



# ADMINISTRATIVE DETERMINATION & CERTIFICATION

## FINAL PLAT

Menard's Addition

May 29, 2014

**PF-14-00201:** Consider a Final Plat for Menard's Addition, a 7 lot commercial subdivision, located at 1900 W 31<sup>st</sup> St. & 1200 W 31<sup>st</sup> St. Submitted by Menard, Inc. 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. Execution of an agreement not to protest the formation of a benefit district for geometric improvements to W. 31<sup>st</sup> Street and Michigan Street including a traffic signal.
2. Provision of a guarantee for the construction of public improvements per section 20-811 of the Subdivision Regulations.
3. Submission of applicable recording fees and signed mylar.
4. Revise the Final Plat to include "Block 1" label for all lots.
5. Revise note on sheet two of the Final Plat from "... in the north two-hundred feet (200') of the property being rezoned." To state "... in the north two-hundred feet (200') of the property per Ordinance No. 8870."
6. Provision of a revised final plat to align the pedestrian, utility and drainage easements with the corresponding Public Improvement Plans proposed for this development prior to recording the Final Plat with the Register of Deeds Office.

### KEY POINT:

- Final Plat is required as a predevelopment action.
- Proposed Final Plat will establish commercial lots and extend public right-of-way.
- Proposed Final Plat includes 7 commercial lots and an 8.99 acre tract for detention.
- Rights-of-Way and easements are proposed with this Final Plat.
- Public Improvement Plans are required for this project. Prior to recording the Final Plat the applicant will be required to provide a guarantee for construction of public improvements per section 20-811 (h).

### 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

- PP-13-00338: Preliminary Plat approved by the Planning Commission on November 18, 2013 subject to several conditions and including a variance for reduced arterial street width for W 31<sup>st</sup> Street.
- A-13-00340; annexation of 8.4 acres
- Z-13-00071; RM12 to CR; 41.15 Acres
- Z-13-00337; A to CR and CR-FP; 8.5 acres
- SP-13-00423; site plan for Menards store
- FP-14-00199; floodplain development permit
- B-14-00200; floodplain fill in the building setback

### OTHER ACTION REQUIRED

- City Commission acceptance of easements and rights-of-way.
- Approval of Public Improvement Plans.

- Submission of guarantee per Section 20-811 of the Subdivision Regulations regarding completion of public improvements.
- Submittal and approval of building plans prior to release of building permits for development.

**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-13-00338) approved by the Planning Commission on November 18, 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 PP-13-00338.

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

The Planning Commission approved the Preliminary Plat with conditions. These conditions were met per the revised preliminary plat drawing dated 11/21/13.

**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 minor adjustment to reflect the proposed Public Improvement Plans.

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

The property is being platted to facilitate new commercial development. The applicant has submitted public improvement plans to the city for review and approval. Staff is currently processing the review of the Public Improvement Plans. The applicant will be required to provide a guarantee for the installation of public improvements prior to the Final Plat being recorded with the Register of Deeds Office in accordance with the Subdivision Regulations.

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

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

**STAFF REVIEW**

The subject property is being platted so that commercial building permits may be obtained. This subdivision covers the entire areas zoned CR (Regional Commercial) District.

**ACCESS**

Access to the site is accommodated from existing Ousdahl Road, Michigan Street extended north of W 31<sup>st</sup> Street and an interior access easement. Direct access to W 31<sup>st</sup> Street is prohibited.

**EASEMENTS AND RIGHTS-OF-WAY**

Prior to final approval and recording the Final Plat with the Register of Deeds Office, the City Commission must consider the acceptance of easements and rights-of-way. This Final Plat includes the extension of Michigan Street north of W 31<sup>st</sup> Street and the dedication of one-half

of the right-of-way for Ousdahl Road to the north. Ousdahl Road will result in a full width local street with this dedication.

An interior access easement is proposed parallel to W 31<sup>st</sup> Street and will provide direct access to the individual lots in the proposed subdivision. This access easement will function similar to a private street.

