

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

PC Staff Report  
02/23/2015

**ITEM NO. 3A RS7, RM12, PUD TO RM24; 51.85 ACRES; 1800, 1809, & 2021  
CROSSGATE DR (SLD)**

**Z-14-00552:** Consider a request to rezone approximately 51.85 acres from RS7 (Single-Dwelling Residential) District, RM12 (Multi-Dwelling Residential) District, and PUD [Alvamar] (Planned Unit Development) District to RM24 (Multi-Dwelling Residential) District including property located at 1800, 1809, and 2021 Crossgate Dr. Submitted by Paul Werner Architects on behalf of Alvamar Inc, property owner of record.

**STAFF RECOMMENDATION:** Staff recommends deferral of the request to rezone approximately 51.85 acres from RS7 (Single-Dwelling Residential) District, RM12 (Multi-Dwelling Residential) District, and PUD [Alvamar] (Planned Unit Development) District to RM24 (Multi-Dwelling Residential) District and resubmission of the request with a Planned Development Overlay based on the findings presented in the staff report.

**Reason for Request:** Proposed residential and golf course development.

**KEY POINTS**

- Property includes developed golf course improvements and open space and includes adding significant residential density and increased traffic from nonresidential uses associated with the golf course redevelopment.
- The proposed development is intended, in part, to maintain the Alvamar Golf Course as a viable amenity to many in the city.
- The impacts to the infrastructure serving the development – streets/traffic, storm water improvements, sewer and water, as well as the compatibility of this request with adjacent uses, depends in large part to the specific development density and size of the nonresidential uses associated with the golf course. Staff recommends that a PD Overlay accompany the rezoning request so that the entirety of the impacts can be identified and assessed.

**ASSOCIATED CASES/OTHER ACTION REQUIRED**

- PP-14-00554; Alvamar One Preliminary Plat

**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

Refer to related Preliminary Plat for these studies.

**ATTACHMENTS**

1. Area Map
2. List of communications
3. Heasty Letter
4. Abernathy Letter
5. Alvamar Development Plans 1967 -1986
6. Annotated Development Plan

### Project Summary:

Proposed request is for infill development that includes mixed residential and recreational uses accessory to the golf course. Residential uses include multi-dwelling, attached and detached housing. Golf course amenities include a banquet/event facility, outdoor snack bar and grill, swimming pools, fitness center space for the Kansas Golf Hall of Fame and associated office space for the golf course. Planned improvements also include up to 24 extended stay cabins/suites as an accessory use to the golf course amenities but does not include a hotel or motel use. Access to this area is from Crossgate Drive a local street that intersects Clinton Parkway on the south and a private street that intersects Bob Billings Parkway to the north.



Figure 1: Concept Plan Provided With Application

Table 1: Summary of Uses

Specific Improvements include	
Residential Uses	Non Residential Uses
<ul style="list-style-type: none"><li>• 332 apartments</li><li>• 96 Owned Patio Homes/Townhouses</li><li>• 96 Owned Condos</li><li>• 88 Owned Luxury Condos</li></ul>	<ul style="list-style-type: none"><li>• New golf clubhouse</li><li>• Lockers, pro-shop, restaurant</li><li>• 15,000 SF banquet/event facility</li><li>• Outdoor snack bar/grill</li><li>• 2-3 swimming pools</li><li>• 6,000 Sf fitness center</li><li>• 1,200 SF Kansas Golf Hall of Fame</li><li>• 24 extended stay cabins/suites</li><li>• 4,000 Sf Office Space.</li></ul>

This project also includes off-site changes to the golf course including modifications to pond areas, T-boxes, and fairways.

## 1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: [See attached letter from applicant.](#)

Basic residential strategies are listed in Chapter 5 of *Horizon 2020*. They include:

- Infill residential development should be considered prior to annexation of new residential areas.
- A mixture of housing types, styles and economic levels should be encouraged for new residential and fill development.
- 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 uses and non-residential land uses.

*Horizon 2020* does not specifically address this area. The plan recommends the preservation of neighborhood character and appearance, Policy 3 Neighborhood Conservation. Included in this set of policies are recommendations to minimize traffic impacts, encroachment of nonresidential uses, and encourage compatible infill development with regard to lot size, housing type, scale and general architectural style of the area.

The purpose of the RM24 zoning in this application is to facilitate a mix of housing type that includes multi-dwelling (apartments, townhouses and duplexes) and detached residential housing forms, as reported in the applicant's traffic study. If approved a multi-dwelling development would be subject to Site Plan approval while detached housing would require a Special Use Permit approval.

Depending on the form of the specific development of any individual lot with the proposed RM24 district density could be as high as 24 dwelling units per acre while development of other lots would be lower. For example the following information is summarized from the applicant's Traffic Study and provides an insight to the intensity of the development proposed.

**Table 2: Residential Development Summary**

Proposed Alvarado One (RM24)									
LOT	Lot Area		Maximum Density	Housing Type				Proposed Density	
	Square Feet	Acres	24 units/Acre	Apartments	Townhomes	Condo	Luxury Condo	TOTAL	DU/AC
Lot 1	336,849	7.73	186	120	24			144	18.6
Lot 2	374,153.73	8.59	206	120	24			144	16.8
Lot 3	268,605.69	6.17	148			48		48	7.8
Lot 4	209,951.30	4.82	116	92				92	19.1
Lot 5	754,588.73	7.32	416		48	48		96	5.5
Lot 6	162,489.00	3.73	90				88	88	23.6
<b>TOTAL</b>	<b>2,106,637.45</b>	<b>48.36</b>	<b>1,160</b>	<b>332</b>	<b>96</b>	<b>96</b>	<b>88</b>	<b>612</b>	<b>12.7</b>

The overall density, 12.7 dwelling units per acre, is less than the maximum that would be permitted in the development.

However, the request does not allow for the evaluation of the compatibility and intensity, as recommended in *Horizon 2020*, of the proposed development through zoning and the related subdivision as proposed.

**Staff Finding** – *Horizon 2020* does not specifically address this area but provides general policies that are applicable to development if approved. Substantial consideration should be given to compatibility of the surrounding area with regard to intensity and housing form and appearance as well as appropriate transitions and mitigation of impacts such as traffic. Staff finds that more information is required to fully analyze these impacts.

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

This section describes the existing and surrounding zoning and land use for the immediate area of the proposed RM24 district.

Current Zoning and Land Use:

PD-[Alvamar PUD] District. Part of a 422-acre development including golf course and residential development.

RS7 (Single-Dwelling Residential) District; Existing parking lot and portion of golf course area.

RM12 (Multi-Dwelling Residential District; existing clubhouse located at 1809 Crossgate Drive.

Surrounding Zoning and Land Use:

*See Attached Map for Zoning Districts*

To the South/Southwest:

PD-[Alvamar PUD] District; RM12 (Multi-Dwelling Residential District; RS7 (Single-Dwelling Residential District and RM12D (Multi-Dwelling-Residential) District. Existing residential uses and golf course areas along Quail Run and Crossgate Drive

To the west:

PD-[Alvamar PUD] District. Existing Alvamar Golf Course.

To the North

PD-[Alvamar PUD] District. Existing residential uses along the north leg of Crossgate Drive, a private street and Alvamar Golf Course.

To the east

PD-[Alvamar PUD] District. Alvamar Golf Course and residential uses along Eldorado Drive, Alvamar Drive and Quail Creek Ct.

This area includes approximately 324 acres of golf course that includes the fairways and clubhouse/parking areas and several platted residential subdivision designed with rear yards adjacent to the golf course. Developed subdivisions in the area include both detached and attached housing. With the exception of the golf course facility uses, non-residential uses are



**Staff Finding –** The majority of the area is surrounded by the Alvamar Planned Unit development and existing golf course. Clusters of residential uses are located along public and private streets that are adjacent to the proposed request or are separated by portions of the golf course.

Applicant's Response: *The Neighborhoods currently in the PUD consist of apartments, duplexes, townhouses, and a mix of mid to high end single family residences. All of these different housing types can be found backing up to the golf course.*

**Legend**

- Alvarado Golf Course
- Planned Unit Development
- Pre 2006 Zoning
- Alvarado\_2

**Scale:** 1 inch = 600 feet

**Map Labels:** Alvarado, Heatherwood, University of Kansas, Bob Billings Pkwy, Clinton Pkwy, Kasold Dr, W 12th St, W 14th St, W 16th St, W 18th St, W 20th St, W 22nd St, W 24th St, W 26th St, W 28th St, W 30th St, W 32nd St, W 34th St, W 36th St, W 38th St, W 40th St, W 42nd St, W 44th St, W 46th St, W 48th St, W 50th St, W 52nd St, W 54th St, W 56th St, W 58th St, W 60th St, W 62nd St, W 64th St, W 66th St, W 68th St, W 70th St, W 72nd St, W 74th St, W 76th St, W 78th St, W 80th St, W 82nd St, W 84th St, W 86th St, W 88th St, W 90th St, W 92nd St, W 94th St, W 96th St, W 98th St, W 100th St, W 102nd St, W 104th St, W 106th St, W 108th St, W 110th St, W 112th St, W 114th St, W 116th St, W 118th St, W 120th St, W 122nd St, W 124th St, W 126th St, W 128th St, W 130th St, W 132nd St, W 134th St, W 136th St, W 138th St, W 140th St, W 142nd St, W 144th St, W 146th St, W 148th St, W 150th St, W 152nd St, W 154th St, W 156th St, W 158th St, W 160th St, W 162nd St, W 164th St, W 166th St, W 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**Figure 2: Alvamar Neighborhood and Alvamar PUD**

There are three main vehicular paths that provide north south connectivity within this area between Bob Billings Parkway and Clinton Parkway. They are:

1. St. Andrews Drive – Tam O'Shantner Drive – Quail Creek Drive - all local streets
2. Crossgate Drive – a local street; and
3. Inverness Drive a collector street.

Crossgate Drive includes the north 550' as a private drive that includes access through the parking lot area of the clubhouse area. Only Inverness Drive was developed as a through street within the neighborhood. It is not located within the Alvamar PUD.

