

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

PC Staff Report  
03/15/2017

**ITEM NO. 1A RS7 & PUD TO RM24-PD; 1.418 ACRES; 2021 CROSSGATE (SLD)**

**Z-17-00009:** Consider a request to rezone approximately 1.418 acres from RS7 (Single-Dwelling Residential) District and PUD (Planned Unit Development) District to RM24-PD (Multi-Dwelling Residential-Planned Development) District, located at 2021 Crossgate Dr. (1809 Birdie Way, Lot 1 Alvamar Inc one Addition) Submitted by Paul Werner Architects for Eagle 1968 LC, property owner of record.

**STAFF RECOMMENDATION:** Staff recommends approval of the request to rezone approximately 1.418 acres from RS7 (Single-Dwelling Residential) District and PUD (Planned Unit Development) District to RM24-PD (Multi-Dwelling Residential-Planned Development) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval and subject to the following use restrictions:

1. Retail uses, as accessory to the golf course.
2. Office uses, 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.
3. Eating and Drinking Establishments, including a night club (to be operated as a banquet/reception facility only), Fast Order Food, Quality Restaurant, and Accessory Bar uses.
4. Transient Accommodations, including a Hotel with not more than twenty-four (24) guest rooms.

**Reason for Request:** *Additional area is being added to platted Lot 1, to accommodate a cart barn that will double as an alternate event location in case of rain to prevent outdoor event cancellations.*

**KEY POINTS**

- Area included in request is part of existing open space/golf course area.
- Area will be replatted to be incorporated into existing Alvamar Inc One, Lot 1.
- The Alvamar PD included a restriction on uses that should be made applicable to the subject property if approved.
- Specific uses and development of the property are subject to approval of a Final Development Plan.

**ASSOCIATED CASES/OTHER ACTION REQUIRED**

- FDP-17-00028; revised Final Development Plan for Lot .1
- Previous related projects
- Z-14-00552; RM24-PD; Ordinances 9154.
  - SUP-15-00389; *Active Recreation Uses* in RM24-PD district.
  - PP-14-00554; Alvamar 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.
  - Revised final plat to be submitted.

#### 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
- Ordinance 9154

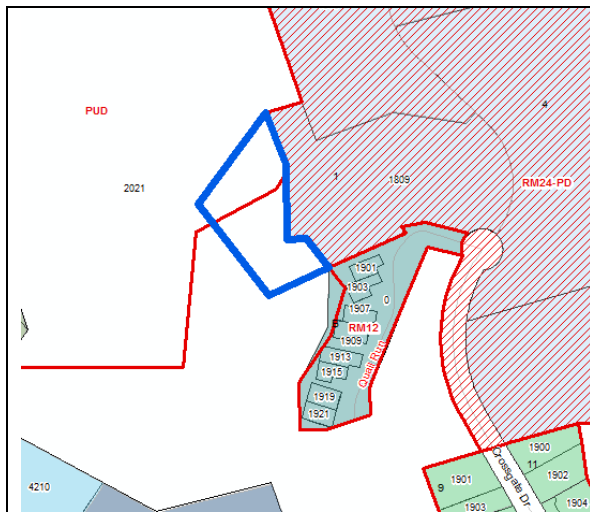
#### PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Area residents calling for clarification of request and development intent.

#### Project Summary:

Proposed request is for the expansion of Lot 1 to add another building southwest of the clubhouse for use as a multi-purpose building. The details of the building use are discussed in the related Final Development Plan application (FDP-17-00028).

The use of terms “banquet facilities” and “reception facility” are used in this report to be consistent with the original discussions. These terms were not previously defined in the Development Code prior to a text amendment to define the use “*Event Center*”. An *Event Center* use is included in the ***Community Facilities*** use group and not part of the ***Eating and Drinking Establishment*** use group. Staff has used the same terminology as recently utilized so that the conations are uniform across the entire PD overlay district.



into providing services which meet the needs of the new development, management and golfers who will enjoy the course.

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

This application is intended to expand the development area of Lot 1, Alvamar PD. By changing the zoning to RM24-PD, the additional area will have a uniform zoning as the clubhouse area.