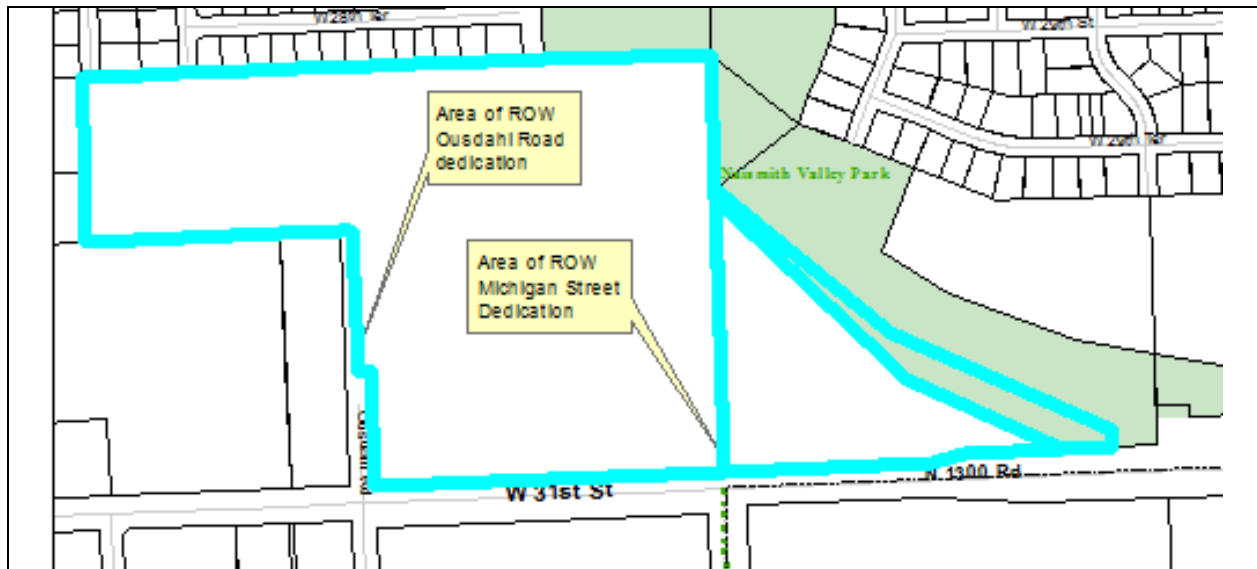


Figure 1: Existing ROW for Subject Property

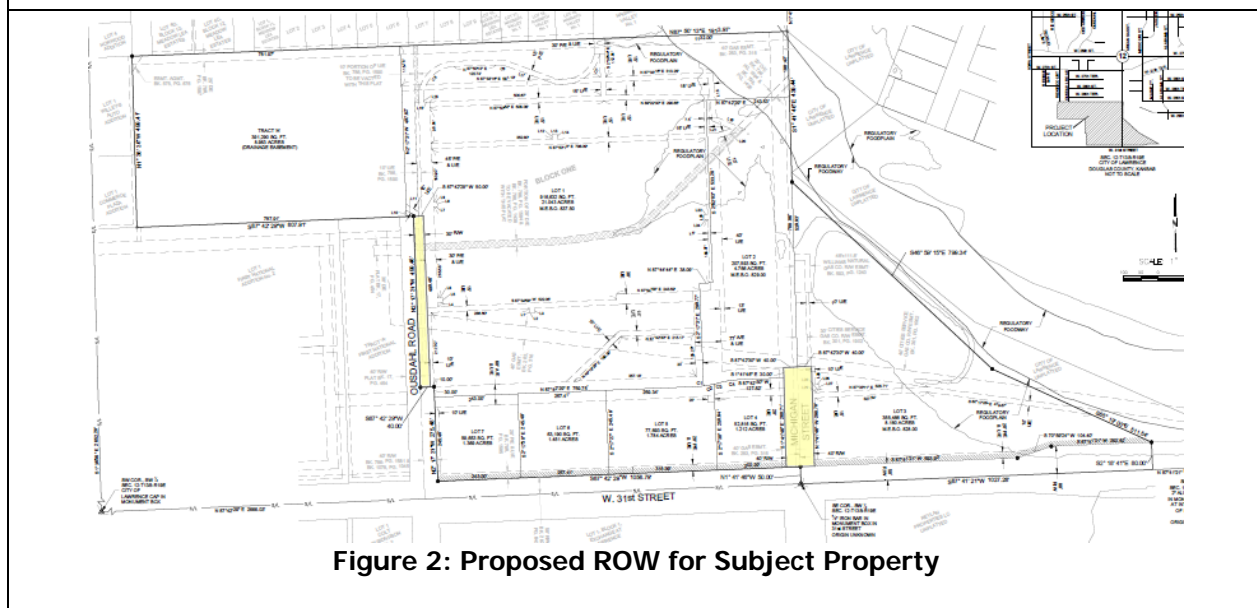


Figure 2: Proposed ROW for Subject Property

Development of this property includes the extension of a multi-use path between W 31<sup>st</sup> Street and Naismith Valley park. A proposed 15' pedestrian easement is provided for this improvement and is one of the allowed uses in the north 200' buffer area for Lot 1, Block 1. This buffer areas was a requirement of the CR rezoning Ordinance Number 8870. The following graphic highlights the location of the proposed recreation path from Ousdahl Road north, shown in green. The path will be extended off-site to connect to Naismith Valley Park path as part of this development.