Residential uses include both attached and detached housing as well as multi-dwelling residences. Common attached housing types include duplex, typically referred to townhouses, as well as triplex and four-plex units that have also been referred to as townhouses throughout the development. Multi-dwelling residential uses are located within the Alvamar Planned Unit Development along Watford Avenue on the north side of Clinton Parkway, the east side of Quail Creek Drive, and the south side of Seminole Drive. The current development pattern includes low, medium, and high density residential development within the Alvamar PUD. Lots along the south leg of Crossgate Drive are not within the boundary of the Alvamar PUD.

The main portion of the golf course activity area is located at the north end of Crossgate Drive where it changes from a public street to a private street. Site plans were approved in 1983 and 2008 for the club house and the Jayhawk Golf Training Facility. The clubhouse is located outside of the boundary of the Alvamar PUD.

This area includes several creeks and streams. Several ponds are located throughout the golf course area. If approved the development includes modifications to some ponds and natural drainage ways in the area that are outside of the area included in the related subdivision associated with this request. Changes to these features must maintain an appropriate relationship to the existing development and character of the area.

If approved, the proposed request would add residential development along Crossgate Drive and increase the existing amenities associated with the golf course in the same central area.

**Staff Finding –** The character of the area is defined by the boundaries and presence of the golf course and amenities. The area includes mixed density and housing type. Main portions of the golf course are located along Crossgate Drive. Higher density residential development is typically located along the boundary of the neighborhood with proximity to Kasold Drive and Clinton Parkway. New residential development could be compatible if analyzed within the context of a Planned Development Overlay where densities, height, buffer yards, etc, were available for review.

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

Only a very small and isolated area is within a registered Neighborhood boundary. There are no adopted plans for this area. The eastern area was part of a Planned Unit Development originally approved in the late 1960's. Various revisions to the plan over time have been made through zoning, subdivision plats, site plans and Uses Permitted Upon Review.

Staff reviewed the history of the Alvamar development in an effort to establish a base for the current and any remaining development with the Alvamar Planned Unit Development as a proxy plan for this area.

The approved Planned Community Development Plan, approved by the City Commission on February 28, 1993 shows the total area of the PUD as 378 acres with 243 acres of golf course. The plan also shows 2,153 total dwelling units permitted and 712 dwelling units shown on the plan. An annotated copy of the plan is attached to this report. The following table summarizes the development per this plan for the area. There are disparities in the plan that are not reconcilable.

**Table 3: Land Use Summary 1993 Alvamar PUD**

<b>Residential Uses</b>		
<b>Area in PUD</b>	<b>378 Acres</b> This total does not appear to account for 3 acres withdrawn from PUD in 1989 (375 Acres)	
	<i>Golf Course</i>	<i>243 Acres</i>
	<i>Residential Area</i>	<i>135 Acres</i>
	Apartments	227 dwelling units
	Townhouses	96 dwelling units
	Duplexes	46 dwelling units
	Single Family	275 dwelling units
Total Dwelling Units	All Housing Types	644 dwelling units
Living Units	Shown	712
Living Units	Permitted	2,153
Density per Family	Gross	26,246 SF (1.6 dwelling units per acre)
Density per Family	Net	23,126 SF ( 1.8 dwelling units per acre)
<b>Non Residential Uses</b>		
Commercial	Not in PUD	24 Acres
Residential Office	Not in PUD	9 Acres
Future Residential	Out side of City Limits/ Not in PUD	104 Acres
Street Right-of-Way	Within Residential PUD	51 Acres
Street Right-of-way	Not in PUD	6 Acres

The above information is shown on the face of the 1993 Alvamar Planned Unit Development Plan. The total number of existing dwelling units including all housing types is estimated at 647 dwelling units. That number of dwelling units within the existing Alvamar PD is approximately 1.4 dwelling units per acre. This number is comparable to the summary information included in the 1993 plan noted above.

The proposed request, if approved, would add additional density. The proposed development identifies the addition of 612 residential dwelling units. The following formula shows an estimation of the increase of density within the Alvamar PD area.

647 Existing Dwelling Units  
612 New Dwelling Units (Per traffic study)  
1,259 Total Dwelling Units

Alvamar PD = 449 Acres.     $1,259 \text{ DU} / 449 \text{ AC} = 2.8 \text{ dwelling units per acre.}$

This summary addresses only the residential impact. Assessment of the amenities associated with the golf course would be reviewed through a more specific site plan or development plan applicable to the project. There are typically no residential densities associated with recreation uses.

**Staff Finding** – There are no adopted area or neighborhood plans for the area included in the proposed zoning and immediately surrounding area. The Alvamar PUD includes only the eastern portion of the area.

## **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 suitable for the current uses it is restricted to however, expanding recreational uses on the property would also fit the character of the neighborhood and provide additional recreational amenities.*

The current zoning allows Active Recreation Uses in all residential zoning districts subject to a Special Use Permit. Passive Recreation Uses and Private Recreation Uses are allowed by-right in all residential zoning districts.

**Active Recreation Uses** include athletic fields and courts, as well as community recreation buildings, accessory structures including public restrooms, refreshment stands, concession shops selling sporting goods, and miniature golf.

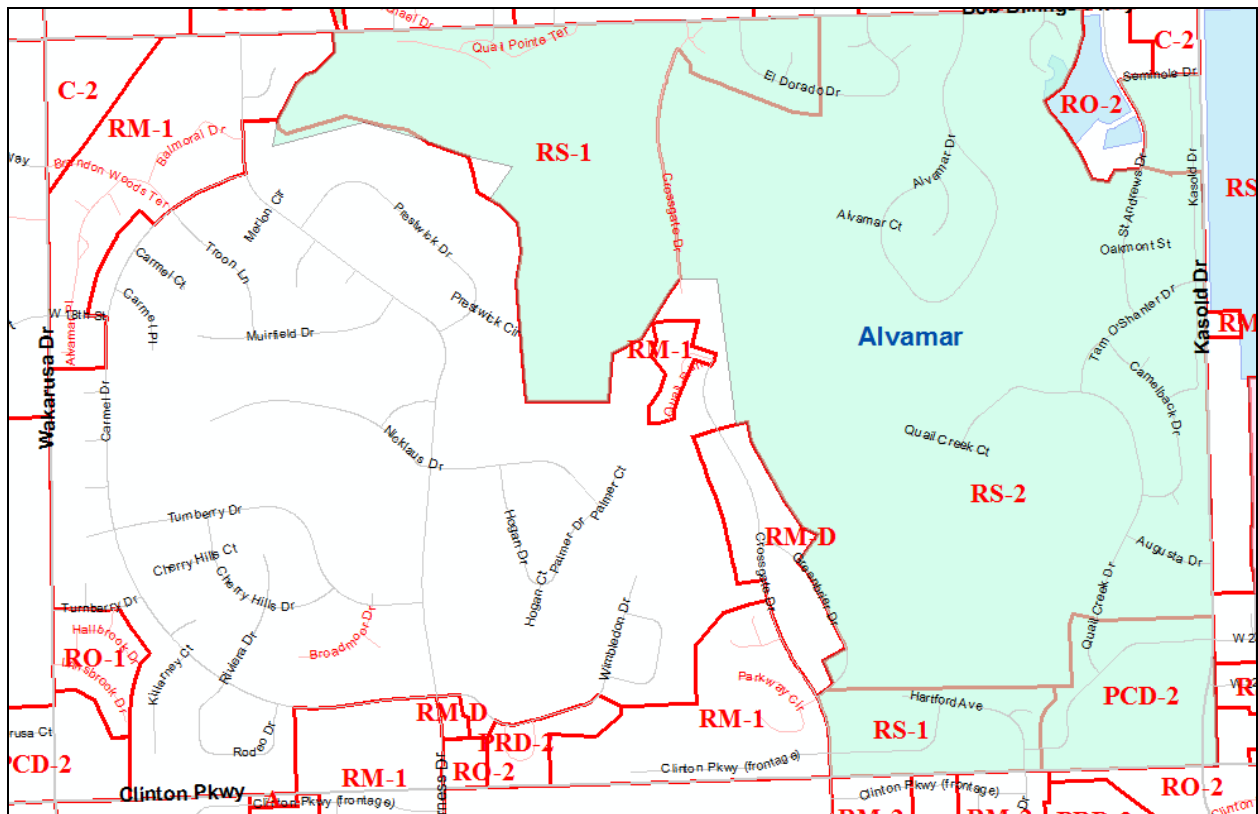
**Passive Recreation Uses** include greens and commons, gardens, arboretums, pedestrian, bicycle and equestrian paths, and trails, plaza and seating areas, picnic areas and golf courses.

**Private Recreational Areas** are set aside as open or recreational uses as part of a residential development.

Golf course uses are associated with accessory uses such as club houses, pools, restaurants, limited retail related to the facility and other amenities.

The structure of zoning for this property includes a Planned Unit Development (PUD) approved originally in the late 1960's at the time the zoning was adopted the zoning was considered to be an overlay or special purpose district with a base zoning district. The base zoning for this property included both RS-1 and RS-2 (Single-dwelling Residential) Districts.

The following image shows the boundary of the zoning prior to the adoption of the 2006 Land Development Code.



**Figure 3: Alvamar Zoning Prior to 2006, RS-1 and RS-2 with PUD Overlay**

When the Land Development Code was adopted in 2006 properties that were zoned PUD, regardless of the PUD as an overlay or an independent zoning district, became a Special Purpose District. This history is relevant to the question of suitability because the development of the area within the Alvamar PUD has occurred in a fragmented and inconsistent manner with regard to the applicable zoning district.

As requested, approval of this application would remove area from the existing Alvamar PUD and establish it as a conventional zoning district. The purpose of the request is to facilitate new residential development, development and enhancement of the golf course, related amenities and accessory uses. The non-residential related uses could be developed as a revision to the approved Alvamar PUD without the change of zoning.

