

PRELIMINARY DEVELOPMENT PLAN

Application Requirements

All application materials must be submitted in both print and electronic format, on disc. If you are unable to provide the materials in electronic format, please contact the Planning Office at 785-832-3150.

This checklist has been provided to assist you, the applicant, as you prepare your application. Submission of less information than necessary to adequately review and process your application will delay the review process.

Planning Staff will determine the completeness, accuracy, and sufficiency of the application within five (5) working days of submission. Incomplete applications will be returned to the applicant.

Pre-Application Meeting

The applicant shall meet with Planning Staff at least seven (7) working days prior to submittal of the application.

Pre-submittal Date _____, **200** .

Planner's Name _____

Target Submission Date _____, **200** .

Fee **\$200**

During the meeting Planning Staff will assist the applicant to determine **if** the following items are Required or Not Applicable:

- | R | NA | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Traffic Impact Study, in print (3 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Drainage Study, in print (2 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Stormwater Pollution Prevention Plan (SWP3) in print and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Market Study, in print (2 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Downstream Sanitary Sewer Analysis (DSSA) in print (2 copies) and electronic format. |
| <input type="checkbox"/> | <input type="checkbox"/> | Plan: Area, Corridor, Nodal, other, in print and electronic format. |

General Preliminary Development Plan Submittal Requirements

❖ **Application Form**

- A complete Application Form in both print and electronic format, on disc.
 - Page 1 – Owner, Applicant, and Property information
 - Page 2-4 – Description and details of proposal
 - Page 5 – Description and details/signature page

❖ **Attachments Required**

- Owner Authorization Form **if** applicant is not the legal owner of the property.
- Legal description of property in print and electronic format (MS Word).
- Preliminary Development Plan meeting the requirements of 20-1304(d)(3)(iii) in both print and electronic format (TIF preferred).
- A list, certified by the Douglas County Clerk, of all adjoining property owners
- Property Ownership List Certification
- Sign Posting Affidavit submitted at least 7 days but no more than 10 days before the public hearing, sign must be posted at least 20 days before public hearing.
- Statement describing the reasonable efforts made to meet with and receive input from individuals required to receive notice

❖ **Other**

- Payment of review fee. (Make check payable to the City of Lawrence.)
- Preliminary Development Plan applications shall only be processed concurrently with a PD, Planned Development Overlay District map amendment (rezoning) application **if** the subject property is not already zoned PD, Planned Development Overlay District. Therefore, either an application for a PD zoning map amendment or existing PD, Planned Development Overlay District zoning is required.
- Preliminary Development Plan (site plan), in both print and electronic format (TIF preferred.)
- Drawings and data necessary to demonstrate that the proposal is in general conformance with the Comprehensive Plan.

**APPLICATION
FOR
PRELIMINARY DEVELOPMENT PLAN**

Pre-Application Meeting required minimum 7 days before submission Planner _____ Date _____ Fee _____ Fee: \$200

OWNER INFORMATION

Name(s) _____
Contact _____
Address _____
City _____ State _____ ZIP _____
Phone (____) _____ Fax (____) _____
E-mail _____ Mobile/Pager (____) _____

APPLICANT/AGENT INFORMATION

Contact _____
Company _____
Address _____
City _____ State _____ ZIP _____
Phone (____) _____ Fax (____) _____
E-mail _____ Mobile/Pager (____) _____
Pre-application Meeting Date _____ Planner _____

PROPERTY INFORMATION

Project Name _____
Present Zoning District _____ Present Land Use _____
Proposed Land Use _____
Legal Description (*may be attached*) _____
Address of Property _____
Total Site Area _____
Number and Description of Existing Improvements or Structures _____

SIGNATURE

I/We, the undersigned am/are the **(owner(s)), (duly authorized agent), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for Preliminary Development Plan approval as indicated above.

Signature(s): _____ Date _____

_____ Date _____

_____ Date _____

STAFF USE ONLY

Application No. _____

Date Received _____

Planning Commission Date _____

Fee \$ _____

Date Fee Paid _____

Rezoning Application No. _____

|

OWNER AUTHORIZATION

I/WE _____,
hereby referred to as the "Undersigned", being of lawful age, do hereby on this
_____ day of _____, 200__, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize

_____ (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Lawrence/Douglas County, Kansas, regarding _____ (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Owner

Owner

STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this _____ day of _____, 200__,

by _____.

