

PLANNING COMMISSION REPORT
Regular Agenda - Public Hearing Item

PC Staff Report
11/18/2013

ITEM NO. 2B A TO RM15; 10.684 ACRES; LOCATED AT 1338 E 1600 RD (SLD)

Z-13-00290: Consider a request to rezone approximately 10.684 acres from County A (Agricultural) District to RM15 (Multi-Dwelling Residential) District, located at 1338 E 1600 Road. Submitted by Grob Engineering Services, LLC., for Going South, LLC., property owner of record.

STAFF RECOMMENDATION: Staff recommends approval of the request to rezone approximately 10.684 acres from A (Agricultural) District to RM15 (Multi Dwelling Residential) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: *Property was included in the SE Lawrence Sanitary Sewer benefit district and Southeast Area Plan for development as Medium-Density Residential. Property has been owned by present owners over 10 years and feel it is time to bring property onto the market.*

KEY POINTS

- Request is part of an overall development package with annexation and preliminary plat.
- This request will implement the land use recommendations of the *Southeast Area Plan*.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- A-13-00291: annexation of 10.684 acres. Concurrent item with this rezoning request
- PP-13-00343: Going South preliminary plat to be considered on future Planning Commission Agenda.

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
- Southeast Area Plan Land Use Map

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- None received prior to publication of staff report.

Project Summary:

The application represents 10.684 acres of development including existing and proposed right-of-way for medium density residential development. This request is for RM15 (Multi-Dwelling Residential) Development intended for the area adjacent to the Prairie View PRD. The impact of density is often a function of the proposed subdivision design. At this time, the Planning Commission is not considering the preliminary plat however, a draft of the preliminary plat is included for context. As proposed, the overall development could include up to 121 dwelling units.

Lot	acres	Density at 15 DU/ac (units)
Lot 1, Block 1	2.988	44.82
Lot 1, Block 2	5.087	76.305
Total units	8.075	121.125

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response: *Yes, the density is consistent with the Southeast Area Plan and the surrounding neighborhoods and promotes integration between multi-family and single-family units. Timing is appropriate. The Farmland property is being developed and the South Lawrence Trafficway is planned.*

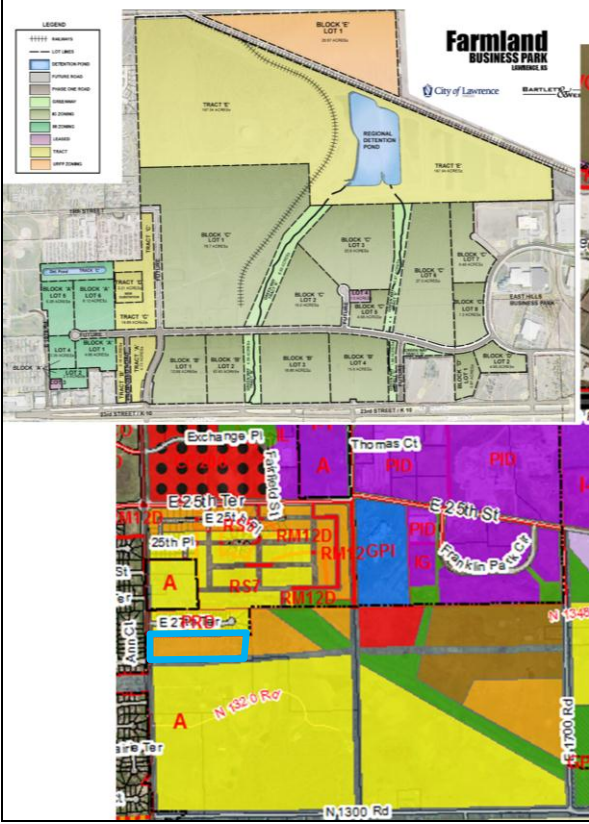
Horizon 2020 provides key strategies that are applicable to this development request and the related applications. They are:

- The plan defines urbanizing areas of the county and directs development to these 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.*

The proposed request for RM15 zoning permits a maximum density of 15 dwelling units per acre. *Horizon 2020* also addresses medium density by defining it as reflecting an overall density of 7-15 dwelling units per acre. This use is recommended as *"clustered development at selected locations along major roadways near high-intensity activity areas, and when adjacent to important natural amenities."* In this application, the development is located along a collector street (O'Connell Road). The property is also within proximity to the Lawrence VenturePark located on the north side of E. 23rd Street.

