

**PLANNING COMMISSION REPORT
Regular Agenda -Public Hearing Item**

PC Staff Report
1/26/15

ITEM NO. 1: PRELIMINARY DEVELOPMENT PLAN FOR HUTTON FARMS WEST PHASE II; N SIDE OF PETERSON ROAD BETWEEN DAYLILLY DRIVE AND WILMA WAY (SLD)

PDP-14-00511: Consider a Preliminary Development Plan for Hutton Farms West Phase II, located on 16.4 acres on the north side of Peterson Road between Daylilly Drive and Wilma Way. The plan includes 87 units of duplex and detached residential units. Submitted by Paul Werner Architects, for North Forty LC, property owner of record.

STAFF RECOMMENDATION ON PRELIMINARY DEVELOPMENT PLAN: Planning Staff recommends approval of the Hutton Farms West Phase II Preliminary Development Plan based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Provision of a revised Development Plan to show the following changes:
 - a. Show sidewalks on both sides of all streets within the development.
 - b. Revise note 1.9 to indicate street width and that street will be built to City Standards.
 - c. Revise note 3.1 to include off street parking provided in both garages and driveways within the development and note that 148 spaces is required and that 294 spaces are provided.
2. Provision of a note on the face of the plan indicating the Planning Commission approval of reduced setbacks for units A, B & C as shown in Figure 9 on page 1-10 of report.
3. Provision of a revised Development Plan that includes the following notes and changes:
 - a. A note stating who shall own and maintain the common open space within the Planned Development boundary.
 - b. Provision of a revised Preliminary Development Plan per the approval of the City Stormwater Engineer to include the following changes:
 - i. Show two new curb inlets to be installed over the existing 30" CMP on the south end of Lou Lou Lane. Provide one on the west side and one on the east side of Lou Lou Lane.
 - ii. Specify that all curb inlets will be constructed per City storm sewer standard details.
 - iii. Label the existing storm sewer pipes including the length of pipe run, pipe diameter, material, and slope (i.e. 90 L.F. 15" HDPE @ 0.5%). Label the existing storm sewer structures, including structure dimensions, structure type and elevations (i.e. 4'x4' Curb Inlet, FL Out (S): 900.49 T/Inlet: 902.75).
 - c. Provision of a revised Preliminary Development Plan per the approval of the City Utility Engineer to include the following changes:
 - i. For the existing 15' utility easement east of the homes on the east side of Lou Lou Lane, add 2.5 feet of U/E on the west side of the existing U/E and 5 feet of U/E on the east side of the existing U/E.
 - ii. Clarify how the two homes on the west side of Gertie Court nearest to Lou Lou Lane have access to the sanitary sewer for their service.

- iii. For sanitary sewers that are allowed to be in front of the homes, confirm that manhole lids will not be located in driveways.
- iv. Coordinate with Fire Medical if a fire hydrant needs to be located on or near the entrance of Gertie Court and show location of hydrants.
- v. Provide additional utility easement for the waterline serving the four homes at the northeast corner of the site.

Reason for Request: This is a PRD that was preliminarily shown as part of the Hutton Farms West PRD. This particular parcel was shown as Phase II of the development and is now ready to move forward. The owner plans to build one-story duplexes on the property and build Lou Lou Lane as shown on the original plan with the exception that access from Peterson Road be allowed since Peterson Road is now a two-lane road with a turn lane. The PRD for Phase II includes 87 units which is 15 less than the originally approved 102 units.

KEY POINTS

- An application is being requested for a Preliminary Development Plan in anticipation of development for Phase II.
- The original approval of Hutton Farms West identified Phase II as a future development and required approval of a Preliminary Development Plan prior to future development. The Original Approval addressed only basic uses and access as well as establishing common open space tracts for the overall development.
- Direct access to Peterson Road is proposed with this application.
- The total numbers of residential units is reduced in this application from the previous version.
- This property is platted as Hutton Farms West No. 2.
- Direct access to Peterson Road is prohibited by the approved final plat.
- Development is restricted to a maximum of 7 dwelling units per acre not to exceed 102 units total.
- Building type is restricted to detached and attached units. Attached units may not include more than three units in a single building.
- This property was zoned PD in 2006. Previous Zoning was PRD-1.

