

PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
03/28/2018

ITEM NO. 2 PUD (Alvamar Planned Unit Development) District TO RM15 (Multi-Dwelling Residential Office) District; 6.49 Acres located at 2111 Kasold Drive (SLD)

Z-18-00023: Consider a request to rezone approximately 6.49 acres from PUD/UPR (Planned Unit Development) District to RM15 (Multi-Dwelling Residential) District, located at 2111 Kasold Dr. Submitted by Paul Werner Architects, for Quail Creek LLC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 6.49, from PUD/UPR (Planned Unit Development) to RM15 (Multi-Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *This address was included in the original PUD for Almvarmar. This makes it cumbersome for our client to modify anything on the site, or make any improvements. An updated site plan would be advantageous to the owner, as well as the City. In order to update the site plan, the rezoning has to first be approved.*

KEY POINTS

- Parcel is located within original Alvamar Planned Unit Development.
- Original development plan application included townhouse units located on the west side of Quail Creek Drive. These units are not included in this request.
- Approval restricted development to a maximum of 75 units as shown on the approved Final Development Plan and on the Final Plat of this property.

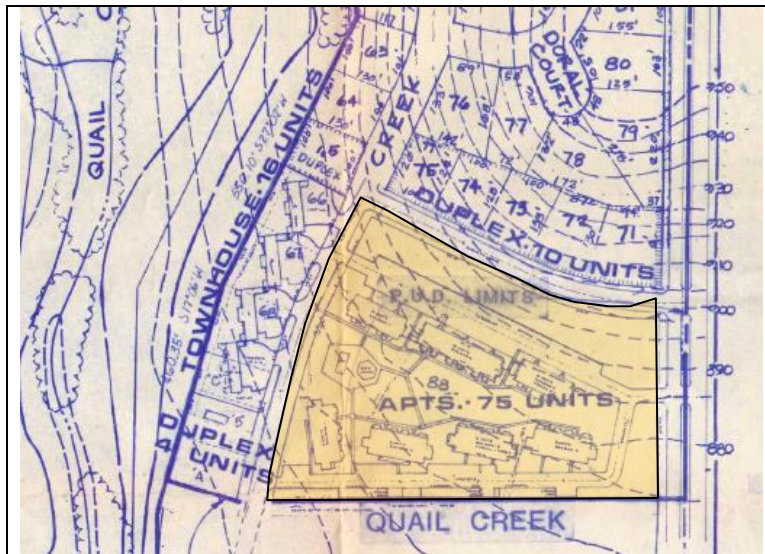


Figure 1: Alvamar PUD/UPR-11-11-76

ASSOCIATED CASES/OTHER ACTION REQUIRED

- UPR-11-11-76; Alvamar Estates; Amendment to a portion of the Alvamar Planned Unit Development.
- Submission and approval of revised Final Plat/Minor Subdivision to amend the density restriction.
- Submission and approval of a site plan for the addition of dwelling units.

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Not required for rezoning
- *Downstream Sanitary Sewer Analysis* – Not required for rezoning
- *Drainage Study* – Not required for rezoning

- *Retail Market Study* – Not applicable to residential request

ATTACHMENTS

Attachment A: Area Map
Attachment B: UPR/Final Development Plan
Attachment C: Density Map
Attachment D: Concept Plan

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None Received

Project Summary:

This proposed request is to facilitate the property owner's plans to modify the development to include updating the pool/clubhouse area and to add units to the development. The development is currently restricted to a maximum 75 dwelling units per notes on the approved Final Development Plan and the Final Plat. Approval of the request would remove the property from the Planned Unit Development and rezone it to a current conventional zoning district. It would also remove the current density restrictions. The property must be replatted to remove the plat restrictions that also limits development to 75 dwelling units.

