

PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
03/21/2016

ITEM NO. 5A: Z-16-00026; RM24-PD (Multi-Dwelling Residential with Planned Development Overlay) District to RMO-PD (Multi-Dwelling Residential with Planned Development Overlay) District; 14.2 acres (SLD)

Z-16-00026: Consider a request to rezone approximately 14.2 acres from RM24-PD (Multi-Dwelling Residential with Planned Development Overlay) District to RMO-PD (Multi-Dwelling Residential with Planned Development Overlay) District, located at 1800, 1809, & 2021 Crossgate Drive. This rezoning applies only to Proposed Lot 3 of the Alvarmar Planned Development. Submitted by Paul Werner Architects, for Eagle 1968, LC. Alvarmar Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends denial of the request to rezone approximately 14.2 acres from RM24-PD (Multi-Dwelling Residential) District to RMO (Multi-Dwelling Residential Office) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for denial.

Reason for Request: *Since we have begun the process of looking at redevelopment in the Alvarmar areas, we have been approached by several individuals that see an advantage and/or synergy of medial office uses to be associated with the golf course. We feel it is more appropriate for an RMO (Office) zoning than an RM zoning, in which we would list these uses as accessory.*

KEY POINTS

- Request proposes to amend the base use group for proposed Lot 3, Alvarmar PD.
- The proposed *Medical Office* use (Sports Medicine), shown on the related Preliminary Development Plan, would be independent from the golf course.
- RMO District includes all types of *Office* uses, *Medial Office and Clinic* uses *Veterinary Office and Clinic* uses, and *Personal Improvement* uses.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- Z-14-00552; RM24-PD; Ordinances 9154.
- SUP-15-00389; *Active Recreation Uses* in RM24-PD district
- PP-14-00554; Alvarmar One Preliminary Plat; application replaced by PDP-15-00247.
- PDP-15-00247; Approved by the City Commission on Oct. 27, 2015 subject to conditions.
- PDP-16-00052; Revised Preliminary Development Plan, concurrent with this application.
- PF-16-00051; Final Plat, administrative review concurrent with this application.
- Submission and approval of public improvement plans.

PLANS AND STUDIES REQUIRED – Refer to related Preliminary Development Plan for study discussions

- *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

1. Area Map
2. Applicant's justification for request
3. Map of non-residential uses in the Alvarmar Neighborhood

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Jerree Catlin, called requesting additional information and clarification.
- Mike Maddrell, 3506 Tam-O-Shanter Dr., resident stated strong opposition to proposed use.
- Jim Feeney, 1704 St. Andrews Dr., called requesting additional information regarding proposed change.
- Frank Linseisen, 1911 Crossgate Drive, indicated concern and opposition to project that generates additional traffic on Crossgate Drive.
- Steve Koger, inquired about reduced size of golf course.
- Quail Pointe at Alvarado residents concerned about future development of the "back 9". (see attached map)
- John and Joan Blazek, 4013 Crossgate Ct., expressed concern about existing traffic safety along Crossgate Drive that is caused by on-street parking.

Project Summary:

Proposed request is for rezoning Lot 3 within the Alvarado PD to accommodate office uses as an independent use to the golf course. Specifically proposed is a "sports medicine" use shown on the revised Preliminary Development Plan. This use is defined by the Development Code as a *Medical Office* use. The proposed office use is located in the general area of the previously proposed banquet facility/hotel area on the east side of Lot 3. The revised Preliminary Development Plan that accompanies this application relocates the banquet facility to Lot 1.

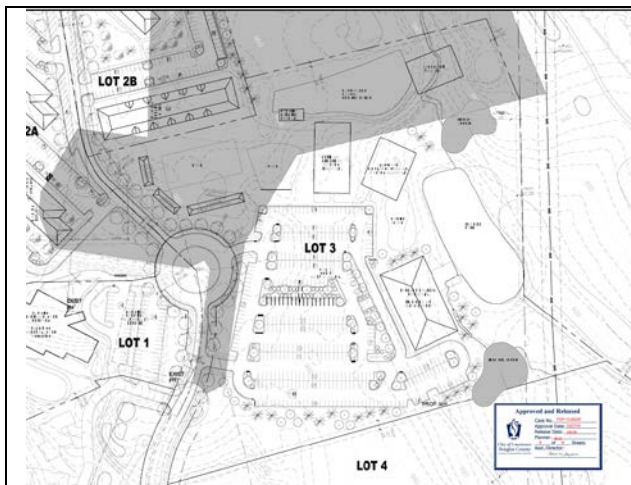


Figure 1: Approved Preliminary Development Plan

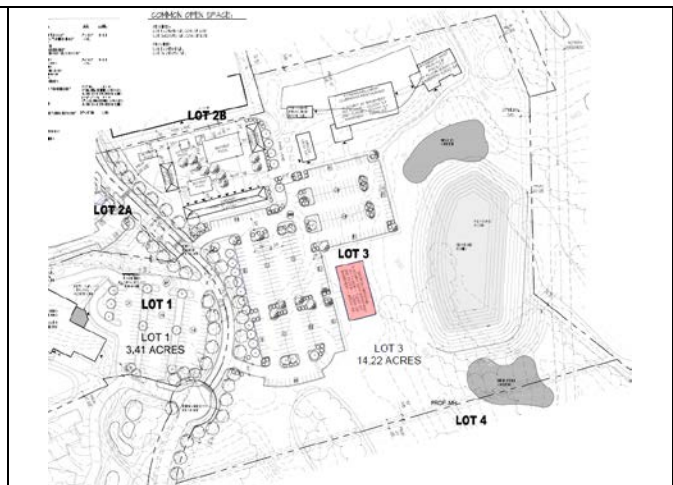


Figure 2: Proposed Preliminary Development Plan

This proposed zoning request affects only Lot 3 of the Alvarado PD.

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: [See Applicant's attached memo](#)

This application is intended to amend only the uses for Lot 3, Alvarado PD. By changing the zoning from RM24-PD to RMO-PD additional non-residential, non-golf course related uses would be permitted. The RMO district is a *mixed use district that includes low and moderate intensity administrative and professional office that are compatible with the character of medium and high-density residential neighborhoods*. This application does not amend the residential density of the remaining development. This district is described in the Land Development Code as "*generally appropriate for implementation along collector or arterial Streets.*" Crossgate Drive is a local

street serving residents and the Alvamar Country Club. However, historically the golf course activity area has been centrally located between Bob Billings Parkway to the north and Clinton Parkway Drive to the south.

The RMO district allows a maximum residential density of 22 dwelling units per acre compared to the RM24 district that allows 24 dwelling units per acre. The area proposed to be rezoned; Lot 3, of the Alvamar PD does not include any residential uses. All land uses approved have been directly related and subordinate to the primary use as a golf course and its related accessory uses such as clubhouse/restaurant, pool, fitness and banquet facility (*Event Center*) uses.

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 infill 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.

Residential density is variable by lot size, housing type and residential density bonuses that may be considered for a Planned Development. The Alvamar Planned Development includes a high-density residential component located on Lot 2, north of the area proposed to be rezoned by this application. The proposed request does not alter these residential strategies. In addition to the zoning, development is guided by the approved preliminary and final development plans. At this time there are no residential uses proposed for Lot 3. Lot 1 and Lot 3 represent the activity hub of the golf course.

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. A Planned Development Overlay designation allows for a detailed review of these elements.

Chapter 7, Industrial and Employment addresses new office development. *Horizon 2020* states:

The Comprehensive plan recognizes the need for smaller scale business development opportunities. New office areas will generally be restricted to existing areas of the City, or new areas that are appropriately identified on future land use maps. Page 7-10.

