

**PLANNING COMMISSION REPORT**  
**Regular Agenda – Public Hearing Item**

PC Staff Report  
5/21/12

**ITEM NO. 2 SPECIAL USE PERMIT FOR A PARKING LOT EXPANSION FOR BISHOP SEABURY; 4120 CLINTON PARKWAY (SLD)**

**SUP-3-2-12:** Consider a Special Use Permit for a parking lot expansion for Bishop Seabury Academy, located at 4120 Clinton Parkway, for an extended parking lot and a 3,200 SF building addition. Submitted by Landplan Engineering, for Bishop Seabury Academy, property owner of record.

**STAFF RECOMMENDATION:** Planning Staff recommends approval of a revised Special Use Permit for an expanded parking lot and 3,200 SF building addition for Bishop Seabury located at 4120 Clinton Parkway and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions to be completed prior to the release of the site plan associated with the SUP for building permits:

1. Submission and approval of a local floodplain development permit prior to release of the Special Use Permit for issuance of a building permit.
2. Submission and approval of a photometric plan for the new parking lot.
3. Execution of a use of right-of-way agreement for the Clinton Parkway frontage road.

**Applicant's Reason for Request:** *Provide additional parking for the school based on the traffic and parking along the frontage road. This shall help keep overflow parking from parking on the existing frontage road. Site modification includes a 3,200 SF addition to the rear of the building to accommodate lockers and a "safe room".*

**OTHER ACTION REQUIRED**

- Publication of the Special Use Permit ordinance.

**PLANS AND STUDIES REQUIRED**

- *Traffic Study* – Not required for project.
- *Downstream Sanitary Sewer Analysis* – Not required for project.
- *Commercial Design Guidelines* – Not applicable to project.
- *Drainage Study* – Not required for project.
- *Retail Market Study* – Not applicable to project.
- *Alternative Compliance* – None proposed.

**KEY POINTS**

- Existing school facility.
- Ability to acquire additional land for off-street parking limited by development pattern.
- Total of 18 classrooms with average classroom size 20 student.
- Estimated enrollment 360 students.

**FACTORS TO CONSIDER**

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#### CHARACTER OF THE AREA

- Existing developed neighborhood bounded by major arterial street.

#### PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Calls from various individuals requesting status of review of project.

#### ATTACHMENTS

1. Area Map
2. Site Plan

#### GENERAL INFORMATION

|                                  |  |
|----------------------------------|--|
| Legal Description:               | Lot 1, Block 1, Racquet Club Subdivision   |
| Current Zoning and Land Use:     | RM12 (Multi-Dwelling Residential) and FP (Floodplain Overlay) District; existing junior and senior high school campus.   |
| Surrounding Zoning and Land Use: | RS7 (Single-dwelling Residential) and PRD-[Wimbledon Terraces] to the north and west; existing residential development.<br><br>RM12 (Multi-Dwelling Residential) to the east; existing apartment development.<br><br>RSO (Single-Dwelling Residential and Office) to the south; undeveloped. |

#### ASSOCIATED CASES

- SP-07-49-02; original approval for Bishop Seabury Academy relocation to this site.
- SUP-9-9-07; for 7,043 SF building addition.
- SP-05-22-09: Site plan for development of a multi-use athletic field.
- SP-11-60-10; portable classroom addition
- FP-6-8-09; grading changes for athletic field.
- FP-3-2-11; Floodplain Development Permit for portable classrooms.

#### Summary of Request

This request is primarily for the development of an expanded parking lot to serve an existing private school. The proposed improvements extend the parking lot and circulation into the existing Clinton Parkway frontage road. A related variance request was approved to reduce the parking lot setback to 0' (B-4-8-12; BZA May 3, 2012). This segment of the frontage road serves only this property, but includes a 24" water transmission line that is not proposed to be relocated. A separate consideration by the City Commission, related to this request, will be the use of right-of-way for the parking lot and to designate the frontage road as one-way, eastbound to the "driveway entrance" on the east side of this property. A small building addition is also proposed on the northeast corner of the building.