Table: 1 SITE SUMMARY

2111 Kasold Drive			
Total Land Area	6.49 Acres		
Existing Density (du/ac)	11.4	Proposed Density	15
Units Allowed	75	Units Allowed	97
Existing Units	75	Proposed Total Units	95

Incomplete History

The Alvarado Planned Unit Development was approved under the 1966 Zoning Code. It included approximately 381 acres including the golf course. At that time Planned Unit Developments were "overlay" districts with a base zoning district designation. The overall zoning of the property was RS-2 (Single-Dwelling Residential) District. The Planned Development spread density across properties with higher density land uses and multi-dwelling house forms located on the perimeter of the Planned Unit Development area. Individual phases of the Planned Unit Development were approved through a variety of entitlement processes including subdivision plats, Use Permitted upon Review (UPR, known as a Special Use in the current code) as well as more traditional Preliminary and Final Development Plans. The property located at 2111 Kasold Drive, included in this application, was part of a larger development that included 91 total units in the following form:

Table 2: DEVELOPMENT SUMMARY

<i>Alvarado Estates – Quail Creek</i>		
7 Multi-Dwelling Buildings (75 units)		4 Townhouse Buildings
• 12 1-Bedroom units	• 16 3-Bedroom units	• 16 3-Bedroom Townhouses
• 44 2-Bedroom units	• 3 Studio units	

The 16-townhouse units are located on the west side of Quail Creek Drive. The remaining 75 units are located on Lot 88, Alvarado Estates. The townhouses are located on lots that were platted prior to Lot 88 as an earlier phase of the development (Alvarado Estates Lot 28-87). Subdivision plats for these properties included specific notes regarding the density and maximum number of units that could be developed for each lot.

The inconsistency used in the original approval process makes tracking development within the Alvarado Planned Unit Development difficult. It is cumbersome for property owners to make changes and improvements that are consistent with current development practices based on plans approved in the 1960's and 1970's for this area. The proposed application would rezone the property to a compatible conventional zoning district.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *The use is not changing; therefore, we feel it conforms with Horizon 2020.*

Key features of the plan are listed in Chapter Three – General Plan Overview.

- *The Plan supports infill development and redevelopment, which provides a range of residential, commercial, office, industrial and public uses within these parcels, consistent and compatible with the established land use pattern in surrounding areas.*
- *The Plan proposes 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.*

The area is included in Map 3-2 *Lawrence Future Land Use Map*. The subject property is located within an area shown as appropriate for "Medium-Density Residential/High-Density Residential" development.

Residential strategies are listed in Chapter 5 – Residential Land Use. Principal strategies for residential land use include the following statements.

- *Infill residential development should be considered prior to annexation of new residential areas.*
- *Compatible densities and housing types should be encouraged in residential neighborhoods by providing appropriate transition zones between low-density residential land uses and more intensive residential development, and between higher density residential use and non-residential land use.*
- *Design, site improvements, and infrastructure shall be consistent with adopted neighborhood plans, with the development of a neighborhood concept and with area plans and sector plans.*



Figure 2: Future Land Use Map - Horizon 2020 (adopted 1998).

Medium-Density residential development is reflected as an "overall density of 7-15 dwelling units per acre." The proposed request, RM15, is a *Medium-Density* zoning district. Previous land use approvals restricted the maximum number of dwelling units to 75. The existing development density is 11.6 dwelling units per acre. Attachment C shows the density of other multi-dwelling development within the Alvarado Neighborhood. The proposed request would allow the intensity of the property to be increased within the designated range of Medium-Density.

Applicable policies in *Horizon 2020* are discussed below, with staff comments in red.

Residential Land Use (Chapter 5, *Horizon 2020*)
Residential Land use Goals and Policies
Medium- and Higher-Density Residential Land Use

Goal 2: Create a Functional and Aesthetic Living Environment

Create and maintain medium and higher-density residential developments that are aesthetically pleasing and functionally efficient and practical.

Policy 2.6 Consider Residential Density and Intensity of Use

The number of dwelling units per acre in any residential category should be viewed as representing a potential density range rather than a guaranteed maximum density. Potential development should be approved based upon consideration of natural features, public facilities, streets/roads and traffic patterns, neighborhood character, and surrounding zoning and land use patterns.

This policy discusses the need to review the application in context. A range of densities may or may not be applicable to a specific property or location. Other medium-density zoning districts include RS5, RS3, RSO, RM12, and RM12D in addition to the proposed RM15. The proposed request is at the top range of the *Medium-Density* residential category. The location along an existing arterial street, Kasold Drive and proximity to commercial and mixed uses to the south are consistent with a higher overall density. The residential development located immediately to the south is developed with a density of 14.1 dwellings per acre.

Goal 3: Compatible Transition from Medium-Density and Higher-Density Residential Development to both More Intensive and Less Intensive Land uses

Ensure transition from medium and higher-density residential neighborhoods is compatible with non-residential land uses or low-density residential land uses.

