



ADMINISTRATIVE DETERMINATION & CERTIFICATION

FINAL PLAT

Deerfield Woods Subdivision No. 10, PF-15-00343

08/05/2015

PF-15-00343: Final Plat for Deerfield Woods Subdivision No. 10, a 3 lot nonresidential subdivision located 3320 and 3370 Peterson Road. Submitted by Landplan Engineering PA, for YMW, LLC and Cheer Pole Ltd, 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.

KEY POINTS

- The property is zoned CO (Office Commercial) District. A Preliminary Plat (PP-15-00189) was approved by the Planning Commission at their June 22, 2015 meeting.

SUBDIVISION CITATIONS TO CONSIDER

- This application is being reviewed under the Subdivision Regulations for Lawrence and Unincorporated Douglas County, effective Jan 1, 2007.
- The applicant received two variances from the Subdivision Regulations, which are reflected on the final plat.
 - **Sidewalk Variance.** At its June 22, 2015 meeting, the Planning Commission granted a variance to forego the installation of sidewalks on Sherwood Drive and Sterling Drive, with the condition that sidewalks be installed on the entirety of both Sherwood Drive and Sterling Drive with either any new development on Lot 1 or any major development on Lot 2 or Lot 3.
 - **Right-of-Way Variance.** At its June 22, 2015 meeting, the Planning Commission approved a variance from right-of-way requirements in Section 20-810(e)(5) of the Subdivision Regulations to allow the replatting of this property with 100 feet of right-of-way currently provided for Kasold Drive and Peterson Road.

ASSOCIATED CASES

- SP-5-32-00: Site Plan for construction of a multi-phase office development including four one and two story buildings, located at the northeast corner of Peterson Road and Kasold Drive.
- SP-08-39-09: Site Plan for Princeton Children's Center located at 3320 Peterson Road.
- UPR-03-01-04; Use Permitted Upon Review for day care center at 3340 Peterson Road, original plan approved by the City Commission on 5/18/04.
- UPR-02-01-05; Use Permitted Upon Review, expansion of day care center, approved by the City Commission on 4/5/2005.
- MS-13-00217: Deerfield Woods Subdivision No. 9, a minor subdivision/replat of Lot 1 Deerfield Woods Subdivision No. 7, located at 3320 Peterson Road.
- PP-15-00189: Preliminary Plat for Deerfield Woods Subdivision No. 10

OTHER ACTION REQUIRED

- Placement of Final Plat on the City Commission agenda for acknowledgment of dedications as shown on the Final Plat.
- Recording of the final plat at the Douglas County Register of Deeds.

PLANNING DIRECTOR CERTIFICATION (Section 20-809(m))

The final plat conforms to the content requirements of Section 20-809 of the Subdivision Regulations and is consistent with the Preliminary Plat (PP-15-00189) approved by the Planning Commission, subject to the satisfaction of the conditions of approval. The Planning Director hereby approves the final plat and certifies that the final plat:



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1. Conforms to the Preliminary Plat previously approved by the Planning Commission.

The final plat conforms to the approved Preliminary Plat. The following variances were approved with the Preliminary Plat:

- Reduction in the required right-of-way along Kasold Drive and Peterson Road from 150' to 100'.
- Variance from Section 20-811(c)(1)(i) that specifies public sidewalks be installed on both sides of all street.

2. Satisfies any conditions of approval imposed by the Planning Commission.

The Planning Commission approved the Preliminary Plat subject to conditions on June 22, 2015. The conditions involved revising the plat to include notes regarding the sidewalk and right-of-way variances, and a note regarding access. The notes have been added to the Final Plat therefore the conditions have been met.

3. Includes the same dedications accepted by the Governing Body, subject to only minor technical adjustments.

The Final Plat contains the same dedications as the Preliminary Plat.

4. Satisfies any conditions of acceptance of dedications imposed by the Governing Body.

No conditions of acceptance of dedications were imposed by the Planning Commission.

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

Infrastructure serving this property already exists. A variance to forego the installation of sidewalks along the south side of Sherwood Drive and the west side of Sterling Drive was approved with the Preliminary Plat. Installation of sidewalks in those areas will be required with any new development of Lot 1 or any major development of Lot 2 or Lot 3.

6. Is otherwise consistent with the requirements of the Subdivision Regulations for a final plat.

The final plat is consistent with all final plat requirements of the Subdivision Regulations.

STAFF REVIEW

This request is for the creation of 3 platted lots located at 3320 Peterson Road. As a Minor Subdivision, the property was previously divided into two lots, which was administratively approved on July 16, 2013. Per Section 20-808(c)(5)(i), further subdivision of the land is facilitated through the Major Subdivision process.

Access

The subject property is located on the northeast corner of Kasold Drive and Peterson Road. Both streets will continue to function as principal arterials in the area. The property also abuts Sherwood Drive to the north and Sterling Drive to the east. There are two drives that serve the existing structures. An access easement is shown on the Final Plat. This easement preserves the existing vehicular circulation of the site and was accepted by the City Commission on August 6, 2013.

Sherwood and Sterling Drives are both local streets with sidewalks constructed on one side of the street adjacent to the residential development. At the time of construction, sidewalks were required on only



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one side of the street. There is no sidewalk on the south side of Sherwood Drive or the west side of Sterling Drive. A variance to forego the installation of sidewalks along these local streets was processed with the Minor Subdivision in 2013 (MS-13-00217). The Planning Commission approved the variance request on July 22, 2013 and again on June 22, 2015 with the Preliminary Plat (PP-15-00189). A condition of approval states that sidewalks are to be installed on the entirety of both Sherwood and Sterling Drives with either any new development on Lot 1 or any major development on Lot 2 or Lot 3. The variance and its condition are noted on the Final Plat.

The other streets surrounding the subject property, Kasold Drive and Peterson Road, contain existing sidewalks on both sides of the street.

Easements And Rights-of-Way

There are no new public easements associated with this Final Plat. Water and sanitary sewer lines abut this property. Interior easements for the storm sewer and access throughout the property were dedicated with MS-13-00217. The City Commission accepted the easements on August 6, 2013.

The two existing structures, located on Lot 2 and proposed Lot 3, share a sanitary sewer service line. This shared service line is located within a private access easement. The owner recorded the easement by separate instrument and referenced the Book and Page on the Final Plat. This easement grants the owners of both future lots access to the shared service line for the purposes of maintaining and repairing it.

Kasold Drive and Peterson Road do not meet the 150' right-of-way width requirement for Arterial Streets. The overall width of Peterson Road is 100' and Kasold Drive is generally 110' wide. There are no planned future improvements to either of these streets; therefore the City Engineer indicated that the right-of-way currently dedicated for these streets is adequate. A variance request to reduce the right-of-way requirements in Section 20-810(e)(5) for Kasold Drive and Peterson Road from 150' to 100' was processed with the Minor Subdivision and with the Preliminary Plat. The Planning Commission approved the variance on July 22, 2013 with the Minor Subdivision and June 22, 2015 with the Preliminary Plat. A note indicating this variance is on the Final Plat.

Master Street Tree Plan

The standards of Section 20-811(g) are met with the Master Street Tree Plan. Street trees will be added along all four streets surrounding the subject property. Street trees will be coordinated with the site plan for this property as development applications are finalized.

Summary

Approval of the Final Plat is required prior to development activity, in order to comply with City development requirements. The plat meets the approval criteria listed in Section 20-809(m) of the Subdivision Regulations and is approved.