

STAFF REPORT – PLANNED UNIT DEVELOPMENT
TOPEKA PLANNING DEPARTMENT

PLANNING COMMISSION DATE: July 17, 2017

CASE NUMBER & NAME: PUD17/02
Wheatfield Village Planned Unit Development (PUD) Master Plan

**REQUESTED ACTION /
CURRENT ZONING:** Rezoning of 14.7-acre site *from* "C-4" Commercial District *to* "PUD"
Planned Unit Development to provide for re-design/ re-use of commercial
center, along with new residential development. Proposed PUD stipulates
Use Group(s) of C-4/ Restaurant, Hotel, Theater; and M-3/ Multiple-Family
Dwellings providing for 178 apartments.

APPLICANT / PROPERTY OWNER: 29 Fairlawn, LLC

APPLICANT REPRESENTATIVE: Mr. Kevin K. Holland, CFS Engineers, P.A.

**PROPERTY ADDRESS & PARCEL
ID:** Northwest corner of the intersection of SW 29th Street and SW Fairlawn
Road
Parcel ID: 1420904010007000

PARCEL SIZE: 14.7 acres

CASE PLANNER: John Neunuebel, Planner II

**STAFF
RECOMMENDATION:** Approval of Wheatfield Village PUD Master Plan subject to conditions
included on Pages 14-15

**RECOMMENDED
MOTION:** Based on the findings and analysis in the staff report, I move to
recommend **APPROVAL** with conditions to the Governing Body of the
proposed Wheatfield Village PUD Master Plan.

PROJECT AND SITE INFORMATION

PROPOSED USE SUMMARY:

Proposed Planned Unit Development (PUD) with mixed-use Use Group(s) of C-4/ Restaurant/ 'Family Dining;' Restaurant/ 'Fast Food (2 restaurants within a single building);' Hotel; Theater; and M-3/ Multiple-Family Dwellings providing for 178 apartments. The subject area comprises a designated Redevelopment Project Area with associated Redevelopment Project Plan approved and adopted by the City of Topeka that is consistent with the proposed PUD.

DEVELOPMENT / CASE HISTORY:

Existing site includes vacant land and primarily vacant structures. Commercial development on the site occurred in a piecemeal manner including: construction of a bowling alley in 1960; auto service station in 1963; and hotel in 1968. All three of these structures have been demolished with only their foundation pads still visible. There are currently two (2) commercial businesses operating on the site, and these are a billiards hall and vacuum cleaner repair service. Zoning on the site is currently C-4 Commercial District.

In addition to the proposed PUD in process, there are associated preliminary and final re-plat(s) also being processed concurrently.

PHOTOS:



North side of project area looking west along SW 28th Court with a newly-constructed segment of Shunga Creek Trail located on right.
Note: SW 28th Court public right-of-way to be abandoned upon approval of new subdivision plat for subject property currently in process.



North central portion of property looking toward southeast, with building pad in foreground that of previous bowling alley structure.



North side of property looking south along Fairlawn Avenue

ZONING AND CHARACTER OF SURROUNDING AREA:

Adjacent areas to the south, east, and west along 28 Street, 29th Street, and Fairlawn Avenue include commercial zoning and uses, with nearby residential development being located to the north on the opposite side of Shunganunga Creek, with Crestview Park being located north of 28th Street just east of Fairlawn Avenue.

OVERVIEW OF PROPOSED PUD ELEMENTS

UTILITIES: All utilities to be underground, with existing sanitary sewer and water service provided by City of Topeka.
(A Preliminary Stormwater Drainage Analysis has been submitted for the PUD, with formal analysis to be completed during processing of the associated subdivision plat and site plan review applications.)

CIRCULATION & ACCESS: The PUD master plan provides for internal circulation for vehicles and pedestrians. A segment of the Shunga multi-use trail was recently completed adjacent to the project area, and will provide direct access into the development at various points.

A Traffic Impact Study (TIS) has been completed and is currently in review in assessing the impact of the proposed development plan on the surrounding transportation system . Acceptance of the TIS by the City of Topeka including associated roadway improvements will be required prior to final approval of the PUD master plan.

