

PLANNING COMMISSION REPORT
Regular Agenda -Public Hearing Item

PC Staff Report
1/24/2018

ITEM NO. 2: PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR LAWRENCE HUMANE SOCIETY; 1805 E. 19TH STREET (KEW)

PDP-17-00663/FDP-17-00661: Consider a revised Preliminary Development Plan & Final Development Plan for the Lawrence Humane Society located at 1805 E 19th St. Submitted by Grob Engineering Services LLC on behalf of Lawrence Humane Society Inc., property owner of record.

STAFF RECOMMENDATION ON PRELIMINARY DEVELOPMENT PLAN: Planning Staff recommends Approval of the Preliminary Development Plan based upon the findings of fact and forwarding to the City Commission for approval.

PLAN AND STAFF RECOMMENDATION ON FINAL DEVELOPMENT PLAN: Planning Staff recommends approval of the Final Development Plan for Lawrence Humane Society based upon the findings of fact presented in the body of the staff report and subject to the following conditions and subject to City Commission approval of the Preliminary Development Plan:

1. Provision of a signed Site Plan Performance Agreement prior to the recording of the Final Development Plan with the Register of Deeds Office.
2. Revise the Final Development Plan to modify the required bufferyard planting schedule to meet the Type 3 bufferyard planting for 25' width. Update the landscaping table accordingly.
3. Provide a note indicating type of erosion and sediment control applied upon the completion of the final grading of the detention basin.
4. Revise the parking table to show the parking calculations that include the east and west access drives.
5. Adjust the note in the Landscaping Schedule regarding interior parking landscaping to reflect 63 spaces and the area to be landscaped at 2520 SF as shown on the plan.
6. Revise and/or remove the notes related to the alternative compliance request accordingly.

Reason for Request: Development of a new Animal Shelter Facility and demolition of the existing Animal Shelter Facility.

The project consists of replacement of the existing structures with one new building. The new building will take the place of several existing dog runs near the rear of the property. Once the new building is completed, the existing building will be removed and most of the area will be redeveloped as green space and/or dog-park.

Planning Commission Approval of a Final Development Plan

Plans submitted for final development approval in Planned Developments established prior to 2006 require Planning Commission approval of a Final Development Plan. This application is submitted as a revised Preliminary/Final Development Plan for Lawrence Humane Society PID. Final Development Plans must be in substantial conformance with the approved Preliminary or

previously approved Final Development Plan. Plans submitted for Final Approval must have a hearing for approval if major changes are proposed. The Animal Shelter Facility is the only development in the PID. Major changes are categorized as follows:

1. Increase the proposed gross residential density or intensity of use by more than 5% or involve a reduction in the area set aside for common open space, open air recreation area or non-encroachable area nor the substantial relocation of such areas;
2. Increase by more than 10% the total floor area proposed of the non-residential or commercial use
3. Increase by more than 5% the total floor area covered by buildings or involve a substantial change in height of buildings.

The review of this project is an assessment of the proposed development as it complies with the approved Final Development Plan for the PID. The development is being continued as a PID because staff reviewed the code and determined there was not a more suitable zoning district to accommodate this use and the Planned Development provides assurances to the public.

KEY POINTS

- The subject property was previously approved under a Planned Development for the Lawrence Humane Society.
- The project includes all of Lot 1 as shown on the approved Final Development Plan.
- This project is a modification to an approved Final Development Plan.
- Section 20-1009.3 (of the 1966 Code) and Section 20-1304(b) of the Development Code allows concurrent submission of the Preliminary and Final Development Plans for a single use, single structure development.
- The proposed request is to replace the existing facility with a new structure on the north portion of the lot and then remove the current facility and create a greenspace/dog park on the south portion of the lot.

FACTORS TO CONSIDER

- Compliance with Section 20-1013, 1966 Zoning Code for modifications to a Final Development Plan
- Conformance with *Horizon 2020*.
- Conformance with Subdivision Regulations.

