

**PLANNING COMMISSION REPORT
REGULAR AGENDA — PUBLIC HEARING ITEM**

PC Staff Report
9/21/15

ITEM NO 1: SPECIAL USE PERMIT FOR ROCK CHALK PARK; 6100 ROCK CHALK DR (MKM)

SUP-15-00334: Consider a Special Use Permit for an *Active Recreation* use, an indoor/outdoor KU Tennis Facility, at Rock Chalk Park, located at 6100 Rock Chalk Drive (associated with 100 Rock Chalk Lane). Submitted by Paul Werner Architects, for RCP LLC (City of Lawrence equitable owner, IRB), property owner of record.

STAFF RECOMMENDATION:

Staff recommends approval of the Special Use Permit for the additional *Active Recreation* use at Rock Chalk Park subject to the following conditions:

1. Provision of an executed Site Plan Performance Agreement.
2. Dedication of utility easement by separate instrument for the sanitary sewer main.
3. Provision of a revised plan with the following changes:
 - a. Addition of the following note: *"The KU tennis court lights shall be shut off no later than 10:30 PM Sunday through Thursday and no later than 11:00 PM on Friday and Saturday nights; unless there is a tournament that runs past that time."*
 - b. The plan should note the type of screening to be used for the trash receptacles/dumpsters and mechanical equipment.
 - c. Revised water and sanitary sewer lines per the City Utility Department's approval.
 - d. Show and label the 20 ft Landscape Easement on the south side of Rock Chalk Drive right-of-way.
 - e. Show the easement for the sanitary sewer main and note the Recording Information (Book and Page Number).

Applicant's Reason for Request:

"To add University of Kansas tennis facilities."

FACTORS TO CONSIDER

- Procedural requirements of Section 20-1306; Special Use Permits
- Conditions applied to the Special Use Permit with Ordinance No. 8833
- The tennis facility was reflected conceptually with the approval of the initial Special Use Permit, SUP-12-00225.

ATTACHMENTS

Attachment A: Special Use Permit Plan
Attachment B: Parking Study

ASSOCIATED CASE

SUP-12-00225: Special Use Permit for Rock Chalk Park, approved by the City Commission on January 15, 2013 with adoption of Ordinance No. 8833.

OTHER ACTION REQUIRED

- City Commission approval of Special Use Permit and publication of ordinance in newspaper.
- Submittal and approval of building plans prior to release of building permits for development.

- A stormwater pollution prevention plan (SWP3) must be provided and approved prior to any construction activity occurring on site.

PLANS AND STUDIES REQUIRED

- *Downstream Sanitary Sewer Analysis* – Facilities proposed with this project were included in the area considered in the November 14, 2012 DSSA provided by Landplan Engineering that was reviewed and accepted for the Rock Chalk Park project to satisfy the criteria required for the downstream sanitary sewer analysis as outlined in Administrative Policy 76.
- *Drainage Study* – Drainage Study provided with the original Special use Permit, SUP-12-00225 included the tennis courts.
- *Traffic Impact Study* – The Traffic Impact Study accepted with the original Special Use Permit, SUP-12-00225 included the tennis courts.

PUBLIC COMMENT

Property owners to the east expressed concern with the additional sports lighting and requested that the courts be lit only when they are in use and that the courts have the same operating hours as the tennis courts at the City Recreation Center.

GENERAL INFORMATION

Current Zoning and Land Use: GPI (General Public and Institutional Use) District; Rock Chalk Park, *General Entertainment and Spectator Sports, Active Recreation, Passive Recreation*.

Surrounding Zoning and Land Use: To the north and east:
OS-FP (Open Space with Floodplain Management Regulations Overlay) and GPI (General Public and Institutional Use) Districts; City parkland with Sports Pavilion Lawrence, *Participant Sports and Recreation and Open Space*.

To the east:
RM12-PD (Multi-Dwelling Residential with a Planned Development Overlay) District; *Agriculture* and wooded open space, development plans for Multi-Dwelling development with accessory golf course have preliminary approval.

To the south:
CC600 (Community Commercial) District; *Crop Agriculture*, development plans for commercial development as part of the Mercato development have preliminary approval.

