

PC Staff Report
03/21/2016

ITEM NO. 4 Z-16-00022: RM12 (Multi-Dwelling Residential) District TO RS7 (Single-Dwelling Residential) District; 2.23 Acres SF (SLD)

Z-16-00022: Consider a request to rezone approximately 2.235 acres from RM12 (Multi-Dwelling Residential) District to RS7 (Single-Dwelling Residential) District, located at 805, 811, 817, 823, 829 and 835 Renaissance Drive. Submitted by Tim Herndon for Langston Heights Development, LLC, property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 2.23 acres from RM12 (Multi-Dwelling Residential) District to RS7 (Single-Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *To permit construction of detached single-family dwellings on six (6) subject lots.*

KEY POINTS

- Request includes 6 existing platted lots. No change in the lot configuration is proposed.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Langston Heights Addition Final Plat
- Z-12-00232; A to RM12 original application
- Z-15-00252; RM12D to RS5 related application

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

- None

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None

Project Summary:

Proposed request is for rezoning specific platted lots located along the west side of the Langston Heights Addition subdivision to allow for detached dwelling rather than duplex lots on individual lots as planned.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *Horizon 2020 recommends "low-density" (fewer than six [6] gross units/acre) residential use for the subject property. The requested zoning will facilitate a net density of less than three (3) units/acre; gross density which includes rights-of-way in the density calculation) will be even lower.*

This property was originally discussed in 2012 and 2013 (Z-12-00232) with the initial development proposal for Langston Heights subdivision. The intent of the mixed residential zoning districts; including RM12, RM12D and RS5, was to provide both a range of housing types while keeping the overall density low and to provide land use transition, through housing type between W. 6th Street

to the north and Bob Billings Parkway to the south. Since the original approval, density has been adjusted down by rezoning the duplex areas to detached residential housing districts. The proposed request seeks to rezone an area approved for duplex development to a district for detached residential dwellings on individual lots.

Horizon 2020 recommends infill development over new annexation and compatibility of densities and housing types within neighborhoods. The plan also recommends the provision of a mix of housing types and styles for new residential and infill developments. This application represents an extension of development from the Diamondhead and Langston Heights Subdivisions. Larger residential lots, zoned RS7, are located east of the proposed rezoning along Silver Rain Road. If approved the proposed RS7 lots will be larger than those to the east. This larger lot format accommodates the extraordinary setback associated with the South Lawrence Trafficway Overlay that encumbers the rear of the lots. This area provides a buffer between the highway and the residential uses.

The overall density of the six lots included in the request changes from 5.3 dwelling units per acre (with a duplex development) to 2.7 dwellings per acre as detached housing on individual lots. The development is consistent with the low density land use recommendations for the area as recommended in *Horizon 2020*.

Staff Finding – The proposed request represents a low-density residential development pattern that is consistent with the land use recommendations in *Horizon 2020*. The generally larger lots may off-set the proximity of the lots to the highway by providing additional depth compared to comparable development along Silver Rain Road.

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

Current Zoning and Land Use:	RM12 (Multi-Dwelling Residential) District; unimproved residential lots previously intended for duplex development.
Surrounding Zoning and Land Use:	RM24 (Multi-Dwelling Residential) District to the north; unimproved land platted as one lot for multi-dwelling residential development.
	RS5 (Single-Dwelling Residential) District to the east; developing residential subdivision.
	RM12 (Multi-Dwelling Residential) District to the south developing duplex lots.
	A (Agricultural) County District to the west. Existing Highway 10.

Staff Finding – The subject property abuts the east right-of-way line of Kansas Highway 10 along the rear lot lines. The area to the east and south is developing consistent with the platted Langston Heights residential subdivision. The area to the north, included in the Diamondhead subdivision is undeveloped at this time.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The neighborhood consists of predominantly detached single-family residential structures and/or zoning, varying between RS7 and RS5-zoned lots, with relatively few duplex (RM12 and RM12D) lots in the immediate area, as well.*

This property is located within the West Lawrence Neighborhood Association boundary. The area is developing as an extension of the existing subdivision pattern for the area. The specific lots included in the request are adjacent to the highway to the west (rear yards) and were designed to accommodate duplex development. The proposed request reduces the overall density and intensity of the development subdivision by changing the base zoning from duplex uses to detached residential uses.

Staff Finding – The proposed request does not substantially change or alter the developing character of the immediate neighborhood.

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

This property is located within the boundary of the *West of K10 Plan*. The area shown is located within an interior portion of a developing area that reflects a low density residential development pattern. The residential portion of the plan generally recommends low-density residential development. The previous zoning plan for this property included multiple zoning districts and lot sizes to achieve an overall density consistent with the plan. The proposed request to RS7, is consistent with the land use plan for this area.

Overall, the proposed zoning change does not substantially impact the residential density. The proposed rezoning is consistent with the residential land use recommendations for low-density residential development described in the *West of K10 Plan*.

Staff Finding – The proposed rezoning represents a single dwelling housing type consistent with the existing zoning to the east. The overall density proposed complies with the residential land use recommendation included in the plan.

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

Applicant's Response: *The subject property is generally suited for two-family and/or single-family development.*

The current zoning is RM12, a multi-dwelling residential district. The ordinance approving the rezoning, 8838 restricted the maximum number of units within the district to not exceed 62. The property was subdivided as part of the Final Plat of Langston Heights Addition that created 15 lots along the west property line specifically to develop duplex lots. The zoning restriction and the platted lot configuration work together to keep the overall density low. The RM12 district allows detached dwelling subject to a Special Use Permit. By rezoning the property to a detached dwelling district the additional processing associated with the desired development form is eliminated and simplified for the developer and for any future property owner.

Staff Finding – The proposed change does not substantively change the suitability for low density residential development, as planned for this area.