Based on the existing zoning and approved development plans, site plans and subdivisions there suggests some total amount of development that is permitted. That total "permitted units" of 2,153 units within 375 acres of the Planned Development is the equivalent to approximately 5 dwelling units per acre. The plan states that based on the 1993 plan a total of 712 living units were shown. A review of individual developments within the Alvamar PUD finds a wide range of density and housing type.

A key difference between the existing zoning and the proposed zoning is that the existing zoning would be expected to include a revised preliminary and final development plan prior to construction. The proposed zoning would be subject only to subdivision plat, site plan and special use permit review for some types of projects.



The area requested for rezoning is predominantly used for the golf course and open areas associated with that function. In order to facilitate infill residential development with a mix of housing types, an alternative base zoning district is needed.

The current zoning, assuming the underlying base zoning as RS10 and RS7 (converted from the RS-1 and RS-2 pre 2006 districts), is suitable for the existing uses but does not support a request for development of additional residential units in this area.

**Staff Finding –** the current zoning is obsolete given the adoption of the Land Development Code in 2006. Assessing development and suitability are complicated by the fact that no previous development plan for the area clearly articulates a maximum build out of the area. If future improvements are limited to only those related to the golf course and accessory uses a change in zoning is not required. To facilitate additional infill development rezoning the base district is suitable.

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

Applicant's Response: *The property is not vacant and has existed with a golf course and a range of housing types since the early 1980's.*

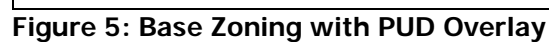
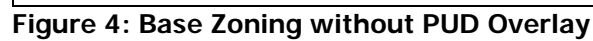
This area has developed over a period of years starting in the late 1960's. the original approval appears to date to May 1967 and included a total of 1,583 units on 252 acres. The development described areas that were both inside of and outside of the existing 1967 City Limits and include the Alvamar Hills Golf Course. The commercial areas shown on the early plans located on the northwest corner of Kasold and Clinton Parkway were not part of the Planned Use Development. Additionally area zoned RO in the northeast corner of the property at Kasold and Bob Billings Parkway were also removed from the PUD as part of a revised plan approved through the Use Permitted Upon Review (UPR) process (UPR-6-4-76). Another plan revised development through the UPR process (UPR-11-11-76) shows the Planned Unit Development including 381 acres.

Prior to 2006 the majority of the golf course was zoned RS-2 (Single-family residence) District with a planned unit development overlay. Over time the boundary of the PUD has been modified an area in the northwest and northeast corners have been removed. The area along St. Andrews Drive in the northeast portion of the development was rezoned in 1972 to RO and was removed from the PUD. In 1989 the area around Prestwick court was withdrawn from the PUD.

Throughout the Alvamar Planned Unit Development density has been transferred from within the development as each specific subdivision has been platted and built out. An example of this transfer of density is shown in UPR-11-11-76. This phase of the Planned Development modified the early plans from 48 townhouses to 25 detached residences located along Medinah Drive. Other examples occur in individual subdivisions that were platted for detached dwelling units but individuals built across lot lines and effectively combined two or more lots into a single parcel.

The earliest plans included the extension of a street between what is today Clinton Parkway and Bob Billings Parkway known as Greenbrier Drive as shown in the 1967 plan attached. Plans from the mid 1970's show Greenbrier Drive extended from Clinton Parkway north to the center part of the site terminating with a street called Club Drive. Greenbrier Drive was renamed Crossgate Drive in later plans. Crossgate Drive did not extended to Bob Billings Parkway until revisions were made for the Woodfield Meadows Development at the north end of Crossgate Drive in the early 1980's. the approved plan from 1986 shows a public street for Crossgate Drive extended to the golf club

Golf club activity areas have historically been located in the central portion of the development.



**Staff Finding** – Zoning within the Alvamar PUD has been modified over time to accommodate development of individual subdivision, multi-dwelling projects, and amenities associated with the golf course.

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

Applicant's Response: *Rezoning for this project is necessary to allow new recreational uses other than the golf course to be built. The proposed housing is already an allowed use and exists in the current PUD in the form of apartments, townhomes, duplexes and single-family homes.*

With a few exceptions this proposed rezoning is surrounded by the existing golf course. The significant feature of the request is the addition of development intensity associated with both the golf course and the additional residential uses proposed. Approval of the request will add additional traffic along Crossgate Drive. Crossgate Drive is the only access for 7 existing subdivisions between Bob Billings Parkway to the north and Clinton Parkway to the south.

Residents have contacted planning staff regarding traffic concerns as well as obstruction of their view of the golf course, water runoff, compatibility and style of development consistent with the surrounding residential character of the existing residential uses. Traffic is an acknowledged issue as there are limited options for providing street access to this area without substantially changing the surrounding neighborhood. Options such as extending a new north south street parallel to Crossgate Drive, as a public street, to connect to Bob Billings Parkway, redeveloping the north segment of Crossgate Drive as a public Street or extending a new public street from Quail Creek Drive to intersect with Crossgate Drive will significantly impact the existing residents.

A possible mitigation of the effects of the project could include the applicant submitting a Planned Development per the Land Development Code. This would take the form of a zoning recommendation for a change to the base district with a PD overlay and the submission of a Preliminary Development Plan to be considered concurrently with the rezoning.

**Staff Finding** – In staff's opinion, the request should be modified to include a PD overlay in order to more accurately assess the potential impacts of traffic, compatibility, stormwater and related issues.

**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: *The gain to the public health, safety and welfare would be additional recreational opportunities to provide people with more health and active lifestyle. The hardship imposed upon the landowner would be they would not be able to sell the property and the course itself would decline.*

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.

Development within this area, as proposed, will require extension of municipal services such as sanitary sewer and water lines. Additional improvements to the street network are needed including traffic calming methods that have been approved for Crossgate Drive but not yet installed (south street segment to Clinton Parkway). Additionally improvements to the golf course

and stormwater runoff are anticipated to support this development that are outside of the boundary of the rezoning and proposed preliminary plat. The traffic study states that turn lanes are needed at Crossgate Drive and Bob Billings Parkway as well as changes to signal timing at Crossgate Drive and Clinton Parkway. How all these development issues are satisfied remains somewhat undetermined with the current development applications.

Approval of the rezoning provides a framework to assess land uses and gross density. Conventional zoning will not address basic design considerations such as transition between housing types. The addition of a Planned Development Overlay district will provide more information to assure compatibility concerns are addressed and integrated into the overall development project and would allow those with a vested interest in the development, the nearby owners to have that information necessary to more fully assess the impacts. .

Approval of the request, as proposed, allows for additional development intensity and residential development within the existing city limits and as infill within an existing neighborhood with an established character.

Benefit could be gained by regenerating golf course amenities and adding residential use to enhance the Alvamar Development.

**Staff Finding –** If issues such as traffic, density, compatibility, etc. are adequately address through site planning, than these would be gains to the Alvamar Development and adjacent owners by keeping the golf course open and successful.

## **9. PROFESSIONAL STAFF RECOMMENDATION**

Numerous changes in the original 1966 zoning ordinance and the adoption of the Land Development Code in 2006 make the current zoning for this area difficult to administer. Rezoning the area to a current zoning district is beneficial in establishing development potential for the area. A more appropriate tool in this application is a Planned Development Overlay to assure both coordination of infrastructure improvements to the area and compatibility of the development with the surrounding area.

The purpose of a Planned Development Overlay District is to ensure the consistency with the Comprehensive Plan, ensure that development can be conveniently, efficiently, and economically served by utilities and services and to allow design flexibility as stated in Section 20-701 of the Land Development Code.

Staff recommends the application be deferred and resubmitted with a PD overlay and a preliminary development plan with sufficient detail to assess the impact on the adjacent neighborhood.

## **CONCLUSION**

The rezoning application, as requested, may be suitable with the addition of a Planned Development. Clarification and assessment of off-site improvements are needed and would be available with a Planned Development Overlay.



December 22, 2014

Sandra Day  
Planning and Development Services  
6 East 6<sup>th</sup> St.  
Lawrence, KS 66044

RE: Alvamar PUD Withdraw

Dear Sandra,

The information below is supplemental to the rezoning applications for the withdraw of 45.08 acres from the Alvamar PUD and the rezoning of 6.77 acres from RS7 and RM12 to RM24. It is important to note that the proposed RM24 zoning provides a way for the current and proposed Country Club uses to exist in the correct zoning designation.

**1. How does the request conform with the Comprehensive Plan, Horizon 2020?**

Alvamar has the available room and the desire to expand.

*Horizon 2020 addresses growth rates in Lawrence and Douglas County and was correct in assuming Lawrence would continue to grow and be a desirable place for existing businesses to expand. (p. 2-6)*

*Business retention and expansion - Nationally and locally, over 80% of new jobs and investment growth in a community come from the expansion of existing businesses.(p.12-2)*

Mixed residential types, styles and economic levels currently occur in the existing Alvamar PUD. The new development around the clubhouse area would continue to enhance the following strategies.

*Horizon 2020 supports infill development and redevelopment, encourages the development of neighborhoods in a range of densities and economic levels, proposes the progression of land uses to help achieve a transition in land use and intensity levels to help avoid abrupt changes in density and building type. (p.3-1, p.5-1)*

The Alvamar Estates PUD has approximately 706 of the allowed 2,153 units built. With this proposal new units will be built however, we anticipate being considerably under the allowed units due to pools, clubhouses, etc., taking up some of the non-residential area. While RM15 zoning would likely be appropriate for this rezoning request when applied to the entire site we believe it would not be dense enough in some areas. We also believe it is important to preserve as much open space as possible on the golf course for current residents and the community. With that in mind we believe that rezoning to RM24 would allow the residential areas shown on the concept plan to be densely yet, appropriately built to maximize the development areas while



leaving as much open space as possible. This small concentration of high-density housing would seek to implement the following design features:

*A range of densities and housing types should be encouraged. The design and development of all new high-density residential development should be carefully controlled to ensure compatibility with surrounding uses, adequate screening and buffering, and attractive appearance from nearby roadways, and a high-quality living environment.(p.5-5)*

Alvamar golf course is a great amenity to the City and to surrounding residents because of the recreation and open space it provides. It is important for golf courses to evolve into providing other recreational amenities because it's been suggested that only 25% of people who live in golf course developments actually play golf. Due to homebuyers in general preferring to be near open space it's important to provide other recreational amenities for the community in this area.