To the west:
OS-FP (Open Space with Floodplain Management Regulations Overlay) District, City parkland, *Open Space*; A (County-Agricultural) District; K10 right-of-way, and A-1 (County-Suburban Home) District; platted rural residential subdivision west of K-10.

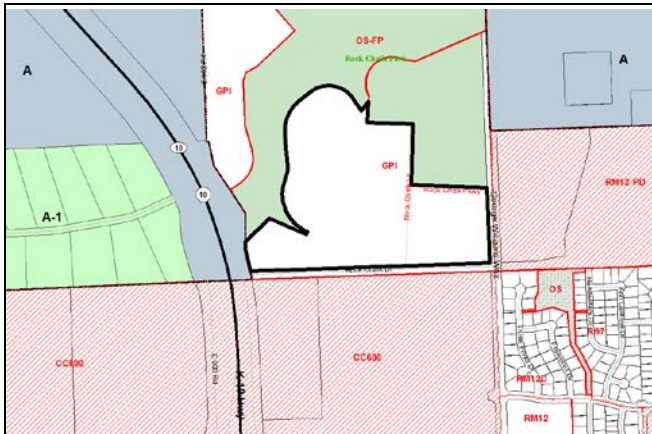


Figure 1a. Zoning of area. Areas with black labels represent zoning districts in the unincorporated area of the county. (Subject property outlined.)



Figure 1b. Land use in area. Green-shaded area is City parkland. (Approximate location of tennis facility marked with a star.)

SITE SUMMARY	Existing	Proposed	Change
Land Use:	<i>Entertainment and Spectator Sports, General; Active Recreation; Passive Recreation</i>	<i>Active Recreation</i>	---
Land Area:	2,480,943 sq ft (56.96 acres)	2,480,943 sq ft (56.96 acres)	---
Building Area:	77,937 sq ft	136,794 sq ft	+58,857 sq ft
Pavement Area:	594,375 sq ft	645,839 sq ft	+51,464 sq ft
Impervious Area:	672,312 sq ft	782,247 sq ft (%)	+ 109,935 sq ft
Pervious Area:	1,808,631 sq ft	1,698,696 sq ft	- 109,935 sq ft

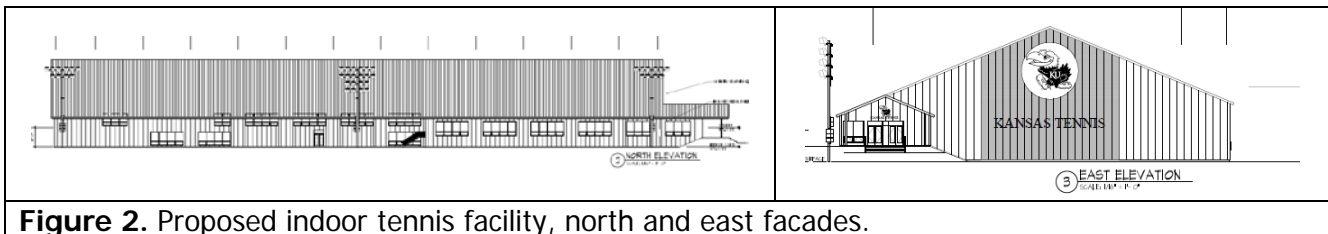
SUMMARY OF SPECIAL USE

Development on properties in the GPI Zoning District that are over 10 acres must be master-planned with an Institutional Development Plan. The SUP approved for this development in 2012, SUP-12-00225 serves as the Institutional Development Plan for the development of a sport/recreation/entertainment facility at this site.

One of the conditions of the Institutional Development Plan SUP is that development proposals for the 'future uses' shown on the plan requires the submittal of a Special Use Permit plan and a public hearing before the Planning Commission. The subject site plan was submitted for the KU Tennis indoor/outdoor tennis courts which were shown on the Institutional Development Plan SUP as 'future uses'.

The site plan being considered by the Planning Commission reflects the locations of the primary structure, outdoor courts and lighting. The tennis facility is located in the area shown on the original SUP as future tennis courts.

A 77,937 sq ft structure housing 6 indoor tennis courts and an elevated gallery viewing area will be constructed adjacent to and south of the access drive south of the soccer field parking lot. The structure will be approximately 51 ft in height. (Figure 2) The tennis courts will be to the south of the building.



