

PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
8/26/2013

**ITEM NO. 1A UR TO RS7; 4.712 ACRES; N OF BOB BILLINGS PKWY & E OF K-10
(SLD)**

Z-13-00251: Consider a request to rezone approximately 4.712 acres from UR (Urban Reserve) District to RS7 (Single-Dwelling Residential) District, located north of Bob Billings Pkwy and east of K-10. Submitted by Landplan Engineering PA, for Alvamar Inc., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 4.712 acres from UR (Urban Reserve) 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: *The developer and contract purchaser, RSR, Inc., intends to subdivide and rezone the property to support single-family detached dwelling single-family development (see attached development concepts).*

KEY POINTS

- Request is part of an overall development package with multiple Zoning requests and a Preliminary Plat.
- This request extends the RS7 district included in the Langston Heights project to the south.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- **Z-12-00251: 4.712 acres from UR (Urban Reserve) to RS7 (Single-Dwelling Residential)**
- Z-13-00252: 2.674 acres from UR (Urban Reserve) to RS5 (Single-Dwelling Residential)
- Z-13-00253: 3.195 acres from UR (Urban Reserve) to RM12D (Multi-Dwelling Residential)
- Z-13-00254: 3.349 acres from UR (Urban Reserve) to RM12 (Single-Dwelling Residential)
- Z-13-00255: 4.182 acres from UR (Urban Reserve) and PD (Bob Billings Parkway Center PCD) to OS (Open Space)
- Z-13-00256: 16.619 acres from UR (Urban Reserve) and PCD Planned Commercial District to CN2 (Neighborhood Commercial) District
- PP-13-00257: Preliminary Plat Langston Commons

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

- Area map
- Concept plan

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received prior to publication of staff report.

Project Summary:

The application represents 4.712 acres of a combined development application including 35.7 acres as part of the preliminary plat known as Langston Commons. This request is for RS7 (Single-Dwelling Residential development).

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *By incorporation of the West of K-10 Plan, Horizon 2020 (H2020) recommends low-density residential uses, including single dwelling, duplex and attached dwellings at an overall density of 6 or fewer dwelling units per acre. This request will facilitate single-family residential development of a similar type, size and density to that which exists today in the adjacent Diamondhead subdivision.*

This property is located within the boundary of the *West of K-10 Plan*, refer to attachment. This request is part of a package of requests that include low and medium-density residential zoning as well as neighborhood commercial and open space districts. The Preliminary Plat establishes the integrated layout of the overall development pattern planned for this area. The *West of K-10 Plan*, amended into the Comprehensive Plan, shows this area to be developed with low-density residential uses except for an area located in the southwest corner identified for future commercial uses. The plan identifies applicable Land Use Categories with the document. Residential-Low Density *is intended to allow for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses.*

In addition to density recommendations, *Horizon 2020* provides key strategies that are applicable to this development request and the related applications. They are:

- *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 developments.*
- *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.*
- *The character and appearance of existing residential neighborhoods should be protected and enhanced. Infill development, rehabilitation or reconstruction should reflect architectural qualities and styles of existing neighborhoods.*

This request represents infill development and the first step in a plan to provide a transition of uses between the existing and planned uses to the north and existing uses to the south. Transition of uses occurs both north and south as well as east to west for this area. The K-10 Highway is a significant defining element for this area. The proposed RS7 district is a low-density residential district consistent with the recommended land use found in the comprehensive plan and the sector plan.

The following table summarizes the proposed density for this district when considered concurrently with the proposed Preliminary Plat.

Proposed RS7	Acres
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Gross Area Total Project	35.745
Total RS7 District Proposed	4.712
ROW in the RS District	1.251
Net Area	3.461
Proposed Lots	15
Proposed Total Dwellings	15
Proposed Density = 15/3.461	= 4.33 units per acre

Staff Finding – The proposed RS7 district conforms to the land use recommendations included in *Horizon 2020* and in the *West of K-10 Plan*.

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

Current Zoning and Land Use:

UR (Urban Reserve); vacant land.

