
PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
06/24/2013

ITEM NO. 3A Z-13-00149 UR (URBAN RESERVE) DISTRICT TO RS7 (SINGLE-DWELLING RESIDENTIAL) DISTRICT; 21.54 ACRES (SLD)

Z-13-00149: Consider a request to rezone approximately 21.54 acres from UR (Urban Reserve) District to RS7 (Single-Dwelling Residential), located on the northwest corner of Queens Road & Overland Drive. Submitted by Highland Construction Inc., for Prairie Rose Holdings, LC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 21.54 acres from UR (Urban Reserve) District to RS7 (Single-Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.
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Reason for Request: *The Subject property (the "Property") consists of 40 acres located at the Northwest corner of Queens Road and Overland Drive, and is presently zoned "UR-Urban Reserve." The Property is surrounded by approved residential uses, and is close to the proposed city recreation center and KU athletic facilities. The proposed project is an integrated neighborhood. Single-family homeowners will have the option to access the pool and clubhouse constructed on the RM12 project. The occupants of the RM12 project will have easy access to the walking, jogging and biking routes created by the construction of the single-family neighborhood. This application is necessary to enable the development of the Property for uses expressly contemplated by Horizon 2020 and the Northwest Area Plan, and it is configured for optimal integration with current uses.*

KEY POINTS

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| <ul style="list-style-type: none">• Proposed development request includes multiple zoning districts.• Development request is submitted concurrently with a preliminary plat and related rezoning to provide land use transition across the entire acreage and compatibility with adjacent land uses.• This portion of the development request represents the largest portion of land area with the development and is proposed for low-density detached residential development. |
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ASSOCIATED CASES/OTHER ACTION REQUIRED
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| <ul style="list-style-type: none">• PP-13-00148: Kellyn Addition• Z-13-00149: 21.54 Acres RS7 [This Staff Report]• Z-13-00165: 3.34 Acres RS-5• Z-13-00166: 15.89 Acres RM12 |
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PLANS AND STUDIES REQUIRED
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Refer to Preliminary Plat staff report for discussion on streets and utilities.

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| <ul style="list-style-type: none">• <i>Traffic Study</i> – Not required for rezoning• <i>Downstream Sanitary Sewer Analysis</i> – not required for rezoning• <i>Drainage Study</i> – Not required for rezoning |
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- *Retail Market Study* – Not applicable to residential request

