



MS-15-00123: A Minor Subdivision Replat of Lots 125, 127, 129, 131, 133, 135, and 137 on Mississippi Street, Lots 132, 134, 136, and 138 on Illinois Street, Lots 41, 43, 45, 47, and 49 on Pinckney Street together with one-half of the vacated streets and alleys adjacent to said Lots, Lots 121-128, 129, 131, and the east 65' of Lot 133 in block 41 of West Lawrence and Clinton Park bounded by 5th and 6th Streets (N&S) and Illinois Street and Alabama Street (E&W) located at 810 W 6th Street. Submitted by Grob Engineering Services, LLC for Unified School District 497, property owner of record.

ADMINISTRATIVE DETERMINATION: The Planning Director approves the above-described Minor Subdivision, subject to the approval of a variance to reduce the right-of-way for W. 6th Street from 150' to 100', and mylar and recording fees for this Minor Subdivision, and the following conditions:

1. Dedicate the 'no build' area by separate instrument after review & approval by the City Attorney; and
2. The Minor Subdivision shall be revised with the following changes:
 - a. Add a note referencing the Book & Page for the filed 'no build' restrictions.

KEY POINTS

- This Minor Subdivision proposes to replat multiple existing lots into two lots.
- This Minor Subdivision is necessary to accommodate a land transfer. A portion of Clinton Park was deeded from the City to USD 497, approved by the City Commission on June 2, 2015.
- This land transfer is part of an in-kind trade. The School District dedicated a drainage easement to the City with the final plat of the Schwegler Elementary School improvements.
- Clinton Park is shown as a designated park between Illinois Street and Alabama Street on the 1855 plat for the City. To preserve the open space as intended by the original plat, the following conditions were approved by the Lawrence City Commission and the Board of Education:
 1. USD 497 agrees to maintain the green space as per the preliminary site plan as approved by the Lawrence Historic Resources Commission on December 18, 2014.
 2. USD 497 will grant the City the right of first refusal if the property is ever sold.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County.

ASSOCIATED CASES

- PP-14-00303; Preliminary Plat for Schwegler Addition approved September 22, 2014.
- PF-14-00442; Final Plat for Schwegler Addition recorded with the Douglas County Register of Deeds Office on January 27, 2015 Plat Book 18 Page 743.

- SP-9-62-99; Site Plan for Pinckney School, building addition and parking lot improvements.
- DR-14-00501; 810 W 6th Street; Addition; Certificate of Appropriateness Review.

OTHER ACTION REQUIRED

- City Commission acceptance of dedication of utility easement and vacation of right-of-way as shown by this replat.
- Provision of an original mylar of the Minor Subdivision Plat bearing the notarized signature(s) of the property owner and the Land Surveyor's signature and seal; and, the appropriate recording fees.
- Recording of the Minor Subdivision and associated documents at the Douglas County Register of Deeds.

GENERAL INFORMATION

Current Zoning and Land Use GPI (General Public and Institutional Use) District, *School*
 OS (Open Space) District; *Park*

Surrounding Zoning and Land Use North, East, South: RS5 (Single-Dwelling Residential)
 District; *Detached Dwelling*

 Southwest: CS (Commercial Strip) District; *Retail Sales & Service*

 West: RM12 (Single-Dwelling Residential)
 District; *Detached Dwelling* and
 Duplex

 RS5 (Single-Dwelling Residential)
 District; *Detached Dwelling*

Number of Existing Lots: 26.5

Number of Proposed Lots: 2

STAFF REVIEW



Figure 1. Current land use and zoning of subject property (outlined in turquoise).

The property is located on the north side of W. 6th Street, and contains Pinckney Elementary School and Clinton Park. The land use of the surrounding area consists primarily of residential, however there is an area of zoned CS (Commercial Strip) District located near the southeast corner of the property (Figure 1). The original plat of the property consists of 26.5 platted lots (Figure 2a). This Minor Subdivision will combine those lots into two lots, Lot 1 and Lot 2.

This Minor Subdivision is necessary to

accommodate a land transfer between the City and the USD 497. During the preliminary site plan review process for Pinckney Elementary School, it was determined that a portion of the school blacktop and playground areas are located in Clinton Park, which is city park property. Similarly, during the review of improvements to another USD 497 property, Schwegler Elementary School, it was determined that the City needed a drainage easement to accommodate planned stormwater improvements at 23rd Street and Ousdahl Road. After discussions between the School District and City Staff, it was determined that a drainage easement would be dedicated with the Schwegler final plat and that a transfer of city park property could be accommodated with a replat of Pinckney School property and Clinton Park (Figure 2b).