ATTACHMENTS

1. Area map
2. Preliminary and Final Development Plan Drawing
3. Previously approved Final Development Plan
4. Lighting Plan

ASSOCIATED CASES/OTHER ACTION REQUIRED

Associated Cases

- Lawrence Humane Society; Preliminary and Final Development Plan (09-29-95).
- Lawrence Humane Society; Preliminary and Final Development Plan (Revised) (12-19-00).
- Lawrence Humane Society; Preliminary and Final Development Plan (Revised) (01-31-07).

Other Action Required

- Approval of the revised Preliminary Development Plan by the City Commission.
- Provision of a mylar and the appropriate recording fees.
- Submittal of building permit application and construction plans and issuance of building permits prior to development activity.

PUBLIC COMMENT

- None have been received.

GENERAL INFORMATION	
Current Zoning and Land Use:	PID-Lawrence Human Society Addition (Planned Industrial) District; Current Use: Animal Shelter Facility
Surrounding Zoning and Land Use:	
To the north:	RS7 (Single-Dwelling Residential) District; <i>Single-Dwelling Structures</i>
To the west:	RS7 (Single-Dwelling Residential) District; <i>Single-Dwelling Structures</i>
To the south:	GPI-(General Public and Institutional Use) District; <i>Douglas County Fairgrounds</i>
To the east:	RS7 (Single-Dwelling Residential) District; <i>Single-Dwelling Structures/Mobile homes – Brookwood Mobile Home Community</i>
Legal Description	<i>Lot 1, Lawrence Humane Society Addition, an addition to the City of Lawrence, Kansas.</i>

Table 1: Site Summary

SITE SUMMARY		
	Approved Plan (Existing)	Proposed Plan
Land Use	Existing Animal Shelter Facility	Animal Shelter Facility
Land Area	158,399 SF 3.64 (AC)	158,399 SF (3.64 AC)
Pavement	22,069 SF	45,090 SF
Buildings	17,540 SF Existing	21,825 SF (24.5% increase)
Total Impervious	39,609 SF	66,915 SF
Total Pervious	118,790 SF	91,484 SF
Greenspace	118,790 SF	91,484 SF
Lot Coverage	11%	14%
Impervious Lot Coverage	25%	42%

STAFF ANALYSIS

This application is a modification of an approved Final Development Plan for the Lawrence Humane Society development. The plan proposes to replace the existing Animal Shelter Facility with a new structure on the north portion of the lot and remove the existing structure. This plan relocates the main access drive to the west portion of the property and adds a secondary access drive to the east of the property. The plan also modifies the interior parking lot arrangement in response to the changes in building location and access points.

The project is proposed in two phases. The first phase will consist of site improvements and construction of the new facility to the north. The second phase (once the new facility is completed) will be to remove the existing structure, complete site improvements and create the greenspace and dog park area. The overall development impact is a larger single building and impervious surface coverage on the lot. The use and general function of the site is not changing. The plan is a reconfiguration of the previously approved Final Development Plan for the Lawrence Humane Society.