ATTACHMENTS

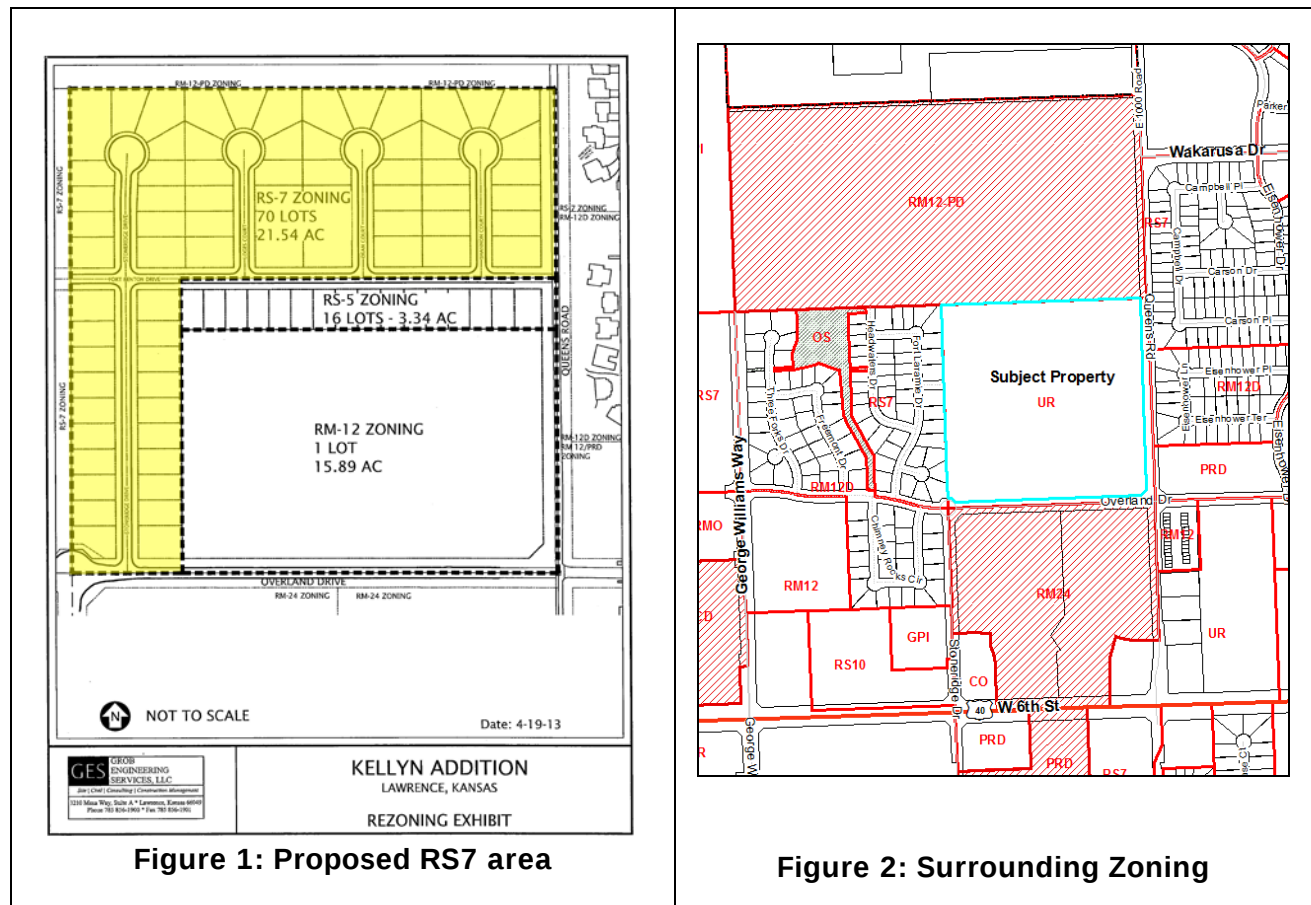
1. Rezoning Exhibit

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received to date

Project Summary:

Three separate zoning districts are proposed within the entire 40-acre site. The developer has submitted a preliminary plat concurrently with the rezoning. The following graphic highlights the portion of the area proposed for RS7 and the surrounding zoning for the entire acreage.



1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *The timing of this rezoning request is appropriate under Policy 1.3 of Horizon 2020, Chapter 4 because residential uses have been approved for each of the neighborhood properties. The project, if approved will facilitate the extension of Queens Road and will use existing City infrastructure, consistent with Policy 1.4 of Horizon 2020, Chapter 4, and Policy 1.5, Chapter 5. This application satisfies Goal 3, Chapter 5 of Horizon 2020, because this project is consistent with existing neighborhoods, and promotes integration between multi-family and single-family units. This is an in-fill project surrounded by existing residential developments. Policy 3.3, Chapter 5. The Property takes primary access from Overland Drive and Queens Road,*

which are designated as Collector Streets, consistent with Chapter 5, Policy 3.4 – Minimize Traffic Impact Through Neighborhoods. The upscale construction of the project is compatible with the quality of adjacent residential uses, consistent with Policies 3.6, and Goal 4 of Chapter 5. The proposed RM12 project is an appropriate transition from higher to lower density residential uses. Policy 6.1.c. The proposed RS7 lots abut the RS7 neighborhoods to the east and west of the Property, and the RM12 project abuts RM12D and RM12 properties to the east (across Queens Road) and RM24 to the south.

The project's configuration is consistent with the Land Use Recommendations of the Northwest Area Plan, because the majority of the project is planned for low-density residential. The RM12 medium density residential project is located in the Southeast quadrant of the property, at a location permitted by the Northwest Area Plan for medium density residential. See page 6 of the Northwest Plan. The overall density of the Property is compatible with the Northwest Area Plan.

Key features of the plan are listed in chapter 3 of *Horizon 2020*. These features include support of infill development that “provides a range of residential, commercial, office and industrial and public uses compatible with the established land use pattern in surrounding areas.” Another key feature of the plan is the “development of neighborhoods in a range of densities to provide a sense of community and to complement and preserve natural features in the area.” The plan also supports the “progression of land uses to help achieve a transition in land use and intensity levels, and to help avoid major or abrupt changes in density and building type.”