Schools are allowed uses in the RM12 District subject to a Special Use Permit. The 2009 and 2010 improvements were Standard Development Projects and did not require a full public hearing. The proposed request for the expanded parking and revised vehicular circulation is a Significant Development Project and subject to compliance with the Development Code. As such, a revised Special Use Permit is required for this project. The building addition has been included to facilitate the planned site improvements for this calendar year.

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**Review and Decision-Making Criteria (Land Development Code Section 20-1306(i))**

**1. WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE**

Applicant's Response: *Yes, this proposed use and development will match the need for additional parking.*

- A variance was approved by the Board of Zoning Appeals to allow a reduced parking lot setback for this site.
- The building addition is partially located in the regulatory floodplain. A separate Floodplain Development Permit is needed for this project.
- This proposed development modifies the existing parking lot and creates a one-way circulation on-site and uses the public frontage road as part of that circulation.

**Staff Finding** – The existing use is allowed in this RM District subject to a Special Use Permit. The project, as conditioned, complies with the Development Code.

**2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS**

Applicant's Response: *Yes, this proposed use in terms of scale and site design fit the use of the school. This additional parking will help the overall all area from a traffic issue.*

This area is developed with a variety of residential uses to the north, east and west and developing residential and planned commercial uses to the south. This request does not modify building improvements on this site with the exception of the 3,200 SF addition on the northeast side of the main building. The main purpose of this proposed request seeks to expand the parking lot serving the existing school. The use of the existing frontage road provides an opportunity to accommodate needed parking and circulation in a manner that does not impact adjacent properties. Modifications to the site and vehicular circulation are limited to the subject property.

**Staff Finding** – The proposed parking lot improvements do not alter the existing compatibility of the use with the surrounding area but do modify the vehicular circulation. The proposed building addition is minor compared to the existing site improvements and will not alter the operating characteristics of the site.

**3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED**

Applicant's Response: *No this lot will not change the surrounding property value of residential uses. This development will provide a useful service to the surrounding property.*

The proposed request will result in an improved parking lot for the facility. It will reduce the parking on the existing frontage road and provide appropriate landscape along the Clinton Parkway Corridor. These improvements will visually benefit the surrounding properties. Screening along the north property line provides a buffer between the subject property and the adjacent residential properties to the north.

**Staff Finding** – Substantial diminution of other property values in the area is not anticipated.

**4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTILITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT**

This site is currently served by public utilities. The proposed parking lot is designed to preserve an existing transmission waterline along the frontage road. The north portion of the parking lot includes a wider access aisle to accommodate fire apparatus if needed for this use.

**Staff Finding** – Adequate public facilities and transportation access is accommodated for this development.

**5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED**

The proposed project includes improvements that encroach into the public right-of-way. This encroachment requires the execution of a right-of-way agreement separate from this SUP between the City and the property owner. The site plan that accompanies this Special Use Permit request will function as the enforcement tool related to the physical site improvements. The right-of-way agreement should address the use and maintenance of improvements in the right-of-way.

**Staff Finding** – Adequate assurances of continued maintenance are inherent in the use and the Special Use Permit approval process and an executed right-of-way agreement.

**6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT**

Applicant's Response: *There will be no impacts to the natural environment.*

The proposed improvements are located within the existing urban area. The property is encumbered by floodplain subject to the local floodplain regulations. The parking lot improvements are not within that encumbrance. However a portion of the 3,200 building addition is located within the floodplain. A local floodplain development permit is required for this property and is reflected as a condition of approval.

**Staff Finding** – The proposed development includes regulatory controls to protect the significant natural feature, floodplain, of this site.

**7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO, WHAT THAT TIME PERIOD SHOULD BE**

This Special Use Permit is required to accommodate a specific use and related improvements in this district. The intention of the development and purpose of the base zoning district is to accommodate a growing private education facility. The school has been located at this location since 2002.

**Staff Finding** – Staff does not recommend a time limit on the Special Use Permit.

**STAFF REVIEW**

The focus of this review is on the proposed parking lot changes. The small building addition has been included to address an immediate need and construction timing for the site.

