

PLANNING COMMISSION REPORT
Regular Agenda -Public Hearing Item

PC Staff Report
1/30/13

**ITEM NO. 9: **PRELIMINARY DEVELOPMENT PLAN FOR THE LINKS; 251 QUEENS
RD (MKM)****

PDP-12-00283: Consider a Preliminary Development Plan for The Links at Lawrence, a 630 unit multi-dwelling residential planned development with 9 hole golf course on approximately 81 acres located at 251 Queens Road and associated modification from the height limitation in the RM12 Base District. Submitted by Holloway Engineering, Surveying & Civil Design, PLLC., for Links at Lawrence, property owner of record.

STAFF RECOMMENDATION ON MODIFICATION: Planning Staff recommends approval of the requested modification from the maximum height limitation of 35 ft in the RM12 District in Section 20-601 of the Development Code to permit residential buildings (Buildings 1-23 and 30-37) to be built with a maximum height of 39 ft and the club house to be constructed with a maximum height of 41.5 ft.

STAFF RECOMMENDATION ON PRELIMINARY DEVELOPMENT PLAN: Planning Staff recommends approval of The Links at Lawrence Preliminary Development Plan based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Agreements not to protest the formation of a benefit district must be executed by the applicant and provided to the Planning Office before recording of the Final Development Plan for the following:
 - a. Street and sidewalk improvements for Queens Road.
 - b. Street and sidewalk improvements for George Williams Way.
 - c. Geometric intersection improvements for Queens Road and Wakarusa Drive.
 - d. Intersection improvements, geometric and signalization, for Queens Road and W 6th Street.
 - e. Intersection improvements, geometric and signalization, for George Williams Way and Rock Chalk Drive.
2. Provision of a revised Preliminary Development Plan with the following changes:
 - a. Remove General Note 1. The City Engineer approved the location of the driveway proposed on George Williams Way.
 - b. Show Utility Easements on the plan.
 - c. Make minor changes to utilities shown on the plan per City Utilities Engineer's approval.
 - d. Revise any reference on the plan to 'Wakarusa Drive' to 'Rock Chalk Drive'.
 - e. Addition of a note stating that prior to any construction activity the perimeter of the protected wooded areas adjacent to the construction activity will be fenced at the drip line and signage stating that any construction activity, grading, trenching or storage is prohibited within the fenced area will be erected.
 - f. Safety measures the City Traffic Engineer determines are necessary for the golf cart

- and pedestrian crossings shown across Rock Chalk Drive such as signage and pavement treatment shall be shown on the plan and implemented on site.
- g. Note any approved modifications on the face of the plan.
 - h. Note the number of van accessible ADA parking spaces provided in the parking data on Sheet C1.00 and include dimensions for ADA spaces.
 - i. Label the remnant parcel created in the southwest corner of the intersection of the extension of Headwaters Drive and Rock Chalk Drive as Tract A.
 - j. Include a landscape summary on the Landscaping Plan (Sheet 6). This summary shall note the landscape requirements for the interior parking lots, perimeter parking lots, bufferyards, and street trees and note the landscaping provided on the plan.
 - k. Revise species listed on the landscape plans per the City Horticulture and Forestry Manager's recommendations.
 - l. Provide hydrants and other site improvements per Fire Code Official's recommendations.
 - m. Provide a pedestrian access easement for the shared use path being provided from the south to the north border of the property.
 - n. Remove General Note 27.
 - o. Show the location of the bicycle parking on the plan.

Reason for Request: Revised preliminary development plan submitted to utilize revised density calculations for Planned Developments.

KEY POINTS

- Environmentally sensitive lands including a stream corridor and stands of mature trees are located on the subject property.
- A modification is being requested from the City Commission as permitted in Section 20-701(f) from the 35' building height limitation for the RM12 District in Section 20-601 to permit the construction of a 41.5 ft tall clubhouse and 39 ft tall three-story apartment buildings.
- Per Section 20-701(f)(3) density calculations in the PD Overlay District are weighted based on the number of bedrooms proposed in a dwelling unit.

FACTORS TO CONSIDER

- Conformance with the purpose of Planned Developments (Section 20-701, Development Code).
- Compliance with Development Code.
- Conformance with *Horizon 2020*.
- Conformance with Subdivision Regulations.

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated Cases

ANNEXATION

- The City Commission approved annexation request (A-11-07-07) at their February 26, 2008 meeting. The annexation became effective with adoption and publication of Ordinance 8825.

REZONING

- The City Commission approved rezoning requests [Z-11-28A-07 and Z-11-28B-07] to the RM12 District and –PD Overlay Districts at their February 26, 2008 meeting. The RM12 rezoning was conditioned to permit a maximum residential density of 6 dwelling units per acre. These rezonings became effective with adoption and publication of Ordinance Nos. 8226 and 8227.

DEVELOPMENT

- The City Commission approved a Preliminary Development Plan [PDP-11-06-07] for The Links at Lawrence, a Planned Residential Development containing 40 multi-dwelling buildings with 12 dwelling units per building for a total of 480 dwelling units, on February 27, 2008.
- A Final Plat (PF-08-05-09) and Final Development Plan (FDP-08-07-09) were submitted in August of 2009. The applicant hired a new consultant in 2012 and submitted the revised preliminary plan on the agenda tonight.