These features are expanded in chapter 5 of *Horizon 2020*. This chapter addresses compatibility with existing development and the use of appropriate transition zones between uses. Neighborhood plans, area development plans and sector plans provide further specificity to land use development patterns for areas within and around the City. Key elements of neighborhood development is connectivity. This occurs through both vehicular and non-vehicular networks and is implemented through subdivision plats. The zoning district boundary helps to establish connection and transition points between land uses. This project is surrounded by developing or approved residential development in all directions.

Staff Finding – The proposed request is consistent with low density residential land use recommendations and policies of *Horizon 2020*.

2. ZONING AND USE OF NEARBY PROPERTY, INCLUDING OVERLAY ZONING

Refer to figures 1 and 2 for a graphic representation of the existing and proposed zoning boundaries.

Current Zoning and Land Use: UR (Urban Reserve); undeveloped.

Surrounding Zoning and Land Use: To the North: RM12-PD (Multi-Dwelling Residential) (Planned Development) with conditions per Ordinance 8227, maximum density 6 dwelling units per acre. This use will be located north of the proposed RS7 portion of this request, known as “The Links” an approved multi-dwelling residential use around a large open space.

To the East: (east side of Queens Road): RS7 (Single-Dwelling Residential), RM12D (Multi-Dwelling

Residential) and PRD–[Parkwest]; existing detached single-dwelling homes, duplex development and apartment development respectively.

To the South: (south side of Overland Drive): RM24 (Multi-dwelling Residential) with conditions per Ordinance 8570, maximum density 20 dwelling units per acre; Hunters Ridge.

Also to the South: (south side of Fort Benton Drive (extended) Proposed RS5; part of this development application package.

To the west: RS7 (Single-Dwelling Residential); existing platted subdivision for detached housing. Undeveloped at this time. This use will be located adjacent to the proposed RS7 portion of this request.

Staff Finding – This area includes a mix of residential uses and densities. Lower density development is located to the north, east and west. Medium and high-density residential uses located along W. 6th Street. This request represents the north and west portion of the site as a comparable use to the adjacent uses across the east/west portion of the neighborhood.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The Property is adjacent to RM24 to the South, RM12-PD to the North, RS7 to the West and a mixture of RS7, RM12D and PRD to the East. The Property is located in a "band" of predominantly RM12 and RM12D uses along Overland Drive, from Congressional Drive to George Williams Way. There are a number of RM12, RM12D, and PRD districts located Northwest of the Property. Thus, the existing neighborhood consists of a mix of high, medium and low-density residential uses. The overall size, scope and density of the Property is compatible with adjacent and nearby neighborhoods.*

This property is located within the Gateway Neighborhood located north of W. 6th Street between Queens Road and K-10 Highway. Portions of the neighborhood along W. 6th Street are developing. Various land use approvals, including subdivision and development plan approval for the Oregon Trail and Mercato developments, were granted by the City Commission within the neighborhood.

