



# ADMINISTRATIVE DETERMINATION & CERTIFICATION

## FINAL PLAT

Burrough's Creek Addition

December 31, 2013

**PF-13-00494:** Final Plat for Burrough's Creek Addition, a 1 lot subdivision of approximately 1.8 acres, located at 1146 Haskell Avenue. Submitted by Landplan Engineering, PA for BK Rental, LLC 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 and subject to the following conditions:

1. Provision of a revised Final Plat with the following changes:
  - a. Signature blank for the City Clerk revised to 'Acting City Clerk, Diane Trybom'.
  - b. Addition of a note indicating that the property is located in the regulatory floodplain, Zone AE and include the FIRM map number.

### KEY POINTS:

- The subject property was included in the Burrough's Creek Addition Preliminary Plat. The property is being platted in phases, with this being the final plat for Phase 1.
- The Planning Commission approved a variance from the Subdivision Design Standards to allow the right-of-way for Haskell Avenue to remain as shown on the plat.
- The property is nearly completely encumbered with the Regulatory Floodplain.
- This property was rezoned to the IL District with conditions which restrict the permitted uses and require City Commission approval of any site plans for standard and major development projects.

### 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.

### ASSOCIATED CASES

- Z-13-00351: Rezoning request for approximately 1.785 acres from RS10 (Single-Dwelling Residential) to IL (Limited Industrial). Approved by the City Commission with condition with adoption of Ordinance No. 8936 at their November 4, 2013 meeting.
- PP-13-00352: Preliminary Plat for Burrough's Creek Addition, a 6.36 acre subdivision consisting of 9 residential lots, 1 industrial lot (the subject property), and one open space tract. The Planning Commission approved the Preliminary Plat at their October 21, 2013 meeting.

### OTHER ACTION REQUIRED

- Placement of final plat on the City Commission agenda for acceptance of dedications.
- Recording of Final Plat with the Douglas County Register of Deeds Office.
- City Commission approval of Site Plan for proposed industrial development.
- Application and release of Building Permit prior to development.
- Application and release of Floodplain Development Permit prior to development activity.

### 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-13-00352) approved by the Planning

Commission on October 21, 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.**

The Planning Commission approved the Preliminary Plat subject to conditions on October 21, 2013. These conditions were met with a revised Preliminary Plat. No conditions were imposed on the Final Plat.

**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. These include a 10 ft wide pedestrian easement and utility easement along the 12<sup>th</sup> Street property line and a 7.5 ft wide utility easement along the east side of the property line, extending 160 ft north of the south property line.

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

No public improvements are required for the development of this lot. It is currently developed but has not been platted.

**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 currently unplatted but is developed with an industrial building and parking lot. The property was developed prior to annexation into the City at a time when platting and site planning was not required for Industrial Development. The property is being platted in phases. The portion of the property that was rezoned to the IL (Light Industrial) District (Lot 1) is included in this final plat. The intention is to use it as the operating facility of the Struct/Restruct business, *Construction Sales and Services*. The area is heavily encumbered with the regulatory floodplain and a Floodplain Development Permit is required prior to any development activity on the site. The plat should note that the property is located within Zone AE of the regulatory floodplain and note the FIRM map number.

**ACCESS**

The property is bounded on the west by Haskell Avenue and on the south by E 12<sup>th</sup> Street. The previous use had access on both Haskell Avenue and E 12<sup>th</sup> Street. Access for the property will be determined through the site planning process for the proposed *Construction Sales and Services use*. There are no access restrictions on the adjacent streets.

**EASEMENTS AND RIGHTS-OF-WAY**

A 10 ft wide pedestrian easement and utility easement is being dedicated along the 12<sup>th</sup> Street property line to allow space for a public sidewalk and extension of utilities. A 7.5 wide utility easement

is provided along the east property line for a distance of 160 ft north of E 12<sup>th</sup> Street to provide an easement for the placement of utilities to serve the industrial property and the adjacent property to the east, which is zoned for residential uses.

#### UTILITIES

Utilities will need to be extended to serve the future residential development to the east, but sanitary sewer and water mains are currently in place to serve the subject property. Sanitary sewer mains are located in both the Haskell Avenue and E 12<sup>th</sup> Street right-of-way and a water main is located in the Haskell Avenue right-of-way.

#### MASTER STREET TREE PLAN

Street trees are required by Code at a ratio of 1 tree per 40 ft of lot frontage. The property has 87 feet of frontage along Haskell which will require 3 street trees and 353 feet along E 12<sup>th</sup> Street which will require 9 trees. A total of 12 street trees are required and are listed in the Master Street Tree Plan.

#### CONCLUSION

The plat, as conditioned, meets the approval criteria listed in Section 20-809(I) of the Subdivision Regulations and is consistent with the approved Preliminary Plat.