FACTORS TO CONSIDER

- Conformance with Article 20-222 as a Planned Development established prior to 2006.
- Conformance with the purpose of Planned Developments (Section 20-701, Development Code) and Article 10 of the 1966 Zoning Code.
- Conformance with Density and Dimensional Standards contained or incorporated in the terms and conditions of the original approval of the Planned Development (Section 20-222 (e) and the 1966 Zoning Code Section 20-1006 and 1007.
- Compliance with Development Code Section 20-701 (b) regarding this review process.
- Conformance with *Horizon 2020*.
- Conformance with Subdivision Regulations.
- Property is platted. Proposed changes do not modify boundary of lots and tracts within subdivision.

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated Cases

- PDP-12-12-04; approved by the City Commission on 04/05/05.

- PF-05-18-05; Hutton Farms West No. 1 (Phase I with individual single-family lots)
- PF-05-19-05; Hutton Farms West No. 2 (Phase II with large lot and several tracts for detention and open space.)
- Z-09-43-05; Approved by City Commission 11/16/04 subject to approval of a PDP and recording of final plat prior to publication.
- FDP-06-07-05; Hutton Farms West approved by the Planning Commission on 8/22/05.

Other Action Required

- City Commission approval of Revised Preliminary Development Plan.
- Approval of Final Development Plan by the Planning Commission.
- Recording of Final Development Plan with the Douglas County Register of Deeds.
- Building permits must be obtained prior to construction of structures.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Property originally included in Hutton Farms West PRD. No additional traffic study was required for this application.
- *Downstream Sanitary Sewer Analysis* -1. As indicated on Sheet 2, the PDP proposes 87 units while the previously approved development plan allowed a maximum of 102 units. The proposed lower density for this project allows the previously approved downstream sanitary sewer analysis to satisfy the criteria required for the DSSA as outlined in Administrative Policy 76.
- *Drainage Study* – The drainage study dated 12/8/2004 meets the specified requirements and is approved.
- *Retail Market Study* – Not applicable to residential development.
- *Alternative Compliance* – Not applicable to request.
- *Variances and Waivers* – This development application includes the following:
 - *Variance* – Request to provide sidewalks on only one side of the street.
 - *Waiver* – Request to reduce peripheral setback from 35' to 16.5' on the east side of the property.
 - Waiver allowed when adjacent to another Planned Development.
 - *Waiver* – Side and Rear Setback reduced from 10' to 4'.

ATTACHMENTS

1. Proposed Preliminary Plat
2. Approved Final Plat

PUBLIC COMMENT

- Questions from residents to the west in Hutton Farms Phase I regarding intent and timing of development.

Table 1: GENERAL INFORMATION

Current Zoning and Land Use:	PD [Hutton Farms West PRD]; undeveloped Phase II
Surrounding Zoning and Land Use: To the north:	RS7 (Single-Dwelling Residential) District. Developing Stonegate IV Addition.
To the west:	PD [Hutton Farms West PRD] District. Developing Phase I, detached residences on individual lots.

To the east:	PD [Hutton Farms PRD] District. Existing multi-dwelling residential development including amenities proposed to be shared with the subject property such as clubhouse and pool.
To the south:	RS10 (Single-Dwelling Residential) District. Unplatted area of Fall Creek Farms Subdivision. Existing homes located on individual platted lots along the south side of Peterson Road.

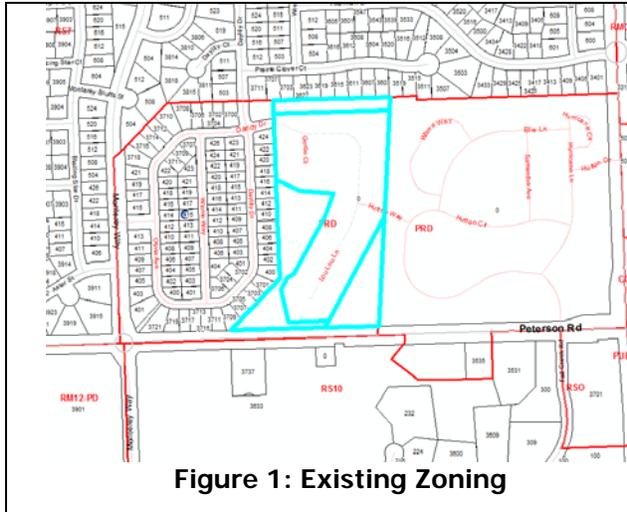


Figure 1: Existing Zoning



Figure 2: Existing Land Use

Table 2: SITE SUMMARY

SITE SUMMARY	Existing	Proposed
Land Use:	Undeveloped	Detached and Duplex Dwelling units
Land Area (sq ft):	Tract A: 1.874 AC Tract B: 3.181 AC Tract C: 1.002 AC Total Open Space: 6.057 AC Total Phase II: 16.415 AC	Detention Pond for Phase 1 and 2 Common Area – undisturbed area Common Area – other area Open Space = 36.7% of site
Proposed Building Footprint:	0 SF Approved 102 units	138,948 SF (3.189 AC) Proposed 87 units
Total Pavement:	0 SF	108,770 SF (2.497 AC)
Total Impervious Area:	0 SF	247,718 SF (5.686 AC)
Total Pervious Area:	715,047 SF	467,329 SF (10.728 AC)

