PLANNING COMMISSION REPORT Regular Agenda –Public Hearing Item

PC Staff Report 1/25/16

ITEM NO. 1 CONDITIONAL USE PERMIT FOR CALCIO VILLAGE YOUTH SOCCER; E 1750 RD & N 1300 RD (MKM)

CUP-15-00613: Consider a Conditional Use Permit for Calcio Village, an *Athletic Field* complex for youth soccer on approximately 80 acres, located at the intersection of E 1750 Rd & N 1300 Rd. Submitted by Jambars Futbol Club Inc, on behalf of John Pendleton for Lorita H Pendleton, Trustee, property owner of record. *(Joint meeting with Eudora Planning Commission.)*

STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit for a youth soccer complex, an *Athletic Field* use, and forwarding it to the Board of County Commissioners with a recommendation for approval based upon the findings of fact in the body of the staff report subject to the following condition:

- 1. The Conditional Use shall be administratively reviewed every 5 years.
- 2. Provision of additional lighting information to insure the exterior lighting is designed to prevent off-site glare.
- 3. Provision of a revised CUP plan with the following changes:
 - a. Label the distance from the buildings to the existing E 1750 Rd right-of-way and the future right-of-way for the extension of N 1300 Rd to insure required setbacks are provided.
 - b. Clearly show the location of the chemical toilets.
 - c. Add 2 additional ADA accessible spaces in the large parking area for a total of 6 spaces.
 - d. Add the following general notes:
 - i. Chemical toilets will be used and potable water brought to the site for visitors use until a public water supply is available. Restrooms shall be installed in the training/concession building when the site is connected to public water.
 - ii. Significant improvements to the facility, following the construction of 31st Street, will require the addition of landscape screening along the north side of the parking areas.

Reason for Request: "CLYSC (Clinton Lake youth Sports Complex) is under 'exclusive' contract with Kaw Valley Soccer Association which includes a 'non-compete' clause for other potential soccer users of the city owned park. This in turn makes it next to impossible for our group and a number of others to utilize that complex. With the numbers of players, teams, and leagues growing n our community and no alternative, there is a shortage of field space and available time for other groups. Our organization requests to build a new soccer park on land located east of the intersection of E 1750 and N 1300 roads, southeast of the new K-10 interchange. The complex would serve our non-profit soccer club and numerous other groups, clubs, and schools in Douglas county who are in need of soccer specific training and game fields. This park would be in close proximity to the Lawrence Ski Club lake and the Twin Oaks Golf Complex and its use request is similar to 'Westwick', the KU Rugby club fields south of town.

There would be 5 soccer fields plus smaller training areas. A pit pond would be installed for irrigating the fields and there are plans to light one of the fields right away and the possibility of more in the future. Please see proposed site plan for other detailed information."

KEY POINTS

- The proposal is for Phase 1 of a youth sports soccer facility. A later phase may utilize the remainder of the 80 acre parcel.
- Plans for the extension/improvement of E 31st Street (N 1300 Road) include widening the road and relocating it to the south. The plan notes the proposed location and right-of-way width for the new road and the facility has been designed to accommodate it.

ATTACHMENT

• A --CUP Plans

OTHER ACTION REQUIRED

- Approval of the Conditional Use by the Board of County Commissioners.
- Applicant shall obtain a permit for the Conditional Use from the Zoning and Codes Office prior to commencing the use.
- Applicant shall obtain building permits from the Zoning and Codes Office prior to construction of the structures.

PUBLIC COMMENT

• No public comment was received prior to printing this report.

GENERAL INFORMATION

Current Zoning and Land Use:

A (Agricultural), V-C (Valley Channel), and F-F (Floodway Fringe Overlay) Districts; Agriculture.

(Figure 1)

- Surrounding Zoning and Land Use: To the west: A (Agricultural) and F-F (Floodway Fringe Overlay) Districts; Agriculture and K10 Highway. Further to the west is an area designed as future City parkland and a parcel which has been annexed into the City of Lawrence and developed with a sanitary sewer pump station. This property is zoned GPI (City-General Public and Institutional Use).
 - To the north and south: A (Agricultural), V-C (Valley Channel), and F-F (Floodway Fringe Overlay) Districts; Agriculture throughout and the Wakarusa River Corridor to the south. Parcel zoned I-2 (Light Industrial) District to the northwest has been developed as KDOT right-ofway.
 - To the east: V-C (Valley Channel), F-F and F-W (Floodway Fringe and Floodway Overlay) Districts; Agriculture and the Wakarusa River Corridor. A recreational use, a ski lake is located to the northeast near K10 Highway.

