

PLANNING COMMISSION REPORT
Regular Agenda -Public Hearing Item

PC Staff Report
2/21/2018

**ITEM NO. 3B: PRELIMINARY DEVELOPMENT PLAN FOR BECKHAUS TOWNHOMES;
5275 W. 6th STREET (KEW)**

PDP-17-00695: Consider a Preliminary Development Plan for a multi-family residential development located at 5275 W 6th St. Submitted by Grob Engineering Services LLC on behalf of Beckmeisters LLC, property owner of record.

STAFF RECOMMENDATION ON PRELIMINARY DEVELOPMENT PLAN: Planning Staff recommends Approval of the Preliminary Development Plan based upon the findings of fact and forwarding to the City Commission for approval subject to the following conditions:

1. Provision of a revised Preliminary Development Plan to include the following changes:
 - A sidewalk connection from the south units across to the sidewalk that leads to Branchwood Drive.
 - Dedication of 10' Right-of-Way along the remainder of Branchwood Drive.
 - Dedication of an access easement for sanitation services.
 - Updated landscape notes and common/recreational open space total locations.
 - Note regarding ownership and maintenance of Common Open Space and Non-encroachable areas.
2. Vacation of permanent easement along 6th Street. Reimbursement for permanent easement is to be remitted to the City.
3. Submittal of Public Improvement Plans for utility/infrastructure extensions prior to Final Development Plan submission.
4. Subject to City Commission Approval of rezoning request from UR to RM12-PD.

Reason for Request: Development of 5275 W. 6th Street for multi-family senior living townhomes. The application is in conjunction with a rezoning request to RM12-PD. The project consists of replacement of the existing structures with 6 two-unit townhomes.

KEY POINTS

- The subject property was annexed into the city in 2001 under Ordinance 7404.
- The property has been zoned UR (Urban Reserve) District since 2006 with the adoption of the Land Development Code.
- The application is in conjunction with a rezoning request to RM12-PD.
- The property requires platting prior to redevelopment.
- The proposed request is to replace the existing residential structure and accessory building with new two-unit senior living townhomes.
- A proposed rezoning was considered by the Planning Commission on November 15, 2017 at which time comments were received by neighbors. The Planning Commission recommended that a rezoning with a Planned Development overlay was more suitable to the surrounding area given concerns raised about compatibility.

FACTORS TO CONSIDER

- Compliance with the Land Development Code Section 20-701. (Planned Developments)
- Conformance with *Horizon 2020*.
- Nature and extent of Common Open Space in the PD.
- Whether Planned Development makes adequate provisions for public services, vehicular traffic and furthers the amenities of light, air, and recreational enjoyment.
- Whether the Preliminary Development Plan will measurably and adversely impact development or conservation of the neighborhood area.
- Conformance with the Subdivision Regulations, as the Preliminary Development Plan acts as the Preliminary Plat.

ATTACHMENTS

1. Area map
2. Preliminary Development Plan Drawing
3. Ordinance 7404

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated Cases

- Ordinance 7404 – Annexation of the property in 2001
- Z-17-00471 Rezoning UR to RM12-PD – In process.

Other Action Required

- Approval of the Preliminary Development Plan by the City Commission.
- Administrative review of the Final Development Plan.
- Provision of a mylar and the appropriate recording fees.

PUBLIC COMMENT

- Neighbors from the surrounding area have been in contact with Planning Staff for updated submittals on the project.

Phone Call, in person and email correspondence with Concerned Citizen regarding the rezoning. Forwarded all application materials and submitted concept plan. Items of concern include:

1. Distances to property lines and setbacks.
2. Retaining trees on the property and landscaping plan.
3. More detailed plan with legend.
4. Questions regarding HOA easement regarding fence maintenance.
5. Locations and regulations regarding garbage collection.
6. Lighting.
7. Waterline, sanitary line and easement locations.

GENERAL INFORMATION	
Current Zoning and Land Use:	UR (Urban Reserve) District; Current Use: <i>Single-Dwelling Residential as annexed into the City in 2001.</i>
Surrounding Zoning and Land Use:	
To the north:	UR (Urban Reserve) District; <i>Undeveloped</i>
To the west:	RM15-PD (Multi-Dwelling Residential) with a Planned Development Overlay District; <i>developed with medium density apartments and units in</i>