With this Minor Subdivision, Lot 1 will be USD 497 property, and Lot 2 will contain the park property owned by the City. The total area for Lot 1 is 197,888 square feet, and for Lot 2 it is 181,226 square feet.



Figure 2a. Plat showing previously platted lots and new lots proposed with this Minor Subdivision.

Figure 2b. Aerial showing proposed new lots and deeded land shown in hatch marks.

During the review of the Minor Subdivision, the Historic Resources Commission (HRC) indicated that, due to the historic nature of the park property, a no build easement should be included with the replat to protect the historic character of the park. Clinton Park is one of the first three city parks shown on the 1858 plat for the City, and has continued to be an open space park since then. The HRC indicated that a no build easement could allow for parking and playground equipment, but would not allow for buildings or sheds.

Based on the HRC comments, the City and the Board of Education agreed to the following conditions as a way to preserve the open space as intended by the original plat:

1. USD 497 agrees to maintain the green space as per the preliminary site plan as approved by the Lawrence Historic Resources Commission on December 18, 2014.
2. USD 497 will grant the City the right of first refusal if the property is ever sold.

RIGHT-OF-WAY

The required and existing right-of-way for all of the surrounding streets are listed in the table below.

Street	Classification	Required	Existing
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		ROW	ROW
W. 5th	Local	60 ft.	80 ft.
Mississippi	Local	60 ft.	80 ft.
Alabama	Local	60 ft.	80 ft.
Illinois	Local	60 ft.	80 ft.
W 6th	Principal Arterial	150 ft.	100 ft.
Maine	Collector	80 ft.	100 ft.

The streets surrounding the subject property meet the minimum right-of-way requirements of Section 20-810(e)(5), with the exception of W. 6th Street. Per the Subdivision Regulations, a principal arterial street requires 150' of right-of-way; however W. 6th Street was constructed with approximately 100' of right-of-way. Variance approval by the Planning Commission is required prior to final approval of this Minor Subdivision. The variance is scheduled for the June 22, 2015 Planning Commission meeting.

Alabama street, located on the west side of the subject property, is classified as a local street. The Minor Subdivision proposes to vacate 10' of right-of-way of Alabama Street, reducing the existing right-of-way from 80' to 70'. After the reduction of right-of-way, Alabama Street will still meet the Subdivision Regulations of Section 20-810(e)(5). The City Commission is scheduled to receive the vacation of right-of-way on July 7, 2015.

UTILITIES/EASEMENTS

There is an existing drainage easement on the city park property which will be entirely contained within Lot 2 (Figure 3).

There is a stormwater line located along the west side of the subject property that will run through the USD property (highlighted in yellow in Figure 3). This will require a utility easement. The City Commission is scheduled to receive dedication of the easement on July 7, 2015.

ACCESS

Access points do not change with this replat. There are two drives on Mississippi Street that Pinckney Elementary School will continue to take access from. Access to Clinton Park will remain from 5th Street.

Pedestrian access to Clinton Park is provided by existing sidewalks north of the park property along 5th Street. Pedestrian access is also available to Pinckney Elementary School by sidewalks located along Mississippi Street and 6th Street.

MASTER STREET TREE PLAN

A Master Street Tree Plan and graphic were submitted and approved. A total of 62 street trees are required based on 1 shade tree for every 40' of street frontage.

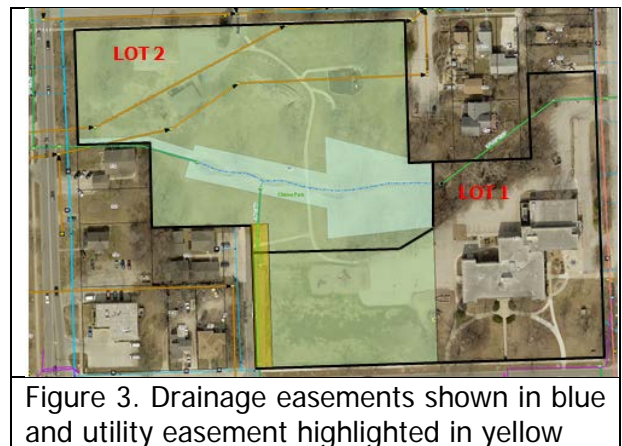


Figure 3. Drainage easements shown in blue and utility easement highlighted in yellow

Street	Frontage Length	Required Trees
Mississippi	500 ft.	13
W. 6th	590 ft.	15
Alabama	248 ft.	7
Maine	199 ft.	5
W. 5th	580 ft.	15
Illinois	249 ft.	7
	2366 ft.	60

Conclusion: The Minor Subdivision, as conditioned, conforms to the approval criteria in Section 20-808(d) of the Subdivision Regulations.