

PLAT COMMITTEE

February 11, 2026

Case Number: 2026-PLT-003
Property Address: 10320 Pendleton Pike (*Approximate Address*)
Location: Lawrence Township, City of Lawrence, Council District #10
Petitioner: GMX Real Estate Group, by Joseph D. Calderon
Zoning: C-7
Request: Approval of Subdivision Plat to be known as Dutch Bros on Pendleton, dividing 7.299 acres into two (2) lots, with a waiver of the sidewalk requirement along Teresa Lane.
Waiver Requested: Sidewalks
Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated January 3, 2026, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of The City of Lawrence, Sanitation Section.
3. Subject to the Standards and Specifications of The City of Lawrence, Drainage Section.
4. Subject to the Standards and Specifications of The City of Lawrence, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the Final Plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.

10. That all the standards related to Secondary Plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the Final Plat.
11. That the requested waiver of sidewalk requirements along Teresa Lane be **denied**; and that the required sidewalk shall be shown on and affixed to the Final Plat prior to recording.

PETITION OVERVIEW

SITE PLAN AND DESIGN

The subject site is zoned C-7 and is currently developed with a structure housing a used car dealer and automobile parts store, along with accessory parking areas on each side of the building. The proposed plat would subdivide the parcel to create a new lot and new block per the below plat: Block A would be comprised of 6.603 acres and would contain the existing structure, while Lot 1 would be 0.696 acres to the southeast to allow for outlot development. The proposed plat would meet the standards of the C-7 zoning district and the subdivision regulations, except for the requested waiver related to sidewalks.

STREETS

Lot 1 would front on Pendleton Pike to the southeast but would not have direct vehicle access. Block A would front on both Pendleton Pike to the southeast and Teresa Lane to the west, and would allow for vehicle access to Lot 1. No new streets are proposed as a part of this plat.

SIDEWALKS

Sidewalks currently exist along Pendleton Pike and would be required to be placed along Teresa Lane as a condition of Plat approval. The applicant is seeking a waiver of this requirement along the 568 feet of frontage comprising Teresa Lane. Findings of Fact submitted by the applicant in support of this waiver are included within the Exhibits below.

The Ordinance indicates that waivers of the sidewalk requirement may be contemplated in instances of “extreme difficulty” caused by features such as “waterway crossing, significant elevation change, existing deep drainage swales in the right-of-way, and grades steeper than 3:1”. When visiting the site, staff did not note the presence of any site-specific factor that would meet this standard, and the petitioner’s Findings did not identify any site-specific reason as to why sidewalk could not be placed per requirements.

Although the subject property and areas to the north are currently developed with heavy commercial uses, staff would note that the Teresa Lane frontage is directly adjacent to sidewalks to both the east and west running directly along Pendleton Pike, and would constitute a direct continuation of that existing sidewalk network. New sidewalk in this location could be supportive of existing tenants or of future land uses that might be more directly pedestrian-oriented.

The installation of an expansive and interconnected sidewalk network is a core component of the City’s Vision Zero initiative to reduce traffic fatalities and promote walkable communities. Staff is in full support of the Vision Zero framework and feels that placement of sidewalk in this location per Ordinance requirement would be in harmony with those goals. For these reasons, staff recommends denial of the waiver request.