Other Action Required

- City Commission approval of Preliminary Development Plan and requested modifications.
- Submittal and administrative approval of Final Development Plan.
- Recording of Final Development Plan with the Douglas County Register of Deeds.
- Submittal and administrative approval of Final Plat.
- City Commission acceptance of dedications shown on the Final Plat.
- Public Improvement Plans submitted to City Public Works and Utilities Departments. The plans must be approved and the means of ensuring completion of public improvements accepted prior to recording the Final Plat.
- Recording of the Final Plat with the Douglas County Register of Deeds.
- Building permits must be obtained prior to construction of structures.

PUBLIC COMMENT

- No public comment was received prior to printing this staff report.

GENERAL INFORMATION

Current Zoning and Land Use: RM12-PD (Multi-Dwelling Residential with Planned Development Overlay) District; woodland and agricultural uses.

Surrounding Zoning and Land Use: To the west:
GPI (General Public and Institutional Use) District; agricultural uses with development applications in various stages of approval for a Recreation/Sports Facility.

To the north:
Property outside the city limits which is zoned A (Agricultural); rural residences, woodland, and agricultural uses.

To the east:
RS7 (Single-dwelling Residential) District, single-dwelling residences.

PRD (Westwood Hills Planned Residential Development); undeveloped.

To the south:
RM12D (Multi-dwelling Residential), RS7 (Single-dwelling Residential), OS (Open Space) Districts;

platted subdivision which has not yet been developed. The OS area has been designated as a city park.

UR (Urban Reserve) District; unplatted property within the City limits; agricultural uses.
 (Figure 1.)

Area

Gross Area	81.31 acres
Right-of-Way	8.55 acres
Net Area	72.76 acres
Lot 1, Block One	50.63 acres (2,205,442 sq ft)
Lot 1, Block Two	22.13 acres (963,983 sq ft)
Tract A, Block Three	.02 acres (871 sq ft)

SITE SUMMARY			
	Existing	Proposed	Change
Land Use:	Woodland and Agriculture	<i>Multi-Dwelling Residential, accessory parking, passive recreation</i>	Change in use
Land Area (sq ft):	72.76 acres 3,169,426 sq ft	72.76 acres 3,169,426 sq ft	--
Existing Building (sq ft):	0 sq ft	244,807 sq ft	+ 244,807 sq ft
Total Pavement:	0 sq ft	223,462 sq ft	+ 223,462 sq ft
Total Impervious Area (sq ft):	0 sq ft	468,269 sq ft (15% of site)	+ 468,269 sq ft
Total Pervious Area (sq ft):	3,169,033 sq ft	2,700,764 (85% of site)	- 468,269 sq ft



Figure 1a. Zoning in the area.

Figure 1b. Land use in the area.

Parking Summary			
Use	Req. per Sec 20-902	Parking Required	Parking Provided
<i>Multi-Dwelling Residential</i>	1 vehicle space / bedroom + 1/10 units	1050 bedrooms + 630 units= 1113 vehicle spaces	
<i>Participant Sports, Indoor Club house (10,000 sq. ft.)</i>	1 vehicle space / 500 sq. ft.	10,000 sq ft clubhouse= 20 vehicle spaces	
<i>Participant Sports, Outdoor Pool area (13,200 sq. ft)</i>	1 vehicle space / 500 sq. ft. of activity area	13,000/500= 26 vehicle spaces	
<i>Active Recreation Playground</i>	1 vehicle space / 500 sq. ft.	1,500 sq ft= 3 vehicle spaces	
TOTAL		1162 vehicle 220 bicycle	1164 vehicle 222 bicycle
ADA Accessible Spaces	20 spaces plus 1 for every 100 over 1000 1 of every 8 spaces must be van accessible	22 ADA spaces 19 vehicle 3 van accessible	23 ADA
Bicycle Parking	1 per every 4 vehicle spaces	291	304

Adequate parking is being provided for the proposed development. The parking summary on the plan should be revised to note how many van accessible ADA parking spaces are provided to insure compliance with Code. The location of the bicycle parking should be shown on the plan.

STAFF ANALYSIS

The property is located approximately ½ mile north of W 6th Street west of Queens Road. Access to the development will be provided from Rock Chalk Drive, the extension of Wakarusa Drive through the property, as well as one access point on George Williams Way. The subject property will be bounded by residential development to the east and south. The property to the west has recently been rezoned to the GPI (General Public and Institutional Use) District and has development approvals in various stages for a recreation/sports facility including KU Athletics and a City recreation center. The property to the north is agricultural/rural land outside the city limits.

When development was originally proposed on this property in 2007, the Development Code required all residential developments with sensitive lands to develop either as a Cluster Development or as a Planned Development. The property was rezoned to a base district with a planned overlay district and development plans were submitted in compliance with the Code. The Code required that a minimum of 20% of the site be set aside as common open space and that 50% of the area set-aside be developed as Recreational Open Space. As the proposal was to develop apartments with a nine-hole golf course, more than 20% of the site was proposed as common open space.

The original preliminary development plan contained 40 multi-dwelling buildings with 12 dwelling units per building for a total of 480 dwelling units and was approved by the City

Commission in February of 2008. A final plat and final development plan were then submitted. A text amendment revising the method for calculating density in planned developments was adopted in 2012. The developer is interested in using the new method of calculating density but does not want to increase the footprint of the development as the open space is an important feature. The open space would contain a 9-hole golf course as well as the protected sensitive lands. In order to utilize the new density calculation and develop with a greater number of dwelling units while maintaining the basic footprint of the development it was necessary to increase the height of the buildings.