	<i>the Village Cooperative project under construction.</i>
To the northwest and northeast	RM24 (Multi-Dwelling Residential) District; <i>developed with high density apartments.</i>
To the south:	PRD (Planned Residential Development) District; <i>developed with Single-Dwelling detached homes.</i>
To the east:	RS7 (Single-Dwelling Residential) District; <i>developed with Single-Dwelling detached homes.</i>
Legal Description	<p>PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6TH P.M., IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF NORTH 88° 12' 18" EAST ON THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 329.94 FEET (MEASURED), 330.00 (DESCRIBED); THENCE SOUTH 01° 57' 15" EAST, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01° 57' 15" EAST A DISTANCE OF 334.77 FEET; THENCE SOUTH 88° 12' 18" WEST A DISTANCE OF 329.94 FEET (MEASURED), 330.00 FEET DESCRIBED TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 01° 57' 15" WEST ON SAID WEST LINE A DISTANCE OF 65.25 FEET; THENCE NORTH 88° 02' 45" EAST A DISTANCE OF 10.00 FEET; THENCE NORTH 02° 08' 39" WEST A DISTANCE OF 236.23 FEET; THENCE NORTH 42° 48' 34" EAST A DISTANCE OF 46.72 FEET; THENCE NORTH 88° 12' 18" EAST A DISTANCE OF 287.83 FEET TO THE POINT OF BEGINNING. CONTAINING 2.46 ACRES OF LAND MORE OR LESS.</p>

Table 1: Site Summary

SITE SUMMARY		
	(Existing)	Proposed Plan
Land Use	Existing Single-Dwelling Residential	Multi-Dwelling two-unit townhomes
Land Area	107,321 SF (2.46 AC)	107,321 SF (2.46 AC)
Pavement	2,994 SF	23,670 SF
Buildings	5,620 SF	27,840 SF
Total Impervious	8,614 SF	51,510 SF
Total Pervious	98,717 SF	55,821 SF
Greenspace	98,717 SF	55,821 SF
Lot Coverage	5.2%	26%
Impervious Lot Coverage	8.0%	48%

Table 2: Parking Summary

Proposed Use	Quantities	Parking Required	Parking Provided
<i>Multi-Dwelling Structure 1 per bedroom plus 1 per 10 units</i>	24 & 1.2	26	Standard 9 Garage* 18 ADA Van 1
		Total 26	Total 28
<i>Bicycle Parking 1 per 4 stalls</i>	14	4	4

*Plan shows each townhouse with a 2-car garage and assumes a portion of units will be used for storage and unavailable for parking.

STAFF ANALYSIS

This application is a Preliminary Development Plan for Multi-Dwelling use. The plan proposes to replace the existing Single-Dwelling residence and accessory structure with six two-unit townhomes for senior living. The property is proposed to be developed under a Planned Overlay District with an RM12 base zoning district (RM12-PD). This district would allow for a medium-density residential development that is compatible with the surrounding neighborhoods. The Planned Overlay District would ensure that compatibility is maintained. The medium-density residential use is permitted in an RM12 zoning district. The project will be a single-lot development with Common Open Space. This plan relocates the access drive to the south portion of the property. The plan also proposes the parking arrangement be centrally located and not along the perimeter of the property.

Preliminary Plat Review

The Preliminary Development Plan serves as the Preliminary Plat. The property is being platted as a one lot with frontage on both W. 6th Street and Branchwood Drive. The lot will comply with the dimensional requirements in the RM12-PD (Multi-Dwelling Residential with Planned Overlay) District.

The 2.46 acre site would permit a maximum of 29 dwelling units. The proposed Preliminary Development Plan proposes (6) two-unit townhouses for a total of 12 dwelling units. The project will result in a density of 5 dwelling units per acre, which is actually considered low-density. The RM-PD provides the tool to utilize a duplex structure type. This district would permit a medium-density development.

Access shall be taken to Branchwood Drive and it is classified as a Collector Street. The amount of frontage required is 60 feet. The lot has 320+/- feet of frontage along Branchwood Drive and exceeds the minimum frontage requirement in the RM12 District. An access easement will be required to allow sanitation services and the private drive is to be constructed to City Standards. The plan will shall note that the City of Lawrence shall not be held responsible for pavement damage caused due to the weight of solid waste management vehicles.

Branchwood Drive is designated as a Collector (requiring 80 feet of public right-of-way) and W. 6th Street is designated as a Principle Arterial (requiring 150 feet of public right-of-way. Rights-of-Way along these public streets currently exist to the standards required except for along the

south 65 feet of Branchwood Drive. An additional 10 ft. will need to be dedicated with the Final Plat. 150 feet of Right-of-Way is required for a Principle Arterial. The existing Right-of-Way for W. 6th Street meets this requirement.

Currently there is a permanent easement located on the property that was acquired as part of the KDOT W. 6th Street improvement and widening project in mid-2005. This permanent easement is proposed to be vacated. There will be a reimbursement due to the City upon vacation of this easement. New easements are proposed for existing and new utility infrastructure. (See Figure 3) A 45 ft. wide easement for an existing 16" dia. Water line will be dedicated along the north property line. A 15 ft. wide utility easement is also located along Branchwood Drive on the west side of the property. The easement accommodates the extension of the sanitary sewer line from the south and provides access to the development. A 5 ft. Utility easement is also proposed along the south property line. This brings an existing 10 ft. Utility easement to the south to a full 15 ft. width as required by current standards. A 10 ft. Utility easement to the east will abut another 10 ft. existing Utility easement.

