

ITEM NO. 2 SPECIAL USE PERMIT FOR BISHOP SEABURY; 4120 CLINTON PKWY (SLD)

SUP-18-00076: Consider a Special Use Permit for a 30,342 SF building addition at Bishop Seabury Academy, to accommodate additional classrooms, office, cafeteria/kitchen and chapel spaces, located at 4120 Clinton Parkway. Submitted by BBN Architects Inc, for Bishop Seabury Academy, property owner of record.

STAFF PRESENTATION

Ms. Becky Pepper presented the item.

APPLICANT PRESENTATION

Ms. Lorie Bowman, BBN Architects, agreed with the conditions in the staff report. She said 12-18 months was a reasonable construction phase and that a majority of the staging would happen on the south side of the lot. She said the tennis court would be demolished but that it would be used as part of the construction phase. She said there would not be a lot of traffic on the north and east sides of the building. She said the majority of the construction traffic would be along the south and west side. She said the contractor would be responsible for securing the construction site with construction fencing. She said PSI Services conducted a full soil analysis and recommended backfill material. She said the pool would be removed and filled with engineered fill material. She said regarding noise during construction the contractor would work Monday-Friday 7:00am-5:30pm and possibly Saturday's half-day if they get behind. She said some neighbors wanted more landscaping and others wanted less so she felt the best way to handle landscaping would be to meet with the neighbors again.

Mr. Don Schawang, Bishop Seabury, said regarding the line of juniper bushes mentioned in a letter from a neighbor, those were far enough from the construction site that they would remain. He said the tree mentioned on the far west side of property would be maintained and cared for.

Ms. Bowman said a significant addition of landscaping would be added. She said one giant tree was requested to be removed by the neighborhood so it was removed. She said she was happy to meet with the neighbors about landscaping concerns. She said the new building addition would be consistent with the look of the building now and would not introduce new materials.

PUBLIC COMMENT

Mr. Bob Banning, 4211 Wimbledon, said condominiums/townhomes were treated as multi-use buildings in the Code in terms of landscaping barriers. He recommended they revisit the Code and how it views landscaping for condominiums/townhomes. He expressed concern regarding drainage especially during high rain seasons.

Mr. Tom Cotte' said the east building would back up to the new construction by about 40-50'. He said the south side faces the tennis courts. He said the entire Bishop Seabury campus shielded the townhomes from Clinton Parkway which helps with noise and traffic. He felt the construction process would drastically change the landscaping. He expressed concern regarding construction scheduling, sanitary sewer pipe, property values, and drainage. He felt a year and a half was a long time to witness construction. He asked Planning Commission to consider limiting the construction timeframe. He expressed concern about decreased property value, especially during the construction phase. He recommended a barrier of fast growing trees be planted as screening. He said the removal of the tennis courts would expose the neighborhood.

Ms. Hilary Griggs, Bishop Seabury student, said she took three out of eight classes in a mobile classroom. She said there was an increasing need for Bishop Seabury to expand. She said there would be some extent of inconveniences to the neighborhood during construction but that there was a definite effort by Bishop Seabury to mitigate those inconveniences. She said the project was essential to continue improvements to the student body education. She urged Planning Commission to vote in favor of the Special Use Permit.

Ms. Patsy Cotte' said there were six units/homes that would be directly impacted. She wanted construction to be kept on task and the contractor held liable. She said the neighborhood would be subjected to the back of the building and that it would be very close.

Mr. Michael Almon said the expansion would be the same design the current buildings had. He said landscape screening was not necessary since it would be no different than what was there now.

APPLICANT CLOSING COMMENT

Mr. John Chamberlain, SK Group, addressed stormwater concerns expressed by Mr. Banning. He said the existing 35' drainage easement along the north side of the property picks up drainage to the northwest of the property and drains to the north of the existing townhomes. He said that was a pre-existing drainage issue with pre-existing water flows established by previous development. He said the current plan would increase the pervious area. He said along the back of the six townhomes the area was flat and did not drain well so underground storm sewer would be added to drain to the drainage easement on the north side of the property. He said the existing sanitary sewer line was a private line and construction would not impact that line. He said a note could be added to construction plans so the contractor was aware the line was there. He said the sanitary sewer for Bishop Seabury would come out of the north side of the building and tie into a 12" city main sewer line.

Ms. Bowman said the backside of the building wasn't the backside for the school. She said it would be the science wing and would have windows and doors to bring in as much daylight as possible. She said there were a substantial amount of cedar trees and Bishop Seabury would be planting more. She said trees could be moved to fill in gaps.

COMMISSION DISCUSSION

Commissioner Butler asked where the residential six-plex was located.

Ms. Pepper showed an overhead map.