The proposed change is intended to allow specific non-residential uses that are independent of the golf course. If approved, the RMO district would include the following uses groups:

- **Medical Facilities**, *Health Care office, Health Care clinic,*
- **Animal Services**, *Veterinary*
- **Office**, *Administrative and Professional, Financial, Insurance & Real Estate, Payday Advance, Car Title Loan Business, and Other*
- **Retail Sales & Service**, *Personal Improvement Services.*

The plan provides general land use recommendations for the location of new office areas. Such uses can function as a transition between industrial and employment related development to less intensive uses. The plan states *"It is desirable that a mix of uses be established for these areas in a planned and unified manner. Like other locations visible from major street corridors (Page 7-10)." When used as a transition use site access to office areas are recommended "from arterial, collector or access/frontage streets and traffic directed away from surrounding residential areas. (Page 7-17)."*

Evaluation of the compatibility and intensity, as recommended in *Horizon 2020*, must be considered concurrently with the Preliminary Development Plan.

Additional development will increase traffic on a local street. Traffic mitigation is limited by the existing development pattern of the surrounding area. There are only two access points to this area; North from Bob Billings Parkway along Crossgate Drive (a private street segment) and south from Clinton Parkway along Crossgate Drive.

The applicant's response to traffic impacts includes construction of a new public street segment between Bob Billings Parkway extended to the south to limit intrusion into the northern neighborhoods. This design feature is discussed further in the Preliminary Development Plan.

Staff Finding – The proposed change represents an introduction of uses that are independent from the golf course operation and that are best suited to collector and arterial streets. The central area of the activity associated with Alvamar golf course is located in an otherwise residentially designated area. Office uses are more appropriately located at the edges of the neighborhood along Bob Billings Parkway, Kasold Drive or Clinton Parkway as opposed to in the center of the proposed development.

The proposed request does not, in staff's opinion, comply with the land use recommendations included in *Horizon 2020* and is an encroachment of non-residential uses.

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

Current Zoning and Land Use: RM24-PD (Multi-Dwelling Residential – Planned Development Overlay) District. Alvamar PD. Existing development includes a club house, accessory buildings related to the golf course operations, golf course and the KU practice facility.

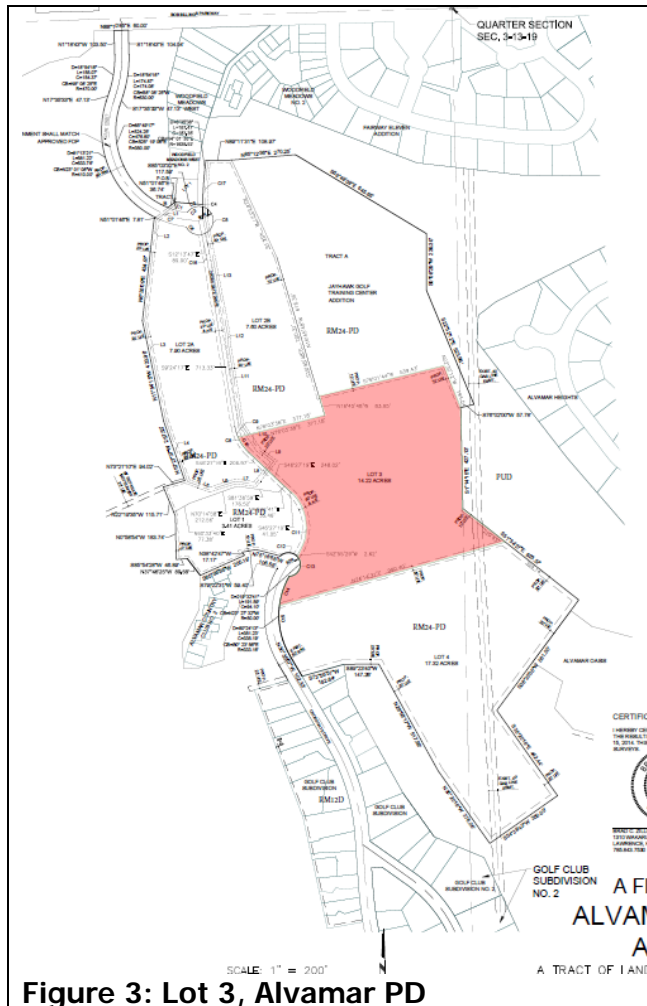


Figure 3: Lot 3, Alvamar PD

The subject property is adjacent to the north, west and south by the Alvamar PD overlay district of which the subject property is a part. The area along the east side of the subject property is located within the original Alvamar Planned Unit Development. The predominate use surrounding the area is the active portion of the golf course. Beyond the golf course includes a variety of residential uses.

Historically, the golf course has included a central location for the accessory uses related to the golf club located in the central portion of the Alvamar PD (proposed Lots 1 and). These uses include membership related accessory uses associated with the golf club. Other non-residential uses are located on the periphery of the Alvamar neighborhood along Bob Billings Parkway, Kasold Drive and Clinton Parkway. See Non Residential Use Map attached.

Table 1: Zoning and Land Use Summary

Surrounding Zoning and Land Use:	
To the North:	RM24-PD (Multi-Dwelling Residential – Planned Development Overlay) District. Alvamar PD. Proposed multi-dwelling residential development (proposed Lot 2A) and KU golf training center. Existing golf course.
To the west:	(Multi-Dwelling Residential – Planned Development Overlay) District. Alvamar PD. Proposed Lot 1, existing clubhouse to remain. And RM12 (Multi-Dwelling Residential) District. Existing Quail's Nest at Alvamar Condominium neighborhood.
To the south:	(Multi-Dwelling Residential – Planned Development Overlay) District. Alvamar PD. Proposed Lot 4. Existing golf course, specific uses are not proposed at this time.
To the east:	PUD – Alvamar Planned Development. Existing Golf Course and platted residential subdivisions for detached single-dwelling residential uses.

The following table provides a summary of uses that are allowed in the RMO District.

Table 2: Uses Permitted in RM24 and RMO

Uses	RM 24	RMO
Residential Uses	Multi-Dwelling Residential Uses	Same; and Permits Non-Ground Floor Living and Live

		Work Units.
Community Facility Uses	Permits Large and Small Event Centers as an <i>accessory use for the golf course</i> .	Permits Large and Small Event Centers.
Medial Facilities	Permits Extended Care Facilities.	Same; and Permits Health Care Office/Clinic Permits Outpatient Care Facility
Recreational Facilities	Permitted	Same
Religious Assembly	Permitted	Same
Animal Services	Not Permitted	Permits Veterinary
Eating & Drinking Establishments	Not Permitted <i>except as accessory to golf course only</i>	Same
Office	Not Permitted	Permits Administrative and Professional Permits Financial, Insurance & Real Estate Permits Payday Advance, Car title Loan Businesses Permits Other
Parking Facilities	Permitted as accessory use only	Same
Retail Sales and Services	Not permitted except as accessory use to golf course only	Permits Personal Conveniences and permits Personal Improvement Services
Transient Accommodations	Not permitted <i>except as accessory use to golf course only</i>	Same

The district allows all types of office uses including, banks, *Administrative and Professional Offices*, *Payday Advance/Car Title Loan Businesses* as well as *Personal Convenience Services* and *Personal Improvement Services*.

- *Personal Conveniences Services* are generally small neighborhood-scale and provide for conveniences stores, drugstores, smoke shops, and laundromats/dry cleaners, beauty salons, tanning salons, nail salons, tattoo/body piercing shops and massage therapy uses (20-1748).
- *Personal Improvement Services* include informational, instructional, personal improvement provided in a group setting such as classes or meetings and includes fire arts studios, martial arts centers (20-1749). While some of these uses may be included as amenities provided by the golf course as accessory uses the proposed application is intended to accommodate uses that are independent to the golf course.