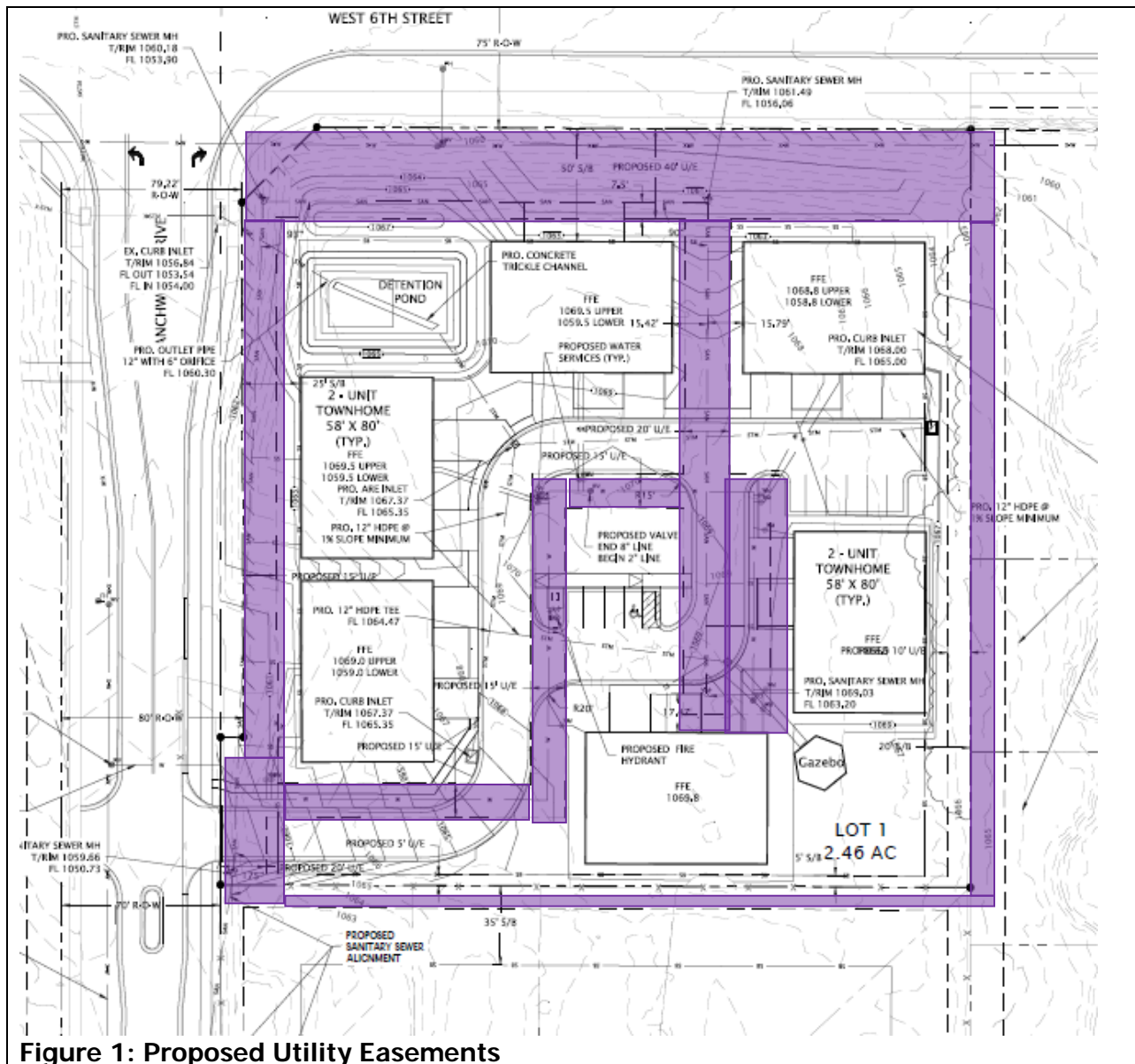