Commissioner Butler asked about the pre-existing drainage issue that Mr. Chamberlain mentioned. She wondered if the drainage issue was on Bishop Seabury property.

Mr. Chamberlain said no, there was a large box culvert that goes underneath Wimbledon Drive with an existing drainage easement on the north side of the six-plex which turns and goes east along the north side of Bishop Seabury and ties into the creek east of Bishop Seabury. He said a new stormwater system would be added to provide drainage to the flat area near the six-plex. He said the tennis courts would be removed so there would be less impervious surface than currently on site.

Commissioner Paden did not feel that 12 bicycle spaces were enough.

Mr. Schawang said Bishop Seabury encouraged students to bike to school but that more bicycle racks would not make that happen.

Commissioner Paden said it was an issue that needed to be addressed citywide. She felt reducing bicycle spaces from 43 to 12 was too few spaces.

Mr. Scott Zaremba, Bishop Seabury President of Board of Trustees, said as things progress Bishop Seabury will expand with that progression.

Mr. McCullough said Lawrence Memorial Hospital received a reduction. He said institutional uses allow for bicycle additions if needed in the future.

Commissioner Kelly said townhomes were different than what is typically thought of for multi-family. He wondered about screening language in the Code.

Mr. McCullough said bufferyards were dictated by zoning districts. He said schools were allowed in many residential districts so it was more of a use issue than a zoning issue. He said the townhomes were situated fairly close to the property line when developed. He stated there were mechanisms through the Special Use Permit to mitigate impacts.

Commissioner Kelly inquired about the request for fencing.

Ms. Bowman said there was a fence around the pool about 10' inside the property line that would be removed. She said she would prefer to mitigate with landscaping and that there was substantial screening on the Bishop Seabury side.

Mr. Banning said the buffer would be greater if single-family homes instead of multi-family.

Mr. McCullough said the applicant would have the choice of bufferyard. He said it would need to be put forth as a condition.

Mr. Matt Bond, City Stormwater Engineer, said there were constraints on the placement of additional landscaping and how it would impact sewer lines.

Commissioner Carpenter asked about how the Special Use Permit ties into construction timelines.

Mr. McCullough said the Special Use Permit allows 24 months to pull a building permit or seek extension.

Commissioner Rob Sands arrived at the meeting at 7:57pm.

Mr. Schawang suggested removing neighbor trees and replacing with new trees.

Mr. Bond said the current placement was fine.

Ms. Cotte' said the current trees were beautiful. She expressed concern about the building being too close. She said she would prefer a fence for screening.

Mr. Bond said a 6' fence was not going to hide a 20' building.

Commissioner Butler said the residents have the choice to put up fence on their side. She said the property owner had rights and the ability to develop their site. She encouraged the applicant to work with neighbors. She was not a fan of requiring the applicant to spend extra money on screening the neighbors would prefer.

Commissioner Kelly asked staff if it would provide enough direction to say that the applicant and neighbors could work together on the location of landscaping as they agree to. He said the applicant was following the Code and the neighbors could put up a fence and landscaping if they chose.

Mr. McCullough said minor changes could be made administratively.

Commissioner Carpenter said there was nothing that would prohibit the applicant from working with the neighbors.

ACTION TAKEN

Motioned by Commissioner Butler, seconded by Commissioner Culver, to approve the Special Use Permit for Bishop Seabury Academy, a *School Use*, located at 4120 Clinton Parkway and forwarding the request to the City Commission with a recommendation of approval, including the following waivers:

1. Reduction of required bicycle parking from 43 to 12 as determined to be acceptable by the City Engineer.
2. Waiver to reduce required perimeter parking lot landscaping due to underground utility conflicts.
3. Waiver to reduce the width of the north and west access driveway as shown on the site plan.

subject to the following conditions:

1. The applicant shall submit a revised Site Plan with the following changes prior to the release of the site plan to Development Services for processing of building permits.
 - a. Revise the parking summary General Note 9 to update the total bicycle parking provided is 12 spaces and include a note that references a waiver for the reduction in bicycle parking and to show on the drawing a minimum of 12 bicycle parking spaces that meet APBP bike parking spacing requirements.
 - b. Reconfigure the storm sewer at the north end of the new parking lot to terminate in a bio-retention cell along the north property line per the City Stormwater Engineer's approval.
 - c. Provision of a revised site plan to show either a dry stand pipe or a wall indicator valve with a 2.5" hose connection at the exterior of the building per Fire Prevention Staff approval.

Commissioner Kelly said it was great to see goodwill between the school and neighborhood.

Motion carried 7-0-1. Commissioners Butler, Carpenter, Culver, Kelly, Paden, Sinclair, and Weaver voted in favor. Commissioner Sands was not present for the item.