Figure 1: Previously approved FDP Plan

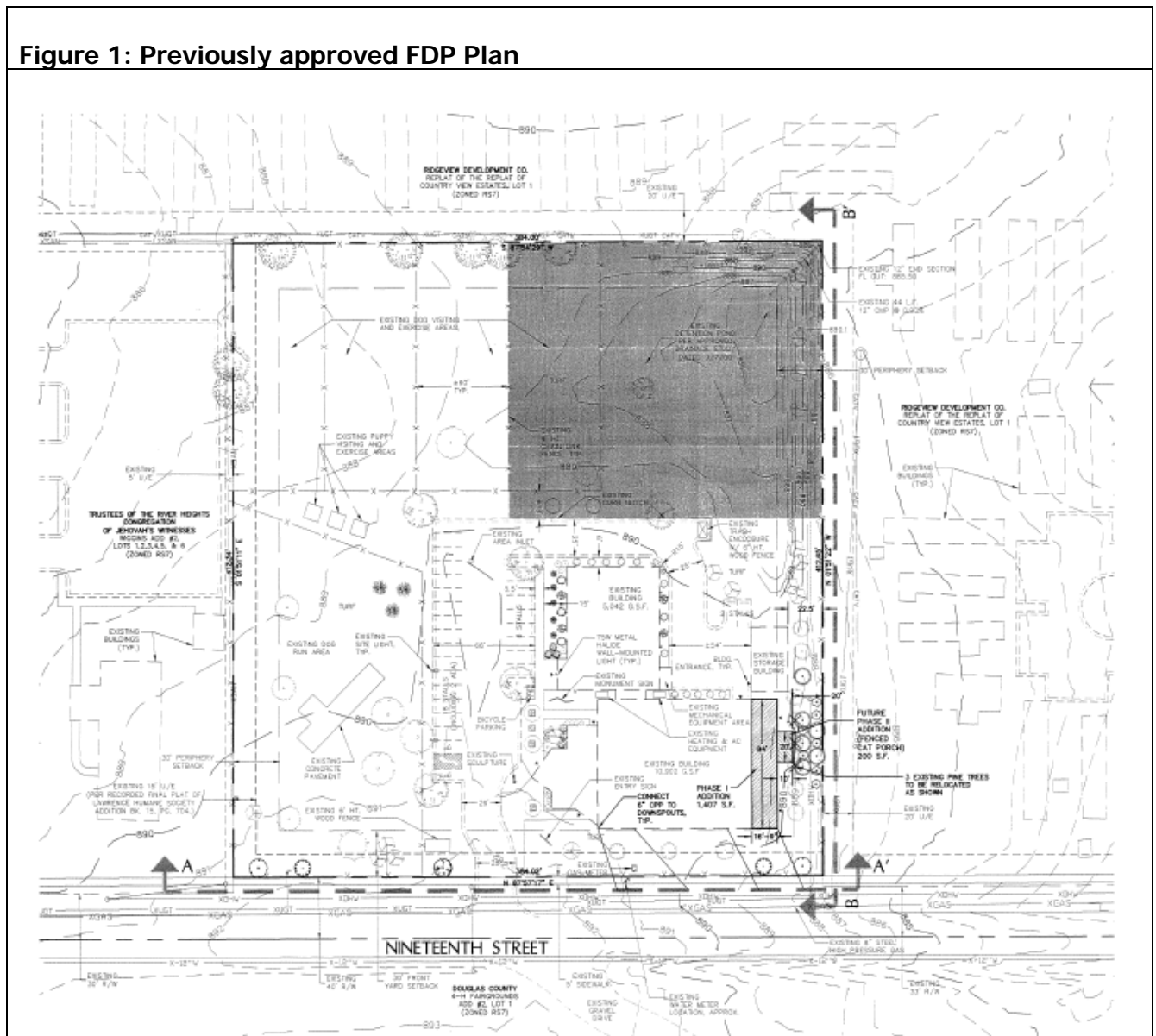


Figure 2: Proposed Final Development Plan

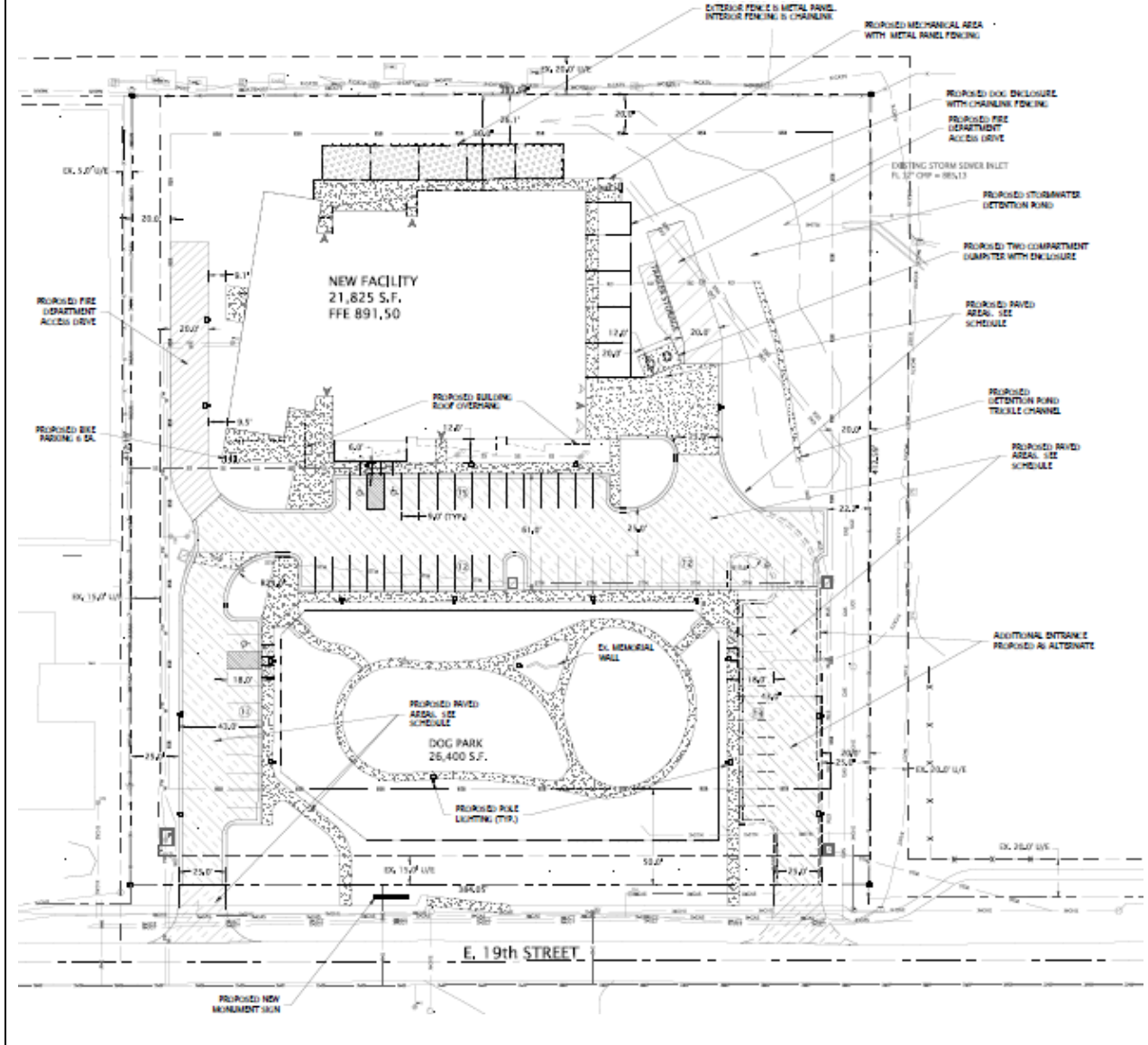


Table 2: Parking Summary

PARKING SUMMARY			
Proposed Use	Req. per Sec 20-1212 [1966 Code]	Parking Required (Current Code)	Parking Provided
<i>Kennel 1/500 SF</i> <i>Sales/Grooming 1/300 SF</i> <i>Veterinary 1/400 SF</i>	1/400 SF per Public Use Floor Area (Retail, Wholesale and Services) Per previously approved FDP 4000+/- SF Public Use Area/400 SF = 10	Kennel; 7,500 SF / 500 = 15 spaces Sales/Grooming; 300 SF / 300 = 1 space Veterinary; 13,925 SF / 400 = 35 spaces Total – 51 required incl. 1 ADA space and 2 Van ADA spaces.	63
<i>Bicycle Parking 1/10 stalls</i>		5	6
Previously Approved FDP (revised 2007) Lawrence Humane Society = 10 parking spaces required based on previous calculation of 1/400 SF per Public Floor Area. Includes 2 ADA spaces. 28 spaces were provided. 6 bicycle spaces provided. The proposed plan meets the requirements of a Major Development Project under 20-1305(3) and parking is reviewed under the current Land Development Code standards.			