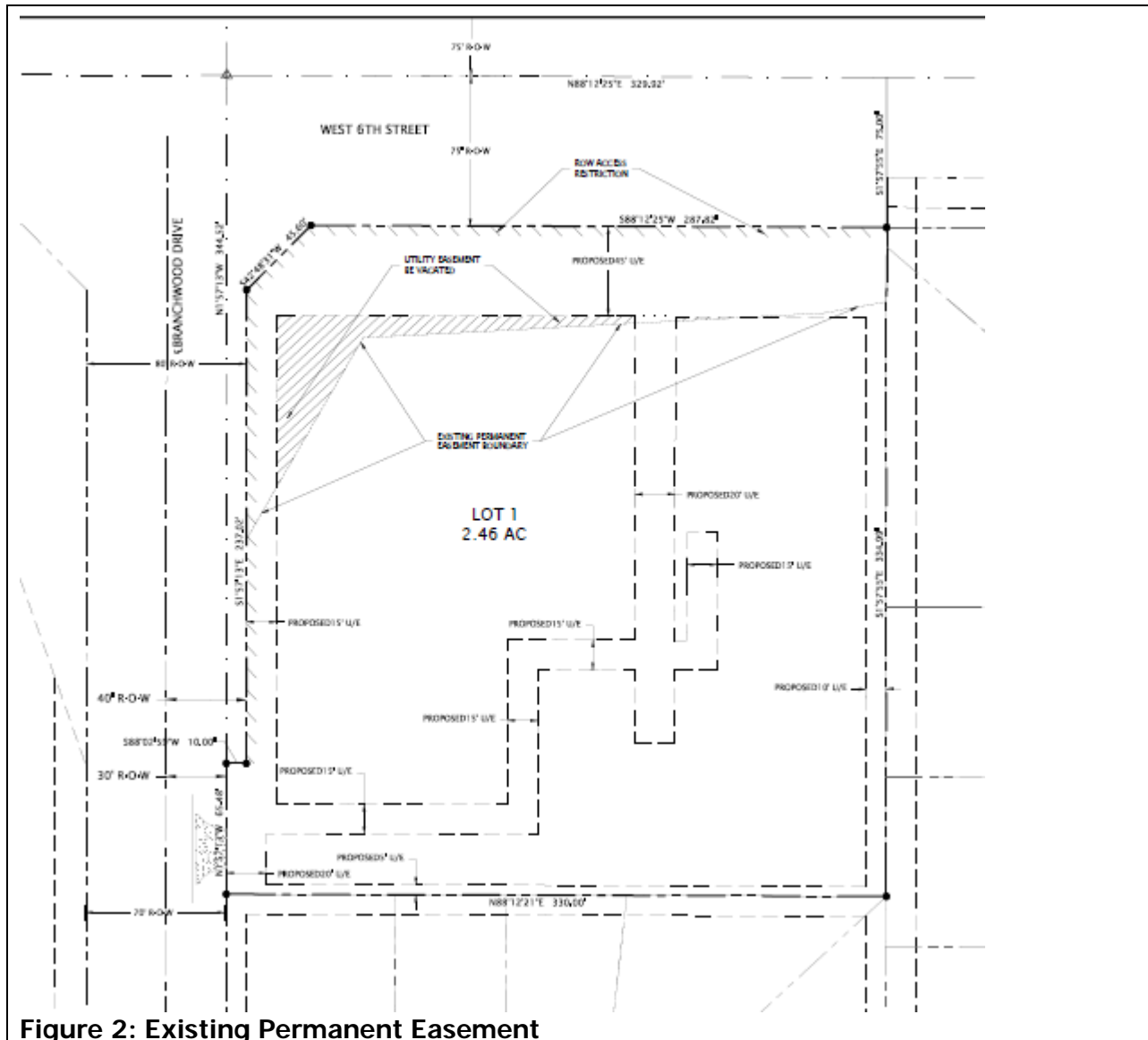