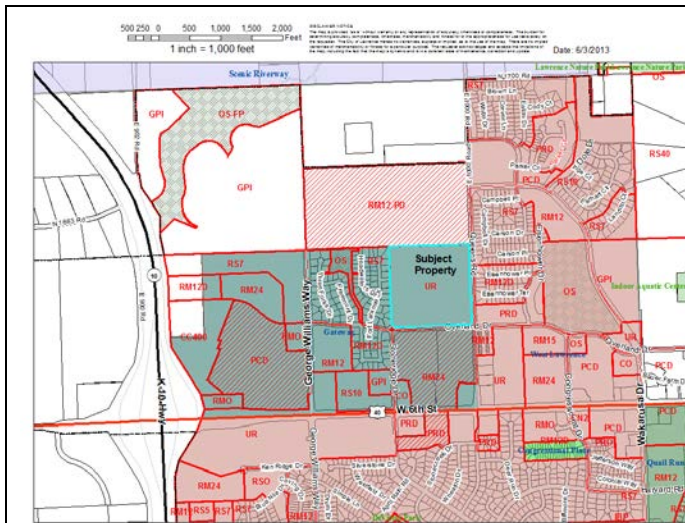


Figure 3: Gateway Neighborhood

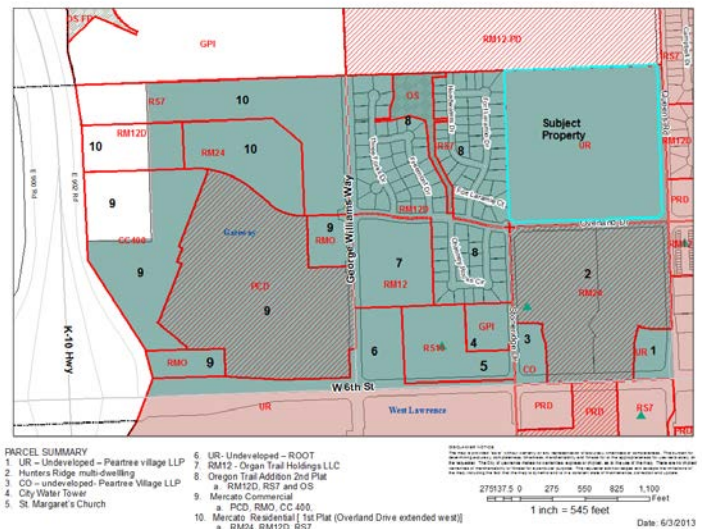


Figure 4: Gateway Neighborhood Development

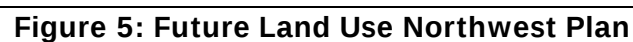
The developed residential neighborhood to the east of Queens Road, part of the West Lawrence Neighborhood, ranges in density from 4.5 to 12 dwelling units per acre. The land to the west is platted as a low-density residential subdivision. The multi-dwelling residential development to the north (The Links) was approved with low-density use restrictions and substantial open space to mitigate the multi-dwelling unit form of residential development. The proposed RS7 portion of this request is reflected in the preliminary plat.

The RS7 area includes 21.54 acres and 70 detached residential lots. The overall density for this portion of the development is 3.2 dwelling units per acre. This is consistent with the land use transitions in the immediate area to the east, west, and the decreasing intensity pattern from W. 6th Street northward.

Staff Finding – The area is developing with a range of residential land uses that transition from higher density along W. 6th Street to lower density north of Overland Drive. This request for RS7 is consistent with the developing character of the neighborhood.

4. PLANS FOR THE AREA OR NEIGHBORHOOD, AS REFLECTED IN ADOPTED AREA AND/OR SECTOR PLANS INCLUDING THE PROPERTY OR ADJOINING PROPERTY

This property is located within the boundary of the Northwest Plan. The area north of Overland Drive is shown in the Future Land Use Map as low-density residential. The following graphic illustrates the Northwest Plan future land use map superimposed over current parcel and street data. Platted subdivisions are also visible in this graphic.



The area was planned with higher intensity residential uses and commercial uses along W. 6th Street and lower intensity residential land uses extended to the north with progressively less intensive uses ranged from south to north. The following graphic illustrates the location of the proposed RS7 district within the Northwest Area Plan boundary.