The project was conceptually approved with 102 units. This proposed Preliminary Development Plan includes 87 units. The proposed development form is for duplex and detached units similar to conventional subdivision development patterns in the area.

PARKING SUMMARY

Off street parking is provided within this development in garages and in driveways for each unit. The zoning and conceptual use included parking based on the 1966 Zoning Regulations that required a minimum of 2 spaces per each dwelling unit for both Duplex and for Detached

Residential uses. This design standard was applied to the developments east and west of Hutton Farms West Phase II.

- Original off-street parking requirement: 87 units = 174 off-street parking spaces.

The current Land Development Code requires off-street parking for Duplex at a ratio of 1 space per bedroom. Detached Residential Uses are based on 2 per dwelling unit.

42 Duplex buildings (84 units) =

Building Type A (2 bedrooms per unit) = 30 buildings; 60 units; 116 bedrooms = 116 spaces

Building Type B (1 bedrooms per unit) = 12 buildings; 24 units; 26 bedrooms = 26 spaces

3 Detached Residential buildings (3 units) =

Building Type C (1 bedroom per unit) = 3 buildings; 3 units; 3 bedrooms = 6 spaces

To meet the current Development Code 148 off-street parking spaces would be required. The proposed Preliminary Development Plan shows off-street parking provided in garages, driveways and spaces in a parking area in the northeast corner of the development.

Table 3: PARKING SUMMARY

Use	Req. per Sec 20-1212 [1966 Code]	Parking Required
Duplex	2 per dwelling unit	84 units = 168 spaces
Detached	2 per dwelling unit	3 units = 6 spaces
TOTAL	87 units = 174 spaces	
Use	Req. per Sec 20-902	Parking Required
Duplex	1 per bedroom Unit Type A = 2 bedrooms Unit Type B = 1 bedroom	142 total bedrooms = 142 spaces required.
Detached	2 per dwelling unit	3 units = 6 spaces
TOTAL	87 units = 148 spaces Unit Type A = 2-car garage per unit and 2 space drive Unit Type B = 1-car garage per unit and 1 space drive Unit Type C = 1-car garage per unit and 1 space drive	

TOTAL SPACES PROVIDED: 294 SPACES

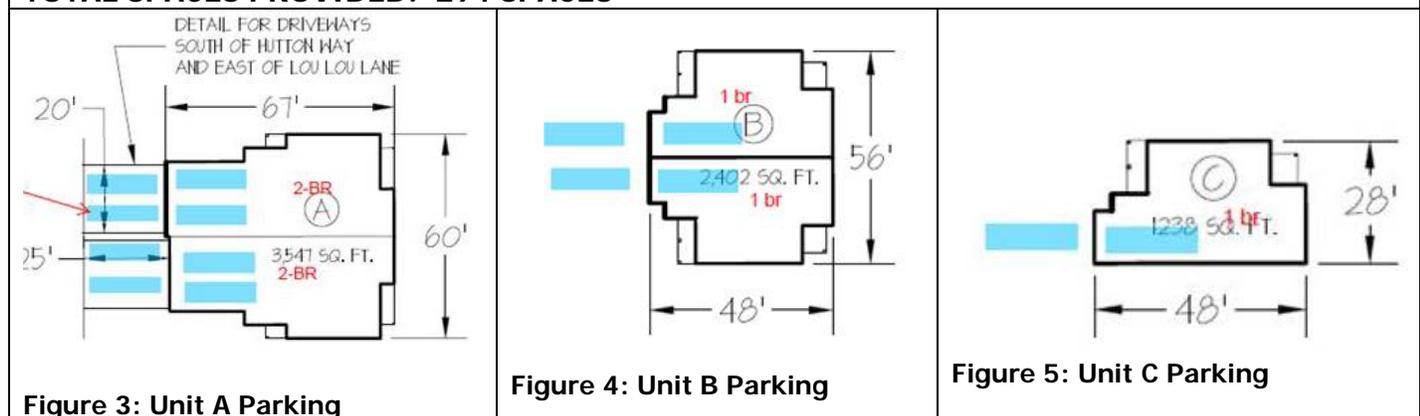


Figure 3: Unit A Parking

Figure 4: Unit B Parking

Figure 5: Unit C Parking

STAFF ANALYSIS

This property was included in the Hutton Farms West Planned Development. The area to the west of the property included all of Phase I and is developing with conventional detached houses on individual lots. Each lot is accessed from the interior private street network. Phase II included the designated open space tracts and detention pond that would serve the entire development. Phase II identified only the general street extensions and development intent. A Preliminary Development Plan is required prior to development of Phase II of Hutton Farms West PRD.