Figure 1: Proposed Utility Easements



There are existing sidewalks along W. 6th Street. Sidewalks are being extended along Branchwood Drive as part of the current street construction project. The plan proposes an internal walkway to provide pedestrian access throughout the site; however, a connection from the south units to the sidewalk that connects to Branchwood Drive is lacking. The plan should be revised to provide this connection.

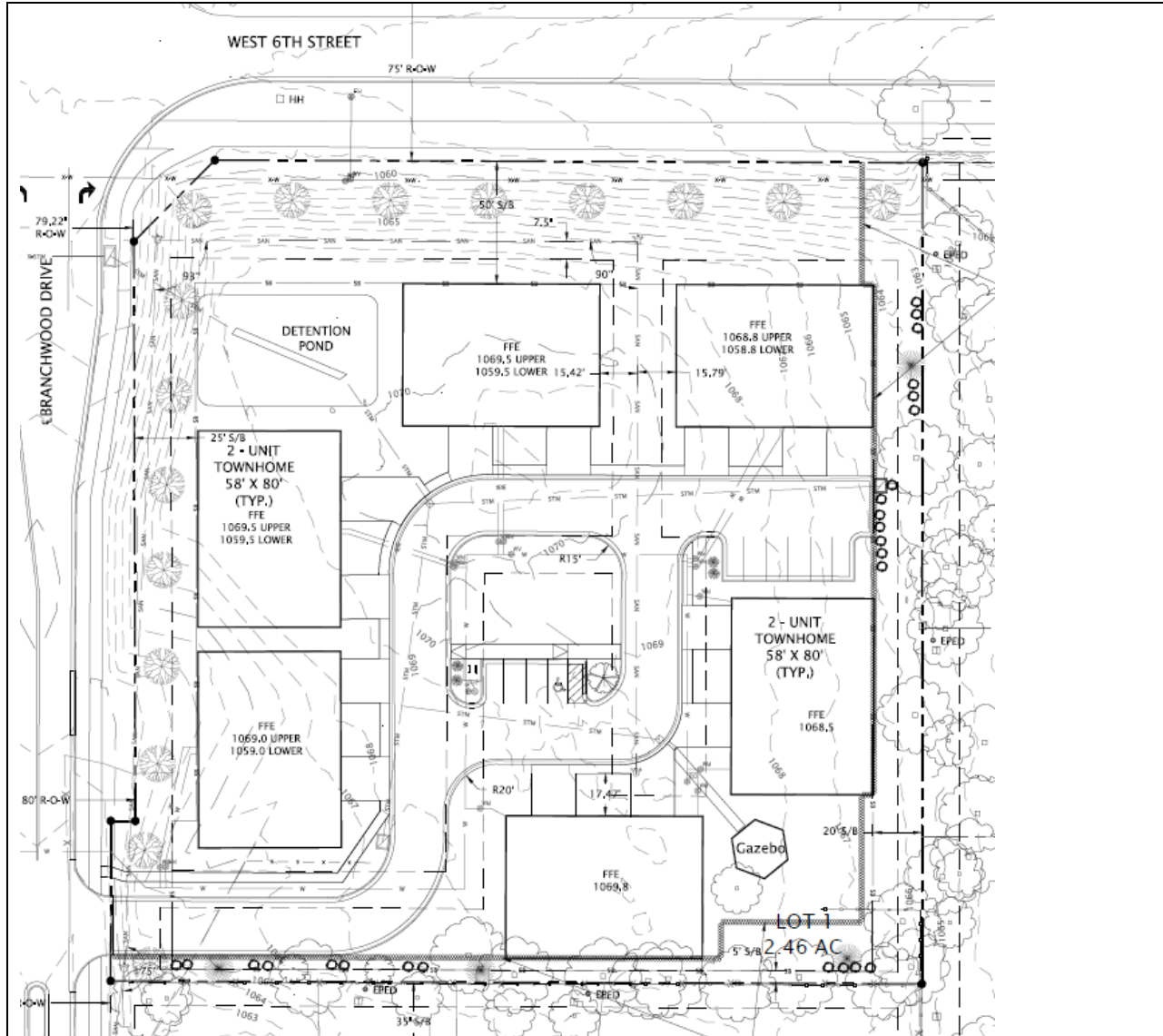


Figure 3: Proposed Preliminary Development Plan with proposed landscaping.

Preliminary Development Plan Review

The proposed Preliminary Development Plan for Beckhaus Townhomes has been evaluated based upon findings of fact and conclusions per Section 20-1304(d)(9) of the Development Code for the City of Lawrence, requiring consideration of the following nine items:

1. the Preliminary Development Plan's consistency with the Comprehensive Plan;

DENSITY/INTENSITY REVIEW

The RM12 District would permit a medium density development on the parcel. The proposed development, at 5 dwelling units per acre, is actually a low-density project. The townhouse structures and layout are similar to a medium-density development and the plan has been reviewed as such. The proposed plan is consistent with the Comprehensive Plan and proposes a use that is recommended for this corridor (West 6th Corridor West of Wakarusa Drive (Medium to High Density Residential). Recommendations for medium-density residential development from Chapter 5 of Horizon 2020 are listed below:

- a. *“Development proposals shall be reviewed for compatibility with existing land uses. The review should include use, building type, density and intensity of use, architectural style, scale, access and its relationship to the neighborhood, and the amount and treatment of screening an open space.” (Policy 1.1, page 5-23)* Open space is provided with this development as the Planned Development Overlay requires a certain amount of open space for the common use and enjoyment of the residents of the Planned Development.
- b. *“Encourage new and existing medium-and higher-density residential development which is compatible in size, architectural design, orientation and intensity with the surrounding land uses.” (Policy 3.4, page 5-29)* This development is being designed to be compatible with the surrounding land uses.
- c. *“Provide pedestrian and/or bicycle path to provide access to all parts of a neighborhood and beyond.” (Policy 2.2(B), page 5-25)* New sidewalks will be constructed on the east side of Branchwood Drive as part of the right-of-way improvements currently taking place along Branchwood Drive. The plan also provides internal sidewalks and has an existing sidewalk along W. 6th Street.
- d. *“Site design should be oriented so that less compatible uses such as trash, loading and parking areas are located in the interior of the development and not adjacent to or in close proximity to low-density residential neighborhoods.” (Policy 3.1(c)(1)(a), page 5-27)* Trash collection will be individual poly-carts for each unit. All internal circulation is oriented towards the interior of the development and all parking areas are located away from adjacent properties. Screening is being provided with a type 1 Bufferyard along the east and south sides of the lot.

Staff Finding: The proposed development complies with the land use goals and policies for medium density residential development of the Comprehensive Plan.