Horizon 2020 states that *medium density areas should include a mix of single-family, detached and attached homes, cluster homes, townhouses, and similar housing types.* The RM15 district is designed to accommodate multi-dwelling residential uses. The table on the previous page summarizes the proposed density for this district when considered concurrently with the proposed preliminary Plat.

Horizon 2020 states most sites recommended for new medium-density residential development occupy transitional locations between single-family neighborhoods and office/commercial areas. Other recommended sites occur near open spaces or natural areas. These open space and medium density residential uses share a relationship by accommodating density and preserving open space when combined in development. This development has a proximity to designated open spaces within the planning area but no direct connection.

 <p>Planned Land Uses</p>	<ul style="list-style-type: none"> • Subject property is located near future industrial/employment center. • Density is clustered within the southeast area. • Proposed request is consistent with recommended medium density residential land use for area.
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Staff Finding –The proposed RM15 district conforms to the land use recommendations included in *Horizon 2020* with regard to infill development, housing mix, adjacency to good access and a future employment center.

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

Current Zoning and Land Use: A (County-Agricultural) existing vacant land.

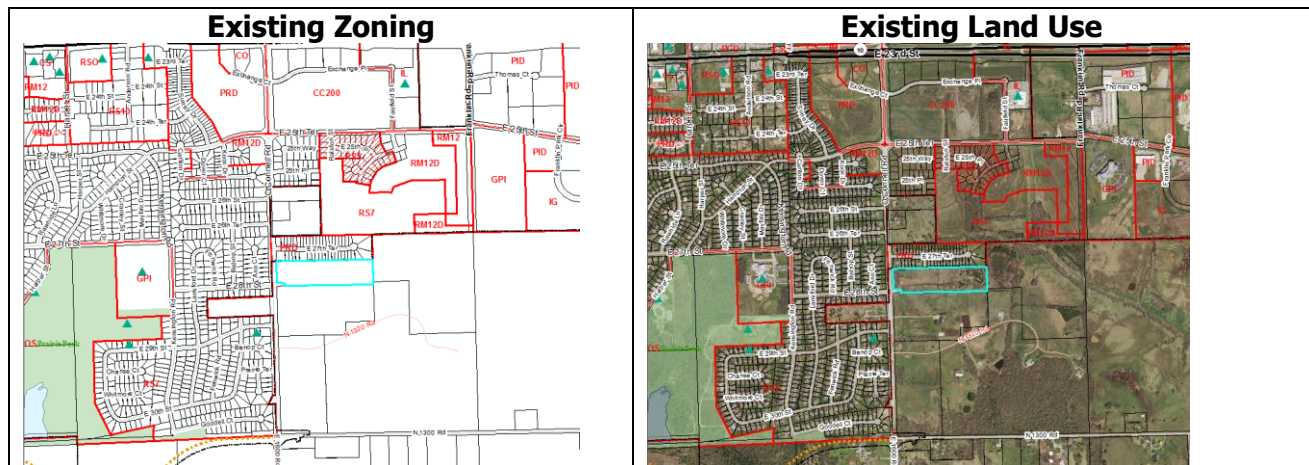
Surrounding Zoning and Land Use:

To the north:
PD [Prairie View PRD]; existing duplex development

To the east:
A (County-Agricultural); open space part of O’Connell Youth Ranch group home.

To the south:
A (County-Agricultural); Heart of America, Teen Challenge group home.

To the west:
RS7 (Single-Dwelling Residential); developed subdivision with detached residences.



Staff Finding – This area is surrounded by a mix of residential zoning districts. A significant portion of the area to the east and south is zoned A (Agricultural). Both O’Connell Youth Ranch and Teen Challenge occupy large tracts of land in the unincorporated area and operate as a group home type use.

3. CHARACTER OF THE NEIGHBORHOOD

Applicant’s Response: *The property to the west is single-family dwelling and property to the north is multi-family. The property to the east and south is undeveloped. O’Connell Road, which is a major collector, will separate the single family and multi-family residences.*

The subject property is located along the east side of O’Connell Road within the Southeast Area. The southeast area is a developing neighborhood with mixed uses. As the area develops, the neighborhood will become more defined. The area to the immediate north is a developed residential cul-de-sac with 24 duplex lots and an overall density of 6 dwelling units per acre. The proposed development would extend the street network in this area and provide a connection between the proposed development and the existing development to the north. The area south of E. 25th Street and west of Franklin Road has recently been subdivided and rezoned to RS5 to accommodate detached residential development.