While the change in density calculations could have been accomplished with the Final Development Plan, the increase in height required the submittal of a revised Preliminary Development Plan. Per Section 20-1304(e)(2)(iii) major changes to the proposed development require rehearing and reapproval of the Preliminary Development Plan. The changes being proposed include a reduction in the amount of common open space being provided and an increase of more than 5 ft in the height of a building. These changes are considered major changes; therefore, a revised Preliminary Development Plan has been submitted for rehearing and reapproval.

The following table compares the previously approved and current development plan:

	Previously Approved PDP	Current PDP	Change
Site Area	72.76 acres	72.76 acres	--
Common Open Space area (% of total)	46.11 acres (63.4%)	43.88 acres (60.3%)	- 2.23 acres
Protected Sensitive Lands area (% of total)	15 acres in natural open space 21% of total site	14.62 acres in natural open space 20% of total site)	- .38 acres
# of buildings	40	37	- 3
Number of dwelling units	480	630	+ 150
Number of bedrooms	800	1050	+ 250
Density	6 du/acre	4.65 du/acre	(weighted density used)
Amount of parking provided	854 spaces	1164 spaces	+ 310 spaces
Building sq ft	243,936 sq ft	244,807 sq ft	+ 871 sq ft
Total impervious surface	462,607 sq ft (14.59%)	468,269 sq ft (14.77%)	+ 5662 sq ft
Building Height	41.5 ft Club House* (*Modification approved by City Commission) 31.4 ft Apartment	41.5 Club House 39 ft Apartment	-- +7.6 ft

Table 1. Comparison between PDP-11-06-07 and PDP-12-00283

Figure 2 compares the development pattern in the previously approved PDP and that being proposed with the current PDP.

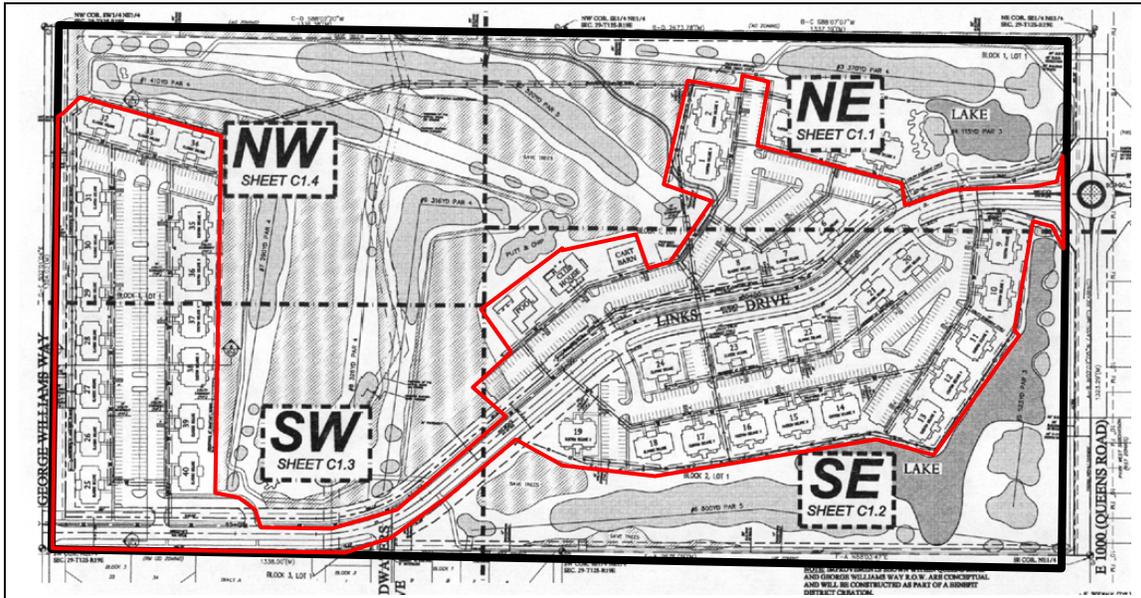


Figure 2a. Previously approved PDP with building/parking layout outlined in red.