Three access points are being proposed in servicing the new development. There will be two new driveways along Fairlawn Road, with one of these being a full access, signalized driveway aligning with 28th Street. The other driveway onto Fairlawn Road will be located 200 feet south of 28th Street and will be limited to right-turn movements only. A *potential* third access into the development will be located off the I-470 Westbound entrance ramp just north of 29th Street, and will accommodate one-way traffic only into the site. This potential third access will require a 'break-in access' on the I-470 entrance ramp, and is presently being considered for approval by the Kansas Department of Transportation (KDOT) and the Federal Highway Administration (FHWA). Should the break-in-access onto the I-470 entrance ramp not be approved by either agency, the proposed PUD master plan is notated to provide for administrative processing of a minor amendment to the master plan in eliminating the I-470 entrance ramp access.

The Traffic Impact Study provides detailed analysis of improvements to the area roadway system for 3 access points, as well as 2 access points without the break-in-access on the I-470 entrance ramp. Regardless of which access scenario occurs, all necessary roadway improvements must be completed prior to occupancy of any new structure. The following tables (next page) provide an overview of roadway improvements to 29th Street and Fairlawn Road for either access scenario, as well as for Phase I and Phase II of development.

Phase I Roadway System Improvements (Supports development of movie theater and 2-tenant restaurant with drive through)		
	29th Street	Fairlawn Road
Phase I Phase I roadway improvements are the same whether or not an entrance of I-470 Ramp is approved by FHWA or not	No improvements to 29 th Street required for Phase I.	1) New traffic signal installation and construct northbound turn lane at 28 th Street 2) Construct second southbound turn lane on Fairlawn at 29 th 3) Construct raised median on Fairlawn between 28 th and 29 th Streets

Sidewalk and other miscellaneous improvements will be included in work tabulated above.

Phase II Roadway System Improvements (Supports Phase I development plus development of apartments, hotel, and sit-down restaurant)		
	29th Street	Fairlawn Road
Phase II Roadway improvements required if entrance off I-470 Ramp is approved by KDOT and the FHWA	Widen 29 th Street to extend eastbound left turn lane at the I-470 Ramp/Connection Road Intersection	No additional improvements to Fairlawn Road for Phase II. (Phase I improvements only)
Phase II Roadway improvements required if entrance off I-470 Ramp is not approved by KDOT and the FHWA	Widen 29 th Street to provide second eastbound left turn lane and additional left turn storage at the intersection of 29 th and Fairlawn	No additional improvements to Fairlawn Road for Phase II. (Phase I improvements only)

Sidewalk and other miscellaneous improvements will be included in work tabulated above.

BUILDINGS/USES:

The proposed development includes:

- Building 1: A 4-storey 88-room hotel near northeast corner of the site. (134,257 square feet)
- Building 2: A 4-storey 178 unit apartment complex with parking garage in the northwest corner of the site. (201,827 square feet including parking garage)
- Building 3: Nine-screen, 691-seat movie theater in the south central portion the site. (34,451 square feet)
- Building 4: Family dining restaurant at the southeast corner of the site (7,375 square feet).
- Building 5: Fast food restaurant with two tenants operating a drive-through window at east end of the site. (5,100 sf)
- 'Farmers Market' open-space area at the southeast corner of the site. (approx. 600 square feet)

Anticipated project phasing will be completion of the fast food restaurant (Building 5) and movie theater (Building 3) in the first phase of development, with residential development, hotel, and family restaurant (Buildings 1, 2, and 4) in the second phase.

The PUD Master Plan includes extensive notes providing increased certainty as to the scale, quality, and design character of buildings. (See "Building Notes" and "Building Elevation Notes".) The design controls provided by these notes apply to all buildings.

Staff is of the understanding that the residential component of the PUD is highly conceptual. Even so, staff makes the following observations and recommendations.

- An average setback of at least 10 feet for residential buildings is recommended with landscaping to including extensive plantings and other features to provide an appropriate buffer.
- Responding to the Fire Department's requirements, the PUD master plan includes a fire access lane on all sides of the residential development. Additional setback is needed to accommodate trees and other plants around the buildings.
- While the residential component of development is acknowledged to be conceptual in nature, staff have identified a potential deficit in the number of residential parking spaces as proposed. (See 'Parking' section below.)