DENSITY/INTENSITY REVIEW

Per Section 20-701(f) (3), density within a Planned Development is calculated based on the number of bedrooms rather than the number of dwelling units. There are no residential uses associated with this development application.

The proposed change increases the total square feet of the Animal Shelter Facility by 4,285 SF (24.5%). An increase of more than 10% constitutes a major change to the previously approved Final Development Plan and requires a hearing before the Planning Commission. The plan has been submitted as a Preliminary and Final Development Plan for concurrent processing per 20-1304(b) Planned Developments. In addition to the above threshold, the plan proposes a new structure, site improvements, access changes and internal parking reconfiguration. The Preliminary/Final Development Plan was submitted and is being reviewed as a Major Development Project.

LANDSCAPE AND OPEN SPACE REVIEW

The redevelopment must meet the minimum landscape and open space design standards. These standards address common open space, street trees, parking lot landscaping, and parking lot screening.

Common Open Space: The project as proposed exceeds the minimum required open space. Open Space is provided throughout the site.

✚ The proposed development complies with this design standard.

Table 3: Common Open Space

<ul style="list-style-type: none"> Required Open Space at 20% = 31,679 SF Acres 	<ul style="list-style-type: none"> Open Space Provided = 91,484 SF
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Street Trees: Street Trees are required along the public street E. 19th Street. The proposed development plan notes that 10 street trees are required and 10 street trees are provided.

✚ The proposed development complies with this design standard.

Interior green space: The current Development Code requires interior green space based on a formula of 40 SF of greenspace per parking space provided. Interior landscape material is also required within the required open space areas. The following table summarizes the required landscape materials for the proposed development.

Table 4: Interior Landscape

Required: 63 * 40 SF = 2,520 SF Proposed: = 2,850 +/- SF Interior plantings include 1 tree per 10 parking spaces and 3 shrubs per 10 parking spaces <ul style="list-style-type: none"> 7 trees required; 7 proposed 19 shrubs required; 19 proposed 	
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✚ The proposed development exceeds this design standard.

Perimeter Parking Lot landscaping: Parking lots are required to be screened from adjacent public rights-of-way. This design standard applies to E. 19th Street. The parking lot design proposes a large setback exceeding 150' from the public right-of-way and provides more space that is open than the previously approved plan to provide an outdoor dog park. The applicant has requested alternative compliance for the parking area north of the dog park due to the additional open space. Perimeter parking lot landscaping is being provided on the east and west parking areas that are closer to the public right-of-way. The Planning Director has waived the requirement for perimeter parking lot landscaping only for that portion that is located north of the dog park area and which exceeds 150' in distance from the public-right-of-way.

✚ With the approved waiver, the proposed development complies with this design standard.

Bufferyard landscaping: Developments are required to provide bufferyards in accordance with Section 20-1005 when adjacent to incompatible uses on adjacent properties. The proposed parcel is zoned PID (Planned Industrial) District. It is adjacent on the west, north and east to a RS7 (Single-Dwelling Residential) District. In Table 20-1005(c) the required bufferyard for an Industrial District adjacent to RS7 is a Type 3 bufferyard. The applicant has chosen the 25' wide Type 3 bufferyard which requires 4 trees and 20 shrubs per every 100 linear feet. The

The applicant has submitted a photometric plan that complies with the maximum lighting levels as it pertains to the property lines and right-of-way. Residential uses are not directly impacted by lighting from this development. The primary lighting is located on the parking lot portion of the project which is located to the south of the proposed building and faces the public right-of-way. Parking lot lighting will be pole-mounted on 20' tall poles.