Density Review

The maximum density of this development was established with the previous approval of the project restricting development to not more than 102 total units for Phase II. The proposed Preliminary Development Plan includes fewer units than permitted for this development.

Landscape Review

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. The west portion of Hutton Farms West (Phase II) was developed under the 1966 Development Code. Regardless, some design standards, such as Street Trees, are the same or similar in the Land Development Code.

A buffer yard is provided along the north side of Phase II between the proposed development and the developing subdivision to the north. This area is encumbered by existing gas utility lines and extensive building setback requirements. An interior sidewalk has been constructed within this space and provides connectivity between Kasold Drive to the east and Dandy Drive to the west. Portions of this sidewalk will be relocated in the buffer yard.

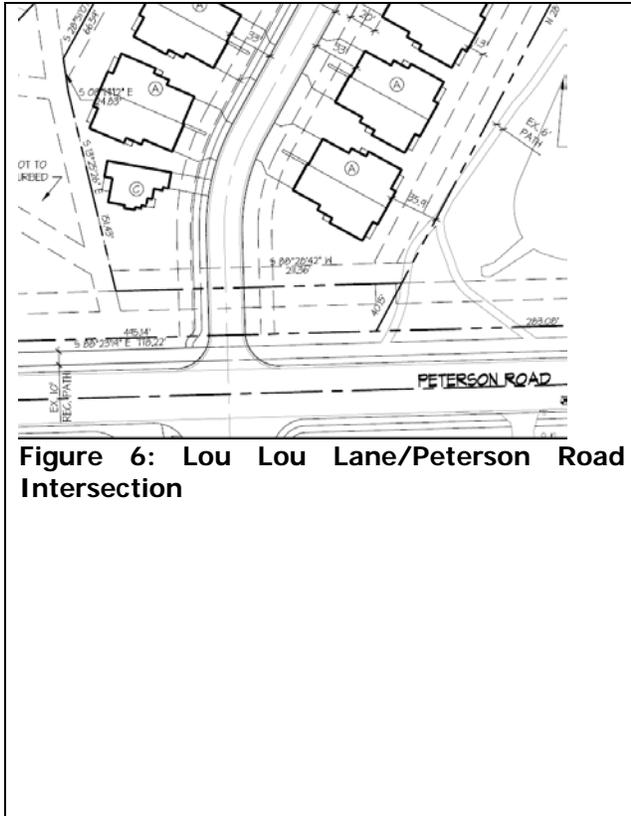
Lou Lou Lane is a private street within the development. This project includes street trees located in between buildings. Street tree locations will continue to be reviewed as public improvement plans and a Final Development Plan is developed.

Subdivision Review

This property was previously platted with easements and access and development restrictions. The applicant will submit a Minor Subdivision Application to revise utility and access easements within this development as a future application.

Access: This project includes a change to the access with a proposed intersection of Lou Lou Lane and Peterson Road. Access to Peterson Road was restricted during the original development because it was (and is) a designated arterial street and was not constructed to City Standards. Peterson Road was reconstructed to its current City Standard profile in 2006. Therefore, access restriction is no longer needed.

The proposed Preliminary Development Plan relocates the access to intersect with Peterson Road and has aligned the intersection with the future street crossing to the south. The following graphic shows the street intersection alignment. North of Peterson Road, Lou Lou Lane is a private street. The property south of Peterson Road is expected to develop with a public street as the remaining portions of Fall Creek Farms is subdivided with lots and streets.



Street Design: The interior street network is proposed as a private street configuration. The Preliminary Development Plan is conditioned to provide a standard 27' street cross section. The plan currently shows sidewalks on only one side of the private street. Note 1.9 must be revised to also note the street width shall be 27'.

Sidewalks: The applicant is requesting this development be allowed to provide sidewalks on one side of the private street only. Prior to 2005 sidewalks were required on only one side of a street.

