

**MEETING DATE:** August 23, 2022

**STAFF:** Brian Harker, Planner

**PROJECT NAME:** The Villas at Windmill Fields

**CASE NUMBER/REQUEST:** **Case 22-125-09 – Rezoning/PUD – 2350 S. Haden Street** – A request by Ashley Smith to rezone the property from R-6 (Single-Family Residential) to R-18/PUD (Moderate Density Residential/Planned Unit Development) and approve a Preliminary Development Plan.

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**APPLICANT:** Ashely Smith/Ground Up Development, LLC

**OWNER:** Steve McBee/4Boys Investments, LLC

**PROPERTY ADDRESS:** 2350 S. Haden Street

**SURROUNDING ZONING/LAND USE:**

- North:** District C-2...commercial businesses and lots
- West:** Districts R-6 and R-18/PUD...single and multiple-family housing
- East:** District C-2 and R-6...businesses and single-family homes
- South:** District R-6...single-family homes

**PUBLIC NOTICE:**

- Letters to adjoining property owners – July 26, 2022
- Public Notice published in the Independence Examiner – July 23, 2022
- Sign posted on property – August 4, 2022

**FURTHER ACTION:**

Following action by the Planning Commission, this rezoning request is scheduled for a first reading by the City Council on September 6, 2022 and the public hearing/second reading on September 19, 2022.

### RECOMMENDATION

Staff recommends approval of the rezoning/preliminary development with the following conditions.

- 1) Prior to the issuance of any building permits, all the tracts and lots of the Villas of Windmill Fields shall be replatted into one lot;
- 2) Name the new, larger lot; McBee Landing Replat Lot 4A, Replat of Lot 4;
- 3) Readdress the new Lot 4A, 1250 S. Haden Street;
- 4) For the Final Development Plan, create Medium-Intensity landscaped buffers along the periphery of the property per the landscaping section of the Unified Development Ordinance (UDO);

- 5) The stands of trees abutting the west, south and east sides of the property should be preserved where possible.
- 6) Provide parking lot parameter and end cap trees and shrubs, and trees and shrubs around the buildings (the exact number of plantings worked out with staff for the Final Development Plan);
- 7) The Final Development Plan should provide an elevation of a entry sign/feature;
- 8) Four-foot high masonry façades on the elevations of the buildings must be carried around driveway/parking facing façades;
- 9) The units will be addressed on the Final Development Plan.

**PROJECT DESCRIPTION & BACKGROUND INFORMATION**

**PROJECT DESCRIPTION:** A request by Ashley Smith to rezone this property from District R-6 (Single-Family Residential) to District R-18/PUD (Moderate Density Residential/Planned Unit Development) and approve a Preliminary Development Plan.

<b>Current Zoning:</b>	R-6 (Single-Family Residential)	<b>Proposed Zoning:</b>	R-18/PUD (Moderate Density Residential/Planned Unit Development)
<b>Current Use:</b>	Undeveloped land	<b>Proposed Uses:</b>	Multiple-Family Development
<b>Acreage:</b>	12.35-acres		
<b>Former Zoning</b>	Prior to 1980, from 1965 – R-1 (Single-Family Residential) Prior to 2009, from 1980 – R-1b (Single-Family Residential)		

**PROPERTY HISTORY**

The 12.35-acre property has had a District R-6 [or an R-1b/R-1 Single-Family Residential] zoning designation since 1965 and it has been largely undeveloped throughout that entire time. The house at 1509 E. 23<sup>rd</sup> Street S. (behind Discount Tire) was occupied until earlier this year. The parcels for what had been 1703 E. 23<sup>rd</sup> Street S. (the former site of a house that has been gone for years) was replatted into the McBee Landing subdivision with four-lots and one common tract last year. A fifth lot, with a vacant house, at 1711 (soon to be 1507) E. 23<sup>rd</sup> Street S. is currently being platted for an additional carwash parking lot. The Villas at Windmill Fields will consist of Lot 4 of the subdivision and two adjacent tracts to the east and southeast.

