

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: PUD14/1 (Wrangler Ridge)

by: John P. and Barbara R. Hoffer

PROPOSAL: Zone change from “RR-1” Residential Reserve District **TO** “PUD” Planned Unit Development (“C-2” Commercial, “C-4” Commercial, “O&I-2” Office & Institutional, and “M-2” Multiple-Family Dwelling use groups)

LOCATION: On property located at the northeast corner of SW 17th Street and SW Urish Road.

PRESENT USE: Undeveloped (75 acres)

PROPOSED USE: The following uses are proposed:

Lot 1, Block A (11 acres) –Neighborhood commercial uses (“C-2” use group; maximum 125,000 sq. ft. footprint)

Lot 2, Block A (6 acres) – Office uses or multiple-family residential (maximum of 16 units per acre)

Lot 3, Block A and Lot 1, Block B (39.59 acres) – Multiple-family residential (maximum of 13.5 units per acre)

Lot 2, Block A (15.26 acres) – Community commercial uses (“C-4” use group)

CHARACTER OF NEIGHBORHOOD: The subject property is located on the fringe of the city limits, just west of the Wanamaker commercial corridor within an urbanizing area at the intersection of SW 17th Street (minor arterial), located ½ mile between SW 21st and SW Huntoon, and SW Urish Road (minor arterial). SW 17th terminates at SW Urish Road. The subject property is directly to the east of a 155 acre undeveloped tract. A 38-acre undeveloped tract lies directly north of the subject property. An urban single-family residential subdivision (Hidden Valley) lies just to the southwest of the subject property. A low-density, rural single-family subdivision with ditch section roads (Broadview Acres) lies just to the south of the subject property. Menard’s Home Improvement Center lies south of the easternmost portion of the subject property.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	“RR-1” Residential Reserve District	Undeveloped
South:	“RR-1” Residential Reserve District; “PUD” Planned Unit Development (C-4 uses)	Single-family dwellings; vacant tracts Menard’s
East:	“O&I-3” Office & Institutional District; “C-4 Commercial District	Vacant; Lowe’s

West: "RR-1" Residential Reserve District

Undeveloped

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION:

The subject property has historically been zoned "RR-1" Residential Reserve District and has remained vacant. The "RR-1" Residential Reserve District is generally considered the base County residential zoning district for most properties. Once annexed, these properties are typically rezoned to a more appropriate urban City zoning district. The subject property was annexed into the City upon approval by the City Council on March 18, 2014 and by publication of Ordinance #19895 in the *Topeka Metro News* on March 24, 2014.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The existing "RR-1" Residential Reserve zoning classification is no longer considered suitable for the subject property, due to the planned urban growth within the surrounding area and its location within the city's urban growth area. Upon the property's recent annexation, the "RR-1" Residential Reserve District is no longer considered an appropriate zoning classification for an area that is proposed for mixed-use urban scale development and is located on the western edge of the City's regional commercial corridor.

CONFORMANCE TO COMPREHENSIVE PLAN: The Land Use and Growth Management Plan – 2025 (LUGMP) identifies this area for *Mixed Use Urban* uses. The land use policies and principles of the Comprehensive Plan support medium to high density residential and compact development adjacent with the Wanamaker Corridor and with major commercial centers. The PUD proposes residential densities of 13- 16 dwelling units per acre maximum that are consistent with densities proposed in the LUGMP for medium- to high- density residential developments. This maximum density is similar to the Summit Woods development just to the northeast of the subject property. The PUD follows guidelines recommended by the plan for the location of commercial centers and establishes appropriate land use transitions. The "C-2" uses are proposed at the corner of the intersection of SW Urish and SW 17th (minor arterials). The property is located ½ mile between arterial streets, which is an appropriate location for neighborhood commercial developments. A stream buffer will act as a natural buffer between the "C-4" Commercial uses and "M-2" Multiple-Family Dwelling uses.

