

**SITE PLAN REVIEW
CITY COMMISSION
September 6, 2016**

A. SUMMARY

SP-16-00264: A site plan for sidewalk hospitality area for Taco Zone located at 13 E 8th Street. Submitted by Bradley Shanks for Aron Olivera, the property owner of record.

B. GENERAL INFORMATION

Current Zoning and Land Use: CD (Downtown Commercial District); Eating and Drinking Establishment.

Surrounding Zoning and Land Use: To the north, west, south, and east: CD (Downtown Commercial District); Eating and Drinking Establishments, Retail Sales, Residential and Office.

Site Summary:

Building	1115 Sq. Ft.
Restaurant	1011 Sq. Ft.
Proposed Sidewalk Dining Area:	75.29 Sq. Ft.
Off-Street Parking Required:	Not required in Downtown Commercial District.

Staff Recommendation: Staff recommends approval of SP-16-00264, a site plan for sidewalk hospitality area, subject to the following conditions:

1. Execution of a sidewalk dining license from the City prior to occupying the public right-of-way per Chapter 6-1203 of the City Code.
2. Execution of an agreement with the City of Lawrence for use of the right-of-way per Chapter 6-12 of the City Code.

C. STAFF REVIEW

The applicant proposes to construct an approximately 75 square-foot sidewalk dining area for food and beverage service. The sidewalk hospitality area will extend outward from the north face of the building 6' 6" for 11' 7" from east to west. The sidewalk hospitality area leaves an unobstructed clear space of 7' of the 8th Street sidewalk. The proposed outdoor area will accommodate seating at a continuous counter with outdoor seating available for up to 6 people. The area will be separated from the pedestrian sidewalk with a railing 3' high. The site plan identifies that no umbrellas will be used in the designated area and no new exterior lighting is proposed. The existing awning will remain.

Historic Resources Commission (DR-16-00267)

The installation of a sidewalk hospitality area at 13 E 8th Street requires State Preservation Law Review and Downtown Urban Conservation Overlay District Review. The property is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places, and is located in the Downtown Urban Conservation Overlay District.

Based on the information provided by the applicant and in accordance with Chapter 20-308(f)(3) of the City Code, staff reviewed this project using the Downtown Design Guidelines and determined that the project, as proposed, meets these development and design standards.

In accordance with the Secretary of the Interior's Standards, the standards of evaluation for the State Law Review, staff administratively approved the project and made the determination that the project does not damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic Places (Register of Historic Kansas Places).

The Historic Resources Commission confirmed the administrative approval of this project on August 18, 2016.



13 E 8th Street



Proposed Railing in Front of 13 E 8th Street

D. Findings

Per Section 20-1305(j) staff shall first find that the following conditions have been met:

(1) The site plan shall contain only platted land;

The site is platted as New Hampshire Street W 22 1/3 FT OF E 92 FT LT 45, Lawrence, Douglas County, Kansas.

(2) The site plan shall comply with all standards of the City Code, this Development Code and other adopted City policies and adopted neighborhood or area plans;

As conditioned, the site plan complies with all standards of the City Code and Development Code.

- (3) The proposed use shall be allowed in the district in which it is located or be an allowed nonconforming use;**

The subject property is zoned CD (Downtown Commercial) District. Eating and drinking establishments are permitted in this district.

- (4) Vehicular ingress and egress to and from the site and circulation within the site shall provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well and shall also conform with adopted corridor or access management policies; and**

No changes are proposed that would affect vehicular access to this property. No off-street parking is required or proposed with this project due to its location in the CD (Downtown Commercial) District.

- (5) The site plan shall provide for the safe movement of pedestrians on the subject site.**

Seven feet of unobstructed public sidewalk area is preserved along E 8th Street for safe pedestrian movement to and from the subject business.

Conclusion

The site plan, as conditioned, is in conformance with the Land Development Code.