SITE PLAN REVIEW

Review and Decision-Making Criteria (20-1306(i))

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

The proposed use, *Active Recreation*, is classified in the Development Code as an *Active Recreation* use, which is an allowed use in the GPI (General Public and Institutional Use) District. Standards for the GPI District include parking requirements in Article 9, landscaping in Article 10, density and dimensional in Article 6, and standards specific to the GPI District in Section 20-1307.

Parking

Tennis courts are classified as *Active Recreation* uses. Off-street parking requirements for *Active Recreation* are calculated using Off-Street Parking Schedule D. Per Section 20-905(a) of the Development Code, upon receiving an application for a use subject to 'Schedule D' standards, the Planning Director shall apply the off-street parking standard specified for the listed use that is deemed the most similar to the proposed use or shall establish minimum off-street parking requirements based on a parking study provided by the applicant. Based on information provided by the applicant, the Planning Director established the following parking requirements for this use:

- One parking space per person per court (doubles)
4 people per court X 12 courts = 48 spaces
- Parking at a rate of 1 space per 500 sq ft of Common Area
12,000 sq ft Common Area/500 = 24 spaces
- Total parking required: 72 spaces.

All activities at Rock Chalk Park and Sports Pavilion Lawrence, the City recreation center, utilize shared parking. The parking table below includes parking requirements for all uses and the total parking provided:

PARKING SUMMARY

(revised figures based on the Tennis Facility are shown in red)

Use	Requirement	Required Parking
Lot 2-City		
Active Recreation	Per Schedule D, based on parking study provided by applicant.	Community Center Study projected 218 vehicles on typical day, 640 on tournament. 640 spaces

Passive Recreation	Per Schedule D, based on parking study provided by applicant.	Trails. Use would occur in conjunction with other uses, no additional parking required. 0 spaces
Lot 1-KU		
Entertainment and Spectator Sports (general)	1 space per 3 seats	2500 seats soccer 1000 seats softball <u>10,000 Track & field</u> 13,500 seats / 3 = 4,500 4,500 spaces
Training Areas accessory to the Spectator Sports	1 space per 500 sq ft of customer or activity area	Training areas: 28,000 sq ft training 14,000 sq indoor softball 42,000/500=84 84 spaces
Passive Recreation	Per Schedule D, based on parking study provided by applicant.	Trails. Use would occur in conjunction with other uses, no additional parking required. 0 spaces
Active Recreation Indoor/Outdoor Tennis	Per Schedule D, Planning Director established the following minimum requirement: 1 per maximum players on courts (4) PLUS 1 per 500 sq ft of customer or activity area	12 courts=48 12,000 sq ft / 500 = 24 Total= 72 spaces 72 spaces
Total: 5,296 spaces*		
Provided: 1,454 paved/concrete spaces 700 unpaved overflow spaces 2,154 total spaces	30 ADA spaces	149 bike spaces
Table 1. Parking requirements, Section 20-902 Off-Street Parking Scheduled A.		

*While the parking requirement of 5,296 spaces noted in the parking table is based on the heaviest intensity of use at all facilities occurring simultaneously, it is understood that this will not be the case, and in most instances several of the facilities will be dormant while one or two of the facilities are in use. The parking study provided by the applicant notes the projected parking requirements for typical use scenarios in the following table:

Shared Parking—Projected Parking	
Typical Recreation Center Daily Usage + Soccer Event + Tennis	590 cars
Large Basketball Tournament + Reduced Recreation Center (20% Usage) + Soccer Event or Softball Event+ Tennis	1,054 cars
Large Volleyball Tournament + Reduced Recreation Center (20% usage) + Soccer Event or Softball Event + Tennis	1,054 cars
Parking Available Overall: 1,454 paved spaces, 700 unpaved overflow spaces, 2,154 total spaces	

Based on this information, adequate parking is provided on site for typical uses. Large Event Parking was addressed with the Institutional Development Plan SUP and will be accommodated with additional parking off-site through shuttle service.

LANDSCAPING:

Bufferyard on the south.