Staff Finding – The proposed zoning is not in keeping with the zoning pattern of this master planned community that locates non-residential districts along the periphery of the neighborhood.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The "neighborhood" consists of a private country club facility of approximately 30,000 square feet, a public clubhouse, cart barns, and two golf courses. Part of this should include the swimming pool which is currently located at Bishop Seabury (Alvamar's old tennis facility).*

This neighborhood area is described as the Alvamar Neighborhood. This neighborhood has developed around the Alvamar Golf Course and includes multiple platted subdivisions. It is bounded on the north by Bob Billings Parkway, Clinton Parkway on the south, Kasold Drive on the east and Wakarusa Drive on the west. It is not a registered neighborhood within the City of Lawrence. A small area known as Quail Ridge East is a registered neighborhood and is located in the northeast corner of the Alvamar PUD. Though the review and development of this project several other small neighborhoods have identified themselves to staff and in in communications to the Commissions.

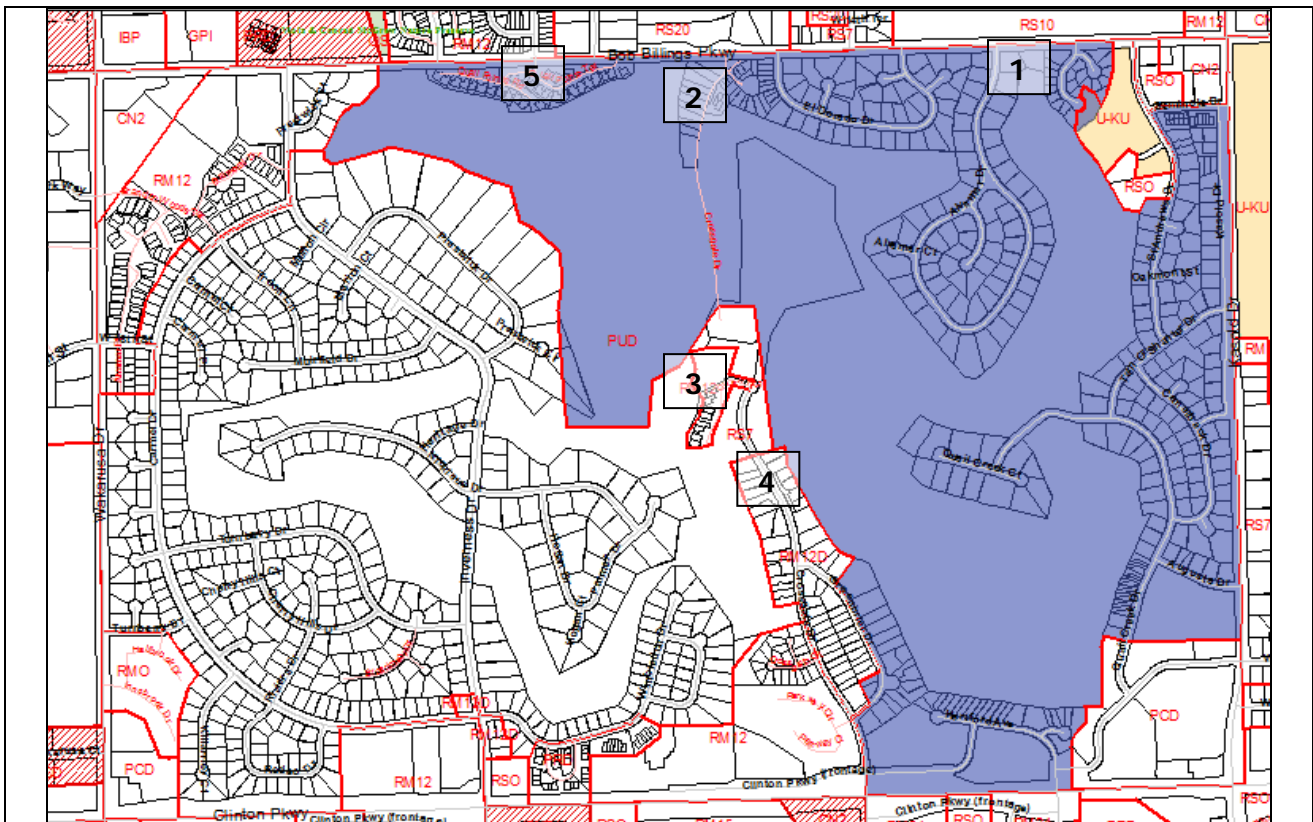


Figure 4: Alvamar Neighborhood and Alvamar PUD

1. Quail Ridge East Neighborhood.
2. Woodfield Homeowners Assoc. and Woodfield Townhomes
3. Quails Nest Neighborhood
4. South Crossgate Drive Neighborhood
5. Quail Pointe at Alvamar

The neighborhood includes golf course with residential uses to the interior with office, religious institutions, and retail uses are located along arterial streets and the periphery of the neighborhood.

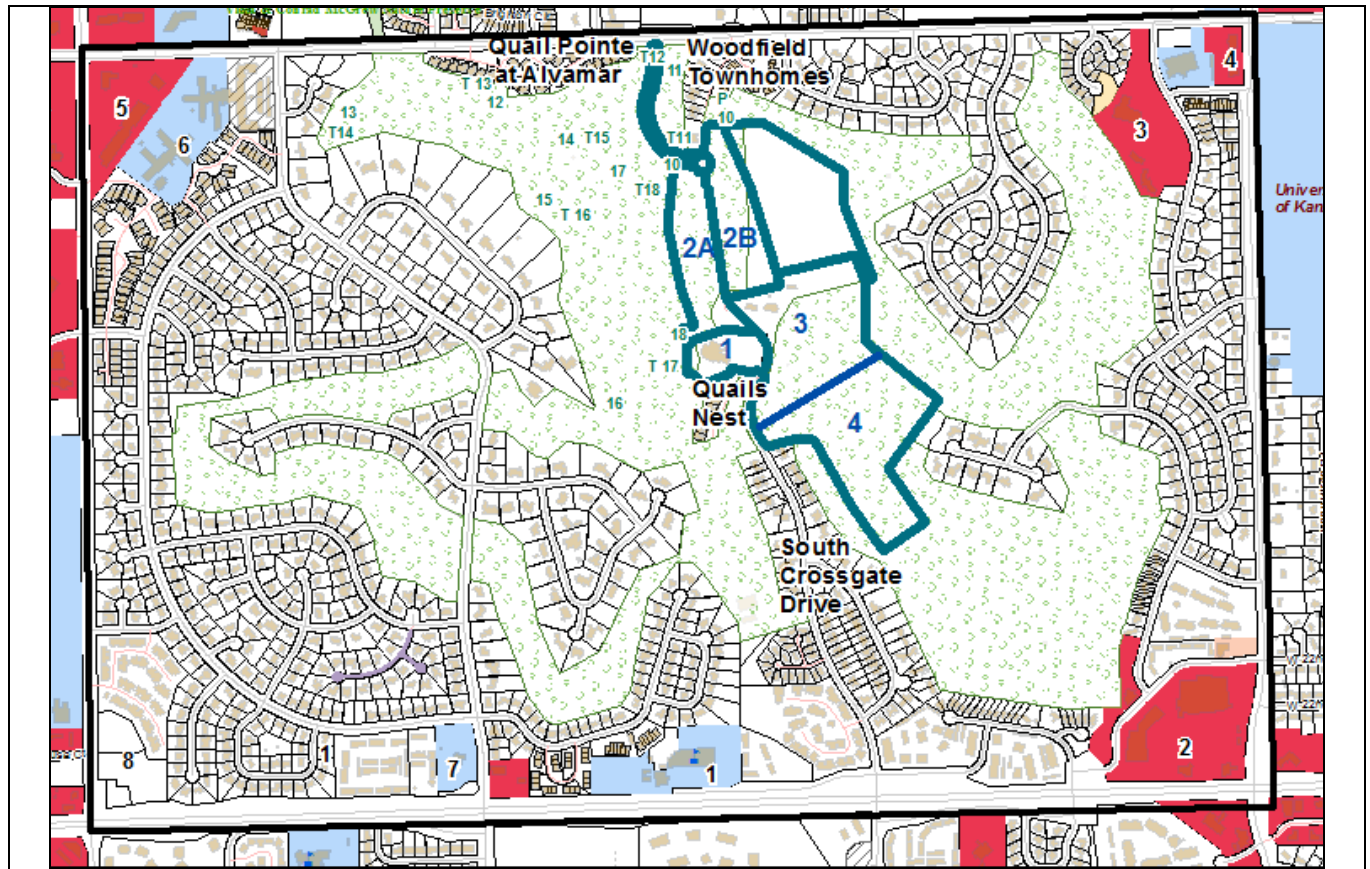


Figure 5: Non-Residential Uses

1. Bishop Seabury Academy
2. Hyvee Shopping Center
3. University of Kansas - Continuing Education and Offices for Design and Construction
4. McGrew Real Estate Offices
5. Wakarusa Marketplace - Bob Billings Parkway & Wakarusa
6. Brandon Woods
7. Good Shepard Lutheran Church
8. Vacant neighborhood commercial land

The approved zoning and development plan expanded the non-residential uses and amenities associated with the golf course in the central area (Lot 3) of Alvamar. This proposed request, if approved, allows additional office, medial office, veterinary and personal improvement uses that are not currently permitted or found in the interior of the development.