The RM24 district allows 24 dwelling units per acre. The area proposed to be rezoned; Lot 1, 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/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 nonresidential 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 Lots 2 and 3, 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 1. 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. The proposed change is intended to allow specific nonresidential uses that are accessory to the golf course.

**Staff Finding** – The proposed change represents an expansion of uses that are related to the golf course operation. The central area of the activity associated with Alvamar golf course is located in an otherwise residentially designated area. The proposed request, in staff's opinion, complies with the land use recommendations included in *Horizon 2020*.

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

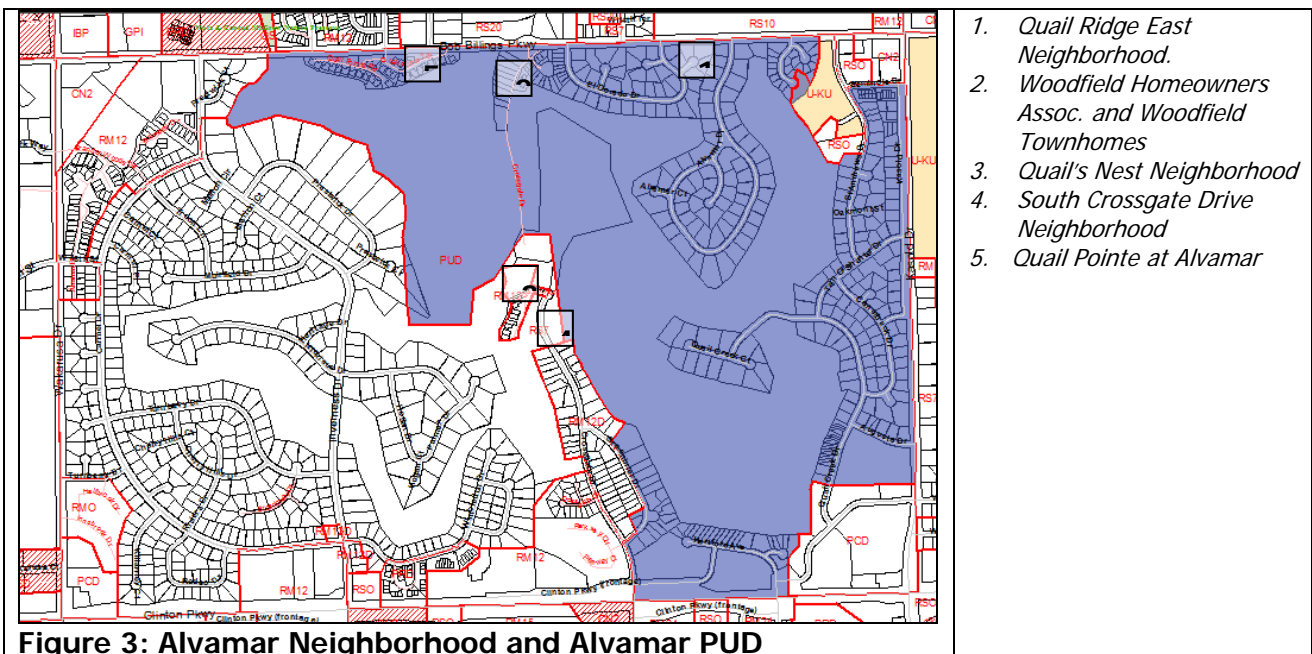
Current Zoning and Land Use: RS7 (Single-Dwelling Residential) District and PUD (Planned Unit Development – Alvamar). Original development golf course area.	
Surrounding Zoning and Land Use:	
To the north:	PUD (Planned Unit Development – Alvamar). Original development golf course area.
To the south:	RS7 (Single-Dwelling Residential) District. Existing golf course
To the west:	RS7 (Single-Dwelling Residential) District and PUD (Planned Unit Development – Alvamar). Original development golf course area.
To the east:	RM24-PD (Multi-Dwelling Residential – Planned Development Overlay) District. Developing clubhouse amenity and support services for Alvamar Golf course.

**Staff Finding** – The existing and surrounding zoning is typical of the golf course development in the surrounding area. Residential subdivisions surround the golf course (open space).