Maximum light spillover onto public right-of-way may not exceed 3 foot-candles (fc). The lighting plan proposed light levels at .4 fc or less. Detailed light fixture information has been provided. The fixture is shown as being compliant with a downward angle and no exposed bulbs. This element will continue to be reviewed with the submission of a building permit. Lighting is subject to compliance with Section 20-1103 of the Land Development Code.

INDUSTRIAL DESIGN GUIDELINES

This project is subject to compliance with the adopted Industrial Design Guidelines.

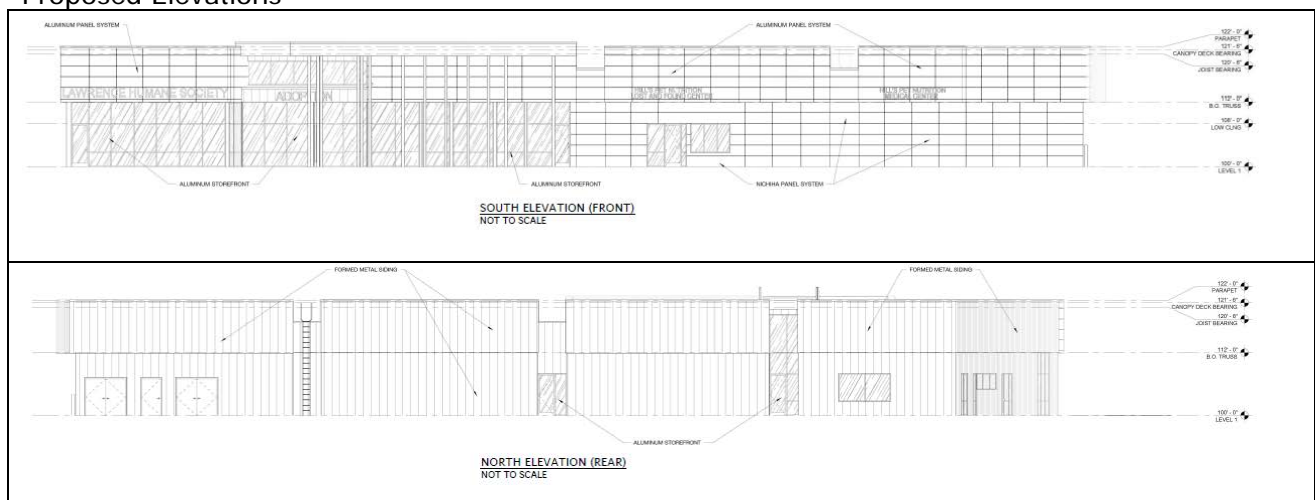
The proposed Final Development Plan addresses the Industrial Guidelines and meets the intent for General Design Objectives. Building Siting, Vehicular Access, Circulation and Parking have all been designed to be functional and appropriate for its context. Loading areas and trash enclosures have incorporated into the site layout and designed to minimize visual and noise impacts. Lighting has been designed to mitigate impact to surrounding properties.

Architectural elements have been added to visually articulate the roofline as well as break up the overall massing of the building. Windows are proportional to the overall structure and the entry is easily identifiable with storefront glass. Building materials are suitable for the industrial district and visual interest has been added to the façade through pattern.

Landscaping has been provided to enhance the overall site, define entrances, parking areas and bufferyards as well as articulate open space. The addition of the proposed dog park will provide additional opportunity for landscaped open space.

The Industrial Guidelines will continue to be reviewed for compliance through the building permit process and submission of construction documents.