Applicant's Reason for Request: *"A waiver is requested due to easement locations limiting the building footprint area to be too close to the street to allow room for a sidewalk and the proper driveway clearance."*

Considerations:

- Both the Subdivision Regulations and the Land Development Code, Section 20-701 (k), require sidewalks on both sides of a street.
- Private Streets shall be built to City Street Standards per Section 20-810 (10)(ii)(a).
- Section 20-811(c)(iii) allows the applicant to request a sidewalk variance as part of the Subdivision Process.
- Development Requirements prior to 2006 did not require sidewalks on both sides of a street.
- Hutton Farms East was constructed in 2004 with a mix of sidewalks on one or both sides of the development.
- Final Development Plan for Hutton Farms West, approved in 2005 included sidewalks on both sides of the streets in Phase I and conceptually in Phase II.

- Hutton Farms West (Phase I) was constructed with sidewalks on both sides of the streets.

The following image shows the existing sidewalk network of the surrounding development. As an alternative, the applicant proposes the existing sidewalks located to the north (in Tract C) and east (in Tract A) accommodate pedestrian connectivity within and between development north of Peterson Road and between Kasold Drive and Monterey Way.

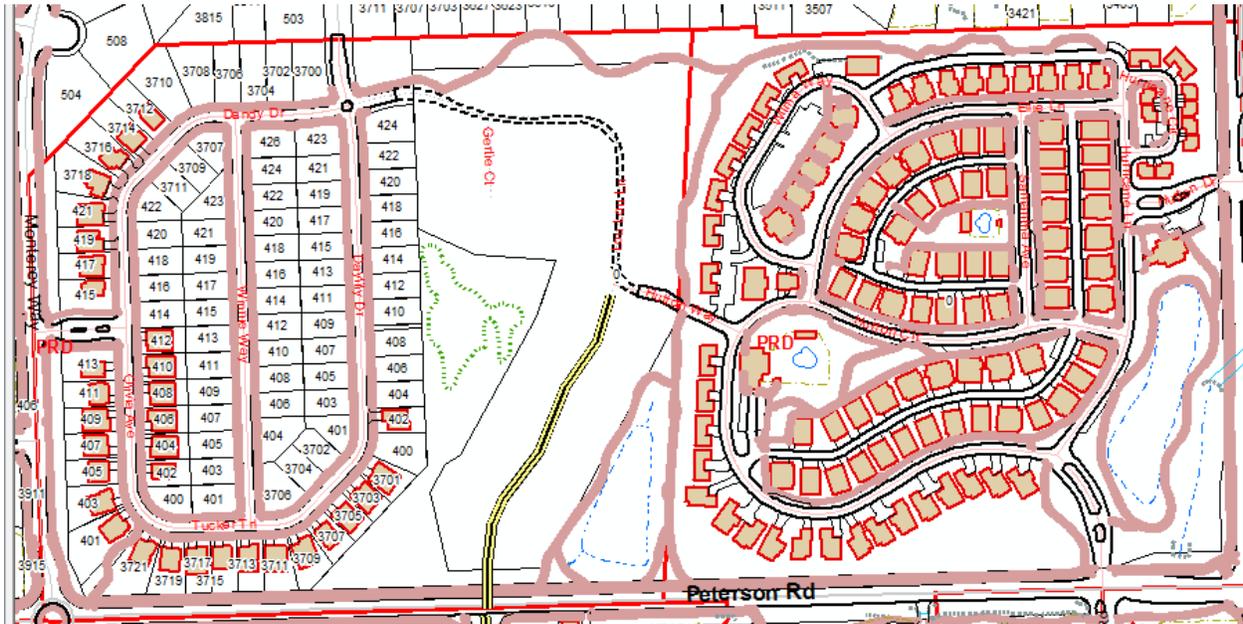


Figure 8: Existing Sidewalks

Sidewalk Variance Review Criteria per Section 20-813 (g)

1. *Strict application of these regulations will create an unnecessary hardship upon the developer.*
2. *The proposed Variance is in harmony with the intended purpose of these regulations.*
3. *The public health, safety and welfare will be protected.*

Staff Findings:

It was anticipated that the developed area would be highly walkable and include public and private sidewalks along all streets, as well as additional pedestrian connectivity around public open spaces as a major amenity. The building footprint of some of the proposed duplexes may need to be reduced to accommodate the required setbacks within the development to accommodate sidewalks on both sides.