2. the Preliminary Development Plan shall conform to Section 20-701 (Planned Developments;

Section 20-701 states the purpose of the PD Overlay District is to:

- ensure development that is consistent with the Comprehensive Plan;
- ensure that development can be conveniently, efficiently and economically served by existing and planned utilities and services;
- allow design flexibility that results in greater public benefits that could be achieved using conventional Zoning District regulations;
- preserve environmental and historic resources; and
- promote attractive and functional residential, nonresidential, and mixed-use developments that are compatible with the character of the surrounding area.

The Preliminary Development Plan is in conjunction with an application for rezoning to a Planned Development Overlay District (RM12-PD). Compliance with Zoning Regulations in the recommended RM12 base district will apply. The proposed lot exceeds the minimum requirements for the base RM12 Zoning District.

- a. The Developer's Statement of Intent. *The application includes a comparison of the proposed development with the standards of the Base District and the otherwise applicable standards of the Development Code. The proposed Preliminary Development Plan meets the requirements of the proposed Base District (RM12).*

- b. Effect of other Development Code Standards. *All of the standards of the Development Code apply to the development within a PD District and the Preliminary Development Plan, as conditioned, meets these requirements.*
- c. Minimum District Size - The minimum area for a PD District shall be ½ acre. *The proposed Development Plan is located on a 2.46 +/- acre parcel.*
- d. The following standards would be eligible for City Commission modification if deemed appropriate. *The proposed Preliminary Development Plan currently meets the standards as noted.*
 - i. Allowed Uses – The use proposed is multi-dwelling residential. *This use is permitted in the Base District RM12.*
 - ii. Lot Size – *The proposed development will be one lot under one ownership and meets the standards to accommodate structures and access.*
 - iii. Residential Density – *The proposed Preliminary Development Plan maintains the density for the Base District (RM12). (6) two-unit townhouses are proposed. Each unit is two-bedrooms for a total of 24 bedrooms. Maximum dwelling units per acre for RM12 is 12 dwelling units. The project, as proposed, results in a development at 5 dwelling units per acre. The 2.46 acre site would permit a maximum of 29 dwelling units.*
 - iv. Setbacks – Setbacks for the Base District (RM12) are 25' front, 5' interior side and 20' rear. *The proposed Preliminary Development Plan meets these setbacks requirements.*
 - v. Height – Maximum height for the Base District (RM12) is 35'. *The proposed Preliminary Development Plan will have two-story townhouses comply with the height standard for the district.*
 - vi. Balconies – Balconies are not permitted above the second story of a multi-dwelling along the exterior of a Planned Development unless the building setback is increased. *Balconies are not proposed along the exterior elevations with this Planned Development.*
 - vii. Parking and Loading – *Off-street parking requirements of 1 per bedroom plus 1 per 10 units has been provided.*
 - viii. Additional Standards:
 - 1. Unified Control – *The proposed development is under one ownership.*
 - 2. Street Access – *Access has been designed to City Standards and in line with Right-of-Way improvements along Branchwood Drive. The internal drive will be a private access drive. An access easement is required for sanitation/city services.*
 - 3. Sidewalks – *Sidewalks are provided in accordance with City Standards. Internal sidewalks and a sidewalk connecting to Branchwood Drive are provided. The Final Development Plan should also include a sidewalk from the south units across to the sidewalk that connects to Branchwood Drive.*
 - 4. Landscaping – *Landscaping and screening standards of Article 10 apply to Planned Developments and have been met as shown below in staff review for landscaping and findings of fact.*
 - 5. Preservation of Natural Features – *Most of the existing mature deciduous and coniferous trees on the site are being maintained.*

The existing trees are located primarily on the west and south property lines.

The landscaping requirements of Article 10 apply to this development. While the final landscaping details will be determined with the Final Development Plan, landscaping is reviewed with the Preliminary Development Plan to insure adequate area is provided for the required landscaping and to determine if Alternative Compliance or variance may be necessary. The redevelopment must meet the minimum landscape and open space design standards. These standards address common open space, street trees, parking lot landscaping, and parking lot screening.

Street Trees: Street Trees are required along the public streets W. 6th Street and Branchwood Drive. The proposed development plan notes 637 linear feet of frontage and that 16 street trees are required. (637/40=15.9) 16 street trees are provided. *The proposed development complies with this design standard.*

Interior green space: The current Development Code requires interior green space based on a formula of 40 SF of greenspace per parking space provided. Interior landscape material is also required within the required open space areas. The following table summarizes the required landscape materials for the proposed development. *The proposed development meets this design standard.*

Table 3: Interior Landscape

Required: 10 * 40 SF	= 400 SF	Interior plantings include 1 tree per 10 parking spaces and 3 shrubs per 10 parking spaces 1 trees required; 1 proposed 3 shrubs required; 4 proposed
Proposed:	= *	
*Plan notes that islands exceed but not provide a calculation. This is identified as a condition of approval.		