**PHYSICAL CHARACTERISTICS OF PROPERTY**

The property is a never developed field. The vacant tracts are fairly clear of trees, except for stands of trees around the perimeter. The property is neither in a flood plain nor near a stream requiring stream buffer zones.

**CHARACTERISTICS OF THE AREA**

The surrounding neighborhoods to the west, south and east are largely single-family residential in zoning and in use. Although there is some multiple-family uses and zonings along King’s Highway, the properties along the southside of the 23<sup>rd</sup> Street are zoned C-2 and are commercial in use.

**PROPOSAL:**

The applicant intends to develop a 12.35-acre multi-family community for adults 55 and older, The Villas at Windmill Fields, located at 2350 S. Haden Street. The proposed 108-unit townhome development will have 20-buildings consisting of four and six units each. Each unit will have two-bedrooms, a kitchen, dining room, laundry room with hook-ups and a full bathroom, with 925-square feet of liveable area. Each unit will have its own front and back porch. The complex will be constructed and maintained by the current owner.

The expected monthly rent for each unit will be approximately \$1,000. The rent will not include utilities. The owner will be accepting housing vouchers from various assistance programs, but only if the applicants clear a thorough background check.

Provided amenities will include a playground, picnic tables, gazebos, benches, windmill, a pond and a community building/leasing office. A walking path will be provided and sidewalks will be provided around the perimeters of the parking lots, buildings and property. Four trash enclosures will be strategically placed throughout the development.

## ANALYSIS

### **Consistency with *Independence for All*, Strategic Plan:**

The proposal relates to the Goal “Achieve livability, choice, access, health and safety through a quality, built environment through building new housing units to fill a market need.”

### **Comprehensive Plan Guiding Land Use Principles:**

The Imagine Independence 2040 Comprehensive Plan designated this site for “Residential Neighborhoods,” which envisions new neighborhoods with a walkable layout with streets that connect in a logical manner throughout the neighborhood and to adjacent developments for seamless transitions. The Comprehensive Plan Guiding Principles most relevant to the proposed development are, “Provide a diversity of housing options in all neighborhoods”, “Facilitate the development of connected neighborhoods where appropriate,” and “Neighborhoods and housing should be designed to be inclusive of the needs of the wide span of mobility.”

### **Zoning:**

The applicant proposes R-18/PUD zoning. District R-18/PUD allows; multiple-family housing, home based daycare, government facilities, churches, schools, utilities, cemeteries, crops and gardening. The existing districts for the two tracts allow the following uses. District R-6 allows single-family housing, home based daycare, government facilities, churches, schools, utilities, cemeteries, crops and gardening.

### **Historic and Archeological Sites:**

There are no apparent historic/archeological issues with this property.

### **Public Utilities:**

Water, sewer and electrical services are available to the property.

### **Environmental, Storm Water and Stream Buffer:**

The property is the site of a recent fire damaged and razed house and a never developed field. There is no reason to believe the property has experienced environmental degradation. The tracts are fairly

flat, with the stands of trees concentrated around the perimeter. The property is neither in a floodplain nor near a stream requiring accompanying stream buffer zones.

**Development's Phasing:**

Given the proposed development will be a rental community sited on one large lot and constructed in multiple phases, permits for each structure in a particular phase, will be submitted around the same time. In the development's first phase on the northern half of the property, there will be eight (8) sixplexes and three (3) fourplexes. Six (6) sixplexes and three fourplexes will be constructed in the second phase. The new S. Haden Street right-of-way, and private drive connection to the HyVee property, will be constructed in the first phase.

**Elevations:**

The buildings will have light gray vinyl siding with white trim. Veneer cultured stone, similar in color to the masonry siding on the carwash to the north, will be applied to the columns and four-foot-high wainscot that will wrap around the buildings. Accents of gray shake siding will also be included on the trusses to create some material variation and enhance curb appeal. The roofs will be dark gray composite shingles. The structures will be slab-on-grade buildings with minimal-to-no steps and handicapped accessible units. Staff is recommending the four foot high wainscot be carried around the facades facing the driveway and/or parking areas.