Policy 3.1 Use appropriate Transitional Methods

- a. Careful attention should be given to areas which may serve as a buffer between different housing types and different densities and intensities of use to ensure capability of use.

This policy discusses the need to provide and install an adequate buffer between low and medium density uses. Methods of transition include site orientation, building relationships, integration of natural land features, and screening, landscaping, and lighting considerations. These elements are specifically considered as part of a site plan review. All elements listed would be applicable through implementation of design standards specified in Articles 6, 9, 10, and 11 of the Land Development Code that address, buildings setback, parking lots, landscaping, and lighting features of a particular development.

The proposed change in zoning would cap the maximum development intensity at 15 dwelling units per acre. The total number of units that could be added to this existing development project is 22 additional units. The ability to achieve this density is dependent upon the developer's ability to construct a code compliant project that meets the applicable setback, parking, and other dimensional design standards. The applicant has provided a concept drawing of the proposed site changes for reference only. The concept plan, Attachment D, shows an additional 20 units.

Staff Finding – The proposed RM15 district is a designated *Medium-Density* residential district consistent with the goals and policies stated in *Horizon 2020*.

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

Current Zoning and Land Use: PUD [Alvamar Planned Unit Development]. Existing multi-dwelling residential development.

7 buildings with 75 units and a clubhouse/pool area.

Surrounding Zoning and Land Use:
To the north and west

PUD [Alvamar Planned Unit Development] Existing duplex to the north and townhouses to the west.

To the south

PD-[Parkway Plaza (Hy-Vee) PCD] Mixed-use development including multi-dwelling uses along the north side of W. 22nd Street and retail uses to the south.

To the east

RS7 (Single-Dwelling Residential) Existing detached dwellings along the east side of Kasold Drive.

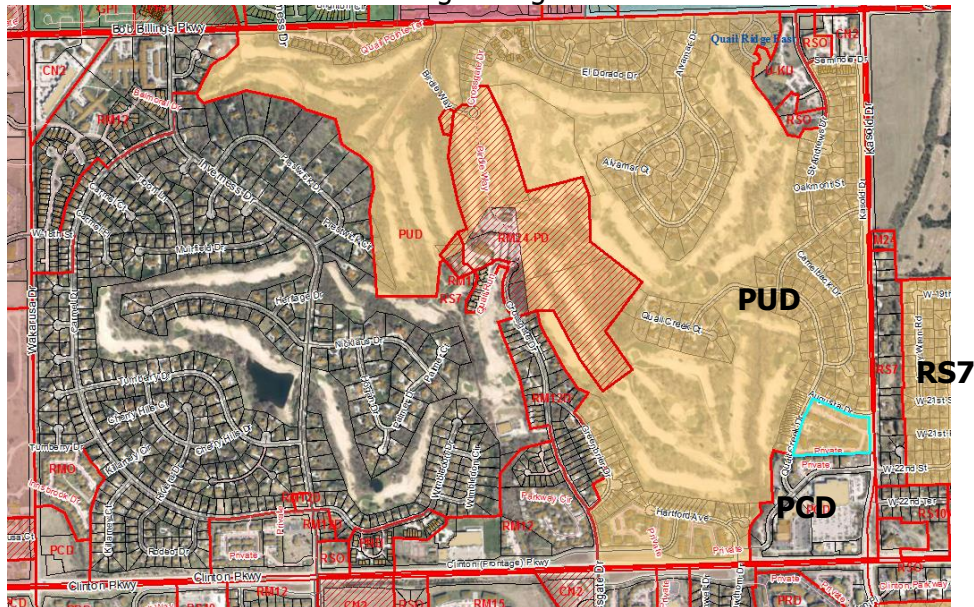


Figure 3: Alvamar PUD

Staff Finding – The immediately surrounding land uses are residential and include detached, attached, and multi-dwelling residential uses. A mixed-use (commercial/residential) development is located at the southeast corner of the area.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The neighborhood consists of commercial properties to the south and adjacent multi-family/rental properties.*

The property located at 2111 Kasold is part of the Alvamar PUD neighborhood. Kasold Drive and Wakarusa Drive bound this neighborhood on the east and west, and Clinton Parkway to the south and Bob Billings Parkway to the north.