*...New parks and recreational facilities should extend and enhance the existing and/or future open space system.(p.9-2) Conserve and protect natural features and functions while accommodating new development that is sensitive to both the recreational needs and the environmental and ecological needs of the community.(p.9-23) Encourage and incorporate open space areas, especially natural areas, into development to increase the overall quality of life for residents of the City.(p.9-24)*

## **2. To what extent will approving the rezoning detrimentally affect nearby properties?**

Rezoning for this project is necessary to allow new recreational uses other than the golf course to be built. The proposed housing is already an allowed use and exists in the current PUD in the form of apartments, townhomes, duplexes and single family homes.

## **3. Describe the character of the neighborhood.**

The neighborhoods currently in the PUD consist of apartments, duplexes, townhomes, and a mix of mid to high end single family residences. All of these different housing types can be found backing up to the golf course.

## **4. What is the suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations?**

The property is suitable for the current uses it is restricted to however, expanding recreational uses on the property would also fit the character of neighborhood and provide additional recreational amenities.

## **5. What is the length of time the subject property has remained vacant as zoned?**

The property is not vacant and has existed with a golf course and a range of housing types since the early 1980's.

## **6. What is the gain, if any, to the public health, safety, and welfare if this application were approved as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application?**

The gain to the public health, safety and welfare would be additional recreational opportunities to provide people with more healthy and active lifestyle. The hardship imposed upon the landowner would be they would not be able to sell the property and the course itself would decline.

The future SUP for this property would include pools for families and athletes, a outside dining and restaurant opportunities, a KU Golf facility, a new clubhouse/banquet/event center, new ponds and cabins for weekend or vacation golfers. These changes to the existing site layout would require a few holes to be adjusted and redone on the golf course.

Approximately 300 people have been able to attend three meetings to discuss the project. Two of the meetings were for neighbors adjacent to the new development and the other meeting was for the Alvamar Country Club members. The proposal has been very well received and positive feedback has been provided to the design team. It would seem most people in attendance have been on board with project and the main concern has been the access to the from Bob Billings Parkway via Crossgate Drive.

It is anticipated the phasing of this project would be:

Winter 2015 - Rezone and Plat Property

Spring 2015 - Submit SUP/SP for recreational and residential uses

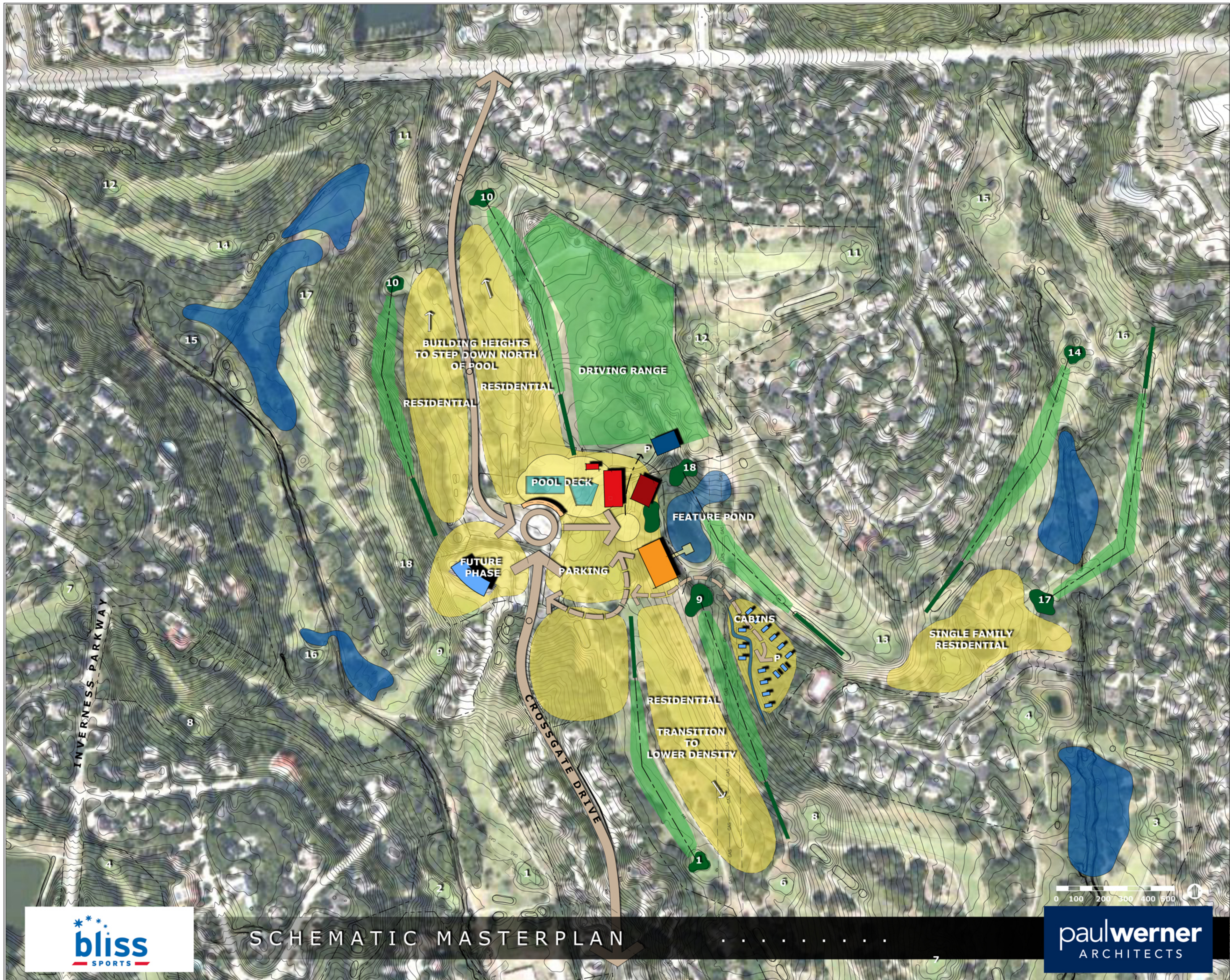
Summer 2015 - Winter 2016 - Build the updated amenities and residential uses.

Sincerely,

A handwritten signature in cursive script that reads "Joy Rhea".

Joy Rhea, RLA





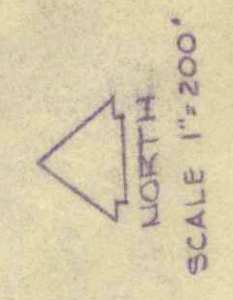




# LEGEND

LAND USE	ACRES	UNITS
RESIDENTIAL	232	788
GOLF COURSE	186	72
STREETS	72	23
COMMERCIAL	23	535
TOTAL	535	
RESIDENTIAL		788
APARTMENTS		324
TOWNHOUSES		50
DUPLEXES		421
SINGLE FAMILY		1583
TOTAL		

NET DENSITY PER ACRE 6.34 LIVING UNITS  
NET DENSITY PER FAMILY 9.834 50 FT

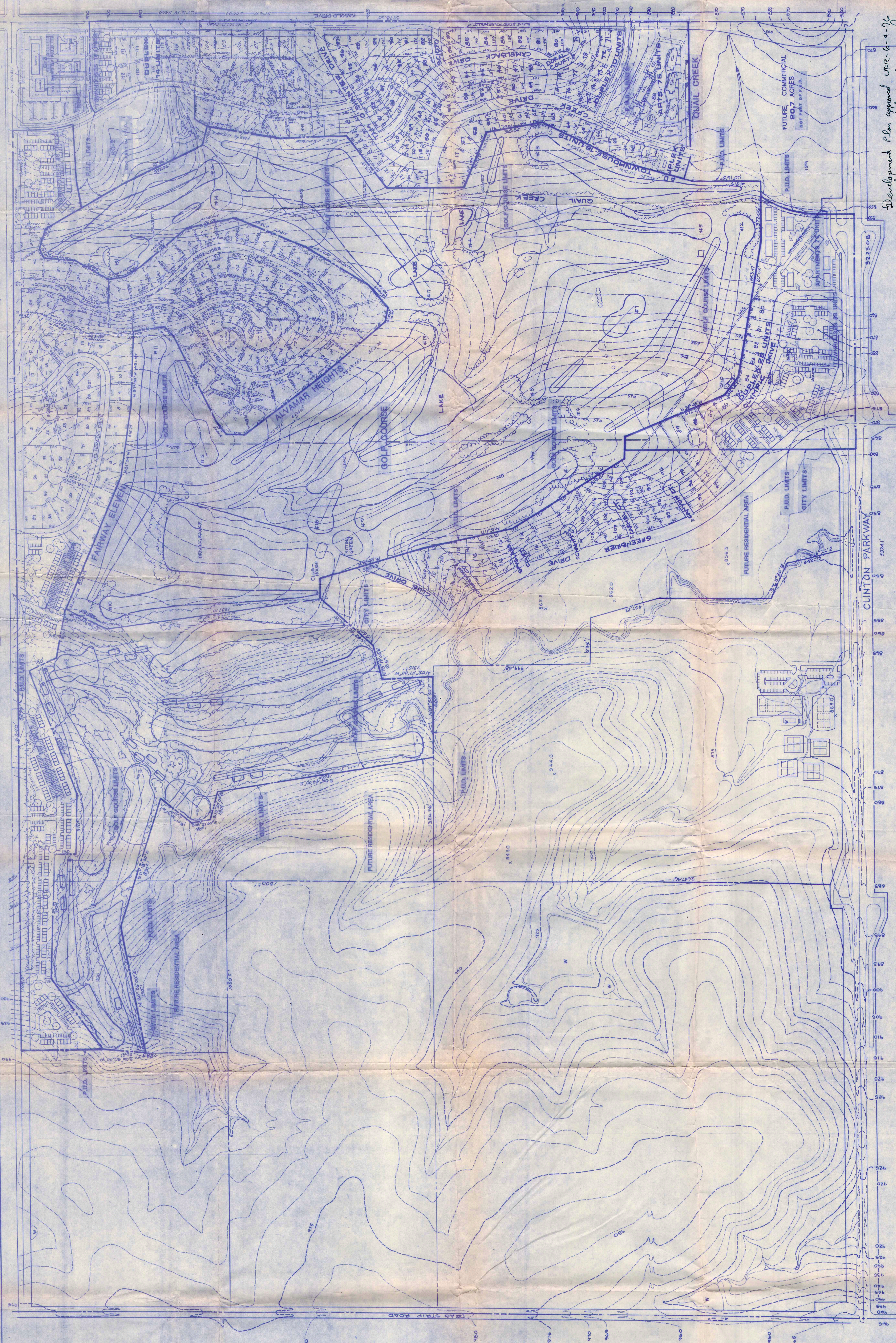


## PRELIMINARY PLANNED UNIT DEVELOPMENT

### ALVAMAR ESTATES

H.M. RUBENSTEIN LANDSCAPE ARCH  
2420 REDBUD LANE  
DESIGNED FOR - ALVAMAR ESTATES  
CONTOUR INTERVAL 8' LAUREL, KANSAS  
FEBRUARY 1, 1967