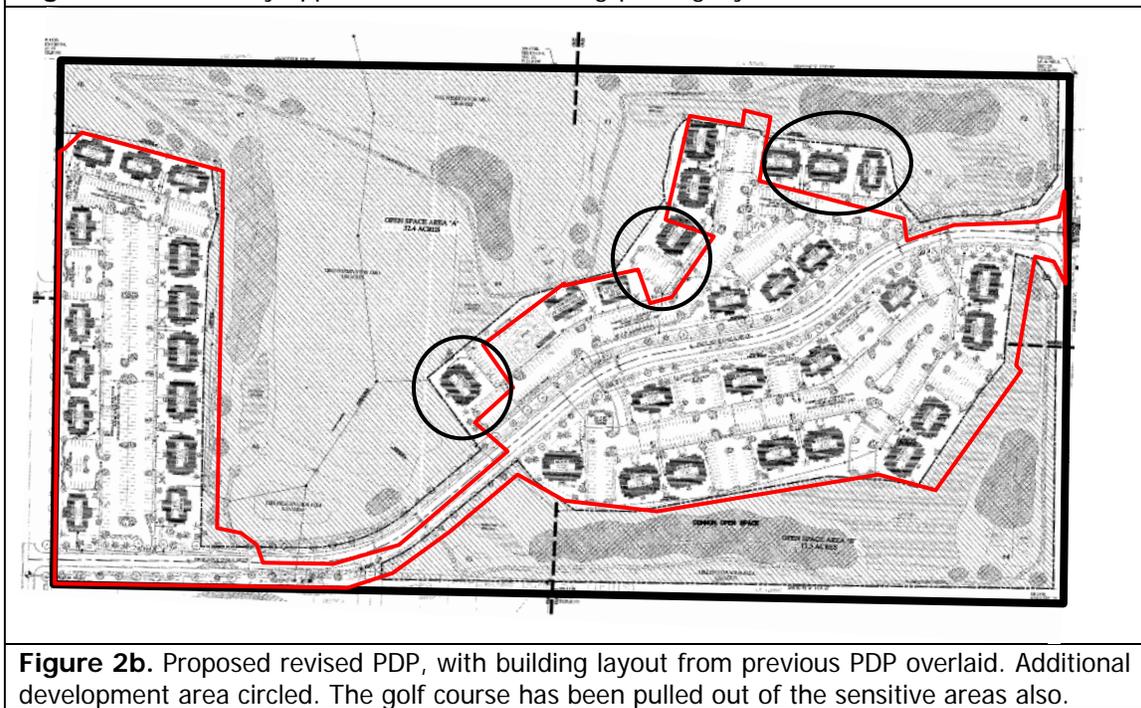


Figure 2b. Proposed revised PDP, with building layout from previous PDP overlaid. Additional development area circled. The golf course has been pulled out of the sensitive areas also.

The proposed Preliminary Development Plan for The Links at Lawrence has been evaluated based upon findings of fact and conclusions per Section 20-1304(d)(9) of the Development Code for the City of Lawrence, requiring consideration of the following nine items:

1) *The Preliminary Development Plan's consistency with the Comprehensive Plan of the City.*

The subject property is within the Baldwin Creek Drainage Basin, an area in which *Horizon 2020* recommends development not be permitted until plans to extend sanitary sewer service to the entire drainage basin have been developed. The West Baldwin Creek Sanitary Sewer Interceptor from pump station PS45 located along the north edge of the Oregon Trail Addition north and east through the subject property to the pump station PS48 has been completed.

The Comprehensive Plan recommends that new large-scale, low-density, single-family residential development be located to the west of the city, with the area east of the South Lawrence Trafficway being developed prior to the area to the west. (page 5-4) The proposed development is a large-scale, low-density residential development which is proposing multi-dwelling rather than single-dwelling residences.

Policy 5.1 of the plan recommends that natural environmental features within residential areas be preserved and protected. (page 5-19) The Preliminary Development Plan clusters the dwelling units and parking areas so they utilize approximately 11 acres leaving approximately 62 acres as common open space which insures the protection of natural features and sensitive lands. Some of the common open space will be used for a nine-hole golf course, but 20% of the site will be designated as natural open space.

The Comprehensive Plan recommends that Development Proposals be reviewed for compatibility with existing land uses, including any neighborhood plan. (Policy 4.1, page 5-17) The property lies within the boundary of *The Northwest plan (1997)*. The *Northwest Plan* recommends that residential uses vary from W 6th Street to the north from higher density near W 6th Street to lower density northward. The *Northwest plan* recommends low-density, which the development proposal meets; but also recommends single-family residences. The typical land use arrangement at the time the *Northwest plan* was adopted was for single-family residences to be lower density and multi-family residential developments to be higher density. With the adoption of the 2006 Development Code new single-dwelling zoning districts were created which could be developed at 'medium-density'. Under the Development Code, the level of density does not dictate the housing type as it did when the *Northwest Plan* was adopted.

Chapter 16 of the Comprehensive Plan, *Environment*, recommends the following (staff discussion follows each recommendation in *italics*):

- "Development should maintain the natural benefits of existing topography. Development on steep slopes (above 15%) should be done in a manner that encourages the use of the existing topography with minimal grading to minimize adverse effects." (Policy 2.1, page 16-12)

Steep slopes were included in the sensitive area site plan, although the Development Code does not require their protection as environmentally sensitive lands. The improvements being proposed to the site are located outside of this area with the exception of some of the golf course. (Figure 3)

- "Encourage environmentally sensitive site design practices which minimize the unnecessary physical and visual impacts upon the surrounding landscape caused by removal of woodlands." (Policy 2.2(a)(2), page 16-12)

The development of the golf course requires the removal of trees, but allows more contiguous areas to be protected than would occur with traditional low density residential development. Traditional low density residential development requires the installation of roads and city utilities throughout the site and would break the wooded areas up into fragments. Figure 4 shows the areas of woodlands that will remain undisturbed.