The PUD plan proposes the extension of SW Kingsrow as a north-south collector through the mid-section of the property and allows for its future extension on property to the north to eventually connect with SW Huntoon. SW Kingsrow was originally classified on the City's Functional Classification Map as a collector street that should be spaced ½ - mile between SW Wanamaker and Urish. However, policy for this future alignment was established at the time the two developments north of the subject property were approved without dedicating the right-of-way that would have allowed for that original alignment, which thereby, caused this alignment of Kingsrow to be the most practical option. In this case, the current land use arrangement that allows for an off-set Kingsrow intersection is desirable and supported by policies in the LUGMP since it will hinder external traffic from using Kingsrow as an alternative means of traveling between neighborhoods. Collector streets ideally carry traffic from the interior local streets out to the arterial streets, but should not function as the primary streets for carrying traffic within the city or between neighborhoods. Further, alignment of the Kingsrow/17th intersection would encourage commercial development stripping out along the SW 17th Street, which is not supported by the LUGMP. As proposed, the request is in conformance to the land use policies and principles of the Comprehensive Plan.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: Rezoning the property to a Planned Unit Development (C-2, C-4, and M-2 use groups) will allow the property to develop more compactly and in a manner that is consistent with the area's urbanizing location on the edge of the Wanamaker corridor, as well as, with the area's future land use map designation for *Mixed Use Urban* uses. However, there may still be some detrimental effects on nearby properties if developed at the maximum density proposed by the current PUD (625 DUs maximum) from the increased traffic that could potentially be generated. The ITE (Institute for Traffic Engineers) manual estimates trip generation of approximately 8.5 trips per day for multi-family residential uses, which would equate to a potential of greater than 5,000 trips generated per day if developed at this maximum allowable density.

City street design criteria typically requires collector streets to have a standard pavement width of 39 ft. (75' right-of-way) in order to allow two-way traffic, to better funnel traffic out on the arterial, and encourage neighborhood residents to use the collector instead of interior local residential streets. The PUD currently proposes Kingsrow with 60' right-of-way (29 ft. pavement) in order to allow for a close-connected residential neighborhood. The narrower street will reduce speeds and keep the residential blocks physically more connected. However, the local street width does not allow for two-way traffic if vehicles are parked along the street. The applicant's original design, prior to submittal of this PUD, presented a less dense residential community (7.5 DUs/acre) than what is being proposed on the PUD (13.5 DUs/acre and 16 DUs/acre). The lower density residential design would not have necessitated a standard collector street width of 39 ft. The PUD now proposes a significantly greater density than this initial concept, which if fully built-out would have a greater traffic impact on Kingsrow. Therefore, staff proposes the following note be included on to the PUD: "*Any development that proceeds improvements of SW Urish Road to at least three lanes or development of the "M-2" use group that exceeds a density of 7.5 units per acre shall require the approval of an updated Traffic Impact Analysis by the City Engineer. If that TIA warrants additional street improvements be made to SW Kingsrow Road or SW Urish Road, these improvements shall be completed prior to the issuance of building permits. Any additional right-of-way needed shall be dedicated by re-plat.*" to address these concerns and allow a 39 ft. wide Kingsrow if necessary. This note would be consistent with the applicant's TIA that allows for the consideration of a wider street if higher density residential (> 7.5 DUs/acre) is developed. The plat proposes additional right-of-way dedication for a left-turn lane along Kingsrow at SW 17th.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: The proposed reclassification would enable the property to develop consistent with the surrounding urbanizing area on the west edge of a regional commercial corridor. There would appear to be no particular loss to public health, safety, and welfare by the reclassification of this area provided adequate infrastructure improvements (sewer, water, roads) are made to support a medium- to high-density residential and commercial urban scale development. The hardship imposed upon the individual landowner by denial of the application is significant since the subject property is within an urbanizing area where low density rural residential land uses are no longer considered appropriate and are generally incompatible uses within an urbanized area inside the city limits.

AVAILABILITY OF PUBLIC SERVICES: Urban services (sewer and water) are not currently available to the subdivision and will need to be extended at developer expense prior to the issuance of building permits. A note has been added indicating such, "*No building permits shall be issued for*

subdivision until such time as utility extension plans for sanitary sewer and water, including sizing and routing, are approved by the City of Topeka Department of Public Works.”

SW Urish Road is proposed for widening to 5-lanes as a County CIP project from SW 21st to just south of the property in 2017. SW 21st Street is proposed for widening to 5-lanes as a City CIP project from SW Urish Road to SW Indian Hills Road in 2016.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS: The “M-2” use group will need to provide visitor parking at a rate at least one (1) additional space per unit to be accommodated within the development for those units that will not have on-street parking provided. Private streets may need to be posted with “No Parking” signage along one or both sides of the streets. SW Kingsrow (29’ pavement; 60’ right-of-way) will also need to be posted with “No Parking” signage accordingly along one side of the street to allow two-way traffic and Fire Department access.

Minimum Lot Area: Minimum lot area for a PUD is 1 acre

Setbacks: A 25 ft. perimeter setback is established along the property boundary. The “M-2” use group should establish a minimum 20 ft. front yard setback, as measured from the edge of the sidewalk. Since the “M-2” use group is proposed with private streets, a 20 ft. front setback is necessary to ensure there is enough space to accommodate driveway parking between the buildings and the sidewalk without blocking the sidewalk. Setbacks for commercial lots will be consistent with the base zoning district.

