

**SITE PLAN REVIEW
CITY COMMISSION
May 22, 2012**

A. SUMMARY

SP-4-26-12: A site plan for sidewalk hospitality area for 712 Massachusetts Street. Submitted by Paul Werner Architects for SJC VII LLC, property owners of record.

B. GENERAL INFORMATION

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

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

Site Summary:

Building	4,255 Sq. Ft.
Proposed Sidewalk Dining Area:	136 Sq. Ft.
Off-Street Parking Required:	Not required in Downtown Commercial District.

Staff Recommendation: Staff recommends approval of SP-4-26-12, a site plan for sidewalk hospitality area, subject to the following conditions:

1. Execution of a site plan performance agreement.
2. Execution of a sidewalk dining license from the City prior to occupying the public right-of-way per Chapter 6-1202 of the City Code.
3. 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 a 136 square-foot sidewalk area for dining and alcohol beverage service. The sidewalk dining area will extend outward from the west face of the building 6.21 feet and will be 22.67 feet long from north to south. The sidewalk dining area leaves an unobstructed clear space of 6 feet of the Massachusetts Street sidewalk. The proposed outdoor area will accommodate seating at an elevated counter with outdoor seating available for up to 14 people. The area will be separated from the pedestrian sidewalk with a railing 44 inches high.

Historic Resources Commission (DR-4-62-12)

712 Massachusetts Street, the Anderson Building, sidewalk dining application requires Certified Local Government Review, Certificate of Appropriateness Review, and Downtown Urban Conservation Overlay District Review. The Anderson Building is listed as a contributing structure in Lawrence's Downtown Historic District, National Register of Historic Places. It is in the environs of

the Eldridge Hotel (701 Massachusetts), the North Rhode Island Street Historic Residential District, and the United States Post Office (645 New Hampshire), National Register of Historic Places; the House Building (729 Massachusetts), Register of Historic Kansas Places and Lawrence Register of Historic Places; and Miller's Hall (723-725 Massachusetts), Lawrence Register of Historic Places. It is also located in the Downtown Urban Conservation Overlay District.

In accordance with the Secretary of the Interior's Standards, Chapter 22 of the Code of the City of Lawrence, and the *Downtown Design Guidelines*, the standards of evaluation, the Historic Resources Administrator has administratively approved the proposed project and made the determination that the proposed project does not encroach upon, damage, or destroy listed historic properties and their environs with the following condition:

1. Any changes to the approved project will be submitted to the Historic Resources Administrator prior to the commencement of any related work.

The Historic Resources Commission will confirm the administrative approval of this project on May 17, 2012.



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 Lot 28, less the north 6 inches, Original Townsite, 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 & 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.**

Six feet of unobstructed public sidewalk area is preserved along Massachusetts Street for safe pedestrian movement to and from the subject business.