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

Applicant's Response: *The subject properties (six lots) have remained vacant since zoned to RM12 from UR in 2013.*

Development of the Langston Heights area has been fluid since the original approval in 2013. As the demand for detached housing on individual lots has increased in the area the developer has responded with rezoning areas previously intended for duplex development to accommodate the detached housing form. The property is currently undeveloped.

Staff Finding – This property has been zoned RM12 since September 2013.

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

Applicant's Response: *No detrimental effects upon nearby properties are identifiable.*

The immediately surrounding area is developing with residential uses. This area includes school district property to the southeast, planned neighborhood commercial zoning to the south, and K-10 Highway to the west.

Staff Finding – There are no anticipated detrimental affects for nearby property.

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 by approval of this application is the addition of sought-after single-family housing stock to the Lawrence Residential market and in the neighborhood; the hardship imposed by denial would lie in the reduced availability of such stock in the predominantly single-family neighborhood.*

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 proposed request and zoning change is reflective of the demand for detached housing on individual lots in this area. The request is consistent with a similar zoning change from RM12D to RS5 (Z-15-00252). Approval of the requested zoning change allows the developer to respond to the demand for a particular housing type. If denied, the same development type could be accommodated though a Special Use Permit that results in unnecessary process for both the developer and the public as well as future property owners.

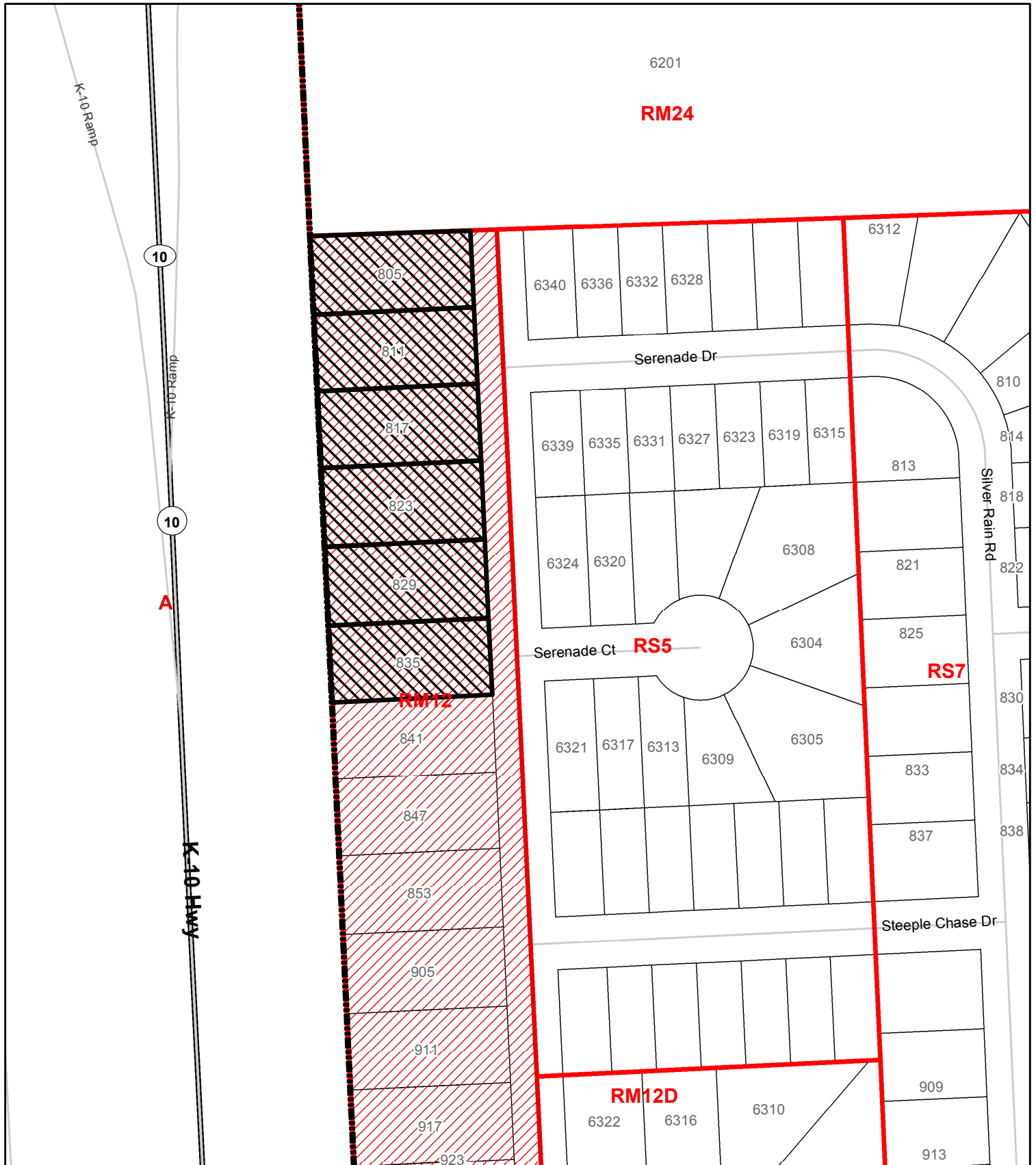
Staff Finding – Approval of the proposed request facilitates infill residential development in an area planned for low-density residential development.

9. PROFESSIONAL STAFF RECOMMENDATION

This request is consistent with the developing land use for low-density residential development in the form of single detached dwelling units on individual lots. The proposed change does not require changes to the platted subdivision or utility arrangement necessary for development.

CONCLUSION

Staff recommends approval of the proposed zoning change.



**Z-16-00022: Rezone 2.235 acres from RM12 District to RS7 District
Located 805, 811, 817, 823, 829 & 835 Renaissance Drive**