PARKING:

On sheet 1 of the master plan, for each building and land use, calculations are provided for *required* parking (per the zoning regulations) and *proposed* parking. The proposed parking exceeds required parking for all of the uses with the exception of the residential use. The following summarizes staff’s analysis and findings.

	Parking per Master Plan (sheet 1)	Required by Ordinance	Parking Shown on Sheet 2 of Master Plan
Building 1 (Hotel)	93	88	93
Building 3 (Theater)	269	277	256
Building 4 (Restaurant)	103	<50	103
Building 5 (fast food restaurant)	66	<60	66
Total Non-Residential Uses	531	<475	518
Building 2 (Apartments)	188	277	Parking Garage Footprint shown but not Individual Spaces

- The master plan substantially overstates the parking required for building 4 (60 spaces) and building 5 (50 spaces). Per the regulations, after deducting square feet for restrooms, storage areas, corridors, lobbies, and other unoccupied space, fast food requires 1 space per 85 square feet and family dining requires space per 150 square feet (TMC 18.240). The applicant’s calculations are based on the total floor area of each building.
- The master plan substantially understates parking required for the residential land use because it uses the standard for “multiple-family dwelling, high-rise” instead of “multiple-family dwelling and apartment hotels.” For high-rise apartments the regulations require 1.5 spaces per unit for the first 20 units and 1 space per unit for the balance of 158 units for a total of 188 (188 are proposed). The master plan’s concept for the apartments is not for a high-rise development (“high-rise” generally means 6 stores or more) and, therefore, the applicable standard (multiple-family dwellings) is 2 spaces per unit for the first 20 units and 1.5 spaces per unit for the balance for a total of 277 spaces. The proposed parking is 89 spaces short of the parking standard.

- The City may approve variances to the parking standards as part of a PUD upon making the findings in TMC 18.180.080. If the parking demand for the proposed apartments is typical of other apartments, the actual parking required will be greater than 188 spaces, although perhaps not as high as 277 spaces. If the parking demand for the residential component exceeds 188 spaces, residents will very likely use the theater parking. Encroachment on the theater parking will be exacerbated to some extent by the relative convenience to residents parking in the surface lot instead of in a parking garage. However, over building of parking spaces is also not advised in a mixed-use/shared parking setting where pedestrian-scaled features are a priority. For these reasons staff recognizes a variance to the residential parking requirements – a reduction of up to 25% - may be justified at a future time when the owner may demonstrate the ratio as too restrictive given the characteristics of the residential use. The parking ratio may also be satisfied through a combination of reduced residential units or increased parking spaces.

SIGNAGE:

Sign regulations applicable to the C-4 zoning district are not restrictive, allowing for multiple 55' high ground signs up to 300 square feet in copy area per sign face and an unrestricted quantity of 300 sf wall signs. Therefore, PUDs help establish where appropriate more restrictive but reasonable sign standards in keeping with best practices of the community. The following photos are provided for illustration.



SW Wanamaker, 1100 block; PUD zoning; 55' high; 196 sf (Home Depot) plus 280 sf (Dicks and other tenants)



SW Wanamaker & Huntoon
(Wanamaker Crossing); PUD
zoning; 30' high, 300 sf



SW Wanamaker & Huntoon
(Wanamaker Crossing); PUD
zoning; 50' high, up to 300 sf



SW 12th & Wanamaker (Crosswinds
Commons); C4 zoning; 35' high, 300 sf



SW 12th & Wanamaker (Crosswinds Commons); C4 zoning; 13' high, 36 sf

At the recommendation of staff, the applicant is proposing an appropriate limit on wall signage (for commercial uses cumulative area of signs limited to 20% of the façade of each building). For ground signs (signs mounted in the ground on pylons or monuments) the signage notes in the master plan provide for up to five ground signs, not including small directional signs, to include two monument signs along I-470 and SW 29th, each up to 50' high and 300 sf, and two monument signs on Fairlawn, each up to 30' high and 300 sf. As proposed the shopping center name and logo is not to be included in the 300 sf size limit.

