

# Memorandum

## City of Lawrence / Douglas County

### Planning & Development Services

**TO:** David L. Corliss, City Manager  
Craig Weinaug, County Administrator

**FROM:** Scott McCullough, Director

**CC:** Cynthia Boecker, Assistant City Manager  
Diane Stoddard, Assistant City Manager

**Date:** January 21, 2009

**RE:** Site Plan Processing Analysis

Staff has analyzed the majority of 2008 site plan applications and their processing times to identify issues related to completing timely reviews of such. 115 site plan applications were submitted in 2008. The process was revised at the end of 2007 to provide more meaningful coordination between review agencies and applicants. The process involves the following general steps:

1. Application is submitted and a file is created. The application is routed to internal and external review agencies. Certain applications require public notice of the site plan application.
2. The next available Friday an internal plan review meeting is held to review the application for compliance with the Development Code and other city codes and to determine if conflicts exist between codes and city practices.
3. The Friday after the first plan review meeting the applicant may be invited to meet with the plan review committee to discuss the project and preliminary comments related to code compliance.
4. Formal comments, compiling all other department / agency comments, related to complying with the city codes are provided to the applicant – (avg. of 17 business days to complete after application is submitted - see table below).
5. If necessary, the applicant revises the application and submits revisions for a second round of review – (avg. of 19 business days for applicant to resubmit - see table below).
6. If necessary, additional comments are provided and the applicant revises and submits revised plans.
7. Revised plans are reviewed and a report is drafted noting the determination to approve or deny the application.
8. The Director or Assistant Director reviews the report. The report is finalized, often with conditions of approval, and is forwarded to the applicant – (avg. of 39 business days to render a determination - see table below).

9. If members of the public have requested notice of the site plan determination, then notice is mailed to them and the application can not be released for a building permit until a 9-day appeal period has expired.
10. After conditions of approval have been met, the site plan is released to Development Services for building permit issuance.

In short, city staff facilitates a project in meeting the city codes that are adopted by the governing body. Appeals of determinations are taken directly to the City Commission for consideration. In 2008 there were no appeals submitted for City Commission consideration.

It is important to understand that issues, some related to city resources and processes and some related to the applicant, can extend the time required to complete the review process. City-related issues include staffing resources (Current division down to 3 from 5 planners, vacation, sick time, holidays, etc.), resource issues in other city departments that delay review comments, taking time to research and render determinations on a code issue (may require input of city manager or other department heads), reviewing associated cases for the same property (plats, floodplain development permit, etc.), and the fact that site plan reviews compete for the same time needed to review other types of applications that may have statutory or local code deadlines (rezonings, SUPs, special event permits, etc.). Site plan review is often delayed when the deadline for planning commission reports, or other assignments that have more critical deadlines, are nearing.

Issues that can affect the total review time that are related to the applicant include substantially revising the application one or more times during the review, private financing issues, private ownership or other legal matters, state or federal review, working with neighborhood associations or individual neighbors, etc. Further, the actual review may trigger elements of a project that are not compliant with the Development Code, thus requiring a decision by the applicant of whether to seek variances from the Board of Zoning Appeals or comply with the Development Code by modifying the design.

As the table below suggests, the processing times appear appropriate given the complexity of most of the projects that are submitted for review. Often, local and state agencies may need to review an application and often times two or more rounds of review transpire prior to any determination being made on an application.

### 2008 Site Plan Review Processing Times

	<b>No. of business days staff uses to complete 1st Review</b>	<b>No. of business days used by applicant to resubmit (when necessary)</b>	<b>Total # of business days used by staff to review &amp; process application, excluding days used by applicant to resubmit</b>	<b>Total Review Time (Business Days)</b>
<b>Average of Completed Site Plan Reviews</b>	17	18	32	39
<b>Longest Time Period</b>	63	79	117	120
<b>Shortest Time Period</b>	3	1	3	3

Note: This information is based on 75 completed site plan reviews out of a total of 115 site plan applications received for 2008.

For 2008, staff processed 115 site plan applications for the city and county combined. Of those applications, 84 were approved, one was denied and the remaining 30 are still in some level of process. Projects notable for their size or impact to a neighborhood's character, along with the total time from submittal to approval, include:

1. O'Reilly's Auto Parts store – 113 days\*
2. McAlister's Deli – 40 days
3. The Exchange Apartments – 120 days
4. Remington Square Apartments – 61 days
5. Boardwalk Apartments – 96 days\*
6. New commercial building at Bob Billings and Wakarusa – 40 days

\* These applications included some element of city commission review prior to their approval.