Building setbacks within a Planned Development are less restrictive than conventional residential zoning districts. The Front Yard Building Setback is a minimum of 15' from any public or private driveway or road right-of-way line. If a driveway is provided to the residential structure, then the minimum setback is 20' from the back of the street or sidewalk. The Development Plan shows 25' to 35' of building setback on the east side of Lou Lou Lane and approximately 30' setback along the north side of Dandy Drive. Reduction in the building footprint would not change the number of units but may impact the unit type.

Based on the development pattern in the area and the expectation for sidewalks on both sides of the street (included in the Hutton Farms West Development Plan) the proposed variance is not in harmony with the purpose of the regulations. The regulations facilitate harmonious and orderly development of neighborhoods and are summarized in Section 20-801 of the Development Code.

The provision of public sidewalks on both sides of the streets provide direct routes within the development for pedestrian use within and through the development. Additional pedestrian connections located around dedicated open space areas accommodate accessibility to amenities within the development that may or may not be used for direct pedestrian access.

The City has adopted a Complete Streets Policy and increased the emphasis on development proving for multi-modal transportation options.

Staff Recommendation:

Staff does not recommend a variance to allow sidewalks on only one side of the streets within the Hutton Farms West, Phase II Planned Development.

Public Improvement Plans: Public Improvement Plans will be required with the Minor Subdivision to meet City Code. The applicant's engineer has been working with City Staff to address minimum design requirements. Additional review of easements and right-of-way will be included with the submission of a Final Development Plan and Minor Subdivision applications. Staff has noted in the review that the easement on the east side of Lou Lou Lane must be widened and additional easement is needed in the northeast part of the development to serve the residences in that area.

Preliminary Development Plan Review

This property was rezoned to PD-[Hutton Farms West] prior to 2006. Preliminary and Final Development Plans for Hutton Farms West, Phase I were completed in 2004 and 2005 respectively. Development of Phase II was approved as a conceptual development with only the framework of dedicated open space, interior access and detention pond elements being determined. The original approval notes that prior to development of Phase II a Preliminary and Final Development Plan would be required. In 2006 the Land Development Code was adopted that modified the Development Plan procedures. The Code specifically states that *"Principal uses allowed in a specific Planned Development District shall be those uses – and only those uses- allowed by the terms and conditions of the original approval of the Planned Development... (Section 20-222 (c))."*

This project was approved for residential development with a maximum density of 7 dwelling units per acre and a maximum of 102 units. The proposed plan includes 87 units. The residential use was restricted to detached, duplex and triplex type housing units. This application includes both detached and duplex development.

The building and parking lot setbacks and height restrictions were established with the rezoning of the property and the Original Preliminary Development Plan for Hutton Farms West that included Phase I, under construction, and Phase II as a future development phase. The front building setback is measured from the public or private street right-of-way line as follows:

- 15' from ROW or 20' from back of sidewalk.

The rear and side setback requirements are 10' from any interior property line. This property is an irregular shaped lot. The majority of buildings meet the required 10' setback with the exception of three buildings highlighted below.

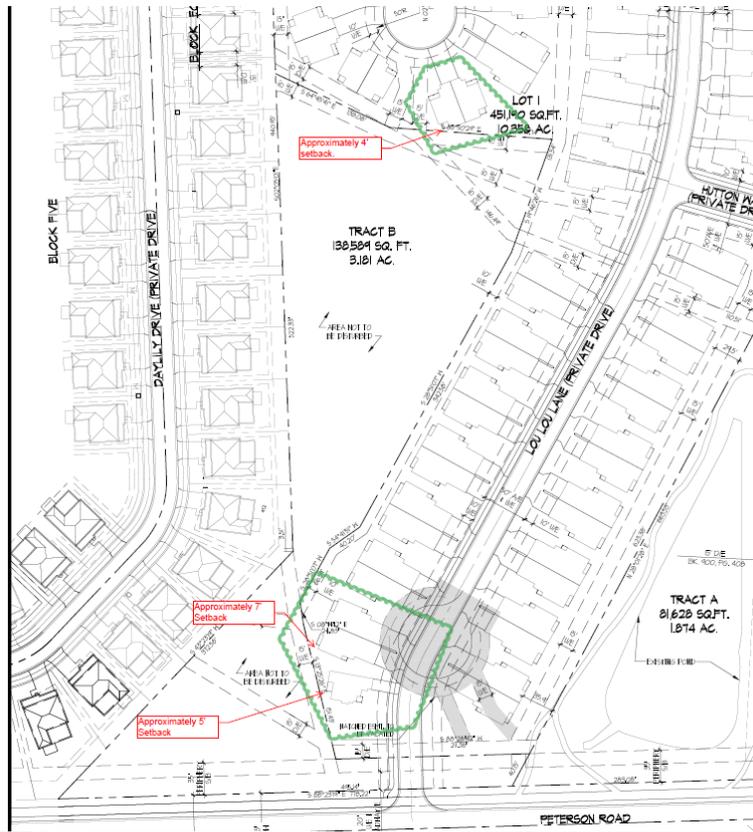


Figure 9: Building Setback Reduction

These three buildings abut designated open space and are adequately setback from adjacent buildings and from lots in Phase I of Hutton Farms West. Staff supports this setback reduction.