My Commission Expires:

Notary Public

Note to Applicant:

Replace this page with "Exhibit A, Legal Description".



PROPERTY OWNERSHIP LIST CERTIFICATION

As required by Article 13, Section 20-1301(q) of the Development Code, the applicant is responsible for providing certified Ownership information (including names and mailing addresses) of all real property owners within a defined radius from the subject property. The Planning Department is required by the Development Code to use the submitted Ownership list to mail notice of the public hearing to surrounding property owners regarding this Application.

Ownership Information

The applicant is responsible for providing certified Ownership information. Current Ownership information shall be obtained from the Douglas County Clerk. Ownership information will be considered current if it is **no more than 10 days old** at the time an application is submitted to the Planning Department.

Radius of Notification

The Ownership list shall include the record Owner of the subject property and all Owners of property located within 200 feet of the subject property. If the subject property is adjacent to the City limits the area of notification shall be extended to at least 1,000 feet into the unincorporated area.

A map of the "Radius of Notification" can be obtained **at the Applicant's request** at the Planning Office. The map indicates ownership of each property and can be used to check the accuracy and completeness of the Ownership List. The map will be supplied **at the Applicant's expense. Allow 10 business days** to receive the map.

THE FOLLOWING IS TO BE COMPLETED AND SUBMITTED BY THE APPLICANT.

I certify that I have read and understood the above information and that the submitted Ownership list:

1. was a) obtained from and b) certified by the Douglas County Clerk,
2. is current (**no more than 10 days old**), and
3. includes all property owners within the required notification radius of the subject property.

Signature

Date

Printed Name



**Lawrence Douglas County
Metropolitan Planning Office**

6 East 6th Street, P.O. Box 708, Lawrence, KS 66044
(785) 832-3150 Fax (785) 832-3160
<http://www.lawrenceplanning.org>

**SIGN POSTING
PROCEDURES AND AFFIDAVIT**

Sign Posting Procedures

The applicant is required to post one or more notification sign(s) on the property. The applicant is responsible for obtaining the sign(s) from the Planning Office of Lawrence/Douglas County, Kansas and for posting and maintaining the sign(s) as prescribed below:

1. When the provisions of the Development Code require that "Posted Notice" be provided, the applicant shall ensure that notice is posted on the subject property.
2. Posted notice shall be in the form of official signs provided by the Planning Office.
3. Posted notice shall be clearly visible to neighboring residents and passers-by from each public street bordering the subject property. At least one sign shall be posted on each street frontage. The Planning Director is authorized to require the posting of additional signs when deemed necessary for effective public notice, but not more than one sign per 300 feet of Street Frontage may be required.
4. Posted notice shall remain in place for **at least 20 days** before the public hearing, meeting, or date of action that is the subject of the notice.
5. During the required notice period, the applicant shall periodically check the condition of the sign and shall replace it if it is no longer legible for any reason, whether through act of God, vandalism, defect in installation or vegetative growth.
6. For any application requiring posted notice, the applicant shall supplement the application with an affidavit of posting and notice **at least seven but no more than ten days** before the scheduled hearing. **Failure to make timely delivery of such affidavit to the Planning Director shall render the application incomplete and subject it to removal from the agenda on the hearing date, at the discretion of the Planning Commission.**
7. The applicant shall remove notice signs required by this section within 10 days of the date that the decision-making body takes action or the date that the application is withdrawn.
8. Failure to properly post or maintain such signs is grounds for deferral or denial of the application
9. For applications that do not abut public streets, the Planning Director is authorized to approve an alternative form of posted notice that will be visible to passers-by.



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Sign Posting Affidavit

THE FOLLOWING AFFIDAVIT SHALL BE COMPLETED AT LEAST SEVEN BUT NO MORE THAN TEN DAYS BEFORE THE SCHEDULED HEARING. Failure to make timely delivery of such affidavit to the Planning Director shall render the application incomplete and subject it to removal from the agenda on the hearing date, at the discretion of the Planning Commission.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

I, _____ (printed name), hereby state that I have received a copy of the Sign Posting Procedures and that the required sign(s) have been posted and maintained as prescribed in the Sign Posting Procedures.

Signature

Date

Application No. _____

STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this _____ day of _____, 200__.

by _____.

