Figure 1)

SITE SUMMARY

Area	23,392 sq ft
Number of Existing Lots:	1
Number of Proposed Lots:	2
Proposed Lot Sizes	
Lot 1	16,281 sq ft
Lot 2	7,090 sq ft



Figure 1a. Zoning in area. Subject property outlined.

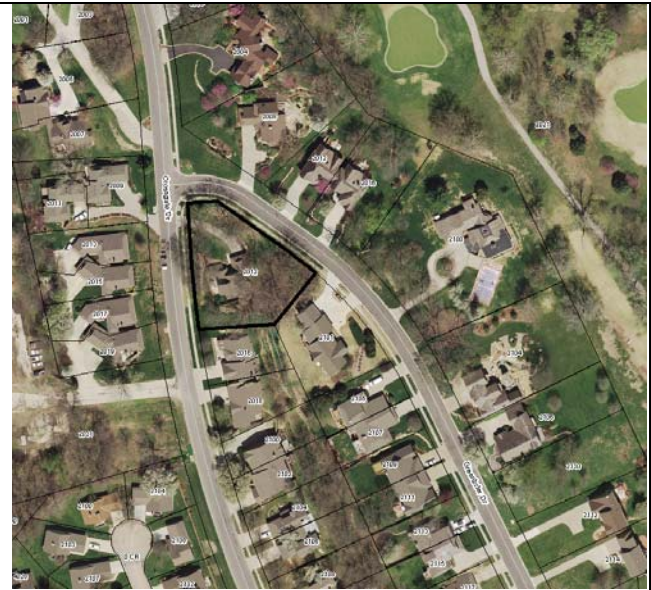


Figure 1b. Land use in area. Subject property outlined.

STAFF REVIEW

The property included within this subdivision consists of 1 platted lot with frontage on Greenbriar and Crossgate Drives. The Minor Subdivision will divide the lot to create 2 smaller lots. (Figure 2) As the minor subdivision creates a land division; the property is not eligible for future land divisions or combinations through the Minor Subdivision process unless for lot line adjustments or mergers that do not increase the total number of lots. (Section 20-808(c)(5)) This is noted on the face of the plat.

RIGHT-OF-WAY

Crossgate Drive and Greenbriar Drive are both classified as local streets in the Major Thoroughfares Map and require 60 ft of right-of-way. Both streets have adequate right-of-way; therefore, no additional right-of-way is required.

FLOODPLAIN

The property is not encumbered with Floodplain.

UTILITIES/EASEMENTS

15 ft utility easements are centered on the south property line of Lots 1 and 2 and the east property line of Lot 2, with half (7.5 ft) being on the subject property. The sanitary sewer main is located within the south easement and touches both lots.

An electrical service line crosses proposed Lot 2 to serve Lot 1. Westar indicated that the service line on Lot 2 should be located within a utility easement. A 10 ft wide utility easement is provided adjacent to the existing 7.5 ft wide utility easement for sanitary sewer on the south side of Lot 2. The Minor Subdivision will be placed on the City Commission agenda for acceptance of dedication of this new easement.

ACCESS

Lot 1 is developed and has an existing access to Crossgate Drive. Lot 2 is not yet developed, but access will be taken to Greenbrier Drive.

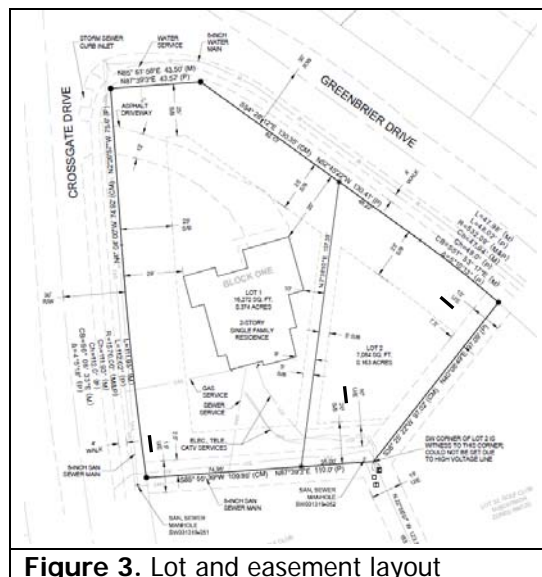


Figure 3. Lot and easement layout

City Code requires 5 ft wide sidewalks on both sides of local streets. There is a 4 ft wide sidewalk along the frontage on Crossgate and Greenbrier. A note should be added to the plat which notes that, when the sidewalk has been destroyed or damaged to the point that the City Engineer determines replacement is necessary that the sidewalk will be replaced with a 5 ft wide sidewalk.

LOT SIZE REQUIREMENT

The RM12D Zoning District requires a minimum lot size of 6,000 sq ft and a minimum lot width of 60 ft. The two lots being created will both exceed this requirement.

USE

The RM12D District permits *Attached Dwellings* and *Duplexes*. *Detached Dwellings* require approval of a Special Use Permit unless it is located on its own platted lot and if the majority of the properties on the block face are constructed as Detached Dwellings. In this situation, the majority of the properties in the block are individually owned townhomes. The block is surrounded by detached homes, duplexes, and multi-dwelling structures. The existing detached dwelling on Lot 1 has an automatic Special Use Permit (SUP), per 20-1306(b) as it was in existence prior to the adoption of the 2006 Development Code and was a permitted use when it was constructed.

The SUP requirement is intended to maintain the transitional/buffering characteristics of the duplex zoning district; however, in this case the duplex zoning district is located between two sections of a golf course and is not serving as a transition or buffer. The area consists of duplex, multi-dwelling and PUD zoning and has been developed with a mix of housing types, including detached and duplex dwellings. Developing Lot 2 with a detached home would be consistent with the development pattern in the area. A note should be added to the Minor Subdivision that states that a detached home can be developed on Lot 1 without approval as a Special Use.

MASTER STREET TREE PLAN

A Master Street Tree Plan and graphic were submitted and approved. The Master Street Tree Plan notes that 5 street trees are required for Crossgate Drive and 6 trees are required for Greenbrier Drive and notes that the existing trees on site exceed this street tree requirement. The plan notes that if any existing street tree dies they will be replaced with a comparable street tree species, to maintain the 11 street trees that are required within this addition.

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