Staff Finding –All approved non-residential uses are directly associated with the golf course and are accessory to the primary use of the golf course. Non-residential and non-golf course related uses are located along the periphery of the neighborhood. If approved additional non-residential uses would be permitted within the interior of the neighborhood, specifically located on Lot 3.

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 1960s. Various revisions to the plan over time have been made through Zoning, Subdivision Plats, Site Plans and Uses Permitted Upon Review (Special Use Permit). The original development plan confined non-residential uses that were not accessory to the golf course to the perimeter of the Alvamar Development.

Office uses were developed on the southwest corner of Kasold Drive and Bob Billings Parkway. Commercial uses were developed on the northwest corner of Kasold Drive and Clinton Parkway. Similar areas for commercial and office development are located on the southeast corner of Wakarusa Drive and Bob Billings Parkway and the northeast corner of Wakarusa Drive and Clinton Parkway

Previously approved Development Plans and related subdivision plats along with their attendant revisions have served as a proxy for neighborhood planning in this area. Residential density is not discussed in this application. The proposed request does not alter the base district that includes residential uses in Lot 2 of the development.

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: *While the existing zoning is suitable at this time, to help with the redevelopment of the golf course, the new infrastructure, swimming pools, etc., the slight expansion between these two zonings aids in this redevelopment.*

A key consideration in the original application was an assessment of the residential and nonresidential uses. All non-residential uses were intended to be strictly accessory to the golf course. The applicant's request represents a proposal to allow for other non-residential uses that are not complementary to the golf course.

The applicant has not included any indication of a limitation on the office uses that may be developed, if approved, except via the development plan.

Table 3: Use Groups and Uses

Use Group, Specific Use	Typical Uses
Medical Facilities, Health Care office, Health Care clinic. 20-1732	Accommodations for use by physicians, dentists, therapists, and similar health personnel. Services are typically rendered and completed in three hours or less.
Animal Services, Veterinary. 20-1710	Veterinary offices, pet clinics and animal hospitals.
Office, Administrative and Professional, Financial, Insurance & Real Estate, Payday Advance, Car Title Loan Business, and Other. 20-1744	<ul style="list-style-type: none">• Government offices, administrative offices, legal offices and Architectural firms.• Banks, insurance agencies and real estate firms• Payday advance businesses• Other types of office uses <p><i>Automated teller machines, drive-through windows or night drop windows are prohibited.</i></p>
Retail Sales & Service, Personal	Fine arts studios, martial arts centers, yoga or

<i>Improvement Services. 20-1749.</i>	mediation studios or diet centers.
<i>Personal Convenience Services. 20-1748.</i>	Neighborhood convenience stores, drugstores, smoke shops, drycleaners, beauty salons, tanning and nail salons and massage therapy.

Uses in this group are currently located along the boundary roads of the Alvamar Planned Unit Development. The addition of uses permitted by the RMO District is not suitable in this location as it is an encroachment of non-residential uses in the neighborhood. Uses such as physical therapist, chiropractic services, yoga instruction, nutritional instruction and similar activities that are offered as an accessory service of the golf course facility or club membership are inherently different from the operation of the same use operated as an independent business. Further, the property is well suited to the current zoning of RM24-PD

Staff Finding – The subject property is well suited to the uses to which it has been restricted under the RM24-PD zoning. Office uses not accessory to the golf course are better suited along collector and arterial streets.

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

Applicant's Response: *The original PUD of Alvamar dates back to the late 1960's. The golf course has recently changed ownership, and is in need of renovation. The proposals before the City are to aid in this renovation, which includes a new street to access the improvements. The previous zoning, PUD was deemed inappropriate by the City, due to numerous changes in the Development Code since the original development. So while the area is not "vacant", the existing facilities are out of date with the current planning practices. The proposed zoning is more appropriate for a 2016 development.*

The property included in this request, Lot 3, was rezoned from RS-2 with a PUD Overlay (Alvamar) to RM24-PD in November 2015 as part of the proposed Alvamar redevelopment. The approval included specific use restrictions applicable to the non-residential activity. Uses were specifically restricted as follows:

- Retail uses are permitted as accessory to the golf course only.
- Office uses were permitted as accessory to the direct operation of the golf course and banquet/reception facility (*Event Center*) or management of accessory uses directly associated with the golf course.
- Eating and Drinking Establishments including a nightclub (to be operated as a banquet/reception facility only), Fast Order Food, Quality Restaurant and Accessory Bar uses were permitted.
- Transient accommodations, including a hotel with not more than 24 guest rooms are permitted.

A significant discussion in the original consideration was the allowance for transient accommodations that are not included in the most recent revision to the Preliminary Development Plan. The use continues to be included as an optional permitted use but is not programed in the initial development. Office uses were contemplated in the previous application and determined to be allowable as accessory to the golf course operations and associated accessory uses.

The area included in in the request is currently developed with a clubhouse and accessory buildings associated with the golf course. The property is not currently vacant. The current RM-14-PD has very recently been approved. This request is speculative in nature and there are no

substantive changes that have occurred in the community or the neighborhood that demand the area be reconsidered for an intensification of non-residential uses that are not immediately accessory and subordinate to the golf course.

Staff Finding – The area included in this request has recently been approved for limited non-residential uses. The property is not currently vacant.

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

Applicant's Response: *The property is currently zoned RM24-PD. The proposal of RMO-PD will not detrimentally affect the nearby properties. The current plan is to provide a new street from Bob Billings Parkway to the center of the Alvamar Country Club. This street will serve as the primary entrance to the area, and therefore mitigate any possible infringement on adjacent properties.*

As discussed earlier in this report and in previous reports related to this development access to the area is limited to the existing Crossgate Drive for the existing golf course amenities and residential uses. It also will serve the proposed expanded golf course amenities as well as additional new residential development. Because of the existing inadequacy of the street design for the north leg of Crossgate Drive a new public street segment is required to provide connectivity from Bob Billings Parkway to the development area. The phasing of this street connection is discussed in the Preliminary Development Plan report.

The approved zoning allows limited non-residential uses directly associated with the golf course. Uses that are commercial in nature or separate from the golf course are not permitted as they are not appropriately located within an interior area of a neighborhood.

This plan relocates the banquet facility to Lot 1 and replaces the previously proposed facility with the proposed office use. Other uses included in Lot 3 have also increased in size from the original application. The intensity of an office use compared to a banquet facility is less. However, approval of the request will result in an increase in the amount of office uses not accessory to the golf course. Approval of the request establishes the zoning for potential other office uses that can generate higher traffic than a medical office use. This area is not designed or suitably located for an office park.

Traditional neighborhood design provides areas that are complementary and supportive to the neighborhood within proximity to the neighborhood most typically at the edges of the neighborhood. The original Alvamar neighborhood followed this same pattern type in the golf course development with non-residential non-golf course related uses located along the edges of the neighborhood and the social hub area of the neighborhood in the center composed of the golf course clubhouse as the key feature of the neighborhood. Golf courses are defined as a type of "Passive Recreation" use while swimming pools are defined as "Active Recreation".