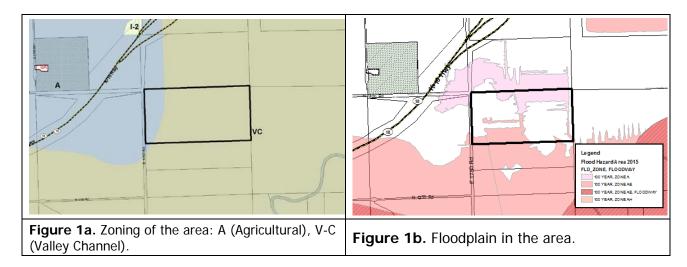




Figure 1c. Land Use in the area.

Summary of Request

Jambars Futbol Inc. is a non-profit organization that is working with the owner of the subject property to develop a youth soccer complex. The applicant indicated that it is difficult to schedule training at the City Youth Soccer Complex. The City Parks and Recreation Department indicated that their agreement with Sporting Kaw Valley is not exclusive but they do have first scheduling rights, which can result in fairly limited space for other users during the spring and fall.

The complex would have 5 full-sized playing fields along with 4 skill training areas and a 180 ft x 120 ft sand court for specialized training. Two structures will be constructed on the site, a 60 ft x 100 ft storage building and a 60 ft x 100 ft concession building for offices and staff/group

meetings. The offices will be used only when the facility is in use and a maximum of 3 staff members will be on site. Restrooms are planned in this building when rural water is available and chemical toilets will be used until then. A parking area with 20 parking spaces is located to the north of the storage building and a larger parking area, with 200 parking spaces, is located to the east of the concession/meeting building. The access drive and parking areas will be surfaced with recycled asphalt and gravel. A grassed overflow parking area with a capacity of 74 vehicles is located to the east of the parking area.

This will be primarily a training facility with adults playing on weekends and children during the week. A local school will use the facility for their matches, approximately 18 games per year. As this is primarily a training facility, few spectators are expected and the school will use busses for their athletes.

The proposed use is permitted when approved with a Conditional Use Permit, as noted below:

12-319-4.02 Athletic field or Baseball Field

The proposed use has been reviewed with the following criteria provided in Section 12-319-1.02 of the Zoning Regulations:

I. ZONING AND USES OF PROPERTY NEARBY

Nearby property is zoned A (Agricultural), V-C (Valley Channel), and FF (Floodway Fringe Overlay) Districts and is used primarily for *Agriculture*. Other sports/recreation uses (a lake which is used by a ski club and a driving range/chip and putt golf course) are located in V-C District to the east. An approximately 40 acre parcel to the west is designated as a future City park. A one-acre parcel in this park area was annexed into the City of Lawrence through an island annexation, rezoned to GPI (General Public and Institutional Uses) District and developed with a City sanitary sewer pump station. (Figure 1c)

Staff Finding –Surrounding land uses are predominantly agricultural in nature. There are recreational uses to the northeast (ski lake and driving range/golf course) as well as future City park and a City utility to the northwest. The Wakarusa River Corridor and associated floodplain is located in the southern portion of the area.

II. CHARACTER OF THE AREA

The area is bounded on the north by the K10 Highway and on the south by the Wakarusa River Corridor and floodplain. The recently constructed K10 bypass crosses through the area from the west and connects to K10 Highway to the north of the subject property. Agriculture is the predominate land use, and there are 2 existing sports/recreation uses in the area: a ski lake and the Eudora driving range/putt and chip golf course located adjacent to K10 Highway. The proposed recreational use would be compatible with the character of the area.

Staff Finding – The area is rural in character with agriculture being the predominate land use. The area also contains other sports/recreational facilities: ski lake and driving range/golf course. The K10 bypass was recently constructed through the area to connect with K10 Highway to the north. The proposed recreational use would be compatible with the character of the area.

III. SUITABILITY OF SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

Applicant's Response:

"The property is currently used for agricultural purpose which it is most suited. This is in part why it is perfect for this proposed use and development."

