

PLANNING COMMISSION REPORT
Regular Agenda – Public Hearing Item

PC Staff Report
4/23/18

ITEM NO. 1B SPECIAL USE PERMIT FOR BRIDGE HAVEN; 1601 & 1701 RESEARCH PARK DR (BJP)

SUP-17-00697: Consider a Special Use Permit for Bridge Haven (*Extended Care Facility, General*), located at 1601 & 1701 Research Park Drive. Submitted by Paul Werner Architect, for Beckmeisters LLC, property owner of record.

STAFF RECOMMENDATION: Planning Staff recommends approval of the *Extended Care Facility, General* use located at 1601 & 1701 Research Park Drive and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions:

1. Prior to release of the accompanying site plan for building permits, the applicant will provide a photometric plan to the Planning Office for review of compliance with Section 20-1103;
2. Approval by the Stormwater Engineer of a best management practice at the west end of the proposed parking lot to mitigate the amount of parking that exceeds parking code requirements.

Applicant's Reason for Request: *The owner would like to add a third building to serve the memory care needs of aging senior citizens.*

ASSOCIATED CASES/OTHER ACTION REQUIRED

The following item is also being considered by the Planning Commission at their April 23, 2018 meeting:

- **PP-18-00072:** Consider a Preliminary Plat for Oread West No. 17 located at 1601 & 1701 Research Park Dr. Submitted by BG Consultants on behalf of Beckmeisters LLC, property owner of record.

Other Action Required

- Publication of the Special Use Permit ordinance.
- Administrative approval and recording of the Final Plat for this property.

KEY POINTS

- This staff report assumes approval and execution of the Major Subdivision.
- A Special Use Permit (SUP) was previously approved by the City Commission on June 12, 2012 for the *Extended Care Facility, General* use. With approval of that SUP, two buildings were constructed for the purpose of providing care to individuals suffering from Alzheimer's disease in a residential type setting.
- This proposed Special Use Permit request would accommodate expansion of the *Extended Care Facility, General* use with the construction of a third building.

FACTORS TO CONSIDER

CHARACTER OF THE AREA

- Property abuts a collector street.
- Property is within the IBP (Industrial Business Park) District.
- Property abuts a developed residential subdivision.

CONFORMANCE WITH *HORIZON 2020*

- The Plan does not specifically address special uses as defined in the Zoning Code.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

- Staff received general inquiries into the project with specific questions related to parking. Individuals indicated that Bridge Haven staff currently park along Research Park Drive. Inquirers had questions about parking requirements and the amount of parking that would be provided with the new facility. One email was also provided regarding the on-street parking.

ATTACHMENTS

Attachment A: Site Plan

Attachment B: Traffic Impact Study

Attachment C: Public Communication

GENERAL INFORMATION

Current Zoning and Land Use: IBP (Industrial Business Park) District; *Extended Care Facility, General* and undeveloped land.

Surrounding Zoning and Land Use: IBP (Industrial Business Park) District to the north, south, and east; undeveloped land.

RS10 (Single-Dwelling Residential District) to the west; *Detached Dwellings*.

Summary of Request

In 2012, a Special Use Permit (SUP) was approved by the City Commission for the development of two facilities that would provide care to individuals suffering from Alzheimer's disease in a residential setting. This SUP request is for the development of a third facility to be located to the south of the existing buildings.

A review of the accompanying site plan is provided at the end of this report, after the Review and Decision-Making Criteria section.

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: *With a Special Use Permit, the proposed facility is permitted per the Development Code.*

This proposed use, *Extended Care Facility, General* is a use allowed in the IBP (Industrial Business Park) District subject to a Special Use Permit. This proposed site plan accompanying this request complies with the building height, area and massing standards, along with the applicable off-street parking standards, as noted later in this report. There are no proposed variances associated with this project.

Staff Finding – This use complies with the applicable provisions of 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: *The proposed use is an extension of the existing business on site for memory care of senior citizens and is therefore compatible.*

The proposed building elevations match the existing development on the property and reflect a residential character for this project. This character is consistent with the large homes located to the west of the property. The properties immediately to the north, south, and east are undeveloped at this time.

As an *Extended Care Facility, General* use, operation of the business will be 24 hours 7 days a week. The active time associated with this use would typically be normal daytime hours with visitations, appointments, care providers and therapists traveling to and from the site. This would be consistent with anticipated business hours of future development in the area.

The site is designed in such a way as to provide a maximum separation between the proposed use and the residences to the west. The retention of a large portion of the existing vegetation will provide an additional buffer between this use and the existing residential uses to the west and future development to the north, south, and east.

Staff Finding – The proposed use is compatible with the adjacent uses in terms of size, massing, orientation, hours of operation and other external impacts.