The original development of Alvamar included the pool and a tennis facility located along Clinton Parkway, a neighborhood edge area. Since the original development land uses have changed and the existing pool and tennis center have been or are being relocated. The tennis center associated uses are located in other parts of the community and the pool area is proposed be relocated to Lot 3 as part of the redevelopment. Other than uses that are specifically accessory to the golf course non-residential uses are located to the boundary of the Neighborhood.

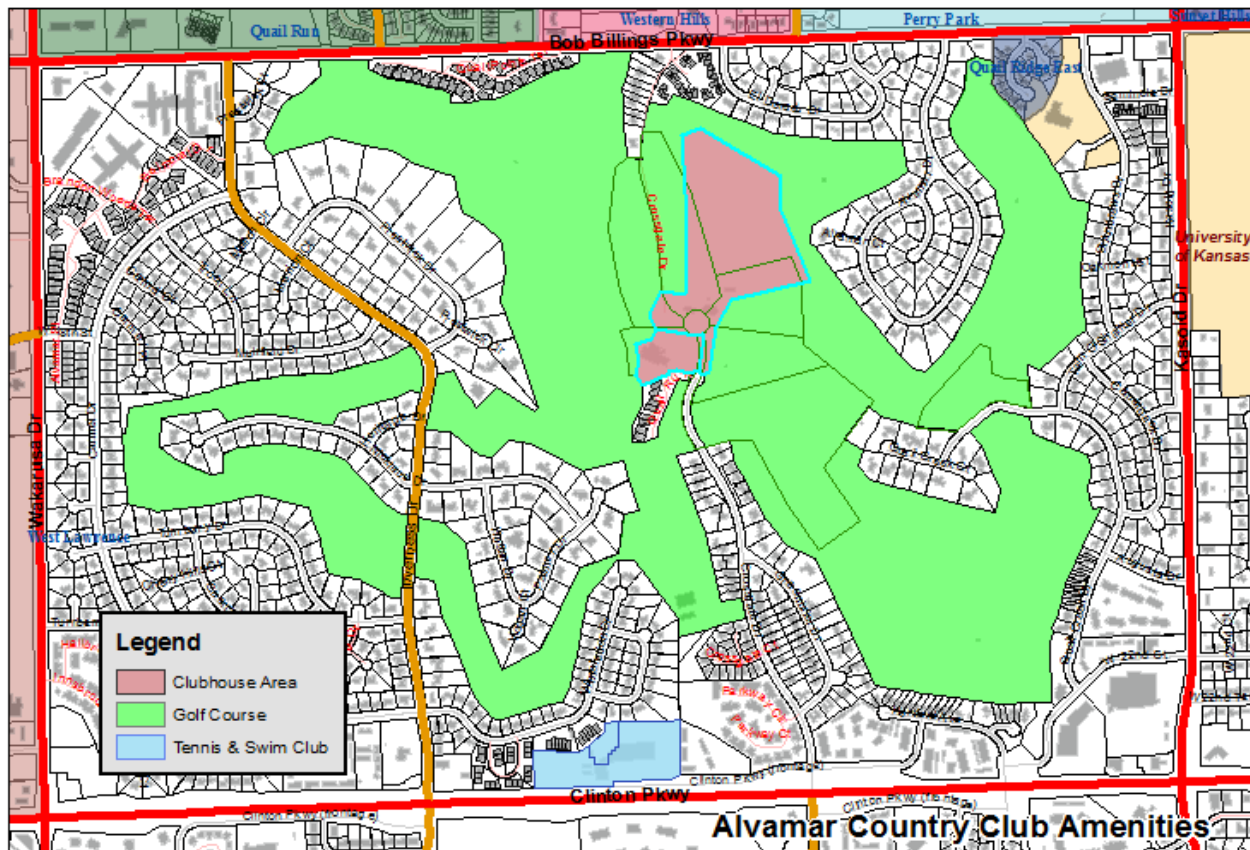


Figure 6: Collector and Arterial Street Network

- Yellow streets are collector streets
- Red streets are arterial streets

If approved, the integrity of the development is eroded by the addition of medium and higher intensity uses in a central portion of the neighborhood. These uses are associated with traffic and commercial operations that are atypical for the neighborhood. The addition of the new street segment offers residents and property owners along the north leg of Crossgate Drive to retain a separation from the additional traffic in the area. Additionally, the new street segment will provide improved vehicular access to the area thus mitigating negative impacts that result from increased traffic.

The south leg of Crossgate Drive will see increased traffic. Traffic calming was approved by the Traffic Safety commission in 2011 for Crossgate Drive. Improvements are not currently budgeted or designed. As funding becomes available for the project design of specific traffic calming will be initiated.

Staff Finding – Approval of the request alters the character of the neighborhood and introduces traffic and land uses to the interior of the neighborhood that are not typical of the existing development pattern. Residents along the south leg of Crossgate drive will be impacted by additional traffic from the proposed development. That traffic will be exasperated by an independent use not directly associated with the operation of the existing golf course.

- 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 is to help insure the longevity of Alvamar County Club as a whole.*

The current proposal is to help eliminate the hardships that Alvamar County Club have been dealing with for years, which is what lead to the eventual sale of the club. If this zoning were denied, this hardship would continue, and thereby not provide a viable source of income to help with the improvements.

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 has argued that the recent and proposed requests to intensify use will provide a revenue stream that will go toward supporting the golf course. However, the recent entitlements for Multi-Dwelling structures and golf course enhancements have substantially increased revenue potential and no information from the applicant is provided to support this continued justification. This request opens the door to non-golf course commercialization of the property under control of the owner which would unintentionally bring in significant traffic on a local street. The hardship has not been substantiated and does not, in staff's opinion, outweigh the value of maintaining residential and golf course uses at this location. The applicant will maintain the RM24 zoning as a way to increase revenue.

The current golf course (including all proposed development area) includes 301 acres. Development of the existing golf course as some other future use if the proposed redevelopment is not successful will require new land use entitlements including the assessment of zoning, subdivision plat design, interior street access design and the extension of adequate public infrastructure.

The previous traffic study included an assessment of office uses for up to 4,000 SF of space. Half of that space was assigned to operations and maintenance of the golf course while the remaining space, approximately 2,000 SF would be available for other "independent" office uses. The approved zoning and development plan expressly prohibited independent office uses as part of the scope of the proposed redevelopment. The proposed development plan shows a 27,000 SF fitness/wellness/clubhouse use located in a two story building and a 19,200 SF "Sports Medicine" use.

There are existing spaces zoned for office uses located along the edges of the neighborhood for tenants interested in locating in an area with proximity to the golf course. The existing zoning and development plan allow for a wide variety of practitioners to be located in existing buildings in the development as an accessory use to the golf course so long as they do not operate as an independent provider. Denial of the request does not exclude the provision of some types of medial office type uses (physical therapy, massage therapy, chiropractic services, and similar uses). The existing zoning and development plan limits these uses to those services provided through the country club as an accessory use. Not as another on-site primary use independent of the golf course.

The request allows a wider variety of uses (*Health Care Clinic*, Financial, Insurance, Real Estate office uses such as banks and professional offices, *Veterinary Office/Clinic* uses, and even *Payday Advance/Title Loan Businesses*). These uses are not appropriate at this location. If the Commission chooses to recommend approval staff strongly recommends that uses be limited.