**A. Site Summary**

| Site Summary                    | Existing   | Proposed  |
|---------------------------------|--|---|
| Total Area:                     | 350,720  | 350,720   |
| Building: (SF)                  | 44,074 (permanent structures)<br>4,200 (temporary classrooms)<br>48,274 total building | 48,274 total building<br>3,200 (addition)<br>51,474 total |
| Impervious Cover: (SF)          | 147,376<br>42.02 %   | 164,399<br>46.87 %  |
| Pervious Cover: (SF)<br>percent | 203,344<br>57.97 %   | 186,321<br>53.12 %  |

**B. Access and Parking**

***On-site Parking:***

This property is the location of Bishop Seabury Academy, a private education facility serving grades 6-12. The recent addition of mobile classroom space result in a total of 18 classrooms to the campus.

| <b>PARKING SUMMARY</b>                 |  |                        |                        |
|--|--|------------------------|------------------------|
| <i>Use</i>                             | <i>Parking Requirements</i>  | <i>Spaces Required</i> | <i>Spaces Provided</i> |
| School; K-grade 9<br>School; grade 10+ | 1 space per /faculty<br>1 space per 1.5 teachers/staff +<br>1 space per 3 students |                        |                        |
| Total teachers/staff                   | 26 faculty   | 26                     |                        |
| Grade 10 +                             | 70 students  | 24                     |                        |
| Total Student                          | 360 students   |                        |                        |
| Total                                  |  | 50                     | 108                    |

The improvements increase the amount of onsite parking for the school from 58 existing spaces to a total of 108 spaces. The Development Code requires the school to have 50 spaces based upon faculty and high school student enrollment ratios. The school has more parking than the code requires, but in reality it has proven to be inadequate to meet the current demand. The additional 50 spaces created with this improvement will reduce parking congestion on the frontage road, improve circulation in the parking lot, and improve emergency service vehicle access and circulation within the property.

**C. Design Standards**

This project is not subject to subject to design guidelines.

**D. Landscaping and Screening**

*Street Trees:* Existing trees are located on the public right-of-way. This project includes the addition of shrubs along the curb line to provide additional screening of the parking lot.

*Interior Landscaping:* Improvement to the site will alter the parking lot. Interior parking lot landscaping is required to be upgraded. This project exceeds the minimum required interior landscaping established by the Development Code.

- 6,480 SF greenspace required.
- 7,535 SF greenspace provided.

*Perimeter:* The parking lot will be screened with a row of shrubs. This landscape is located in the public right-of-way. It should be noted that it is the property owner's responsibility to maintain this screening. A use of right-of-way agreement is recommended for this project since improvements extend to the public right-of-way. Maintenance responsibility can be included in the agreement. This agreement would be executed between the applicant and the City of Lawrence and included as a City Commission item for their consideration concurrently with this Special Use Permit.

*Bufferyard:* Portable classrooms were recently located on the west side of the existing improvements. The zoning to the south is RM15. The zoning to the north of the site is PRD. Both of these districts are zoned and developed with multi-dwelling buildings. Although buffering is not required it is accommodated through existing vegetation along the north and south property lines.

A modified bufferyard for the portion of the site to the northeast that abuts single-residential zoning was provided as part of the athletic field improvements in 2009. The area is encumbered by floodplain thus alternative compliance was approved for that portion of the site. No changes to the north property line buffering are proposed with this project.

*Alternative Compliance:* Alternative compliance is not requested with this application.

*Mechanical Equipment:* Any mechanical equipment associated with the addition shall be screened per the Development Code. The plan provides an appropriate note referencing the minimum standard for screening.

#### **E. Lighting**

A photometric plan is required for this site and is reflected as a condition of approval.

#### **F. Floodplain**

This property is partially located within the regulatory floodplain and is subject to approval of a local Floodplain Development Permit (FP). The Development Code requirement for non-residential development limits the maximum impervious surface coverage to not more than 60% within the Floodplain Overlay District per section 20-1204 (3)(1)(b). Article 6 limits the maximum impervious surface of lot coverage for the RM12 District to not more than 75% of the total lot. The site development proposes 46.87% impervious surface cover for the total site. The local Floodplain Development Permit is an administrative review item and does not require action by the Planning Commission.

#### **CONCLUSION**

The focus of this review is on the expanded parking lot. The building addition was added to this request to accommodate the summer construction schedule. The site provides adequate access for emergency apparatus. A local floodplain development permit is required prior to issuance of a building permit for this site. To facilitate this project a separate agreement for the use of the frontage road right-of-way is also needed.