## 3. CHARACTER OF THE NEIGHBORHOOD

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

This neighborhood area is described as the Alvamar Neighborhood. The area highlighted in dark blue in the image below is the boundary of the original Alvamar Planned Unit Development. 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. Through the review and development of this project, several neighborhoods have identified themselves to staff and in communications to the Commissions. This request is located near the Quails Nest Neighborhood (3).



The neighborhood includes golf courses with residential uses to the interior with office, religious institutions, and retail uses located along arterial streets and the periphery of the neighborhood. The proposed zoning and development plan expand the amenities associated with the golf course in the central area (Lot 1) of Alvamar.

**Staff Finding** –All approved nonresidential uses are directly associated with the golf course and are accessory to the primary use of the golf course. This request is intended to accommodate a structure associated with the golf course operations (cart storage) as well as provide a multi-purpose building for use during inclement weather. The proposed request does not alter the character of the larger surrounding neighborhood but does potentially allow for activity to occur closer to an existing residential area located immediately south of the clubhouse.

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

Only a very small and isolated area is within a registered Neighborhood boundary. There are no adopted plans for this area. The eastern area was part of a Planned Unit Development originally approved in the late 1960's. Various revisions to the plan over time have been made through Zoning, Subdivision Plats, Site Plans and Uses Permitted Upon Review (Special Use Permit). The original development plan confined nonresidential uses that were not accessory to the golf course to the perimeter of the Alvamar Development along the arterial streets.

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 alters the base zoning district and removes a portion of the dedicated open space (golf course).

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

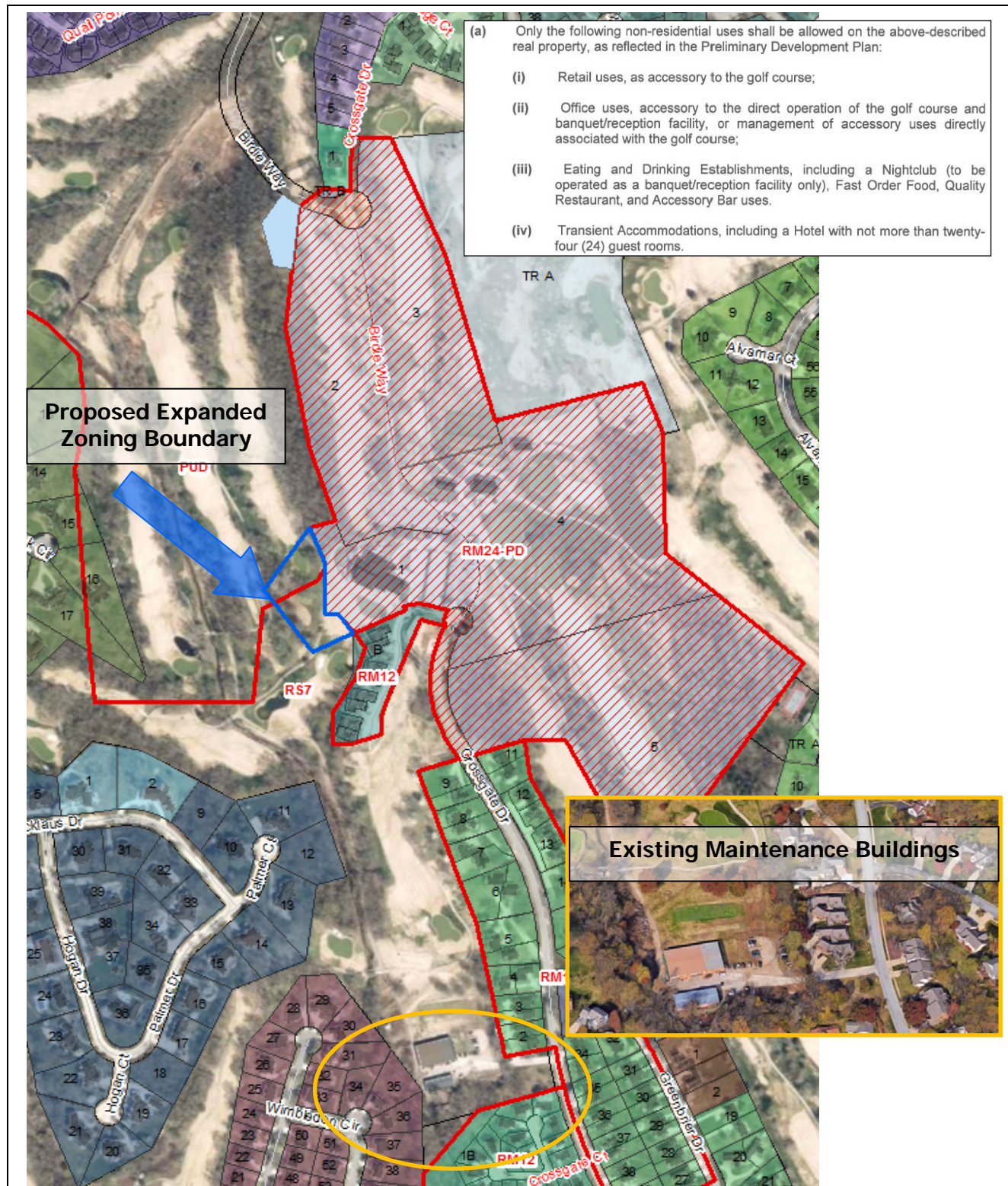
#### **5. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED UNDER THE EXISTING ZONING REGULATIONS**