**CIP Investments:**

There are no CIP projects impacting this development.

**Traffic Study:**

Tran Systems prepared a study for the proposed commercial and residential and developments of McBee Landing and Windmill Estates. The study included trip generation estimates, trip distribution estimates, capacity analysis and a summary of findings.

The study indicates that most side street movements at the study intersections are projected to operate at level E or F (the worst categories for intersection movements) during peak hours. This is largely due to high traffic volumes on 23<sup>rd</sup> Street. The suggested mitigation has been to construct additional outbound lanes on the driveway and Haden Street to permit the bypass of left-turning vehicles and provide access the to drive west of Discount Tire and with the joint, signalized access shared with HyVee to the east.

**Streets, Driveways and Parking Lots:**

Access to The Villas at Windmill Fields will be via Haden Street extended across 23<sup>rd</sup> Street along the western edge of the development. South of the intersection, a private driveway will extend eastward south of the commercial lots providing access to the Discount Tire and HyVee access drives. The Discount Tire access (a cross-access for the former home at 1507 E. 23<sup>rd</sup> Street S.) does not permit left turns. Internal circulation will be provided by access drives circling nearly every structure. Rows of perpendicular parking will front every building.

**Landscaping and Screening:**

When the Final Development Plan is submitted, in addition to the street trees indicated on the Preliminary Development Plan, trees and shrubs should be provided around the parking lot perimeters, in parking lot end caps and around the perimeter of buildings as indicated in the Unified

Development Ordinance (UDO). Green spaces will lie between opposite facing buildings. Green spaces with amenities (walking trails, picnic areas, benches, etc.) will be provided as well. The stands of trees abutting the west, south and east sides of the property should be preserved where possible. Medium-Intensity landscaping, as defined in the UDO, should be planted.

## REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

**1. Conformance of the requested zoning with the Comprehensive Plan.**

*The Comprehensive Plan envisions Residential Neighborhoods uses for this vicinity. The proposed multiple-family use, and the rezoning of the property from R-6 to R-18/PUD, will be in keeping with the plan's vision;*

**2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.**

*There are not any subarea plans that cover the vicinity around this proposed development;*

**3. The compatibility of the proposed zoning with the zoning and use of nearby property, including any overlay zoning.**

*The proposed zoning will be a transition from the C-2 commercial zonings and use along the 23<sup>rd</sup> Street corridor to the adjacent and nearby single-family residential uses; however, the applicant has minimized the impact via buffering and similar architectural style;*

**4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**

*Although the residential uses in the immediate vicinity are largely single-family residential, there is R-18/PUD zoning to the west along Kings Highway. The masonry façades of the proposed buildings should add the buildings building's appeal as well;*

**5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.**

*The tracts, being zoned R-6, are in keeping with the surrounding uses;*

**6. The length of time the subject property has remained vacant as zoned.**

*The house at 1703 E. 23<sup>rd</sup> Street S. (associated with the property's largest tract) has been gone for years. The residence at 1509 E. 23<sup>rd</sup> Street S. burned and was recently razed;*

**7. The extent to which approving the rezoning will detrimentally affect nearby properties.**

*With the medium intensity landscape screening prescribed by the UDO, detrimental effects could be mitigated;*

**8. The gain, if any, to the public health, safety and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

*If the rezoning is denied, the developer will not be able to build at the density he wishes. If approved, proposed use may advance the Guiding Principle of creating a diversity of housing and thus the welfare of the community.*

**EXHIBITS**

1. Applicant's letter
2. Application
3. Notification letter
4. Addresses
5. Affidavit
6. Public Meeting Notice
7. Preliminary Development Plan
8. McBee Landing Final Plat
9. Floor Plans
10. Rendering
11. Trip Generation Comparison
12. 2020 Traffic Study
13. Comp Plan Map
14. Zoning Map