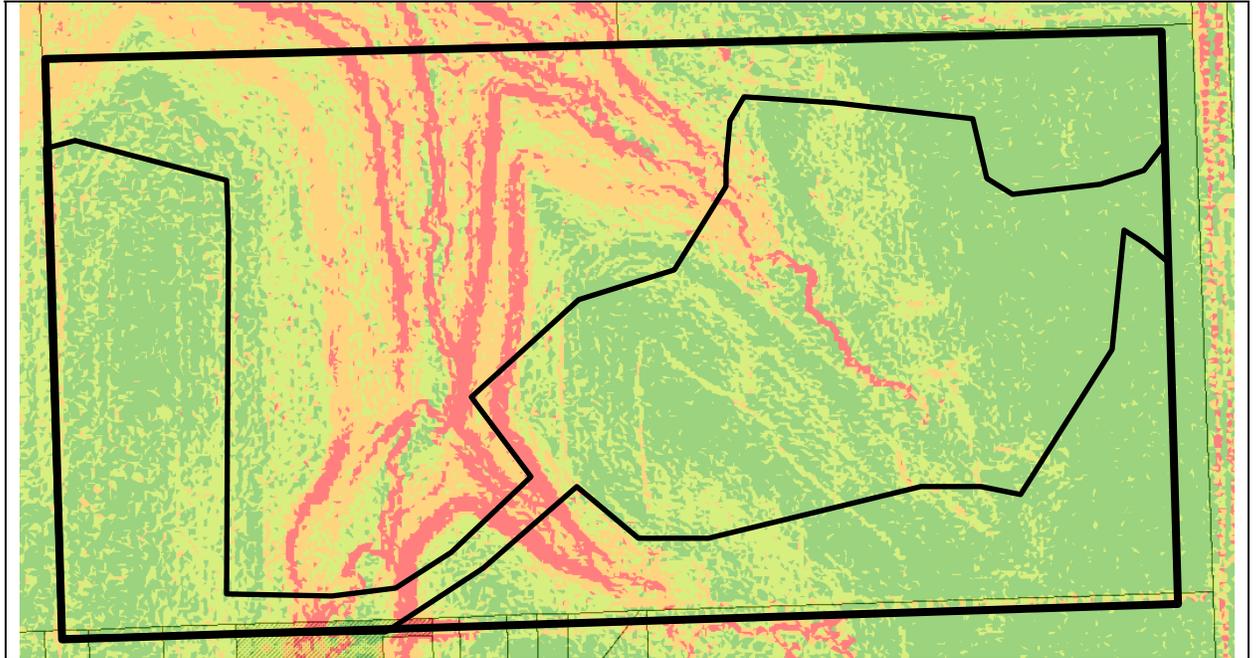


Figure 3. Steep slopes (>15%) shown in red. The area being developed with buildings or pavement is outlined.



Figure 4. Stands of mature trees that will remain undisturbed with this development. (The easement shown in the tree protection area marks the sanitary sewer easement. Trees were removed in this area for the installation of the sewer line.)

Staff Finding – The proposed development complies with the general land use provisions found in *Horizon 2020* and the *Northwest plan*. A low-density multi-dwelling development is unique and is being proposed here to allow for the development of a golf course and the extraordinary protection of open space and natural features. The development does not conform strictly with the wording of the *Northwest plan*, but does comply with the intent of providing low-density residential development further from W 6th Street and with *Horizon 2020's* recommendation of low-density residential development and the protection of natural features.

2) Preliminary Development Plan's consistency with the Planned Development Standards of Section 20-701 including the statement of purpose.

The purpose statement includes the following (staff comments follow in *italics*):

- a) Ensure development that is consistent with the comprehensive plan.
As discussed previously, the development is consistent with the comprehensive plan and the adopted plan for the area.
- b) Ensure that development can be conveniently, efficiently and economically served by existing and planned utilities and services.
Waterlines are located within the area and the Baldwin Creek Interceptor Sewer Line has been installed through the property. The development can be conveniently served by existing utilities and services.
- c) Allow design flexibility which results in greater public benefits than could be achieved using conventional zoning district regulations.
This area could develop as a conventional RM12 District, however when rezoned in 2006 the Development Code required that properties containing substantial amounts of environmentally sensitive lands, as defined by Code, be developed as a Planned Development. The Development Code has since been revised to remove this requirement and allow properties with environmentally sensitive lands to develop with base zoning through the site planning process. Design flexibility is provided through the planned development process through modifications to the standards in the base district such as a smaller lot size, increased density, reduced setbacks, increased height, and a change in parking requirements. These modifications allow the development to be tailored to the particular use and the site specific characteristics.
- d) Preserve environmental and historic resources.
There are no known historical resources in this area. The environmental resources in the area are the stands of mature trees and the stream corridor. The plan concentrates development on the more level areas which allows for the protection of the stream corridor and many of the wooded areas.
- e) Promote attractive and functional residential, nonresidential, and mixed-use developments that are compatible with the character of the surrounding area.
More than 50% of the total land area is being set aside as common open space. The buildings will be set back from the property line, with the exception of along George Williams Way where the buildings will be set near the road with the parking behind it to create an attractive street frontage. The buildings are set back from Queens Road between approximately 150 ft at the nearest point and 360 ft at the furthest. A portion of the golf course is to be located between the buildings and Queens Road. The large setback and the open space provided will provide an effective buffer between the properties. Rock Chalk Drive will border the development on the western portion of the

southern boundary and the drive in addition to the golf course will provide buffering and separation from the future single-dwelling residences in the Oregon Trail Addition Subdivision.

The proposed development, as conditioned, meets the standards for a Planned Development in Section 20-701, with approval of the modification being requested. The proposed development meets the minimum area requirement for a PD district. The applicant is requesting that the City Commission approve the requested modification to the height standard to allow the residential structures that are not fronting George Williams Way to be constructed 39 ft in height and the club house to be constructed 41.5 feet in height rather than the 35 feet that is permitted within the RM12 District. The club house is to be located in the interior of the site and is at least 640 feet from the nearest residentially zoned district. The residential buildings will be set back from the property line as noted in the following figure. The additional height proposed for the buildings (39 ft) is approximately 11% greater than that permitted by Code (35 ft). The requested modification should not negatively impact any nearby development or property owners.