Staff is recommending more restrictive standards for the ground signs based on what is appropriate at this location and on restrictions imposed on other similar developments. Signs at a height of 50 feet or more are sometimes needed for visibility from I-470. Signs at a height of 30' or less are appropriate for visibility from arterial streets.

LANDSCAPING:

The Planning Department received a current Landscape Plan on July 5th, too late to complete a detailed review prior to completion of the staff report. It is attached for information and not as a recommended approved plan. Staff can make these observations and recommendations as the process moves forward:

- Landscaping will include a mix of large trees and understory trees, coniferous trees, and shrubs along Fairlawn Road and 29th Street, as well as throughout the project area.
- An enriched landscape parkway adjacent to Fairlawn Road will also include a 30' high contoured berm in providing enhanced screening of parking lot expanse as viewed from Fairlawn Road.

- In addition to meeting the landscape point total for quantity, it is important for the landscaping to also be arranged throughout the site to ensure compatibility between uses and to enhance the project's appearance at its edges. Staff recommends substantial landscaping and related features between the residential component and the entertainment and hotel uses.

OTHER: A Preliminary Stormwater Drainage Analysis has been submitted for the PUD, with formal analysis to be completed during processing of the associated subdivision plat and site plan review applications.

VARIANCES REQUESTED: None
(Provision for future potential variance from residential parking standards.)

COMPLIANCE WITH DEVELOPMENT STANDARDS AND GUIDELINES

(The PUD Master Plan establishes development standards and guidelines as described in the previous section of this report.)

OTHER FACTORS

SUBDIVISION PLAT: A subdivision plat is required for the project. The applicant has indicated they will submit a subdivision plat application during the time the PUD application is under review. Staff anticipates the subdivision plat will be eligible as a minor plat and thus not require approval by the Planning Commission and City Council.

FLOOD HAZARDS, STREAM BUFFERS: The subject area is partially located within FEMA designated floodplain associated with nearby Shunganunga Creek, and will require processing of permit through FEMA in ensuring that all structures are safely above the FEMA 100-year base floodplain elevation prior to development. All proposed drives and parking lots will be curbed with enclosed storm sewer lines to collect and convey drainage north to the Creek. Stormwater detention for the site is proposed with the use of underground storage chambers.

(A Stormwater Management Plan for the site is currently under review and will be further considered during the subdivision platting process.)

HISTORIC PROPERTIES: None

NEIGHBORHOOD MEETING: The project applicant held a Neighborhood Information Meeting on Monday, April 24, 2017. Questions/comments from the sixteen (16) attendees were primarily concerned with traffic impacts, specific commercial uses proposed, and site design and layout. .
(Applicant's meeting summary and sign-in sheet as attachment.)

OTHER: None

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

**PUBLIC WORKS/
ENGINEERING:** A Traffic Impact Study (TIS) has been completed and is currently in review in assessing the impact of the proposed development plan on the surrounding transportation system. Acceptance of the TIS by the City of Topeka including associated roadway improvements will be required prior to final approval of the PUD master plan.

**WATER POLLUTION
CONTROL:** No Comments Received; continued review during processing of associated subdivision plat. (A Stormwater Management Plan for the site is currently under review and will be further considered during the subdivision platting process.)

FIRE: Residential apartments at northwest portion of project site will require review and analysis for placement of fire lanes during subsequent steps in the development process.

**DEVELOPMENT
SERVICES:** All structures must be certified as being above the FEMA 100-year base floodplain elevation prior to issuance of building permits.

OTHER: Westar Energy has concerns regarding placement of electric utility easements to be addressed during processing of associated subdivision plat.