Alternative Compliance was approved with the Institutional Development Plan SUP to allow the stand of trees along the south property line to serve as the bufferyard. The plan notes that the existing landscaping is being retained to meet this bufferyard requirement and notes that additional trees may be planted within this bufferyard per the City Horticulture Manager's specifications if the vegetation is damaged. In addition to the street trees, an additional 23 evergreen trees (Norway Spruce, Green Giant Arborvitae, or White Pine) will be planted along the north side of Rock Chalk Drive to provide additional screening of the tennis court from the street.

Other

Trash receptacles and mechanical equipment must be screened per the requirements in Section 20-1006. The plan should show the location of the mechanical equipment, if known, with the screening proposed.

The GPI District standards in 20-1307 require that sidewalks be provided on both sides of the streets and that bicycle lanes or recreational paths shall be provided for sites that include public facilities such as recreation centers. A variance from the requirement that sidewalks be provided along both sides of streets was approved with the preliminary plat based in part on the fact that a shared use path would be installed on the north side. The shared use path on the north side of Rock Chalk Drive is shown on the plan.

The setbacks in the GPI District are 40 ft adjacent to street right-of-way or adjacent residential property and 15 ft adjacent to non-residential property. The plan observes these setbacks. The maximum height in the GPI District is 60 ft. The height of the indoor tennis facility is noted on the plan as 51 ft 1 in. The maximum impervious lot cover permitted in the GPI District is 75%. The impervious lot coverage for this property at 32.0% complies with this requirement.

Staff Finding – With the approved Alternative Compliance, and as conditioned, the site plan complies with the requirements set out in 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

The proposed development is located at the south boundary of the site, and is adjacent to the Rock Chalk Drive right-of-way on the south. (Figure 1) Property to the north has been developed with the KU soccer field, a part of the Rock Chalk Park. Property to the west is shown for future development of additional parking and a possible arena on the approved Institutional Development Plan SUP but is currently undeveloped. Property to the east is also within the development and has been developed with a grassy overflow parking area. Given the traffic generation expected with the tennis courts, paving the overflow parking area will not be required with this project but may be required when a more substantial project is submitted.

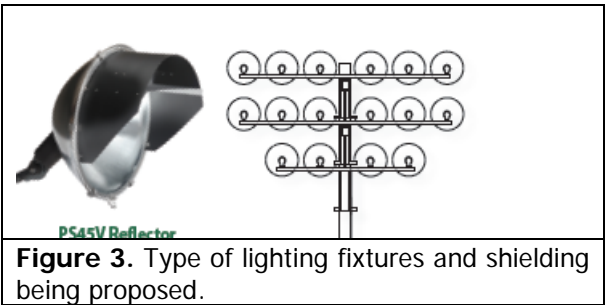
The property to the south, across Rock Chalk Drive, was rezoned from residential zoning districts to the CC600 Districts in 2014 and commercial development is anticipated. Property to the east of George Williams Way, adjacent to the overall development, is not developed at this time but a Final Development Plan and Final Plat have been submitted and are under review for *Multi-Dwelling Residential*.