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: *The proposed use will not cause a decrease to property values in the neighborhood. Instead, it will serve senior citizens and fit into the neighborhood very well.*

The SUP request facilitates the development of a third building for the *Extended Care Facility, General* use. A SUP was previously approved in 2012 that accommodated the development of two buildings for the same use. The proposed building will be similar in size and style to the existing facilities and will be compatible with the existing development.

The west side of Research Park Drive is wooded providing an opportunity to use existing mature vegetation to buffer this use from the adjacent residential area to the west. The design of the project provides a transition between the future office development planned to the east and the residential neighborhood to the west. These features are anticipated to protect the value of the neighborhood of which it is a part.

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 property is located within the existing city limits and located adjacent to a collector street. Infrastructure is available to provide service to this development.

Staff Finding – Adequate public facilities and transportation access is accommodated for this development. The uses do not preclude the ability to service the existing uses with respect to public safety, transportation, and utilities.

5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED

The site plan and SUP provide enforceable tools to address the use and continued maintenance of the property with regard to landscaping, exterior activity, and off-street parking.

Staff Finding – Adequate assurances of continued maintenance are inherent in the use and the Special Use Permit approval process.

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

Applicant's Response: *The existing wooded area will be removed from the center of the site, however, the tree cover on the west property line will remain as a buffer for the neighborhood to the west. Adverse impacts on the natural environment are not anticipated and new trees will be provided with the new development.*

The proposed use includes existing vegetation intended to be incorporated into the screening requirements for the site. While some areas will be disturbed, a portion of the mature vegetation will be retained and utilized in this project. There is no designated regulatory floodplain that encumbers this property.

Staff Finding – The proposed development is subject to regulatory controls to protect the significant natural features. This property is free from regulatory floodplain encumbrances.

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 in this district to ensure its compatibility with other uses in the area. The purpose of this district is to accommodate an *industrial/business park district intended to provide space in attractive and appropriate locations for certain lot-impact employment and manufacturing uses in a planned industrial/business park setting (Section 20-214 (a))*. The *Extended Care Facility, General* use is categorized within the overall Public and Civic Use Group and more specifically part of the Medical Facilities uses. The facility provides transitional care for individuals suffering from Alzheimer's disease who can no longer live unsupervised but are not in need of skilled nursing care found in more institutional type facilities. The development is designed to provide care in a residential-type setting. The location on the boundary of the neighborhood makes this specific development a reasonable transition between other future industrial/office uses to the east and the neighborhood to the west.

A time limit was not placed on the previously approved Special Use Permit for the *Extended Care Facility, General* use. The first building was constructed in 2012 and the second building in 2016. There have been no complaints or enforcement issues since the development of the use. The Development Code, Section 20-1305 (I), includes a process to revoke an approved Special Use Permit. Other than non-compliance with the scope or conditions of approval, reasons for revocation could include nuisance complaints from adjacent property owners or some future incompatibility with the neighborhood. This provision provides an opportunity to monitor the use as needed.

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

STAFF REVIEW OF THE ACCOMPANYING SITE PLAN

A. Site Summary

This project includes the construction of a third building to provide additional rooms for patient care in an Extended Care Medical Facility located on the west side of Research Park Drive. The building is designed to match the existing two facilities which are intended to have a residential character both interior and exterior.

Site Summary			
	Existing	Proposed	Change
Lot Size:	128,647 sq. ft.	128,647 sq. ft.	0
Buildings:	13,402 sq. ft.	20,637 sq. ft.	7,235 sq. ft.
Impervious Cover: %	21,647 sq. ft. 17%	43,123 sq. ft. 34%	21,476 sq. ft. 17%
Pervious Cover: %	107,000 sq. ft. 83%	85,524 sq. ft. 66%	-21,476 sq. ft. -17%

B. Access and Parking

On-site Parking:

The existing development contains 15 surface parking spaces. The proposed development includes the addition of a second off-street parking area near the south property line. The new parking area will contain 26 parking spaces.

Parking Summary			
Use	Parking Requirements	Spaces Required	Spaces Provided
<i>Extended Care Facility, General</i>	Auto: 1 space per 3 beds	34 beds / 3 = 12 spaces	41
	Bicycle: 5 or 1 per 10 spaces	5	6
Note: bedrooms are designed for occupancy that could accommodate the registered individual and one care giver (spouse) that would share the same bed/bedroom. While the facility may accommodate dual occupancy of rooms, use of rooms/beds may not be used to accommodate a "resident caregiver".			

The overall parking for this use exceeds the minimum Development Code Standard. Staff received phone calls from nearby property owners that indicated Bridge Haven staff currently park along the side of Research Park Drive, which is legal but does place vehicles on a collector road. While the current development meets the Land Development Code parking requirements of 1 space per 3 beds, the parking requirements do not address the parking needs associated with caregivers and other staff. The proposed development exceeds the minimum parking requirement by 29 parking spaces which will provide additional spaces for caregivers and other staff during shift changes.