The area was developed over time as a planned development. It was also referred to in early documents as a "Community Unit Plan". Individual developments or phases were identified and constructed as parts of subdivision plats, development plans, and Special Use Permits (Use

Permitted upon Review), prior to 2006. The western half of the neighborhood was developed through conventional zoning and subdivision platting only.

The boundary of the original Planned Development has been revised over time. Most recently, 54 acres in the central portion of the neighborhood was removed from the development and rezoned to RM24-PD under the current Land Development Code. The proposed request would remove the property from the current PUD overlay and rezone it to a conventional zoning district. The property would remain within the boundary of the neighborhood.

A significant land use in the neighborhood is the golf course that represents more than 250 acres of private open space. The neighborhood includes a mix of residential housing types including detached, attached, assisted living and multi-dwelling housing forms. *Multi-Dwelling Residential* uses are located along the boundary of the neighborhood. Commercial areas are located at the corners of the neighborhood.

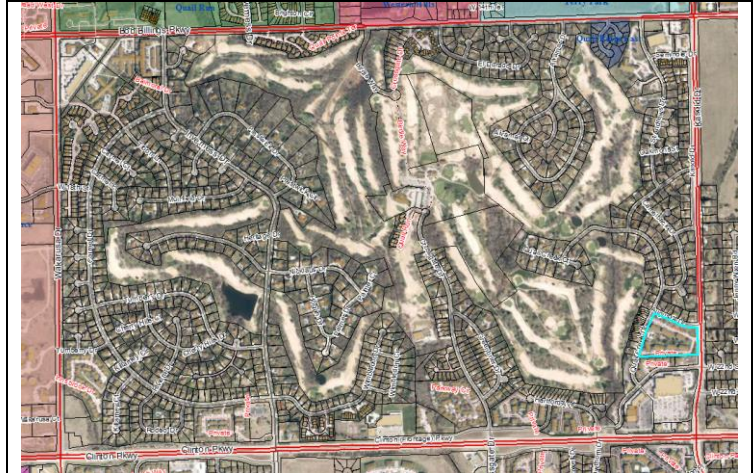


Figure 4: Alvamar Neighborhood

Staff Finding – The property is part of the Alvamar Planned Development Neighborhood and the proposed rezoning is compatible with the surrounding area.

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

There are no adopted area or sector plans that include this property. The most recent substantial planning for the neighborhood occurred in 2015 with the implementation of the Alvamar PD development that included 54 acres in the central portion of the neighborhood.

Staff Finding – There are no adopted area or sector plans that include this property.

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

Applicant's Response: *The rezoning is consistent with the current use.*

The current development pattern of the property reflects a density that is most similar to the RM12 district. The developer's plan to reinvest in the property include a request to increase the base zoning district to a conventional zone that allows a maximum density of 15 dwelling units per acre.

The current zoning designation is PUD. This zoning was established under the 1966 Zoning Code. The property was developed in accordance with a master plan for the area. The original approvals limit the maximum intensity of the use. Additionally, development within the PUD was inconsistently applied with regard to the development approval process. Proposed changes within the PUD may require amendments to an approved Final Development Plan, a Special Use Permit, or some other procedure depending on the location and how the property was initially approved for development.

At the time the property was developed, the only tool available to consider mixed-use development and to provide for private streets reduced setbacks and aesthetic controls was through a Planned Unit Development. Despite the implementation of those land use controls most of the property developed conventionally. The property included in this request is a conventional multi-dwelling residential development (apartment complex). The zoning code has been substantially rewritten since this property was initially developed.

Article 2 of the Land Development Code addresses these zoning districts as follows: *The Planned Development Districts, PRD, PUD, PCD, PID, POD are all special purpose districts intended only to provide a suitable classification for land included in a Planned Development prior to the effective date. The district is expressly not intended for implementation through application to additional land. (20-222(a)).*

The principal uses allowed in a 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 (20-222(c)).

These limitations make changes to the development more challenging than similarly developed property with a conventional zoning designations. The current zoning district is difficult to administer for staff and difficult for property owners to understand required processes for change. The current zoning is less suitable since the adoption of the Land Development Code in 2006 that includes more design guidelines than previous zoning codes.

The current district restricts density by notes on the plan and plat rather than by the zoning district. Approval of the requested zoning will align the property with the current zoning codes and regulations and provide added infill density options for the property. Any additional development of the site would be subject to current design standards.