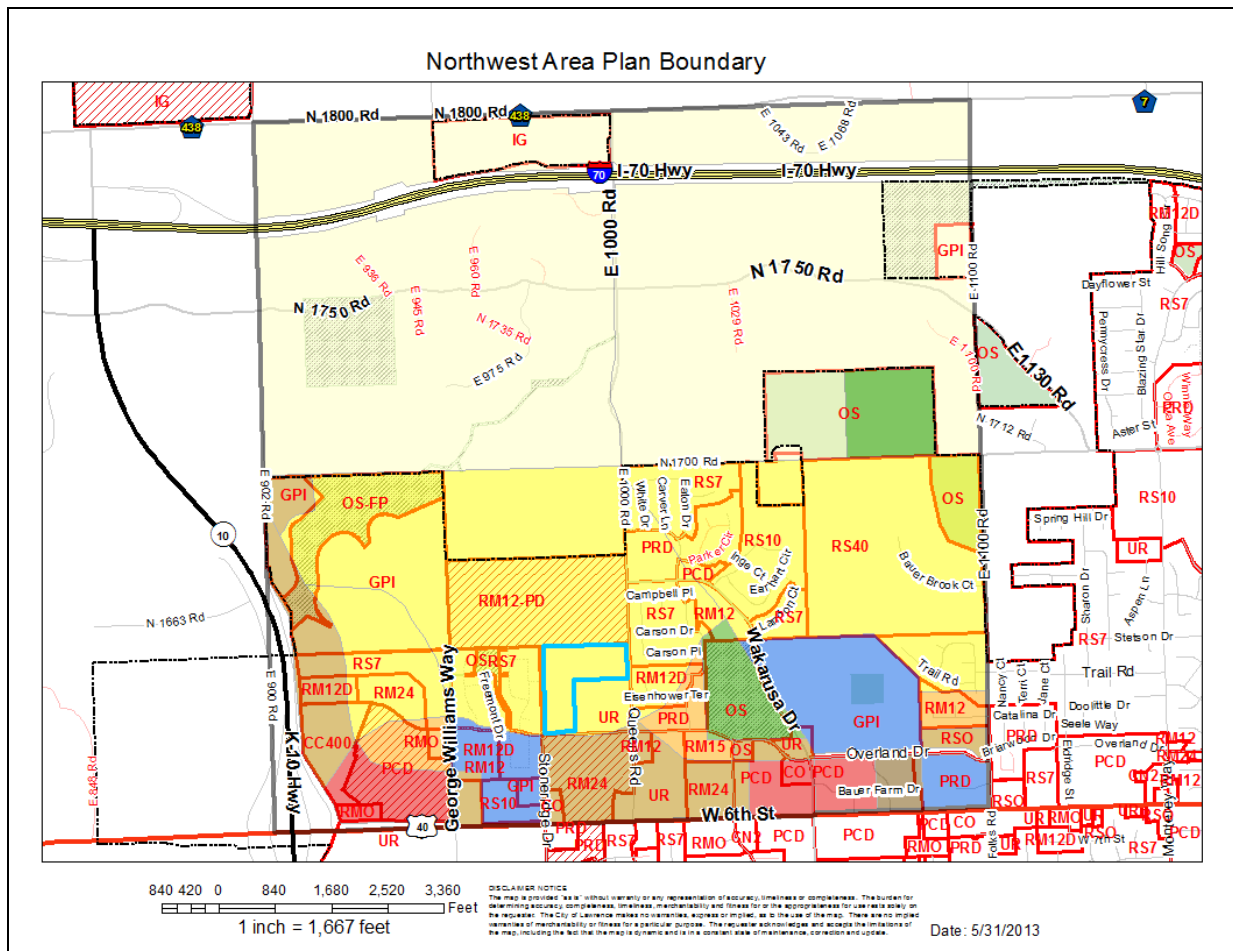


Figure 6: Northwest Area Plan

Staff Finding – The proposed RS7 district is consistent with the land use recommendations found in the Northwest Plan for low-density residential development.

5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS

Applicant's Response: *The Property is ideally suited for the proposed mix of single and multi-family uses, in relation to surrounding uses and as recommended by the City's long-range plans. The Northwest Area Plan does not contemplate commercial or industrial applications for the Property. The proposed development is a mixed use, integrated neighborhood, where the pool and clubhouse amenities of the RM12 project will be available to the single-family lots on a voluntary membership basis. The primary target market for the RM12 project are adults and families of all ages, such that the project may be an attractive option for both young professionals and retirees. The aesthetics of the RM12 project will be complementary to the adjacent single-family homes.*

The current UR zoning does not accommodate development. Rezoning is required to allow development. As noted above, the proposed zoning is suitable for low-density residential development.

Staff Finding – The existing UR zoning is not suitable for development. Rezoning is required for development of this property. The proposed RS7 zoning is suitable to comply with land use recommendations and the developing residential pattern of the area north of Overland Drive.

6. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Applicant's Response: *The Property has been vacant since its annexation into the City.*

This property has previously been considered for residential development with zoning approved for 19.5 acres for detached dwelling residential development (Z-9-59-05) and 21.23 acres for duplex residential development (Z-9-58-05). A condition of the 2005 zoning was that the property be platted. A Final Plat was approved but was not recorded and expired in September 2007. (PF-7-19-06).

Staff Finding – The property has remained vacant since annexation in 2001.

7. EXTENT TO WHICH APPROVING THE REZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES

Applicant's Response: *The rezoning will have no detrimental impact on nearby properties because the proposed single-family lots are adjacent to existing single-family neighborhoods, and the RM12 project is adjacent to RM24, RM12 and RM12D districts. The project will take primary access along collector streets, consistent with the traffic network envisioned in Transportation 2040. The proposed residential uses are compatible in location and scope with existing residential uses approved in the Northwest Area Plan.*

Approval of the request will facilitate the infill development of a 40-acre parcel within the existing City Limits. The applicant has worked with staff to develop a plan that provides an appropriate transition between developments both east/west and north/south. This portion of the development (RS7) provides a connection between the Oregon Trail subdivision to the west and the Park West Subdivision to the east.