**LEGAL DESCRIPTION**

Beginning at the SE corner of the east half of section 11, township 29N, range 10E, thence west along north line of said section 11, thence east 1050'± to the east line of said section 11, thence east 294', thence south 17°46.76' east and 123.14'± to the south line of said section 11, thence south 700', thence east 3223.08' to point of beginning.

Beginning at the southeast corner Section 3, T13S, R19E, thence north along east section line 1015 $\frac{1}{2}$ , thence west to centerline 97 $\frac{1}{2}$  of Creek Drive, thence N72°54'W 160', thence S17°06'W 121 $\frac{1}{2}$ , thence north along east section line 1015 $\frac{1}{2}$ , thence west to centerline of Quail Creek, thence S17°06'W 121 $\frac{1}{2}$ , thence north along centerline of creek to a point on section 11, thence east along south section line to the Point of Beginning.

2) South along the northeast corner Section 33, T135, R135, thence south along east section line 487', thence westerly along centerline of Senoiole Drive 543.53', thence southerly along centerline of Senoiole Drive 537.52', thence westerly along centerline of Senoiole Drive 91.94', thence southerly along centerline of Senoiole Drive 529.36', thence southerly along centerline of Senoiole Drive 522.26', thence (S127.48°W 600', thence easterly along centerline of St. Andrew's Drive, thence northerly along centerline of St. Andrew's Drive to north section line, thence 055.2° to Point of Beginning.

The remaining area encompassing approximately 429 acres.

NOTE: ALL PARK AREAS SHOWN ON PLAT WILL BE OWNED AND MAINTAINED BY A PROPERTY OWNERS ASSOCIATION COMPRISED OF PROPERTY OWNERS IN ALVAMAR.

LAND USE		ACRES	
GOLF COURSE	255		
RESIDENTIAL	128 *		
TOTAL PUD.	383	383	
COMMERCIAL		24	
RESIDENTIAL - OFFICE		9	
PUTURE RESIDENTIAL (OUTSIDE CITY LIMITS-NOT IN PUD)		104	
STREETVIEW	WIN LIMITS OF RESIDENTIAL PUD	62	
	WIN LIMITS OF PUD	12	
	TOTAL	174	
TOTAL AREA WIN PROPERTY LIMITS			572

RESIDENTIAL	UNITS
APARTMENTS	151
TOWNHOUSES	315
DUPLEXES	49
SINGLE FAMILY	208
TOTAL	723

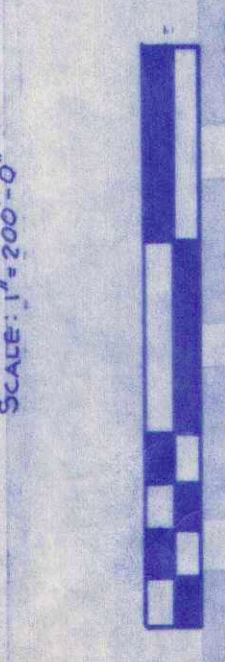
GROSS DENSITY PER FAMILY	INCLUDES STREET ROW	259.79 SQ FT
NET DENSITY PER FAMILY (EXCLUDES STREET ROW)		231.39 SQ FT
<ul style="list-style-type: none"> <li>43 ACRES ZONE RS-1</li> <li>88 ACRES ZONE RS-2</li> </ul>	174 LIVING UNITS PERMITTED	847
		7.21
	TOTAL LIVING UNITS PERMITTED	

## ALVAMAR ESTATES

LAWRENCE, KANSAS

# PRELIMINARY PLANNED COMMUNITY DEVELOPMENT

ORDINANCE #3500



PAYNE & BROCKWAY  
ENGINEERS  
OLATHE, KANSAS

**PETERS  
WILLIAMS  
KUBOTA**  
PROFESSIONAL CORPORATION  
2500 WEST 30TH STREET  
LAWRENCE, KANSAS 66044  
CROSS SECTION MANUFACTURING  
DIVISION  
PUBLISHING  
913.243.8304

Development Plan approved VDR-6-4-76  
Revised to meet conditions of approval









4) Cornered at the outside corner of Section 3, T15S, R15E, thence west along south corner the 24.0 feet, to the Point of Beginning, thence north 14.0 feet, along 82.81 feet, thence N 151° W 53.50 feet, thence S 79° 29' 22" W 58.73 feet, thence westerly 120 feet, S thence S42° 40' W 31.5 feet, thence S85° 45' E 4.5 feet, thence S50° 10' 23" W 72 feet, thence south 794 feet, thence S85° 30' 14.7 feet, thence S52° 12' 10" E 100 feet, thence S89° 50' 24.0 feet, thence east 600 feet, along said side to the Point of Beginning.

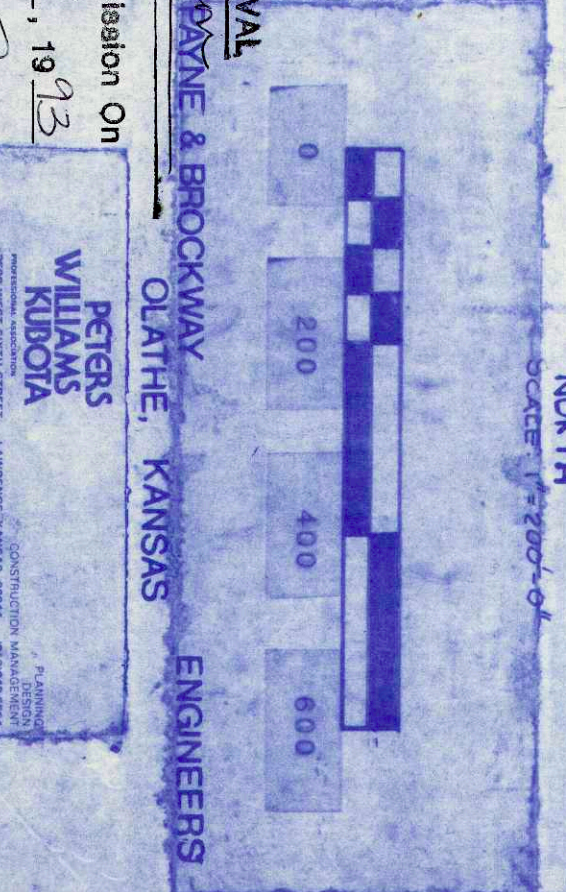
The south-east area measuring approximately 673 acres.

\*L256-144-200-27-271-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

**NOTE:** All Park areas on plat to be sold and maintained by a Property owners Association comprised of Property owners in Alvarado.

LAND USE		ACRES	
COMMERCIAL	248 <sup>±</sup>		
RESIDENTIAL	<u>132<sup>±</sup></u>		
TOTAL P.U.D.	378		
COMMERCIAL	(Not in P.U.D.)	378	
COMMERCIAL-OFFICE	(Not in P.U.D.)	24	
FLUID RESIDENTIAL	(Not in P.U.D.)	10	
STREET P/W	(71/1 limits of P.U.D.)	51	
	(Not W/1 limits of P.U.D.)	<u>5</u>	
		57	
	Total		57
		572	
RESIDENTIAL		UNITS	
APARTMENTS	227		
TOWNHOUSES	227		
DUPLEXES	46		
SINGLE FAMILY	<u>275</u>		
TOTAL			544

**ALVAMAR ESTATES**  
LAWRENCE, KANSAS  
REVISED - FEBRUARY 23, 1993: GOLF CART GARAGE  
**PRELIMINARY PLANNED  
COMMUNITY DEVELOPMENT**





Communications and request for information from:

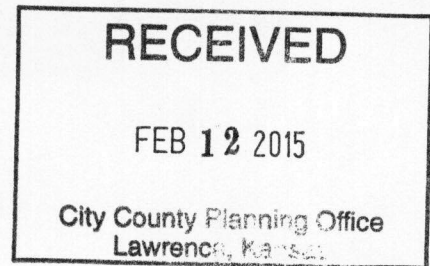
1. Marty Smith, 1906 Crossgate Drive
2. Kay Mueller, 1908 Crossgate Drive – reported flooding
3. Jenni and Steve Koger, 2004 Crossgate Drive
4. Carolyn and Lew Phillips, 2000 Crossgate Drive
  - a. 2008 and 2012 Crossgate Drive – reported flooding
5. Lori Heasty & John Patterson, 1909 Quail Run – **See Attached Letter**
6. 4011 vintage Ct.
7. 1540 Alvamar Dr.
8. 1709 Kasold Drive
9. 1431 Anthony Michael Drive (north side of BBP)
10. 3604 Hartford Ct.
11. 2101 Quail Creek
12. 4311 Quail Pointe Drive
13. 2105 Greenbriar
14. 2202 Crossgate Drive
15. Paul Davis representing multiple homeowners associations along Crossgate Drive (north leg)
16. 3522 Tam O'Shanter( Dianne Karls)
17. Gordon E. Abernathy, 1530 St. Andrews Drive – **See Attached Letter**
18. 1501 Crossgate Drive (Bill Mauch)
19. Related to the RS7 Request:
  - a. 3712 Quail Creek Court, Bill and Marlene Penny
  - b. 3706 Quail Creek Court, Chris and Teresa Hanna
  - c. 3604 Quail Creek Court, Connie Friesen
  - d. 3601 Quail Creek Court, Sandy and Mark Praeger

Issues:

1. View shed along Crossgate looking over existing golf course and no buildings in line of sight
2. What will total building height include?
3. Springs located along Fairway 1. Reported flooding along south leg of Crossgate Drive
4. Size and scope of tennis
5. Banquet use and hotel; Banquet hold up to 800 people. Hotel not characteristic of area.
6. Changes in traffic
7. Purpose and character of Alvamar PUD did not include proposed intensity.
8. What is structure of north leg of Crossgate Dive, easement agreement that includes Alvamar and Homeowner's Association for cost share 50/50. What is maintenance and improvement proposed.