KEY DATES

SUBMITTAL OF PUD APPLICATION	December 12, 2015 (Proposed PUD Case16/01 application deemed incomplete.)
SUBMITTAL OF REVISED PUD APPLICATION	March 31, 2017 (Proposed PUD Case 17/02 application submitted with re-configured commercial and residential development.)
NEIGHBORHOOD INFORMATION MEETING	April 27, 2017
LEGAL NOTICE PUBLICATION	April 24, 2017 May 29, 2017 (Notice of re-scheduled public hearing)
PROPERTY OWNER NOTICE MAILED	April 20, 2017 May 25, 2017 (Notice of re-scheduled public hearing) June 6, 2017 (Notice of re-scheduled public hearing)

STAFF ANALYSIS

Character of Neighborhood: The proposed PUD Master Plan provides for re-development of a deteriorated commercial center and will provide for new commercial and residential development that will be compatible with other commercial and residential development within the area. The character of the single –family neighborhood to the north of the project area will be well-buffered from the proposed commercial development with the presence of Shunganunga Creek being located between the two areas.

Length of time property has remained vacant as zoned or used for its current use under present classification: The site has been underdeveloped and in a deteriorating state for several years or more. The adoption of the proposed Wheatfield Village PUD Master Plan is justified in part based on the length of time the subject property has continued to deteriorate and the desirability of a mixed use development coordinated with transportation improvements needed to support commercial development at this location.

Conformance to Comprehensive Plan: The Topeka Land Use and Growth Management Plan 2040 (LUGMP) contains policies related to growth management and future land use that support the proposed redevelopment project. The LUGMP “*encourages infill and redevelopment within Topeka to take advantage of existing urban infrastructure and services and that promote a range of uses to fit within the overall character of the area.*” In addition, the LUGMP emphasizes mixed use and promotes the concept throughout the land use plan.

The future land use map (Map #3) designates the intersection of Southwest 29th Street and Fairlawn Road as a Community Commercial Node. This designation supports the proposed project and also states: “*Even though the dominant character of a node intersection or an area is commercial, that shouldn’t preclude mixing uses as a component of a development or redevelopment of the node or the area.*”

The proposed project will comprise a mixed use redevelopment that includes both residential and commercial land uses. The proposed project is also a Tier 1 redevelopment that is taking advantage of existing urban infrastructure and services. The proposed redevelopment project is consistent with the Topeka Land Use and Growth Management Plan 2040.

The extent to which removal of the restrictions will detrimentally affect nearby properties: The proposed Wheatfield Village PUD Master Plan will include development standards that are more restrictive than current standards within the current C-4 zoning district, thus providing more protections for nearby properties. A traffic impact study and a financing plan will be required to mitigate the traffic generated by the new development, and its potential to adversely affect neighboring commercial and residential uses.

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 Wheatfield Village PUD Master Plan allows the property owner to construct new residential and commercial development pursuant to market-driven demand. Proposed development will have a substantial benefit on neighboring property owners as compared to the existing deteriorated and vacant development and the potential development under C4 zoning. All traffic-related impacts will be mitigated by improvements required within the approved Traffic Impact Analysis.

Availability of Public Services: All essential public services and utilities are presently available or will be extended at property owner expense.

Compliance with zoning and subdivision regulations: The proposed PUD Master Plan establishes development standards and guidelines as indicated. The standards established by this Master Plan exceed

standards normally applicable to the C-4 zoning district. More details of the project will be reviewed at the site plan review stage. An associated subdivision plat will be submitted for review and must be found to adhere to the City's subdivision regulations prior to its approval.

STAFF RECOMMENDATION

Based upon the above findings and analysis Planning Staff recommend approval of the Wheatfield Village PUD Master Plan, subject to the following:

1. Use and development of the site in accordance with the Wheatfield Village PUD Master Plan for 29 Fairlawn LLC as recorded with the Office of the Shawnee County Register of Deeds.
2. Revise PUD Master Plan graphic to clearly depict the presence of recently completed segment of the Shunga Trail, a designated multi-use trail, as well as connections with pedestrian circulation within the project area.
3. Add new note within "Landscaping Notes" requiring a 10' average landscape buffer adjacent to Building 2 (residential apartments).
4. Revise the "Project Data" section of page 1 of the master plan to indicate "Multiple Family Dwelling" parking ratio. Compliance with the new parking ratio may be achieved in combination by either reducing the quantity of dwellings or increasing the quantity of parking spaces devoted to residential use, or through an administrative variance.
5. Revise Note #8 within Circulation, Parking & Traffic Notes to: "Off-Street parking shall generally be provided in accordance with TMC 18.240.020 unless stated otherwise herein. All parking, drives, approaches, and walks shall be improved to City of Topeka standards. Up to a 25% reduction in the quantity of required parking spaces may be administratively approved where it can be demonstrated that the use has characteristics reducing the number of parking spaces needed. Reserving an area of land on the site equal in size to the area of land needed for the quantity of parking being reduced shall not be required."
6. Revise the "Project Data" section of page 1 of the master plan such that the building numbers match the building numbers on page 2 of the master plan.
7. Revise General Note #12 to substitute use of "buildings" instead of "lots" in describing construction Phases I and II.
8. Delete Landscaping Note #1 regarding an "attached landscape plan."
9. Revise Signage Notes as follows:
 - a. Revise note # 3.A.1 to: 1. TOTAL TENANT COPY AREA SHALL NOT INCLUDE ARCHITECTURAL EMBELLISHMENTS AND SHOPPING CENTER NAME/LOGOS PROVIDED THE SHOPPING CENTER NAME AND LOGO ARE INTEGRATED WITH THE EXTERIOR MATERIAL OF THE BASE OR STRUCTURE OF THE SIGN. USE OF ILLUMINATED COPY FOR THE SHOPPING CENTER NAME AND LOGO THAT INCLUDES PAN CHANNEL LETTERS OR OTHER ILLUMINATED LETTERS ARE PERMITTED. HOWEVER USE OF AN INTERNALLY ILLUMINATED CABINETS WITH TRANSLUCENT FACE FOR THE SHOPPING CENTER NAME AND LOGO ARE NOT PERMITTED.
 - b. Revised note # 3.A.2 to: 2.. TWO MONUMENT STYLE, MULTI-TENANT SIGNS ON SW FAIRLAWN ROAD . . . 300 SQUARE FEET OF TENANT COPY AREA PER FACE, AND

SHALL BE LOCATED A MINIMUM OF 150 FEET APART FROM ONE ANOTHER.

- c. Revise note #3 A.3 to: 3. ~~TWO~~ONE MONUMENTSTYLE, MULTI-TENANT SIGNS ON 29TH STREET/I-470 . . . COPY AREA PER FACE AND LOCATED A MINIMUM OF 280 FEET FROM SW FAIRLAWN ROAD.
 - d. After note # 3 A.3 add: 4. ONE MONUMENT STYLE, MULTI-TENANT SIGN ON SW 29TH STREET NOT TO EXCEED TWENTY FIVE FEET (25') IN OVERALL HEIGHT AND 150 SQUARE FEET OF TENANT COPY AREA PER FACE.
 - e. After note # 3.a.4 add: 6. THE EXTERIOR MATERIALS AND COLORS OF THE BASES OF MONUMENT-STYLE SIGNS SHALL BE COMPATIBLE WITH THE MATERIALS AND COLORS OF OTHER SIGNS AND THE EXTERIORS OF BUILDINGS WITHIN THE DEVELOPMENT.
- 10. Revise Circulation, Parking & Traffic Note #6 to indicate that roadway improvements required for each development phase "shall be under contract for completion prior to issuance of a building permit and said improvements shall be accepted for maintenance by the City of Topeka prior to issuance of a certificate of occupancy."
 - 11. Revise Circulation, Parking & Traffic Note #8 to indicate: "Off-street parking, including bicycle parking, shall be provided in accordance with TMC 18.240.020. All parking, drives, approaches, and walks shall be improved to City of Topeka standards."
 - 12. Within "Project Data," correct the number of parking spaces provided pursuant to the number of parking spaces illustrated on the Master Plan graphic.
 - 13. Delete Building Note #1 indicating: All buildings/structures shall be consistent with C-4 zoning requirements and restrictions.

ATTACHMENTS

Aerial Map

Zoning Map

Wheatfield Village PUD Master Plan (2 pages) plus landscape plan

Neighborhood Information Meeting report and attendance sheet