Lighting

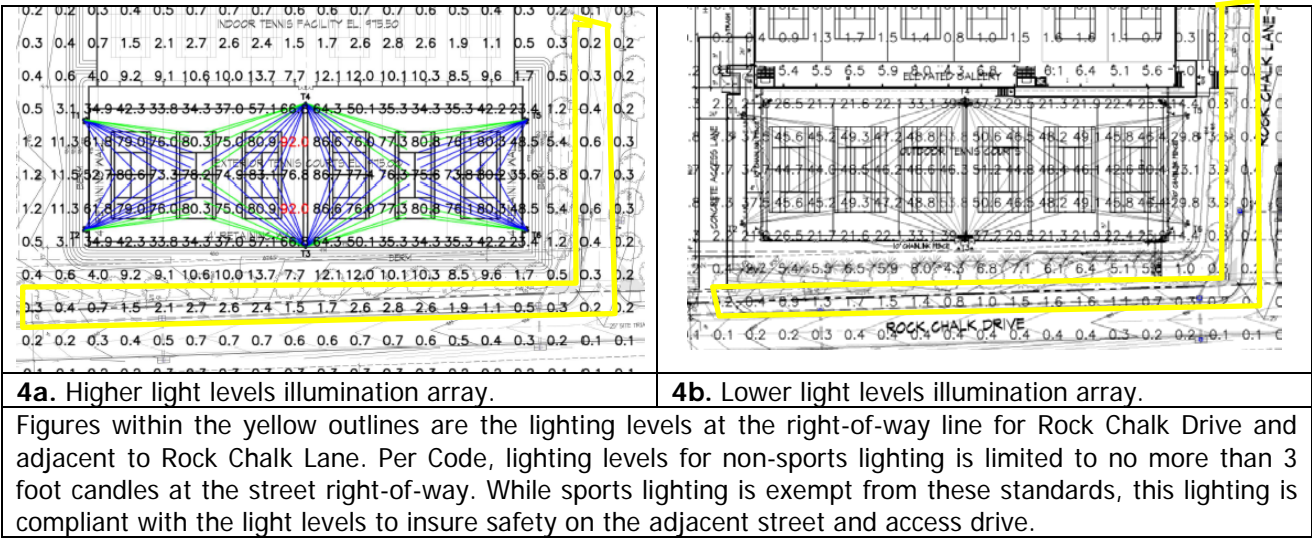
Section 20-1103(e) of the Development Code contains the following lighting standards for outdoor recreational uses:

- 1) Lights at outdoor recreation uses may not exceed a maximum permitted post height of 60 feet.
- 2) No flickering or flashing lights are permitted.
- 3) Lights may not be illuminated after 11:30 p.m.
- 4) As-built lighting and photometric plans are required.
- 5) Lighting shall be designed, to the maximum extent feasible, to minimize adverse impacts on traffic safety and nuisance impacts on R-zoned property. Mitigation can be required via extra landscaping, earlier shut-off times for the lights, cutoff fixtures (where feasible) and other techniques.

The outdoor recreation lighting will be installed on 50 ft posts. The light fixtures proposed for the tennis courts are similar to the lights used at the city's Sport Pavilion Lawrence courts. (Figure 3) The city courts have a shut-off time of 10:30 Sunday through Thursday and 11:00 PM on Friday and Saturday to minimize the impact on nearby residences. The KU Courts should have a similar time frame, with exceptions for tournaments that might run past these times.

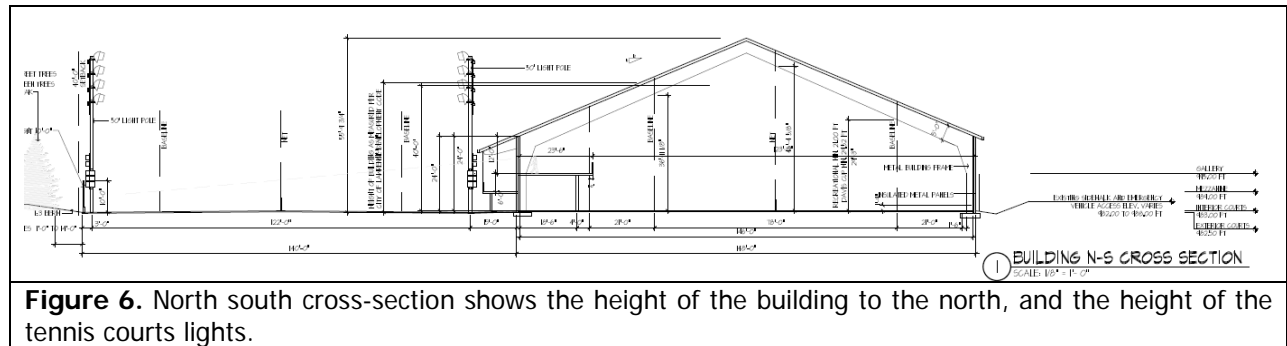
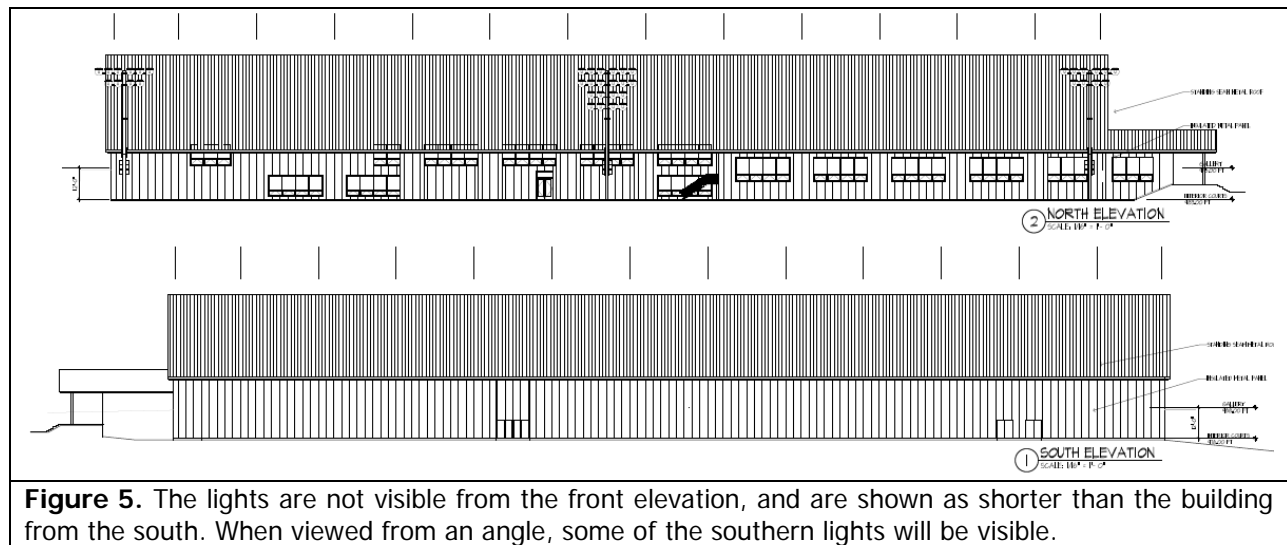