Per Section 20-901(c), developments that provide parking in excess of the required standards must mitigate the impacts of the increased impervious surface through use of storm drainage Best Management Practices (BMPs) as provided in the City's adopted BMP manual [Mid-America Regional Council and American Public Works Association Manual for Best Management Practices for

Stormwater Quality -- Sept. 2003 and subsequent updates]. A condition of approval of the Special Use Permit is approval by the Stormwater Engineer of best management practices to mitigate the excess parking.

Access: Access to this site is provided via two driveways intersecting with Research Park Drive, a collector street. There is an existing driveway located near the north property line that provides access to the existing parking area. A second driveway, located approximately 282' to the south, is proposed to provide access to a new parking area.

A cross access easement is proposed to provide access to the property located to the south of the subject properties. That property, located at the northwest corner of Research Park Drive and W 18th Street, is currently undeveloped. Section 20-915(e) of the Development Code dictates that driveway spacing for properties taking access from a collector street shall be 250' from other driveways and 250' from the intersection of a local street. The proposed south driveway will inhibit the ability of the southern property to comply with the driveway spacing development standards. Future development of that lot would require a driveway near the north property line, which would not meet the 250' driveway spacing requirement. Given this, a cross access easement is proposed to provide access to the property to the south when it is developed.

C. Design Standards

Building Elevations: The new structure will resemble the existing two buildings. The buildings were designed to have a distinctive residential character that could easily be found in traditional neighborhoods. While larger, the building orientation and architecture are intended to and succeed in reflecting a residential character.

Pedestrian accessibility: The site includes a public sidewalk along Research Park Drive and a connecting sidewalk from the development to the public sidewalk. Pedestrian accessibility is accommodated with this project.

D. Landscaping and Screening

Street Trees: Street trees are required as part of the subdivision design standards and are shown on the proposed drawing.

Street Tree Summary			
Street	Requirement	Required	Provided
Research Park Dr	1 shade tree per 40 ft of street frontage	401.91 ft / 40 = 10 Trees	10

Interior Landscaping:

As shown in the calculations below, the interior landscaping requirements per section 20-1003 are met.

Interior Landscaping Summary		
	Required	Provided
41 parking spaces	Landscaping Area: 41 stalls X 40 sq. ft. = 1,640 sq. ft.	2,043 sq. ft.
	Trees: 41 stalls / 10 = 5 X 1 = 5 trees	8 trees
	Shrubs: 41 stalls / 10 = 5 X 3 = 15 shrubs	19 shrubs

Perimeter Landscaping:

The parking areas will be screened from Research Park Drive by a continuous row of shrubs. The street trees will be counted toward this requirement.

Bufferyard: The bufferyard standard is applicable only to the rear (west) property line for this project where IBP zoning abuts residential zoning. The Development Code requires a Type 3 Bufferyard. This yard can range from 15' with a wall or fence to as wide as 25'. The rear yard setback of this district is 40'. A private covenant restricts the development setback to 50'. The existing development met a 51.71' setback with a note to retain existing vegetation. The proposed development will be located further west of the existing development, adjacent to Research Park Drive. Similar to the existing development, the plan notes that existing vegetation will be retained. Sufficient vegetation will be retained to meet and exceed the bufferyard standards of the Development Code. Should this vegetation be removed or lost due to disease, comparable planting shall be required to be installed. A note is included on the site plan that states this requirement.

Sensitive Lands:

A portion of the property is undeveloped and contains stands of mature trees. While Section 20-1101 provides protection standards for this type of sensitive lands, this section is applicable to development in all RS (Single-Dwelling Residential) and RM (Multi-Dwelling Residential) Districts, but is not applicable to non-residential zoning districts. The property is zoned IBP and as such this standard does not apply to the proposed development. However, as discussed above, the applicant proposes maintaining a portion of the existing vegetation as a mechanism to buffer the development from the residential development located to the west.

Mechanical Equipment Screening:

As noted on the site plan, exterior ground-mounted or building mounted equipment shall be fully screened from view of the adjacent properties and from street right-of-way (as measured 6' above ground level). Screening shall be in the form of landscape plantings or an architectural treatment compatible with the architecture of the principal building.

Alternative Compliance: None is proposed with this request.

E. Lighting

The plan notes that exterior lighting will be less than 150 watt incandescent fixtures and that a photometric plan will be provided for review. A condition of approval of the Special Use Permit is submittal of a photometric plan for review for compliance with Section 20-1103.

F. Floodplain

This property is not encumbered by regulatory floodplain.

CONCLUSION

This development is intended as a small scale institutional use with a residential character. The design provides a land use transition between the future industrial or office uses to the east and the developed residential neighborhood to the west. Based on the findings in this report, and as conditioned, staff recommends approval of the Special Use Permit.