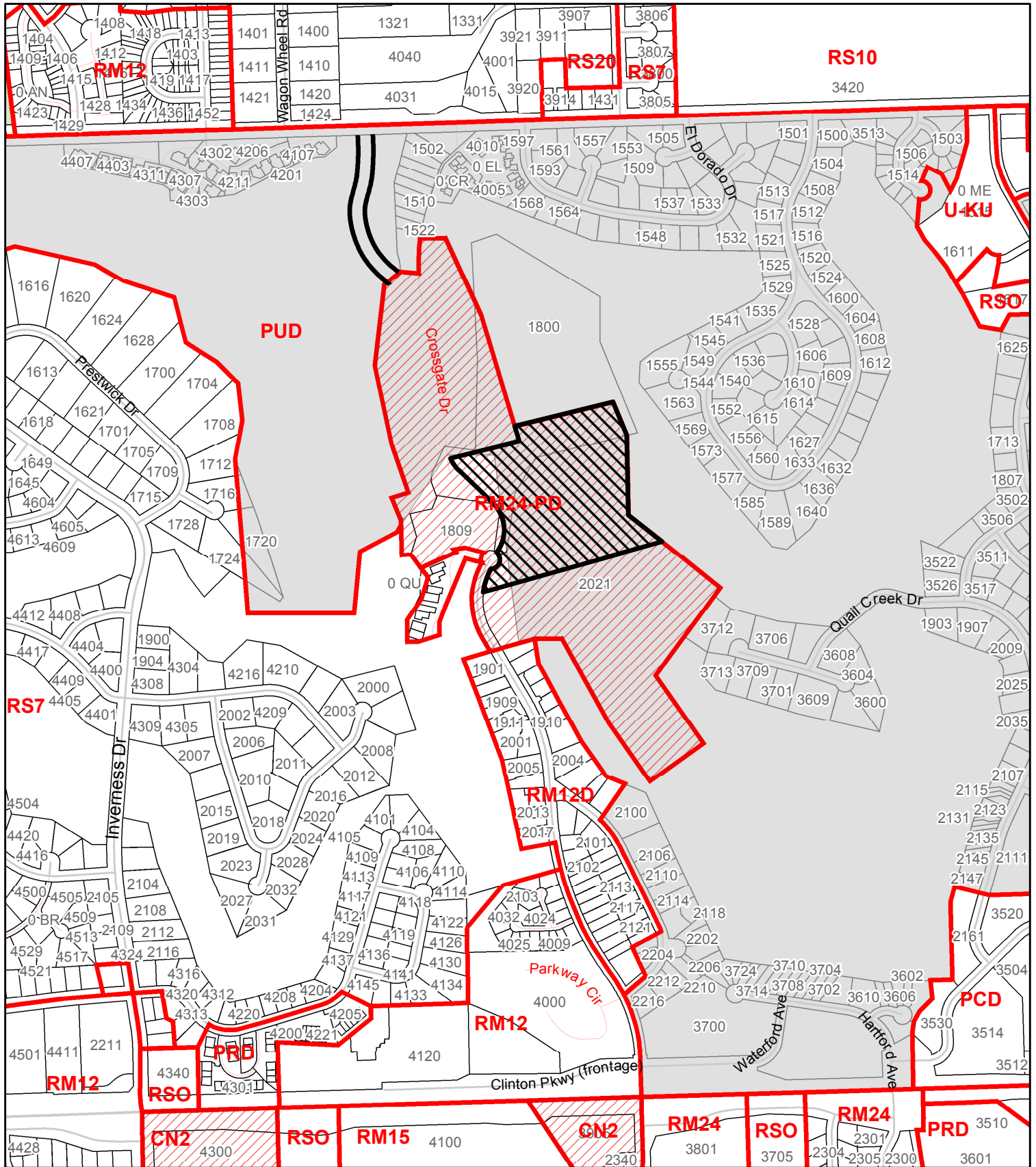
Staff Finding – Economic hardship has not been established and does not outweigh the gain to the public by denying the request. The property has already been intensified with the recent adoption of RM24-PD zoning and commercialization of the interior of Alvamar would not serve the public's interest.

9. PROFESSIONAL STAFF RECOMMENDATION

Staff does not recommend approval of the proposed request because it permits non-residential uses that are also not accessory to the golf course in an area that was planned as an extensive open space area surrounded by low-density residential uses.

CONCLUSION

While this one use has limited impact to the surrounding neighborhood, RMO zoning is not compatible in this application and the RM24-PD provides a suitable district for the surrounding uses and proposed development.



**Z-16-00026: Rezone 14.2 acres from RM24-PD District to RMO-PD District
Located 1800, 1809 & 2021 Crossgate Drive**



Please indicate the reason for requesting rezoning.

Since we have begun the process of looking at redevelopment in the Alvamar area, we have been approached by several individuals that see an advantage and/or synergy of medical office uses to be associated with the golf course. We feel it is more appropriate for an RMO (office) zoning than an RM zoning, in which we would list these uses as accessory.

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

A key feature of Horizon 2020 is that it supports infill development and redevelopment (see chapter 3 “General Plan Overview”). We feel this goes along with what we are trying to accomplish.

Our proposed RMO zoning is still technically a residential zoning, with limited office use to be included. The current proposal follows very closely with what Horizon 2020 would call a “mixed-use redevelopment center” (Chapter 4). The proposal would provide for a variety of residential offerings, office, and several recreational uses.

We also feel like our proposal goes along with the following chapters in Horizon 2020:

Chapter 8: Transportation – This will be met by providing a new and safe path to the proposed facilities.

Chapter 9 – This chapter references open space and recreation. While our proposed development is located on approximately 50 acres, all of the Alvamar Country Club exceeds 300 acres. By allowing the development in the proposed location, this will facilitate the existence of the open space and the continuation of the existing drainage channels.

Chapter 12: Economic Development - While this may not be an “economic development” plan based on employment growth, it is fair to argue that at the very least from a tax base standpoint, this proposal certainly helps maintain the tax base, if not increase it. If the proposal is denied, and Alvamar Country Club is not redeveloped, as proposed, it would be very conceivable that the tax base would suffer in this immediate area.

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

The property is currently zoned RM24-PD. The proposal of RMO-PD will not detrimentally affect the nearby properties. The current plan is to provide a new street from Bob Billings Parkway to the center of Alvamar Country Club. This street will serve as the primary entrance to the area, and therefore mitigate any possible infringement on adjacent properties.

3. Describe the character of the neighborhood.

The “neighborhood” consists of a private country club facility of approximately 30,000 square feet, a public clubhouse, cart barns, and two golf courses. Part of this should include the swimming pool, which is currently located at Bishop Seabury (Alvamar’s old tennis facility).

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

While the existing zoning is suitable at this time, to help with the redevelopment of the golf course, the new infrastructure, swimming pools, etc., the slight expansion between these two zonings aids in this redevelopment.

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

The original PUD of Alvamar dates back to the late 1960's. The golf course has recently changed ownership, and is in need of a renovation. The proposals before the City are to aid in this renovation, which includes a new street to access the improvements. The previous zoning, PUD, was deemed inappropriate by the City, due to the numerous changes in the development code since the original development. So while the area is not "vacant", the existing facilities are out of date with the current planning practices. The proposed zoning is more appropriate for a 2016 development.