The subject property is zoned A (Agricultural) and V-C (Valley Channel) Districts. Section 12-306 of the County Zoning Regulations provides the following information on the A District:

"...the purpose of this district is to provide for a full range of agricultural activities, including processing and sale of agricultural products raised on the premises, and at the same time, to offer protection to agricultural land from the depreciating effect of objectionable, hazardous and unsightly uses."

The A District is associated with a majority of the unincorporated portion of Douglas County. Uses allowed in the A District include: farms, truck gardens, orchards, or nurseries for the growing or propagation of plants, trees and shrubs in addition other types of open land uses. It also includes residential detached dwellings, churches, hospitals and clinics for large and small animals, commercial dog kennels, and rural home occupations.

Section 12-314-1 notes the purpose of the V-C Channel District as:

"to prevent, in those areas subject to periodic or potential flooding, such development as would result in a hazard to health or safety, and to insure the general public will not be forced to expend exorbitant funds to remedy flood problems."

Uses allowed in the V-C District include: farms, truck gardens, orchard, nurseries, as well as grazing, hunting and fishing, recreational facilities (provided such structures conform to the requirements of Section 12-314-2 and 12-319), preserves, and accessory uses.

In addition, uses enumerated in Section 12-319 which are not listed as permitted uses in the A or V-C Districts, may be permitted when approved as Conditional Uses. The property has very little grade change and a portion is encumbered with floodplain. The property is well suited for agricultural uses permitted within the A and V-C Districts and is also well suited for the proposed *Athletic Field* use.

Staff Finding – The property is suitable for agricultural uses which are permitted within the A (Agricultural) and V-C (Valley Channel) Districts. The property is also suitable for the proposed *Athletic Fields* use, when approved as a Conditional Use.

IV. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED

Staff Finding – The property has been in agricultural production since the adoption of the 1966 Zoning Regulations.

V. EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

Applicant's Response:

"There will be an increase in traffic at select times of the day within the area of E 1750 and N 1300 relative to the amount of current traffic at that intersection. Additionally, the field lights might also cause effect to nearby property."

Section 12-319-1.01 of the County Zoning Regulations recognize that "certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a district...when found to be in the interest of the public health, safety, morals

and general welfare of the community may be permitted, except as otherwise specified in any district from which they are prohibited." The proposed use is included in the Conditional Uses enumerated in Section 12-319-4 of the Zoning Regulations for the Unincorporated Territory of Douglas County as *Public Utility*.

Impacts from this type of use are usually associated with traffic, crowd noise or activity, and lighting. The surrounding properties are in agricultural use and there are no residential uses in the nearby area so the activity/noise on the site should have no negative impacts.

The northwest field will be lighted with LED lights on 70 ft poles and additional fields may be lighted in the future. The lights will be directed away from the road; however, additional lighting information should be provided to insure glare to the roadway is prevented.

The applicant noted that there will be increased traffic in the area due to the facility and provided traffic information to the County Engineer. The County Engineer indicated that no improvements were needed to N 1300 or E 1750 Roads to accommodate the anticipated additional traffic. He noted that both roads were currently substandard due to the construction of the K10 bypass but that KDOT's contractor will restore both roads to their original condition with the completion of the bypass. A maximum of 88 trips are expected for the peak evening hour. The traffic information provided by the applicant indicates that approximately 15% of the traffic will come from the east/south via K10 or 1900 Road, 35% will come from the north via Noria Road, and 50% from the west along the SLT, Haskell Avenue and N 1300 Road. The various routes to the facility from different destination points will reduce the traffic impact on residences in the area. (Figures 2 and 3)

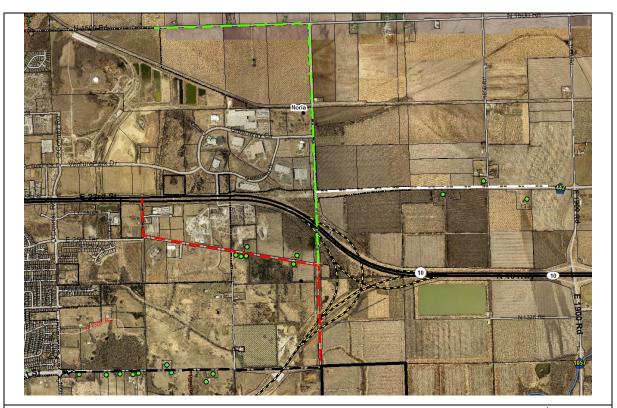


Figure 2. Potential routes to the site. Black dashed line at bottom, is extension of 31^{st} Street/N 1300 Rd. Red dashed line in center is extension of E 25^{th} Street to Noria Road. Green, is extension of 15^{th} Street to Noria Rd, white is County Route 442/N 1400 Rd for traffic from the east.