My Commission Expires:

Notary Public



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Determination Of Completeness, Accuracy, and Sufficiency

I have reviewed the rezoning application submitted by:

Name: _____ Date: _____

Application No. _____

Based upon the submitted information, I find the application to be:

- Complete (based upon the items reviewed)
- Incomplete, inaccurate, or insufficient (circle) for the following reasons:
 - The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
 - The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with Development Code standards.
 - The application or plan cannot be approved without a variance or some other change or modification that the decision-making body for that application or plan does not have the authority to make.
 - Other

Planner

Date

Resubmit by _____ to be placed on the agenda for the Planning Commission meeting on _____. (All resubmitted materials must be deemed to be complete, accurate, and sufficient.)



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**PRELIMINARY DEVELOPMENT PLAN
APPLICANT CHECKLIST**

(Do not submit with application.)

This checklist has been provided to assist you as you prepare your application. Please retain for your records, and do not submit with the application.

The submitted preliminary development plan shall conform to the application requirements of Article 13, Section 20-1304(d). Submission of less information than necessary to adequately review and process your application may delay the review process.

- 1. The application shall include a General Location Map showing the location of the property in relation to at least one intersection of two Streets shown as Collector or Arterial Streets on the City's Transportation Element of the Comprehensive Plan.
- 2. If the applicant proposes to develop a Planned Development in phases, the application shall contain a proposed phasing schedule. In a phased development, Open Space and site amenities shall be apportioned among the phases in proportion to the amount of development occurring in each phase, so that, for example, when the development is 40% complete, 40% of the Open Space and amenities will be complete, transferred to the association or other permanent Owner, and properly restricted as required by this Code.
- 3. The applicant shall provide the supplemental stormwater information required by city regulations, and provide on the development plan a site summary table which indicates: the area (in sq. ft.) and percentage of the site proposed for development as a Building(s); development as a paved surface; undeveloped and planted with grass, ground cover, or similar vegetative surface. When a development is proposed to be phased, the entire detention basin shall be provided during phase one of the project unless otherwise approved.
- 4. The plan shall be submitted so as to conform with the requirements for the submission of a Preliminary Plat under Sec. 20-812(a), except where such requirements conflict with the requirements of this article.
- 5. The Preliminary Development Plan submitted by the Landowner as part of his or her application for tentative approval shall be prepared at a scale no smaller than one inch to 50 feet and shall include all of the area proposed to comprise the Planned Development.



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- 6. The plan and supporting documents shall include the following information:
 - a. A legal description of the site;
 - b. The dimensions of all property boundaries;
 - c. The owners of record and any other parties having an interest in the proposed development;
 - d. A topographical survey of the site at an interval of not more than two feet or a more detailed plan if requested by the Public Works Department;
 - e. The location of all existing structures, Easements, utilities, proposed utilities, and public dedication either through, adjacent to or on the site;
 - f. The existing public and private Street system, platted or unplatted Ownership, type and location of structures, curb cuts on adjacent properties and along the opposite side of the street and topography extending 300 feet beyond the outside boundaries of the proposed development;
 - g. The width, Grade, location and Ownership of all proposed public and private Streets and sidewalks in the area to be developed;
 - h. The use, height, Floor Area, and approximate location of all proposed Buildings and other structures;
 - i. The number of Dwelling Units to be contained in each Building proposed for residential use;
 - j. The location, dimension and capacity of all proposed off-Street parking areas in the area to be developed;
 - k. The location, dimension, acreage, and Ownership of all proposed public and private recreation areas, Open Space and non-encroachable areas;
 - l. Dimensions and notes as deemed necessary to show compliance with the development standards of this article;
 - m. A schedule showing the proposed time and sequence within which the applications for final approval of all portions of the Planned Development are intended to be filed. The Planning Commission may either approve or modify the submitted development time schedule. The development phases as shown on the time schedule shall also be indicated on the plan.
 - n. As part of the development time schedule each phase shall have a summary of the number of units of each type of use, the number of Dwelling Units, the acreage devoted to residential, non-residential, commercial, recreation, Open Space, non-encroachable area, Streets (both public and private), off-Street Parking, and other major land uses, Density, public lands (existing and proposed), and the total number of acres contained in each development phase;