City Utilities and Infrastructure

The City Engineer, City Utility Engineer and the City Stormwater Engineer have indicated changes are needed to the Preliminary Development Plan with regard to specific site improvements and related Public Improvement Plans. These elements are noted as conditions of approval. The applicant submitted a revised plan on January 20, 2015. City Staff will review this revision to determine if the conditions noted in the most recent review have been addressed. To assure compliance, staff recommends the approval of this Preliminary Development Plan be subject to the approval of the City Engineer, the City Stormwater Engineer and the City Utility Engineer.

The applicant is working with City staff to prepare Public Improvement Plans for this Phase. The purpose of the Preliminary Development Plan is to function as a document that establishes the design parameters of a specific development as well as document compliance with the minimum subdivision requirements. This development will include a Minor Subdivision that will amend existing easements, dedicate new easements, and modify the access restriction to this property by allowing for direct access to Peterson Road, if the Preliminary Development Plan is approved.

Land Development Code

The proposed Preliminary Development Plan for Hutton Farms II 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.*

This property was rezoned for medium density residential development in 2005 as part of the original plan approvals and included a maximum density of 7 dwelling units per acre. It was determined at that time the proposed development was compliant with *Horizon 2020*. This proposed preliminary plat amends the building form but does not modify the underlying land use of this property.

The proposed change from 102 units in Phase II to 89 units in Phase II represents a decrease in density from 6.2 units per acre to 5.3 units per acre. This development pattern is consistent with low density residential rather than medium density development.

Key components of the Comprehensive Plan address neighborhood preservation as well as land use transition. This application provides a change in use from the multi-dwelling, rental form of development to the east and the detached, owner occupied form of development to the west. The proposed low-density residential development is consistent with the development patterns of the area and will be consistent with the developing neighborhood character.

Staff Finding – The proposed development complies with the land use goals and policies for residential development of the Comprehensive Plan.

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.
- b) Ensure that development can be conveniently, efficiently and economically served by existing and planned utilities and services.
This property was conceptually approved for residential development that included detached, duplex and triplex housing types. This application represents a clarification and detail of the proposed development not included in the original consideration. This property can be adequately served by utilities.

City Public Works Staff and City Utility Staff have noted changes that are required to meet minimum city design standards for private streets, stormwater and utility services. These requirements are reflected as conditions of approval.

- c) Allow design flexibility which results in greater public benefits than could be achieved using conventional zoning district regulations.
The design flexibility allows the undeveloped portion of the property to be developed in a compatible fashion to the existing Phase consistent with conceptual plans for this undeveloped Phase. Dwelling units are clustered along the internal streets to preserve open space tracts available to the residents. Some buildings are clustered very closely with

little private area provided in the rear of the buildings. It may be desirable to provide a higher mix of Type B units within the development to increase the separation between rear/side building orientations. Additional review of the Unit orientation will be included with the Final Development Plan.

- d) Preserve environmental and historic resources.
There are no known historical resources on this property. Large tracts were dedicated with the Final Plat establishing natural areas that provide open space and protect mature vegetation with the surrounding area.

- e) Promote attractive and functional residential, nonresidential, and mixed-use developments that are compatible with the character of the surrounding area.
The proposal is for an attractive residential development that will be compatible with the existing development to the west and the open space area within the development. The land use includes only residential uses.

Staff Finding_– The proposed Preliminary Development Plan is consistent with the Statement of Purpose of Planned Development.

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

Section 20-701(j) notes that 20% of the site must be located within common open space. Common open space for this project includes three tracts of land that comprise 6.057 acres or 37% open space within this Phase. This area also provides required open space for Hutton Farms Phase I. While the majority of the open space is located within the boundary of Phase II the function and use of that space serves the entire development.