Gordon E. Abernathy  
1530 St. Andrews Drive  
Lawrence, KS 66047  
February 9, 2015

City of Lawrence  
Douglas County  
Planning & Development Services  
6 East 6<sup>th</sup> Street  
P. O. Box 708  
Lawrence, KS 66044



Re: Z-14-00552  
Z-14-00553  
PP-14-00554  
PP-14-00555

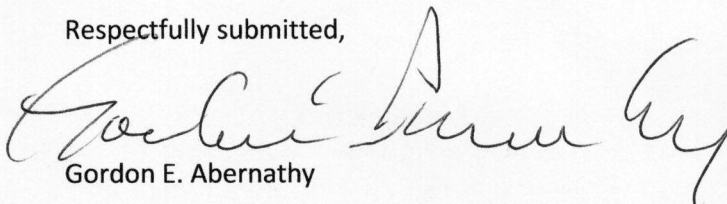
Gentlemen:

I would strenuously object to the above requested rezoning requests and preliminary plat requests from Alvarado, Inc. for the following reasons:

- (1) These changes would do away with open green space which is essential for the ecological balance of the area. The golf course, even though designed for a specific use, provides open green space. This should be preserved. Lawrence, a city which prides itself on being "green," certainly shouldn't allow this to happen.
- (2) These requested changes would pack additional residents in an already crowded residential area. The multi-family dwellings, particularly, would detract from the beauty of the green space the golf course provides. Multiple cars, trash carts, etc., brought about by multiple family dwelling space should not be allowed in these areas.
- (3) The city infrastructure, particularly the streets leading into the area, Bob Billings Parkway, Clinton Parkway, and Crossgate Drive, are not adequate to carry the additional traffic that these additional residences would generate. They are inadequate to handle the traffic that exists today; and the City's current practice of calming traffic by installing roundabouts in congested areas would only aggravate the problems.

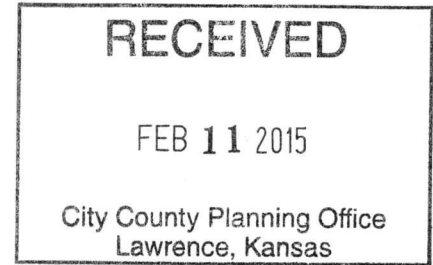
I would ask the Planning Commission to deny these requested changes.

Respectfully submitted,

  
Gordon E. Abernathy

Lori L. Heasty  
John B. Patterson  
1909 Quail Run  
Lawrence, KS 66049  
(785) 691-5924

February 11, 2015



Sandra Day  
City of Lawrence Douglas County  
Planning & Development Services  
6 East 6<sup>th</sup> Street  
P.O. Box 708  
Lawrence, Kansas 66044

*Re: Z-14-00552; Z-14-00553; PP-14-00554; PP-14-00555*

Dear Ms. Day:

I am writing you on behalf of my husband and myself in regard to the proposed Application filed by Paul Werner Architects on behalf of Alvamar Inc. to re-zone and re-plat certain properties as described in the above referenced submittals. I want to thank you and the Planning Staff for your assistance in explaining the process to me and the submitted requests before the Planning Commission.

The residential area we live in is part of the Quail's Nest at Alvamar Condominium and is accessed by a private drive directly to the South of Alvamar Country Clubhouse. The private drive is owned by the Homeowner's Association with a shared access off of South Crossgate and is shared by Quail's Nest and Alvamar Country Club. My husband and I live at 1909 Quail Run, which is fronted by the private drive and #one tee box on the private side of the golf course and the back of our condo is close to #9 green on the private side of the golf course.

As I understand it, the Applicant, Paul Werner Architects on behalf of Alvamar Inc. has submitted two re-zoning requests and two corresponding preliminary plats, one of 51.85 acres from RS 7, RM12 & PUD (Alvamar) Districts to RM 24, which then will re-plat said acreage into 6 lots; and then one of 5.18 acres from PUD (Alvamar) to RS7. The area for proposed re-platting is contiguous with our neighborhood, Quail's Nest to the north, is "four doors up" from my home; it also is directly across the street to the east and runs to the south. We will be significantly impacted by any change in zoning that allows for more building, more businesses and more traffic.

The Applicant has requested that "conventional zoning" be used with no "overlay" district requirements. "Overlay" really means "oversight." Therefore, if the proposed application were approved as submitted, then any subsequent re-zoning and preliminary plats would be fairly summarily approved, with little opportunity for input from adjacent property



owners until after the formal process began and perhaps long after the informal discussions with city planners began. There would be no opportunity for input from the City's elected officials.

The carte blanche the Applicant seeks, to reconfigure this area created under a PUD, may never be appropriate in any case, given the care and commitment required to create a PUD in the first place. But the cart blanche now requested should be denied given that it has the potential to recreate an area that is so important to the City at large and to an extremely large group of Lawrence citizens who through their home purchases made lifetime investments in the Alvamar area as it exists today. This is what the Summer 2013 edition of the *Lawrence Business Magazine* wrote:

Few businesses have as much of an impact on Lawrence as Alvamar. The club boasts 36 holes, a swimming pool and countless real estate holdings. The 36-hole facility covers most of the land from the intersection of Bob Billings Ave and Kasold to the intersection of Clinton Parkway and Wakarusa.

"It's hard to argue the impact of Alvamar," says J. Taylor, Director of Memberships at Alvamar Country Club. "West Lawrence was literally built around the golf courses."

At this time, the Applicant has submitted "concept plans" only, which are admittedly attractive drawings of what could be or might be. But the drawings decidedly are not what necessarily will be; in fact, the Applicant has provided no plans for what is proposed particularly as to what is being done with the re-plat of the 51.85 acres into 6 lots that is so close to our home.

The Applicant has given the planning staff a list of intended development for the 6 lots, which said development includes over 600 dwelling units that range from two 120 unit apartment complexes, condominiums, patio homes, and "luxury" condominiums. However, based on the current Application, if re-zoning and re-platting were to occur even the list of intended development could change as long as the requirements of RM 24 (that is 24 units per acre) are not violated. This means that some 1244 dwelling units could actually be built on these 51.85 acres.

Therefore, this Applicant's requests are completely open-ended in favor of the Applicant and the future purchaser of all the realty owned by Alvamar, Inc. This request also completely eliminates the present requirement (which, as I understand it, has been in place since the creation of the golf course and its environs) to take into consideration the overall PUD of the surrounding area. As we all know this land in question is part of the Alvamar Country Club golf course under a purchase agreement at this time by a known developer's company.

At this time we oppose the Application for re-zoning and re-platting as submitted, particularly with respect to the 51.85 acres, for the following reasons.

1. This area is a mature developed area that was developed over the last four decades as a Planned Unit Development with two 18 hole golf courses and surrounding residential areas that created a blend of uses that benefit our Lawrence community as a whole. Landuse tenets that first gave the green light for the then-innovative PUD, made clear that a PUD must be created for the benefit of the whole community and not for the individual property owner alone. Otherwise the PUD would amount to an illegal spot zoning.

In this case, the original development was part of a PUD and now the proposed Application wishes to change the zoning without recognition of the original PUD and the potential negative impact on all of the other parcels that make up the original PUD, ie Alvarado golf course complex.

Even though the two steps are remote in time, the Applicant seeks to defeat the original requirements imposed upon this PUD by breaking it apart in a way that significantly changes the original Alvarado development and, we contend, does significant harm to property owners within the original development who are nearby the areas proposed for re-platting. The mere passage of time should not remove the care and oversight that the PUD overlay process requires and that the City and its citizens deserve.

2. While original Alvarado development may have contemplated greater number of residential and/or multi family structures, the final development in the proposed 51.85 acres were PUD (Alvarado-for golf course) and RM12. There is nothing that has changed within the original PUD to compel a change in zoning in any part of it. Our residential area is comprised of eight condominiums of some 4000 square feet each with covenants and restrictions that were filed by the original developer to create and maintain the control of the residential area so that it would continue to fit into and enhance the golf course complex and the other residential areas. These declarations were filed for many of the residential areas surrounding Alvarado golf course and those areas adjacent to or directly impacted by the proposed re-zoning and re-platting. Implicit within those covenants and restrictions was the commitment that the owner of the golf course and its environs would not adversely impact our residential enclave. Denying the present re-plat is the only way to guarantee that homeowners and golf course owners will continue their "win-win" relationship established by the rules and requirements of the original PUD.