Perimeter Parking Lot landscaping: Parking lots are required to be screened from adjacent public rights-of-way. The proposed layout in this planned development does not propose any parking areas adjacent to public rights-of-way. The plan does propose 2 trees and 3 shrubs where portions of parking areas are adjacent to neighboring properties. This would exceed perimeter parking requirements. *The proposed development complies with this design standard.*

Bufferyard landscaping: Developments are required to provide bufferyards in accordance with Section 20-1005 when adjacent to incompatible uses on adjacent properties. The parcel is proposed to be zoned RM12-PD (Multi-Dwelling Residential with a Planned Development Overlay) District. It is adjacent on the east and south to a RS7 (Single-Dwelling Residential) District and a PRD (Planned Residential Development) with single-dwelling residences. In Table 20-1005(c) the required bufferyard for Multi-Dwelling Residential District adjacent to RS7 and a Single-Dwelling Planned Residential Development is a Type 1 bufferyard. The applicant has chosen a combination of 25' wide Type 1 bufferyard and 20' wide Type 1 bufferyard along the east property line and a 10' wide Type 1 bufferyard along the south property line which equates to 20 trees and 49 shrubs required. The plan proposes 36 trees and 25. The required trees are provided in the plan.

Staff Finding: The proposed Preliminary Development Plan is consistent with the Statement of Purpose of Planned Developments. The proposed Preliminary Development Plan, as conditioned, is consistent with the standards of Section 20-701 of the Development Code. The

proposed development also complies with all requirements under Article 10 for Landscaping. Alternative Compliance has not been requested with this project.

3. the nature and extent of Common Open Space in the PD;

Common Open Space – A minimum of 20% Common Open Space is required with a Planned Development. 50% of the Common Open Space shall be developed as Recreational Open Space.

Table 3: Common Open Space

• Required Open Space at 20% = 21,464 SF (.49 acre)	• Open Space Provided at 52% = 55,821 SF (1.28 acre)
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Staff Finding: The Preliminary Development Plan is providing the Recreational Open Space with a gazebo, patios and greenspace for recreational use. However, the plan does not illustrate the total area devoted for recreational use. The proposed plan exceeds the required open space area of 20% per Section 20-701(3)(j) The Final Development Plan shall show how much/where the open space is located for recreational use by the development residents. The project as proposed exceeds the minimum required open space. Open Space is provided throughout the site.

4. the reliability of the proposals for maintenance and conservation of Common Open Space;

- a. the reliability of the proposals for maintenance and conservation of Common Open Space;

Staff Finding: The Common Open Space is part of the development and will be privately maintained by the owner. A general note will be provided on the Preliminary Development Plan stating the Landowners will provide for the maintenance of Common Open Space and Non-encroachable areas.

5. the adequacy or inadequacy of the amount and function of Common Open Space in terms of the densities and Dwelling types proposed in the plan;

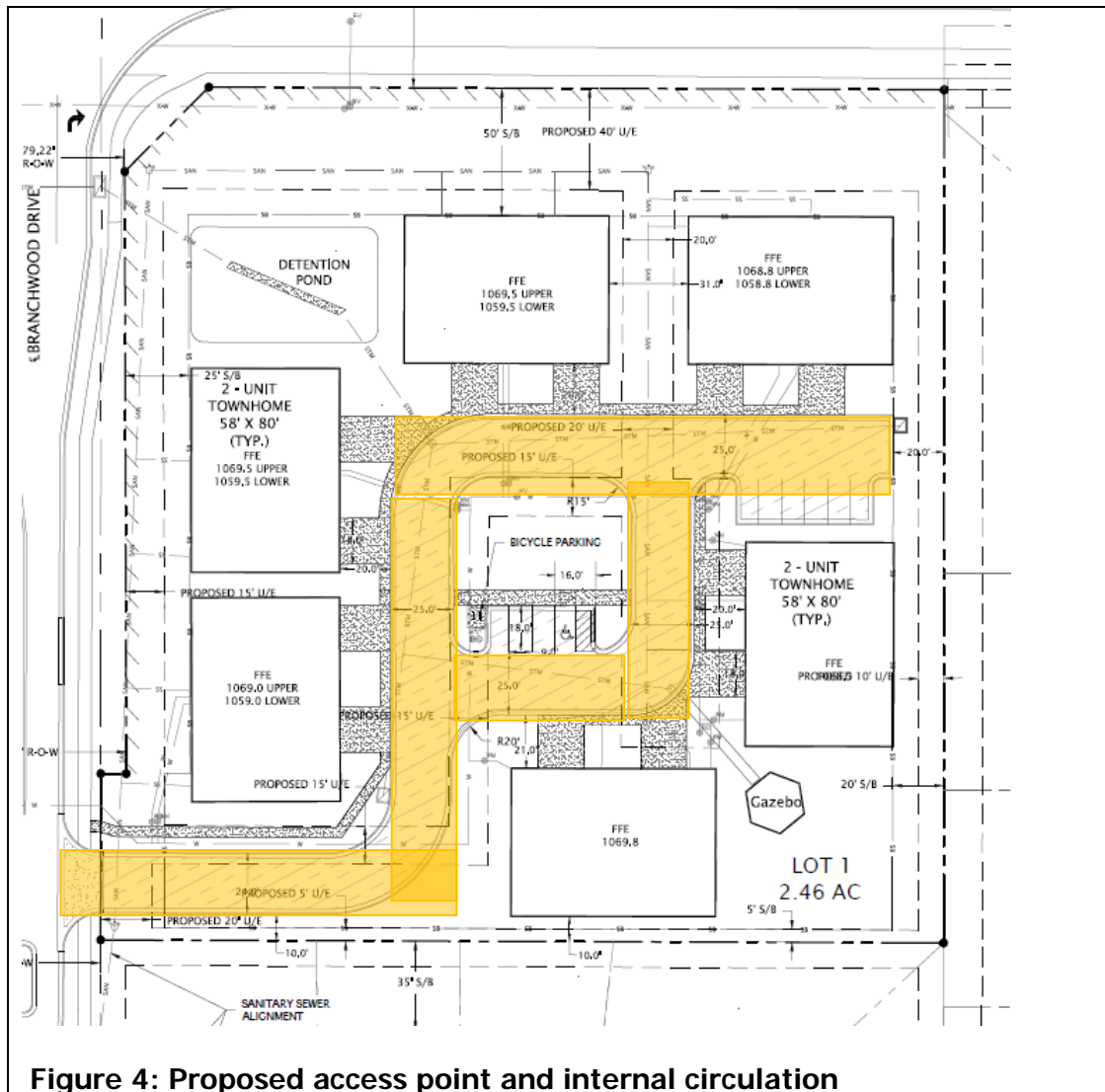
Staff Finding: The plan meets or exceeds the requirement for open space. The Common Open Space required for the Planned Development, 20% of the site (2.46 acre X .20 = .49 acres.) exceeds the outdoor area that is required for a residential development in the Base RM12 District. The amount of Common Open Space that is being proposed for this development is adequate. The Preliminary Plan shall outline the areas of Common Open Space dedicated to recreational uses.