Platting: A preliminary and final plat for Wrangler Ridge Subdivision [P14/2] is heard in conjunction with this request.

CONCERNS OF STAFF AND REVIEWING AGENCIES: This request was submitted to all applicable reviewing agency staff for consideration and comment. There were issues and concerns expressed by reviewing staff relative to code compliance or provisions of public service that will still need to be addressed prior to the issuance of building permits. A note will need to be added to the PUD indicating: *“Any development that proceeds improvements of SW Urish Road to at least three lanes or development of the “M-2” use group that exceeds a density of 7.5 units per acre shall require the approval of an updated Traffic Impact Analysis by the City Engineer. If that TIA warrants additional street improvements be made to SW Kingsrow Road or SW Urish Road, these improvements shall be completed prior to the issuance of building permits. Any additional right-of-way needed shall be dedicated by re-plat.”* This note will allow for the future construction of Kingsrow to collector standard width (39 ft.) if deemed necessary by a higher density development. Pedestrian connections should be provided within the overall development between residential uses and neighborhood commercial uses and to the outer limits of the development.

ADDITIONAL FACTORS:

1. Citizen Participation Process: The applicant conducted a neighborhood information meeting on February 26, 2014 at 6:00 pm located at Cornerstone Community Church, 7620 SW 21st Street. The applicant’s report to the City is attached.
2. Capitol Area Plaza Authority: Not applicable

3. Flood Hazard Area: Not applicable
4. Airport Hazard Area: Not applicable
5. Historic Properties: Not applicable

STAFF RECOMMENDATION: Based upon the above findings and analysis, the planning staff recommends **APPROVAL** of this proposal, subject to:

1. Use and development of the site in accordance with the recorded **Master Planned Unit Development Plan for Wrangler Ridge**.
2. Revise Note #1 under Circulation, Parking, and Traffic to include as a second sentence: *“Any development that proceeds improvements of SW Urish Road to at least three lanes or development of the “M-2” use group that exceeds a density of 7.5 units per acre shall require the approval of an updated Traffic Impact Analysis (TIA) by the City Engineer. If that TIA warrants additional street improvements be made to SW Kingsrow Road or SW Urish Road, these improvements shall be completed prior to the issuance of building permits. Any additional right-of-way needed shall be dedicated by re-plat.”*
3. Depict 7.5’ public utility easements on either side of SW Kingsrow Road (instead of 5’) to ensure there is enough reserved space to allow for the potential dedication of future right-of-way.
4. Revise Note #2 under Circulation, Parking, and Traffic to include as another sentence: *“Private streets will be constructed at the minimum according to City of Topeka private street design standards and be approved by the Fire Department for access with ‘No Parking’ signage posted, as necessary, to be determined at the site development plan review stage.”*
5. Revise Note #3 under Circulation, Parking, and Traffic to include: *“Parking will be restricted to along one side of SW Kingsrow with ‘No Parking’ signage posted accordingly.”*
6. Revise Note #5 to state: *“Construction of SW Kingsrow Road shall be completed prior to the occupancy of any structures on Lot 3, Block A or Lot 1, Block B.”*
7. Revise Note #6 regarding access openings for Lot 3, Block A to state: *“Lot 3, Block A shall be allowed two (2) access points from SW Urish Road.”* (This note should not indicate that Lot 3, Block A is allowed direct access from SW 17th.)
8. Revise Note #6 regarding access openings for Lot 2, Block B to state: *“Lot 2, Block B shall be allowed two (2) access points from SW 17th Street. One access opening shall align with SW Kingsrow Road on the property’s south side and the second access opening shall be determined at the site development plan review stage.”*
9. Add note under Circulation, Parking, and Traffic to state: *“Pedestrian connections will be provided throughout the residential community with the clubhouse and with the outer limits of the property, as well as, with the commercial uses on Lot 1, Block A. The exact locations of sidewalks will be determined at the time of site development plan review.”*

10. Revise Note #2 under Building and Structural to include a minimum front yard building setback for the “M-2” use group: *“Front yard setback – 20 ft. minimum as measured from edge of sidewalk”*
11. Include a “Visitor Parking” requirement for the “M-2” use group of at least one (1) additional parking space for units that will not be provided with on-street parking.
12. Revise Note concerning clubhouse to state: *“. . . Only those clubhouse uses which are customary accessory uses and that are subordinate to the principal use of the residential community shall be permitted.”*

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