



Your kind of place.

May 15, 2023

Ryanne Sass  
Plaza Street Partners  
2400 W. 75<sup>th</sup> St. #220  
Prairie Village, KS 66208

**RE: Request for 180-Day Extension of Approval;  
Application Z20-019,  
Lincoln Professional Park Gas Station UBSR**

Ms. Sass;

The Town of Parker Town Council held a public hearing on May 17, 2021 and approved your Use by Special Review Application to allow for a gas station within the Lincoln Professional Park development. The site is located on the east side of Dransfledt Road and south of Lincoln Avenue. The approval is effective for a period of 12 months. On April 29, 2022, a 90-day extension was granted until August 17, 2022. In August, the Town Council approved a Waiver from the Town Code to extend the UBSR until November 17, 2022. On November 7, 2022, Town Council amended the Town code, amending the expiration dates of applications. This code amendment was made applicable to existing applications.

The revised Town Code within Section 13.01.140(b), Resubmittal and Expiration of Approvals, now reads as follows:

*“Approval by the Town Council, Planning Commission, or Planning Director of any use by special review shall remain in effect for a period of twenty-four (24) months. Any approval of an application for which a grading permit or building permit has not been issued or for which the use by special review has not commenced within twenty-four (24) months after approval of the use by special review shall be null and void. An extension of time of up to one hundred eighty (180) days may be granted by the Planning Director, after consultation with the Director of Engineering/Public Works.”*

Based on the amended code, the UBSR is set to expire on May 17, 2023. The code also provides for an extension of the approval for up to one hundred eighty (180). On April 27, 2023, a request for a 180-day extension was submitted to the Town of Parker. This correspondence is to inform you that the Town has reviewed your request as it relates to the facts of the matter, the LDO and the Town’s established land use process.

Pursuant to Section 13.01.140(b), Resubmittals and Expiration of Approvals, states that an extension of time of up to one hundred eighty (180) days may be granted by the Planning Director, after consultation with the Director of Engineering/Public Works, subject to the criteria set forth in Section (g). The criteria for approval of an extension are:

1. The applicant can demonstrate evidence that the delay is not self-imposed. This evidence could include any unexpected predevelopment challenge that is out of the reasonable control of the applicant,


- including, but not limited to, changes to or challenges in financing the project, delays due to state or federal permitting requirements, required technical design changes, title issues, or environmental issues;
2. There has been no significant change in development conditions affecting the subdivision plan and the plat continues to comply with all applicable standards and ordinances;
  3. The applicant has exercised reasonable diligence to complete the project; and
  4. Delays in the process are beyond the control of the applicant.

The applicant submitted the Minor Development Plat to plat the property into developable lots on August 16, 2021. In addition, the applicant submitted the Site Plan for the gas station on October 28, 2021. These applications have been continuously under review. Due to the complexity of the overall property, the application review process has taken longer than expected. However, both applications are nearing approval and work will soon be able to commence on site.

I find that your reason for requesting a 180-day extension of the Use by Special Review approval to satisfy the criteria for granting the extension. Therefore, the above-mentioned Use by Special Review has been extended an additional 180-days effective May 17, 2023 and valid through November 13, 2023. Please be advised that no further administrative extensions under Section 13.01.140(b) of the LDO are possible. You are required by the LDO to obtain a grading permit or building permit on or before August 17, 2022 in order to preserve the entitlements of your project. Failure to do so shall cause an expiration of the approval and render it null and void.

If you have any questions, please contact this office at (303) 841-2332.

Sincerely,



John Fussa  
Community Development Director

cc: Stacey Nerger, Senior Planner