3. The proposed preliminary plat of the 51.85 acres divides the acreage into 6 lots, with the following number of dwellings suggested:

- Lot 1- 120 apartments and 24 patio homes/condominiums
- Lot 2- 120 apartments and 24 patio homes/condominiums
- Lot 3- golf course and 48 condominiums
- Lot 4- 92 units
- Lot 5- 48 patio homes and 48 condominiums
- Lot 6- 88 "luxury" condominiums

Plus the following additions and/or changes to golf complex facilities:

Club house

15,000 sq. ft. facility

Outdoor snack bar/grill

2-3 swimming pools

Fitness center

Golf Hall of Fame

4000 sq. ft. office building with part to be rented to tenant

That is a lot of proposed "concept" development with no objective standards or requirements or other criteria that might help the Staff and the Planning Commission evaluate how it enhances or benefits the existing area. In fact, if this Application were approved, there could be even more dwellings if the land is re-zoned to RM24. Currently, there are no apartments in the area and that was by design by the original developer and controlled through the declarations of each homeowner's association created and filed at the time of development. To allow the potential for this intensive a change to the existing layout of the PUD, is essentially to embolden the Applicant to pack as much development into these locations as is in its financial best interests regardless of the impact upon other areas of the PUD and its environs. To allow the re-plat is to arm the Applicant with the argument that somehow these "concepts" tacitly were approved by this process, so there is no further need for the careful overlay/oversight built in to the regular PUD process.

Lot 6 is adjacent to land owned by the Quail's Nest Homeowner's Association. Currently, the clubhouse is an organic structure that blends into the environment. While my husband and I do not absolutely object to a new structure there with nearby "luxury" condominiums, we fear the impact that "88" condominiums, particularly if they are not owner-occupied and really are 88 apartments occupied by tenants who do not have a financial stake in their home, let alone in the PUD and its environs. In addition, there is no height limitation. Therefore, there could be a seven story structure that blocks views and does not fit within the entire look of the residential/golf complex.

It is our understanding that the majority if not all of Lot 6 is already zoned RM12. If we are truly looking at luxury condominiums, isn't the current zoning adequate and if not, what reason is given to change that zoning other than to just have the right to build more units?

4. Based on the proposed number of at least 600 dwelling units plus the golf complex buildings there is a serious problem with the access and potential increased traffic to this area. This area is the "oasis" in the middle of two 18 hole golf courses. There is one public road in from the South (Crossgate). Crossgate from the North is a private road and is too narrow at this time to accommodate the increased traffic; the private road cannot be widened because of the structures in the way. It was discussed that South Crossgate, the public road, be extended to gain greater access, however, that is still just one road with only one point of egress, which is onto Clinton Parkway. Certainly until such time as it is ascertained that the private road can be

widened to provide the kind of access to Bob Billings Parkway that any kind of good planning requires, the re-plat should be denied for this reason alone.

The proposed number of dwelling units will sharply increase traffic, congestion and change the usage of the neighborhood. In order to accommodate the proposed units in Lot 4 and Lot 5, there will have to be streets that are accessed off of South Crossgate. The potential burden of that traffic has to be considered in the proposal and it is not at this time. There is no information at all available to the public and what the potential negative impact is.

In our particular case, our homeowner's association owns a private drive that is accessed off of South Crossgate over a mutual access drive for the benefit of our Quail's Nest Condominiums and Alvamar Country Club. Obviously, an increase in traffic will have a negative impact in our access without regard for the increased costs of maintenance we will be forced to bear.

5. The proposed Application also creates a parking issue. Currently, when Alvamar has large golf course tournaments and both courses are used, there is not enough parking. Cars are parked on Crossgate to the South and to the North to accommodate the events. It is hard to contemplate the amount of additional parking that will be required to accommodate the changes in the golf complex plus increase in dwellings.

In summary, my husband and I feel that the proposed Application is truly a redevelopment of the Alvamar Golf Complex and surrounding residential areas. While the overall future purchase of the golf courses is a benefit to Lawrence and the residents, the process that is being used by the Applicant is the incorrect process.

This development began in 1966 and was subsequently developed in stages which resulted in a comprehensive, complex and desirable area, which includes residential properties and multifamily properties of high value along with a nationally recognized golf course. This area deserves to be re-developed through a Planned Urban Development process with an "overlay" to insure that the integrity of the area and the overall integration of the area stays as it was originally intended. This is only accomplished with more defined plans, transparency by the developer and public input. Therefore, we request that the Application for re-zoning and preliminary plat known as *Z-14-00552*; *Z-14-00553*; *PP-14-00554*; *PP-14-00555* be denied as submitted.

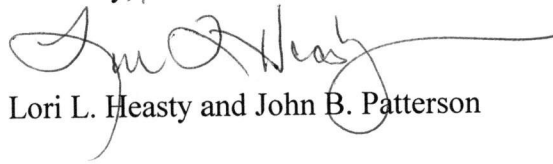
In closing, we would like to say that when Bob Billings passed away, 15<sup>th</sup> Street was renamed to honor his long-term vision and accomplishment with the Alvamar area, which includes more than just the golf courses. In addition, the Honorable Dennis Moore of Kansas placed in the House of Representatives' record a Tribute to the Late Bob Billings of Lawrence, Kansas, which in part states, "There is a quality of life around here (Alvamar) that would not exist if he had not been the active, optimistic, visionary, enthusiastic person he was." "Most notably, Bob Billings designed and developed the Alvamar development, more than 3000 acres

of residential and commercial property, a nationally recognized public golf course and country club complex.”

We feel that Bob’s legacy can live on through the redevelopment of Alvamar, but the care and oversight that formed this area in its creation must continue. Bob’s memory deserves this; so do the citizens surrounding Alvamar, as well as the City at large.

Thank you for your time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori L. Heasty and John B. Patterson", with a long horizontal flourish extending to the right.

Lori L. Heasty and John B. Patterson



City of Lawrence Kansas  
Planning & Development Services

February 18, 2015

Dear Commissioners:

The planning commission should consider the overall outlook for the properties Z-14-00552 ,Z-1400553, PP-14-0054 and PP-14-00555.

It is a well documented fact the number of golfers is declining. Many golf courses across the country have closed due to a lack of funding caused by declining membership and fewer golfers. The game of golf just takes too long for today's fast passed society. Fewer and fewer people have the 6 hours available to play a round of golf.

Recently Alvarado sold part of itself to a local developer under the assumption the new owner would continue to main the golf club. To maintain an 18 hole golf course costs about 1 million dollars a year. The developer needs the zoning changes and resulting revenue stream of property sales to meet the financial obligation he has committed too since course usage will not generate all of the income needed to maintain the golf course. What we are looking at is a continued shrinkage of the golf coarse over the next decade as course revenue continues to fall. The owner will next want to rezone 9 holes of the course for development. Each rezoning is not in the public interest it is in the new owner's financial interest.

If the new owner thinks my comments are not correct than he should be willing to put up a 10 year performance bond that will contribute \$500,000 per year to coarse maintence if golf fees fall short. If the owner fails to produce the other \$500,000 needed to maintain the 18 hole coarse the performance bond would fulfill the owners obligation.

Since KU is involved in this whole ownership change process the University has a great deal of underutilized property on the south east corner of W 15<sup>th</sup> Street (Bob Billings) and Kasold which the university could make available for residential development. This is based on the assumption that the planning commission what's to have a higher population density west of Iowa Street and east of Wakarusa Drive.

Our Mayor has stated he thinks Lawrence will grow for the foreseeable future. It will be wonderful to have large green spaces in the middle of our growing and prosperous city. Take a look at Chicago and how wonderful the green spaces make the city feel. The planning commission should keep in mind the long term goals of our people and community. I realize you are under a great deal of pressure from developers who are in the business of making money. Let's not let the short term do ill-reputable harm to the livability of our community.

The possibility to delay a decision might be considered since the request closely follows on the heels of the property acquisition. Since the submission has already been prepared by Paul Werner it is obvious the plan was well underway before the property actually changed hands. It is my opinion if the planning commission is really interested in the public good a delay of six months or more would be a prudent course of action.

Respectfully Submitted by:

Richard Fanter  
4608 Turnberry Drive  
Lawrence, Ks 66047

February 19, 2015

Lawrence Metropolitan Planning Commission  
c/o Sandra Day, AICP  
Planner II  
City of Lawrence  
PO Box 708  
Lawrence, KS 66044

Dear Commissioners:

This letter is written to register the comments of the undersigned concerning item Z-14-00552 scheduled to be considered at the February 23, 2015 meeting of the Planning Commission. We own homes located along the west side of #1 Fairway (Lot 5) on Alvamar's Public Course. The back of our homes look east across #1 and #9 Fairways. The zoning request's Master Plan calls for "residential transition to lower density" along #9 Fairway.

We reviewed materials mailed to us by Sandra Day and also met separately with Ms. Day and Paul Werner.

We believe the Master Plan conceptals would benefit the Alvamar area and are generally supportive of seeing the plan accomplished. We have several questions and requests we hope the Planning Commission will consider in its discussion of the proposed zoning changes:

- Structure Height –We prefer to have a continued unobstructed view of the land east of our homes. That being said, we otherwise hope and respectfully request that houses built in the area along #9 Fairway east of our homes have a lower profile, preferably not to exceed one story above grade.
- Water Runoff – Several underground springs require year-round sump pump operation for a number of our homes. Storm runoff also produces problems. We would like to be assured that construction activities and future structures identified in the Master Plan will involve appropriate engineering solutions to eliminate the possibility of exacerbating our current drainage conditions.
- Traffic/Access – We understand the area where the public clubhouse is located may be the site of higher density residential structures that will increase traffic volumes and possibly stress Crossgate Drive particularly at its north entrance intersecting with Bob Billings Avenue. We assume these issues will be addressed and managed.
- Location of #1 Fairway – It is our understanding that the #1 tee box may be relocated somewhat to the east of its present location, but that the balance of #1 Fairway would not be moved west and closer to our property lines. We would be concerned with any change that moves #1 Fairway closer to our property lines. Doing so would be inconsistent with the original Alvamar Planned Unit Development and increase the number of errant golf balls flying onto our properties that create personal safety issues.