The tennis courts will have two levels of lighting with the lower level being used for typical events and the higher level being used when play is filmed or televised. The higher level of lighting will utilize all the light fixtures and will maintain an average lighting level of 75 footcandles on the courts. The lower level will utilize a portion of the light fixtures and will maintain an average lighting level of 46 footcandles on the courts. The point-by-point illumination arrays show the lighting levels at the property lines with both the higher and lower level of lighting. The light levels at the property lines do not exceed the 3 footcandles that is permitted by Code. (Figure 4)

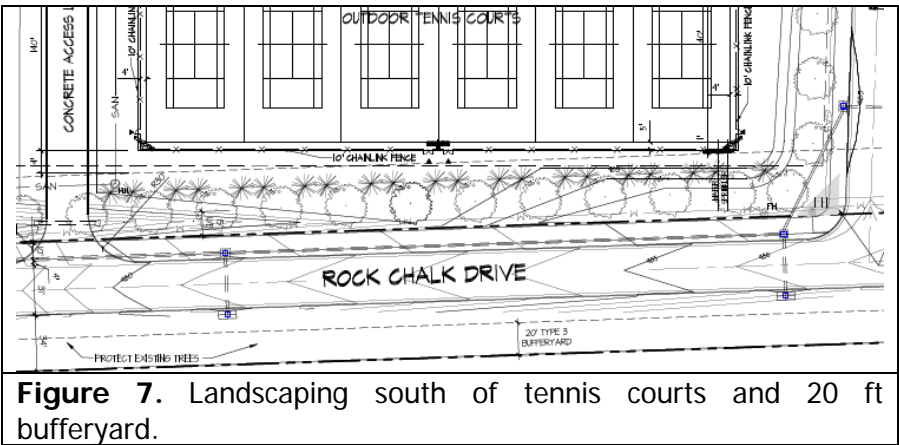


There are currently no buildings in the line of sight for the residences to the northeast/east, but the tennis facility will be approximately 51 ft high and will be located in the sightline. The facility should

block the view of some of the tennis court lights as they will be on 50 ft tall poles. (Figure 4) The residence to the northeast is at an elevation of approximately 960 while the tennis facilities will be built at approximately 980. Deciduous trees in the area are, for the most part, located in a ravine between the subject property and the residential property; however, the trees where the land is at an elevation of 950 to 960 should provide an effective buffer during the seasons when they are leafed out. The outdoor tennis courts will be south of the facility. The location of the indoor tennis facility in the sightline from the residence to the northeast should help reduce the visibility of the tennis court lights from the nearby residences. (Figures 5 and 6)