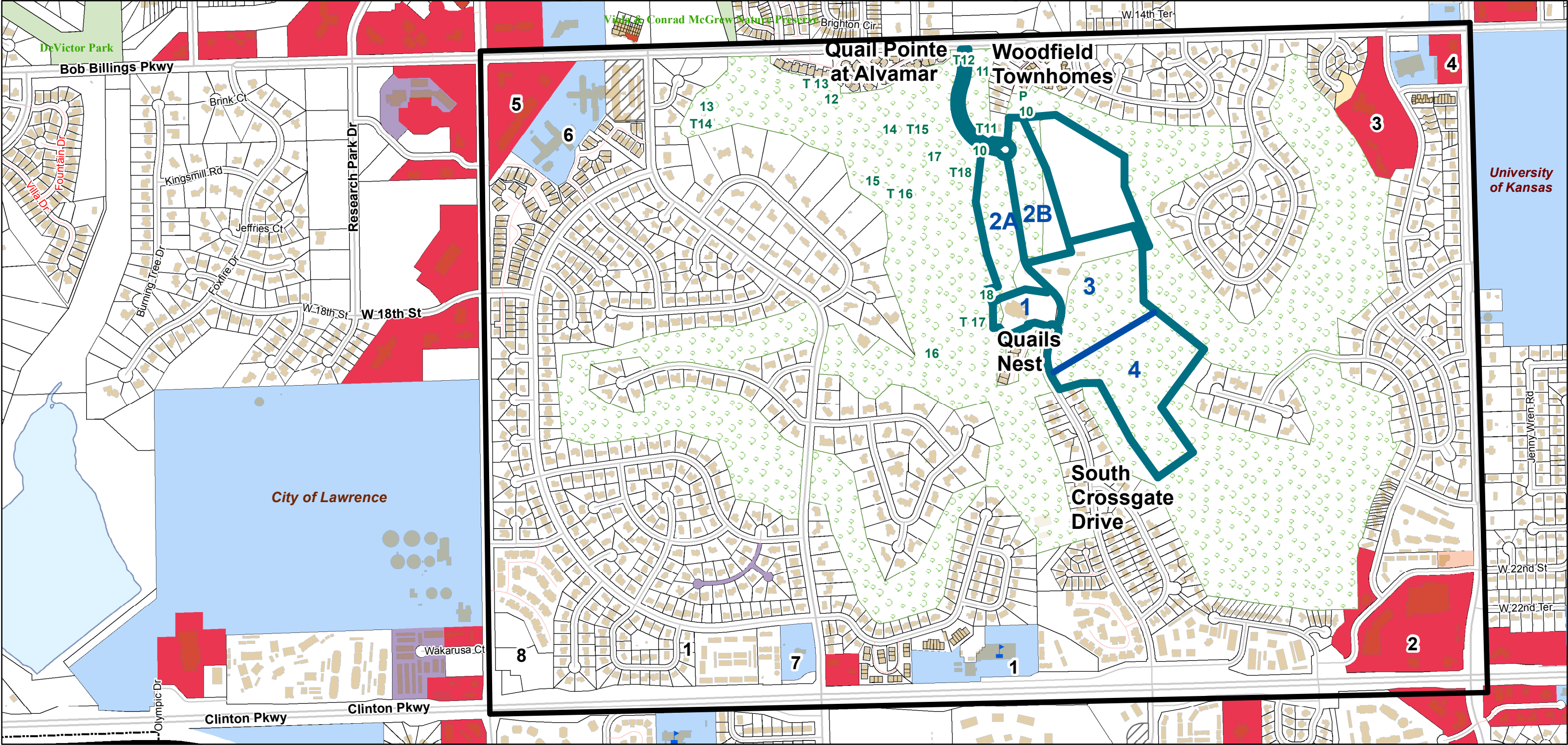
6. What is the gain, if any, to the public health, safety, and welfare if this application were approved as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application?

The gain to the public is to help insure the longevity of Alvamar Country Club as a whole.

The current proposal is to help eliminate the hardships that Alvamar Country Club have been dealing with for years, which is what led to the eventual sale of the club. If this zoning were denied, this hardship would continue, and thereby not provide a viable source of income to help with the improvements.

DISCLAIMER NOTICE
The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The City of Lawrence makes no warranties, express or implied, as to the use of the map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the map, including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

Alvamar Neighborhood



- 1. Bishop Seabury Academy
- 2. Hyvee Shopping Center
- 3. University of Kansas - Continuing Education and Offices for Design and Construction
- 4. McGrew Real Estate Offices
- 5. Wakarusa Marketplace - Bob Billings Parkway & Wakarusa
- 6. Brandon Woods
- 7. Good Shepard Lutheran Church
- 8. Vacant neighborhood commercial land

Legend

Parcels

golf_Course

Land-Use_April2012

Generalization

Commercial

Industrial

Institutional

Utility

No Value

Mixed Use

Universities

NAME

Haskell Indian Nations University

University of Kansas

Date: 3/16/2016

From: [Douglas Lawrence](#)
To: [Paul Werner](#)
Subject: Re: Alvamar - elevations / In Progress
Date: Monday, March 14, 2016 10:41:16 AM

Paul

I appreciate you being willing to dialogue with me. I am a third-generation Californian and I have lived, off and on, on the California coast. When I see something that is supposed to be bucolic I think of images like this from Menlo Park where I lived for 24 years.

Be inspired!

Thanks

Doug



Sent from my iPhone

On Mar 14, 2016, at 8:12 AM, Paul Werner <paulw@paulwernerarchitects.com> wrote:

We may just have to see the final product....

Hopefully it will be better than what you think you are starring at...

Have a great week

Paul

Paul Werner
Paul Werner Architects
123 W 8th, Suite B2
Lawrence, Kansas 66044
(785) 832-0804
(785) 832-0890 fax

From: Douglas Lawrence [<mailto:dlawrenceconsult@mac.com>]
Sent: Friday, March 11, 2016 4:17 PM
To: Paul Werner
Subject: Re: Alvamar - elevations / In Progress

Paul

It is gracious of you to send me these.

"**Bauhaus Industrial**" comes to mind. I hope that's not too harsh. Perhaps you were messing with me...just a little.

Assuming, though, that you were serious, I apologize in advance for what I am about to say.

My concern was that there was absolutely no charm in the original elevations, and they looked very out of place with the country ambience of the course. I continue to be concerned that we are giving away a heritage which, of course, your developer now owns outright.

I hope your weekend is also pleasant.

Doug

On Mar 11, 2016, at 4:04 PM, Paul Werner <paulw@paulwernerarchitects.com> wrote:

Doug...

I hope this is more to your liking....

Let me know what you think...

Have a great weekend..

Thanks

Paul

Paul Werner
Paul Werner Architects
123 W 8th, Suite B2
Lawrence, Kansas 66044
(785) 832-0804
(785) 832-0890 fax

<16-0311 - Elevations In Progress.jpg>

<image002.jpg>

From: [Douglas Lawrence](#)
To: [Sandra Day](#)
Subject: Alvamar apartments
Date: Friday, February 05, 2016 12:21:28 PM

Thank you, Sandy, for taking time to answer some questions regarding the Alvamar project with me last week.

Having looked at the elevations for the new apartment structures, I was surprised and alarmed to find that they had so little architectural interest and/or detail.

It appears that the developer is replacing what was an incredibly bucolic scene along Crossgate with something resembling postwar (WWII) quick building aesthetics. Profitability at the cost of sensibilities seems counterproductive to me. That might be naïve, but disturbing nevertheless.

As a resident of the Alvamar community, I am very concerned that our property values and our sense of "place" will change drastically with this development.

I am writing this so that you will have a record of the concerns of at least one of the residents.

Doug Lawrence
2106 Greenbrier Dr.
Lawrence, KS 66047
650-2 07-8240

Sent from my iPhone

From: [Douglas Lawrence](#)
To: [Paul Werner](#)
Subject: Re: Alvamar
Date: Friday, February 05, 2016 4:34:31 PM

Paul

Thank you for your response.

I was told that the elevations I saw were most likely filed as final. I would love to see how they evolve. Your desire to create a destination for golf enthusiasts as a way to keep Alvamar moving forward is admirable.

My concern is that this current iteration of drawings looks less like Carmel and more like a senior citizen's or student's housing structure.

My property value only stays level or higher when your original goal is achieved.

I'm sure you can understand my concern.

As I have said to you in the past, I wouldn't want your job!

I hope you have a good weekend as well.

Doug

Douglas Lawrence
dlawrenceconsult@me.com

On Feb 5, 2016, at 4:07 PM, Paul Werner <paulw@paulwernerarchitects.com> wrote:

Mr. Lawrence,

I received your comments from Sandra Day this afternoon. Sorry to hear you were not happy with the preliminary elevations. I would ask that you withhold judgment on the overall project while we work out the details. There are a lot of parts with the proposals, so not all the pieces can be addressed at once, or in extensive detail.

I look forward to being able to discuss the project with you in the future.