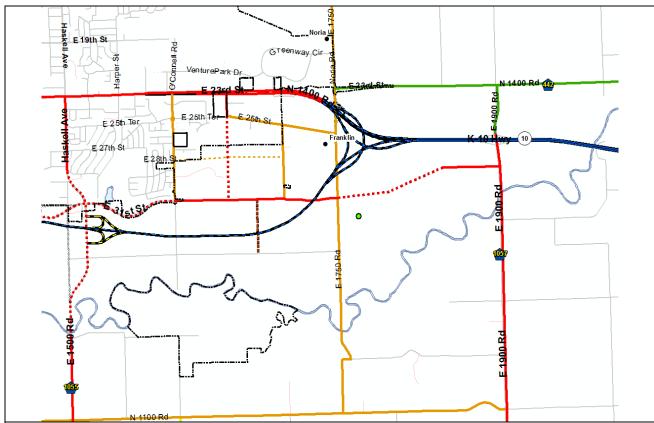


Figure 3. Potential routes current designation in the DG County Access Management Map: 31st Street/ N 1300 Road, Principal Arterial (chip and seal), Noria Road (E 1750 Road) Major Collector (asphalt), County Route442/N 1400 Road, Minor Arterial (asphalt)

Staff Finding – Due to the agricultural nature of the nearby properties, the activity on the site should have no negative impact. The County Engineer indicated that the expected traffic for the facility can be accommodated without any road improvements. Additional lighting information shall be provided before the item is considered by the County Commission to insure that the exterior lighting will be designed to prevent glare to the adjacent road or adjacent properties.

VI. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE PETITIONER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNERS

Applicant's Response:

"Should this property be denied this use it would cause a huge step back in the development of alternate facilities for this use in our community. The property has been long searched and vetted for this use and development. There is no relative gain to denying this application."

Approval of this request would accommodate the development of a rural soccer complex in close proximity to both Lawrence and Eudora. The applicant noted that there was a large demand for a soccer facility in the area. While this phase of the project is focusing on training activities, the facility may be expanded in the next phase to expand the training facility and perhaps include tournaments and matches. This expanded phase would be dependent on the transportation

Item No. 1-8

network in the area to insure it is suited to the traffic demand. Increasing the outdoor recreation areas in Douglas County would directly benefit the public health by increasing opportunities for exercise and outdoor activity.

No benefit would be afforded to the public health, safety, or welfare by the denial of the request as no negative impacts are anticipated with the facility. Denial of the request would require the applicant to find another similar sized property in close proximity to the population areas and the major transportation network.

Staff Finding – In staff's opinion, there would be no gain to the public health, safety, and welfare by the denial of the request. Approval of the request would increase availability of sports/recreational facilities in Lawrence and Douglas County.

VII. CONFORMANCE WITH THE COMPREHENSIVE PLAN

Applicant's Response:

"We feel out project's location and vision complies 100% with the Horizon 2020 comprehensive Plan and have attached Chapter 9, which provides recommendations for park, open space, and recreation."

The Comprehensive Plan provides the following recommendations regarding recreation in Douglas County:

This Comprehensive Plan also recommends the continued improvement and development of active recreational facilities at school sites and other Douglas County and Township locations. (Page 9-6, Horizon 2020)

Facilitate the development of new park, recreation, and open space areas and facilities as necessary to stay ahead of anticipated growth and to meet community demand or as unique opportunities arise to do so. (Policy 3.1(b), Page 9-16 Horizon 2020)

Encourage open space uses in the community's privately or publicly owned floodplains and drainageways.

The CUP request is compliant with these recommendations in that it proposes the development of an active recreational facility to meet community demand. In addition the facility consists primarily of open space uses in the form of athletic fields and landscaping in an area that is encumbered with regulatory floodplain.

Staff Finding –The proposed recreation use is in compliance with recommendations in the Comprehensive plan regarding development of active recreational facilities to meet community demand as well as recommendations encouraging open space uses in the floodplains.