Table 4: OPEN SPACE SUMMARY

Open Space Summary Hutton Farms West PRD	
Total PUD	38.423 Acres
Phase I	20.486 Acres
Phase II	16.415 Acres
Required Open space	7.38 Acres
Provided Open space	11.13 Acres
Total Open Space Provided	
Tract A Phase I	4.57 Acres for access and utility easement (private roads)
Tract B Phase I	.3162 Acres for common open space
Tract A Phase II	1.87 Acres for drainage easement
Tract B Phase II	3.181 Acres for dedicated natural open space area.
Tract C Phase II	1.002 acres for easements and setbacks for gas utilities and interior pedestrian pathway through development.

Staff Finding – This plan includes common open spaces as well as areas that will remain in their undisturbed condition.

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

The applicant indicated that the property owner will own and maintain the common open space. The plan must be revised to include the note regarding the maintenance and conservation of the common open space. Open spaces within this development are located within tracts of land. The identification of the use of the tracts is additionally protected by the subdivision plat restrictions.

This element will also be reviewed as part of the Final Development Plan. The applicant should anticipate the submission of a copy of the covenants and restrictions to be recorded with the Final Development Plan in the future.

Staff Finding –The property owner will own and maintain the common open space. The placement of the note on the Preliminary Development Plan will identify the ownership and maintenance responsibilities.

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.

As discussed above, this site includes extensive open space areas. These area serve both Phase I and Phase II of the development.

Staff Finding –The amount and function of the common open space exceeds the requirements of the 1966 Zoning Code.

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.

This proposed Preliminary Development Plan modifies the access by extending Lou Lou Lane to intersect with Peterson Road. The applicant's engineers have met with City Staff to discuss required public infrastructure extensions to serve this development.

As public improvement plans are further developed, it is expected that the access easement will be revised to meet a minimum 27' width (from back of curb to back of curb) with appropriate sidewalks on both sides. This revision may result in some minor changes of building placement. The overall development density and arrangement of the site will not be altered by these changes. Additional review will be required as part of the Public Improvement Plan process and the Final Development Plan and Minor Subdivision processes.

Early plans anticipated that all of Hutton Farms West would have access to the pool and club house areas located in the original Hutton Farms development to the east along Kasold Drive. This property is now under different ownership. Staff has requested clarification regarding note 1.11 on the plan but it is staff's understanding that use of the club house/pool facilities in the eastern development are no longer available to residents of Hutton Farms West. Regardless of these amenities the dedicated open spaces and pedestrian pathways are available to all.

Staff Finding–This Preliminary Development Plan makes adequate provisions for public services, vehicular access and circulation, and dedication of amenities.

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;

This property is located in an area anticipated for development. The proposed Preliminary Development Plan includes fewer total units than conceptually included in the original approved Preliminary Development Plan for Phase I and includes an additional street connection that provides additional vehicular dispersion of traffic in the neighborhood.

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

The building type is limited to detached, duplex and triplex units. The proposed plan is consistent with the anticipated development of the area.

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

Within this project overall density is reduced from 102 units to 87 units.

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.

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

The proposed development is designed as a transition between the multi-dwelling development to the east and the detached dwelling subdivision to the west. The housing type is limited to detached, duplex and triplex uses. The proposed development includes only detached and duplex units providing an appropriate transitions.

This plan includes a connection to Peterson Road providing additional vehicular and pedestrian connectivity within the area. Areas within the development were created as dedicated open space areas. Pedestrian pathways have been constricted throughout the area connecting the existing development to the east and the developing subdivision to the west. These design elements combine to establish an integrated neighborhood.

This project proposes sidewalks on only one side of Lou Lou Lane. Current street designs require sidewalks on both sides of a street. Lou Lou Lane is proposed as an access easement rather than public right-of-way; however, design standards require private streets to be constructed to minimum city street standards. Lou Lou Lane will function as a private street identical to those in the subdivision to the west. Access ways in multi-dwelling projects that include multiple buildings and large surface parking lots typically are not considered private streets. Therefore, sidewalks on both sides were not required in Hutton Farms East. The subdivision to the west includes sidewalks on both sides of the street. The provision of such sidewalks in this Phase of Hutton Farms West is appropriate and recommended to mitigate impacts to the area and to enhance the neighborhood quality and typology of the area.

Staff Finding – There are no anticipated adverse impacts as conditioned.

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 with this portion of the Hutton Farms West development.

Staff Review and Conclusion

The proposed Preliminary Development Plan, as conditioned, conforms to the land use recommendations for residential development anticipated for this area. The overall development is less intense than allowed for the district. This property was originally approved for residential development prior to the adoption of the Land Development Code. There are minor technical changes needed to the plan and these have been listed in the conditions of approval.