There are no known plans for redevelopment of O’Connell Youth Ranch or Teen Challenge located to the east and south of the subject property. These uses are likely to remain for the foreseeable future providing a large open area around the proposed development. If these areas redevelop, low-density residential uses are projected in the *Southeast Area Plan*. The current character of this area is urban west of O’Connell Road and rural east of O’Connell Road.

Staff Finding – The overall neighborhood is developing east of O’Connell Road with a variety of uses. Intensive uses are located and planned north of E. 25th Street and east of Franklin Road. O’Connell Road is the current boundary between urban and rural development.

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 Southeast Area Plan. Specific land uses were identified including medium density residential development north of what would be the E. 28th Street alignment. The plan specifically identifies the area east of O’Connell Road and north of E. 28th Street as suitable for medium density residential development. Primary uses anticipated for this area include “*detached dwellings, attached dwellings, duplex, multi-dwelling structures, group home, civic and public uses.*”

The property owned by O'Connell Youth Ranch and Teen Challenge are described in the plan as "two private institutional uses". They occupy a substantial portion of the area within the boundary of the Southeast Area Plan. These two uses are located east and south of the proposed RM15 district.

Staff Finding – The proposed request is consistent with the recommended land use for 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 proposed project is presently zoned County Agricultural. Due to the City of Lawrence public improvements that have recently been completed for future increase development, use as county agricultural is no longer suitable.*

Upon annexation, the property must be rezoned to a suitable City designation. The Southeast Area Plan identifies suitable zoning districts for medium density residential development as RS5, RS3, RM12, RM12D, RM15 and PD overlay districts. The proposed request is for the RM15 district to accommodate development.

The purpose of the RM district is to accommodate multi-dwelling housing. The districts are intended to create, maintain and promote higher density housing opportunities in areas with good transportation access.

Staff Finding – The existing A (County Agricultural) District will no longer be a suitable zoning district after annexation. The proposed RM15 district is suitable for this location.

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

Applicant's Response: *Over 25 years.*

This property is undeveloped (vacant). The existing zoning, A, was established in 1966 with the adoption of the County Zoning Regulations..

Staff Finding – The area is undeveloped. The property has been zoned A (Agricultural) since 1966.

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

Applicant's Response: *The rezoning will have no detrimental impact on nearby properties because the RM15 zoning was outlined in the Southeast Area Plan and the adjacent developed property is already zoned multi-family. By the Southeast Area Plan the remaining adjacent property will have similar zoning.*

The proposed RM15 zoning is a medium-density residential development. The district is associated with a maximum density of 15 dwelling units per acre and a minimum lot size of 6,000 per lot. The intensity of development is limited by the proposed subdivision arrangement. The proposed layout includes two lots that will require applicable setbacks that reduce the developable area. Off-street parking and landscape standards, in addition to building setbacks, will impact the overall intensity of development for this property.

The property immediately south, Teen Challenge, includes property for the extension of E. 28th Street in the request and thus is part of the development application. Upon annexation, an

applicable city zoning designation is required. The proposed land use is consistent with the planned development for this area as medium density residential.

Staff Finding – There are no detrimental effects anticipated for nearby properties resulting from the approval of this request.

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: *There is a strong demand for affordable housing, especially as our community increases its efforts to market Lawrence as a retirement destination. The proposed uses are consistent with the City's long-range planning and are compatible with existing neighborhoods and provide appropriate housing.*

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.

This property is proposed for medium density residential development. This area will be served by the extension of utility infrastructure. This request represents a logical extension of development outward from the existing city limits. Approval of the request will facilitate additional housing choices in this area.

Denial of the request represents a delay in development since the proposed district is consistent with the recommended land use and utilities are available to serve this property.

Staff Finding – Approval of the request facilitates residential development outward from existing city limits. Approval of the request provides additional housing choices within the developing neighborhood context.

9. PROFESSIONAL STAFF RECOMMENDATION

The RM districts include both medium and high-density development depending on the density associated with the specific district. The RM15 district permits multi-dwelling development with a maximum of 15 units per acre. The associated density, 15 du/acre is the maximum range of medium density defined in *Horizon 2020*. There is no guarantee that a development project will result in the ultimate density allowed in this district.

Given the conceptual preliminary plat arrangement, 121 units could be developed on the proposed two lots. The concept plan shows a low profile development of attached housing. A development parcel must be sufficiently large enough to accommodate the dwelling unit structure or structures, applicable building setbacks and off-street parking.

This request is considered concurrently with the annexation request. The Preliminary Plat will be included on a future Planning Commission agenda.

CONCLUSION

The proposed request is consistent with anticipated medium-density residential development.