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- o. A summary of the total number of units of each type of use, number of Dwelling Units, the acreage devoted to all major land uses, the acreage of public lands and areas proposed for public Ownership, the acreage of the total area proposed to be developed, and the overall net Density of the development;
- p. A statement as to the feasibility of proposals for the disposition of sanitary waste and storm water, and how all utilities are to be provided including sewerage, water, storm drainage, gas and electricity, and how completion of all improvements is to be guaranteed;
- q. A statement as to the form of Ownership proposed to own and maintain the Common Open Space, recreation facilities, non-encroachable area and any other area within the area proposed to be developed that is to be retained primarily for the exclusive use and benefit of the residents, lessee and owners of the Planned Development;
- r. A statement as to the substance of the covenants, grants of Easements or other restrictions to be imposed upon the use of the land; Buildings and structures, including proposed Easements or grants for public utilities;
- s. The Landowner shall also submit a tentative dedication clause including dedication of public utility and drainage Easements, Street rights-of-way and the following statement: "We hereby dedicate to the City of Lawrence the right to regulate any construction over the area designated as Common Open Space, open air recreation area, and non-encroachable area and to prohibit any construction within said areas and spaces inconsistent with the approved use or enjoyment of residents, lessees and owners of the Planned Development;"
- t. A statement specifying those variances, modifications, reductions and waivers being requested as part of the plan approval and setting forth reasons why, in the opinion of the Landowner, such should be allowed; and,
- u. One north-south and one east-west elevation across the site to show typical site layout, Grade, etc.;
- v. Submission of a landscape plan in conformance with Article 10, Section 20-1001(d).



PRELIMINARY DEVELOPMENT PLAN

DETERMINATION OF COMPLETENESS, ACCURACY, AND SUFFICIENCY (Completed by Staff)

The following items apply to rezoning applications. Submission of less information than necessary to adequately review and process your application may delay the review process. The following submittal requirements will be deemed either fully completed and Provided (P) or Not Provided (NP) by the applicant. (Circled items have not been reviewed due to time constraints.)

Pre-Application Meeting

P NP

- 1. Pre-Application Meeting. The applicant shall meet with Planning Staff at least seven (7) business days prior to submittal of the application. During the meeting Planning Staff will assist the applicant to determine if the following items are required:
 - a. Traffic Impact Study, three (3) copies. (If required.)
 - b. Drainage Study, two (2) copies. (If required.)
 - c. Market Study, two (2) copies. (If required.)
 - d. Downstream Sanitary Sewer Analysis, two (2) copies. (If required.)
 - e. Area Plan. (If required.)

General Submittal Requirements

- 2. A complete application form.
- 3. Payment of review fee.
- 4. Owner Authorization form if applicant is not the legal owner of the property.
- 5. Site Plan, 17 copies, folded to a size of 8.5" by 11" in size, image side out.
- 6. General Location Map showing the location of the property to at least one intersection of two streets shown as collector or arterial streets on the City's Major Thoroughfares Map of the Comprehensive Plan (at a scale no less than 1:50 or a size of less than 8.5" by 11").
- 7. Legal description of the property in print and electronic (Microsoft Word) formats.
- 8. A list certified by the City Clerk of all property owners within the notification area of the subject property.
- 9. Ownership List Certification form.



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Requirements for Public Notification of the Public Hearing

- 10. Post a sign (supplied by the Planning Office) at least twenty days before the public hearing.
- 11. Submit Sign Posting Procedures and Affidavit form at least seven but no more than ten days before the public hearing.

Other Requirements

- 12. Drawings and data necessary to demonstrate that the proposal is in general conformance with the Comprehensive Plan.
- 13. Verify the existence of and notify all registered Neighborhood Associations whose boundaries include or are contiguous to the subject property. (To be completed by Staff).
- 14. Verify the accuracy of the submitted legal description.
- 15. Verify the accuracy of the submitted property ownership.
- 16. If the applicant proposes to develop a Planned Development in phases, the application shall contain a proposed phasing schedule. In a phased development, Open Space and site amenities shall be apportioned among the phases in proportion to the amount of development occurring in each phase, so that, for example, when the development is 40% complete, 40% of the Open Space and amenities will be complete, transferred to the association or other permanent Owner, and properly restricted as required by this Code.
- 17. The applicant shall provide the supplemental stormwater information required by city regulations, and provide on the development plan a site summary table which indicates: the area (in sq. ft.) and percentage of the site proposed for development as a Building(s); development as a paved surface; undeveloped and planted with grass, ground cover, or similar vegetative surface. When a development is proposed to be phased, the entire detention basin shall be provided during phase one of the project unless otherwise approved.
- 18. The plan shall be submitted so as to conform with the requirements for the submission of a Preliminary Plat under Sec. 20-707(a), except where such requirements conflict with the requirements of this article.
- 19. The submitted site plan shall meet the following specifications:
 - 1. Provide 17 copies (2 additional copies required if property abuts Kansas State Highway)
 - 2. Folded to fit in an 8.5" by 11" envelope, image side out.
 - 3. Additional Plans and an 11" by 17" reduction may be requested prior to completion.