Applicant's Response: *The property is suitable for the current uses to which it is restricted. However, rezoning and adding the land for the cart barn to Lot 1 will provide a legally conforming location as the development code requires.*

A key consideration in the original application was an assessment of the residential and nonresidential uses. All nonresidential uses were intended to be strictly accessory to the golf course. The applicant's request represents a proposal to create a designated space for the purpose of storage of carts in close proximity of the clubhouse (accessory to the golf course) and to provide a multi-purpose building that can accommodate outdoor activities (event center).



Other accessory structures were constructed at the south end of the golf course without additional site plan review, subdivision approval, or zoning in the early 1980's as maintenance buildings.



The original zoning for the modern Alvamar PD development included specific use restrictions that should be applicable to this expanded area if approved. A copy of the ordinance is attached to this

report. The existing zoning splits the area to be developed. It is not clearly determined that an accessory building could be built on the property in the same manner as the maintenance buildings were constructed in the past. The proposed application, if approved, establishes a suitable base zoning district with the protections of a Planned Development for the expanded development.

**Staff Finding** – The existing zoning is not suitable for the proposed development. The original Planned Unit Development Zoning does not provide clear authority or administration for changes to the golf course. Approval of the request with the addition of the use restrictions set out in the previous zoning for the Alvamar PD is more suitable for the property.

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

Applicant's Response: *The property is vacant and has existed with a golf course and a range of housing types since the early 1980's.*

The land area included in this request includes dual zoning. The north portion is zoned PUD, part of the original Alvamar Planned Unit Development. The south portion is zoned RS7. This zoning was established in 2006 with the adoption of the Land Development Code. Prior to that the property was zoned RS-2. The north portion of the area was annexed into the City limits in 1973. The south portion of the area was annexed in 1980. This extended the City Limits to Wakarusa Drive. The area was zoned and used for agricultural purposes based on a review of the historic zoning maps and aerial photography. There are no structures (buildings) located on this parcel of land.