Proposed Elevations



Summary

In reviewing and making decisions on proposed Preliminary Development Plans per Section 20-1304(d)(9), review and decision-making bodies shall consider at least the following factors:

- (i) the Preliminary Development Plan's consistency with the Comprehensive Plan; ***The proposed plan is consistent with the Comprehensive Plan and continues the same use and development pattern that currently exists on site.***
- (ii) the Preliminary Development Plan's consistency with the PD standards of Section 20-701 including the statement of purpose; ***The proposed plan maintains the use that the PID was established for and has met the standards of Section 20-701.***
- (iii) the nature and extent of Common Open Space in the PD; ***The proposed plan exceeds the required open space area of 20% per Section 20-701(3)(j)***
- (iv) the reliability of the proposals for maintenance and conservation of Common Open Space; ***The Common Open space (public dog park) is part of the Lawrence Humane Society's programming and will be maintained by the Lawrence Humane Society.***
- (v) the adequacy or inadequacy of the amount and function of Common Open Space in terms of the densities and Dwelling types proposed in the plan; ***The plan meets and exceeds the requirement for open space which will be utilized as a public dog park.***
- (vi) whether the Preliminary Development Plan makes adequate provisions for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment; ***The plan meets requirements for all criteria as discussed in the findings.***
- (vii) whether the Preliminary Development Plan will measurably and adversely impact development or conservation of the neighborhood area by:
 - a. doubling or more the traffic generated by the neighborhood;
 - b. proposing housing types, Building Heights or Building Massing(s) that are incompatible with the established neighborhood pattern; or
 - c. increasing the residential Density 34% or more above the Density of the adjacent residential properties.***The plan has addressed all of the criteria for determining any adverse impact to development or conservation of the neighborhood. The plan maintains the intent of the PID district and carries the use forward. The proposal meets all of the current requirements for a Planned Industrial Development per Section 20-1304 subject to the recommended conditions as discussed in the staff findings.***
- (viii) whether potential adverse impacts have been mitigated to the maximum practical extent; and, ***The proposed plan, as conditioned, will meet the standards for bufferyards, drainage, traffic control, light mitigation, setbacks and open space to minimize adverse impacts.***
- (ix) the sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PD in the case of a plan that proposes development over a period of years. ***The plan proposes only two phases of construction of a single use/single structure facility. Once the new structure is completed (Phase I), demolition of the existing structure will take place (Phase II).***

In reviewing and making decisions on the proposed Final Development Plan per Section 20-1304(e)(2)((ii), review shall ensure that the plan submitted for final approval be in substantial

compliance with the plan previously given preliminary approval and any modification of the plan as preliminarily approved may not:

- a. Increase the proposed gross residential Density or intensity of use by more than five percent (5%) or involve a reduction in the area set aside for Common Open Space, open air recreation area or Non-encroachable Area, nor substantial relocation of such area; nor,
- b. Increase by more than ten percent (10%) the total Floor Area proposed for non-residential or commercial uses; nor,
- c. Increase by more than five percent (5%) the total ground area covered by Buildings nor involve a substantial change in the Height of Buildings.

The proposed Final Development Plan exceeded the thresholds listed above for review as a modification to the previously approved Final Development Plan and triggered the submission of the proposal as a new Preliminary Development Plan and Final Development Plan which can be reviewed concurrently under Section 20-1304(b). The Final Development Plan is contingent upon City Commission approval of the Preliminary Development Plan if recommended for approval by the Planning Commission.

Conclusion

This Preliminary/Final Development Plan complies with Section 20-1304 of the Land Development Code and with the Industrial Design Guidelines as conditioned. The Preliminary/Final Development Plan varies from the previously approved Final Development Plan as noted in the above discussion and has been reviewed as a Major Development Project. The proposed plan is consistent with the intent of the overall development plan for the Lawrence Humane Society.

1. The plan proposes redevelopment of the site to include a new building with demolition of the existing building upon completion of construction.
2. The proposed Final Development Plan will meet the requirements in the Land Development Code for a Major Development Project as conditioned.
3. The proposed changes are consistent with the previously approved Final Development Plan and PID (Planned Industrial Development) District.