Have a great weekend.
Paul

Paul Werner

Paul Werner Architects

123 W 8th, Suite B2

Lawrence, Kansas 66044

(785) 832-0804

(785) 832-0890 fax

From: [Sandra Day](#)
To: [Sandra Day](#)
Subject: FW: A Request
Date: Thursday, March 10, 2016 4:47:26 PM
Importance: High

From: Weinberg, Jeffery B. [<mailto:jweinberg@ku.edu>]
Sent: Thursday, March 10, 2016 10:09 AM
To: Mike Amyx; Leslie Soden; Stuart Boley; Matthew Herbert; Lisa Larsen
Cc: Diane Stoddard
Subject: A Request

Friends and Colleagues:

I have lived in Lawrence for nearly 55 years, and I have never found myself in a position that I needed to ask any Commissioner for assistance in any personal matter. In my years as Assistant to the Chancellor and as the representative of KU and of the Chancellor to the City of Lawrence, and as a faculty member, I worked hand-in-hand with City staff and Commissioners, neighborhoods, and developers on issues, some of which seriously divided town from gown. However, we did resolve what seemed to be the impossible, in a spirit which makes Lawrence such a wonderful place in which to live, and a city that is so easy to love.

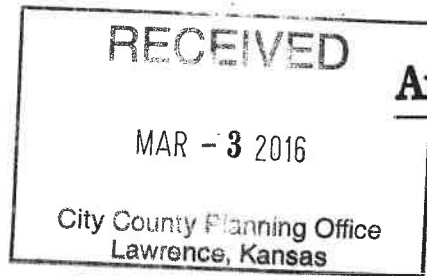
My wife and I live in Quail Pointe at Alvamar, and when the redevelopment plans were first released, I tried to calm the concerns of some of our neighbors. In doing so, I relied on public comments by the developer that where we live, along the "private side" of Alvamar golf course in Quail Pointe, would remain a golf course with all of the natural beauty that enhances our homes, and our lives.

Last week, in another iteration of the "new" Alvamar, we began to hear vague suggestions from the developer that the private course behind our homes may be converted into putting greens, practice ranges, and/or practice holes. If the developer is granted a request to rezone the land that adjoins our homes, the accompanying human traffic and clamor will effect us in a manner that we never conceived would be possible, and the value of our homes and of our neighborhood will decline. The Lawrence residents who make up Quail Pointe at Alvamar are dedicated to Lawrence, and it would be impossible to quantify their leadership and dedication on boards and commissions in service to our City and to Kansas, and their homes and their lives do not deserve to be devalued by a new private development. No one in Quail Pointe is against change and new development in Lawrence, and many of the residents of Quail Pointe have in fact been change agents in our City and our State. However, in this instance, we are faced with totally unexpected and major alterations in the plans of a developer that could literally destroy a neighborhood.

I write to ask that the City of Lawrence make it very clear, at the earliest opportunity, that the Commission will deny the developer of Alvamar any change in zoning that would allow the land that adjoins the homes in Quail Pointe at Alvamar to be used for any purpose other than as currently zoned: as a golf course. The history of the new development for Alvamar has been fluid, and as homeowners with great pride of place, we turn to the leaders of our City to help us to preserve our beautiful neighborhood, our homes, and our lives.

Thank you for your thoughtful consideration, and for your dedication and service to our City.



Jeff Weinberg
4403 Quail Pointe Road
Lawrence, Kansas 66047



Anvils • Forges • Related Items

Mike Moddrell

Home: 785-842-6319 • Cell: 785-691-6349
Lawrence, Kansas

Buy  Sell  Trade

2/29/16

DEAR COMMISSION

I phoned MS. Sandra Day 2/29/16
and voiced my concern about the
regioing of all "lots" and development
plan for "ALVAMAR GOLF COURSE"

I told MS. DAY T FRITZ is a
weasel and will do a BIT & SWIFT
on any project he does.
He is not to be TRUSTED!

The people of ALVAMAR will pay
a price if you deal with this
"JOKER"!

Sincerely
Michael Moddrell

March 9, 2016

Lawrence City Commission / City & County Planning Commission
PO Box 708
Lawrence, KS 66044

To all those concerned:

The Quail Pointe at Alvamar Homeowner's Association consists of 29 private homes situated on Bob Billings Parkway and immediately adjacent to the back nine holes of the private side of the Alvamar Golf Course. The new ownership of Alvamar held a number of meetings last fall and explained their plan to improve the club. At those meetings it was explained that about 292 new apartment buildings would be constructed on or near Crossgate Drive and that a new street intersection would be built west of the existing intersection of Bob Billings Parkway and Crossgate Drive. The new owner also promised that the golf courses would remain intact and in use with a minor change on the private side at the green on #11 and the tees on #12 to accommodate the new street entrance for Crossgate.

The neighborhoods and the city mostly agreed with these changes as needed by the new owner to keep the golf course solvent.

Now the new owner is asking for some major changes in zoning to allow more apartments and to possibly close some of the golf course fairways. The change would increase the apartments to 392 and might even include some business rental space.

The neighborhoods are concerned that if the golf course is closed in their vicinity that the private home values would drop and that the neighborhood would not be as nearly as desirable as it is now.

CLOSING AN ENTIRE NINE HOLES ADJACENT TO ANY EXISTING NEIGHBORHOOD WOULD BE A REAL BLOW TO THE NEIGHBORHOOD.

Before the City agrees to such new zoning changes we at Quail Pointe at Alvamar would plead with the City to not agree to more zoning changes until a legal agreement could be reached that would guarantee that parts of the golf course could not be revised in the future to allow apartments or streets or other business construction to take over the green area that is existing. It might require a conservation easement for a park that is approved by the City.

We remember the promise that was made last fall and request that the City work with the new owner to maintain the promise. The residents that live around the Alvamar CC and golf course are proud of their homes and their locations and wish to stay in a good relationship with the new owners if at all possible.

Respectfully,
Quail Pointe at Alvamar Homeowner's Association

A handwritten signature in black ink, appearing to read "Warren Corman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Warren Corman, President

February 23, 2016

ALVAMAR COUNTRY CLUB

- + In the fall of 2015 there were several large meetings at Alvarado CC by the potential new owners to describe their intentions to the public and to the members
- + It was said that some new apartment houses or multi-family facilities would be built along Crossgate Drive to help pay for the new improvements that are planned
- + It was made plain that dues for 2016 would remain the same as for 2015
- + In January it was announced that the dining facility would be closed for the entire month of January
- + Dining dues for January had already been collected in December 2015
- + Then late in January it was announced that the dining facility would also be closed for February
- + Then in February it was learned that the dining facility would be remodeled and would be closed for a long period of time that was not yet determined
- + Dues were still being collected monthly even though there was no dining service at Alvarado
- + During this time period it was determined that a new road entrance off of Billings Parkway would have to be built to serve the expanded use involving new apartment facilities
- + It was said that this new road would require some minor modifications to fairway #11 and the tee area for #12 on the private course to accommodate the new entrance road to Crossgate Drive
- + It had been stated that this would be the only modifications to the private course side of golfing
- + Recently it is being rumored that the back nine holes of the private side might be closed
- + This is not what has been promised
- + Closing the back nine of the private course would be the first step in a long range plan to ask for rezoning for more streets and multi-family facilities and perhaps other business ventures
- + This procedure does not leave the public, especially those living near the golf course, with any trust for the operation of the new owner
- + Closing nine holes of the private course would not lead to good care and management of the grounds
- + The City Commission needs to make sure that the promises made will be kept
- + The public will be watching this operation closely

From: Douglas Lawrence [<mailto:dlawrenceconsult@me.com>]

Sent: Sunday, March 20, 2016 7:27 PM

To: Sandra Day

Subject: Monday Alvamar Meeting

Hi Sandy

I have some photos that could be loaded for Monday night's meeting.
I don't know the protocol, but I thought I would give it a shot.

Doug

Douglas Lawrence
dlawrenceconsult@me.com