Staff Finding – The property is suitable for medium-density residential development. The proposed zoning is suitable for the current development type (Multi-Dwelling) and the intended intensification of the property.

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

Applicant's Response: *The property is not vacant.*

The property is developed with multiple buildings, a pool/clubhouse, surface parking, and covered parking spaces. The property was developed in 1976.

Staff Finding – The property is not vacant. The property was developed in 1976.

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

Applicant's Response: *We do not feel that this will detrimentally affect nearby properties. The slight increase in density will allow the owner to update the facilities, including a new clubhouse and pool.*

Traffic and Access: The proposed request seeks to increase density to accommodate new units and reinvestment in the property. Approval of the request would allow a maximum 22 more dwelling units. The site currently includes three points of access. The existing access arrangement allows traffic to be dispersed on to the adjacent public street network rather than concentrating

traffic and access to one or two points of access. Additional review of traffic is required with the submission of a site plan application.

View shed: Approval of the request could substantially change the visual appearance of the neighborhood through the construction of multi-story buildings. The following graphics highlight the change in grade along the adjacent public streets and the potential to alter the view of the street face.



Figure 6: Kasold Drive; looking west



Figure 5: Quail Creek Drive; looking east

The slope along the north side of the property provides an opportunity to integrate buildings into the surrounding area and reduce the impact of building mass on the existing view shed.



Figure 7: Quail Creek Drive/Augusta Drive; looking south

Integration of development: The applicant proposes to use the grade to “cut into the hillside” to bring the overall height of the new development down. From the north side of Augusta Drive, the view will be of one-story buildings. Viewed from the interior of the development, the proposed new buildings would have a comparable two-story building height.

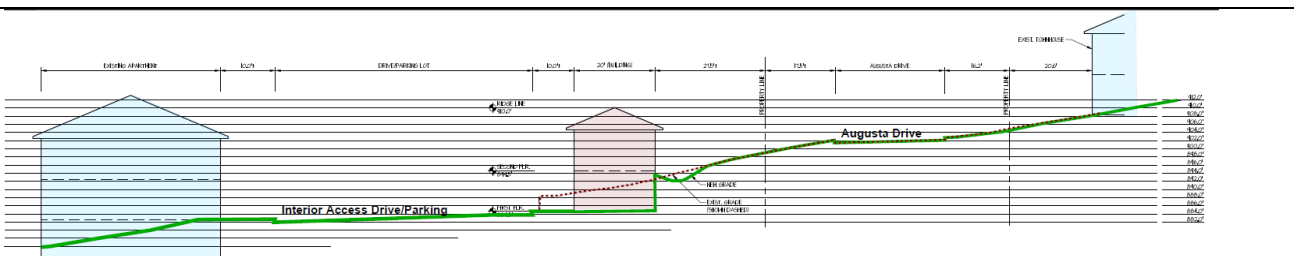


Figure 8: Cross Section of Development.

Staff Finding – The proposed project will have a slightly increased traffic demand over the current development. The addition of new buildings will alter the existing street face appearance and remove existing greenspace along Augusta Drive. The site topography allows the new buildings to be constructed into the hillside and provide a mitigated and reduced impact for the existing residents in terms of a change to the view shed.

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: *Without rezoning approval, the site will not be able to be updated. With the rezoning, the client will be updating the amenities, which will improve the value of the property and the surrounding areas.*

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.

The applicant asserts that new investment in the property requires additional density to defray the cost of upgrades to the pool/clubhouse area. Reinvestment in the property keeps the area vibrant, viable, and competitive with other newer existing multi-dwelling residential development.

The proposed increase in density is located within a developed area with direct proximity to an arterial street and nearby commercial uses. Municipal services extend to this property. City staff will review of the capacity of municipal services to serve the increased density with the submission of a future site plan application.

Staff Finding – Approval of the proposed request allows the property owner to build up density within the existing urban area of Lawrence where existing services are readily available.

9. PROFESSIONAL STAFF RECOMMENDATION

The request, if approved, would rezone the property to a conventional multi-dwelling residential district that is a compatible current designation and facilitate infill development. Much of the original Alvamar Planned Unit Development could be rezoned to a conventional zoning district with little to no impact on the development pattern of the area. The updated/current zoning designation will facilitate future improvements to the site concurrent with applicable development codes and design standards.

CONCLUSION

Staff recommends rezoning the property included in this request from PUD District to RM15 District.