

Memorandum

City of Lawrence

Planning & Development Services

TO: David L. Corliss, City Manager

FROM: Sandra Day, Planning

CC: Scott McCullough, Director of Planning

Date: November 17, 2011

RE: Remington Square development history

This memo summarizes the zoning and development history of the property known as Remington Square, 4100 W 24th Place; specifically, whether a site plan was provided at the time of rezoning the property from RSO to RM15 in 2008.

An application was submitted on October 31, 2007 to the Planning office to rezone an area of land from RSO to RM15 to accommodate a multi-family development. The request included two parcels (west parcel = 9 acres, east parcel = 6.17 acres) of land totaling 15.17 acres. The purpose of the request as stated in the application was: *"Desire to build market rate affordable housing."*

Z-10-26-07; Request to rezone 15.17 acres from RSO to RM15.

- **December 17, 2007;** The Planning Commission holds public hearing to consider rezoning.
 - There was no public comment made to the Planning Commission at the December 17, 2007 public hearing.
 - The Commission voted unanimously 10-0 to recommend approval of the rezoning and forwarded the item to the City Commission with a recommendation for approval.
 - There was no accompanying site plan for this rezoning application. A concept sketch plan was submitted to staff but not included in the packet reviewed by the Planning Commission or City Commission (attached).
- **February 25, 2008;** An error in the legal description required a new public hearing.
 - There was no public comment made to the Planning Commission at the February 25, 2008 public hearing.
 - The Commission voted unanimously 9-0 to recommend approval of the rezoning and forwarded the item to the City Commission with a recommendation for approval.
- **March 11, 2008;** The City Commission considered the rezoning.

- As part of the consent agenda it was moved by Chestnut and seconded by Amyx to concur with the Planning Commission's recommendations to adopt the findings of fact and approve the request for rezoning.
 - The Motion carried unanimously.

Minor Subdivision MS-6-09-08 – combined two parcels into a single lot.

- **June 17, 2008;** Application submitted to the Planning Office for a Minor Subdivision, an administrative review item.
- **September 2, 2008;** The Minor Subdivision was administratively approved by the Planning Director.
- **September 17, 2008;** The Minor subdivision was recorded with the Douglas County Register of Deeds Office.

Site Plan SP-6-38-08

- **June 17, 2008;** Application submitted to Planning Staff for development of 224 apartments on 15.17 acres. This plan left the east 5 acres undeveloped.
- **September 10, 2008;** The Site Plan was administratively approved by the Planning Director.

Z-8-12-10; Request to rezone 15.17 acres from RM15 to RM24

- **August 19, 2010;** Application submitted to Planning Office for rezoning.
- **October 25, 2010;** Planning Commission moved to defer the consideration to November 15, 2010.
- **November 15, 2010;** Request deferred at request of applicant prior to the Planning Commission meeting [initiation of Inverness Park District Plan.]
 - PC approved Inverness Park District Plan on July 27, 2011
 - CC approved Inverness Park District Plan on September 13, 2011
 - BOCC approved Inverness Park District Plan on October 12, 2011
- **August 29, 2011;** Deferral by applicant until the submittal of a draft site plan with following request:
 - Request included straight RM24 zoning
 - Proposed restriction:
 1. Residential development on the subject property shall be limited to 1-bedroom 2 story apartments, as recommended by the Inverness Park District Plan
 2. The City Commission shall approve all site plans on the subject property.
- **October 26, 2011;** The Planning Commission holds public hearing to consider rezoning.
 - Members of the public speak in opposition to the request.
 - Planning Commission voted 7-2 to forward a recommendation for approval to the City Commission.
- **November 8, 2011;** Protest petition is filed with City Clerk.
- **November 15, 2011;** City Commission defers item to December 13, 2011.

Discussion:

At time of rezoning from RSO to RM15 in 2007/2008, a concept plan was submitted to staff but not presented to the Planning Commission or City Commission for review, though it is possible that individual commissioners sought out this information from the

applicant or staff outside of the public presentation. The concept plan (attached) did represent a portion of the property as undeveloped. The site plan, reviewed only by staff once formally submitted, was determined to be code compliant.

Existing subdivision included three lots along Clinton Parkway. The highlighted area represents the 15.17 acres including all of Lot 2 and a portion of Lot 1.