GENERAL INFORMATION

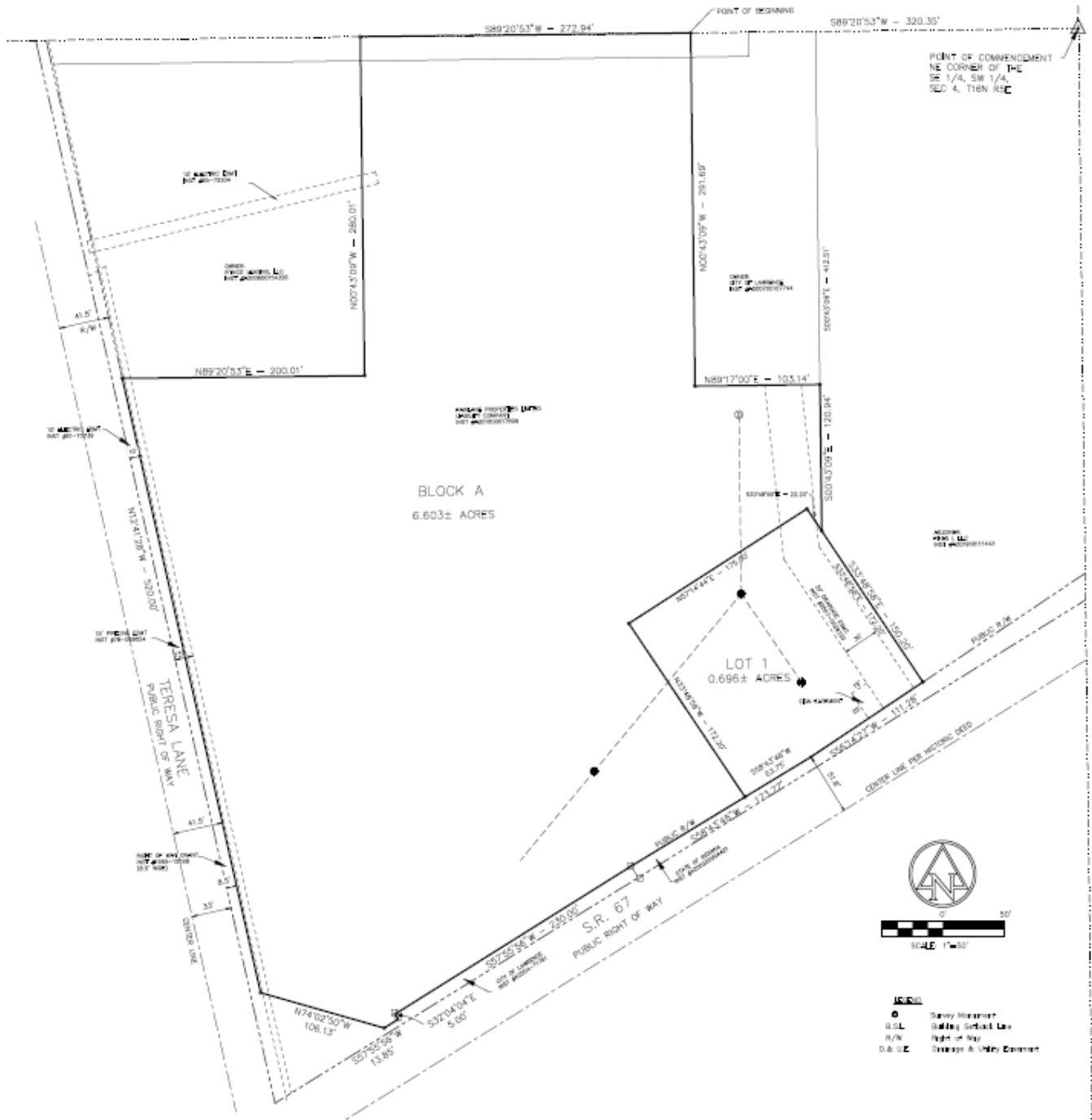
Existing Zoning	C-7	
Existing Land Use	Commercial	
Comprehensive Plan	Heavy Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-7 / I-4	Commercial / Industrial
South:	C-7 / D-A	Commercial / Residential
East:	C-7	Commercial
West:	C-7 / I-3	Commercial / Industrial
Thoroughfare Plan		
Pendleton Pike	Primary Arterial	141-foot existing and 102-foot proposed
Teresa Lane	Local Street	52-foot existing and 50-foot proposed
Petition Submittal Date	January 3, 2026	

EXHIBITS

2026PLT003 ; Aerial Map



2026PLT003 ; Preliminary Plat



2026PLT003 ; Findings of Fact

1. The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property because:

Teresa Lane is a dead end road that has Industrial/Commercial businesses on both sides and not normally used by pedestrians.

Pedestrians currently use the existing sidewalk along the frontage of Pendleton Pike.

2. The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property because:

The purpose of this proposed plat is allow for the sale and development of Lot 1 that fronts along Pendleton Pike. There are no plans to change or develop the remaining bulk the property (Block A) and requiring a sidewalk along Teresa Lane plat would be a substantial extra expense on Lot 1.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out:

A sidewalk along the industrial sites fronting Teresa Lane and dead ending at an industrial development could be hazardous to the pedestrians due to the heavy trucking.

4. The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation because:

The plat and plans are to develop Lot 1 and to not change or develop Block A that fronts Teresa Lane.

5. The relief sought shall not in any manner vary from the provisions of the Zoning Ordinance, or official zoning base maps, except as those documents may be amended in the manner prescribed by law because:

The use of the building on proposed Block A meets the C7 zoning with adequate parking, setbacks, and transition yards.

PHOTOS



Photo 1: Subject Site Viewed from South



Photo 2: Proposed Lot 1 Viewed from South



Photo 3: Subject Site Viewed from West



Photo 4: Pendleton Pike Sidewalk at Intersection looking Northeast



Photo 5: Pendleton Pike Sidewalk at Intersection looking Southwest



Photo 6: Teresa Lane Frontage at Intersection looking North



Photo 7: Teresa Lane Frontage at Interior Drive Looking North



Photo 8: Teresa Lane Frontage at Interior Drive Looking South



Photo 9: Teresa Lane Frontage at Northern Boundary Looking North



Photo 10: Teresa Lane Frontage at Northern Boundary Looking South



Photo 11: Adjacent Property to West



Photo 12: Adjacent Property to Southeast