Figure 5. The buildings which are included in the modification request for an increase in height are marked with red dots. The figures show the distance the building is setback from the property line (any additional row is noted in parenthesis). Minimum setback from adjacent property line is 130 ft in southwest corner.

Section 20-701(d) states that all of the standards of the Development Code apply to development within a PD District except as expressly authorized by regulations of Section 20-701. With the approval of the modification requested from the height limitation, the density and dimensional standards of the RM12 District are met. The parking requirements of Article 9 apply to this development and have been met. The remnant parcel created in the southwest corner of

the intersection of the extension of Head Waters Drive and Rock Chalk Drive is a tract and should be labeled as Tract A on the plan.

The landscaping requirements of Article 10 apply to this development. The landscape requirements are noted in Table 2. The City Horticulture and Forestry Manager recommended a change to the species list to insure a good mix of species and to use plants which are best adapted to the climatic conditions of the area. The landscaping plans should be revised per the City Horticulture and Forestry Manager’s recommendations.

Landscaping	Requirement	Required	Provided
Interior Parking Lot Landscaping	40 sq ft for each parking space. 1 tree and 3 shrubs per 10 parking spaces.	1164 parking spaces * 40 = 46,560 sq ft 1164/10=117; 117 trees and 351 shrubs	<i>The landscape summary table does not list the landscape area and number of species provided. This should be added to the plan to insure compliance with the Code.</i>
Perimeter Parking Lot Landscaping	1 shade tree per 25 ft of parking lot frontage along r-o-w.	parking lot frontage along r-o-w divided among 12 locations (see Figure x) = 58 trees	45 trees and 224 shrubs. Shrubs were used in many locations where trees could not be planted due to proximity of underground utility lines.
Bufferyard Landscaping		Bufferyard required along north, east and south sides of property where single-dwelling residential zoning exists or is recommended in the long-range area plan.	Alternative compliance has been granted from this requirement as the separation of the buildings from the adjacent residences and the placement of the golf course in this area.

Table 2. Landscaping

The landscaping cover sheet should be revised to note the total area of interior parking lot landscaping provided to insure compliance with Code. The number of trees and shrubs provided for each parking area should also be noted. Table 3 illustrates the perimeter parking lot landscaping that is required per Code. Space constraints, particularly with underground or overhead utilities may require a reduction in the number of trees provided. In that case, other landscaping measures as approved by the Planning Director, such as shrubs or berms, may be used to meet this requirement. Table 3 provides the requirements for perimeter landscaping.

The development takes access primarily to the internal street, Rock Chalk Drive, and has a secondary access point shown on George Williams Way (extended). George Williams Way is not currently improved to this location, but will be extended with the development of Rock Chalk Park to the west.

Staff Finding – The proposed Preliminary Development Plan is consistent with the Statement of Purpose of Planned Development. The proposed Preliminary Development Plan, as conditioned, is consistent with the standards of Section 20-701 of the Development Code with the exception of the proposed height of the club house, and the required buffer along the western property line, and the applicant has requested a modification from the City Commission and a waiver from the Planning Commission from these standards.

Parking Area and frontage	Trees Required	Provided
A 126 ft	5	2 trees 18 shrubs
B 85 ft	4	1 tree 11 shrubs
C 65 ft	3	1 tree 10 shrubs
D 290 ft	8	7 trees 46 shrubs
E 280 ft	8	5 trees 50 shrubs
F 160 ft	7	7 trees 23 shrubs
G 65 ft	3	4 trees
H 110 ft	5	2 trees 16 shrubs
I 65 ft	3	4 trees 11 shrubs
J 130 ft	6	6 trees 27 shrubs
K 50 ft	2	2 trees
L 100 ft	4	4 trees 12 shrubs
Total	58	45 trees and 224 shrubs