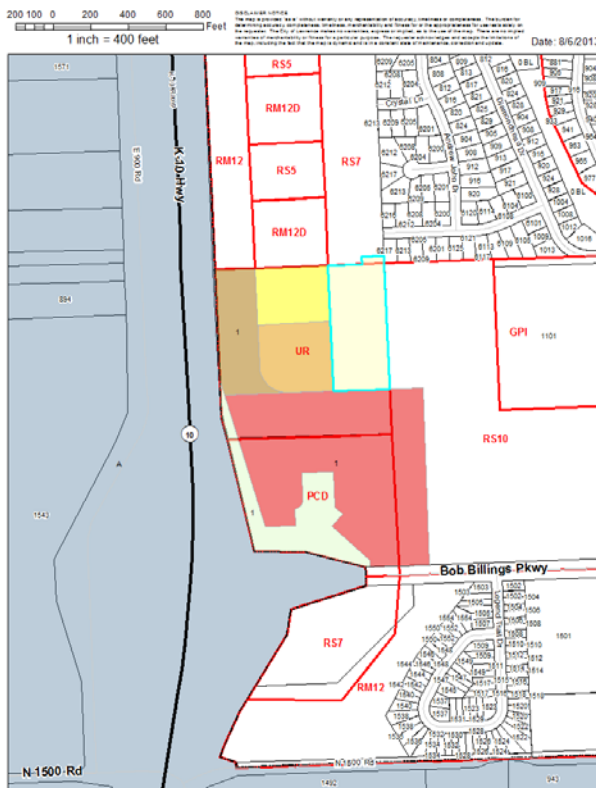
Surrounding Zoning and Land Use:

RS7 (Single Dwelling Residential) to the north; approved residential development – Langston Heights Subdivision. Undeveloped at this time.

RS10 (Single Dwelling Residential) to the east; USD 497 property undeveloped, used for natural area and playfield.

Proposed CN2 (Neighborhood Commercial) to the south. Undeveloped Land.

Proposed RS5 (Single Dwelling Residential) and RM12D (Multi Dwelling Residential) to the west; undeveloped Land.



Staff Finding – This area is surrounded by a mix of zoning districts. The predominate land use is residential.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant's Response: *The subject property is vacant farm ground located at what will soon become the northeast corner of the K-10/ Bob Billings Parkway interchange. KDOT is scheduled to complete the improvements associated with this interchange between 2014 and 2016. The property is currently bordered on the West by K-10, also known as the South Lawrence Trafficway (SLT), the rights-of-way for which include the SLT shared-uses path. To the north lies vacant ground recently rezoned from UR to RM12, RM12D and RS7 as part of Langston Heights Addition. To the northeast lies the Diamondhead subdivision, a single-family neighborhood zoned RS7. To*

the east lies unplatted vacant property owned by USD #497, zoned RS10. Further east is Langston Hughes Elementary School. To the south, across Bob Billings Parkway rests vacant unplatted parcels owned by the City and Alvamar, Inc., zoned RS7 and RM12, respectively. To the southeast sits Legend Trail Addition, a townhome community zoned RM12.

The west portion of the development site abuts the K-10 Highway (higher density proposed). The east portion of the development site abuts property owned by USD 497. This requested RS7 district provides an extension and transition between the existing low-density development pattern and the planned higher intensity development to the west along the Highway frontage. This property is part of the West of K-10 Highway planning area and included in the West Lawrence Neighborhood Boundary.

This section of the neighborhood includes several undeveloped parcels to the north and south along the K-10 Highway. This neighborhood is characterized by the dominance of residential use, primarily low-density detached housing. Higher intensity uses are located along major streets in the neighborhood. Existing and planned non-residential uses are located at major intersections throughout the neighborhood.

In addition to the immediate zoning and land use, the Langston Hughes Elementary School site is located to the east. The school site property includes GPI (General Public and Institutional) District zoning for the immediate school improvements. The area located on the south side of Bob Billings Parkway includes undeveloped land and a duplex subdivision. A planned interchange to be constructed at K-10 Highway and Bob Billings Parkway is estimated to be completed in 2016.

Staff Finding – The overall neighborhood is characterized by and dominated by residential uses. Higher density uses are located along the arterial streets of W. 6th Street and Bob Billings Parkway. Neighborhood commercial uses are planned for the northeast corner of the intersection of K-10 Highway and Bob Billings Parkway.