6. whether the Preliminary Development Plan makes adequate provisions for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment;

In addition to new structures, the plan proposes site and service improvements, access changes and internal parking reconfiguration. The Preliminary Development Plan was submitted and is being reviewed as a Major Development Project and will meet the standards for all aspects of a major development project.

The existing access point off of Branchwood Drive is proposed to be constructed at the south end of the lot which will increase the distance from the 6th Street intersection. This new location

aligns with Branchwood Drive infrastructure and street improvements that are currently in process and has been located to be consistent with the access across the street with development that is approved and under construction. The relocation of the existing access drive will be in conformance with the City of Lawrence design standards. A 7-Step Traffic Impact Study was required and approved for this project per the City Engineer.



The Multi-Dwelling Residential use will require extensions of the surrounding utility infrastructure. A sanitary sewer line is being extended from the south along Branchwood Drive to serve the development. A water line will be extended from the west across Branchwood Drive to serve the development. Storm water will be directed from the NW and SE of the property to existing storm water infrastructure and a detention pond will be located on the NW corner of the property.

Staff Finding: The Preliminary Development Plan has made adequate provisions for public services and provides adequate control over vehicular traffic with the new access drive to the south of the site and internal circulation. This configuration maintains the buffer areas between the new development and surrounding neighborhoods and continues the amenities of light, air and visual enjoyment though the use of open space. The plan meets requirements for all

criteria for public services, vehicular traffic, subdivision standards, use and overall neighborhood amenities as described and discussed in the findings.

7. whether the Preliminary Development Plan will measurably and adversely impact development or conservation of the neighborhood area by:

- a. doubling or more the traffic generated by the neighborhood;
- b. proposing housing types, Building Heights or Building Massing(s) that are incompatible with the established neighborhood patterns; or
- c. increasing the residential density 34% or more above the density of adjacent residential properties.

Staff Finding: The plan has addressed all of the criteria for determining any adverse impact to development or conservation of the neighborhood. The plan maintains the intent of a PD district. The proposal meets all of the current requirements for a Planned Development per Section 20-1304 subject to the recommended conditions as discussed in the staff findings. The proposed density of this project is 5 dwelling units per acre which is under the permitted 12 dwelling units per acre of the base district (RM12). The proposed two-story building height and design will be compatible with two-story residential structures already in the area. The development should not have measurable adverse impact on the development or conservation of the neighborhood area.

8. whether potential adverse impacts have been mitigated to the maximum practical extent; and

Staff Finding: The proposed plan, as conditioned, will meet the standards for bufferyards, drainage, traffic control, light mitigation, services, setbacks and open space to minimize adverse impacts. No adverse impacts have been identified.

9. the sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PD in the case of a plan that proposes development over a period of years.

Staff Finding: The plan does not propose a phased project.

Conclusion

This Preliminary Development Plan complies with Section 20-1304 of the Land Development Code with Section 20-809 (Preliminary Plats) and with Section 20-701 (Planned Developments) as conditioned.