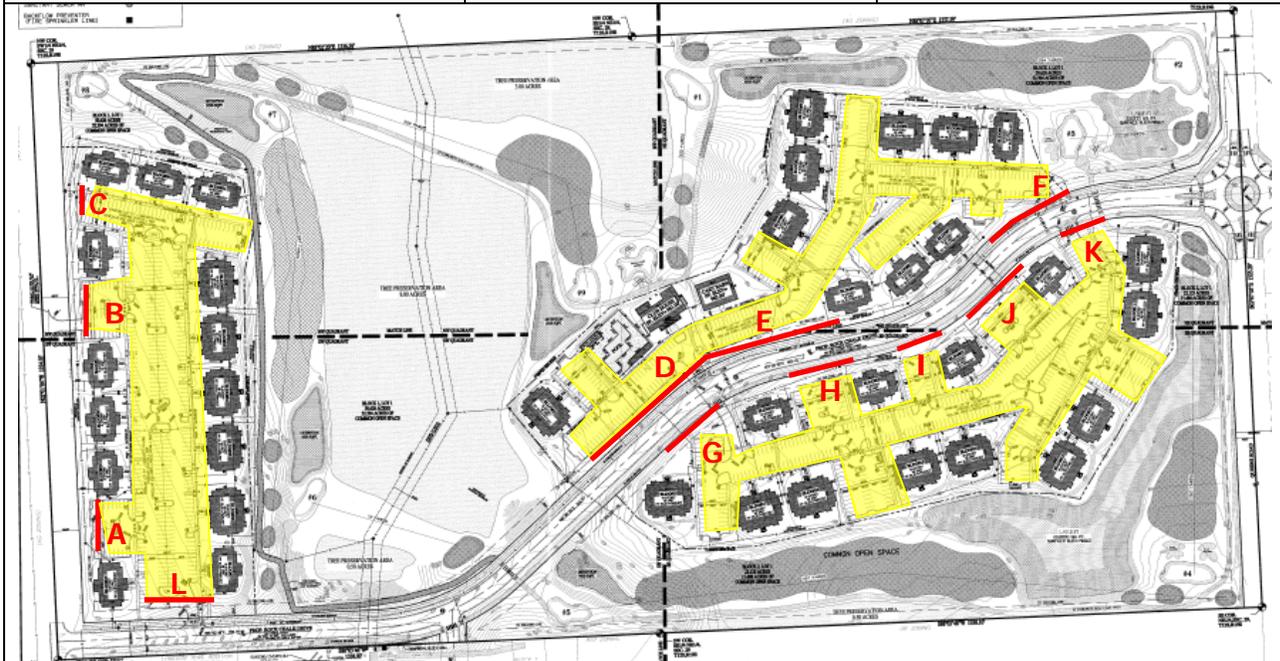


Table 3. Perimeter parking lot landscaping.

3) The nature and extent of the common open space in the Planned Development.

Portions of the sensitive lands which include heavily wooded areas and steep slopes will be protected and will provide common open space. The applicant's intent is to develop an apartment complex and golf course. The golf course, swimming pool, and club house make up the open recreation space, and are a part of the common open space. 43.88 acres, 60.3% of

the site, is being set aside as common open space and 14.6 acres, 20% of the site is being maintained as natural open space. The common open space provided complies with the requirements in the Development Code.

The Code requires that a minimum of 50% of the common open space be developed as recreational space. The proposed development provides 26.81 acres of recreational space (61% of the common open space) which includes a golf course, playgrounds near the apartments, a pool and club house, as well as a walking trail and exceeds the requirement for recreational open space.

Staff Finding – The proposed Preliminary Development Plan will provide common open space which exceeds that required by Code.

4) The reliability of the proposals for maintenance and conservation of the common open space.

The plan notes that Links at Lawrence will own the property and will maintain the common open space. The plan notes the areas to be conserved. A note must be placed on the Preliminary Development Plan that prior to any construction activity occurring on the site, the perimeter of the wooded areas adjacent to any construction activity will be fenced at the drip line and signage erected which states that any construction activity, grading, trenching or storage is prohibited within the fenced area.

Staff Finding – Links at Lawrence will own and maintain the common open space. A note must be placed on the plan to insure protection of the common open space which contains environmentally sensitive features during construction.

5) The adequacy or inadequacy of the amount and function of the common open space in terms of the densities and dwelling types proposed in the plan.

The density of the entire site is 4.65 dwelling units per acre; however, the 630 dwelling units will be clustered on a portion of the site. The Development Code requires 50 sq. ft. of outdoor area that can be used for recreational purposes for each dwelling unit in a conventional RM12 District. The Code states that the required outdoor areas serves as an alternative to a large rear setback and is an important aspect in addressing the livability of a residential structure on a small lot. The development plan proposes 630 dwelling units. The Development Code would require 31,500 sq. ft., (630 x 50 sq. ft) or nearly 1 acre, of outdoor area to mitigate the small lot size in a conventional RM12 Zoning District. This development is being designed as a planned development but the apartments are located in small areas, similar to the conventional RM12 zoning district. Where 31,500 sq. ft. would adequately mitigate the denser development, per Code, the Preliminary Development Plan provides approximately 44 acres of common open space. Approximately 15 acres will remain as natural open space and will provide a scenic, natural area for the site. The remainder, approximately 29 acres, will be developed as a golf course, and a swimming pool which will provide recreational opportunities for residents.

Staff Finding – The amount and function of the common open space is adequate based on the overall density and the actual density of the areas developed for residential uses. The dwelling types are apartment buildings. The amount of open space being provided exceeds that required by the Development Code to mitigate the denser development in the conventional RM12 District.

6) *Whether the Preliminary Development Plan makes adequate provisions for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment.*

The Fire Code Officials have been discussing the proposed plans with the applicant. Any changes recommended by the Fire Code Officials should be made to the Preliminary Development Plan.

The development is designed to further the amenities of light and air, recreation and visual enjoyment. Wooded areas will be conserved to provide visual enjoyment. The large amount of common open space will provide ample light and air. There will be several opportunities for recreational enjoyment on the site. The golf-course, playgrounds, and swimming pool are part of the common open space being provided as open recreational space. A club house will be located near the pool, which will provide indoor recreation. A 10 ft wide bike/rec path will be installed on one side of Rock Chalk Drive to connect with the bicycle/walking path system in the area. A pedestrian/access easement will be provided from the parkland in the Oregon Trail Addition at the southern border of the property to the northern border. A walkway will be constructed with this development. The width of the walkway will be determined in coordination with the City Park and Recreation Department and noted on the Final Development Plan. Per Section 20-810(f)(4)(iii) pedestrian easements must be a minimum of 12' in width. This easement will be shown on the Preliminary Development Plan, but may be subject to change with the location of the sanitary sewer and golf course layout. The easement location will be finalized at the final plat stage.