CUP PLAN REVIEW

The development area for the facility contains approximately 27 acres in area and includes the following:

- 5 soccer fields. (360 ft x 225 ft / 81,000 sq ft)
- 4 smaller training areas (94 ft x 50 ft / 4,700 sq ft)
- 1 smaller sand field for specialized traing (180 ft x 120 ft / 21,600 sq ft)

- Two structures, both 60 ft x 100 ft (6,000 sq ft x 2 / 12,000 sq ft). One will be a storage building and the other a training/meeting building with plans for a future concession area. Restrooms will be installed when a public water supply is available.
- Gravel/recycled asphalt access drive and parking area
- The plan notes that 15 portapotties (chemical toilets) will be located on site and the Health Department has approved the use. These are shown located west of the large parking lot and between the 2 southeastern fields. The plan should be revised to show the location of the portapotties more clearly.
- An access drive will circle the facility and two access points will be provided on to E 1750 Road to allow ingress/egress without congestion. The plan notes that the access drive will be 25 ft wide. The plan should also note the typical width of the access drives and entry points into the parking areas as a minimum of 24 ft wide.

Height, Area, and Density Standards: The setbacks required in the A District are dependent upon the nature of the adjacent road as noted below:

- The setback for E 1750 Road, a Major Collector Road, is 100 ft (Section 12-318) and is measured 40 ft from the centerline of the road (Section 12-305). The required yard along E 1750 Road is 140 ft from centerline of the road. Based on the scale of the plan, the buildings exceed this setback requirement. The distance from the building to the west property line should be added to the plan to insure the building is properly located.
- The setback for N 1300 Road, a Principal Arterial, is 150 ft and is measured 60 ft from the centerline of the road. The required yard along N 1300 Road (extended) is 210 ft from the centerline of the future road. The distance from the building to the proposed center line of N 1300 Road, extended, should be added to the plan to insure the building is properly located.

Parking and Access: The Zoning Regulations do not specify a parking requirement for an *Athletic Field* use. Typically, the parking for assembly uses is based on the number of seats provided for the event and parking for recreation uses is based on the square footage of the recreation area. The *Athletic* Field use is different from both of these uses as no seating is proposed and the number of occupants is set per team size rather than area. No seating is being proposed with this use and few spectators are anticipated. The applicant provided the following information related to parking:

• Typical team size of 15 players and 2 coaches: 34 plus 4 referees – 38 people per field. 5 fields results in 190 people.

The 200 parking spaces provided would allow 40 parking spaces per field; however, it is not the intent to use all the fields simultaneously. The applicant indicated that some fields are used while others are rested in order to maintain a suitable grassy surface. In addition, it is expected that many participants will be dropped off and the cars won't remain on the site during training. A grassed overflow parking area with 74 additional spaces will be located to the east of the standard parking area to accommodate the possible utilization of all fields or additional spectators. In staff's opinion, the amount of parking provided is adequate for this phase of the project. The Zoning Regulations require 1 ADA accessible space for a parking lot with up to 25 spaces. The parking lot to the north of the storage building has 20 spaces, with 2 of them being ADA accessible. The Zoning Regulations require 6 ADA accessible spaces for a parking lot with between 151 and 200 spaces. The parking lot to the east of the concessions building has 200

spaces, with 4 ADA parking spaces. 2 additional ADA parking spaces should be added to this parking area.

Water/Sewage Management: Rural water is not currently available in this area. The applicant intends to use well water for service water (irrigation, cleaning, etc.) and will bring potable water to the site for athletes and visitors. The Health Department has approved the use of potable water brought to the site. and has approved the proposed location for the septic system. The system will be installed with the first phase of this project; however, restrooms will not be added until a public water supply is available. This should be noted on the plan and the location of the chemical toilets should be shown more clearly on the plans.