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

As noted above, this area is located within the boundary of the *West of K-10 Plan*. The plan recommends a mix of uses with the neighborhood and not limited to single housing type development. The plan recommends neighborhood level commercial uses and integration of parks and open space within the neighborhoods developed in this area.

The plan recommends connectivity between neighborhoods and to amenities and focal points in the area. For areas designated suitable for low-density residential development the plan states:

“ The intent of the low-density residential use is allowed for single-dwelling, duplex and attached dwellings but emphasis is placed on residential type uses. Development in this area should be compatible with single-family character, which could include such uses as churches, small-scale daycares and institutional uses.”

The area between K-10 Highway and George Williams Way includes low density residential and neighborhood commercial uses. The Plan identifies the RS7, RS5 RM12D and PD zoning districts as suitable for this area. This request for RS7 is consistent with that land use recommendations included in the *West of K-10 Plan*.

Staff Finding – The proposed RS7 zoning is consistent with the low-density residential land use recommended in the *West of K-10 Highway Plan* applicable to this area.

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 currently zoned UR, a district which facilitates no development of any kind. Single-family residential development consistent with H2020 requires a new zoning classification.*

Staff concurs that the UR zoning is no longer appropriate given plans to develop the property. The current zoning serves as a holding zone until property is ready for development. The proposed RS7 request conforms to the overall land use recommendations and is upheld by the proposed Preliminary Plat arrangement of lots and streets for this area.

Staff Finding – The existing UR (Urban Reserve) District is no longer a suitable zoning district for this property since development applications have been made.

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

Applicant's Response: *The subject property has remained vacant since being zoned UR in 2006.*

This property is undeveloped (vacant). The existing zoning, UR, was established in 2006 with the adoption of the Development Code. Prior to that time the property was zoned A (Agricultural).

Staff Finding – The area is undeveloped. The property was zoned A Agricultural from 1966 to 2006.

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

Applicant's Response: *The overall impact of this request to existing nearby neighborhoods and proposed development is negligible. Together with the proposed preliminary plat, new street connections will be established to reduce overall internal traffic. Approval will bring this property into compliance with H2020.*

The proposed RS7 zoning is a low-density residential district with a maximum density of 6 dwelling units per acre and a minimum lot size of 7,000 SF per lot. The proposed preliminary plat design includes 15 lots for single-dwelling detached residential development. The net unit density of the proposed RS7 portion of the development is reflected on the concurrent proposed preliminary plat as only 4.333 units per acre. This net density calculation excludes rights-of-way. This development pattern is consistent with the recently approved RS7 to the north included in the Langston Heights development.

Staff Finding – The proposed request is consistent with the planned development for the area.

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: *Approval of this request facilitates the development of infill and transitional residential uses between George Williams Way and K-10 Highway as well as the efficient extension*

of public services and utilities, as recommended in H2020. Denial of this application will perpetuate the vacancy of this land.

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 purpose of the UR District is to accommodate properties that have been annexed into the City of Lawrence until development or redevelopment is planned. This property is proposed to be developed for a variety of residential and neighborhood land uses. This area can be served by the extension of existing utility infrastructure. This project represents infill development. Approval of the request will facilitate additional housing choices in this area and provide a land use transition between existing development and the proposed development.

Staff Finding – Approval of this request facilitates infill development and economies of scale with regard to utility service delivery. Approval of the request provides additional housing choices to this portion of the neighborhood.

9. PROFESSIONAL STAFF RECOMMENDATION

This request is considered concurrently with the RS5, RM12D, and RM12 residential zoning requests and the CN2 and OS zoning request for non-residential uses. This application is also considered concurrently with the related preliminary plat that combined make up the Langston Commons Development. Separate reports are provided for each individual request. The RS7 request extends the existing development pattern to the south consistent with the low-density residential development of the area. The maximum density allowed for the RS7 district is 6 dwelling units per acre. The proposed density for this portion of the Langston Commons is only 4.33 units per acre. Staff recommends approval of the proposed RS7 zoning.

CONCLUSION

The proposed request is consistent with anticipated low-density residential development. This request extends the existing residential pattern to the south.