Staff Finding – The Preliminary Development Plan's provisions for Fire/Medical access are being discussed with the Fire Code Officials and the plan will be revised to reflect any changes recommended. The Preliminary Development Plan has made adequate provisions for public services and provides adequate control over vehicular traffic through limited access points onto Rock Chalk Drive, which is designated on the Major Thoroughfares Map as a collector street. The plan furthers the amenities of light and air, recreation and visual enjoyment through the provision of common open space, open recreation space, and other recreational facilities.

7) *Whether the plan will measurably and adversely impact development or conservation of the neighborhood area by:*

a) doubling or more the traffic generated by the neighborhood;

The City Transportation Planner indicated that the development would increase the traffic in the neighborhood by more than double; but pointed out that there is little development existing in the area. The residential area to the east of Queens Road and St Margaret's Episcopal Church to the south are the only developments in the area. Therefore, the fact that the amount of traffic generated will be more than doubled is tempered by the fact that the area is currently undeveloped.

b) proposing housing types, building heights or building massings that are incompatible with the established neighborhood pattern; or

The housing types and massings are compatible with the established neighborhood pattern. The houses located along Queens Road face away from the road, therefore this development is to their rear. The buildings proposed in this development may not be appropriate in close proximity to the other residences in the neighborhood; however, the impact of the buildings type and massing will be mitigated by the separation distance and the golf course landscaping. The buildings will be located 150 ft to 360 ft from Queens Road. A portion of the golf course will be located within this buffer area. The property is further separated from the residences by

Queens Road, a collector street. The houses adjacent to Queens Road face away from the development. The impact of the building type and massing should be minimal on the neighborhood to the east.

Property to the south has been platted as a residential subdivision. Rock Chalk Drive will separate the development from the residences to the south. South of Rock Chalk Drive, where it borders the south side of the subject property, will be residences, most of which face away from Rock Chalk Drive, and City parkland. Two lots near Headwaters Drive may have their sides toward the proposed development. No buildings are planned for this area. The golf course and open space will be located north across Rock Chalk Drive. The impact of the building type and massing should be minimal on the neighborhood to the south.

The land to the west, across George Williams Way, is zoned GPI and is being planned as a sports/recreation facility for KU and the City of Lawrence. The building type and massing should have no impact on this future development.

Golf courses and open space abut the northern property line. The buildings are located at least 160 ft into the interior of the site, behind the golf course. The building type and massing should have minimal impact on the existing rural residences or on future development to the north.

c) increasing the residential density 34% or more above the density of adjacent residential properties.

The property to the north is outside the city limit and is zoned for agricultural uses, but is recommended in the Northwest Area Plan for low density residential development. The property to the east is zoned for RS7 (Single-dwelling Residential) uses with a maximum density of 6.2 units per acre. To the south is a platted subdivision, which has not yet been constructed. The properties in this subdivision are zoned for RS7 (Single-dwelling Residential), RM12 (Multi-dwelling Residential) and RM12D (Multi-dwelling Residential, duplex) uses. The densities to the south are a maximum of 6.2 and 12 units per acre. The proposed density of the Links at Lawrence development is 6 units per acre. The development will not increase the residential density above the density of adjacent residential properties.

Staff Finding-- Staff has determined that the Preliminary Development Plan will not have measurable and adverse impact on the development or conservation of the neighborhood area. The density is less or similar to surrounding residential properties and the buffering provided by the building setbacks and the golf course will minimize any negative impacts the multi-dwelling structures may have on adjacent properties.

8) Whether potential adverse impacts have been mitigated to the maximum practical extent.

The parking areas location within the interior of the site should prevent any glare or spill-over light onto adjacent properties. A photometric plan will be required at the final development plan stage to insure there is no adverse impact from the proposed exterior lighting. The recreational facilities are located in the center of the site and should not impact the surrounding properties. The golf course is listed as being private, for public use and use may be determined by membership or on a 'pay and play' basis. To insure that the club house and pool remain accessory uses to the apartment complex and do not become commercial facilities, a note must be placed on the plan indicating that the club house and pool is open to members only or to residents of The Links at Lawrence and their guests.

Staff Finding – Possible adverse impacts of exterior lighting will be addressed with a photometric plan to insure there is no spillover light. The location of the recreational facilities in the center of the site insulates the noise and activity from surrounding properties. The use of the club house and pool may have an adverse effect on the neighborhood---depending on how it is used; therefore a note restricting the use of the club house and pool to residents, guests and members is required on the plan.

9) *The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the Planned Unit Development in the case of a plan that proposes development over a period of years.*

Staff Finding- A phased development has not been proposed.

Staff Review and Conclusion

The proposed Preliminary Development Plan conforms to the anticipated land use for this area as stated in the Comprehensive Plan, and *Northwest plan* and 6th & K-10/South Lawrence Trafficway Nodal Plan . The development will conserve environmentally sensitive lands while providing multi-dwelling residences at a density similar to single-family units (6 units per acre). The proposal allows the property to be utilized for residences while retaining much of the natural features on the site through the use of multi-dwelling residences (apartments) to cluster the residential development. While 20% of the site is required to be set aside as common open space with a Planned Development, the use of apartments rather than single-dwelling residences in this location allows 60% of the property to be set aside as common open space.

The amount of open space being utilized with this development and the interior location of the residential structures minimizes any negative impacts on surrounding residential properties to the north, east and south.