Screening:

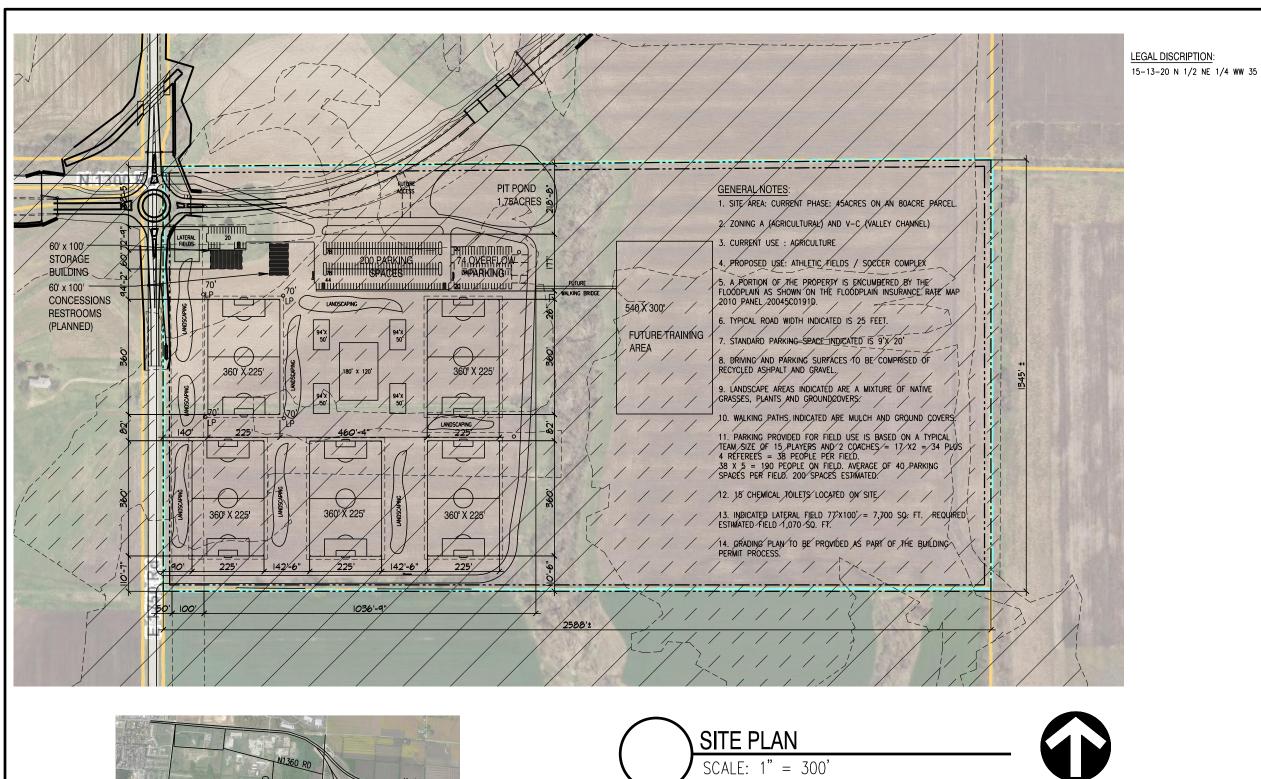
The plan shows the future extension of 31st Street (N 1300 Rd) so the use can be designed to accommodate the required future right-of-way. There is no road along the north property line at this time, so screening of the parking area from the north is not required at this time. Future improvements to the facility, following the construction of 31st Street, will require the addition of landscape screening along the north side of the parking areas. The small parking area to the north of the storage building is located approximately 100 ft from E 1750 Road. Screening of this parking area is not required due to the narrow width of the parking lot (2 single rows of parking) and the separation from the roadway.

Limits and Conditions:

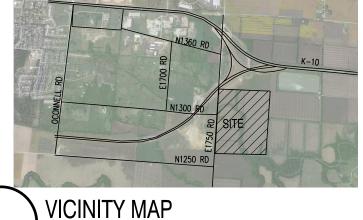
The use should be administratively reviewed by the Zoning and Codes Office every 5 years to insure compliance with the standards of the Conditional Use Permit. Expiration dates are often applied to Conditional Uses so they may be re-evaluated to determine if they remain compatible with the development in the area. Given the nature of this use, staff does not recommend an expiration date.

Conclusion

The proposal complies with the County Zoning Regulations and the land use recommendation of *Horizon 2020*. The facility should be compatible with the surrounding land uses.







SCALE: NTS

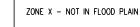




.2 PERCENT CHANCE ANNUAL FLOODING



ZONE A - 2 PERCENT CHANCE ANNUAL FLOODING



C15.003.01

Jambars **Futbol Club** inc.