The property to the south of Rock Chalk Drive will be buffered from the lighting with the existing vegetation along Rock Chalk Drive. A 20 ft Landscape Easement was dedicated on the south side of the right-of-way for Rock Chalk Drive to facilitate the protection of as much of the vegetation as possible. This easement should be shown on the plan. In addition,



evergreen trees will be planted along the southern border of the outdoor tennis courts (Figure 4).

The Code limits sport lighting to no taller than 60 ft and recommends the following measures to mitigate the impact of sports lighting: extra landscaping, earlier shut-off times for the lights, cutoff fixtures (where feasible) and other techniques. The lighting fixtures used for the tennis courts will be the same type of fixtures used for the City tennis courts, will be installed on 50 ft tall posts, and will utilize shields to minimize glare. The facility is oriented so the building will shield much of the lighting from the nearby residence to the northeast. In addition, two levels of lighting will be used. The lower lighting will be used for standard play and the higher lighting when needed for televising or filming. The light levels at the right-of-way line with both levels of lighting comply with the standards set by Code for non-sport lighting.

The proposed project is compatible with uses in the nearby area.

Use Restriction

Per the conditions of the Institutional Development Plan SUP, sport activities may occur on the property at any time while non-sport related activities are required to obtain a Special Event Permit. This provides an opportunity for non-sport related activities to occur while the off-site impacts are evaluated on a case-by-case basis. Potential impacts of such events include high traffic volumes, lights, and noise.

Staff Finding – The tennis facility is located on the south side of the site adjacent to Rock Chalk Drive. Evergreen landscaping has been added to the south property line to provide additional screening from the street. The building will provide a barrier between the existing residences to the east and northeast and should minimize the visibility of the outdoor sport lighting. Limited operating hours placed will minimize negative impacts to nearby properties.

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

The proposed use was approved in context with the original SUP for Rock Chalk Park and Sport Pavilion Lawrence. With the measures recommended in the previous section to ensure compatibility with residential uses in the area, the proposed use should not cause a diminution in value of other property in the area.

Staff Finding – There is no evidence to support a finding that the proposed use would cause a diminution in value of other property in the area.

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

Utilities are available to serve the subject property. The City Utilities Department requested minor changes to the waterline and sanitary sewer lines. These are included as conditions of approval.

The Fire Code officials have discussed the proposed development with the applicant and have found the project to be acceptable. The property was included in the original Traffic Impact Study and no additional improvements to the transportation network are necessary to accommodate the proposed use.

Staff Finding – Safety, transportation and utility facilities are available to serve the subject property with the revisions noted in the conditions of approval.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

Staff Finding – The site plan will function as the enforcement document to assure that maintenance and use of the property is consistent with the approval. In addition, a recorded maintenance agreement outlines responsibilities for maintenance of the properties.

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

Per City Code Chapter IX Article 9-903(B), a Stormwater Pollution Prevention plan (SWP3) must be provided for this project prior to construction activity, including soil disturbance or removal of vegetation. This project will not be released for building permits until an approved SWP3 has been obtained.

Staff Finding – With the submittal of a Stormwater Pollution Prevention Plan, the proposed use should not cause significant adverse impacts on the natural environment.

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.

Time limits are established on Special Use Permits to permit a periodic review to determine if the use remains compliant with the area or if a rezoning would be appropriate. The proposed use is intended to provide ongoing sports, recreation, and entertainment opportunities for the community in conjunction with the remainder of Rock Chalk Park. It would not be appropriate to place a time limit on this Special Use Permit.

Staff Finding – The project provides ongoing sports, recreation, and entertainment opportunities for the community; therefore, it would not be appropriate to place a time limit on this Special Use Permit.

Conclusion

The proposed *Active Recreation* use, KU indoor/outdoor tennis facility, is compatible with, and appropriate for, this location and staff recommends approval of the Special Use Permit with the conditions noted.