Queens Road north of Overland Drive is constructed as a County road. This unpaved road generates dust for nearby residents. As the area develops, Queens Road must be improved to City standards. The development requests, associated with this application, facilitate the future improvement of Queens Road. Refer to the Preliminary Plat staff report for additional discussion on this topic.

The RS7 district provides land use transition north to south as well as east to west when considered concurrently with the related development applications for RS5, RM12 and the Preliminary Plat. This is important because the land use south of Overland Drive (Hunters Ridge) is more intensive at 20 dwelling units per acre in multi-story apartment buildings and the land use adjacent to the proposed RS7 zoning to the north (The Links) is a multi-dwelling residential development limited to 6 dwelling units per acre developed around large areas of open space. Both multi-dwelling projects (Hunters Ridge and The Links) include zoning conditions that limit the intensity of development. The subject property is located between these two developments.

Attached to this staff report is an exhibit that shows the two approved multi-dwelling projects as they relate to the proposed RS7 district and lot configuration. The proposed residential lots will abut a park like area to the north and similar residential lots to the west. A portion of the RS7

district will abut the proposed RM12 district. Lots along the east side of Stoneridge Drive are 120' deep. This allows some buffering to occur on the detached residential side of the property in the rear yard area. A buffer yard will be required along the west property line of the proposed RM12 district as part of a future site plan, if approved.

Staff Finding – There is no detrimental impact to nearby properties proposed by this zoning. Interior buffering between land uses within the development will be accommodated through the use of the RS5 district along the south side of Fort Benton Drive and required buffer standards applicable to multi-dwelling development that abuts detached residential development as part of site planning. Approval of the request facilitates infill development and the improvement of Queens Road north of Overland Drive.

8. THE GAIN, IF ANY, TO THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE DENIAL OF THE APPLICATION, AS COMPARED TO THE HARDSHIP IMPOSED UPON THE LANDOWNER, IF ANY, AS A RESULT OF DENIAL OF THE APPLICATION

Applicant's Response: *There continues to be strong demand for upscale mixed-use housing projects, especially as our community increases its efforts to market Lawrence as a retirement destination. The proposed uses are consistent with the City's long-range planning and are compatible with existing neighborhoods. The project facilitates the extension of Queens Road to the North, which advances Transportation 2040's objectives of providing a comprehensive street network. The construction of Queens Road also alleviates local traffic from The Links project to the North. The project increases the tax base and promotes an appropriate variety of available single-family options for new construction in the community. The Project creates a supply of housing options in close vicinity to the new recreational and commercial uses recently approved along the K-10/US-40 interchange.*

Evaluation of this criterion includes weighing the benefits to the public versus the benefit of the owners of the subject property. Benefits are measured based on anticipated impacts of the rezoning request on the public health, safety, and welfare.

As discussed in previous parts of this staff report, approval of this request facilitates infill development and provides a range of residential densities and housing types within the Gateway Neighborhood. Other benefits of the development include the extension of basic utility infrastructure and completion of the street network. Figure 7 highlights the existing and proposed street network within the development and the surrounding area of the subject property.

Denial of the request will delay the infill development of this area. There are no identified capacity limitations to development in this area.

Staff Finding – Approval of this request facilitates infill development within this designated neighborhood. Approval also facilitates the expansion and connection of water, sanitary sewer, and street network in this area.

9. PROFESSIONAL STAFF RECOMMENDATION

Staff has reviewed this application concurrently with a request for RS5 and RM12 and with the Preliminary Plat for Kellyn Addition. This portion of the development request represents the largest area of the development. The RS7 represents the lowest density of the total project at 3.2 DU per acre. For reference, the proposed densities are as follows:

- RS7 – 21.54 Acres; 70 units; 3.2 DU/AC, gross density
- RS5 – 3.34 Acres; 16 units; 4.7 DU/AC, gross density
- RM12 – 15.89 Acres; 172 Units, per TIS; 10.8 DU/AC, gross density

The total project density including all types of dwelling units and net area (less right-of-way) is 7.8 dwelling units per acre. This overall impact provides transition from the south to the north as recommended in the applicable land use plans. The RS7 portion of the request specifically responds to the detached residential nature of the adjacent area to the east and west and provides the required land use transition between higher and lower land uses in the immediate area.

Staff recommends approval of the RS7 district request.

CONCLUSION

As noted above this request is considered concurrently with but as a unique request for residential zoning in the Gateway Neighborhood. The proposed RS7 is an applicable and suitable zoning designation for this area.



Figure 7: Street Network Connections Map