P.O. BOX 1030 Lawrence Ks, 66044

Villa 20 N1300 Rd & E178 Lawrence, alcio

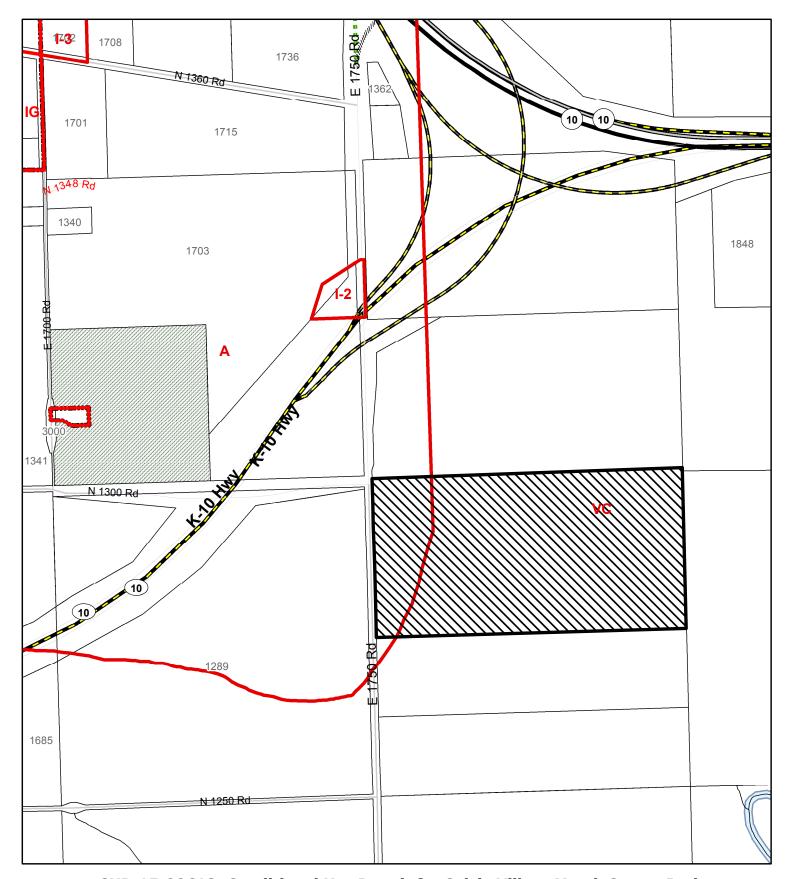
Kansas



Rel. Date: 12.30.15

SITEPLAN CONDITIONAL USE **PERMIT**

© 2015 ADAMS ARCHITECTS, LLC



CUP-15-00613: Conditional Use Permit for Calcio Village Youth Soccer Park Located on the Southeast Corner of E 1750 Road and N 1300 Road (Extended to the East)





From: <u>karen heeb</u>

To: Mary Miller; Karen Heeb
Subject: CUP-15-00613--Calico Village

Date: Wednesday, January 20, 2016 11:14:38 AM

TO: Planning Commission

FROM: Southsiders N 1300 Road Neighborhood Association

We have some concerns and questions regarding the CUP-15-00613--Calico Village:

When will the Athletic Field construction begin and be ready for use?

We are concerned about the additional traffic this would generate on N 1300 Road from O'Connell

to E 1750 Road (Noria Road). It appears that this would be the most direct route from the west to

the Athletic Field. With the South Lawrence Trafficway (SLT) construction still in progress, E1750 is

not accessible from K10 for traffic from the east, either.

We have visited with Keith Browning about the very poor condition of N1300 Road between O'Connell

and E 1750 Road. Our understanding is that this road will not be resurfaced until the SLT is open next

summer. We think safety is a major factor which should be considered for this road as it currently

exists. The speed limit is posted at 35 mph but is mostly ignored by non-residents of this area. Heavy

SLT work vehicles still use the road, as well.

Water and sewage is another area of concern. All of our properties depend on well water. The water

table is currently in pretty good shape and providing the water we need, but that is only after the great

amount of rain we received earlier this year. Our well is 75 feet deep on the lowest portion of our

property to provide the limited amount of water we can get. Adding another well or wells for this

project would have a negative impact on all of our wells. At least one property depends on two cisterns

and has to haul water because the well could no longer provide an adequate water supply.

All of our properties have septic systems and once a week hired trash pickup.

