



# ADMINISTRATIVE DETERMINATION & CERTIFICATION

## FINAL PLAT

Holcom School Subdivision

October 22, 2013

**PF-13-00395:** Final Plat for Holcom School Subdivision, a 1-lot subdivision of containing 8.763 acres, located on the east side of Lawrence Avenue and north of the Holcom Park tennis courts. The property is currently addressed as 2600 W. 25<sup>th</sup> Street. Submitted BG Consultants, Inc., for USD 497, property owner of record.

**ADMINISTRATIVE DETERMINATION:** The Planning Director approves the above-described Final Plat based upon the certification in the body of this report subject to the following conditions:

1. Provision of a revised Final Plat to include the deed book and page noted on the face of the Final Plat to note the recording the cross access easement.
2. Approval of public improvement deferral by the City Commission.

### KEY POINTS

- Right-of-way previously conveyed to the City for Lawrence Avenue is included in this Final Plat to clearly dedicate as public right-of-way.
- Vehicular access to existing improvements on this property are provided via existing parking lot and drive lane connections across Holcom Park Property to W. 25<sup>th</sup> Street. Execution of a formal access easement between the City and the School District is required.
- The applicant has submitted a cross access agreement for the City's review and consideration as part of this review process.
- Development of this site will require extension of the sanitary sewer line from the south as a future public improvement. The applicant is not intending to extend public sewer to this site unless a specific development is proposed for this property and therefore wishes to record the Final Plat prior to submission and approval of public improvement plans and/or the provision of a guarantee for construction.

### SUBDIVISION CITATIONS TO CONSIDER

This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 1, 2007 as amended Jan 10, 2012.

Section 20-811(h) requiring completion of public improvements prior to recording a Final Plat with the Register of Deeds Office.

### ASSOCIATED CASES

- PP-13-00282: Preliminary Plat for Holcom School Subdivision was approved by the Planning Commission on September 23, 2013.
- SP-03-19-04: Site Plan for shelter/outdoor classroom addition to site.

### OTHER ACTION REQUIRED

- City Commission acceptance of easements and rights-of-way.
- City Commission approval to defer requirement of public improvement plans or provision of a guarantee per the Subdivision Regulations.
- City Commission approval of cross access agreement between the City of Lawrence and the School District for continued access to existing facilities.
- Submittal of one paper copy of the Final Plat for the file and one mylar copy which is notarized for and signed by the owners, engineer, surveyor and County Surveyor to be recorded at the Douglas County Register of Deeds.

### **PLANNING DIRECTOR CERTIFICATION (Section 20-812(b))**

The Final Plat conforms to the content requirements of Section 20-809(l) of the Subdivision Regulations and is consistent with the Preliminary Plat (PP-13-00282) approved by the Planning Commission on June 24, 2013.

The Planning Director hereby approves the Final Plat and certifies that the Final Plat:

**a) Conforms to the Preliminary Plat previously approved by the Planning Commission.**

The Final Plat conforms to the approved Preliminary Plat.

**b) Satisfies any conditions of approval imposed by the Planning Commission.**

There were no conditions of approval

**c) Includes the same proposed dedications subject to minor technical adjustments as described in Section 20-809(m)(2)(k)(a) through (d).**

The Final Plat contains the same dedications as the Preliminary Plat with the exception of Right-of-way for Lawrence Avenue. Based on additional review by the applicant's surveyor and the City's attorney the east half of Lawrence Avenue is included as a right-of-way with this final plat since the change of previous acquisition and dedication is less than clear.

**d) Represents a plat for which all required public improvements have been completed or for which adequate guarantee of improvements has been provided.**

The applicant (the Lawrence School District) does not intend to prepare public improvement plans for this property at this time. If the property is selected for future development of the Career and Technical Education Center, or another significant site improvement, then public improvement plans will be required. To ensure that appropriate guarantees are in place prior to recording the Final Plat in accordance with the Subdivision Regulations the applicant must either submit public improvement plans or provide a guarantee for the construction of public improvements. The method of guarantee is the purview of the City Commission. A separate action is required by the City Commission with regard to the deferral of the public improvements and establishment or deferral of public improvements to allow this Final Plat to be recorded.

A note on the face of the preliminary plat indicates that public improvements are not immediately planned for this subdivision and that future development shall require the extension of a sanitary sewer line to serve this property.

**e) Is otherwise consistent with the requirements of the Subdivision Regulations for a Final Plat.**

The Final Plat, as conditioned, is consistent with the requirements of the Subdivision Regulations.

### **STAFF REVIEW**

The property is being platted in anticipation of future development of the property. A specific end use of the property has not been identified at this time.

The existing site improvements are accessed from W. 25<sup>th</sup> Street through the north parking lot of Holcom Park. Future development should anticipate a new access point to Lawrence Avenue. During the review of the Final Plat, it was noted that the current arrangement for access crossing the City

park property is not secured with a cross access easement agreement. This Subdivision Plat will include a separate document, to be recorded with the Final Plat, which describes the access and responsibilities as are applicable to the School District and the City of Lawrence for continued use of the existing access arrangement.

Also during the review, it was noted by the County Surveyor that the deeds transferring ownership from property owners to the City for Lawrence Avenue (an existing public street) are not clear. To remediate the concern that the actual ownership of the east half of the right-of-way is still in the hands of the school district, staff recommended that the final plat be revised to show and to dedicate the east half of Lawrence Avenue as public right-of-way with this Final Plat. As such, this final plat does include a proposed dedication of right-of-way.

#### UTILITIES AND INFRASTRUCTURE

There are no proposed public infrastructure improvements proposed with this Final Plat at this time. Existing improvements are connected to water and sanitary sewer. The sanitary sewer service appears to be extended as a service line across the City's property to the south. Future development will require extension of the sanitary sewer main as a public improvement. The applicant requests deferral of public improvement requirements until a specific known development is planned for this property. Section 20-811 (h)(v) grants the City Commission authority to determine the method for ensuring completion of required public improvements.

#### MASTER STREET TREE PLAN

A master street tree plan is required with this final plat. The proposed plan notes existing trees located along the east side of Lawrence Avenue. If this property is redeveloped then installation of additional street trees may be required. The plan provides a method for replacing the existing trees with more appropriate species (per the plan) with future development or the existing trees die.

#### SUMMARY

Approval of the Final Plat is required so that building permits may be obtained for construction of future improvements. Per Section 20-801(c), unplatted property is not eligible for a building permit. The plat meets the approval criteria listed in Section 20-809(l) of the Subdivision Regulations and is approved.

Related to this Final Plat is the execution of a cross access agreement between the City of Lawrence and the School District and approval of a deferment of the public improvements and/or guarantee for public improvements. These items require City Commission action.