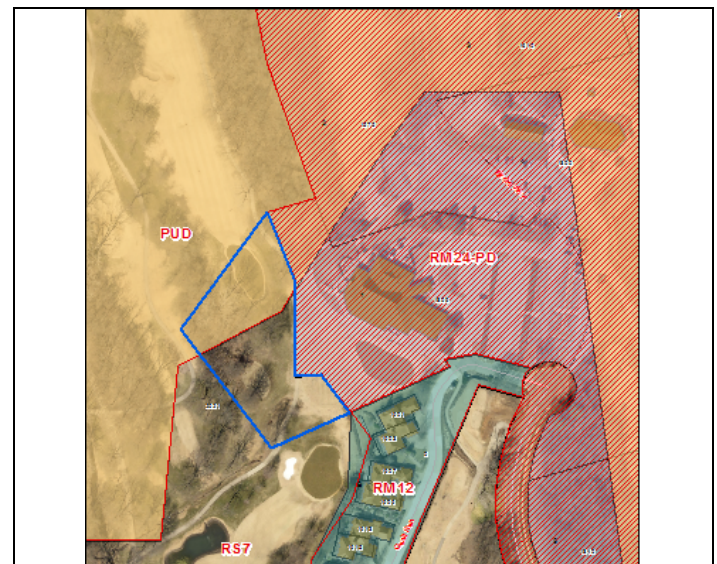


Figure 4: Proposed Zoning Area

Zoning	North portion	South portion
Annexation	1973	1980
Current	Alvamar PUD	RS7
2006	RS-1	RS-2
Prior to the 1973 and 1980 annexations the property appears to be A (Agricultural) in the unincorporated area.		

**Staff Finding** – The area included in the request is vacant and is used as part of the golf course. The golf course in this area appears to have been established between 1966 and 1976 based on a review of aerial photography.

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

Applicant's Response: *Rezoning for this project is not in principle, necessary because the new cart barn is something that could be built as an accessory building to the golf course operations. However, the development code requires all new buildings must be on a platted lot. Therefore, the land needed for the cart barn will be added to the existing Lot 1, which houses the clubhouse. With the platting of the additional land for Lot 1 comes the need to zone the land to match the current zoning designation of Lot 1. While the cart barn will be primarily used for cart storage it will also serve as an alternate location for events that may be delayed or otherwise cancelled due to rain.*

The basis of the applicant's request is twofold; the addition of zoned land area to accommodate an accessory storage building for golf carts and the use of the building as a multi-purpose building



- ### Figure 5: Collector and Arterial Street Network

**Staff Finding** – Approval of the request expands the development area to the southwest, closer to the Quails Nest development. The addition of the PD overlay requires a development plan review. This allows the development changes to be reviewed publicly and will mitigate impacts on the nearby residential uses.

Applicant's Response: *The gain to the public health, safety and welfare would be the benefit of having the land be developed in accordance with the development code. The hardship imposed upon the landowner should the request be denied is the golf course will not run as efficiently as possible without a standalone designated cart storage area and an alternate rain location for outdoor events would not be provided.*

The current golf course (including all proposed development area) includes 301 acres. This application removes a portion of the "open space" area and combines it with an existing platted lot



as part of the amenities related to the golf course. Golf cart storage is an expected use associated with the operation of a golf course. The proposed zoning change provides a uniform district that will be easier to administer.

The PD overlay element of the zoning allows a detailed review of the specific development impact.

The entire remaining golf course could be rezoned to more accurately reflect the use as open space. This request represents less than one percent of the golf course. Approval of the request facilitates the development of a cart storage building near the clubhouse. Alternatively the same use could be placed on Lot 4 on the east side of Birdie Way if the request were denied. Staff concurs that this may be somewhat inefficient for the golf course operations.

**Staff Finding** –There is no clearly defined public gain to the public health, safety and welfare. There is a convenience factor for users of the golf course to be accommodated with typical amenities associated with such a use such as access to a golf cart.

The multi-use of the building for events is entirely related to the private benefit of the business of the golf course operations. Use of the facility as an event venue must be mitigated through the development plan.

## **9. PROFESSIONAL STAFF RECOMMENDATION**

Staff concurs with the applicant's position that uniform zoning for the development is efficient. The addition of the Planned Development Overlay allows public review of the development that would not necessarily be provided through conventional zoning.

The existing zoning of the golf course is not currently reflective of the passive use activity defined in the Development Code. Open space zoning would be more appropriate and should be considered in the future. Incremental rezoning of the undeveloped area of the golf course should be closely monitored. This request, in staff's opinion meets a test of reasonableness. It is, however, not the only option for providing cart storage for the use within the existing boundaries of the project.

## **CONCLUSION**

Staff supports the proposed rezoning as a Planned Development overlay district. The use restrictions applicable to the larger development should be applied to this area being rezoned.

Use Restrictions:

1. Retail uses, as accessory to the golf course.
2. Office uses, 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
3. Eating and Drinking Establishments, including a night club (to be operated as a banquet facility only), Fast Order Food, Quality Restaurant, and Accessory Bar uses.
4. Transient Accommodations, including a Hotel with not more than twenty-four (24) guest rooms.