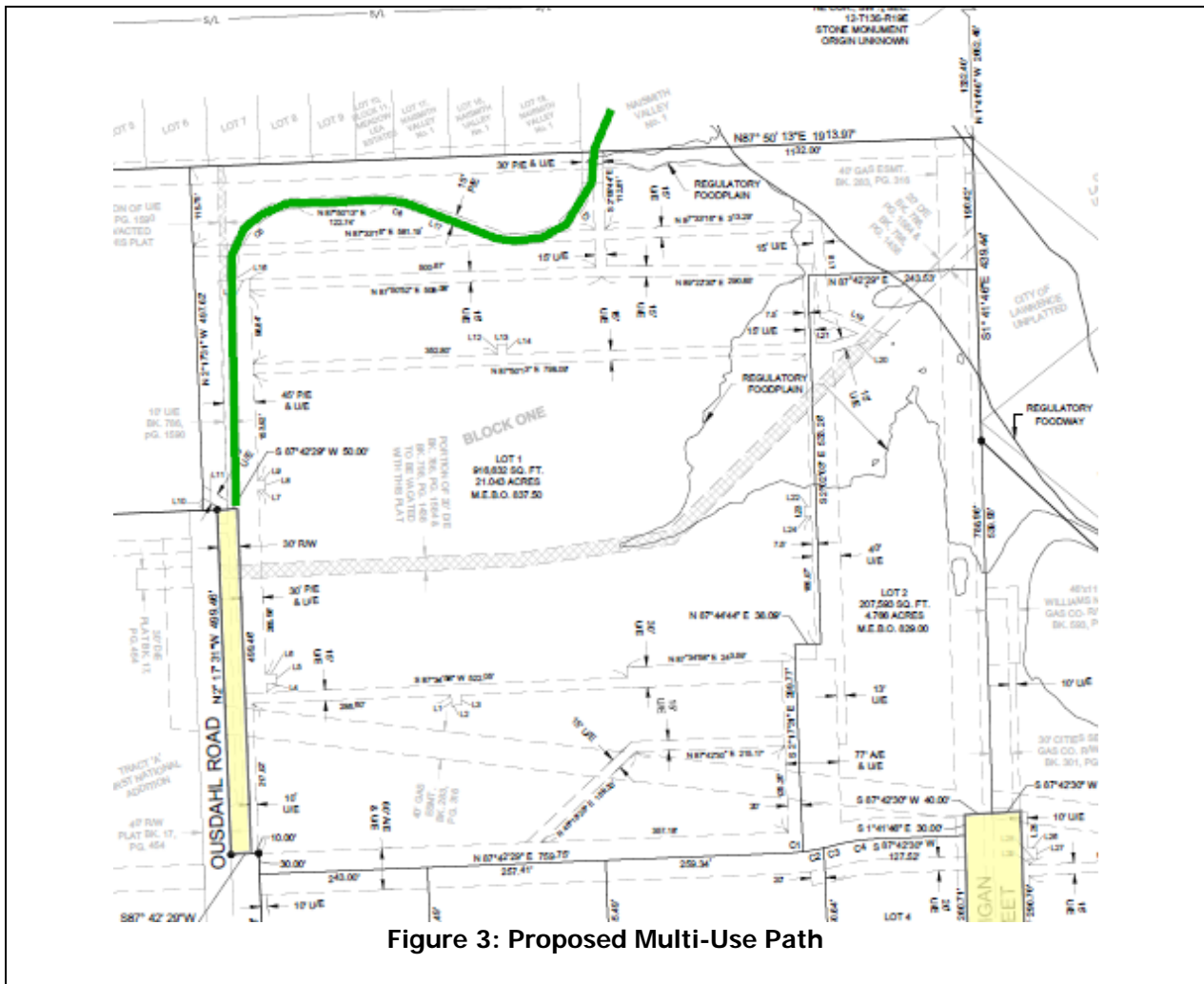


Figure 3: Proposed Multi-Use Path

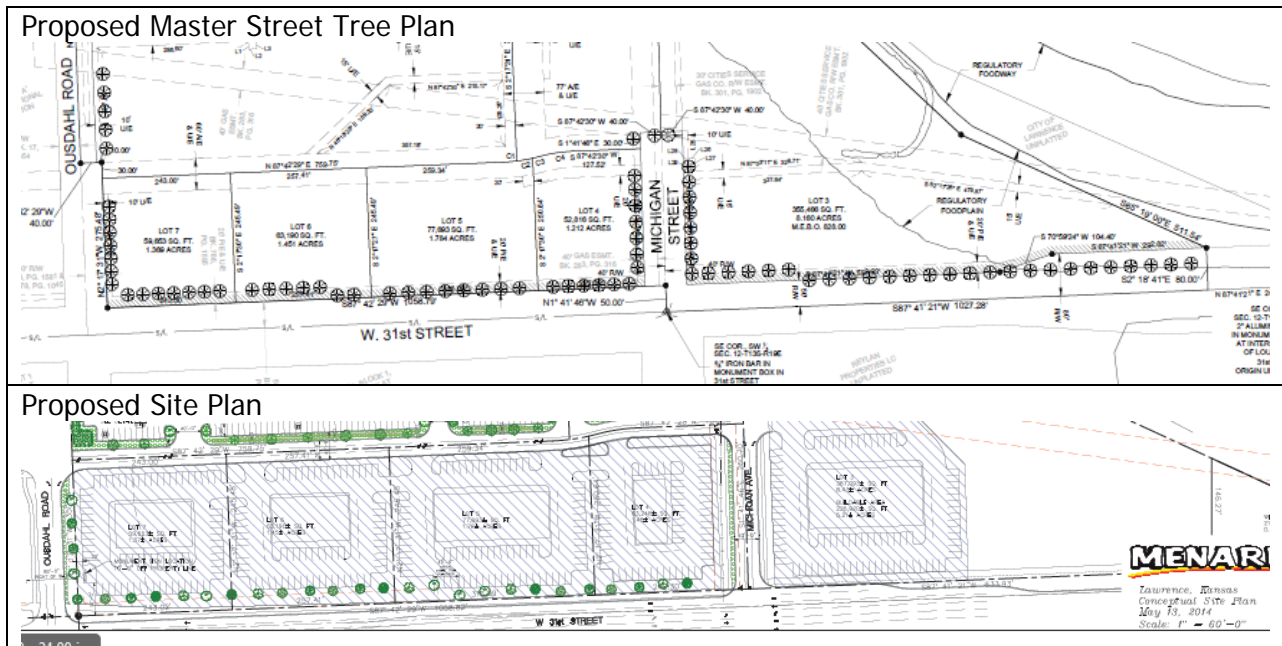
Multiple easements are proposed with this subdivision including new drainage, utility and pedestrian easements. This site is encumbered by an existing 40' gas easement that crosses proposed Lots 1, 2 and 3.

This subdivision includes the vacation of an existing drainage easement crossing Lot 1, Block 1 as shown on the Final Plat drawing.

During the review the applicant was notified of existing utility facilities that will require relocation. The costs to relocate certain facilities is the responsibility of the developer. The applicant has been advised that minimum notice to the utility company affected is required. The applicant is advised to contact the private utility companies directly.

#### MASTER STREET TREE PLAN

Street trees are required along public streets at a ratio of 1 tree per 40 ft of street frontage. The Master Street Tree Plan will be coordinated with future site plans for this property. The initial phase of development is designated as Lot 1, Block 1 (Menards Store). The applicant intends that street trees will be provided along W. 31<sup>st</sup> Street with the initial phase of development for that portion of W. 31<sup>st</sup> Street between Ousdahl Road and Michigan Street. Installation of street trees for the segment of W. 31<sup>st</sup> Street east of Michigan Street will be deferred to future site development.



The applicant has submitted a Master Street Tree Plan consistent with the requirements of the Subdivision Regulations. Minor revisions were noted during the review process regarding tree placement and utility conflicts. Additional field assessment will be needed to assure adequate separation of street trees from underground utility lines and to assure sight distance at intersections is maintained.

#### FLOODPLAIN

The final plat shows that Lots 1, 2 and 3 are also encumbered by regulatory floodplain. The minimum elevation of building openings is provided for each lot. Development of these lots will require a local Floodplain Development Permit.

#### STORMWATER MANAGEMENT

This property includes a detention pond (Tract A) in the northwest corner of Block 1. The City Stormwater Engineer noted minor corrections to the alignment of the drainage easements are needed during the review of the Final Plat and the Public Improvement Plans. Easements must align with the Public Improvement Plans.

#### SUMMARY

Approval of the Final Plat is required prior to issuance of building permits. The plat meets the approval criteria listed in Section 20-809(l) of the Subdivision Regulations and is approved.

Several revisions were noted by staff during the review process regarding notation and easements. The Final Plat should be revised to include these changes.