

# Memorandum

## City of Lawrence

### Planning and Development Services

**TO:** David L. Corliss, City Manager

**CC:** Diane Stoddard, Assistant City Manager  
Cynthia Wagner, Assistant City Manager  
Scott McCullough, Planning and Development Services Director

**FROM:** Mary Miller, Planner

**Date:** For February 18, 2014 City Commission meeting

**RE:** SP-13-00525; Site plan for Struct/Restruct Design Studio at 1146 Haskell Avenue.

The site plan referenced above was deferred from the February 11<sup>th</sup> City Commission meeting following provision of a letter by the Brook Creek Neighborhood Association which expressed concern with off-site impacts that could be generated by the proposed *Construction Sales and Service*' use. The letter stated: *"The neighboring residents need assurance, in writing, that the duration and severity of noise at 1146 Haskell will be limited, tolerable, and compatible with peaceful home life."*

Staff, the applicant, Andrea Repinsky, Brookcreek Neighborhood Association president, and several residents who live near 1146 Haskell Avenue met on Friday, February 14<sup>th</sup> to discuss the potential impacts and worked to develop measures to insure the compatibility of the use with the nearby residential land uses.

The following restriction was developed as a result of the discussion with the neighborhood representatives. In staff's opinion, it should minimize the impact of the outdoor production equipment while allowing the property owner the flexibility necessary to operate the business.

*"General outdoor equipment used in the construction sales and services operation such as, but not limited to, skid loaders, drills, circular saws, and other motorized hand held tools, shall be limited to use between the hours of 9:00 a.m. and 6:00 p.m. Monday through Friday, 10:00 a.m. and 4:00 p.m. Saturday, and shall be prohibited on Sunday. Heavy-use outdoor pieces of equipment that are typically louder than general equipment, such as, but not limited to, saw mills, planers, wood chippers, etc. shall be limited in use to the same hours of operation as general equipment and shall be limited in location to north of the north wall of the principle building."*

The neighborhood association representative also requested that the site plan clarify that the area between the sidewalk and the street will be planted in grass. Condition No 3(g) has been added to clarify this.

### **ACTION REQUESTED**

Reaffirmation of the administrative waivers listed in the staff report and administrative approval of the site plan based on the findings of fact listed in the body of the staff report and subject to the following conditions revised to include measures to address concerns raised by the Brookcreek Neighborhood (new conditions in bold):

1. Provision of an executed Site Plan Performance Agreement to the Planning Office prior to the release of the site plan for building permits.
2. Approval of a Floodplain Development Permit prior to the release of the site plan.
3. Provision of a revised site plan with the changes noted below:
  - a. Addition of a note indicating that the bicycle parking will be located on a 6 ft x 6 ft concrete slab.
  - b. General Note 16 revised to note that the bufferyard landscaping waiver applies only to the frontage west of the 12<sup>th</sup> Street access drive.
  - c. Note the material which will be used for the dumpster enclosure.
  - d. Addition of a note that the property owner will maintain the shrubs south of the Haskell Avenue access drive so they are no taller than 3 ft in height.
  - e. Addition of a note that no additional exterior lighting is being proposed with this project and that any new exterior lighting will require the submittal and approval of a photometric plan prior to installation.
  - f. Addition of the following note: *“General outdoor equipment used in the construction sales and services operation such as, but not limited to, skid loaders, drills, circular saws, and other motorized hand held tools, shall be limited to use between the hours of 9:00 a.m. and 6:00 p.m. Monday through Friday, 10:00 a.m. and 4:00 p.m. Saturday, and shall be prohibited on Sunday. Heavy-use outdoor pieces of equipment that are typically louder than general equipment, such as, but not limited to, saw mills, planers, wood chippers, etc. shall be limited in use to the same hours of operation as general equipment and shall be limited in location to north of the north wall of the principle building.”***
  - g. Add turf-type grass to the plant schedule and show or note that this will be installed in the strip between the 12<sup>th</sup> Street sidewalk and the street.**