How will all of this be handled by the Calico Village?

The idea of Calico Village is very positive and would be a nice addition to the

recreational facilities

available for the youth of our community. However, with the above mentioned questions and concerns

which will affect all of us and our daily living, we will appreciate the opportunity to discuss this with

the Planning Commission on Monday evening, January 25th, at 6:30 p.m.

Thank you for your attention and consideration to this matter.

Respectfully,

Karen Heeb, on behalf of:

Steve Eisele
Camilla Geiss
Larry Fish
Denise Fish
Steve Braden
Carolyn Braden
Phil Wente
John Burggraf

Roger Kitsmiller
Ralph Kitsmiller
Scott Chamberlain
Diana McNish
Dennis McNish
Bill Vervynk
Bernice Vervynk
Vickie Burggraf

 From:
 John Thomas

 To:
 Mary Miller

 Subject:
 Soccer Park

Date: Tuesday, January 19, 2016 9:37:02 AM

Attachments: Buffer.pdf

Mary,

Wak-n-Duk has been developed during the last 9 years into a thriving wildlife conservation area. In partnership with the NRCS team, this property now contains two, large wetland areas and approximately 35ac of native grassland. The wildlife is thriving, which is very exciting for us to see. It chosen to receive a Wildlife Habitat award in 2011 and a Buffer Strip award in 2014. We're proud of what's been accomplished to date and hope to protect this environmental resource for many years.

The purpose of this email is to express our concern about the proposed soccer complex on property adjacent to Wak-n-Duk. We aren't anti-development, it just seems like this group could choose a more suitable location further away from sensitive environmental areas. The combination of lighting, noise and vehicular traffic created by this project, will have an adverse impact on our property.

Possibly the harm could be mitigated by the addition of a noise barrier and an agreement to not develop the eastern half of the property. However it certainly seems appropriate to have this type of project located away from sensitive environmental areas like the Wakarusa river valley.

Attached please find a description of the buffer/filter strip program we have in place. If anyone from the planning commission would like to visit the property, it will be our honor to host them for a tour.

Respectfully,

John Thomas

--

John Thomas Oread Medical Partners 913-647-6633 785-550-6253 (cell) Customer(s): WAK-N-DUK LLC

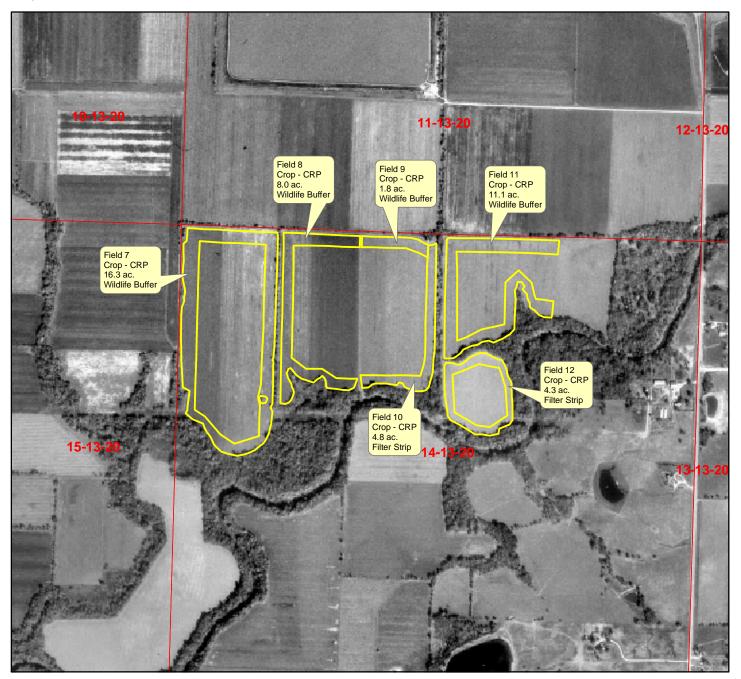
District: DOUGLAS COUNTY CONSERVATION DISTRICT

Legal Description: 14-13-20 NW4

Field Office: LAWRENCE SERVICE CENTER

Agency: NRCS

Assisted By: Joseph Hoffman



Legend

Buffer

Section Lines



500 0 500 1,000 1,500 2,000 Feet

Scale 1:12000



Image: drg_ks045.tif