



ADMINISTRATIVE DETERMINATION & CERTIFICATION

FINAL PLAT

Dream Haven II

September 25, 2015

PF-15-00289: Final Plat for Dream Haven II, a 7 lot residential subdivision containing approximately 9.27 acres, located at 2910 Peterson Road. Submitted by Treanor Architects, P.A. for Dream Haven II, LLC and David A Gnojek and Anne K Gnojek, property owners 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. Provision of an executed, revised Master Street Tree Plan with revised signature blanks and a revised graphic to show and label the existing evergreen trees that are being used for credit, and to show the street trees outside the utility easement.
2. Provision of a revised plat with the following change:
 - a. Approval dates for the variances in Note 3 revised to 'September 21, 2015'.

KEY POINTS:

- The subject property is zoned RS7 (Single-Dwelling Residential) District. A Preliminary Plat (PP-15-00067) was approved by the Planning Commission at their April 23, 2015 meeting. Due to a notification error, the Preliminary Plat was returned to the Planning Commission, following renotification, and was approved at their September 21, 2015 meeting.
- The Planning Commission approved variances from Section 20-810(e)(5)(i) of the Subdivision Regulations to allow the right-of-way width for Peterson Road to remain at 50 ft on the subject property side of the center line (100 ft total) and from Section 20-8109a)(2)(i) of the Subdivision Regulations to allow the creation of two lots on Durham Court with less than the required frontage, provided they utilize a shared access. The dates for these approvals should be updated on the plat.

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-15-00067: Dream Haven II Preliminary Plat, approved by Planning Commission on September 21, 2015.
- MS-12-00195: Dream Haven, a Minor Subdivision replat of Lot 1, Edwards Subdivision, approved administratively on February 15, 2013.

OTHER ACTION REQUIRED

- Placement of Final Plat on the City Commission agenda for acceptance of dedications as shown on the Final Plat.
- Submittal and approval of Public Improvement Plans and means of assurance prior to the recording of the Final Plat.
- Recording of Final Plat with the Douglas County Register of Deeds Office.
- Application and release of Building Permit prior to development. The building permits will require review by the Fire Code Official to insure the driveways are designed to accommodate Fire Protection vehicles and proper placement of fire hydrants. This is noted on the plat.

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

The Final Plat conforms to the content requirements of Section 20-809(m) of the Subdivision Regulations and is consistent with the Preliminary Plat (PP-15-00067) approved by the Planning Commission on September 21, 2015.

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 noted above.

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

The Planning Commission approved the Preliminary Plat subject to the following conditions on September 21, 2015:

- i. Provision of a drainage study/dam rehab plan and Downstream Sanitary Sewer Analysis per City approval. *These materials have been provided and accepted.*
- ii. The following changes to the preliminary plat: Addition of notes reflecting any variances that are approved; and addition of a note designating maintenance responsibility for the prairie grass reserve area.

These changes were made on the Preliminary Plat. No conditions carry over to the Final Plat.

c) Includes the same proposed dedications subject to minor technical adjustments as described in Section 20-809(m)(2)(i)(a) through (d).

The Final Plat contains the same dedications as the Preliminary Plat as follows:

- Utility easement along the boundary of the property, with the exception of the north boundary of Tract A. 10 ft wide easement on north, south, and west, and 15 ft on east boundary of the plat.
- 20 ft wide drainage easement along the east side of Lot 7 and Tract A.
- Drainage easement located over a portion of the pond which was dedicated by separate instrument.
- 20 ft Rural Water District No. 1 easement is located along the south property line. The applicant indicated that this easement is still required by the Water District.
- A 15 ft wide utility easement for the extension of a sanitary sewer main extends through the property to serve lots 3 through 7.
- 30 ft wide shared access easement to accommodate shared drive for Lots 2 and 3 on Durham Court.

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

Public Improvement plans and means of assurance of completion for utility main extensions must be submitted and approved prior to the recording of the final plat.

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 replatted to create additional lots. As a Minor Subdivision had previously divided one lot into three lots, further land divisions must occur through the Major Subdivision Process. The subject property contains the lot at 2910 Peterson Road and the two adjacent, undeveloped lots: Lots 1-3 of Dream Haven Minor Subdivision. Approximately 9.27 acres will be

divided into 7 lots with the Dream Haven II Final Plat to accommodate a very low density residential development.

ACCESS

Lot 1 currently has a circular drive and two existing access points on Peterson Road. Lots 4 through 7 will each have an access drive on Peterson Road. The Fire Department will review the building permit applications for each residence to insure that the driveways are designed to accommodate their vehicles as the large lots will result in longer driveways than typical. Lots 2 and 3 will share the access point previously approved for one lot in the Minor Subdivision. A variance was approved to allow 2 lots in this location with 30 ft of frontage each, rather than the 40 ft required by Code, provided the 2 lots shared one access drive in the shared access easement.

UTILITIES

Utilities are available in the area and will be extended to serve this infill development.

MASTER STREET TREE PLAN

Street trees are required by Code at a ratio of 1 tree per 40 ft of lot frontage. The plan notes that credit is being taken for large evergreen trees on Lot 1. The large evergreen trees on Lot 1 contribute to the character of that lot and can be used to meet the street tree requirement; however, if they are damaged or removed they will be replaced with deciduous species listed on the Master Street Tree Plan. The Master Street Tree Graphic should be revised to note the species of the evergreen trees and to show the location of the existing trees which are being used for credit. The graphic shows the street trees within the Utility Easement. The new street trees on Peterson Road should be located consistently from Peterson Road; either on the property line or on the north side of the Utility Easement. The signature blanks on the written plan need to be updated and must include the property owners of Lot 1. A revised Master Street Tree Plan and Graphic should be submitted to the Planning Office for approval prior to the recording of the Final Plat.

CONCLUSION

The final plat will divide and reconfigure the existing 3 lots into 7 lots and one tract to provide a low density residential development. With the noted conditions, the final plat is in conformance with the standards and requirements of the Subdivision Regulations and the Development Code.