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4. Shall be prepared at a scale no smaller than one inch to 100 feet and shall include all of the area proposed to comprise the Planned Development.
5. Consult the chart below for additional site plan drawing requirements.

Preliminary Development Plan Drawing Requirements		
✓	NA	Section 20-1304(d)(3)(iii) The Plan and supporting documents shall include the following information:
		Legal Description of the site.
		The dimensions of all property boundaries shown.
		The Owner of record and any other parties having an interest in the development.
		A topographical survey of the site at an interval of not more than two feet, or a more detailed plan if requested by the Public Works Department.
		The location of all existing structures, easements, utilities, proposed utilities, and public dedication either through, adjacent to, or on the site.
		The existing public and private street system, platted or unplatted ownership, type and location of structures, curb cuts on adjacent properties and along the opposite side of the street, and topography extending 100 feet beyond the outside boundaries of the proposed development.
		The width, Grade, location and Ownership of all proposed public and private Streets and sidewalks in the area to be developed
		The use, height, Floor Area, and approximate location of all proposed Buildings and other structures
		The number of Dwelling Units to be contained in each Building proposed for residential use
		The location, dimension and capacity of all proposed off-Street parking areas in the area to be developed
		The location, dimension, acreage, and Ownership of all proposed public and private recreation areas, Open Space and non-encroachable areas
		Dimensions and notes as deemed necessary to show compliance with the development standards of this article



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Preliminary Development Plan Drawing Requirements		
✓	NA	Section 20-1304(d)(3)(iii) The Plan and supporting documents shall include the following information:
		A schedule showing the proposed time and sequence within which the applications for final approval of all portions of the Planned Development are intended to be filed. The Planning Commission may either approve or modify the submitted development time schedule. The development phases as shown on the time schedule shall also be indicated on the plan
		As part of the development time schedule each phase shall have a summary of the number of units of each type of use, the number of Dwelling Units, the acreage devoted to residential, non-residential, commercial, recreation, Open Space, non-encroachable area, Streets (both public and private), off-Street Parking, and other major land uses, Density, public lands (existing and proposed), and the total number of acres contained in each development phase
		A summary of the total number of units of each type of use, number of Dwelling Units, the acreage devoted to all major land uses, the acreage of public lands and areas proposed for public Ownership, the acreage of the total area proposed to be developed, and the overall net Density of the development
		A statement as to the feasibility of proposals for the disposition of sanitary waste and storm water, and how all utilities are to be provided including sewerage, water, storm drainage, gas and electricity, and how completion of all improvements is to be guaranteed
		A statement as to the form of Ownership proposed to own and maintain the Common Open Space, recreation facilities, non-encroachable area and any other area within the area proposed to be developed that is to be retained primarily for the exclusive use and benefit of the residents, lessee and owners of the Planned Development
		A statement as to the substance of the covenants, grants of Easements or other restrictions to be imposed upon the use of the land; Buildings and structures, including proposed Easements or grants for public utilities
		The Landowner shall also submit a tentative dedication clause including dedication of public utility and drainage Easements, Street rights-of-way and the following statement: "We hereby dedicate to the City of Lawrence the right to regulate any construction over the area designated as Common Open Space, open air recreation area, and non-encroachable area and to prohibit any construction within said areas and spaces inconsistent with the approved use or enjoyment of residents, lessees and owners of the Planned Development
		A statement specifying those variances, modifications, reductions and waivers being requested as part of the plan approval and setting forth reasons why, in the opinion of the Landowner, such should be allowed; and



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Preliminary Development Plan Drawing Requirements		
✓	NA	Section 20-1304(d)(3)(iii) The Plan and supporting documents shall include the following information:
		One north-south and one east-west elevation across the site to show typical site layout, Grade, etc
		Submission of a landscape plan in conformance with Article 10, Section 20-1001(d)