The Master Plan is understandably non-specific at this stage. We assume this proposal is under consideration for conventional zoning and that this might limit our opportunity to receive additional information and offer feedback once the plan is further defined. Therefore, we prefer that a Planning Development

February 19, 2015

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Overlay be approved that would provide all parties an opportunity to confirm that the Master Plan concepts are consistent with final build out plans.

In closing, we wish to reiterate our support for the development concepts described within the Master Plan. We believe the concerns we have identified can be satisfactorily resolved and that the project will benefit Alvamar and its neighborhoods.

Thank you for your consideration of our thoughts.

Respectfully submitted,

Marty Smith  
1906 Crossgate Dr

Lew & Carolyn Phillips  
2000 Crossgate Dr

Kay Mueller  
1908 Crossgate Dr

Steve & Jenni Koger  
2004 Crossgate Dr

Pat Webb  
1910 Crossgate Dr

February 23, 2015

Bruce Liese, Chair  
Clay Britton, Vice Chair  
Members of the Lawrence/Douglas County Planning Commission,

*Re: PP-14-00555: consider a Preliminary Plat for Alvamar Inc. Two Addition, a one-lot subdivision containing 5.18 acres with frontage on the north side of Quail Creek Drive. The subdivision is proposed to support future low-density residential development.*

Dear Commission Members:

As the neighbors in the area known as the Oasis at Alvamar, located on the south side of Quail Creek Drive and both sides of Quail Creek Court, and on Alvamar Drive we want to thank Thomas Fritzel for deferring the rezoning for the property that is currently part of the Alvamar Golf Course and adjacent to many of our homes. With the tragic loss of one of our neighbors we appreciate his sensitivity to the recent events and his willingness to postpone any action until all of our neighbors can appropriately address our concerns.

We are generally supportive of the efforts being made to enhance the overall financial stability of the Alvamar Golf and Country Club and appreciate the opportunity to continue a productive dialogue with the developers. An open and constructive dialogue with all the homeowners in the affected areas will ensure that the outcome is beneficial not only for the owners of the golf and country club but recognizes and respects the concerns of the existing homeowners. A successful project benefits not just all of us but will be a tribute to the legacy of Bob Billings whose vision for Alvamar should be enhanced and respected.

We realize that nothing will happen tonight that has a direct impact on our neighborhood,

February 23, 2015

but we want to submit some of our general observations and concerns for the record.

1. If the property is ultimately rezoned it should reflect the density of the surrounding area and be platted in such a way that minimizes the impact on existing homes.
2. The traffic that would be generated if the area under consideration would be developed to the maximum allowed under the requested zoning would affect not just our area but would have a big impact on the homes along St. Andrews, Tam O'Shanter and Quail Creek Drive(s).
3. Much of this area is currently in a flood plain designation so any future development needs to demonstrate that any additional run-off from the new buildings is adequately managed and controlled.

We recognize that this property is not on the agenda for discussion tonight but wanted to have our concerns included in the proceedings of tonight's public hearing. Our concerns are shared by other homeowners in the affected areas that are under consideration. We hope that as this process moves forward their concerns are addressed and accommodated. A successful project will result when all points of view have an opportunity to be heard. And a successful project which keeps Alvamar neighborhoods and Alvamar Golf and Country Club as a viable part of the Lawrence community is a classic win-win scenario.

Mark and Sandy Praeger  
3601 Quail Creek Court

*Sandy Praeger*  
*Mark Praeger*

Dale and Connie Friesen  
3604 Quail Creek Court

*Dale Friesen*  
*Connie Friesen*



February 23, 2015

Dolph III and Lisa Simons

Dolph III and Lisa Simons  
3608 Quail Creek Court

Mark Mitchell  
Jennifer W Mitchell

Mark and Jennifer Mitchell  
3609 Quail Creek Court

John and Diana Hadl

John and Diana Hadl  
3700 Quail Creek Court

Don Johnston  
Alice Ann Johnston

Don and Alice Ann Johnston  
3701 Quail Creek Court

Teresa Hanna

Teresa Hanna  
3706 Quail Creek Court

Mary Francis Ellis  
Paul Carttar

Paul Carttar and Mary Francis Ellis  
3709 Quail Creek Court

Robert J. Weaver  
Betsy Weaver

Rob and Betsy Weaver  
1589 Alvamar Drive

February 23, 2015

Bruce Liese, Chair  
Clay Britton, Vice Chair  
Members of the Lawrence/Douglas County Planning Commission,

*Re: PP-14-00555: consider a Preliminary Plat for Alvamar Inc. Two Addition, a one-lot subdivision containing 5.18 acres with frontage on the north side of Quail Creek Drive. The subdivision is proposed to support future low-density residential development.*

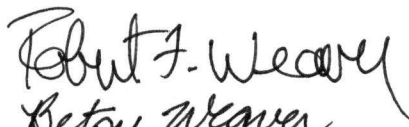
Dear Commission Members:

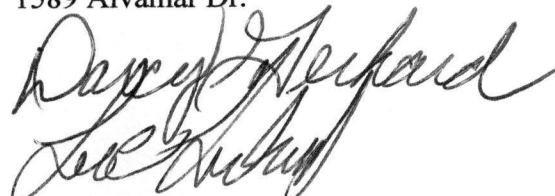
As neighbors in the area known as Alvamar Heights, located on Alvamar Drive, bordering the Alvamar public golf course, we are concerned about the impact of the proposed development along Quail Creek Drive, just to the south of our homes. We have read the letter dated February 23, 2015, from members of the Oasis at Alvamar neighborhood and heartily agree with all the sentiments therein. We emphasize the statement from that letter:

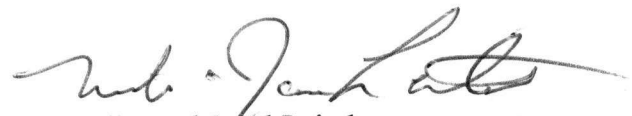
If the property is ultimately rezoned it should reflect the density of the surrounding area and be platted in such a way that minimizes the impact on existing homes.


In addition, we note that on several occasions we have seen the lower part of that parcel underwater after thunderstorms.

Respectfully,

  
Rob and Betsy Weaver  
1589 Alvamar Dr.

  
Lee and Darcy Gerhard  
1628 Alvamar Dr.

  
Mike and Jahel Leitch  
1636 Alvamar Dr.

  
Sherry Scott  
1640 Alvamar Dr.

Cheryl Troxel  
1504 Alvamar Drive  
Lawrence, KS 66047

Ms. Sandra Day  
City of Lawrence Douglas County  
Planning & Development Services  
6 East 6<sup>th</sup> Street  
P.O. Box 708  
Lawrence, Kansas 66044

*Re: Z-14-00552; Z-14-00553; PP-14-00554; PP-14-00555*

Dear Ms. Day:

I am writing you in regard to the proposed Application filed by Paul Werner Architects on behalf of Alvamar Inc. to re-zone and re-plat certain properties as described in the above referenced submittals.

As I understand it, the Applicant, Paul Werner Architects on behalf of Alvamar Inc. has submitted two re-zoning requests and two corresponding preliminary plats, one of 51.85 acres from RS 7, RM12 & PUD (Alvamar) Districts to RM 24, which then will re-plat said acreage into 6 lots; and then one of 5.18 acres from PUD (Alvamar) to RS7.

The Applicant has requested that “conventional zoning” be used with no “overlay” district requirements. “Overlay” really means “oversight.” Therefore, if the proposed application were approved as submitted, then any subsequent re-zoning and preliminary plats would be approved, with little opportunity for input from property owners until after the formal process began and perhaps long after the informal discussions with city planners began.

The carte blanche the Applicant seeks, to reconfigure this area created under a PUD, may never be appropriate in any case, given the care and commitment required to create a PUD in the first place. But the cart blanche now requested should be denied given that it has the potential to recreate an area that is so important to the community at large and to a large group of Lawrence citizens who through their home purchases made investments in the Alvamar area as it exists today.

At this time, the Applicant has submitted “concept plans” only, which are admittedly attractive drawings of what could be or might be. But the drawings decidedly are not what necessarily will be; in fact, the Applicant has provided no plans for what is proposed.

The Applicant has given the planning staff a list of intended development for the 6 lots, which includes over 600 dwelling units that range from two 120 unit apartment complexes, condominiums, patio homes, and “luxury” condominiums. However, based on the current Application, if re-zoning and re-platting were to occur even the list of intended development

could change as long as the requirements of RM 24 are not violated. This means that 1244 dwelling units could actually be built on these 51.85 acres.

At this time I oppose the Application for re-zoning and re-platting as submitted, particularly with respect to the 51.85 acres, for the following reasons.

This area is a mature developed area that was developed over the last four decades as a Planned Unit Development with two 18 hole golf courses and surrounding residential areas that created a blend of uses that benefit the Lawrence community as a whole. Landuse tenets that first gave the green light for the then-innovative PUD, made clear that a PUD must be created for the benefit of the whole community and not for the individual property owner alone.

In this case, the original development was part of a PUD and now the proposed Application wishes to change the zoning without recognition of the original PUD and the potential negative impact on all of the other parcels that make up the original PUD, ie Alvamar golf course complex.

Even though the two steps are remote in time, the Applicant seeks to defeat the original requirements imposed upon this PUD by breaking it apart in a way that significantly changes the original Alvamar development and, we contend, does significant harm to property owners within the original development who are nearby the areas proposed for re-platting. The mere passage of time should not remove the care and oversight that the PUD overlay process requires and that the City and its citizens deserve.

While original Alvamar development may have contemplated greater number of residential and/or multi family structures, the final development in the proposed 51.85 acres were PUD and RM12. There is nothing that has changed within the original PUD to compel a change in zoning any part of it.

This area deserves to be re-developed through a Planned Urban Development process with an “overlay” to insure that the integrity of the area and the overall integration of the area stays as it was originally intended. This is only accomplished with more defined plans, transparency by the developer and public input. Therefore, we request that the Application for re-zoning and preliminary plat known as *Z-14-00552*; *Z-14-00553*; *PP-14-00554*; *PP-14-00555* be denied as submitted.

Thank you for your time.

Sincerely,

Cheryl J Troxel