The average number of business days to complete these projects is 78. The average number of business days to complete the majority of the applications in 2008 is 39. It stands to reason that the larger, more complex projects require more time of the staff and the applicant to complete the rounds of review required insuring compliance with the Development Code.

As a way of comparing, the following table includes projects that were processed through the former development code process of City Commission review for site plans.

### 2004 Site Plan Review Processing Times (City Commission review)

Case No.	Project	Total Business Days to Complete
SP-01-07-04	Contractors Office on Ponderosa	75
SP-02-12-04	QuickTrip - New Comm.	159
SP-04-25-04	Lake View Villas - New MF	110
SP-04-27-04	Church Remodel (1629 W. 19th)	45
SP-05-33-04	Quinton's rear deck	32
SP-07-45-04	Overland Pointe - New MF	52
SP-08-51-04	Locust Street Remodels	114
SP-08-55-04	Fire Station No. 5	50
SP-10-70-04	Family Health (New Medical Office)	75
<b>Average</b>		<b>79</b>

This demonstrates that the similar, more complex projects will take time to review and process regardless of whether the decision making authority rests with the commission or staff. This report did not analyze all of the site plan applications submitted in 2004, so while the identified projects had roughly the same time frame to complete for these two years, we do not know how the more typical case of 2004 compares to the 2008 average of 39 days to complete.

Other highly visible projects are processed through the development plan process of the former development code. These receive final development plan approval by the PC, but the majority of the review and processing is accomplished by the Planning staff. Recent examples of this process include the following.

1. Dillon's remodel work on 6<sup>th</sup> St.
2. The Grove Apartments at 23<sup>rd</sup> and Inverness
3. Western Extralite near 31<sup>st</sup> St. and Ousdahl Rd.
4. The Oread Hotel
5. Bauer Farm

### Comparison of other cities' site plan process

A comparison of other cities reveals that many of our peers require site plans to be processed through the Planning Commission and/or the City Commission. This is typically a longer process than the administrative one employed by Lawrence as Planning Commission and/or City Commission review is typically in addition to the administrative review required.

<b>City</b>	<b>Site Plan or Administrative Equivalent Review Time</b>
Lenexa, KS	Final plans in business park zoning with approved preliminary plans are reviewed by the Staff Review Team. Approx. 30 Days – administrative review time. Final Plans not in BP zoning are reviewed and decided by the planning commission (published on website and confirmed with city officials)
Lincoln, NE	Majority (95-98%) of site planning occurs through public process (PC and governing body approval) –per conversation with the Building Services Division Manager
Olathe, KS	Preliminary and final site plans reviewed by the planning commission (per website)
Overland Park, KS	Preliminary and final site plans reviewed by the internal Plan Review Committee and planning commission (per website)
Leawood, KS	Preliminary and final site plans reviewed by the planning commission and governing body (per website)
Spring Hill, KS	Preliminary and final site plans reviewed by the planning commission and governing body (per website)

### **Site Planning Goals**

It is important to determine the Commission's goals in discussing the site plan process. There are several entities that have an interest in site planning and determining whose interest will be served is one of the challenges in arriving at a code that balances all of the interests.

1. The City – the city has an interest in quality development that meets the governing body established codes and best practices for utility placement, access control, storm water management, architectural compatibility, lighting, life-safety, parking, etc.
2. The applicant/owner – the owner has an interest in receiving a timely and consistent review and determination to quickly reach the building permit stage of the project or appeal a determination of denial to the city commission.
3. The surrounding neighborhood – the neighborhood has an interest in maintaining property values and quality of life.

Development codes strive to balance these interests. Whether the current code accomplishes this to the commission's desire depends on one's perspective. With these interests noted, staff recognizes that there may be ways to improve the system. We have and will continue to develop sound practices and processes that balance these interests.

## **Conclusion**

The site plan process appears effective in its intent and purpose but could and should be reviewed for opportunities to improve. Staff will continue to strive for a more efficient and timely process as well as work to insure quality design for the community.